Most famous rape case of the century

THE

FATTY

ARBUCKLE

CASE

The Hollywood story no one dared publish

by Leo Guild
He could have any woman in Hollywood he wanted—except beautiful Virginia Rappe. Already a star, Virginia didn’t need Fatty Arbuckle and didn’t want him.

Surrounded by adulation, yes-men, the semi-royal glitter of Hollywood, glutted with money, fame and success, Fatty Arbuckle couldn’t take “no” for an answer.

HERE IS THE SHOCKING, SOMETIMES SORDID, AND ALWAYS FASCINATING STORY OF ONE OF THE MOST FAMOUS CRIMINAL TRIALS OF ALL TIME

THE FATTY ARBUCKLE CASE
The writing of a book such as this is a monumental research job. It entails conversation with people who were on the scene; a search for their friends, relatives, acquaintances; study of the court records, the newspaper stories of the trial, magazines which contain much pertinent material about the case. People only remotely involved with the subject or the circumstances must be questioned. One interview always leads to another and another until the list of prospects becomes so long it seems impossible to write or to see all of them. But all must be reached.

Then medical experts must be consulted, legal advice must be secured. Books which covered similar cases have to be read to study pattern and summation. All this was done.

In the end, the work called for the separation of truth from fiction, fact from rumor, and after that the cutting down of the mass of material. The result you will read. It
is impossible to credit every source of information, but special thanks must be given to the following:

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PROLOGUE

At 3:20 p.m. on a hot September day in 1921, a five-foot six-inch, 266-pound man in flapping striped pajamas threaded his way through a crowded, noisy San Francisco hotel room. Around him couples danced to the blaring radio and guzzled the plentiful bootleg booze. In the center of the floor two showgirls, nude to the waist, debated angrily about their obvious charms while the leering bystanders cheered them on.

Near the bedroom door the fat man stopped to talk to a slender young girl whose lovely face was known to movie-goers all over the world. Taking her hand in his he said, loudly, “I’ve waited five years for this and now I got you.”

Then, with the silly smile that had made him one of the richest stars of his day, he pushed her, gently but insistently, into the bedroom. She did not resist as the door closed behind them.

The party continued, the liquor flowed, the radio blared “The Sheik of Araby,” and the guests snickered and speculated about the two celebrities behind the locked door. From the bedroom no sounds were heard.

Then, after a twenty-minute silence that was never to be explained, a single, blood-curdling scream came from the bedroom.

This scream of a mortally injured girl was to set off one of the most shocking and flamboyant courtroom scandals of history.

The pages that follow will attempt to recreate the circumstances of this amazing and controversial case.
THE MAN

In September of 1921 *Babbitt*, by Sinclair Lewis, was climbing the best-seller lists. Gene Sarazen was the golf leader. Roger Hornsby was on his way to hitting 42 homers, a new National League record. Bill Tilden was walloping all tennis opposition. Willie Hoppe was the billiard champion, and it looked as if Princeton had the best football team.

Newspapers predicted brain tests for drivers, to cut down the alarming increase in accidents. The tombs of Tutankhamen were unearthed. Prohibition was in and many of the college set carried flasks. Business was just starting to climb out of a depression.

Scientists were surprised to find that the Chinese had the lowest blood pressure of all nations and were determined to find out why. The Jewett car sold for $995 and the Essex for $1145. Magnavox, promoting its radios, showed an elderly couple listening to the radio under the caption, “Pals again.”

On Broadway John Barrymore starred in *Hamlet*. The movies had such hits as Will Rogers in *A Ropin’ Fool* (In two parts!), Rudolph Valentino in *The Young Rajah*, Harold Lloyd in *Grandma’s Boy*, Mae Murray in *Broadway Rose* and Marion Davies in *When Knighthood Was in Flower*.

Also among the hits was *Crazy to Marry*, starring Fatty Arbuckle, a sure-shot comedian who was paid $5000 a week, 40 weeks a year by Joseph Schenck Productions to amuse the movie audiences. With a bland, smiling, plump face and a talent for idiocy on celluloid, Arbuckle was at the top of his profession and still climbing.
Arbuckle weighed 16 pounds at birth in Kansas 34 years before. He never lost the over-normal poundage. He had been called “Fatty” almost from the beginning—back to when he played a pickaninny at the age of eight in a San Jose vaudeville house.

For a fat man and one who drank too much, he was exceptionally healthy. At a studio insurance examination covered by the press he announced, “Late hours and lots of noisy parties keeps me in the pink.” He did have insomnia, and his estranged wife, Minta Dunfee, would often send him sleep remedies. These apparently had no effect. He and Minta, though separated, were good friends. Under a separation agreement, Arbuckle paid his good friend $500 a month.

At this point in his career Arbuckle had about one hundred two-reel comedies in the vault and close to 40 feature pictures. He had a studio named for him in Culver City, the city that is now the home of the behemoth, Metro-Goldwyn-Mayer.

The rotund actor had such close friends as Buster Keaton, Marion Davies, Eddie Cantor and George Arliss. He was well liked because of an almost compulsive need to please. He distributed expensive presents (such as gold watches and luxurious sweaters) to people who worked with him on the set.

He owned six cars. Five of them were housed in two garages. The sixth was custom-built at a cost of $25,000. A toilet-like disposal, similar to the toilets you find in the compartments of modern trains, was built into the rear seat. Arbuckle liked to drink and he liked to drive. It was a luxury and a convenience for him. And not less in importance, a conversation piece.

His home on West Adams Boulevard (a slum neighborhood today) was said to be worth $250,000. Arbuckle lived there alone except for one deaf male servant. When friends pointed out that a servant who couldn’t hear instructions or the doorbell was rather useless, Arbuckle said he thought it was funny. Many framed pictures of
girls were in evidence around the house, including several of Minta Dunfee.

Arbuckle liked women. He said he liked blondes, but he was known to date just as many redheads and brunettes. Once he told Mack Sennett, one of his first bosses: “If there weren’t beautiful women in the world, I wouldn’t want to live.”

From all reports, he was at first shy with a new woman friend, then overly possessive. Women liked him, even though he was too fat to be handsome and was inclined to be fickle even during a brief evening.

Once, during the early days of their marriage, Minta was surprised to hear another actress accuse Arbuckle of being too cozy with Minta, obviously not knowing they were married. It was a story he told later with much glee.

He was a member of the Los Angeles Athletic Club (which later dropped him with much bad publicity when he got into trouble). At the Club he made a weak stab at keeping in condition; mostly he spent time in the steam rooms. He’d tell the attendant “When I turn pink get me out of here.” He liked cream rubs. As much as he liked alcohol on the inside, he detested it outside. He was a heavy tipper. He explained his extravagance: “There’s a lot of me to care for. It’s worthy of special reward.”

At the Club, Arbuckle liked to tell and hear off-color jokes. Like most fat people he laughed with his whole body. The peak of his enjoyment at the Club was smuggling a tall showgirl into the men’s sun room one afternoon and watching the reaction of two dozen naked men of all shapes and sizes when his guest stripped. For that caper the Board fined him $100, which he paid with much satisfaction. Months after that he told this factual story to some of the boys at the Vernon ball club, of which he was a stockholder. They didn’t believe it. He left the dugout angrily, saying, “I never told a lie in my life. I’m too successful for that.” It was months before he went back to the dugout.

Arbuckle was part owner of the Comique Film Company, which made Buster Keaton shorts. They were very
successful. The fat man was a great admirer of Keaton, of whom he said, “He uses the exact opposite technique that I use. Buster captures an audience with his dead-pan expression and I have to do it with exaggerated grimaces and grins.” Actually, they both repeated the same general theme over and over. Their bumbling inadequacies got them into ridiculous situations, and some twist of good fortune rescued them in the end. Audiences never tired of the plot.

Arbuckle’s closest friend was his agent, Lou Anger. Lou drew $1000 a week of his client’s $5000, twice what an agent is permitted to take today. But the comic never complained. It was Anger who had made the fabulous deal with Joseph Schenck, his boss, and he felt the agent was worth every nickel he got. Besides, Arbuckle had endless sources of income, taxes were modest and, no matter how he tried, he couldn’t possibly spend all he earned.

The comic liked to play an occasional game of poker, and he insisted Anger play too. Friends suspected Arbuckle wanted Anger to play for one reason. When Arbuckle would rake in a big pot, he’d make a big show of giving Anger 10 percent, or the usual agent’s fee. Though the joke paled after a while, the others laughed politely. Arbuckle never ceased to enjoyed the gesture. Once he told Anger, “I’ll bet I’ve given you $10,000 out of my poker pots and I’m beginning to wonder if it’s that funny. But what the hell, it’s a small laugh anyway.”

The comic was seldom alone, but it was rumored that when he was he drank and got sloppily sentimental over Minta. It was his decision to leave her, and he could have had her back with a snap of his finger. But he preferred to torch dramatically for her instead.

One letter he wrote her in 1921 (he was 34 years old) read in part: “Love is a whisper, a scent, a delicate thing, unable to survive when crowded with words and people and actions. Apart, I adore you and my love for you is rich and growing.” There were those who said the state of love enthralled him but the object of his love was a vision, not a person. And not Minta.
Minta and Arbuckle were married when he was 21 and she was 17. They were married on the stage of a small Long Beach theatre on August 5, 1908. They were broke and happy.

They toured in the Elwood Musical Company for some time after their marriage. Arbuckle had a fine voice. Years later, when he was a top film star, he met and sang for Enrico Caruso. The world's greatest tenor tried to persuade him to take up opera seriously.

During a lull in the tour Arbuckle took a day off and wandered onto the Mack Sennett lot in Edendale. The year was 1913. He watched a Ford Sterling take and laughed so loud Sennett rushed up to him and offered him a job with this quip: “Never heard anybody laugh like that. You laugh in all languages, fat boy.”

Teamed with Mabel Normand, Arbuckle's two reeleres, Fatty's Flirtations, Fatty and the Heiress and Fatty Joins the Cops spun a magical web that was to capture him the highest salary paid any comedian of his day.

Sennett raised his salary from $5 a day to $45 a week as the rave notices poured in from all over the country. He also gave him bonuses, since Arbuckle kept three pictures in release all during the year. This was the bulwark of Sennett's income.

Minta was hired as a supporting player and then elevated to Chaplin's leading lady and later star of the Keystone Comedies.

Husband and wife had arrived as laugh-makers.

Roscoe's star continued to rise. Adolph Zukor offered him a fabulous contract to make feature-length films, and the man who was born a 16-pound baby during a tornado in Smith Center, joined the stars. Roscoe always had this to say about Smith Center: "A tornado and my birth blew Smith Center, Kansas, off the map. No one has ever heard of it since."
Virginia Rappe, the girl Roscoe "Fatty" Arbuckle was accused of raping and killing, was born in Chicago in 1896. At 16 she was an artists' model. She had a spectacular figure, a happy disposition and a disregard for convention. At 17 she was engaged to a 40-year-old sculptor, John Sanple. During an impromptu art show on an apartment house roof, he jumped and committed suicide. She wasn't there at the time. No reason was ever given for his final act.

Grief-stricken, she quit modeling for several months after his death. During this period she studied sketching and dress designing. One day at an art exhibit she saw an art piece by John Sanple and broke down sobbing. Her mother recommended she leave Chicago to visit an aunt in San Francisco.

By the age of 21, she was earning $4,000 a year in the Bay City as a dress designer. She was extremely popular, a good dancer and talented. One of her bosses was a young man named Robert Moscovitz, the heir to a considerable dress manufacturing dynasty. Robert had use of only one arm, the result of an accident soon after birth. She and Robert began dating seriously. She told friends: "He is the most considerate man I ever knew. He's almost too good to be real."

One icy night after the theatre the trolley car in which they were riding was in a serious accident. Robert was pinned in the wreckage and suffered a broken back. Virginia had a brain concussion.

Virginia recovered quickly, and after two weeks she
was a daily visitor to the Granada Sanatorium, where Robert was making little headway to recuperation.

Virginia cried night after night until her aunt begged her to leave San Francisco. “What good can all this grief do you?” insisted her aunt. “It’s pitiful, but there’s nothing you can do.”

After weeks of reasoning, Virginia finally consented to leave the city. Robert died a month later.

Mrs. Deltag, Virginia’s aunt, rented a home at 504 N. Wilton Place in Los Angeles. Virginia, normally a healthy happy girl of 125 pounds, weighed 108 and had deep circles under her eyes. A local doctor with a feeling for psychiatry recommended that Virginia give up her dress designing, forget the past and find a happier field of occupation.

Virginia told her aunt, “I’m a jinx. As soon as I love a man, something terrible happens to him.” Her aunt told her all her unhappiness was over. From now on it would be smooth sailing.

In the winter of 1917, soon after America entered World War I, Virginia went to a War Bond party. A thin, wiry, handsome young man asked her to dance. He was a well-known Hollywood director named Irving Lehrman. Halfway through the dance he supposedly said, “My God, you’re the most beautiful woman I’ve ever seen. Your beauty reaches out and pulls me inextricably into the trap.” She melted before such rich language.

When Henry picked Virginia up for their first date, he told her aunt, “I’m going to marry your niece.” They never married, but he did defeat her supposed jinx on men she loved. No harm ever befell him.

Though Lehrman and Virginia dated steadily, she did occasionally go out with other men on Henry’s theory that it was good for her budding career as motion picture actress. It was inevitable that a beautiful girl, always on the arm of a famous director, should end up in pictures.

Lehrman put her in two pictures he directed. The first was Fantasy, in which she played a department store
clerk. It was a small part, but she was mentioned in the reviews for handling her role adeptly.

At this time Virginia was delighted with her new career and proud of herself for the circles she moved in. In early 1918, she was named the "Best Dressed Girl in Pictures." The award received much of newspaper space and brought Virginia to the attention of Fox Studio picture executives. They signed her to a contract.

Just about this time her "fiancé" was elected to direct a Fatty Arbuckle comedy titled, *Joey Loses a Sweetheart.*

On the first day of shooting, Virginia came over to the studio set on Washington Boulevard to wish Lehrman well. She was introduced for the first time to the man who would catapult her into tragic headlines.

On the very first night, the trio went to dinner in Culver City. Arbuckle was host and quite obviously was fascinated by the beauty of Miss Rappe. After several drinks Arbuckle offered this toast: "To the loveliest woman of them all. May she prosper." Lehrman applauded politely.

Virginia enjoyed herself though once during the evening she complained to Lehrman that when Arbuckle danced with her he held her too tightly. Lehrman laughed and said he was so fat it probably just seemed that way. "No," Virginia insisted, "he was fresh."

Soon after this Virginia was selected to be the girl on the cover of the song sheet, "Let Me Call You Sweetheart." Hearing about it Arbuckle insisted they celebrate with a party. Several famous male vocalists were invited, all paid to sing "Let Me Call You Sweetheart" to Virginia. She had a wonderful time. Arbuckle danced several times with her and comported himself as a gentleman. It was Lehrman, as usual, who brought her to the party and took her home. Virginia told Lehrman and others she was wrong about Arbuckle, that he was a fine man.

Virginia began getting better parts, and then it was announced she would star in an important feature titled *Twilight Baby.* She was ecstatic. The announcement gave her double pleasure because she got the part on her own, without Lehrman's help.
Not long before Arbuckle had asked her to be his leading lady in a comedy, but Virginia had told him she wanted the satisfaction of making it on her own. Incidentally, Arbuckle’s offer had come in the form of a note wrapped around a gold wrist watch. Virginia wanted to return it but Lehrman thought it would be rude to do that. The wrist watch was inscribed, “To the most beautiful girl in the world.” Virginia did wear it from time to time.

In late August of 1921, Lehrman and Virginia had a series of arguments. Both were riding high now, and it is possible that temperament had a lot to do with their fights. At a studio party Virginia walked out in a temper because she felt Lehrman was being too attentive to Dolly Fairman, a young actress. The newspapers had a lot of fun with the story next day. Virginia was quite forthright with a reporter who questioned her. She said grimly, “I don’t have to take that kind of treatment any more. I love him but he demands the kind of homage I refuse to offer.”

Lehrman laughed it off with, “She’s a star now and she’s entitled to these little blowups.”

But on the evening of September 1, the two had a violent quarrel. Virginia thought it was high time they were married. This subject was now the constant source of irritation between them. This time Lehrman reasoned that he wasn’t solvent enough yet for marriage. Virginia thought that was nonsense. She was earning $1,500 a week when she worked, which was often now.

Lehrman hit the roof, saying that her money was her own and that he would support them in style as soon as he was able to. It was a typical argument between a man who wasn’t quite sure and a girl who wanted to be married, with a home and children. The argument reached a ridiculous stage when Virginia showed Mack Sennett, her producer, a rash on her neck which she claimed was the result of aggravation caused by Lehrman.

At this period in her life, Virginia was in a position to pick her own man. But she wanted Irving Lehrman.

After this blow-up there was an hour of calm, then the
two kissed and made up. Lehrman suggested they go to a movie, but Virginia reminded him that he was going to shop for a birthday present for Wally Reid, a well-known actor Lehrman admired. They went to a jewelry shop on Washington Boulevard to select a gift.

In the shop Lehrman was intrigued with a tiger-eye stone surrounded by diamond chips and mounted in a ring in the design of a death’s head. Virginia thought it in poor taste, but mostly she disliked the price tag which was very high. She argued that Lehrman shouldn’t be so careless with money if he were sincere about marriage. One word led to another and Virginia left the shop without her fiancé and took a taxicab home. Lehrman, by the way, did buy the ring and did give it to Wally Reid.

The next morning on the set Virginia received a note from Lehrman. It read: “I am sorry about last night. I am going to New York on business for about a week. I will see you when I return—that is, if you want to see me. Please keep well and happy. Love, Irving.”

Virginia told her wardrobe mistress that it was the best thing that could have happened to her. Now she’d have a chance to think. But her assistant director arranged an early shooting break that day because Virginia was crying in her dressing room.
The stage was set. The devil was rubbing his hands in great glee. For the first time in three years Fatty Arbuckle was between pictures, with a script tentatively titled *Talk About Love* not yet ready for shooting. (It never was made, in view of the circumstances.) Lehrman was in New York, and Virginia was alone and restless in Los Angeles. And to cap it all, the Labor Day weekend was coming up, with more leisure for her.

On Saturday night (the 3rd) Virginia went to dinner and a movie with an actor known to this day only as Randolph. When she came home about midnight, she told her aunt: "At least I fight with Irving. With Randolph, it was so dull I thought I'd scream. We saw Alice Joyce in *The Prey* and I prayed all through it Randolph would just dissolve into air. I can't stand boredom."

When her aunt said she thought Randolph was a gentleman, Virginia pouted, "I hate gentlemen."

Virginia's manager was a nervous, quick-talking fellow named Al Seminacher. He had done a good job with her career, and she had a lot of faith in him. He often told producers that Virginia was the kind of girl who was destined for stardom from birth.

Al drove a late-model car and was proud of his skill as a speedster. He took advantage of most of his days off by going on fast automobile trips. This weekend he had planned a trip to Fresno. In fact, his car had been in the garage for two days getting a tune-up for the trip.

Al's girl of the moment was a shapely model named Bambina Maude Delmont Montgomery, an imposing name resulting from a recent marriage and divorce.
Maude was also a friend of Arbuckle's, and the rumors were that Arbuckle occasionally helped her out with money when she was broke. He had dated her several times and had taken her for weekends in Tijuana, where she liked to shop. Maude was an ambitious girl who had not yet been able to get anywhere in pictures.

Al and Maude were planning to make the trip to Fresno together as they had made previous trips. Maude hated to drive fast, but she made the sacrifice because Al was a splendid contact for her. Also Al was a cigar smoker and Maude hated the smell of cigar smoke. What disposed her to making the trip on this weekend was that a girl friend, an excellent seamstress, had moved to a town called Selma, just north of Fresno. Maude wanted to order a dress from her.

The inevitable chain of circumstances and coincidences that were closing in on Virginia Rappe reached a climax when Maude went to a drugstore for a packet of hairpins early Sunday morning and met Arbuckle there. He was buying shaving cream. Maude told him she was going with Al to Fresno for the weekend. It was probably meant to make him jealous, but it immediately gave Arbuckle a great idea. “I'm going up to San Francisco,” he said. “Why don't you ask Virginia Rappe to go along and we'll have a hell of a party up there. I'll pay,” he tacked on as an added inducement.

Maude said immediately, “Are you kidding? She'd never go to San Francisco with us.”

The caste system was already firmly established in Hollywood. Maude was certain Virginia Rappe, a star, wouldn't go anywhere with her, a gown model.

The two strolled down Wilshire Boulevard talking. There wasn't much time. Al had planned to leave at noon. It was 10:30 A.M. Arbuckle was driving to San Francisco, a 500-mile trip, with Lowell Sherman, an actor, and Fred Fishbeck, a director. The trip would take about nine hours. The weather was bright and warm, a typical Los Angeles day. The five-day forecast was for continued good weather.
Arbuckle, warming to the situation, made this proposition: “Here’s $200. Tell Al to take you two girls shopping. You don’t have to mention me. In fact I may not even have time to see you.”

Maude was inclined at least to try. Arbuckle was also a good contact, and the money would buy her some much needed clothes.

They strolled to a telephone in a gas station. They met an actor named Harry Carey on the way. He kidded Arbuckle about beating him out in a popular Photoplay magazine poll. Arbuckle pointed out that he (Arbuckle) had beaten Francis X. Bushman, Lew Cody and Will Rogers.

Maude warmed to the talk of important people and success. She called Al and put the proposition before him.

Al’s reaction was the same as Maude’s had been. “She’d never go with us. I know Virginia. She’ll spend the weekend studying her script.”

Seeing the two argue, Arbuckle took the phone. “It’s a favor for me, Al,” he said. “You may need a favor some day. The three of you go to the Palace Hotel. I’m at the St. Francis. I’ll take care of all the bills. I may never see you, but I’d like to know Virginia was up there. It’s a whim of mine.”

Al said he’d try and that Arbuckle should call him back. Arbuckle took a sip of bourbon he carried in a flask in a large inside jacket pocket. He offered the flask to Maude, who said she never drank before noon.

While waiting to call Al back, Arbuckle clowned with the garage man. When a car drove into the station, Arbuckle ran to the front of it and cleaned the windshield. The surprised driver gulped to see a famous movie star cleaning his windows.

In the meantime, Virginia was in the shower when the phone rang. Her aunt called her. She said she’d call Al back immediately, thinking it had something to do with her movie role. She felt a little better on this warm, sunny day and was thinking of going to church. The hours after that loomed formidably flat.
Al's invitation was a complete surprise to Virginia. "When would we get back?" she asked. Al said they could return whenever she wanted to. No mention was made of Arbuckle.

Virginia consented on condition they give her a couple of hours to prepare. When she hung up the phone she said to her aunt, "I'm going to drive to San Francisco with Al and some people. Maybe I can pick up some clothes up there." Al had made no mention of money he had for shopping, however.

Her aunt's only comment was that Al was a crazy driver and she should tell him to be careful. Virginia had driven to many studio appointments with Al, so she wasn't worried.

Arbuckle called Al and was told Virginia would come along. Arbuckle was delighted, and after he hung up did a little jig outside the telephone booth. Bubbling over with good spirits, he cautioned Maude about wearing a hat so that she wouldn't get more freckles.

They parted on the corner of Wilshire and Vermont after Arbuckle gave Maude some expense money to be given to Al.

Al picked Virginia up first. He had a new deck of playing cards in his pocket with Virginia's picture on them. She was to get a royalty from their sale. He had arranged the deal. She looked at the pictures on the back of every card, though the photos were all duplicates. It put her in a good mood. She wore a skirt and blouse, with a delicately embroidered white sweater over the blouse, which was opened at the neck. She carried her hat. Al's convertible was green. So was his slip-on sweater.

They talked about the circus that had come to Los Angeles and the fact that actor Monte Blue had played with the snakes for the still cameras. Virginia shuddered.

Maude lived with three other girls in a modest two-family wooden structure on Fairfax Avenue. She wore a tight-fitting, maroon, knitted wool dress. Maude was upset because she had no overnight bag and her large suitcase had a broken lock. She showed great mock surprise
and delight over the fact that Virginia Rappe was coming with them. She chided Al for not telling her.

Virginia offered a half-empty piece of baggage for Maude’s convenience. Maude went back into the house to get her belongings. Al griped over the delay and said that all he had taken was a dozen cigars and a toothbrush.

While they sat in the convertible waiting for Maude, a pair of blonde, curly-haired twins about ten years old asked Virginia for her autograph. She responded happily.

Al drove down Wilshire Boulevard to the Coast Highway, and they were on their way.

At almost the same time the Arbuckle trio was leaving for San Francisco. Though it was during the Prohibition era, four bottles of gin and three of bourbon were locked in the trunk of the car. Arbuckle had his own bootlegger in San Francisco, but the bottles in the trunk were there in case a thirst hit them on the long drive.

Both cars were now on their way to a destiny that would dramatically disrupt all their lives.

There was just one main route to San Francisco, an exhilarating, beautiful drive along Highway 101, which overlooked the Pacific Ocean for most of the way and touched such heralded vacation resorts as Carmel and Santa Barbara.

Virginia rested her head back on the top of the seat to let the sun play on her face. Maude turned on the radio and was thrilled about a band playing, “Let Me Call You Sweetheart.” She knew it was the song from the sheet featuring Virginia’s photograph. Al talked very fast about a part he felt Virginia ought to have in a movie titled Whims of the Gods at Goldwyn Studios. “Isn’t it an Oriental girl?” she asked. He admitted it was, but he thought make-up could do enough to her eyes to give her an Oriental slant.

She was noncommittal. “It just suits you perfectly,” said Maude. “You’d be wonderful in it.” She was very enthusiastic about it. Al said they were considering Winter Blossom, a good actress and part Oriental. But he thought Virginia would end up with the role if she wanted it.
She said she hadn’t read the script so she didn’t know whether she wanted it.

The trio stopped for a late lunch in Santa Barbara. Al, never one for diplomacy, asked Virginia whether she missed Irving Lehrman. Between mouthfuls of a salad, she explained in great detail why Irving’s whereabouts had little meaning for her any more. “I’m taking this trip to have fun,” she said determinedly. “And the more fun the better.”

“Good,” said Maude, and ordered her second stinger. Virginia had one Martini.

Al assured them both they’d have loads of fun. He explained that, though most of the shops would be closed, he knew several smart shops that would surely be open on the way to Oakland.

Then he launched into a long discussion about a face cream company that he thought might be a good investment for Virginia.

The three skipped coffee and dessert so they could be on their way.

During the nine-hour trip Al made five stops. Virginia went to the ladies room five times. This was one of the points for the defense in the first trial. The theory was that if she needed to urinate five times in nine hours, something was wrong with her bladder and accounted for it tearing so easily during intercourse.

The district attorney, on the other hand, said it was customary for women to go to the powder room with each other whether they had to or not. Maude was not able to remember whether she urinated five times. The district attorney’s office also tried to prove that even one alcoholic drink will irritate the bladder and require frequent elimination.

Al, as a comparison, went to the men’s room once during the trip, which was a plus for the defense. The conclusion was that if Al urinated once and Virginia urinated five times over the same distance and with the same amount of drinks, something had been wrong with Virginia.
The defense also tried to prove that Virginia was in the powder room for long periods of time. But this argument was weak.

About the midway point in the journey Maude said something to the effect that Virginia would be surprised when she saw who was in San Francisco. Virginia, frightened, said, "Don't tell me Irving is going to be there. I won't go!"

"Of course not," Al replied. "I swear he won't be. What kind of a trick would that be?"

"You promise?" asked Virginia nervously.

Al promised and gave Maude a dirty look.

It was close to midnight when they checked into the Palace Hotel. Maude and Virginia went to Room 707 and Al to 709. Al went for a walk to buy the papers and offered to take the girls out for something to eat. Virginia said she was tired, and that she wanted to wash her hair after riding in a convertible. Maude elected to stay with Virginia. The girls went to bed at about 2 A.M. on the fateful day of September 5.

The Arbuckle group drove the 500 miles without incident, except that Arbuckle bet Sherman $600 at 3 to 1 the Yankees would win the pennant. (They did.)

They checked into the St. Francis Hotel at about 11 P.M. They were given the 1219-20-21 suite, an expensive and choice set of rooms befitting a visiting celebrity.

When Arbuckle came into his suite and the bellboys had left, he said, happily rubbing his hands, "Okay fellows, let's get the broads."

In the night and day to follow, much booze would flow and many people would come and go in a boisterous, drunken party typical of this raucous, roaring era.

This brawl, however, was to end in tragedy.

In attempting to reconstruct the famous party that led to Virginia Rappe's death, the author interrogated people involved in the Arbuckle case, read millions of words of testimony and interviewed experts in fields connected with the case. If there seem to be contradictions between the
incidents and activities reconstructed here and the trial testimony of witnesses, it is because many points were never agreed upon.

These are the rumors, the facts and the theories, sifted and arranged in what seems to this author the most reasonable and probable re-creation of that fateful day.
THE PARTY

The 14-story St. Francis Hotel, built in 1904 in the heart of San Francisco, was an ironic setting for Hollywood’s most bizarre scandal. Prior to 1921, its excitements were confined to one male suicide and a couple of lobby brawls. Its grey stone walls and austere lobby were about as romantic as a box of stale St. Valentine’s candy. Yet it was playboy Roscoe “Fatty” Arbuckle’s favorite hotel. (He signed the hotel register “R. F. Arbuckle”.)

His suite was a cliché. Its light green color, its stuffed furniture and multi-patterned rugs screamed “hotel room.” It had two marks of distinction—a spectacular view of the city and a heterodyne tube radio that could get Los Angeles 500 miles away.

At 9 A.M. on Monday, Labor Day, September 5, 1921, Arbuckle hadn’t slept since Saturday night. He was irritable, his eyes were bright pink, his nose was running (lack of sleep always did this to him) and he had had too much liquor. He looked around the room disgustedly, and Zey Prevon, a San Francisco showgirl, heard him mutter, “This is one helluva party.”

What he saw was four people sprawled around the rooms in various stages of sleep. A bridge table set up near the middle of the room served as the bar. Empty and half-empty bottles and glasses were strewn about.

The five inhabitants of the room were Fred Fishbeck, who slept with a smile on his face; Lowell Sherman, whom Arbuckle had cussed out because he said he needed some sleep; Zey Prevon; and Dollie Clark, another San Francisco showgirl. All were fully dressed except for
Arbuckle, who wore a maroon robe over striped pajamas and slippers.

Arbuckle took a drink and called Al Seminacher at the Palace Hotel. "Well you sonofabitch," Arbuckle said, "we got a party going here and where are you? Are the girls here?"

"The girls are here, Virginia looks sensational, and they're sleeping," answered Al.

"Then wake them up and get your asses over here. I got a lot of deadheads at this party. We need some fresh blood."

The booming Arbuckle voice woke Zey out of her half sleep. "If it's blood you want how about cutting your throat," she said.

"I'll go and wake the girls," Al said to Arbuckle. Then he added worriedly, "I don't know if I can get Virginia over."

"If you can't," said Arbuckle, "I'll come over there and get her. Why is it no one can do anything but me?"

"I'll do what I can," answered Al. He hung up.

Arbuckle picked up a telephone directory, the nearest thing at hand, and threw it viciously at a couch. Then he took another drink.

Zey Prevon laughed.

At the Palace Hotel, Al dressed and knocked at the girls' door. "It's Al," he said. "I've got to talk to you."

Maude came to the door in a negligée, opened it just a trifle and said, "Goddamit, it's only nine o'clock. We're sleeping."

Al beckoned to her to come outside the door. In the hall he said, "Arbuckle's in a nasty mood. Wants us over there now. They've got a party going on already."

Maude moaned.

"You know the fat man when he drinks," said Al. "Let's try anyway. You want to talk to Virginia or should I?"

Maude said she'd talk to Virginia and Al should wait in his room.

In the meantime their voices had awakened Virginia. Lou Hippe, the studio conditioner, had recommended a
series of exercises in bed as soon as she awakened each morning. She was on her back with her legs in the air when Maude came back into the room.

Maude waited until Virginia sighed and sat up. "We've just been invited to a party."

"Who? What party?" asked Virginia, starting a new series of arm exercises.

"A lot of people from Hollywood," answered Maude. "Some of them you know."

"Who?" persisted Virginia.

Maude was afraid that if she mentioned Arbuckle, Virginia wouldn't go. Yet what inducement could she offer? Virginia certainly wouldn't be interested in the other people there, especially this early in the morning.

Maude was then inspired by a great idea. She said, "All the little shops around the St. Francis Hotel could be open today. Why don't we buy some things and then just look in on the party and see who is there? Maybe Al will drive us over there."

Very simply, with little interest, Virginia said, "All right." Then she added, "Maybe we won't even go to the party."

Maude decided to let well enough alone and not argue the point. She believed she could handle Virginia once they were at the St. Francis. Maude called Al and said, "Pick us up in an hour."

Al called Arbuckle and said, "It's fixed. The girls will be over."

There was silence for a moment, then Arbuckle said almost incredulously, "You mean it?"

Al assured him it was so.

Arbuckle gave the suite number and hung up the phone, announcing loudly to the sleeping quartette, "Come on, we're going to have breakfast. And we're going to clean up around here."

He shook Sherman, who seemed to be sleeping the soundest. "Up," he said. "We're going to have some distinguished visitors." Sherman groaned.

Dollie wanted to know who was coming.
"An angel's swimming down from heaven," replied Arbuckle. A peculiar choice of words, but no one pressed the point.

At the Palace, Maude dressed in her same knit dress. Virginia chose a green shirt jacket and skirt and a panama hat. Al picked them up at about 11 A.M. The Labor Day crowds were slim and the city looked sleepy. Traffic was light. A theatre marquee heralded the Goldwyn special, Scratch My Back. There were placards in several store windows stating that "Selznick Pictures Create Happy Homes." The motion picture industry had not yet found a voice, but it was beginning to flex its muscles. Movie stars were becoming "important."

As they drove down Geary Street, Virginia pointed out a gown she liked in a shop window, but the shop was closed. A young man standing on the corner recognized Virginia and stood there with his mouth open. They all laughed about it.

Al parked the car and they walked around a bit, looking at shop windows. Virginia complained of a pinching shoe. It was Maude's cue.

"Why don't we look in on the party." Maude said. "It'll give you a chance to rest your feet."

Al echoed, "Yeah."

"All right," said Virginia, "but just for a few minutes."

The lobby of the St. Francis was almost empty. A group of conventioneers eyed the two girls, and one of the men said something that made the others laugh. Al took the girls right to the elevator without calling the rooms first.

Arbuckle had shaved but continued to walk around in robe and pajamas. The record player was playing a Russ Columbo tune. The room had been cleaned, the breakfast dishes had been removed, and new set-ups for drinking were on the bridge table. The two showgirls were arguing about a dance step when there was a knock at the door. The time: 11:54 A.M.

Lowell Sherman answered the knock. "Come in," he said. "I'm Lowell Sherman."

They filed in, Maude first, then Virginia and Al.

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They were the first of 30 guests that were to pass in and out of the Arbuckle suite during the party—all of them important witnesses during the trials.

Al introduced himself and the girls. Lowell had met Virginia before. He said, "Marooned in San Francisco too, like us?"

Arbuckle had been opening the windows—it was a warm sunny day and before the era of air conditioning—therefore his back was to his new guests. Now he turned around as if taken completely by surprise, "Virginal! How wonderful," he said. "What brings you to earthquake haven?" He acknowledged greetings from Al and Maude perfunctorily.

There was a kind of mock formality in the air. Guests were introduced around.

Virginia was polite but cool. She sat down, took off one shoe and rubbed her foot. "Can I help?" laughed Arbuckle. "I'm the greatest little toe tweeker in the West.

"Say, what about drinks?" Arbuckle said to Fishbeck. "It isn't Prohibition in here." He took drink orders and passed them on to Fishbeck, who filled them.

After prodding, Virginia ordered a screwdriver (orange juice and gin). She said, "We can only stay a minute."

No one answered her.

Arbuckle brought her drink. He had a straight shot of bourbon in his other hand.

"A toast," he said. "To San Francisco's most distinguished visitor." He drank. She sipped.

There was a knock on the door and a bellboy whom Arbuckle called "Tom-Tom" (and who was to make frequent trips to the room) brought a tray of hors d'oeuvres.

The telephone rang. A local man and his wife were coming up. Fishbeck said into the phone, "Come up. The pass word is 'sleepless nights.'" He laughed heartily.

Zey showed Al a dance-step she had created and said indignantly that Dollie maintained it had been used in a Ziegfeld Follies. Al showed his version of what he thought it should be.

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Dollie said to Virginia, "I saw you in a picture last week but I forget the name of it. You were a doctor's daughter and you went to India. I thought you were lovely. I wanted to be an actress too, but my boyfriend didn't want me to go to Hollywood. He's jealous."

Virginia listened politely.

Arbuckle sat down on a divan facing the two girls. "Drink your drink," he said to Virginia. "No seeds in the orange juice."

Dollie laughed. "We have to go," repeated Virginia. "I have a script to learn."


The new couple came. They seemed an unlikely couple for a Hollywood-type party. He was a San Francisco furrier, short, bald and heavy. She was a plump little woman, middle-aged and dowdy. She asked for ginger ale and ate several hors d'oeuvres hungrily. Her husband got into a spirited conversation with Zey, using his fur business as bait to trade for her time and attention.

About this time an incident occurred that seemed, in retrospect, to have helped to guide the hand of fate. The bathroom in the suite was rather large, and Fishbeck had been using it to get water for his mix. It was in the bathroom, too, that the liquor was stashed. So considering that it was being used for several purposes, the traffic was heavy there.

Maude who had had several drinks, told Sherman, "I have a throbbing in my head that's rattling my tonsils."

Sherman had the perfect remedy for it. "It's from drinking," he diagnosed, "and a sure cure is a glass of tomato juice. We always have it handy. Come with me."

The two went into the bathroom where Maude was given a glass of tomato juice. The door was half ajar. As Maude turned to leave the bathroom, Fishbeck came through the door in a hurry. The two collided, and the
tomato juice splattered over Maude’s dress. Her scream brought several of the guests in to see what was wrong.

The furrier’s wife had an opportunity to earn some attention. “We’ll get a robe,” she said, “you’ll take it off, I’ll use a little hot water and lemon juice, and you won’t know anything was spilled on it.” She led the now-tearful Maude into the bedroom. Sherman got her a robe several sizes too big for her.

Virginia finished her drink and asked Maude how long it would take.

“A half hour,” promised the lady. “That’s all. It’s in the hot sun on the window sill.”

“Have another drink while you wait,” offered Arbuckle. “One is always lonesome without company.”

“No,” answered Virginia. “I haven’t eaten, and alcohol gets to me quickly.”

“Then we’ll get you something to eat. What’ll you have?” He asked for room service and waited for her order.

“Kippers.”

“And coffee?”

“Coffee. Yes. That will be fine.”

Virginia looked oddly at Arbuckle. Knowing him and his reputation she surely sensed he was trying to get her drunk. Now he was ordering food for her—certainly the wrong way to get a girl drunk. Maybe she was wrong.

“I know what you’re thinking,” Arbuckle laughed. “If I seem to be pushing drinks at you, it’s only because I’m a good host.”

There was a knock at the door. It was a tall showgirl named Alice Blake. Lowell Sherman introduced her to a couple of people, Al knew her, and they embraced.

She got a big laugh when she innocently asked about the famous movie star, Fatty Arbuckle, who they had promised would be at the party.

Sherman took her over and introduced her to Arbuckle. “You aren’t so fat,” she said innocently.
"I'm going to get down to two-fifty soon," he promised. "It'll ruin me in pictures."

Everyone laughed.

Al brought two drinks over. One for Alice and the other, a screwdriver, for Virginia.

"I didn't order this," she said, but Al had run off already, and she was left holding the drink.

Arbuckle, noticing the tableau, commented, "Some fortunate people just attract good alcohol."

Something in Arbuckle's manner or voice seemed to irritate Virginia. She took a sip of her drink and said, "Roscoe, isn't it customary when entertaining to dress accordingly? It seems to me that a daytime gathering like this calls for something other than pajamas and a robe."

Arbuckle's retort was, "For those pigs this is formal wear."

Without attempting to disguise her contempt, Virginia said, "You are despicable." She walked over to Maude, who was talking to a group, and broke in sharply with, "Isn't your dress ready yet?"

Maude's robe was partly open, showing panties and bra. She was a trifle woozy. For a moment she didn't understand what Virginia was talking about. Then she giggled, "I'm in no hurry, dear. Why don't you join the fun?"

The music was very loud now, and Virginia wasn't quite sure what she said.

Al, seeing that something was wrong, went over to whisper to Arbuckle. They argued for a while. Then Al went over to Virginia and said, "Arbuckle says he's sorry for what he said. He apologizes."

"He's horrible," Virginia answered. "We'll be leaving soon. Just try to keep a little peace for a while," begged Al.

Virginia wanted to know what time it was. It was 2:15 P.M.

The door opened without a knock and a young actress named Betty Campbell came in. She wore a very low-cut dress. Later at the trial the dress was a point at issue, be-
cause she claimed Lowell Sherman tried to seduce her in
the bathroom.

Betty walked right to Virginia. She had worked in a
Virginia Rappe picture. She gushed over how wonderful
she thought Virginia was. Virginia admired Betty’s dress.
It was the kind of dress begging for attention—if you
didn’t admire it you were against it.

Fred came over and stuck a drink in Betty’s hand.
“Hey,” she said, “what’s this—gin? I don’t drink gin.”

“Drink it,” shouted Fred, walking away. “Next time I’ll
give you what you want.”

She sipped it and made a face. Then she shrugged.

Virginia sipped at her drink.

At this time the party was starting to get up steam. Fred
had a lamp shade on his head and he was lit up enough
to make it plausible. Maude had given up trying to keep
the robe tied. It hung loosely, showing a petite figure un-
derneath. Arbuckle, showing the result of no sleep and too
much drinking, had a deep pink flush on his face. Lowell
Sherman sat on the same stuffed chair with Alice Blake
and leaned over her as he talked. Al was lying on his back
on the floor singing, while the radio played an entirely
different song. Others drank and chatted. The rooms were
very warm now, and though the window curtains were
rustling in the breeze, no one felt the cool air.

Betty talked away at Virginia about Hollywood and
careers and past pictures while Virginia kept sipping at
her drink.

Tom-Tom brought up Virginia’s kippers, but Arbuckle
put them down on a bathroom shelf, his action unnoticed
by the actress. Arbuckle winked at Fred, who burst out
laughing.

Virginia’s foot began bothering her again, and she
looked around for a chair. They were all taken. She ges-
tured to Betty, then sat on the floor with her back against
the wall. Betty lay on her stomach, leaning on her elbows
as she kept up a constant chatter at Virginia.

Virginia sipped away at her drink.

Suddenly Maude took the center of the room, “This is
a dull party,” she said tipsily, “and I’m going to liven it up.”

Everyone laughed and applauded.

“Wait,” she said. She walked into the Arbuckle bedroom, closing the door.

All eyes turned to the closed door. Conversation was turned down to a minimum.

A few moments later Maude came out dressed in Arbuckle’s over-sized pajamas. She bowed and everyone applauded.

She went to the radio and turned it until she had the music she wanted. It was slow and deliberate. She did a kind of Turkish harem dance to the music, then became dissatisfied with it and turned to a faster dance.

She whirled and kicked in typical showgirl tradition. With the large pajamas flapping it got laughs. Even Arbuckle applauded. Fat, stumpy Labman tried to grab her as a partner in the dance, but she gave him a shove that landed him on the floor alongside Betty.

Maude’s dance became more and more energetic. Some of the guests picked up the beat with their clapping hands.

When the dance number ended she was panting hard and wiped the perspiration from her brow with an exaggerated gesture.

“It’s hot,” she said, and with a crooked grin on her face, she deliberately unbuttoned her pajama top and tossed it on a chair. There was nothing underneath.

“Hey, hey!” screamed Arbuckle. “Now we got a party going.”

Maude went into another dance and Arbuckle grabbed her, dancing along with her.

“Take it off, Fatty” someone yelled.

“Only the girls undress,” he answered. While he danced he tried to untie Maude’s pajama bottoms. But they were knotted.

“Stop it, you idiot!” shouted Maude. “I got panties underneath and there’s a hole in them.”

Arbuckle stopped dancing, took out some crumpled
bills, handed them to Maude and said, “Here, go buy yourself a dozen pairs of panties. No girl wears panties with holes in them when I’m around.” He laughed uproariously.

Meantime Virginia, strangely enough, seemed to be enjoying Maude’s act. She had finished her drink and was sipping at Betty’s gin drink, which had been sitting by her side untouched.

Another showgirl joined Maude in the middle of the floor and said, “I am the greatest stripper outside of burlesque.”

“Ah, shut up and sit down,” answered Maude. “You’re flat chested.”

“I am not,” denied the showgirl.

At that Maude ripped at the girl’s blouse, tearing it half-way off. Arbuckle, laughing, tried to break up what had become a hair-pulling match. As the two struggled Fred came up in back of the showgirl and tugged at her bra, finally getting it off.

“See,” said the showgirl proudly. She wasn’t flat-chested. In fact, she was much bigger than Maude. Some of the men applauded.

Maude stripped off her pajama bottoms, and sure enough, she did have a hole in her panties.

“Bert,” she said. “I have the greatest figure in America. I’m built.”

A tall, mustached newcomer who seemed to know Maude, said, “Go and dress, baby. You want the cops to raid the joint for indecent exposure?”

“The hell with you,” answered Maude. She reached down to take off her panties. The man slapped her and she started to cry.

The other showgirl slapped the man.

“Screw all of you,” the man shouted as he stamped out the door. The showgirl gave him a razzberry and Maude joined the chorus.

Virginia said to Betty, “I have to go to the John but there’s always someone in there.”

Betty got up, went through the bedroom, opened the
door of the bathroom and came back. "You're right. There's a girl in there and she's sick."

"I can hold it a little while," answered Virginia. She sipped her drink.

Betty turned to Al and said, "Hey, there's a sick broad in the bathroom. Why don't you help her?"

Al answered, "She's not helping me and I don't feel so good. It must be this bootleg booze."

"Is there something wrong with the liquor?" Virginia asked worriedly. "I feel a little dizzy."

Al laughed. "The only thing wrong is too much of it," he said.

They watched the girl walk weakly and unsteadily out of the bathroom.

"Now's your chance," said Betty. But a man walked in hurriedly.

Virginia stood up. "I've really got to go," she said. "I'll stand by the door."

At 3:20 P.M. she started toward the bathroom door.

Arbuckle took his arm from around Maude's waist and watched the actress hungrily. Then a strange thing happened. According to a majority of witnesses, Arbuckle walked up to Virginia and calmly took her by the hand. Remember, she was on the way to the bathroom and she had to go very badly. Yet she allowed her hand to rest in Arbuckle's. He announced quite loudly, half to her and half to the twenty-five or so party-goers. "I've waited five years for this and now I got you." She made no fight, no attempt to shake him off. She walked with him through the bedroom door. He allowed her to go first, yet he held onto her. With his other hand, he gave her a slight push. She made no complaint. It was, as one witness said, as if she suddenly had been hypnotized. Arbuckle gave the party a wink over his shoulder. When he obviously and loudly closed and locked the door, everyone laughed.

Are there any logical reasons why Virginia should have bent so compliantly to the will of a man she apparently hated?
Maybe she really didn't hate Arbuckle. Maybe she wanted to revenge herself on Irving Lehman, her fiancé.

Maybe the mood of the party had inflamed her passions. Maybe the alcohol had dazed her so that she didn't know what she was doing.

Maybe she had some kind of plan that could make Arbuckle look foolish.

Or maybe any number of other things. No witness could give a satisfactory, logical explanation. No one could tell what was going on in Virginia's mind.

The mystery is deepened further by the fact that, for twenty minutes after she entered the bedroom with Arbuckle, there was no sound of struggle, no outcry, no sign of any kind of resistance.

If there had been, could the people outside with the music and the noise have heard it? The considered opinion was that they could. Sound tests were made. Small sounds could be heard outside. And, in fact, when Virginia did make an outcry everyone heard it.

What happened behind the locked door of Room 1221 in the St. Francis Hotel? We'll probably never know exactly. Of the two people in the room, one was dead four days later. And during the four days of life left to her she was in agonizing pain. However she did tell nurse Jeanne Jamison that Arbuckle had raped her.

Arbuckle changed his story four times. Was he lying or incapable of remembering because of alcohol?

After all the testimony and conjecture, the most sane explanation of what happened was probably this: Virginia was groggy from drink and probably remonstrated feebly on the bed where she was put. She had to urinate very badly and therefore had a distended bladder. Arbuckle undressed her and had sexual intercourse with her. During this intercourse, by force or roughness, Virginia's bladder was broken. She then screamed in agony, "I'm dying!" That was heard by members of the party and accounted for their first efforts to enter the room.

There is just one fault with this account of what prob-
ably happened. What took place during the twenty minutes of silence before the scream? One theory was that Arbuckle had relations twice with Virginia, and that the accident happened during the second time.

There were many other conjectures, though few were as wide-eyed as Arbuckle's first statement when he was arrested. "Why me?" he asked. "I was never alone in the same room with her. I was just having breakfast with some friends and the first thing you know, Virginia is on the bed shrieking, 'I can't breathe,' and ripping at her clothes."

Other theories were numerous and varied. Remember, thirty people had been in and out of that suite, and there were seventy witnesses called during the trials. One rumor was that the drunken Arbuckle had ravaged her with a coke bottle. Another said he used a jagged stick of ice.

Friendly defense witnesses claimed Virginia wanted Arbuckle as much as he wanted her. They attributed her ripped internal organs to a constructive weakness.

There was constant contradiction at the trials. Some said Virginia was lying nude on the bed when they entered the room. Others said she was fully dressed but her clothes were torn. For a while her clothes disappeared, and then they appeared mysteriously in Maude's room at the Palace, where police had looked before. They were torn and ragged.

There were still other contradictions: In a case involving as much damage to internal organs as Virginia had, there should have been external bleeding. There was no blood on the bed or on her clothes.

Some said Virginia was covered with bruises. Some said she had no bruises.

Some said Arbuckle was a mass of scratches. This was disproven at an examination.

At the hearing there were defense witnesses who insisted Virginia Rappe went into the Arbuckle bedroom first, then beckoned Arbuckle to follow. This was later dropped.

Virginia's moral character was an important point at
the trial. The defense set out to prove she was a loose-moraled girl; that she had, in the past, been a call girl. The prosecution, on the other hand, set out to show she was a virgin of high moral standards. Probably somewhere in between those theories was the fact.

But back to the party. Arbuckle and Virginia had walked into the bedroom and locked the door. The party continued jumping. The radio blared “April Showers” and then “The Sheik of Araby.” Zey Prevon sang along with the latter song.

“You deserve a contract for that,” shouted Al. “A contract like the gangsters give—a shot in the guts.”

It didn’t stop Zey and she sang along with “Wang Wang Blues.”

All the people in the room completely disregarded the Arbuckle bedroom except one—Maude. Now back in pajamas again, she put her ear to the door but heard nothing. She, of all the people in the room, appeared worried.

She said to Sherman, “What are they doing in there?” He answered with the appropriate four-letter word and guffawed. Another fellow who overheard her said, “Why don’t we go into the bedroom next and I’ll show you what they’re doing.”

Maude disregarded him.

It was at this time that a hotel guest in Room 1229 called the desk and complained of the noise.

Mr. Petrini on the desk said he’d call the offenders and ask them to quiet down. He called and Dollie answered the phone.

“Would you kindly tone down the party,” he said.

“Sure,” answered Dollie and hung up. She never mentioned the call to anyone.

Later it was this guest who claimed she heard Virginia scream. Since she was fifty feet away it was obvious the party-goers outside the bedroom could hear loud sounds.

In a sophisticated party such as this, Arbuckle’s taking
Virginia into the bedroom made a surprising impact on the guests. Although Maude was the only one to go to the bedroom door, there were many whispers and much conversation about the two. After all, Arbuckle was a big star. Virginia was not quite as big, but she was well known. What they did was startling. In fact, had a lesser known couple walked into a bedroom so daringly, it would have caused some talk.

So, while the party progressed with fervor, no one had forgotten about the couple in the bedroom.

Virginia’s first scream was blood-curdling. There was just one loud scream, no words, then silence. The party-goers laughed—some nervously, some drunkenly.

Maude took off one slipper, pounded on the door, and cried, “Let me in.”

“Yeah, let her in,” said Al sarcastically.

There was no response.

Then slowly, softly, a moan from the bedroom gained volume and momentum. It was no moan of passion, but of pain, of agony.

No sound came from Fatty Arbuckle.

Maude hit the door again with her slipper, screaming, “Arbuckle, come out of there. Let her alone. She’s a good girl. Let her out.”

There was no answer, but continued moaning.

It was almost 4 o’clock. A breeze was coming up, blowing the curtains.

Then Virginia gave out another piercing scream, and some made out the words, “He’s killing me!” Others said her words were, “Don’t kill me!”

Zey Prevon joined Maude and the two beat heavily on the door. There was no answer from inside the bedroom. The weird moans continued.

What was Arbuckle doing all this time? Surely he must have seen the young girl was mortally hurt, yet he made no effort to get help for her. Was he drunk? Sadistic? Frightened?

The reaction of the party-goers was varied. Some slunk out, probably not wanting to be mixed up in
toubl. Others sat waiting to see what would happen. However, to be fair, it is possible that no one thought Virginia was anything more than drunk. After all, if she were hurt, wouldn't Arbuckle come running out?

At the trials almost all those who had been present swore under oath they thought Virginia was drunk. A witness testified that she had acted hysterically once before at a party when she had had too much to drink. This testimony was never substantiated.

When Arbuckle refused to open the door and the moaning continued, Zey started to cry. Maude took more positive action. She called the desk.

"A girl is sick here," she said, "and we need help. Can you send someone up?"

The desk knew of the party and knew who was throwing it. Arbuckle was an important client. They gave instant service.

The assistant manager, H. T. Boyle, was in the Arbuckle suite in five minutes.

"She's in there sick and Mr. Arbuckle won't open the door," Maude explained.

"I see," answered Boyle. Despite the fact that Arbuckle was someone special and it was his bedroom, Boyle didn't hesitate.

He strode to the door and knocked sharply. "Open the door," he said quite loudly.

There was brief silence, then sudden footsteps. The door opened.

It was Arbuckle, with a green flowered ladies' hat cocked on his head, dripping with perspiration and dressed only in his pajama bottoms. He had a crooked smile on his face, mischievous, the same sort of smile he had used in many comedies. He turned toward the girl on the bed and said, "She'll be all right. She's just drunk."

Boyle, Maude and Zey went to Virginia, lying on the bed. It never was established how much clothing she had on, if any. She was moaning and writhing, tearing at her flesh around her abdomen. "I can't breathe," she moaned. "Help me."
The girls leaned next to her on the bed and tried to comfort her.

Boyle went to the telephone and asked for help in locating a physician.

This was the start of another mysterious set of circumstances.

The doctor's first loyalty was to his profession, but he was also aware that the people involved were loaded and would not welcome undue publicity and hysteria. He was walking into a madhouse.

Between the time the M.D. was called and the time he reached the suite, the girls plied Virginia with home-spun remedies.

Maude told the fatally hurt Virginia, "I had a spell just like this one night after a party. The liquor was spoiled. I took hot bicarbonate of soda and an hour later I was fine." Virginia just moaned.

Zey asked Arbuckle if he had any bicarbonate. "If she doesn't shut up," he said, pointing to Virginia, "I'll throw her out the window."

Boyle knew where there was bicarbonate and brought some back. By this time only stragglers were left at the party. It was late afternoon.

Maude mixed the bicarbonate, Zey raised Virginia up in bed and she drank it slowly, eyes closed, head drooping. She threw it up almost immediately and went limp. Zey screamed.

Just then the doctor came in. He ordered everyone out of the bedroom and closed the door. They waited nervously outside. Maude said sadly, "I could have gone to Manhattan Beach this weekend and that poor girl would be happy at home studying a script. Oh, why did I do it? I ought to be dead. I wish I were." She looked up and said, "Oh, God, I'm sorry for my sins."

A much more sober Al touched her shoulder and said, "Kid, it wasn't your fault. Don't take it so hard. She's just had too much to drink."

"If that were only true," answered Maude. She crossed herself.

45
The doctor came out of the room and said soberly. "It's acute alcoholism. She'll be all right with some rest. Just give her some black coffee and let her sleep."

"Can we go in there?" asked Zey.

"Well, I wouldn't," answered the doctor. "She needs her rest."

"She can't rest here," Arbuckle said. "She's caused enough damage." He waved his arm around the room. "Look, everybody's gone. The party's over. She wrecked it. Tell you what I'll do, you set her up in another room and I'll take care of everything. How's that?"

"Certainly," responded Boyle. He called the desk to get a room for her.

The girls volunteered to help move her. The two men agreed and left. Arbuckle went in to take a shower. Sherman was sleeping on the floor.

With the help of a bellboy and Al, Zey and Maude half-carried, half-dragged their moaning patient to Room 1227, where they put her to bed.

It was the worst thing that could have happened to her. Treatment actually called for an immediate operation to sew up the torn bladder, sedatives and some medication as an infection preventive.

The bellhop left. The girls stood by the bedside trying to communicate in some way with Virginia, but she just moaned softly, not answering their questions. Then Zey had an idea. "I read somewhere," she said, "that for acute alcoholism a cold bath is often helpful."

So, grasping at anything, Maude ran a cold bath and the girls and Al slowly lowered her into the water. She screamed in agony, the cold water dilating the torn internal organs. It was a dangerous thing to do because the water, unsterilized, could infect.

After several minutes, the girls took Virginia out of the water, dried her off and put her back to bed. She shivered convulsively. Maude bent down and kissed her, then said, "We have to get another doctor. Oh my God, this poor girl is dying."

Zey agreed it was the sensible thing to do. But she
also thought that, because Arbuckle was so involved, she should run down the hall and tell him what was happening.

Arbuckle was smoking a cigarette and pacing the room, worrying about a picture of his opening in Chicago. The exhibitor had promised to call him at the hotel at 3 P.M. to let him know what the proceeds of the first matinee performance was. He was discussing it with Al. Zey waited until Arbuckle was through talking, then said, "Virginia is very sick. She isn't any better. Maude wants to call another doctor . . ."

Arbuckle flipped his cigarette out an open window and said, "I don't care if you throw her out a window. But don't bother me with that drunk." He continued talking to Al.

Al turned to Zey and said, "Can I help? She's a good kid, that Virginia."

It was Arbuckle who answered. "I need help more than she does. Let's call Chicago."

It was apparent at this time that Arbuckle had not the faintest notion of how ill Virginia was, or of how terrible the consequences could be if she were seriously ill. But more than that, it was clear he didn't know how involved he was.

Zey just shrugged and went back to the room. Maude called a Dr. M. E. Rummel, whom she knew. He was in and was told that a young actress was ill. At first he balked about going out on Labor Day, but when Maude became tearful he promised to go right over.

Between the time that Maude called and the time the doctor arrived, the girls took turns putting warm compresses and then ice on Virginia's abdomen. The warmth was the first sensible measure taken since Virginia was hurt. It was at least a pain reliever of sorts.

Dr. Rummel was a tall, grey-haired, slim man. He immediately took in the seriousness of his case.

After no more than a three-minute examination, he said, "We've got a very sick girl on our hands. It looks
to me like a ruptured bladder. We've got to get her to a hospital immediately."

Maude began to cry. "I knew it. I knew it," she sobbed. "She's going to die."

The doctor went to the telephone and called the Wakefield Sanatorium. After a few minutes of discussion, the Sanatorium agreed to send an ambulance.

Both Zey and Maude accompanied Virginia to the hospital. They arrived after 8 P.M., more than five hours after she was hurt. The delay was one of the contributing causes of her death.

Virginia was prepared for surgery.

By 9:35 P.M., Arbuckle, more sober and now concerned, had tracked Virginia down. He called and asked Maude how Virginia was. "Very ill," said Maude. "I'm praying for her."

"She'll be all right," answered Arbuckle. "I'm leaving by steamer for Los Angeles tomorrow morning. If everything doesn't go smoothly you know where to call me. And send all the bills to Anger." Maude thanked him.

The party was over.
THE AFTERMATH

On the steamer *California*, Arbuckle, Fishbeck and Sherman played gin rummy. The Virginia Rappe episode was never discussed. Either it was forgotten or thought too trivial to mention, or Arbuckle’s friends thought it was unwise to bring up the subject.

Arbuckle said he didn’t feel well, that he thought a cold was coming on. He took the fresh sea air with a heavy scarf around his neck. Arbuckle showed the Hotel St. Francis bill for his stay. It was $611.13. It was paid and receipted. He thought it was reasonable.

Lowell Sherman mentioned a new song titled “I’m Just Wild About Harry” and said he thought Arbuckle should buy it for a movie title. It was Sherman’s idea that if Arbuckle played a character named Harry, pursued by a lot of pretty girls, it would make for good comedy. Arbuckle thought it was a pretty good idea.

When Fishbeck thought he too was coming down with a cold, it was decided to stop over at Carmel and Monterey to buy some warmer sweaters, take a steam bath and get a few drinks.

“Wouldn’t you know,” complained Arbuckle, “we get one Labor Day week end and the weather turns chilly.”

The other boys agreed it was a bad piece of luck.

At Coronado, after several phone calls, Arbuckle found a bootlegger who could bring him some Scotch. Things were looking up.

At the Wakefield Sanatorium on Wednesday, Virginia regained consciousness. She had been operated upon but was on the critical list.
Toward noon Virginia told her special day nurse she wanted to talk to her. Her first words were, "Arbuckle did it. Don't let him get away with it." She was distraught and the nurse begged her to quiet down. She lay back and went to sleep.

The night nurse was Vera Cumberland. Virginia was worse that night. An infection had set in and she had a 101.6° fever. But she insisted she wanted to talk.

"I don't remember much," she said weakly, "but he did it. If I get well, I want the whole matter dropped. But," she added, "if I'm in the hospital a long time I want him to pay all expenses." She evidently did not consider the possibility that she might die.

"Poor thing," Vera Cumberland told another nurse, "she's covered with nicks and bruises. Even her knees are bruised."

Late Wednesday afternoon Virginia grew weaker, but still she wanted to talk. She spoke to Miss Cumberland. "Isn't it a pity," she said, "that I've led such a quiet life in Hollywood and had to get mixed up in such a party." A tear rolled down her cheek. "Honestly I didn't want to go to the party. I would have rather..." She didn't finish the sentence. She dropped off to sleep again brought on by the heavy sedation.

Friday a medical consultation was held. It was the consensus that Virginia couldn't be saved. Peritonitis had set in. Her pulse was becoming more rapid and fluttery. Her breathing was shallow. Maude, who had stayed at the St. Francis to be with Virginia, was called and told how serious the situation was. Maude was under sedation.

"Are there any relatives or close friends you should call?" she was asked.

Maude remembered Virginia's aunt had a heart condition and she was afraid to call her. But Maude did have a close friend whom she had heard Virginia mention. Maude volunteered to call her and then came immediately to Wakefield.

With Maude and her friend at the bedside on Fri-
day morning, Virginia had a few stronger, lucid moments.

She told the friend, "When I was in agony, he screamed he'd have me sent back to the Palace Hotel because I was making too much noise... I'm so ashamed."

The girls berated Arbuckle and tried to comfort her.

Maude told her, "I'll make him pay in hell for everything he did to you."

Virginia squeezed Maude's hand and asked if she could put on a dab of lipstick. She couldn't handle the lipstick, so Maude applied it for her.

It started to drizzle outside. Virginia began to say something, then abruptly fell back into a coma.

At one P.M. she was dead of peritonitis.

Maude sobbed, "I curse the day I was born that I did this to this wonderfully sweet girl. I'll atone the rest of my life—which I hope isn't long."

Even in 1921, the fact that a beautiful motion picture star had died was news; big news. But under the circumstances, with the death certificate showing cause of death as "peritonitis," there would be no reason for the press to go any further than to report an actress had died of natural causes.

And, except for a fantastic series of blunders, that's the way the story would have ended. One big headline and then back to the news of the day. Arbuckle would have gone on his merry way and girls would probably have told him off and then reacted to other more pressing problems.

All through the trials there were accusations that Arbuckle's press representatives had tried to keep any news of Virginia from the press or the authorities. It was never proved but, all through her hospital stay, not a line got into the papers.

In fact, during the trials, one nurse admitted she resigned the case because of threats after she was seen talking to a newspaperman. She said the man was an
old friend, and their talk had nothing to do with Virginia.

Official curiosity was first aroused by a strange telephone call that apparently was made in error. Deputy Coroner Michael Brown was in his office on September 10th when a woman, who said she was calling from the private hospital, inquired when an autopsy was going to be performed. Brown was puzzled; the coroner's office had received no report of any suspicious death. "What autopsy are you talking about?" he asked.

The woman had just started to explain when Brown heard another voice whispering to her; this was followed by a sharp gasp, and the caller suddenly hung up.

Brown promptly called back to the hospital, only to have the same woman deny that she had telephoned him. When he became insistent that he recognized her voice, she replied, "I'm sorry, I have no information to give you."

Indignant over the highhanded treatment he was receiving, the veteran official drove to the hospital. There he was told that the previous call had been a mistake. Brown refused to be put off and conducted an investigation of his own. He learned that a twenty-five-year-old woman patient had died that afternoon in the hospital, and that her physicians, puzzled by the cause of death, had performed their own autopsy. Dr. Brown examined the vital organs in the hospital morgue and observed that the bladder was ruptured, an injury he thought had probably resulted from a blow or a fall. Normally, since the attending physicians had signed a death certificate, Dr. Brown would have dropped the matter, but because of the unusual behavior following the call to his office, he directed police to conduct an investigation into the death of the woman.

When reporters learned that she was Virginia Rappe, they sensed a story and hurriedly briefed police on her background.

The trail then led from Dr. Rummel to Maude Delmont at the St. Francis Hotel, and then to Zey Prevon
(nee Zey Reis). For the police and the press, Maude was happy to relate the details of Virginia's illness.

The confession was astounding. Maude left out no facts. Names were given. No punches were pulled. Maude signed her statement, triggering whirlwind activity by both press and authorities.

Maude finished her statement with, "I hope you catch the bastard and I hope he burns."

While all this was happening in San Francisco, Arbuckle and party had no idea what storm clouds were closing in on them. In fact, Arbuckle called his studio manager and cleared up some details for the next week's shooting.

The final leg of the boat trip was uneventful. Arbuckle's cold felt better. He told the boys he was going to cut down on his drinking because he had put on four pounds.

At the boat dock both Sherman and Arbuckle made phone calls so they'd be certain to have dates that evening, September 10th, a Saturday. Arbuckle called an actress named Sandra and made a date to go to the Washington Club for dinner. It was early in the morning.

Arbuckle decided to take a cab and go home immediately. The weather was cooler and cloudy, but there was a colorful orange sunrise. The cab driver remarked upon it on the drive back, and Arbuckle's answer was, "It'll never make a dollar for you." And he laughed. Later he said, "It's got something to do with the refractory rays—makes all the sun color."

If he enjoyed the sunrise it was just about the last thing he'd ever really enjoy on earth.

Standing in front of his home were two San Francisco deputies. They confronted Arbuckle as he paid off the $5.00 cab fare.

"Mr. Arbuckle?"

"Yes."

"You're wanted for questioning on the death of Virginia Rappe, an actress. Will you come back to San Francisco with us voluntarily?"

Arbuckle was shocked. Death? Virginia? He had for-
gotten the whole incident and now they wanted to talk to him. About what? He didn’t do anything.

“Come on inside and talk,” he said, motioning to his beautiful home. He went on, “How did she die?”

“I’m sorry,” said Deputy Jackson, “we’re not permitted to answer any questions.”

“If it’s the result of her accident in my suite,” said Arbuckle, “I can assure you I was never alone with her for one moment. That I swear.”

The deputies were sympathetic but stolid.

“Do you mind,” asked Arbuckle, “if I call my lawyer?”

They didn’t mind.

Frank Dominguez, who was to be one of eight attorneys to defend him, suggested he keep his mouth shut. Dominguez said he’d drive back to San Francisco and clear it all up. Even then Arbuckle felt no great fear or challenge.

He asked the deputies if he could shower and change clothes. They gave permission. He called Sandra and cancelled their date.

He dressed in a Norfolk jacket and golf breeches of dark green wool, with socks to match and low tan shoes.

When Dominguez arrived, he promised the deputies an official written statement when they arrived in San Francisco. Dominguez thought they ought to ask Fred Fishbeck, Lowell Sherman and Al Seminacher to accompany them to San Francisco so that they could testify in Arbuckle’s behalf. All three agreed to go.

Up to this point not a word had appeared in the newspapers, though now they had the news. All this was happening silently and with dispatch.

Arbuckle was again warned not to say anything to anybody. He promised.

“How long do you think all this is going to tie me up?” he asked Dominguez.

“If we’re lucky, a couple of days. If we’re unlucky . . .” Dominguez shrugged. But the lawyer wore a grim countenance.

After hearing Arbuckle’s version of the story, he sensed
that there were a few things going for them and many against them. They were going into a strange city. It was the Prohibition era. Arbuckle was not a charmer, a romantic figure. In fact, he was unappealing when you thought of him as a lover. Arbuckle had a reputation as a playboy and party-giver. Virginia Rappe was a popular figure with a "sweet girl" image. Dominguez didn’t like it.

The caravan of three cars took the grim night ride to the Bay City and arrived there on the evening of the 10th.

Arbuckle’s written statement was as follows:

“I was alone in my suite having breakfast when some friends of mine and Miss Rappe came to visit me. Miss Rappe started to drink almost immediately. Shortly after she had a few drinks she became hysterical and complained that she couldn’t breathe and started to tear at her clothes. I requested that two of the girls in the room take care of her. She was disrobed and placed in a bathtub to be revived. The immersion did not benefit her and I then telephoned the hotel manager, telling him what was wrong and Miss Rappe was taken into another room and put to bed. When there was no change in her condition a doctor was called. I was at no time alone with Miss Rappe. During this time in my rooms there were at least a half-dozen people there all the time and I can produce witnesses to bear out this statement."

For pure fiction the statement could have won a Nobel Prize. It showed quite some imagination.

The Arbuckle car was instructed to meet the deputies and two detectives on the corner of Market and Montgomery streets, where Arbuckle would surrender himself. Dominguez was confident he could then get his client released on bail.

Arbuckle drove up in his jaunty sports car at 8 P.M. at the appointed spot. Four patient lawmen waited for him.

He got out of the car, casually lit a cigarette and said,
“All right fellows, where’s the hanging?” He showed no concern at all. His attorney was more solemn.

He was escorted into the office of police captain Duncan Matheson. Chief of Police Daniel O’Brien was present, as was Assistant District Attorney Milton U’Ren. District Attorney Brady was out of town. The room was stark and utilitarian, brightened only by an American flag. The manner of all three men was gruff. Normally Matheson was a jovial fellow, noted for his kindness, but he had none of that this day.

Arbuckle greeted all the men with exaggerated good will. They grunted. Arbuckle straightened a calendar on the wall.

O’Brien gestured to a deputy to let the press in. Newsmen and photographers filed in slowly. There were about fifteen of them, and they kept their distance as is customary. Matheson read the charge, “... and so Roscoe Arbuckle will be held without bail for the murder of Virginia Rappe.”

Arbuckle actually staggered. He expected no such charge. It meant jail immediately, unless his attorneys could pull a legal trick out of their briefcase.

There was silence in the room, then the flashbulbs exploded. “Smile,” said one photographer. “It’s too solemn a time for me,” answered Arbuckle honestly. “Say something,” begged the newsmen. Arbuckle, who had kidded with newsmen all his life, could only say, “No statement.” Once, when a reporter said, “I thought you were in love with Virginia Rappe,” he started to say something. Dominguez put a finger up to his lips.

Dominguez almost supported Arbuckle as they walked to the court elevator. The comic was pale but perspiring. Dominguez said, “It’s serious, but far from hopeless. I’ll see if we can dream up a writ of habeas corpus and get you out of here.”

Arbuckle could only say “Murder?”

Two formal investigations were immediately begun, the Grand Jury investigation and the coroner’s inquest. D.A.
Matthew Brady, a fireball, returned to town and started to line up witnesses for the state.

The murder charge against Arbuckle was heard around the world. It crashed headlines in London, New York, Tokyo, Paris—you name it. The reverberations in Hollywood itself were serious. For some reason the whole industry seemed on trial—not just an unruly fat man.

The movie industry was accused in editorials all over the world of spawning immoral, orgy-minded, indecent adults who unfortunately served as examples for the young. Hollywood was warned to clean house or else.

There was also a more immediate consideration—a financial one. Several million dollars worth of Arbuckle films were either in release or “in the can,” and the public could react badly to these charges against Arbuckle—badly enough to ban such pictures.

Hollywood could go two ways. It could line up behind Arbuckle, prove he was innocent and whitewash the whole thing. Or it could whisk the bad apple out of the basket and throw it away, leaving what was left clean and pure.

The studio heads were divided on which way to maneuver. The outcome was a split, with one group helping Arbuckle (behind the scenes), and one standing behind his prosecutors.

It was a delicate time for the growing industry, and it was felt that this scandal could be extremely dangerous.

Not only was an industry on trial, but lined up solidly against it was a cosmopolitan city—San Francisco.

Police Captain Duncan Matheson told reporters: “This woman, without a doubt, died as a result of an attack by Arbuckle. That makes it first-degree murder without a doubt. We don’t feel that a man like Arbuckle can pull stuff like this in San Francisco and get away with it.”

Hollywood was accused by San Francisco papers of using their city as a garbage can. The charge was made that Hollywood police were wise to its movie colony
behavior, so the wild actors were using San Francisco as their playground. This had to stop.

Before he ever came to trial, Arbuckle had lined up against him not only the due processes of law but a city, part of an industry and hundreds of outraged women's clubs and religious organizations determined that he be thoroughly punished.

An Arbuckle lawyer pointed out:

"When a man steals, he sets out to break the law. When a man drives while drunk he is in the process of breaking the law. But Roscoe Arbuckle set out to do no more than have sexual relations with a girl he had known for five years. I'd guess that 1,000,000 men set out every night to try and do the same thing Arbuckle did—cohabitate with a woman. What happened was an unfortunate accident. He was a victim of a cruel twist of fate. What purpose does punishing Arbuckle serve? To be an example for men not to have intercourse with women? Every man I talk to is guilty at one time or another of pressuring a girl into having intercourse with him. Yet he walks free. It was an unfortunate accident. He should be set free."

But the statements of Maude and Zey Prevon were damning. Legally, when examined closely, they weren't so bad, but Arbuckle was made out to be a cruel, inhuman monster without compassion or dignity. The public was inclined to examine not the act, but the man.

Now the rumors flew. The most popular one was that Arbuckle got Virginia Rappe nude and drunk on the bed, then ripped her internal organs with a soft-drink bottle. This version of the alleged rape was shouted from the platforms of several clubs.

Maude Delmont made her statement for the Grand Jury, then collapsed to the floor. She was placed under medical care. Three nurses from Wakefield Sanatorium, at 1065 Sutten Street, gave their evidence. Martha Hamilton said, "Miss Rappe constantly asked me if they caught Arbuckle or where he was hiding. She was under the
delusion, partly induced by sedation, that Arbuckle was trying to elude the police and was trying to escape.”

District Attorney Brady was thwarted in one direction. It would make his case stronger if he could find the torn clothes that everyone talked about, but his men had searched all through the Arbuckle suite and the girl’s rooms and had come up with nothing. The hospital also proved fruitless.

Then the clothes were found in the bottom of a waste basket hidden in Maude’s closet. She swore she didn’t know they were there. The clothes proved to be only Virginia’s outer garments—a Panama sailor hat, a green shirt jacket and a bit of torn lace. The newspapers were delighted at the find and at the fact that the undergarments were still missing. Pictures of similar types of panties and bras made many tabloids.

Along with Arbuckle’s legal troubles came financial problems. Theatres started announcing the banning of his pictures. Gasoline Gus, which had rave reviews was pulled from Grauman’s Theatre in Hollywood, and Grauman had been a close friend of Arbuckle’s.

Jesse Lasky, vice-president of Paramount, was asked to comment on the Arbuckle pictures. “Every man is innocent until he is found guilty by a due process of court,” he said. Few big names in Hollywood would go out on a limb for Arbuckle. They were playing it conservatively.

In the two days of jail life, Arbuckle was not holding up well at all. He was depressed and pessimistic. He was afraid he would be “railroaded” to the chair. “And what did I do?” he whined, “but what any other red-blooded American male would do. I made love to a beautiful girl.” He ate little and his attorneys asked if he could use the stairs instead of the box-like elevator in the Hall of Justice. They said he had claustrophobia and suffered terribly during these rides.

The court refused permission to use the stairs.

Arbuckle’s fans deserted him. What was once a deluge of fan mail was now hundreds of letters, mostly from women, denouncing him as an animal and a sex maniac.
He begged his attorneys to issue a statement answering all these charges. They didn’t think it wise.

On September 12, the Grand Jury met to answer the D.A.’s demand for an indictment. All witnesses were summoned to the chambers. Highlight was a fiery denunciation of Arbuckle by a woman acquaintance who did not hide her rousing hatred of him. Several times she had to be controlled in her outbursts. She said, “If Arbuckle is freed I’ll leave the country and I advise everyone else to do the same.”

At 2 p.m. of the same day the coroner’s inquest began. This could be followed by Arbuckle’s arraignment before Police Judge Daniel S. O’Brien.

The inquest started with fireworks. There was a vicious verbal clash between Frank Dominguez and the hot-tempered District Attorney Brady. Dominguez accused Brady of doing too much name-calling just so he could get his name in the paper at Arbuckle’s expense. Brady threatened to “get” Dominguez. To which Dominguez said he had notified some of his friends on the L.A. police force that if he were beaten up in some alley it would be at the instigation of Brady’s thugs. Brady said, “If the distinguished L.A. attorney is beaten up, it will be me personally that will do it.”

Witnesses came and went. H. T. Boyle, assistant manager of the St. Francis, turned out to be sympathetic to Arbuckle. It was the first pleasant surprise in Arbuckle’s grueling forty-eight hours.

Said Boyle, “I’ve always known Mr. Arbuckle to be kind and considerate. I thought his attitude to the sick girl, Virginia Rappe, was firm but kindly. He did shoulder the responsibility of the crisis at all times.” He testified that Virginia was intoxicated.

Maude Delmont repeated all her former testimony. She made one change. “I remember now specifically,” she said, “that Arbuckle grabbed Miss Rappe, Virginia, by the hand and dragged her, against her will, into the bedroom.” This was the first time such damaging evidence
was given. Arbuckle looked up for the first time when she said this and shook his head. Then he pulled his huge head in again, as he had all during the hearings.

When it came time for Joyce Clark to give her testimony, a deputy of the D.A.'s office announced that the Prosecutor had asked that her evidence be withheld. It was obvious that Joyce Clark had some strong evidence for the prosecution.

Dr. Rummel caused something of a stir when he said he had performed a post-mortem on the remains of Virginia Rappe. He said, "I had no official authority to do so, but friends of the dead girl asked me to do so. I found that much internal damage had been done by some deplorable, rough treatment." He said he could provide such evidence if necessary as the internal organs had been preserved.

Nine of the ten inquest jurors were present. The tenth juror was out with an impacted wisdom tooth. Arbuckle filed from the inquest room, dragging his feet as if he had been beaten.

Several of the special writers for the daily papers, mystery novelists and such, said Virginia's torn clothing would be the way to a first degree murder charge. They thought that was the prosecution's most valuable piece of evidence.

Brady, a brilliant warhorse of the legal battlefields, had another more important move, designed to cast further blackness on Arbuckle's reputation and set him up for the courtroom.

He sic'd the Federal Prohibition Director on Arbuckle. The Assistant Director of the Board, Thomas Brown, called in all the guests from the party, with a mass of concurrent publicity, to ask them about the flow of liquor at the party. It was obvious that Arbuckle had broken (smashed!) another law—he had been buying liquor all through Prohibition and had also transported liquor out of the county which was punishable by a $25,000 fine.

The investigation served to discredit further the Arbuckle name.
More than 4,000 people fought to get into the courtroom at Arbuckle's arraignment. There were screams of "Lynch him!" A woman spat on his face as he walked past. It was a bitter, hostile crowd with not an apparent friend in it. Arbuckle kept eyes down as he walked. Photographers tried to fight their way through the cordon of protective police.

Peanuts, pretzels and ice cream were sold by hawkers in the crowd.

On the way to the arraignment, Al Seminacher told Arbuckle, "I have it from a good source that the Grand Jury will not issue a murder charge but will make it manslaughter—much less serious." This later turned out to be true. Arbuckle merely nodded. It would take more than that to cheer him up.

Maude Delmont was needed at the arraignment to repeat her charge under oath and point out Arbuckle.

In the jail elevator Maude suddenly became hysterical and fell down to her hands and knees, shaking her head and moaning, "Please don't make me face Arbuckle. I can't stand it. I never want to set eyes on him again." Captain Matheson tried to console her. The elevator was stopped and Matheson explained softly that they must have her identification. It was necessary to the case.

After five minutes Maude wiped her eyes and stated determinedly, "All right, I'll do it. If I have to I will but it's terrible."

The arraignment room was jammed with press and legal lights. When Arbuckle's legal representatives saw the crowded arraignment room, they quickly decided upon other strategy. They walked through the hall and back up to Arbuckle's cell, again deciding to waive the charges automatically without the defendant.

Defense attorneys Brown and Cohen went back to the arraignment room.

Bailiff Macarte called for, "Number 24 on the morning list." That was Arbuckle. Maude was sobbing aloud during all this procedure.

Of course, Arbuckle didn't step forward.
Judge O'Brien asked where the defendant was.
"Not here," replied the bailiff.
Arbuckle's attorneys explained their strategy.
The judge was angry. "What is the meaning of this!" he shouted.
"Your honor," answered Cohen, "we thought it would be all right if he were not arraigned in person, in view of the hostile attitude of the people and press. There are precedents for such an action. For instance . . ."
The judge cut in furiously: "Captain Matheson, I want him produced here immediately. I'll give you exactly five minutes."
Arbuckle's attorneys seemed bewildered but ran off to get the defendant.
Five minutes later the defendant walked into the arraignment room.
Maude collapsed again upon seeing him. Arbuckle turned away from her.
The charge was read, Maude identified Arbuckle and a preliminary hearing was set for September 16. Arbuckle acted like an automaton. His attorneys sat him down, lifted him up, walked him and whispered to him, but he showed no reaction.
He was taken back to his cell, where all he ate for lunch was a dish of peas.
After lunch his attorneys and a police escort took him to the Coroner's inquest. When Arbuckle pushed the hair back from his forehead, his hand was shaking.
He was asked to stand up and a clerk read his description, including, "scars at the root of his nose, and the base of his fourth finger, right hand."
He sat down and the chair creaked loudly. There was a giggle.
An old friend was called on to describe her relationship with Virginia Rappe. She spoke glowingly of the dead girl, relating kindnesses she had done for those less fortunate. About Arbuckle she said, "He's a man swollen with lust directed for any female, animal or human, tall or short, tiny or fat. While drawing her last breaths, Vir-
ginia told me how he had ripped her insides like some fiend incarnate. She begged me not to tell Irving Lehrman. Her last thoughts were that someone else—Irving Lehrman—shouldn't know that she had been violated so cruelly.” She was scolded when she added, “Such a man should be tortured and quartered until he too suffers the agonies of the damned.”

Arbuckle heard all this without reacting. One of his attorneys took notes as witnesses spoke.

Joyce Clark, a cafe entertainer, told her version of the affair. “Fatty called me on Labor Day morning and said he was having some friends up to the hotel and that I should come up. While he was talking to me some men were saying some pretty vile things about what would happen to me when I got there.”

She was asked what kind of vile things.

“Such as they’d boff me—you know what that means.”

The Coroner didn’t know.

Joyce explained, “To make love to me.”

The Coroner told her to go ahead.

“I said I’d come, but when I reached the lobby of the St. Francis, I got kind of scared. I hesitated and then decided not to go to the party, even though I had gotten all dressed up and had paid for a taxi over. On Tuesday Maude told me everything that happened and I was glad I didn’t go—it might have been me.”

She was asked what Maude had told her. She repeated pretty accurately Maude’s official complaint, then added, “Maude had said she had an affair with Arbuckle some time ago and she could understand how Virginia’s insides had been torn.”

There was laughter and Maude gave Joyce a dirty look.

The doctors all gave their statements again, pretty much repeating what they had said for the record before. A Dr. Olav Keaboe testified that Virginia was still heavily intoxicated when he first saw her at Wakefield.

And this time Dr. Rummel was more emphatic over the possibilities that the intercourse experienced between Arbuckle and Virginia was not done in any usual fashion.
Asked to explain, Dr. Rummel merely repeated that.
The Coroner chewed on his glasses.
The Arbuckle attorneys issued a statement: “Roscoe Arbuckle has always proved to be a fine, upstanding American citizen. He is innocent. We are certain that a decent penal system, interested only in justice, will sustain this fact. We will appeal to the conscience of America to withhold its judgment until the courts decide on a verdict. We sit here with all the facts. Our client is innocent.”

A San Francisco reporter with initiative went up to San Jose to interview Arbuckle’s stepmother. She was a charwoman. She spoke nostalgically of Roscoe as a youth. “Everybody loved him. He could make anyone laugh. The children followed him around as if he were the Pied Piper. He was much loved. He didn’t give me money but only because I wouldn’t take any. He offered it to me.”

In answer to a forthright question about girls she said, “The girls were never interested in him. He was always chubby, you know. I don’t think he cared much for girls either until he grew up.”

She said proudly, “You know his uncle is Al St. John, that well-known Hollywood movie actor.”

Asked if she’d testify, she said, “If they want me, I certainly will. He was always a good boy and the world ought to know it.”

The New York press, meanwhile, converged on 25 W. 51 Street, where Irving Lehrman, the dead girl’s fiancé, was living.

Wearing a silk robe over a sport shirt and trousers, he greeted the press in a beautifully furnished, high-ceiling apartment. He said, “I’ve been all broken up. Haven’t slept since it happened. I requested that burial be in Los Angeles because she loved the town so much and I want her near me.” He added, too, “Arbuckle is guilty. I hate him and if I ever see him I’ll kill him. My baby died game like a real woman. She fought him until she lay dying. He outraged her, and you know she told her nurse not to tell me about it because she didn’t want me to know. I loved her very much. You know, we were engaged. You know,
Arbuckle was an ignorant man. He had too much money and too much success. Now I hope the law punishes him."

He told the press further, "When I directed his pictures, I always had to warn him to stay out of the women's dressing rooms. As soon as he smelled perfume, he'd follow the stuff like a bird-dog. Did you know he used to be a bar-boy in a saloon? Well, underneath he still is."

(Actually he was never a bar-boy. Many personal character witnesses denied it. Where Lehrman had gotten such information no one knew.)

Lehrman had more to say. "Arbuckle used to throw orgies and stag parties all the time. Thank goodness I never attended one of his parties. A man like that ruins the reputation of a whole industry. I'm sure Virginia didn't know what kind of a party she was getting involved in or she would never have gone."

Asked if he would fly back for the funeral, Irving said he wouldn't—that he had been advised not to. He was asked what that meant. He wouldn't explain.

It is possible his advisors felt it would be injurious to his reputation if he became further involved publicly with what had become a sordid subject. Or it's possible that powerful Hollywood influences, with an industry and valuable films to protect, warned him to stay away. He would have made a powerful symbol for the prosecution.

Many morally indignant women's organizations were now bombarding motion picture box offices with demands that Arbuckle pictures be withdrawn. In Newark only two of seven theatres said they would play the fat man's films. In Chicago six of twenty houses said they would play his films. The others wouldn't. Many large theatre chains pulled the Arbuckle films, saying they'd wait until the courts came to some decision over his fate.

The New York reporters and a Roscoe Arbuckle legal representative converged on Minta Dunfee, Arbuckle's estranged wife, who was enjoying a late summer vacation at a New Jersey resort.

She had something to say: "I believe Roscoe is innocent. If they want me I'll go to the trial. Yes, we're estranged
and have been for five years, but we’ve been the best of friends all during that time.”

She was asked if the two would ever go back together again. “Yes, it is a possibility. I believe if Roscoe is acquitted it could be a good possibility.” (It never happened.)

Minta went on to say that there were unprincipled people out to get Arbuckle and set him up as an example. She would pray for him.

On September 13, the Grand Jury notified the District Attorney’s office that they had voted ten to two for a manslaughter charge. The D.A.’s office was disappointed. Midnight parleys were held and it was decided to disregard the Grand Jury recommendation.

At this time, and because of the Grand Jury recommendation, District Attorney Brady came out with a stinging charge. “Powerful influences are working behind the scenes on my witnesses. Bribery is rampant. Me and my men will do everything possible to ferret out these influences no matter how big and important.”

Brady referred particularly to Zey Prevon, who blithely reversed her testimony at the Grand Jury hearings. She said, “I didn’t see very much and I was repeating mostly what Miss Delmont had told me. I always thought Mr. Arbuckle to be a kind and thoughtful man.” Brady was livid with rage. It was the opposite of what she had told the police, but they didn’t have it in writing.

Were there sinister influences working behind the scenes? Probably. Arbuckle, his legal staff, everyone who had a financial interest in his pictures, in fact all of Hollywood stood to lose. The men behind Hollywood movie making were aggressive, realistic businessmen who had clawed their way to the top and weren’t about to relinquish their hold just because of a fat man’s burst of passion.

It was about this time that witness Alice Blake disappeared. The brunette beauty, a familiar face in San Francisco bistros, seemed to dissolved into thin air. Brady was livid. He needed her badly.

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For a preventive measure he immediately put his star witness, Maude Delmont, under heavy twenty-four-hour guard.

Brady assigned twelve men to find Alice Blake. They did their job well. She was found in the back room of a Berkeley hotel. She said she just wanted to get away from it all.

She was put under twenty-four-hour guard. A year later she married one of her police protectors.

Then Betty Campbell disappeared. She was another important witness for the state. Brady assigned another posse to find her. He assigned another squad to find out about big chunks of money coming from Hollywood and being deposited in San Francisco banks.

No one could come up with Betty Campbell. She was last seen, strangely enough, feeding peanuts to the pigeons in a small public square. She had told a friend, "My folks think I'm crazy to get mixed up in this mess."

So the coroner's inquest had to proceed without Betty Campbell and with certain witnesses having either changes of mind or convenient lapse of memory. However, Maude and her friend were immovable. There were rumors that each of them had resisted $10,000 bribes. They were never substantiated. In an official statement, the other girl said she wouldn't take $1,000,000 if she could put Arbuckle in the gas chamber.

At the coroner's inquest Maude Delmont stated, "I had at least ten drinks. I was drunk but I knew what I was doing. I might have acted foolishly but I was aware of it." She also said, "I didn't exactly see Virginia and Arbuckle go into the bedroom but I saw him drag her to the door. No, she did not make an outcry."

Maude elaborated further: "When we came into the bedroom after Virginia had been screaming she was writhing on the bed. She had all her clothes on, even shoes and stockings, but not her panties and her dress was pulled up under so that from the belly button down she was nude."

"She was screaming and then fainting and screaming
and fainting. And when she was screaming she was grabbing at her lower abdomen. She was badly hurt. I touched her and she was mighty cold. It was a warmish day.

“When the doctor came in, she begged him not to touch her. Either she was ashamed or she hurt so she thought if he touched her she’d hurt worse.” There was one laugh in her testimony. She was asked what she did while the doctor was examining the patient. “I and a detective went around,” she said, “and drank all the gin and orange juice that was left in the glasses.”

Dr. Leland, the coroner, then passed on a vital point. The point was, “Did Virginia Rappe make any vocal objections before being led or dragged into the bedroom?”

Every person at the party—about twenty-five in the inquest room—agreed there had been no outcry.

Maude said a shy girl like Virginia might not have wanted to call attention to her embarrassing predicament, feeling she could handle the matter.

Most did not agree with Maude. They felt a girl so threatened would scream or ask for some kind of help.

Maude had been doing a great deal of talking and Coroner Leland said, “Miss Delmont, if you are tired or feel any strain we can have a short recess.”

Maude got another laugh when she said, “I feel fine. I had a hypodermic shot before I came here this morning.”

Vera Cumberland, the nurse, had a little extra to add: “Virginia Rappe told me she had an affair with Arbuckle. She said they both were very drunk. She asked me not to tell Lehrman. She said Lehrman would think she had relations with Arbuckle just to spite him because they had a fight. She said Arbuckle was a beast.” She then created something of a sensation. “I was so hounded by Hollywood people to keep my mouth shut that I begged to be taken off the case,” she said. “I was afraid. In fact I was terrified.”

“Were you threatened?” she was asked.

“Yes,” she asserted.

Al Seminacher, Virginia’s manager and a good friend of
Arbuckle, was expected to be a strong defense witness, but puzzled everyone.

"I don't like parties. The noise bothers me. I don't like drunks. I left the party twice to take a walk. I was thinking of getting back to Los Angeles. I like to drive—drive fast. The party was just a bore to me. I knew Virginia very well. I've seen her take a drink or two and get dizzy. She could never hold her liquor. But I didn't see anything that would be of interest to you. I mind my own business."

The coroner asked whether Al had helped to identify Virginia's clothes, since he had been with her on their trip from Los Angeles.

The answer got gasps.

"Yes. I saw her clothes in a waste basket in Maude's room. On the top was a torn waist. I figured it would make a good dust cloth for my car so I took it. I figured I'd kid with Virginia about it when we got back to Los Angeles.

"There was a sleeve torn off the waist. I figured it was no good to her any more."

The coroner seemed shocked by Al's callousness and asked if the police were notified of this.

"Not yet," said Al. "But if they want the waist they can have it."

A witness, a New York businessman who had been at the party for a short time, had this to say: "All the time I was there no one was drunk and I saw nothing happen. It looked as innocent as a church social so I left. I was looking for action."

George Duffle, a representative of the D.A.'s office, had a long whispered conference with the coroner. The coroner now wanted to call Zey Prevon. Because she had changed her testimony for the Grand Jury, helping the defendant and hurting the People's case, the D.A.'s office was trying to exert pressure against permitting Zey to testify.

After a heated argument, Coroner Leland called the name of Zey Prevon. She started with the nub of the controversy: "Virginia Rappe went into the bedroom with
Roscoe Arbuckle because she wanted to. That's all I wish to say."

"Liar!" shouted Duffle.

"Please," cautioned Leland, "this is an informal inquest, but not that informal."

"I'm telling the truth," shouted Zey. "I don't lie!"

"How much did they pay you to say that?" shouted Duffle.

For the first time Arbuckle smiled and asked his attorney for a cigarette. He smoked with long, deep puffs.

Zey got up and started to repeat again that Virginia had walked into the bedroom at her own volition. Leland asked her to sit down.

Leland asked Arbuckle if he'd like to make a statement and he declined on advice of counsel.

Duffle demanded his say. Leland gave him the floor.

"I want to read a previous statement from Zey Prevon," he said, "and it will make you think. Quote, 'When I walked into the room and Virginia was writhing on the bed in pain, she said to me, 'He killed me. Arbuckle did it.'" Unquote. Now I ask you people, who look like intelligent people, does that sound like a girl who had a trivial affair at her own discretion and under her own willpower? I'll say it doesn't." He sat down.

On the way out of the inquest room photographers came up close and flashed away. The New York man asked a cameraman to step out of the way. His answer was to take another picture. The witness punched him. Another photographer joined in and it was a free-for-all. The police locked up the witness. Both photographers had to be hospitalized for treatment.

Brady, having all kinds of problems with witnesses and propaganda (a story out of Los Angeles said Virginia Rappe had been a call girl for years and her mother had run a house of ill-repute), kept after Arbuckle on the liquor front.

Arbuckle was taken from his bare cell to prohibition enforcer Mitchell's office. Here, several official charges were tossed at him. It was like throwing drops of water
on a drowning man. Arbuckle couldn’t have cared less, but it offset some of the positive Arbuckle publicity in the press for Brady.

Brady’s problems continued to increase. Three more witnesses couldn’t be found. One was a hotel maid who said she had heard Virginia screaming for help. Two other women guests, who had been in and out of the party, were also wanted for questioning.

The D.A.’s office called a press conference and said it had proof that Zey Prevon had been bribed. Brady said he’d offer photostats of the checks as evidence at the trial. (He never did.)

Minta Dunfee, Arbuckle’s estranged wife, then arrived in San Francisco, her fare paid by the defense. She said, “Roscoe is a great, big, lovable, pleasure-loving, overgrown boy. Success has just been too much for him to cope with. I feel by intuition that he is not guilty. And I have never been wrong about that wonderful man.”

Mabel Normand, one of Hollywood’s biggest stars of the era, called Minta to offer her sympathy and good wishes.

When Irving Lehrman’s name came up in the D.A.’s office, Minta said, “He’s a fop and a charm boy—tasteless and a climber. He’s not worth one finger of Arbuckle. He would never have married Miss Rappe, and he’s putting on a big show for all the publicity he can get out of it.”

Her valiant efforts in Arbuckle’s behalf, however, did not offset a constant dumping of Arbuckle films. Six hundred theatres now announced they would not show any Arbuckle film.

On September 14, Arbuckle was charged with manslaughter by the coroner’s jury. They theorized, “Miss Virginia Rappe unfortunately had sexual relations with Roscoe “Fatty” Arbuckle against her will. During these sexual relations such force was applied by Arbuckle that Miss Rappe was mortally hurt. We recommend such steps be taken that will prevent such outrages in San Francisco.”

Constantly, both with the coroner’s jury and other civic and legal groups, it appeared as if no one cared
what went on in the rest of the country as long as San Francisco were kept pure. It was a strange view of justice.

Upon hearing the verdict, Arbuckle vomited. His lawyers tried to impress upon him how unimportant a coroner's findings were, but Arbuckle found it difficult to disregard such a verdict.

His lawyers, taking an aggressive step, issued a statement that Arbuckle had never brought liquor into San Francisco. They said he loved the city and spent all his vacations there. They were going to play their opponent's game.

His lawyers also called a press conference for Zey Prevon, who had something more to say.

Outfitted in a conservative black and white suit and a new hair style, Zey spoke slowly, "Mr. Arbuckle is a very unhappy man. He has been for some time. He said to me the day of the party: 'What is life? It's nothing. If you don't drink it's unbearable. I wish I had the courage to jump out of the window.'"

She added, "When Virginia was so sick in that hotel bedroom, it was Arbuckle who said, 'Why don't you girls take her clothes off and make her comfortable.' He made no effort to do so and turned around when we did."

The press took it with a grain of salt. It was just part of the circus that the whole unfortunate incident had become.

In New York Irving Lehrman, who was watching the maneuvering with interest, sent Maude Delmont $150 to help her survive until the trial. She had complained that she didn't have enough to eat. Obviously, Lehrman had visions of the State losing Maude Delmont too. Without her, Arbuckle might get free. He didn't want that.

While all this legal maneuvering was going on, there was a sharp reaction throughout the country against Arbuckle. Many movie houses canceled bookings of his films, and there were scenes of disorder at some theatres where his pictures were being shown. Some theatre owners, seeking to capitalize on the case, booked pictures in which Miss Rappe had appeared, advertising her name in
star billing even where she had only minor parts. Studios hurriedly recalled these films.

Several studios, seeking to calm public reaction, announced that they would insert morality clauses in all their future contracts. Lowell Sherman, who had accompanied Arbuckle to San Francisco, was released by his studio even though he had not been in the apartment at the time.

Lehrman sent a message to the undertaker: "Please treat her with tenderness and sweet care, for she was a real girl and did just as I would expect her, fighting to the last for the honor of her outraged womanhood. Before you cover her sacred remains forever just lean over and whisper into her ear a little message. Tell her Henry said that he still loves you. She will hear."

Despite public reaction against his films, Arbuckle had not been without friends. The reporters eagerly seeking information had stories to write. Interesting tales of Virginia Rappe's background began appearing in print. She was supposed to have been the illegitimate daughter of a beautiful but unnamed actress who had been "wronged" by a caddish English nobleman who seduced her upon his promise to marry her, then went back to England on important business and never returned. The duped actress fled to New York, the papers said, where her daughter was born. Virginia allegedly was taught that the actress was her older sister and never knew that she was her mother. Although outwardly gay, the mother brooded over her cruel desertion and took to drink "and other excesses," according to the papers. She died when Virginia was only eleven years old.

Virginia went to live with a relative in Chicago named Rapp. She took his name, changing it later for theatrical purposes. This relative died when Virginia was fifteen years old, and a woman admirer was said to have taken Virginia into her home, sending the beautiful child to a dramatic school. Virginia left the school later and became a model instead. She was said to have gone to Paris, where her beauty brought her much fame, and then
through South America, where wealthy men showered her with expensive jewels.

The whole story, it might be pointed out, was somewhat along the lines of a combination of movie scenarios popular in that era. The cumulative effect was to portray the victim in an unfavorable light—a sinning mother who drank herself to death; a caddish father who never cared. It also carried the implication, "like mother, like daughter," since the defense had tried to show during the hearing that Virginia had been drunk.

In the meantime the movie industry's most brilliant public relations men were trying to rectify some of the mistakes that had been made up to this time.

Arbuckle had come to San Francisco to give himself up dressed in a gaudy sports costume, a bad public relations mistake when you realize a friend (at least) of his had just died.

His demeanor was hang-dog—that had to be fixed. Hollywood figured out that he should adopt a head-high attitude.

They wanted and got a statement from Arbuckle that if he were guilty of such a terrible crime he'd ask to be punished—but he was innocent.

The Hollywood powers also decided to take legal action against exhibitors who were cancelling Arbuckle films. They didn't expect to win, but at least the mood wouldn't be all anti-Arbuckle.

It was even concluded that Arbuckle's lawyers were dressed too sharp—too Hollywood. They were toned down.

But most important, stories and pictures were planted all over the world telling what a fine, decent, moral man Arbuckle was. At this time, though nothing was done until after Hollywood director Desmond Taylor was shot, (soon after Wallace Reid, a big Hollywood star, died of a narcotics overdose) a movement was started to form a morals policing organization. It was Will Hays who got the tough job of holding Hollywood in line and, most important, handling intelligently stars who got out of line.
Hays did a remarkable job. There were some pretty juicy cases during his reign, but none endangered the industry the way the Arbuckle case did.

When Errol Flynn was accused of raping a teen-aged girl, his popularity increased. When Charles Chaplin paid off in a paternity suit, it hurt his pictures not one bit. The many divorces capped by those perennial happy-marrieds, Douglas Fairbanks and Mary Pickford, did little to stop the growth of the film industry boom.

But for some strange reason the Arbuckle case disturbed and inflamed the imagination of the picture-going public. Children dreamed up dirty limericks covering the sordid aspects of the affair.

The riddle of whether a man could or could not kill his lover during intercourse was a parlor puzzle all over America. Everybody had an opinion as to whether Arbuckle was guilty or not. Most women voted "guilty," and many of the men voted "not guilty."

In Hartford, Connecticut, an indignant women's club ripped the screen of a theatre showing an Arbuckle short.

An unfriendly Tokyo newspaper pointed out that in America men made love so passionately, with such vulgarity, and with so little awareness of their mates that they killed women during the act like animals.

A neighbor of Arbuckle's on West Adams Boulevard built the fence between their homes three feet higher.

There was a great to-do over the fact that Arbuckle's mother's grave was unmarked. It showed, said some critics of the scene, that Arbuckle was really an unfeeling brute.

Then a cemetery caretaker admitted that he had been paid to care for the grave but had never gotten around to it.

People who lived near 562 N. Birch Street in Santa Ana, where Arbuckle had lived as a boy, sent in a petition saying they believed Arbuckle was innocent.

The Arbuckle foes maintained demonstrations like these were inspired by Arbuckle's Hollywood friends.

The Oregon State Teacher's Association said Arbuckle's
act alone was responsible for the sudden tide of juvenile delinquency.

The California Furniture Company, sensing early that Arbuckle was in for a lot of trouble and expense, attached the furniture in his home to the tune of $6,500.

Hollywood nabobs, master-minding the whole operation, announced the greatest galaxy of five pictures to be produced in the history of Hollywood. Included were Mary Pickford in *Tess of the Storm Country*, George Arliss in *The Man Who Played God*, *The Hound of the Baskervilles*, Marion Davies in *When Knighthood Was in Flower* and Mae Murray in *Broadway Rose*.

Nora Arbuckle, his sister, told the press Fatty was a generous, sweet youth, and she knew he was innocent.

Producer Joseph Schenck, asked for a statement about the Arbuckle case, said, "As ye judge so shall ye be judged."

An editorial in *Good Housekeeping* magazine said, in part, "Children should not have to look at the motion pictures of a man who has offended the laws of God and man."

Rudolph Valentino, asked to comment, said, "I always knew Roscoe Arbuckle to be a gentleman. What more can I say?"

The Hollywood fan magazines disregarded the whole affair. There was never a mention of it. They stuck to young love and fudge recipes.

The Arbuckle case was front page news in most newspapers for eight months running. The readers never tired of it and the letters-to-the-editor columns were always full of comment about the case. A letter in the New York *Herald Tribune* was typical: "How can we keep such an affair as the Arbuckle case from our children? Wherever we go there is discussion of it. Whatever we read, there is mention of it. Our children of twelve and eleven want to know what it is all about. How do we explain it? Puzzled."

When Arbuckle was arraigned for Superior Court on September 17, there was much ado over why he wasn't handcuffed. A member of the D.A.'s office explained it.
he were a prisoner of the Sheriff's office, he would have
to be handcuffed. But he was a prisoner of the police de-
partment, and they could make their own choice. They
had decided not to handcuff Arbuckle.

Such technicalities constantly complicated the case,
which had raw nerve ends ready to react to every move
of anyone connected with it.

At the arraignment members of the Women's Vigilante
Committee sat in the courtroom to see that justice was
done. Said one, "Just because he's a Hollywood celebrity,
he's not going to get away with murder, and I do mean
murder."

Arbuckle's attorneys had already put up $5,000 for bail,
hoping that Brady couldn't make a murder charge stick
and would have to settle for manslaughter. Brady was
stalling, whipping the Grand Jury and seething over re-
calcitrant witnesses. But he had already tied Arbuckle in
knots when he had locked him up in jail for a week.

In fact, Arbuckle said to Frank Dominguez, "What in
hell are you boys doing. I thought I'd be home long ago.
Jeez, you'd think I really did kill somebody."

Dominguez' answer was a shrug.

Brady now had the Grand Jury examining evidence
that witnesses had been tampered with. He was using this
valuable time to try and line up witnesses who could or
would swear they had some concrete evidence against
Arbuckle.

The District Attorney hoped for something interesting
from the doctor of the Hotel St. Francis, since he was
the first to see Miss Rappe. But the doctor was missing,
said to be somewhere in Meno County hunting deer.

The heretofore missing Mae Taube, a tiny chorine,
showed up suddenly at the arraignment and confused
both sides with, "When I saw Miss Rappe writhing in
the nude like I did, I called the desk and asked for help."

"Hey, wait a minute," said Brady. "Miss Delmont called
the desk. We have proof of that."

"Maybe she did," pouted Miss Taube, "but I did too."
Dominguez stepped in, too, to say, "We have several witnesses who testified Miss Rappe had her clothes on."

Miss Taube wouldn't give up. "She might have had a scanty few on but she looked almost nude."

Both Brady and Dominguez dismissed her for the time. Just about this time Virginia Rappe's body arrived by train in Los Angeles at the Union Station, and another irony was added. After all the public demonstrations and all the unashamed tears, the body was unclaimed for several hours. When the undertaker was notified, he said the family had requested burial services on Monday.

As if to further add an air of sacrilege to the arriving of the body in Los Angeles, the Maverick Theatre of Thermopolis, Wyoming said it had its screen shot up by cowboys (circa 1921) because the manager refused to yank an Arbuckle short.

On the 18th, District Attorney Brady got down to serious business. It was a difficult crime to re-enact, but he did the next best thing to it. He invited the principal witnesses to the twenty-first floor of the Hotel St. Francis, had the maid disarrange the twin beds and asked his questions all over again. "Just want to get the lay of the land," Brady said, which we trust was not double entendre.

Brady even went so far as to play the part of the deceased, assuming the various positions according to each witness' instructions. At one point Alice Blake, a 115 pound beauty, was assigned to play Roscoe Arbuckle. It stretched the imagination.

Brady seemed pleased with the results. He made copious notes. His deputies watched, not saying much, and also seeming to be well pleased. The session was light considering the solemnity of the occasion.

Brady's witnesses were like quicksilver—sliding here, slipping there. The next one to fly the coop was Lowell Sherman. His testimony was important, and Brady had no intention of letting him get away by legal or illegal means. Law enforcement officers in towns along the route Sherman was supposed to take East were alerted. As yet
Brady didn’t know how he could stop Sherman legally, but he’d figure something out.

It was important that three more party-goers—Fishbeck, Seminacher and another be kept under surveillance. Brady notified the Los Angeles D.A.’s office, who warned the three they were to stay in California. Actually there was no legal way of holding them, but they were frightened enough to obey orders.

During all these legal manipulations, Arbuckle wasn’t alone. His two brothers, W.H. Arbuckle and A.C. Arbuckle, spent hours in the jail with him. Arbuckle didn’t say much. His brothers talked of the good old days. They were optimistic. Said A.C., “By Christmas you won’t even remember all this happened.” Arbuckle, more realistic, wasn’t so sure.

Then Arbuckle’s attorneys negotiated the first real publicity plum for their client. Minta Dunfee came to the visitor’s room to see her estranged husband.

The press loved it. Minta looked good, and it was a touching reunion, with all the heartbreak of today’s soap operas. The lovely wife of the accused would stick by his side no matter what. Minta told the reporters, “He is innocent. I know it.” The couple embraced tenderly. She was asked if they might go back together again. She thought it highly possible. It was a public relations coup for the playboy. Photographers posed the couple in many ways. Arbuckle did not look like a man accused of raping and murdering a young girl. He looked like a carriage salesman on a summer holiday.

Along with Minta was her mother, Mrs. Flora Dunfee. The three posed together in what looked like a typical family portrait taken before the annual Thanksgiving dinner.

Arbuckle refused to smile for the cameramen, saying the occasion was too serious. But he promised he’d smile for them as soon as he was vindicated.

The Episcopal funeral of Virginia Rappe attracted mobs of fans and inflamed sentiment against Arbuckle again. A girl scout troupe left posies by the graveside.
Many Hollywood greats attended the funeral, some to strike a blow for morality and some with genuine sadness. The minister said, "She was too young to die, but while she lived she was a credit to herself, her family, her friends, and the human race."

The Rappe funeral in no way enforced a hiatus on D.A. Brady's activity. His many cries of bribery and fixed witnesses finally reached fruition in fact.

Through some clever detective work and twenty-four-hour tails of all witnesses, Brady unearthed these facts:

Two couples who were invited to the party but never got there were accused of conspiracy with witness Joyce Clark to get a chunk of money from Arbuckle's attorneys for offering testimony favorable to Arbuckle and the opposite of Maude Delmont's. (Incidentally, the court now referred to her as Bambina Maude Delmont Montgomery, her full name.)

Brady demanded to know every fact from Cohen, Arbuckle's attorney, who said, "Yes, it is true that the aforementioned people came to my office with a proposition of pay for testimony. However I did not accept the offer. If you can prove otherwise I'll go to jail for it." Brady could not prove otherwise, but he said, "This is only one-tenth of the incredible fixing and bribery that is going on in the Arbuckle case."

He moved to indict the guilty five.

Some more of Brady's detective work paid off when he located Lowell Sherman in Chicago. "I had no idea," he said, "that the officials wanted me to stay in California."

Sherman came back and issued a statement right out of Alice in Wonderland: "I was astounded when I was told that the newspapers had said we had a wild party. Why, it was just some old friends getting together for a holiday breakfast. We were more interested in good food than drink.

"There was nothing rough about it and I don't believe the girls even took their hats off. Arbuckle in pajamas?"
Maybe when he went to sleep but not while I saw him. I wonder what all the fuss is about.”

Brady said sarcastically he thought Sherman was at some other party.

Sherman lifted his eyes skyward and said, “Only Mr. Arbuckle knows what went on between him and Virginia in the bedroom. That wasn’t for our eyes.”

Police Judge Sylvan Lazarus, who would preside over the police court hearing, further complicated proceedings by notifying Brady that the hearing would be held in the woman’s division and that all unnecessary men, including some of Brady’s troupe, should be banned from the room. It was only the beginning of a bitter running quarrel between the two men. Lazarus gave out one statement about Brady: “I’m here to see that justice is done. Brady’s here to see that Arbuckle goes to the gas chamber.”

But Brady got a good break from an unexpected direction. C. A. Doran of the District Attorney’s office had a long talk with Al Seminacher, then reported to Brady, “Seminacher had a couple of drinks last night and told me the truth. He said Arbuckle told him, Fishbeck and his chauffeur, that he shoved a chunk of ice up Virginia and that’s what caused all the trouble.”

It was a damming piece of evidence. Except at the trials neither of the other two would admit it.

Brady immediately called Al’s hotel and they said he had checked out and gone back to Los Angeles. Brady called him there and ordered him back to San Francisco. Al said, “I’m broke travelling back and forth. And furthermore I have a business to care for. If you want me, pay me.”

Brady’s answer was, “From what I know about you, you were always driving up to San Francisco with girls and spending lots of money. You can make one more trip. And if you don’t, there are ways of making you wish you had.”

“Are you threatening me?” asked Al.

“Yes,” said Brady.

Al came up to San Francisco and testified before another session of the Grand Jury. He said absolutely noth-
ing. He couldn’t remember talking to Doran. He was surprised at what they thought he had said to Doran.

The Grand Jury also talked to a young hotel bellboy, who said, “I don’t know what was going on but they looked like they were having fun.”

A St. Francis maid, said she heard a woman’s voice coming from Arbuckle’s suite saying over and over, “Oh my God!” She also said she heard screaming. She was tempted to report it to the desk but became involved with other duties.

The Grand Jury was inspired to more aggressive action by an incident that had no connection with the Arbuckle case—the sudden death of Hollywood screen writer Zelda Crosby, a distinguished scripter from Famous Players Lasky.

At first glance the death appeared to be of natural causes, but investigation showed it was from an overdose of veronal, a suicide, rumored to have been caused by any number of mysterious circumstances connected with her social life as a beautiful motion picture script writer.

Said Brady: “You see what will happen if people like Arbuckle aren’t severely punished. Hollywood will become a Sodom and Gomorrah which will spread to the rest of the country.” Others took up the cry. It was an ill-timed incident for the Arbuckle cause.

Dominguez issued a statement that his client was being persecuted—that he expected from now on if a model in Cincinnati became ill from food poisoning it would be traced to Arbuckle.

Dominguez got more of a chance to shout “foul” when it was found that the shooting up of the movie screen in Thermopolis, Wyoming, was a publicity stunt dreamed up by the exhibitor. He was fined by a local judge for his enthusiastic promotion, but the damage had been done. It was one of many incidents which served to inflame the populace.

The pressure of these incidents now became so great and the danger to Hollywood so severe, Universal Studios announced it would make all players under contract sign
morality clauses. If for any reason a player was involved in an immoral act, his salary would stop immediately and he would be placed on suspension.

The legal procedure was utilized more as a message to the world that the studio was against immorality than to discourage immorality among contract players.

Judge Lazarus called in all the medical men who at any time had examined or treated Virginia Rappe during her illness. The Court was trying to decide if Arbuckle could be held for murder in Superior Court. Though Brady was certain he should be, the Court was undecided. Five doctors gave expert testimony. Arbuckle listened stoically as the technical terms describing a woman’s internal organs were bruited about. "Great external force," said Dr. Rummel, "was required to burst this woman’s bladder. And the bruises on her hips and arms completely mystify me as to their cause." He surprised the court by relating that there was a hypodermic puncture mark on Virginia’s upper left arm.

Dr. Shelby Strange, who helped conduct the autopsy, said Miss Rappe’s thighs were covered with bruises which looked like finger marks. Arbuckle’s lawyers objected to that.

“Well, it certainly looked like somebody got a good grip on the insides of her thighs,” said the angry doctor.

Judge Lazarus advised him to be less argumentative.

Minta sat with Arbuckle and at several points during the testimony squeezed his hand. He showed no visible emotion.

Judge Lazarus asked the physicians if they had ever before encountered, during examination of a woman, severe internal injuries induced by intercourse. None had.

“Of course,” said the judge, “a foreign substance could inflict such injury?”

Arbuckle’s attorneys objected to this question and it was never answered.

Mr. Arbuckle was asked if he would care to make a statement.
“No,” he said. Dominguez patted him like a good boy who had done his work well.

Lazarus talked informally to the doctors: “What I am most interested to know is if, in your opinion, internal organs already weakened might be severely injured by normal intercourse. Could you tell if any such constructive weakness was present?”

None could tell.

So the medical testimony ended on a bright note for Arbuckle. His attorneys filed out in good spirits. Arbuckle didn’t change his expression.

When Brady was given a report by his men of the testimony in Police Court he said, “I am shocked by such mealy-mouthed medical reporting. Virginia Rappe was raped, tortured, mangled and desecrated by that beast, and I’ll prove it in court.”

Dominguez lashed out with: “Brady’s writing the whole case as if it were lurid fiction. We’re interested in facts.”

Brady’s response was to bring up Arbuckle’s part-time housekeeper, to ask her about Arbuckle’s well-stocked cellar. He wasn’t missing a trick. The housekeeper said she had the key but she never entered the cellar.

“You mean to say, you are the housekeeper, you have the key, and you’ve never been in the cellar?” asked Brady.

“Yes, sir,” she answered politely.

Brady threw up his arms in disgust and sent a deputy, armed with a search warrant to examine the cellar. It was full of good liquor.

Though the medical testimony sounded fine to Arbuckle’s attorneys and upset Brady, it nevertheless drew a statement from First National Studios to the effect that they were withdrawing Arbuckle pictures from 3200 theatres. It was a major blow to Arbuckle.

It was such a stroke of fortune that Brady called back Lowell Sherman, who had given out the kind of testimony that could ruin the prosecution’s case. Brady decided to
take another shot at Sherman to see if he could get some naked truths from him. The questions went like this:

Brady: Was there liquor at the party?
Sherman: Yes. Excellent quality Scotch and some gin.
Brady: Why did you go to San Francisco for the party? Was it just to sit around and chat with your friends? (Said sarcastically.)
Sherman: I was supposed to open in a play in San Francisco on the 26th but I had a motion picture starting and decided not to do the play. So I thought I’d just stay a while at the party.

Brady: Did you see Virginia Rappe during the party?
Sherman: Yes. She was giggling a lot.
Brady: Did you see her in the bedroom?
Sherman: No, Arbuckle told me the Rappe girl was sick. I took his word for it.
Brady: Didn’t you ask to help?
Sherman: No. When people say “sick” they often mean “drunk.” I just thought she was drunk.
Brady: You were in the room when they carried her out of the bedroom screaming. What did you think then?
Sherman: Well, I saw Al and the girls take off her clothes and put her in a cold tub. I thought sure then it was because she was drunk.
Brady: Is it customary for men at a party to take a girl’s clothes off and for other men to watch even if she’s drunk? Wouldn’t you say that’s more than just a couple of good friends chatting?
Sherman: Well, it was an emergency. I once saw a doctor take off a woman’s skirt and panties when she had her leg broken by a car. And there was a crowd watching.
Brady: What happened after the cold bath? Where were you?
Sherman: They took her down the hall to another room. Arbuckle told me there was some trouble and some reporters might be coming up. He thought I should leave because it might get rough. So I left.
Brady: Weren’t you curious to find out what kind of trouble?
Sherman: Yes I was but I didn’t ask questions. Arbuckle’s a big star. You don’t pry with someone like that. I figured just that Virginia was passed out and they couldn’t bring her to.

On the 23rd, Dominguez showed an assistant D.A. a doctor’s certificate recommending an occasional drink as indicated for Arbuckle’s low blood pressure. Dominguez also had a medical instruction to Fred Fishbeck issued two years before suggesting he drink plenty of mineral water.

Dominguez also showed a bill for 6 bottles of mineral water ordered at the party. Brady pointed out that “an occasional drink” did not mean a quart at one sitting.

Nevertheless, the Dominguez strategy threw enough of a smoke screen over the liquor consumption at the party to at least confuse that part of the issue.

Brady now shifted some of his big guns to Al Seminacher. He and his men pounded at him in a court hearing. His subject: “What did Arbuckle say to you, Fishbeck and his chauffeur after the party?” He threatened to lock Al up for perjury if he didn’t get the answer now. He said Fishbeck had substantiated Al’s original statement that Arbuckle had said he shoved a stick of ice up Virginia’s vagina. (Fishbeck hadn’t.)

Al asked if the hearing room could be cleared in order to discuss the question in detail.

Dominguez objected. Judge Lazarus sustained the objection.

“I just can’t say this in front of people,” begged Al.

Brady’s retort, “All right, why don’t you write it out?”

Al agreed to this. He painstakingly wrote for a few minutes. Then he handed the paper to Assistant D.A. Goden who read it, showed it to Brady, who whispered to him. Goden then read it out loud. The people in the courtroom gasped. Arbuckle turned beet red. Goden laughed and read it again. Brady said to Al, “You could have used technical terms instead of gutter language.”

Al answered, “You didn’t have to read it aloud.”
"It's public property," responded Goden. "It had to be read out loud."

"Tell me," said Brady, "doesn't this thing"—he shook the note like a terrier—"fill you with revulsion and horror? How can you just be so laconic about it?"

"Don't lecture to me," responded Al angrily. "You wanted to know those facts and I told you the best way I know how."

Dominguez then told Brady, "Now that you've had your good time. You realize this is all hearsay. My client denies it completely and categorically. It's just the imagination of a dirty man's mind. Or worse, it is a part of a plot to defame my client—the kind of persecution that has consistently been shown by the D.A.'s office."

Brady responded: "At the right time I'll prove that this testimony is a great deal more than hearsay. It is fact."

Arbuckle said an indistinguishable word or two and then was stopped by one of his attorneys. He was evidently protesting. He took out a handkerchief and mopped his brow.

Al sat down with his back to Arbuckle.

"Your honor," Brady said to Lazarus, "now you can see why I'm asking for a murder charge. Did you ever in all your years on the bench hear of such a filthy crime?"

"Sit down, please," answered Judge Lazarus. "I've heard the testimony."

Brady said he was now going to question Fred Fishbeck. He directed the obvious question at him, "Would you please tell the Court what Roscoe Arbuckle told you about pushing a chunk of ice in the... ."

Dominguez interrupted with a howl saying Brady was leading and intimidating the witness.

Brady reworded his question and Fred said, "At no time did Mr. Arbuckle tell me of anything that went on in the bedroom with Virginia Rappe."

"You're a liar," said Brady angrily.

Dominguez protested vehemently.

Brady said he would repeat the question.

He did and Fred repeated his answer in a monotone.
Brady muttered. "Did you," he said, "ever see Virginia Rappe with her hair down and with some clothes off?"

"No," said Fishbeck.

Brady took a different tack. "What were you doing on the night of September 10th? That's the night Virginia Rappe died in agony."

Fred said immediately, "I took my sister to Grauman's Theatre in Hollywood."

"Did you know Virginia Rappe had died?"

"Yes, I found out later as I left the theatre. A friend of mine told me. I felt terrible."

"You did, eh?" answered Brady, and he waved Fred to his seat.

Dominguez asked the Court if he could speak. He had a lot to say. "I want the Court to know that at the proper time I will show positive proof that there is a blackmail conspiracy afoot to ruin Roscoe Arbuckle. I know, for instance, that Al Seminacher and a man named Earl Lynn of Los Angeles have conspired to blackmail Mr. Arbuckle. I know that Al Seminacher and Maude Delmont have been intimate for some time and there is collusion between the two to ruin my client. Furthermore, I have medical testimony at my disposal that shows a woman in the fit of strenuous vomiting as Virginia Rappe was, can rupture internal organs."

Brady laughed out loud and Judge Lazarus called for order.

"Listen, friend," Dominguez said to Brady, "you won't be laughing like that in a courtroom."

"I'm not your friend, thank God," answered Brady angrily.

"I want you to know," went on Dominguez, disregarding Brady's comment, "that my legal firm represents more than two thousand doctors in Los Angeles. I am involved with many of their medical and legal problems, and I can tell you all of my medical information will come certified in quality as well as in quantity. I think it only fair at this time to tell you that before Virginia Rappe entered that
bedroom she was seen taking a white powder and I will have further information on that."

Brady roared with laughter again. "Where you dream these things up, I don't know. I'm beginning to think a little man with a little white beard is serving you white powder."

Even Judge Lazarus smiled.

Brady then said he would rest his case.

Arbuckle's lawyers buzzed around him. They hoped for a manslaughter directive which would free Arbuckle until the trial and would also result in a lesser penalty if he were found guilty.

Brady and his men looked confident. They hoped for a murder charge.

That evening Judge Lazarus gave his directive. He demanded Roscoe Fatty Arbuckle be held on a manslaughter charge. It was a clear-cut victory for Dominguez.

Brady called in the press and said it was the most reprehensible verdict he had ever heard as a District Attorney. He intimidated that Judge Lazarus was either a fool or intent upon wrecking morality in California.

But the die was cast. Arbuckle was mobbed by well-wishers. His brother drove him to the Lark, where he entrained for Los Angeles.

Lazarus would set a date for the trial, which by law had to be held within thirty days. But meantime Arbuckle was much heartened.

At Union Station crowds booed and cheered as Arbuckle walked the length of the station. He mustered a tiny smile. His attorneys grinned broadly.

On September 30th, on a hot autumn night, Arbuckle threw one of his largest parties in his West Adams Boulevard house. Many big stars attended, including the lovely Marion Davies. No liquor was served. Most of the evening Arbuckle stood around rolling brown paper cigarettes and smiling contentedly. He was indeed happy to be home again. Neither the incident nor the name of Virginia Rappe was heard during the evening. Arbuckle told a newspaper reporter from the Los Angeles Herald, who
was drinking ginger ale, "You don't appreciate freedom until it's taken away from you. This morning I saw a blue jay on my roof and if I could I would have kissed it."

The party broke up at 4 A.M. A neighbor saw Arbuckle standing on his porch alone at 5 A.M., just smoking and breathing deeply of the late night air.

On October 7th, Arbuckle was arrested again for violating the prohibition act. He took a train to San Francisco with two lawyers, posted a $500 bond and was told he would be notified when his hearing was to be.
On November 13th, with Arbuckle dressed nattily in a dark brown suit, sixty-five prospective jurors were called in. It was generally felt that the strategy of the defense would be to bypass women, for obvious reasons. But this was not to be. It was expected that both the State and defense would call up about twenty-five witnesses each.

Arbuckle's brain trust had picked Gavin McNab as chief counsel in court. McNab, a gaunt, steel-springed orator, had an imposing record of never losing a big case. He was to maintain his clean slate.

Judge Sylvan Lazarus, before the trial got underway and before relinquishing his place at the bench to the trial judge, Judge Lauderbach, asked Arbuckle, "Are you ready for the ordeal?"

"I am," answered Arbuckle, "and may God show us the way."

On a foggy November 14, five jurors were selected. One was a woman.

Arbuckle sat through the selection of the jury with no expression. The courtroom was jammed with the curious. The corridors were also crowded—so crowded that even those with official business in the courts found it difficult to break through.

Arbuckle still refused to sign any autograph books, nodding at requests but not fulfilling them. The crowd was a more friendly crowd than had greeted him when he was first arrested. His lawyers pointed this out as a good sign.

Minta Dunfee sat in the courtroom but not at the
It was McNab's apparent strategy to win the case on evidence, not on emotion.

McNab told the court: "It is going to be necessary for me to discuss the character of the dead girl—as much as I will regret to. And I might add—as much as my client has begged me not to. I will also prove that this girl, Virginia Rappe, suffered so from internal disease and inflammation that she could have died at any time from any untoward move or reaction."

Because a member of the D.A.'s staff made a derisive sound, McNab turned around and continued, "I will further prove that District Attorney Brady has so intimidated witnesses that they have been forced to sign certain statements which are completely untrue."

"If that is so and you can prove it," broke in Brady, "I will ask the Mayor to remove me from office."

"I have seven witnesses who will prove it," replied McNab.

The prosecution made a big point of the fact that in this case, where the defendant and the deceased were locked in a bedroom, circumstantial evidence would play an important part in the conviction.

(It was ironic and probably injurious to Arbuckle's case that Landru, the famous so-called Bluebeard of France, was concurrently being tried in Paris for murdering several women by some very imaginative methods. The Arbuckle case and Landru's case were often side by side in the morning newspapers.)

On a nippy Friday, with five women in the jury, the trial picked up headway. The five women were probably certified by the defense because they all said they enjoyed seeing Fatty Arbuckle pictures. They were all housewives.

Those close to Arbuckle said his spirits were improving daily, though his optimism took a peculiar form. He was aloof, stayed off by himself and, while he held his head up, spoke to nobody even when questioned.

Although the State had spent two months trying to find missing witness Betty Campbell, it was one of McNab's
men who found her. She was living with three other girls in an apartment in Chicago.

McNab believed she would be a good defense witness, and he was right. Betty denied that she was hiding. She said she had no idea she was wanted to testify. (She was 20 years old, a young witness for the requirements of the trial.)

She said, "Fatty is not guilty. I am sure of it. During the party when I asked him where Virginia was, he said she wasn't feeling well and he had sent her to the bedroom down the hall. He also said she was too noisy and he didn't want any complaints from the hotel. I heard him ask Al Seminacher several times how she was. He cared. It seems to me Virginia Rappe wasn't feeling well even before she went into the bedroom."

In the cross-examination she was confused about the time when Virginia disappeared from the party, but still she made a strong defense witness.

The next few days the trial backed and filled, with much repetition and constant cries from both Brady and McNab of bribing of witnesses. Contradictions were many. Brady howled like a wounded tiger several times when State witnesses changed their testimony.

At one time he waved a piece of paper, saying it was proof that three famous Hollywood personalities had offered Betty Campbell $50,000 to repeat what they told her to. Called back, she said it was a lie but admitted that "someone" had suggested she not talk at all at the trial.

Minta Dunfee was often in tears during the few days. Arbuckle was stoical. The crowds grew larger each day.

On November 21, Zey Prevon took the stand for the prosecution. (She was now using the name Zeb Provot, but we shall call her Zey to avoid confusion.) Zey said when she and Maude entered the Arbuckle bedroom, Virginia, fully clothed, was lying on the bed and moaning, "I am dying. I am going to die." Then, said Zey, Arbuckle shouted, "Shut up, you bitch, or I'll throw you out the window." She further stated, "We, Maude and I, took some of the ice used for cocktails and put it on Virginia's
lower abdomen. It seemed to help the pain. Also she seemed to revive some. To Arbuckle she and we were just a nuisance."

In her smart tan suit and with her well-modulated voice, Zey made an imposing witness for the prosecution. But in this game of strategy McNab, by a tricky move, had eliminated the State's most important witness, Maude Delmont.

Legal lights following the trial thought Delmont, right after Zey, would be a smashing blow to the defense. They were amazed when the prosecution called medical testimony after Zey and Maude failed to show in the courtroom.

McNab, realizing the Delmont testimony could be damaging, especially in combination with Zey's story, set a detective force loose on her past life to discredit her.

One sharp private-eye came up with the startling information that Maude had made a bigamous marriage. That was all McNab needed. He immediately saw to it that charges were brought against her for bigamy.

Brady didn't dare put a witness accused of bigamy on the stand. Jurors would have taken her testimony lightly. In fact, Brady knew a man like McNab could cut her to ribbons and thereby cast doubt on all the State's witnesses.

It was a blow to the prosecution. Maude never did get to the stand.

Also, to add to Brady's troubles, it was now rumored that Arbuckle would take the stand in his own behalf. Heretofore the Defense had felt Arbuckle's mood and disposition would make him a sitting duck for the prosecution. But now he was snapping out of it. He had his confidence back and he acted like an innocent man. McNab was given credit for the change in Arbuckle. The attorney had a way of instilling confidence in a client.

The two doctors who took the stand for the State were Dr. Ed Castle and Dr. Francis Wakefield, who owned the sanatorium where Virginia was taken and where she died.

Each said that Virginia's body had been covered with
bruises, and that she had also bad welts on her thighs. They said her death was due to external force, that she had not died of any organic disease.”

McNab tried to break their testimony down but it held up. He said, “I can find ten doctors for each of you who will testify that no physician in this type of case can distinguish between external force and internal disease of tissues.”

On November 22, a beautiful sunshiny day, the defense opened its case. The State reserved its right to introduce further testimony if necessary.

McNab opened with: “I will show that Roscoe Arbuckle, or ‘Fatty,’ as he is called by the millions of his fans who love him, was not in the room 1221 with Virginia Rappe for more than ten minutes. During most of that time the door remained unlocked and the window shades were up. Anybody who wanted to go into that room could have.”

During this address to the jury, Arbuckle nodded several times, as if to himself, and smiled. But Minta continued to cry softly.

A strong defense witness opened. He was George Glennon, the St. Francis Hotel house detective. His manner was arrogant and his voice loud. He stated: “Miss Rappe was in great pain. She was clutching at her abdomen and tearing at her clothes. I asked her if Arbuckle or anyone else had hurt her. She was indignant and swore no one had anything to do with it. She said Arbuckle had only been kind to her.”

The prosecution pointed out that Glennon was the detective another witness (Maude) had said “finished up all the gin and orange juice that remained in glasses” while he waited for the doctor to examine Virginia.

The defense then made a big show of bringing in a door from bedroom 1221 in the St. Francis. The prosecution had offered testimony of fingerprint experts that there were signs of smudged male fingerprints surrounding one female handprint on the door in question. The conclusion of the State was that Virginia had struggled to get out,
even to getting a grip on the door, but Arbuckle had forced her back inside. The defense brought in a maid who worked on the twelfth floor, and who admitted she had dusted and cleaned the door soon after the night in question. So the defense concluded that the smudged fingerprints in question could be of any other male and female.

Several fingerprint experts were brought in, including Professor E. Heinrich of the University of California, who agreed with the defense. (Later all the fingerprint testimony was thrown out as being meaningless. However, it was a point for the State in that it put an idea of struggle in the jury's mind.)

In order to destroy some of the meaning of Al Seminacher's testimony, McNab put him on the stand to answer one question: "Was Virginia Rappe intoxicated during the party in question."

He said, "Yes."

McNab introduced a witness, a striking brunette department store buyer, who had occupied the room across the hall from Arbuckle on the nights of September 4th and 5th. She testified that the party was a quiet one and that all she heard was an occasional strain of music from a phonograph or radio. She said she heard no outcry whatever. She knew there was a party going on because she had heard several people greeted when they entered the Arbuckle suite.

Another maid, testified that she did hear someone loudly shouting, "Shut up," but otherwise it was a quiet party. She got a laugh when she stated that even when she listened with her ear against the door she heard nothing.

Fred Fishbeck was called to the stand. He was asked: "Was Miss Rappe intoxicated on the night in question?"

"Very," answered Fred.

"What did you do about it when her drunkenness took a violent form?"

There was an objection, and the question was rephrased.

Said Fishbeck, "The two girls, Maude and Zeb (Zey),
tried to pick her up to give her a cold tub. We thought that would sober her up. They had trouble lifting her so I picked her up. She was entirely nude and perspiring so she was slippery. I put her in the tub."

The judge asked him to demonstrate exactly how he did it. He walked over to the Judge with arms outstretched, as if to pick him up. The Judge backed away in alarm.

There was much laughter in the courtroom. The bailiff suggested Fishbeck just do it in pantomine. He did.

The State then interrupted, showing the bench an unsigned statement by Fishbeck which contradicted his spoken testimony. Said Brady: "It's only an example of the bribery, perjury and illegal behind-the-scene operation that has gone on during this case." There was much wrangling then over what was truth.

Judge Lauderbach recommended that the proceedings continue.

McNab called a medical expert, Dr. A. Collins, to the stand. With much clearing of throat and long pauses between sentences, he testified, "A bladder rupture such as suffered by the deceased, Virginia Rappe, could be caused in the case of a weakened organ, by a violent sneeze, cough or straining while on the toilet. Or for that matter by the shock of a cold bath. Almost any strain could cause a rupture."

During the lunch hour recess Judge Lauderbach took all the interested parties to the Hotel St. Francis for a study of the scene. Specific check points were examined by him and the others. The rooms, vacant by order of the court, nevertheless were cleaned up and in perfect order.

After recess McNab called a second doctor to the stand. He was asked to give his impression from a medical point of view when he first examined Miss Rappe. The doctor said: "When I first saw Miss Rappe she was lying on a bed with just a brown robe wrapped around her. She was moaning softly. Lying on the bed with her and trying to comfort her was Miss Maude Delmont. My cursory examination showed a case of acute alcoholism. From
such examination I saw no bruises or other marks on her. When I questioned her, she wasn’t lucid. Her face had a pink flush which isn’t unusual in cases where too much alcohol has been imbibed.”

In San Francisco on the 24th, rumors flew that Arbuckle was preparing to take the stand. Curiosity was high as to what his story would be. Crowds were increasing each day, so that now the streets outside the court were jammed with the curious.

One of Hollywood’s biggest stars and one of its most beautiful, Alice Lake, volunteered to come to San Francisco and testify as a character witness for her friend Roscoe Arbuckle. She was invited by McNab to come to the trial.

The court was so confused by the contradictory medical testimony that it appointed three doctors to study the case and submit some conclusion that could make sense to the court.

The doctor who had originally treated Virginia in the hotel room also proved a strong defense witness. He said, “I constantly questioned Miss Rappe about her illness in an effort to ascertain the truth. She constantly re-iterated that she didn’t remember any sequence of events or when or how the pain started. Actually, she said exactly, ‘I must have been intoxicated.’ These were her words.”

Brady jumped up and demanded those words be stricken out as hearsay.

The court recommended they be kept in.

But the defense was just warming up. McNab pulled out all his stops now, digging up every imaginable kind of witness. He brought in an elderly woman who had been employed as a housekeeper by Virginia and her aunt for several years.

She was a nervous, fluttery, thin-voiced witness who nevertheless gave the impression of honesty. She stated: “Miss Rappe, whom I loved, often had spells where she’d have severe pain, tear at her clothes, double up and cry. I would apply hot compresses to her abdomen. I never
knew exactly what ailed her. When I asked once she only smiled sadly and said it was nothing much. But her sick spells were violent and frightening. I don't know if she ever had medical treatment. I imagine she did. She was a wonderful girl and I miss her so.” Miss Morgan, in her late sixties, was led from the stand, on the point of breaking down.

Dr. George Shields, a San Francisco medical man of some reputation, was put on the stand. With the aid of a blackboard he drew a chart of Miss Rappe's internal organs and explained in medical terms how tissue can inflame, deteriorate and tear. It was his conclusion that such a shock as might be given by a cold bath could cause a spontaneous reaction that could result in tragedy. A Court photographer took a photo of the doctor's illustrations and the blackboard was wheeled out.

The next defense witness almost blew the case for them. It was only due to McNab's brilliant legal tactics that the case didn't explode in his face.

The witness was Miss Jennie Neighbors, who owned a small hotel in Palm Springs, California. She testified that several times when Virginia Rappe was a guest at her hotel, Virginia had suffered from severe abdominal pain requiring treatment in the middle of the night. She, too, described in detail the clothes-tearing and moaning of Miss Rappe.

In the next day or two, Brady who was checking everything, looked into the Jennie Neighbors story, found no record of Virginia on her register and produced witnesses showing that Virginia had not stayed away from home overnight in the time period Miss Neighbors mentioned. Brady immediately began perjury proceedings against Miss Neighbors. She was arrested and released on bail.

McNab created enough obstacles in Brady's path so that the Neighbors case, running concurrently with the Arbuckle case, was stalled for almost a year. At that time Miss Neighbors was found guilty, but it was too late to cause McNab or Arbuckle any serious damage. But it was a close call. Had Brady been able to dig up any collusion
on the part of McNab or the Arbuckle brain trust it would have been the beginning of the end for Arbuckle.

Surprisingly, Brady failed to cash in on the Neighbors perjury. He did little with it in court and nothing with it to gain publicity, though it was the kind of incident that might have swung much sentiment to the prosecution.

Compare this to the Arbuckle campaign. Yes, the Arbuckle pictures were unofficially banned throughout the country, but suddenly Arthur Hammerstein of New York bid $1,000,000 for the Arbuckle films. The story was played up big. A world-famous impressario had faith in Arbuckle’s innocence to the tune of $1,000,000. Paramount, with even greater faith, turned the $1,000,000 down. Behind the scenes there were people who said it was a trumped-up story, but whether true or not, its impact was felt both inside and out of the courtroom.

The defense brought on still another witness to corroborate the recurrent attacks suffered by Virginia Rappe, a friend who said he had known her intimately for five years. There was much innuendo in his words and attitude. “Once when Virginia stayed at my ranch,” he said, “I gave her a small glass of wine. We drank a toast. I drank the same wine. Soon after she doubled up in agony. I put her to bed. The pains lasted all night. She tore her pajamas during the worst of the attack. When I offered to call a doctor she asked me not to. She said she had these recurrent attacks and they went away with rest.”

The prosecution tried to shake him, but his story held up.

As he walked to his seat, Maude Delmont entered the courtroom for the first time. She wore a low-cut lavender lace dress and held her head high. She didn’t speak to or look at anyone. She knew she was just an onlooker and would never testify.

Arbuckle turned his head to look at her when he heard the stir in the courtroom. He turned to one of his defense counsels and whispered to him. The attorney shook his head and patted Arbuckle.
The defense continued to build its case along the same line of strategy despite the Neighbors fiasco.

Another man said Virginia had been a guest at his home on South Haven, Michigan, when she was living in Chicago. He too described an attack. He itemized each cry and motion in detail. He said she suffered terribly and later had the pallor of a dying person.

Brady jumped up and shouted, "Do you know the penalty for perjury?"

McNab screamed his objection to such an outburst.

The judge quieted the argument down.

Still not satisfied, McNab put another witness on the stand, a dramatic stout lady who talked with gusto, and had this to say: "I owned a gown shop in San Francisco and Virginia Rappe was one of my best models. During her period of employment she three times had terrible attacks. She suffered awful pain and complained that she couldn't breathe. I was terribly frightened. The other girls took off her clothes and gave her aspirins and other sedatives.

"Once right in the middle of a style show, Virginia had her worst attack. She fell and clawed at her gown while customers gasped. She ruined the gown. That time I had a doctor who just gave her a shot and put her to bed. She was fine the next morning but while it lasted it was frightening to see.

"Next day Virginia, dear girl, said she was sorry and wanted to pay for the gown. She was so nice and so valuable to me as a model I told her to forget it. But I never forgot those awful attacks."

In cross-examination the lady admitted she wasn't in the gown business any longer and was just a housewife. Brady implied that she wasn't the kind of witness to put one's stock in.

She said disarmingly, "No matter what, I just came here to tell the truth."

And, still pounding away at the same line of attack, McNab put Philo McCullough on the stand. This witness was obviously a charm boy, well-dressed, deep-voiced,
handsome, with manicured nails. He said he was a security salesman.

His story was similar to the others. "I was very fond of Virginia Rappe. We dated rather often some years ago. She was strikingly beautiful. One evening at my home I suggested we have one drink before going out to dinner. She was only half-way through her drink when she dropped her glass on the floor and clutched at her lower abdomen. I tried to help her but she shook me off and gasped that she had difficulty breathing. She tore her waist off in a frenzy. I ran to the kitchen to get her water. I didn't know what to do. When I came back, she was sitting up and tearing at her stockings. It took me maybe fifteen minutes to calm her when all of a sudden her pain stopped. She was weak for a while. Then she said she felt fine again. In fact later we went out as if nothing had happened."

District Attorney Brady didn't let that pass. "Isn't it true," he asked, "that you are a close friend of Roscoe Arbuckle and have been at many of his parties?"

"Sure," answered McCullough, "but what's that got to do with it?"

"I'll tell you what that has to do with it," snapped Brady. "You'd do anything to help Arbuckle, even to perjuring yourself. Wouldn't you?"

McNab tried to intervene.

McCullough said smoothly, "I have always been a perfectly law-abiding citizen. Why would I stop being one now?"

Brady disgustedly waved him down.

On the morning of November 28th, the courtroom, and the nation, finally got what it was waiting for—the story of what happened in the bedroom right from Roscoe "Fatty" Arbuckle's own mouth. For the first time since the death of Virginia Rappe, he took the stand to talk. There were an estimated three thousand people in and outside the courtroom anxious to hear what the rotund comic had to say for himself.

Up to now the two words most often used by the
prosecution to describe Arbuckle were "vulgar" and "savage." Arbuckle's description of himself was one of chivalry and consideration.

He had perfect composure. He appeared thinner, which might have been due to a tighter-fitting, dark, single-breasted suit. He spoke slowly and quietly. There never was any loss of control, or emotion, in his voice. He knew, as did his attorneys, that the case could hang on what he said and the impression he made.

He sat with his hands folded in his lap while McNab led him into his account: "Mr. Arbuckle, you've heard a lot of conjecture and rumor and guesses as to what happened in your bedroom on the night of September 10th. You're the only one who really knows what happened. Would you tell the Court, please, exactly what did happen?"

Arbuckle ran his left hand through his hair and then began confidently:

"I had a few days off from film making and came to San Francisco for a rest. It has always been one of my favorite cities. I called a friend of mine, Mae Taube, and we decided some time during Labor Day I'd take her for a drive around the city. I shaved, put a robe over my pajamas and sat down to have breakfast with two of the boys who came to San Francisco with me. Then this one and that one started dropping in. Fred Fishbeck had borrowed my car and said he'd be right back. So while Mae was there we couldn't leave yet."

He was slow and deliberate. "Well there were a few people in the room including Virginia Rappe who came in with some other people. Someone was playing the radio and someone was dancing, but it was quiet and orderly. Finally Fred came back and Mae suggested we go for that drive. I thought it was a good idea because it was warm and stuffy in my rooms. Well I went into the bathroom to freshen up and dress and I had trouble opening the door. Virginia Rappe was on the floor of the bathroom and she was moaning in pain. She was leaning against
the door so that I had to push gently in order to get into the bathroom.

"I tried to talk to her but she was just moaning and I couldn’t make out what was wrong with her. There were twin beds in my room and I put her on one of the beds. Then I went into the bathroom and continued with my preparations for my drive. About ten minutes later when I came out of the bathroom I saw Virginia wasn’t on the bed where I had put her. I noticed she had fallen down between the two beds. I tried to pick her up but she was wedged there. I called Maude Delmont and Zey Prevon to help me. One of the hotel people, Mr. Boyle, was with them. We picked her up and got her on the bed again and called the hotel doctor. That’s the whole story. There’s nothing else to it."

Arbuckle paused and looked at McNab. McNab said: "That’s the complete story? You have left nothing out?"

"Nothing," responded Arbuckle.

"Thank you," answered McNab, "for your honesty." He then turned Arbuckle over to cross-examination.

Leo Friedman, assistant D.A., was considered to be one of the sharpest and slickest trial lawyers in the world. It was he who was chosen to cross-examine Arbuckle for the prosecution. Sophisticated, brilliant, confident, he took over as the star of a Shakespearean drama would. Though not arrogant, his manner said, "I am the boss and that’s that."

He started quietly while Arbuckle sat immobile, with no expression. "Mr. Arbuckle, many witnesses, both for the State and the defense, have testified you locked the door of the bedroom when you were alone in there with Virginia Rappe. Would you like to tell us about that?"

On the advice of his counsel, Arbuckle was going to play it all straight—no sarcasm, no attempts to be wise, nothing argumentative. He said, "In order to freshen up and change I needed ten minutes of privacy. Miss Rappe was out on the bed. I opened the door again when I had prepared my toilet."

"Mr. Arbuckle," the assistant D.A. asked, "The fairy
tale you just told the Court. Had you told anyone else that story before this morning?"

"Yes, sir," answered Arbuckle. "Mr. Dominguez and Mr. McNab, my two attorneys."

"Weren't there several other stories you told friends and others as to what happened in that bedroom?"

"No, sir," answered Arbuckle.

"Would it surprise you to know that I have seven versions of the story you just related to the Court, told to different people by you. No two are the same. What answer do you have for that?"

"There was one true story of what happened. I just told that story."

"You mean," said Friedman, "there were six false stories told by you and one true one. The one you just told was the true one?"

"The story I told to the Court was the true one."

Friedman kept pecking at Arbuckle, asking the same questions sometimes as many as ten times. McNab left them alone. That was his strategy—to make it appear that it was Arbuckle against the world—that this poor, tortured soul was being persecuted by big city interests who were using Arbuckle in order to revenge themselves on a rival city and on an industry they believed to be wicked and immoral.

Arbuckle hadn't been an actor for twenty years for nothing. He was simple, direct, well-mannered. He had learned his script well. He made no mistakes.

Once Friedman said to him, "When you first saw a doctor in your suite, did you tell him what was wrong with Miss Rappe?"

For the first and only time, Arbuckle resorted to sharpness. He said, "How could I when I didn't know what was wrong with her?"

Friedman threw the book at him. He called Arbuckle vile names. He made him out to be a sex maniac who was a disgrace to his sex, industry and country. Friedman related his version of what happened: "Virginia Rappe had a few drinks and you lusted after her. You pulled her into
the bedroom, locked the door, threw her on the bed despite her protestations, tore some of her clothes off and raped her and Lord knows what other perversion you practised on a helpless girl who was at your mercy. When you tore her insides out and she screamed for mercy, you callously said you’d throw her out of the window if she didn’t shut up. That’s the true story, isn’t it, Mr. Arbuckle.”

“No,” said Arbuckle. “No, sir, it isn’t.”

“Then what is the true story?” asked Friedman as if he had never asked the question before.

The Court intervened and pointed out that constant repetition of Arbuckle’s testimony served no purpose.

“Tell me,” asked Friedman, taking a new tack, “what did you mean when you told several friends you shoved ice into Virginia-Rappe’s vagina?”

This time Arbuckle turned red but his voice was calm. “I never said that. When Miss Delmont and Zey were caring for Virginia they put ice on her abdomen in an effort to ease her pain. I might have referred to that. When I saw they were placing ice on her, I asked why and they told me.”

Friedman muttered something that was indistinguishable.

McNab snapped at him and Friedman said, half to McNab and half to the Court, “There’s been a lot of nonsense about Virginia Rappe having had internal problems and pain, but not once have we heard from any doctor who treated Miss Rappe for such an ill. You’d think a young girl with ample money and sophistication would see a doctor about such a serious problem. I’ll tell you why we haven’t seen proof of such medical examination. It’s because this man”—and he pointed to Arbuckle—“ripped the insides of a perfectly healthy and normal girl with beastly passions.”

McNab then interrupted and asked to introduce exhibit “Double B,” a prescription given Virginia Rappe in the Spring of 1913 (8 years before) by Doctor Maurice Rosenberg, for chronic inflammation of the vaginal passages.
The obvious reason it had not been introduced before was that the eight years difference in time made it weak evidence, yet it was effective when entered by McNab at that moment.

Friedman then went on to say that he would submit medical testimony to show that four of every five girls sometime in their life have an inflammation of the vaginal tract, and that it had little if anything to do with what happened to Virginia Rappe.

The judge then asked Milton U'Ren of the District Attorney's staff if the trio of court-appointed doctors, who were examining the embalmed organs in question, had come to any conclusion.

The assistant D.A. said they had called in other specialists and had not yet come to a decision.

On November 30th, Landru, the Bluebeard of France, was declared guilty and was sentenced to the guillotine.

Though Mrs. Neighbors was accused of perjury, McNab showed the kind of gall he had by putting on the stand another woman, who was in charge of the bathhouses in the same hotel. She swore under oath that Virginia had been at her hotel and had had a severe spell. "I remember her," said this lady, "because she rented a bathing cap for which she paid a deposit and had to sign her name."

The same hostess who had argued Mrs. Neighbors' testimony, again maintained Virginia Rappe was never at her resort. Virginia's housekeeper corroborated this. Brady again threatened he would institute perjury charges.

The last witness for the State was a physician who couldn't quite understand how vomiting, cold baths or toilet straining could burst a girl's bladder.

The last witness for the defense was to be a Mrs. Irene Morgan. McNab, however, dropped a bombshell when he said she had been poisoned and was terribly ill, adding that she had been given candy by a man she met at the trial.

Leo Friedman said he was certain D.A. Brady would be as anxious as McNab to hunt down the guilty party.
For the final argument Judge Lauderbach said each side would be given four hours. Leo Friedman stood before the jury and appeared to direct most of his argument to one woman. Yet all the jurors were intent on him. Arbuckle scraped at a hangnail.

Said the determined assistant D.A.: “We have successfully shown an unbreakable chain of evidence. Even if what Arbuckle himself had said were true, he would still be guilty. Why? Because he left the mortally suffering girl lying there without calling a doctor. Is that not guilt?”

Arbuckle took to shredding paper as he listened. The Arbuckle counsels looked pleased. They didn’t feel Friedman’s summing up offered enough facts, enough evidence, to have a jury call him guilty of manslaughter.

When McNab arose he pounced on one big, salient weakness in the prosecution’s stand.

“Where,” he asked deliberately, “was Bambina Maude Delmont?” Of course McNab knew where she was and why she wasn’t called. But this was his chance to wield his death blow. McNab’s second biggest point came on next like a sledge-hammer: “Why was our strong defense witness, Mrs. Morgan, poisoned? I would call her a heroine wounded in battle.” McNab was just warming up.

“The State made much of some badly smudged fingerprints that could have belonged to anybody on the St. Francis Hotel door. Spooks! I call it. Just spooks!” McNab illustrated with a clock by turning an hour hand, “Ten minutes,” he said. “That was all the time Mr. Arbuckle was in the same room with Virginia Rappe.” And now McNab went after the D.A.’s office with all barrels.

“District Attorney Brady,” he accused, “shamelessly kept witnesses under custody. He said he did it to avoid having them tampered with. I say he was the one who did the tampering. I can prove that District Attorney Brady terrorized Zey Prevon until she screamed ‘All right I’ll say it. Virginia said, “He killed me.”’”

At the close of McNab’s summing up, Brady asked if Friedman could add a few words. He was granted permission.
After much whispering with Brady, Friedman said that he believed there was collusion among the Arbuckle forces in an effort to take the onus off Arbuckle and put it on Fred Fishbeck, another member of their clan.

McNab just stood grinning during all this.

On Friday, December 2nd, at 4:15 P.M., the case went to the jury. Was Arbuckle guilty of manslaughter in the death of Virginia Rappe? Both sides claimed a clear-cut victory.

The jury hadn't been out an hour when they asked to have the much-discussed door brought to their room for study. When the door arrived they decided they didn't need it.

Arbuckle was suddenly a caged lion. He paced up and down, walking in and out of the courtroom. Many eyes were on him as he paced.

The jury had come to no decision by 10 P.M., so they were locked up for the night. The rumors were that the jury was eleven to one for acquittal. (It was later proven to be fact.) It was also rumored that a woman was the lone holdout. (That, too, was proven to be fact.)

Milton U'Ren of the D.A.'s office gave out a statement, saying, "Arbuckle lived like a Belshazzar sitting on this throne pouring wine." He said that Arbuckle was doomed because justice always triumphed.

The San Francisco police said the Arbuckle jury was being watched closer than any San Francisco jury in twenty-five years. Mail was censored coming in and going out of the hotel rooms where the jury was. Four deputy sheriffs were on duty at all times outside the juror's rooms.

There was a tension in San Francisco as the nation waited for a verdict.

Milton Cohen, Arbuckle counsel, got a threatening letter which stated, "If your fat friend gets off, we'll kill you and him." Cohen turned it over to the D.A.'s office.

After twenty-five hours of deliberation both Brady and Gavin McNab asked Judge Lauderbach to discharge the jury. Both sides instinctively felt that a jury hung too long
would affect their chances in a second trial. The Judge refused the requests.

Rumors out of the jury room showed seventeen ballots to date of eleven to one for acquittal. (This was later learned to be fact.)

After forty-one hours of deliberation, while Arbuckle paced nervously, the Judge called the jury in, had a long talk with them and then announced he was discharging them. They were hopelessly deadlocked. The final ballot had been ten to two for acquittal.

Many of the jurors were furious with a fellow juror, a woman.

"She held her hands over her ears," said one, "and wouldn't even listen to argument."

The lady said, "I told my fellow jurors from the first ballot that I was certain Mr. Arbuckle was guilty and I'd vote that way until hell freezes over."

Her husband complained that two men approached him during the jury deliberations and tried to get him to influence his wife to change her vote.

The Grand Jury said it would begin an investigation into the incident.

The juror said, "I couldn't be happier."

District Attorney Brady had a statement to make: "I want to congratulate the jury on a job well done. I must admit I expected a guilty verdict, but the hung-jury verdict in no way vindicates Mr. Arbuckle."

Arbuckle was exhausted and disappointed. His lawyers were exhausted but hopeful that a second trial would be a breeze.

The foreman of the jury said: "Whether guilty or not the facts or evidence given by the prosecution were an insult to our intelligence. It was all conjecture—no facts, no proof. I was disgusted with them."

The juror said, "He is guilty. If the prosecution had presented their facts properly, the jury would have voted guilty."

Another juror repeated that at one point Judge Lauder-
bach had begged them to bring in one verdict or another. He said the expense to the State was enormous and it would all be wasted if they couldn’t reach a decision.

Arbuckle had a statement to make to the press: “I wasn’t legally acquitted but I was morally acquitted. I am not guilty. I only tried to help Miss Rappe. I have never done anything that I was ashamed of. I have only tried all my life to give joy and happiness to the world. I hope the public will have faith in me and let me prove myself all over again.”

Trial number one proved one thing. There was a mass of contradicting testimony. Both the defense and prosecution were aware that not facts, but the public relations, would convince a jury. The failure of the jury to reach a decision was actually a defeat for both sides. A hung jury was bad for Arbuckle because the longer the headlines of the unfortunate case were pushed into the public’s face, the more his reputation was hurt. The State had cost the taxpayers a great deal of money and accomplished nothing.

Arbuckle had a meeting at the Federal District Court over his breaking the liquor laws, then entrained for Los Angeles. The crowds at the depot in Los Angeles were much more friendly to him. Many asked for autographs, and he accommodated some.

He told the Los Angeles press: “I’ll rest until my second trial, when I am certain I will be acquitted—that is if there is any justice at all.”
January 11th dawned bright, sunny and hopeful. Arbuckle entered the courtroom with a little smile. He had a light tan vest to give dash to a conservative brown suit. It was the start of trial number two.

First there was the picking of the jury. There were about twelve members of the Women's Club Vigilante Committee in the courtroom, self-appointed messengers of justice. All looked grim and all were silent. It was the same legal line-up for both sides. There was a lot of bustling, and most officials were cheerful. Although there had been five women in the first jury, there were just three chosen for the second.

The strategy was to line up this way: Gavin McNab had eliminated Maude Delmont as a threat in the first trial. His biggest worry in this upcoming one was Zey Prevon. She was, in his opinion, the lone danger left to his client.

McNab figured correctly that Brady, in his desperation to come up with facts which just weren't there, would be his own worst enemy. What McNab didn't figure was that one careless strategic gesture on his own part at the end of the trial, would almost cost his client his freedom.

Brady and company, among their own group, felt they had failed in their first try. There were those among them who felt that, guilty or innocent, Arbuckle never should have been brought to trial because the State had no concrete evidence against him. Brady again felt the only way to beat Arbuckle was to break down his moral character.

The motion picture industry, well aware of the hurtful effects of a second smear trial, came up with their ace in
the hole. Headlines screamed that the Postmaster General of the United States, Will Hays, would resign with the President's permission to become the police figure of the motion picture industry. Hays was to be to movies what Kenesaw Mountain Landis was to baseball. Landis, too, was brought in after a terrible scandal had hit the sport.

Hays, a formidable figure, was a bold stroke for morality and a public relations gesture of sheer genius. Though Hays never mentioned Roscoe Arbuckle in a public statement, the impression was that if there were any bad boys connected with pictures, Hays would do the spanking and the law could look the other way. Of course, Hays was to be a preventive against trouble too, but in Arbuckle's case it was too late for that.

After the Arbuckle trials were all over, there was feeling in the industry that the Hays appointment had been helpful to him. It put a reflection of "from now on I'll be a good boy" over the proceedings.

The trial opened with plenty of fireworks. Friedman picked up on a fact he had touched only lightly in trial one: "Why was he in pajamas?"

Arbuckle thought fast on the stand and said enigmatically, "I had to wear pajamas and robe because I had a serious accident."

"To your clothes or to your person?" asked Friedman.

"That's all I can say," answered Arbuckle, "I had a serious accident."

Friedman rephrased the question, and McNab accused him of badgering his client. After a great deal of legal name-calling, Arbuckle never did satisfactorily explain his reason for wearing pajamas or what the serious accident was. It did, however, conjure up all sorts of possibilities for the jury—both favorable and unfavorable to Arbuckle.

Friedman or Brady had been smart enough to confiscate his pajamas and wave them around the courtroom like some kind of wicked sex symbol. The McNab forces didn't like that at all.

Alice Blake, a witness for the prosecution in the first
trial, got on the stand and decried the methods of the State in its treatment of her. It seemed obviously inspired by McNab, who listened to her with a slight smile on his face.

“For two and a half months before the first trial I was a virtual prisoner,” she said angrily. “I was held against my will in the home of the mother of a man attached to the D.A.’s office. I was forced to be always alone. I was told what to eat and who to see and what to say. I was frightened then of the law but I’m not now. I know my rights.” McNab’s smile became broader.

Friedman asked antagonistically if she had been mistreated in any way.

She refused to answer. They were delighted to see her march haughtily back to her seat.

Now there was a procession of the same witnesses saying, in different ways, the same things that had been stated at the first trial. Everything sounded familiar. The only change was that there was less name calling. Somewhere Brady must have gotten the idea that if the staff was more gentlemanly, the jury might be more inclined to vote Arbuckle guilty.

Actually, everyone—the press, the public, the defense and the State—was waiting impatiently for Zey Prevon. That’s where the excitement promised to be.

Zey didn’t disappoint. The star witness for the State in the first trial had this to say: “In the first trial I said I heard Virginia Rappe say, ‘I’m dying, I’m dying. He hurt me.’ That wasn’t entirely true.” There was an audible stir in the courtroom. She went on, “I did hear Virginia say, ‘I’m dying. I’m dying.’ I didn’t hear her say, ‘He hurt me’ or anything like that.” She paused. “Now you want to know why I lied. Well Mr. Brady tried to force me to sign that little bit about ‘He hurt me.’ I didn’t want to. They locked me in a cell and said I’d never come out until I signed the statement. Well, I’m no heroine. After a while I begged to come out. I had visions of spending the rest of my life in jail.”
These were serious accusations, and the court was full of denials and argument.

But Zey wasn't finished yet. "After I signed, they sent me home and guarded my house so I couldn't leave. The days of the trial they had me in the District Attorney's office learning a script they had prepared for me."

Brady swore she lied and he'd find the Hollywood people who had given her the money to say these things. Friedman swore he'd track down the bribers and prove Zey guilty of outrageous perjury.

No one ever found out who was telling the truth. No charges were ever preferred against Zey.

But her testimony was damning. As one newspaperman put it, "It stank up the courtroom."

Brady, though, didn't take it lying down. Milton U'Ren, a member of the D.A.'s staff, was put on the stand. He swore under oath that when he first questioned Zey Prevon, without coaching or pressure, she stated, and he read: "Virginia cried to me, 'I'm dying. He hurt me.'"

McNab got in his two cents worth of poison. "Whose house were you imprisoned in—or rather, what member of the D.A.'s office had you imprisoned in his house?"

Zey didn't hesitate. She named a staff member. "And he told me if I made one false step he'd put me under $10,000 bail."

Friedman immediately said that was an outright lie.

McNab then accused Friedman of trying to impeach his own witness. The second trial was becoming wilder than the first. There wasn't a fact offered without doubt being cast on it. A magazine ran a list of one hundred answers given during the first trial, every one of which was either contradicted or changed during the second trial.

Brady swore evil Hollywood influences were making a mockery of San Francisco justice with bribery, perjury and deceit. His attack to the jury actually was, "If you acquit this man, you are being unfaithful to your fair city." It was a good approach, since there wasn't much else he could go on, and it nearly worked.

On January 24th, the District Attorney's office, with a
great show of strength and sabre rattling, attempted to impeach Zey Prevon. It was a move that had to be made. Nothing ever did come of it.

While the Prevon matter was getting all the trial attention, McNab began stewing over the door with the fingerprints. The D.A.’s office constantly made parenthetic references to it whenever there was any mention of Arbuckle and Virginia Rappe in the bedroom together.

It gave an unpretty picture of the gross, sex-starved fat man clutching the wraith of a girl and dragging her back into the bedroom while she struggled courageously, grabbing at the door and trying to fight her way out of the room.

McNab didn’t like it at all. So once and for all he brought in Adolph Jaci, former fingerprint expert of the San Francisco police, and Milton Carlson of the Los Angeles police, to take the stand for the defense. They testified (McNab said “conclusively”) that the fingerprints on the door proved nothing at all. They both said that the prints were so smudged they could have been anyone’s prints. They also said it was possible to forge prints on a door. Jaci demonstrated how it could be done.

McNab then told the bench that he hoped this once and for all would stop the asides and references of the D.A.’s office to the mysterious door prints. He said the whole rotten business was a myth and an underhanded attempt to put his client in a bad light.

Brady said McNab was tilting at windmills and complaining about something that had been established and recorded and nothing more could be done about it.

But McNab had made a good point, especially by using one of San Francisco’s finest to corroborate Arbuckle’s testimony.

On the 17th day of the second trial, with everyone more confused than ever, Gavin McNab asked the court’s permission to leave San Francisco for a few days. He had business in the Nevada State Supreme Court, where he would represent Mary Pickford in a contested suit over a recent divorce.
Judge Lauderbach gladly gave permission. Everyone needed time to take stock and find out in what direction they were going.

After the adjournment Arbuckle went to bed exhausted and slept for two days.

The Brady office used the time to advantage by searching for Virginia Rappe's friends who could or would testify that Virginia had always been a healthy and happy girl.

When the trial reopened, a girl friend from Chicago took the stand and said she saw Virginia maybe one hundred times in two years, and never in all that time did Virginia complain of pain or see a doctor.

"Did she ever take a drink?" asked Friedman.
"Yes," said Katherine, "we had martinis several times."
"Did she ever react poorly to these drinks?"
"No," answered Katherine. "They had no effect on her at all."

A young woman of Los Angeles gave substantially the same kind of testimony, but for one variation. She said Virginia once complained of being nervous and so went to a Los Angeles doctor who gave her some phenobarbital pills. She thought they were quarter-grain.

McNab went into a long series of questions, reading all sorts of ill health into what the girl obviously believed to be simple nervousness. By doing this McNab made her practically a defense witness.

On the morning of February 1st, an alternate juror, a high school English teacher said she'd like to talk to the press. She said, "Listening to all the testimony of this trial I could come to only one conclusion—that Mr. Arbuckle has to be called 'not guilty.' Even if Mr. Arbuckle had intercourse with Virginia Rappe, anything that might have happened to her because of it was accidental. He certainly didn't intend to hurt her and certainly didn't try to kill her."

"Supposing for instance Mr. Arbuckle had been respon-
sible for Miss Rappe’s pregnancy and suppose she died in childbirth. Could you accuse Mr. Arbuckle of murder? No. His guilt could be a moral one and the law was not designed to punish moral murder. Only Mr. Arbuckle’s conscience could punish him.”

Back in the courtroom, deputy D.A. U’Ren made the summation. He said in part, “Mr. Arbuckle is guilty. Every shred of evidence points that way. If you believe Virginia Rappe died because of any untoward act of Roscoe ‘Fatty’ Arbuckle’s, then he is guilty. Don’t let sex murderers get away with it. If you do, your city and your country will be that much more unfit to live in.”

Gavin McNab came forward for his closing argument and said, “I think it would be silly at this time for me to repeat everything that has been said. I am sure the jurors are weary enough so I will waive my closing argument.” He sat down, to the amazement of everyone in the courtroom.

There was sobbing in the courtroom. It was Minta.

The jury went out at 3:44 p.m. of February 1st, 1922.

Arbuckle was asked for a statement. He said, “My only fear is that there might be another hung jury. I know no jury on earth will call me guilty from what they heard in this courtroom. If this jury can’t reach a decision, a third trial would ruin me even if they acquit me. If there is a hung jury this time I will never be able to go back to films again. (How accurate he was in his pessimistic prediction.)

District Attorney Brady told anyone who would listen that, no matter what the jury voted, he was through. He said he was fed up with Arbuckle and everything about him.

The first rumor from the jury room was that the first ballot was eleven to one for acquittal.

At 10:40 p.m. Judge Lauderbach asked the jury how they were progressing. He found they were still dead-locked. He appealed to them to do everything within their power to reach a verdict and conclude the case.
Each juror in turn promised he'd cooperate in every way.

On February 2nd an event took place in Hollywood that was thought to hurt Arbuckle by influencing the jury as rumors seeped in to them.

William Desmond Taylor, Famous Players-Lasky's chief director, was shot through the heart in his home. Mabel Normand, one of Hollywood's most glamorous stars, was questioned. She was rumored to have been engaged to Taylor for a year, and she had been at Taylor's home with others earlier in the evening.

For the second time in a few months, Hollywood was thrown into an uproar. Will Hays already had his work cut out for him.

Many people argued this would take the heat off Arbuckle, but it didn't. The case only served to put a further onus on Hollywood. (The Taylor case was never solved. There were rumors, conclusions, pointed fingers—but nothing was ever proved.)

After thirty hours of wrangling, and with no decision, Judge Lauderbach again talked turkey to the jurors. It did no good. The tenth ballot was now eight for acquittal and four for conviction.

Milton Cohn of Arbuckle's staff said that if the trial ended in disagreement, he'd insist on a third trial. It is possible he made this statement public in order to discourage the District Attorney's office from asking for a third trial. The D.A.'s office was sick to death of the Arbuckle subject, and that's what Cohn counted on.

But it turned out to be poor strategy. Brady, it later was discovered, felt Cohn's statement was a challenge and that if he failed to accept it, it would look like a defeat.

At this point both defense and prosecution would have been delighted to forget the whole thing.

After forty-four hours of being out, the thirteenth ballot was nine for conviction and three for acquittal. Arbuckle
was losing ground and his forces were sweating. Why they were losing ground was never clearly understood, though later a male member of the jury said it threw all of them when McNab waived his final argument. The jurors thought he felt he was licked and was giving up. When McNab was told this several days later, he paled. This slip might have lost him the case and he knew it.

On the fourteenth ballot the tally was nine to three for conviction. Judge Lauderbach called the jurors in for a consultation. After an hour's discussion the Judge put the question straight to them, "Can you reach a decision?" The answer was, "No, we cannot."

Reluctantly, Judge Lauderbach accepted the verdict—another hung jury.

Arbuckle shook his head in wonderment and said, "This finishes me." Minta wept and said, "When you're innocent, you're always innocent."

Now Brady changed his mind. The turn of events, which saw the balloting favor the prosecution after siding so long with the defense, gave him new heart. He announced he wanted a new trial and he wanted it immediately—no later than the next week. Judge Lauderbach didn't approve of that at all. He suggested that because of a crowded calendar the third trial get underway in March.

The hung jury of trial two did not lessen the interest of the public. Newspapers and magazines were full of letters, most of them from women and women's clubs demanding that Arbuckle be punished. But in the Hollywood fan magazines, staunch supporters of their constituents, editorials and mail proclaimed Arbuckle's innocence and demanded he be set free after all this heartache. Motion picture magazines in particular waxed voluble on Arbuckle's innocence.

But national publications such as Good Housekeeping editorialized on the need to clean up Hollywood. This was sparked by the Desmond Taylor killing and the
subsequent revelation that he had deserted his wife some years before.

Some of the adverse publicity was even more inimical to Hollywood. Herbert Bremmer, one of Hollywood's most important managers, said, "Hollywood as such should be a disbanded community. It is a moral sewer. Motion pictures should be made in various sections of the world and not in one community. It inspires emotional immorality to have all these people together."
THE THIRD TRIAL

In March of 1922, President Warren G. Harding was given a radio that could bring in Hawaii. He listened to it a great deal and was very proud of it. When the third trial of Roscoe Arbuckle began on March 6th, President Harding said he made it a point to listen to the evening news and especially the progress of the Arbuckle trial.

What he heard first was the news that a jury had been selected consisting of four women and eight men. Two alternates were chosen, a man and a woman. District Attorney Brady said that if there were true justice, Roscoe Arbuckle would be convicted of manslaughter. Gavin McNab said he was confident that after a third trial, his client would be a free man.

It all had the ring of a record that had been played before, except for one thing. Both defense and prosecution had come to one conclusion: If it were proven that Virginia Rappe was a healthy girl up to the 10th of September, 1921, then there was a good chance of convicting Arbuckle. But if it were proven that Miss Rappe was organically unsound in the previous years, there was little hope of a conviction.

So both adversaries neglected other aspects of the case for a dallying in the medical interpretations, despite the fact that, during the first two trials, twenty-seven doctors had contradicted each other on more than a hundred points at one time or another. Also that a medical commission of three appointed by the court had made little sense in its findings that "any conclusion about the cause of Virginia Rappe's death would be theoretical. While a woman's death through intercourse is unrecorded at
this time in medical annals, it is possible that under certain circumstances, such a death might occur."

A study of Miss Rappe's internal organs (embalmed) by many specialists proved nothing at all. One such specialist said, "There appears to be severe inflammation in the bladder regions, but that could have been caused by peritonitis."

No doctor was definite about anything. (Author's note: Having read through all this conflicting and confusing medical testimony, I couldn't help wondering what the opinion would be today, with forty more years of experience under the belt of the medical profession. To find out, I asked doctors for their opinion.

(As an indication of the difficulties of the case, one gynecologist, a noted Beverly Hills physician, had this to say: "I have never heard of death or even serious injury to a woman caused by the act of intercourse. I have never read of such a case in medical annals. In the incident you mention, a bladder is said to have been ruptured. The bladder is well-insulated behind the pubic bone and cannot possibly be reached by the penis. Anything is possible but I would be skeptical about such an injury caused merely by intercourse."

(On the other hand, the well-known Los Angeles Urologist, Allan Tauber, had this to say: "Even in the throes of heated passion and rough treatment I have never heard of a serious injury being inflicted on a woman during intercourse. Yet I do feel that if a woman had been drinking heavily, had a distended bladder and was thrust down upon heavily by a fat man, the bladder could be ripped. I might add here that a torn bladder is one of the most painful of all injuries."

The question of whether any foreign object could have been inserted into Miss Rappe's vaginal tract was good for a day of pro's and con's.

As one physician testified, "There certainly was no proof of a foreign object causing internal damage. There were no scratches, sores, remnants of foreign objects or cuts. That does not mean there couldn't have been any
Brady and McNab continued at each other's throat. McNab said, "I have now had twelve close friends and acquaintances of Miss Rappe testify to the fact that she suffered from a chronic bladder region inflammation. She suffered agonizing periodic pain. She was a very sick girl. Are all these witnesses perjurers? Have they all been bribed?"

"Perhaps," answered the ever-suspicious Brady.

Friedman had this to say, "Arbuckle has contradicted himself several times in statements to the court, to friends, to witnesses and to police. When a man tells a half-dozen versions of the same story, it follows as two plus two equals four that he has lied. Then I say, 'Why has he lied?' I'll tell you why. Because he has many things to hide—among them that on September 10th he cruelly and savagely raped and murdered Virginia Rappe."

Arbuckle didn't flinch. He had heard this before. Unless the prosecution came up with any big surprise—and it certainly didn't look as if they could—he could not be visibly disturbed.

Arbuckle's own physician testified that he was normal in every regard, was not over-sexed and was not overly-aggressive in any way.

Friedman thought this type of information should come from a psychiatrist, but was willing to waive such examination.

Another doctor, who had testified for the State in the second trial, had this testimony to offer (with many interruptions due to the nature of it):

"We have had cases where men in their late years have married young girls and have, during intercourse, suffered heart attacks and died. Older men with weakened hearts are often susceptible to a heart failure during excessive exercise, emotional strain or both. Obviously, no charges are brought against the wife. The death is an act of God, in my opinion. Doctors consistently warn elderly men not to exert themselves in intercourse and
very often such advice is not heeded. A normal sex life is one of the needs of man—so if he does not heed such advice, doctors understand why. But my point is that medically speaking I would say that no matter what change is wrought physiologically during intercourse neither partner can be blamed. It is a need and way of life. A man must eat. It is a need and he must take whatever unusual consequences which result from eating.

Friedman, very angry, asked the doctor what does society do if another man puts poison on his bread. The doctor smiled and said, “If such a fact was proven then the man hangs.”

“Not in this State,” muttered Friedman, “he goes to the gas chamber.”

When Arbuckle took the stand he spoke clearly and slowly as he had the first time. He looked thinner and sadder. His tie was maroon silk, the only dash of color in his clothes. Several times during the long account of what had happened he halted to look at his hands, folded on his lap.

He told the same story with one exception. This time he failed to mention that he was in pajamas. That was a point still in limbo, and he and counsel, had no wish to open up the touchy subject again.

McNab learned his lesson from trial number two. He took nothing for granted. He played to the jury more than he had in the first two trials.

Both Brady and Friedman were less vindictive. Where in the first two trials their attitude had been pugnacious, in this they were more professional. It wasn’t a cause but a case.

McNab brought Virginia’s dentist to the stand.

McNab addressed him: “What kind of a patient was Miss Rappe?”

“Nervous.”

“In what way?”
“She had to take a sedative before having a tooth filled.”
“Is that customary in a patient?”
“No. I wouldn’t say so.”
“Did the sedative cause her to be relaxed and docile?”
“No. She was very emotional and once became hysterical during an extraction.”
“She did? What happened exactly?”
“She said any pain always affected her lower abdomen.”
“Now, Doctor—you are a dental surgeon of fine reputation in your community. What you say has some significance. Would you relate the details of Virginia’s physical reactions during this particular extraction.”
“You mean how she acted?”
“That’s right.”
“She said she had taken a phenobarbital sedative the night before and in the early morning. I don’t know what grain. She was still terribly nervous and continued to ask me how badly it would hurt. It was a lower incisor and I told her a single root tooth is always a simple and painless extraction. I gave her a local anesthetic and as I put the needle in she doubled up saying the pain had hit her in the groin. I let her rest a moment before giving her the rest of the anesthetic. While we waited for the anesthetic to take effect, she complained of severe pains in her lower abdomen. I let her sip some water and extracted the tooth. It was a simple matter. She asked if she could lie down and my nurse helped her to a couch. She seemed to be suffering not from her tooth but from her stomach. I asked her if she’d like me to call a doctor and she said in a weak voice that it would be all right—that she had attacks before. In about twenty minutes, while we stood by quite concerned, she recovered sufficiently to leave. She still winced when she walked, but she insisted upon leaving.”

The dentist had finished. McNab asked, “Have you ever in your many years of practice ever had a patient act like this before?”

The dentist said no and left the stand.
Of course, Friedman had a whole series of witnesses again who testified that Virginia was a healthy girl who never knew what a sick day was.

The strange part of the medical testimony is that neither side called Virginia’s aunt to the stand. Having lived with her niece for a long time, she certainly would have made a strong witness whatever way the testimony would have gone. It was rumored that she was ill and asked to be excused from the trials, but it was also rumored that she knew of Virginia’s illness but hated Arbuckle and therefore didn’t want to give testimony that could help him. Whatever the reason, she never appeared of her own volition and neither the defense nor the prosecution used any pressure to make her appear in court.

The operator of a large motion picture studio gymnasium testified that Virginia was in perfect health, could and did swim twenty lengths of the pool almost every day and never complained one minute of not feeling well.

Brady even went so far as to show that in the last two years of public school Virginia hadn’t missed a day because of ill health.

Brady also introduced several letters Virginia had written to friends in which she stated, in effect, that she felt fine as usual and was happy in Hollywood.

Then McNab introduced a Los Angeles Examiner gossip column in which Virginia was quoted as saying, “I’ll start my ‘Sun’ picture as soon as I feel better. I’ve had a series of colds and weakness because of them so I’m going to rest for a few days until I’m well again.”

McNab and Friedman argued fiercely over what the definition of “sick” was. Friedman believed (and had a medical witness to prove it) that everybody has colds, and that having a cold wasn’t specifically “sick.” It was concluded—though it convinced no one—that a cold with a fever was “sick,” but with a normal temperature it was just a malaise.

Constant references were made to transcripts of trial
one and two. The one sure thing was a constant series of contradictions. By this time both defense and prosecution were wary about every witness, not knowing how a witness might change his testimony.

There was damaging testimony for the defense when a new doctor came to the stand and stated: "I do not speak without carefully weighing my words. I fully comprehend how damning they might be to the State. But my long experience as an obstetrician and a careful study of this case leads me to this conclusion—I firmly believe that Virginia Rappe had a chronic illness and the illness in the natural course of its progression reached a crisis in the night of September 10th. I believe any unnatural movement might have caused her ruptured bladder and it could have happened at any time. That is my opinion—I do not have any so-called proof."

This statement shook Friedman. He peppered the doctor in a crossfire but got nowhere.

McNab followed with a young woman. She turned out to be a good witness for the defense and chockful of laughs.

She suffered from an inflamed bladder condition. She described her symptoms and pain, which were similar to the pains ascribed to Virginia. "Isn't this all rather personal?" she said several times to questions from McNab.

Then McNab asked the attractive divorcee, "Was intercourse painful to you?"

The young lady blushed and said, "Yes, but it was fun." The courtroom howled. Even Arbuckle smiled.

McNab didn't crack a smile. "Did you ever fear that during intercourse some serious damage might be done to your internal organs?"

"No," answered the witness frankly, "I wasn't thinking about that during intercourse."

Friedman, unhappy about this girl, challenged her with: "Do you drink?"

"Once in a while."

"Do you have any pains after drinking?"
"No."
"Well, wouldn't that make your case different from what the defense has described as Miss Rappe's illness?"

"Sometimes I drink during intercourse and it hurts."
Friedman's answer couldn't be heard for the roars in the courtroom.

The witness turned to Judge Lauderbach and said, "I hope I haven't said anything to offend you."

"Well," admitted the Judge, "other than being unnecessarily frank I think you behaved admirably, since it is the defense who put you into this position to start with."

The girl seemed pleased.
Friedman said to her, "Do you work for a living and if so what do you do?"

"I teach at a nursery school," said the amazing girl, and she offered papers to prove it.

She was allowed to return to her seat.
March went into April. The trial went on and on. Witnesses marched one after another to the stand. Both sides were relentless. Trial number three was a do or die situation, and now it appeared that it would last longer than either of the first two trials.

An alternate juror was cornered by the press and asked what he thought of the trial so far. He said, "I think that from the beginning our jurors were sympathetic to Roscoe Arbuckle's acquittal. I don't know how they will eventually vote, but as for me, I am convinced Arbuckle is innocent."

He was censured for talking this way to the press.
Friedman, seeing his case crumbling before him, tried a dash of sentiment. He introduced on the stand a young actress, and asked her age, weight, height and measurements. He asked, "Are you married?"

"No, I'm engaged."
"What is your ambition?"
"To be a fine actress."
McNab interrupted to say that it all seemed im-
material. Friedman argued and said he was coming to
his point. The judge permitted him to proceed.
“Are you healthy?”
“Yes.”
“Do you want children and expect to have some?”
“Yes, I do.”

After several more questions, Friedman turned to the
bench and said, “The witness, is the exact height, weight,
age and measurements of the dead girl, Virginia Rappe.
She has the same ambitions. I thought it would clarify the
case if you could see what the living girl, Virginia Rappe,
would be like if she had not gone into the bedroom with
Roscoe Arbuckle on the day of September 10th, 1921.
That’s all.”

McNab howled “foul” but the testimony was allowed,
after a short speech of explanation by the judge.

The summing up was fancy this time. The State said
that if the jury believed that Arbuckle was in any way
connected with Virginia Rappe’s demise, he must be
convicted of manslaughter. The jury was asked to recall
various testimonies, especially that of Zey Prevon at the
first trial.

Friedman said, “I believe in my heart that Roscoe
Arbuckle caused the death of Virginia Rappe. Just think.
If she hadn’t gone to the Arbuckle party, would she be
dead now? Of course not. Suppose then she did go to
the party but had not been led into the bedroom. Would
she be dead today? Certainly not. Then how can you
do anything but call him guilty? Remember if you do
not, maybe your daughter some day will become involved
in just such circumstances with a man like an Arbuckle
who will feel free to act like Arbuckle because he will
know he can get away with it.”

The State’s summing up did not have the zip or power
it had had in the two previous trials. There were no
strong facts, no witnesses with sight testimony. It was
evident that the State was depending upon theory, senti-
ment, circumstantial evidence and city pride to win the case. It just wouldn’t work.

McNab was playing from strength, and he had learned the penalty of brushing off the summation, no matter how strong his case looked.

He reviewed the positive testimony that revealed Virginia Rappe’s weakness of internal organs. He named each doctor, each witness and what they said in pointing out the illness she had. But what he spent most of his summation on was the weakness of the State’s case. “Did the State illustrate in any way at all,” he asked, “how exactly Roscoe Arbuckle hurt Virginia Rappe? Nobody saw it; there was no proof of it. Because he never did hurt her.” McNab then went into a eulogy of Roscoe Arbuckle. “He has made millions of people happy. Brought joy to the world. Never hurt a living soul. And this has been his reward.” The jury never took their eyes off him. They listened intently. The case went to the jury at 2:20 on April 12th, 1922.

Arbuckle picked up a newspaper and started to read it. He turned to the sports page. The New York Giants and Brooklyn Robins were playing spring training games. Arbuckle was a fervent ball fan. He liked both the Giants and Robins.

The jury was out six minutes when they said they had reached a verdict. Judge Lauderbach was amazed but pleased. Arbuckle put away his newspaper. McNab drank a full glass of water, then another one.

The foreman of the jury, announced the verdict: “Not Guilty.”

Arbuckle sighed and smiled. He shook the hand of each juror and said something to each. Spectators grouped around him and congratulated him. The foreman said it was verdict by acclamation and that the vote took less than a minute.

The foreman said the jurors had composed a statement that he would like to read. Amid the noise and confusion he read: “Acquittal is not enough for Roscoe Arbuckle. We feel that a great injustice has been done him. We
feel it was only our plain duty to give him that exoneration, under the evidence, for there was not the slightest proof adduced to connect him in any way with the commission of the crime. He was manly throughout the case and told a straightforward story on the witness stand. The happening at the hotel was an unfortunate affair for which Arbuckle, as the evidence shows, was in no way responsible.

"We wish him success and hope the American people will take the judgment of twelve men and women who have sat listening for thirty-one days to the evidence, that Roscoe Arbuckle is innocent and free from all blame."

It was the kind of statement that Arbuckle himself couldn't have dictated any better. He was delighted. McNab was all smiles. It was a sweet victory.

Asked for a statement, McNab said: "It was a splendid victory. I am very happy for Mr. Arbuckle and his vindication."

Arbuckle said, "I deeply appreciate the clear picture my legal counsel prepared for the jury and I thank the jurors from the bottom of my heart for their verdict. As for the American public, I pray they will accept the verdict as my vindication."

Brady said: "The jury did what they believed."

Minta kissed Arbuckle, McNab and the whole staff in a burst of excitement and happiness.

Headlines screamed ARBUCKLE INNOCENT.

The case had cost Arbuckle $110,000. That didn't count in the attorney fees or the money he had lost from pictures he couldn't make or those that couldn't be released. The trials had taken eight months. Now he was free.

Jesse Lasky immediately issued a statement stating that a Fatty Arbuckle picture would be released immediately, and that if the public accepted it, he would continue to release other Arbuckle pictures.

The trials cost the State an estimated $140,000. Actually, on the evidence, the case probably never should have
been brought to trial. That doesn't mean Arbuckle was necessarily innocent—just that it was impossible to prove his guilt.

New York newsmen were of the opinion that if the fierce rivalry hadn't existed between San Francisco and Los Angeles it might never have been brought to trial.

A San Francisco entrepreneur immediately offered Arbuckle $1000 a week to do a monologue in theatres. Arbuckle refused, saying, "I'm just going to rest a while and then I hope I can go back to films again."

The D.A.'s office still had an open murder charge against Arbuckle sworn to in a statement by Maude Delmont. They announced they would dismiss it. Another "possession of liquor" charge was still open. If he were found guilty the maximum fine would be $500.

Arbuckle threw a small dinner for his legal staff that evening. They were of the opinion that he could begin his career where he had left off. McNab drank a toast to Arbuckle: "May you never see the inside of a courtroom again—if you are, be on the side of the State."

A wire was read from Marion Davies which stated in part: "Congratulations on your vindication. All the gang is looking forward to your return to films. This is a happy night for us."

Minta said she never doubted for one minute that Arbuckle would be freed—his greatest years were just ahead.

Even when Arbuckle ran into Brady by accident next day, Brady wished him well. Arbuckle went out and bought several suits, ties and shirts. He was a happy man again.
Roscoe Arbuckle spent several days in his home, resting and getting hundreds of congratulatory letters and phone calls. He played in one long poker game with the boys and won $40. To him that was a further sign that his luck had turned. The weather had turned warm, and Arbuckle, in a sport shirt with golf breeches, was a familiar sight again in his old hangouts.

He had an important meeting with Jesse Lasky and other producers and executives on April 25th. The decision would then be made as to when (or if) he would go into production again. Arbuckle was confident and happy. He told manager Lou Anger, "And if they are cautious, we'll make a few of our own and show them. We can always get bank money."

The press had stopped writing about Arbuckle, and protest mail had stopped coming in. Arbuckle had every reason to believe that the Virginia Rappe case was dead and buried with her.

At 10:45 on the morning of April 25th, Roscoe Arbuckle showed up forty-five minutes late in the offices of Paramount. He was greeted heartily by men who had paid him as much as $1,000 a day for his buffoonery. He was accompanied by Anger. The men sat around comfortably as the meeting began. Arbuckle rolled his brown paper cigarette with dexterity and said, "You don't know how great it is to be back among you fellows. I never thought I'd look forward to seeing all your ugly pussies." He grinned and the men laughed. One said, "You're no Rudolph Valentino." Others laughed.

"Well?" said Arbuckle. "You asked me here."
Lasky was spokesman. "First we want to say that we couldn't be happier that you are back with us, have been acquitted and are all through with that mess," he said. "Then we want to discuss your contracts and your future."

The room was quiet. All calls were held. Lasky went on, "We're men in business, but we also pride ourselves that we are men in business with a heart. We want to make profit, we want to make friends and we also want our friends to prosper."

"Hear! Hear!" said Arbuckle, and there were laughs. "Let's take the first part," went on Lasky. "Your pictures are big money makers. Your name has always been a formidable one. Our stockholders have been delighted every time we've scheduled a Fatty Arbuckle picture. It is incumbent upon us as good businessmen and to please our stockholders to continue to make profits. You agree with that of course?"

"Black is black. A spade is a spade. Yes I do."

"So we meet here today to use our best judgements in deciding whether a full schedule of Arbuckle pictures at this time will make money and friends."

Arbuckle jumped in. "You mean there's any doubt? You forget, gentlemen, that a jury said I was innocent of any wrongdoing and that a grave injustice had been done to me. I have no taint of guilt in me. After listening to all the evidence, twelve jurors said I was innocent. Does that mean something?"

There were apologetic rejoinders assuring Arbuckle they knew he was innocent.

Lasky said, in the same business-like tone: "In this drawer"—and he pointed—"there are some pretty rough letters. Many are from presidents of large organizations threatening boycott if we make any more Arbuckle pictures."

Arbuckle got up and paced. "Gentlemen, you disappoint me. Were those letters written before or after I was acquitted?"

Lasky admitted they were written before. "But," he
added, "we don’t know whether or how much an acquittal verdict has changed their minds." When Arbuckle started to get angry, Lasky said, "Wait a minute. We are here to decide what is best for everybody. I’m not saying these narrow-minded people haven’t changed their minds. I am only asking, have they?"

"Then," answered Arbuckle angrily, "I say to hell with them. I had eighty million fans. We can give away a hundred thousand. Can’t we?"

"It’s not that simple," said a public relations man. "Sometimes a few clinkers can influence everyone else."

"Well," replied Arbuckle angrily, "such a gutless crowd I didn’t expect to see."

"Now, wait a minute," Anger said to Arbuckle. "Hear them out. So far it’s just been talk. No decision has been made yet. You want to make pictures. If they aren’t in the mood I know others who are."

(But that was manager talk. Arbuckle’s future was in this room and nowhere else.)

Lasky said, "I’m hiding nothing. All our cards are on the table. We’ve made no decision. That’s why we’re here. We want to discuss it until we can make an intelligent decision."

Arbuckle sat down and slumped. "Well this I didn’t expect to hear. I’m an innocent man. You’re talking to the same Arbuckle who made millions for you before September of last year—and will make them again."

"I believe that is true," answered Lasky, "but is now—right now—the time to make Arbuckle pictures while the case is still fresh in everybody’s mind?"

"You see," said the press agent. "People don’t read carefully. All they know is that you were mixed up with some girl in a hotel. Then you were acquitted. In fact some of them probably wonder what ‘acquitted’ means."

"Well, that’s the end," said Arbuckle disgustedly. "I never heard such idiocy. Come on," he said to Anger, "let’s get out of here."

"Wait," said Lasky, somewhat alarmed. "I have a couple of suggestions. We aren’t all negative."
Arbuckle had gotten up and was half-way to the door. He stopped. "Well," he said.

Lasky went over and put his arm around Arbuckle's shoulder. "Come sit down," he said, "and let's talk this over like partners." He led Arbuckle to a chair and then sat down himself.

"I've been around this town a long time," said Lasky, "and I know it pretty well. Timing is an important element. A picture, a cycle or a personality that will go well today may not tomorrow. Roscoe, the case, your case, is still fresh in the minds of people. Sure you were acquitted. Sure you were innocent. But there are people that want to remember things. They'd rather have you guilty than innocent. It's more fun that way. In my opinion they'll start up a stink you'll hear around the world if we put you in production now."

"Timing is going to be very important for us—for you and for the studio. Certainly we want you to make pictures for us. We'd be fools if we didn't. But when—that is the question."

Arbuckle was not made any happier by this speech. "I'm ready to make films now. If you want me now, you can have me now. And if you don't want me now," he threatened. "I'll force you by contract to make pictures now."

Lasky knew the answer to that. "Our contract specifies that we pay you $X dollars a week. I assure you we will honor our contract. But it does not force us to make pictures."

Arbuckle looked at Anger, who nodded that what Lasky said was true.

"Here's what I'd like to see happen," Lasky went on. "I'd like to see you take a few months vacation—with pay. Enjoy yourself. Let the world know you're innocent. Travel. Let all this die down. Will you do that?"

Arbuckle was silent.

"What do you think, gentlemen?" asked Lasky. "Would you go along with me on that?"

The group voiced their approval.
“How long?” asked Anger.

“As long as you wish,” smiled Lasky. “Maybe six months.”

“In six months they could forget me,” worried Arbuckle.

“They’ll never forget you,” said Lasky fervently. “Maybe six months is too long, though. Let’s say three or four months.”

Arbuckle thought a moment. “I could go to Europe. A kind of good-will tour.”

“Exactly,” said Anger. “It might work. We’d take along a crack public relations man. Give us a chance to know where we are going.”

Arbuckle’s silence was taken as an agreement.

“Then is it settled?” asked Lasky happily.

“All right,” responded Arbuckle unhappily. “Four months. We’ll try it.”

Lasky set up drinks from a portable bar and they all drank to it.

That’s how Arbuckle happened to make a European tour. It was a mistake. In retrospect it’s clear that Arbuckle should have fought it out right then. He did have lots of fans who were allies in his fight, but as time marched on his fans forgot him and moved to other acting heroes. For every day that Arbuckle stayed out of films, he lost a number of fans—but his enemies remained constant. The fervent moralists didn’t forget easily.

So the Arbuckle contingent sailed for Europe amid much publicity. In London, Charlie Chaplin, who had survived several scraps of his own, came to greet Fatty. The crowds were ecstatic. Banners heralded “Charlie and Fatty.” There was not one sour note. Arbuckle shorts played to big crowds. But this was long before European grosses made up half of the world film income. English and French box office receipts were just a pittance when compared to the whole.

Fatty went to France and received the country’s highest honors. He laid a wreath on the tomb of the unknown soldier. He watched his step and played down the girlie
publicity. A known speeder in America, often in traffic courts for violation of the speed limits, he drove conservatively in the high-powered foreign cars.

After three months of traveling around Europe, Fatty had every reason to believe that he was the same Fatty Arbuckle in the public eye.

New York took the fat man to its sophisticated bosom. Crowds cheered him on the streets. Wherever he went, friendly fans greeted him with, “Good to see you back, Fatty.”

There was a Fatty Arbuckle Day in Mt. Vernon, N.Y. Anger made a deal with a doll manufacturer for a Fatty Arbuckle doll. Of which Arbuckle earned five cents of every dollar.

There was only one sour note in an otherwise gala comeback:

Arbuckle had been separated from Minta now for five years. Except for a brief period during the trials, when she stood solidly behind him, Arbuckle always had it in the back of his mind to get a divorce one day. She always said she wouldn’t stand in his way if he wanted his freedom.

During his triumphant tour Arbuckle had met some beautiful young girls, and he had marriage in his mind again.

The boys begged him to hold up on a divorce. They wanted him to have a clean slate when he started making pictures again.

But Arbuckle was feeling his oats again. It was his opinion that he was riding higher than ever before. He put it this way: “The public knows we’ve been separated for five years. Why would they be surprised at a divorce? How much difference is it from a separation?”

The boys didn’t like it, but Arbuckle went ahead with the divorce anyway. His publicity staff had it played down as much as possible. But it hurt. For some men of the picture industry, it confirmed the image of Arbuckle as a selfish playboy who had no feeling or consideration for others.
Back in Hollywood Arbuckle got in the groove again. He got several speeding tickets. He threw one big party which most of Hollywood's elite attended. This was the final touch that convinced Arbuckle he was ready again. His own folk had forgiven him. The dessert at the party was a frozen ice cream miniature of Fatty Arbuckle with that look of bumbling idiocy on his face.

Fatty made a short speech after the dinner: "I read in the papers that checks will be back on men's suits again. For a while I thought it would be stripes. I can tell you that the Los Angeles outdoors is a lot better than the San Francisco indoors. Also I can tell you the dinners in my home are served a lot better than in the San Francisco hostel I stayed at. And you know I found a good way to take weight off, dine as a guest of the State for several weeks."

The monologue got lots of applause and laughs. Marion Davies proposed a toast to "Fatty." Everybody drank and someone started singing "For he's a jolly good fellow." Fatty wiped a tear from his cheek. The party broke up at 5 A.M. and next day's newspapers made generous mention of it.

But, more than anything else, Arbuckle wanted to get back to work. He called Lasky and they arranged a luncheon meeting. Arbuckle thought it was a sure thing that he would start production immediately. He even went so far as to clear his schedule for his production routine. He was astounded and disappointed when he found it wasn't to be this easy.

Lasky's reasoning was: Will Hays is costing the fathers of the industry a great deal of money. He is respected and listened to. The Arbuckle case is an industry problem. Then let's meet with Hays and get his opinion of how to handle it. At first Arbuckle was temperamental and raved and ranted. He told Lasky to go to hell. But after another meeting Arbuckle agreed to meet with Hays. Lasky, Arbuckle and Anger went to Hays' office.

Hays was conversant with Arbuckle's case in every detail. He seemed to take a liking to Arbuckle. They
chatted about politics and sports cars. Hays asked Arbuckle to let him think about the problem for a few days.

Then they met again. "I've reviewed every aspect of your situation," said Hays, "and in my opinion you have been completely vindicated. I believe sufficient time has elapsed now so that we can safely put Fatty Arbuckle pictures into production again."

Arbuckle was delighted and told Hays he had tried to convince Lasky of this.

How to do it most efficiently? Hays thought he should call a press conference and announce whatever Arbuckle's plans would be.

Then Lasky and Arbuckle got together again. They decided to make one feature picture, *Love Finds Fatty*, and a couple of short features.

The announcement for the press and public, though, was more grandiose. It would read, "Paramount Pictures today announced that Roscoe Fatty Arbuckle will make a series of six feature pictures and ten short pictures at a total production cost of $5,000,000. It marks the return to pictures of Fatty Arbuckle after a year's hiatus.

"Important leading women will be signed to play opposite him. It is anticipated that the world-wide gross of the feature pictures will hit $3,000,000 each.

"His first will be *Fatty, Round the Clock*, a short feature."

The story was released on a Tuesday, along with a statement from what was then called, "The Hays Office." It read in part: "Roscoe Arbuckle, having been given a clean bill of health by the courts, and having conducted himself as a gentleman since, will return to films in good standing. His pictures, unreleased, will be given world-wide distribution."

Will Hays himself posed shaking hands with Arbuckle. No man could have had more effective blessings.

By Saturday there was a trickle of complaints. By the following week there was an avalanche of objections.
Hundreds of women's groups, ministers and civic organizations had a furious reaction.

Arbuckle was stunned, but no less than his studio and the Hays office. The Hollywood press had no idea there was still rancor in the hearts of the public against Arbuckle.

Ministers said Arbuckle pictures would set a bad example for children in proving that you can do evil and get away with it. Seemingly, the American public took no notice of the fact that the comedian had been acquitted. They elected themselves his jury and voted him guilty.

Family magazines attacked him brutally. Sermons throughout the nation forbade congregations to see Arbuckle films. Arbuckle's studio got threatening letters. The Hays office was bombarded with "morality" mail.

Letters in the nation's press reviled him. Arbuckle was stunned. Occasionally he would find a lone, brave defender in the mountains of attackers. Then he would wave the message in brief self-justification. But he was overwhelmed. It was an unexpected blood bath for the comic who thought it was all forgotten.

When schools joined in the tirade and threats against him, Will Hays called a hurried midnight meeting. Arbuckle was invited. Hays explained that unless he compromised his earlier statement, the whole industry would be in danger. He wanted to do it as painlessly as possible for Arbuckle.

The comic sagged in his chair, waved Hays on to whatever he had to do. Arbuckle was now convinced the whole world was against him.

Hays prepared a statement couched in the kind of diplomacy learned in the corridors of Congress.

Roughly, the new edict made note of Arbuckle's great contribution to American comedy but said the public, not the movie industry, should decide whether his pictures should be released to theatres and whether he should make more films. In other words, if the public clamored for Arbuckle films it would get them. It was obvious to
all involved that there was little likelihood of the public doing such clamoring.

When the revised edict was released, thousands of people felt sorry for Arbuckle and thousands more said so publicly. But they were overwhelmed by those intent on banning him from pictures.

The Arbuckle pictures were never released. They remained in studio vaults.

Although there was no morals clause in Arbuckle's contract, the studio had a two-day meeting with Arbuckle and his staff to discuss relief. They recommended a quiet cancellation of the $3,000-a-week contract, with a cash settlement to Arbuckle.

The comic was in no position to make a fight of it, nor did he want to. If he resisted the recommendation, a lawsuit would follow that would dig up all of the old garbage again.

It was a bitter experience for Arbuckle. He went to New York for a while.

Echoes of the critical headlines pursued him. Then he got his first lift in months. At a party one night he met a black-haired, brown-eyed beauty named Doris Deene. She was literate and a great believer in faith.

Though she was attractive physically, and Arbuckle could never resist a lovely lady, she charmed him with words that made sense.

"I think you are a great talent," she told him. "You could be successful in whatever creative job you undertake. Why are you giving up? You must fight."

"But," argued Arbuckle, "my name is mud. They want no part of me. The public wants me washed up."

Doris didn't believe it. "Fight," she said. "Change your name, your looks. Start fresh. You can do it."

They had a full evening of discussion. Arbuckle took her out the next night and the next.

An idea was starting to take form. Arbuckle always wanted to be a director. Actually, he believed he had more or less directed some of his own shorts. Why couldn't he change his name and get a job as a director?
After all, many Hollywood big shots had faith in his talent. No one would have to know. Maybe Doris was right. Maybe he could start all over again. Arbuckle felt his spirits rising quickly. Doris was with him all the time, injecting her faith and enthusiasm into him.

Arbuckle took her back to Hollywood with him and they were seen constantly together. She firmly believed Arbuckle could survive and be bigger than he ever was.

At parties she was often queried about becoming an actress. No, she was determined to put Arbuckle back in his perch. She didn’t want a career. Even the comic suggested she take a chance at the gold ring for stardom. She didn’t want it.

Arbuckle casually hinted at his new ambitions to producers. They were cagey. It was dangerous. He became depressed again. But not Doris.

She played hostess at a party at which there were twelve producers. It was her own idea. During the evening one of the smaller producers thought Arbuckle’s plan had merit. After all, Arbuckle knew comedy. He was a comedy great. There was a handshake and Arbuckle had a picture to direct.

In a quixotic moment he adopted the name of “Will B. Good.”

That evening Arbuckle took Doris to Tijuana for a one-minute marriage ceremony while standing at a desk in front of a heavily mustached city official. It was planned to keep it secret, but it somehow leaked out and his friends had a small party for him at the Ambassador Hotel.

Though his job was supposed to have been kept secret until after he finished his first picture, he confided in the 30 to 40 guests at the party that his new wife had been responsible in getting a fine directing job for him. He would direct *Silken Husbands*, a comedy drama starring George Walsh. There were cheers and congratulations.

So on a windy, warm day Arbuckle, in corduroy shirt,
puttees and megaphone (the uniform for directors of the day), reported for duty to the small studio in Culver City. Doris came down to watch.

With a copy of the script in his hand he showed Mary Tinsdale how he wanted her to hang up clothes so that various pieces of underthings would hit Walsh in the face as he tried to reason with her.

“You’re pouting,” explained Arbuckle, “because your husband is using the car when you need it. So you do everything angrily and quickly, but not too quickly.” He illustrated how the clothes should be hung, playing her part. Then he illustrated Walsh’s part and how he should react.

Then he yelled, “Action.” He wasn’t pleased with the first take and tried it again, with Mary first hanging up a pair of men’s long underwear for a big laugh starter.

He liked the second take. After it Doris took him aside and asked, “Do you think it might be dangerous for you to do a scene with long underwear just in case they find out Will B. Good is Roscoe Arbuckle?”

“They won’t find out,” answered Arbuckle.

He liked directing. It was not like taking pratt falls, but he was happy, involved again in movie working.

He’d work from early morning until late at night with his actors, trying to get the laughs. He had a big scene in which George, leaving on a business trip but very much in love with his Mary, was to say goodbye to her from the train steps. The train stops and goes, jerking and pulling, each time catapulting him into and out of her arms.

Arbuckle took George’s place and ran through the action. It was very funny and the crew and cast roared. Arbuckle retired to a dressing room where he sobbed. “I love to act and to make people laugh,” he cried to his dresser. “This is no life for me.”

Doris, hearing of her husband’s plight, humored him and told him he would soon be back in front of the cameras.

But Arbuckle now had his doubts. As he and Doris
made the town at night, he'd hint to friends about acting again. No one responded.

When Arbuckle finished *Silken Husbands*, there was a set party to celebrate. Many of the press congratulated him, and finally the big question came, "Can we divulge that Will B. Good is Fatty Arbuckle?"

The comic thought a while, though his ego was itching. The picture had turned out well and Arbuckle wanted the compliments and the adulation that he felt would follow.

Doris took him aside and said, "Let the picture come out first, then reveal who you are."

Arbuckle took the middle ground and a compromise. He told the press: "Don't quote me and let the picture come out first, then you can kind of leak it out." The boys promised they would only hint at it until the picture was released. And they kept their word.

At the sneak preview of the picture, there was much applause. It was well received. Many of the insiders knew Arbuckle had directed it and they congratulated him. It was almost like old times. His producer gave him another picture to direct and promised that if everything went smoothly he could do a couple of acting bits in it.

Al St. John named a horse "Will B. Good," and the movie colony got a big kick out of it.

The picture opened at the Chinese Theatre, and celebrities like Marguerite Clark, Earle Williams, Theda Bara and Charles Ray attended.

The opening was a big success. Charles Ray threw a little party at the Trocadero afterward. Doris wasn't in attendance. Arbuckle was already starting to resent her strong guidance, which led to their divorce in 1929. But it was a gala party. Arbuckle had every reason to believe his new career would lead him to new heights.

Then the bomb. Reviews pointed out that Will B. Good was really Fatty Arbuckle. The public, with long memories, reacted violently. It was the same thing all over again. The women's Vigilante Committee picketed the
theatres where the picture was shown. In Chicago irate citizens threw tomatoes at the screen while *Silken Husbands* was showing. Will Hays was criticized for letting Arbuckle get away with such subterfuge. Women's Clubs bombarded theatre managers with protests.

The picture had to be pulled. It could not be shown in American theatres. Arbuckle's producer asked to be released from the subsequent movie and Arbuckle agreed. His new career was shot out from under him before it really got started.

Arbuckle came down with pneumonia and was desperately ill for weeks. During the recuperation, a magazine publisher signed him to do his life story. But it so upset the comedian each time he started to write about his life, Doris made him return the advance payment and stop writing.

When he recovered, he and Doris went to Carmel to rest. It was 1926, now, and he had a visitor, John Sargent, his personal attorney, who gravely explained to him that his money was running out. It was before the days of strict business managers, and it was customary for a star to have his attorney merely keep an eye on his earnings.

“What can I do?” asked Arbuckle. “Should I get a job in a market as a delivery boy? No one wants me.”

“The first thing you can do,” said Sargent, “is to stop spending the way you do.”

“That's the way I have to live,” responded Arbuckle.

Sargent paced and smoked his pipe. “Among my clients is a theatrical producer,” he said. “He is planning a comedy for this fall. Would you have any interest in appearing in it if I could arrange a meeting?”

Arbuckle’s answer was, “Nobody wants me, I tell you.”

“Let me try,” suggested Sargent. “New York is a sophisticated city. There aren't as many bigots. Maybe it would work.”

Doris urged him to let Sargent try, and finally Arbuckle shrugged his consent.

A week later Arbuckle flew to New York for a conference at the Erlanger Theatre. He was cynical and told the
producers, "You have me at your own risk. The audience is liable to throw eggs at me on opening night."

The producers weren't discouraged at all. The egg-throwing sounded like a great publicity gimmick for the opening. Arbuckle's very cynicism appealed to them.

The play was Baby Mine, and Arbuckle was a stumbling bachelor who accidentally found himself with a baby to raise.

The advance publicity was enormous, yet there were no protests. Arbuckle was heartened, but he feared opening night. He told the producers, "It's like waiting for a firecracker to go off after the fuse is lit."

Many of Arbuckle's friends were in the audience opening night. Doris came in from the Coast and tried to help backstage. It only made her husband more nervous. It was a full house, with many curiosity seekers.

The play went off well. Arbuckle and his close friends waited in Sardi's for the reviews. They were pretty good. Howard Barnes of the Tribune said Arbuckle had a fine sense of timing. There was no secret now that Arbuckle was starring in a play. Many critics alluded to the actor's brush with the law. But Arbuckle was satisfied. In fact he was proud of his performance. And he loved it.

Yet his hopes had been dashed before. He believed that when the public read what he was doing there would be an outcry again. This time he was prepared for it.

But John Sargent was right. New York was a sophisticated city. No one cared what Arbuckle had been involved with. They were only interested in the play and how well he performed. One day, two, three passed and not one whoop or holler about immorality or hellfire and brimstone. Arbuckle was heartened. Crowds filled the theatre every night and, though it wasn't a very good play, it was drawing.

After two weeks Arbuckle felt secure. It was amazing to him, a kind of miracle. The country was solidly against him and yet New York applauded him. This was the truth, and this was the way Arbuckle saw it, but gradually his advisors put a new hope in his heart.
It was now three months since *Baby Mine* opened and the theatre was full much of the time. There had not been an unfavorable note about Arbuckle in that time. His advisors were beginning to convince him that by now the whole ugly mess was surely forgotten.

"I'm sick of playing the same story over and over," Arbuckle told Sargent and Anger, who had come to New York. "Look at the way the public is paying to see me. Maybe now I could play a personal appearance tour—just the big cities—that way pave the way for my motion picture comeback."

"It's too soon," advised Sargent. Anger agreed. But after six months, when the closing notice went up on the play, Arbuckle wanted to go ahead with his personal appearance plans.

He had long conferences with a New York agent, who booked him in Boston, Philadelphia, Chicago, Minneapolis and other cities. The agent had no trouble booking him. Theatre managers believed Arbuckle would draw. Now it only remained for Arbuckle to have an act written for him. It was decided to make no reference to the Rappe case or even to his enforced time away from pictures.

Instead, he was given a funny monologue in the hope that his star value and curiosity value would carry him through. His jokes were carefully censored so that no double meanings could creep into them, though Arbuckle began to give his material a little more zip as he travelled.

He used stories of this ilk: A fellow who was very shy and didn't know what to say around women one day announced suddenly he was going to marry a certain girl. Everyone was amazed and asked how this came about. "I danced with her three times and didn't know what to say so I asked her to marry me," he explained. (Yes, that is the end of the joke.) And, "Sleeping pills are becoming so popular you can now get them monogrammed."

Strangely enough the act was a success. Reviews were good and crowds frequented the theatre. Arbuckle was reading scripts again to find a good one for his film comeback.
Then Arbuckle got ready to open in Minneapolis. This was April of 1928, seven years after the Rappe incident. But despite the long span of years, some quirk of fate wouldn’t permit the public to forget. Some trace it to the ugly rumors on the more sensational aspects of the case that blew it out of all proportion. But, whatever it was, there was to be no peace for Arbuckle.

On the Sunday morning before the Monday opening, Arbuckle was in a hotel room drinking with some friends when he had an anonymous call saying, “If you open in our city tomorrow, you’ll be dead on Tuesday.” Sargent, in the room, insisted the police be notified. The police said they had also had several crank calls and would look into it.

It was the first hint of trouble. Then the theatre manager reported vandals had written dirty words about Arbuckle on the walls and broken some doors. By Sunday night Arbuckle was notified that the city authorities had so many protests from women’s clubs, church groups and private citizens that they had asked the theatre to hold the booking for a week to decide what action, if any, to take.

Arbuckle was at first angry, then flabbergasted, then sullen and quiet. For one week he sat around the hotel room while pickets jeered outside. They carried placards reading, “No Fatty in Our Clean Town” and “Arbuckle Go Home Now.”

Several times the comic decided to give up and leave, but Sargent thought a victory after all this trouble would be doubly sweet. The City Council, undecided, voted on whether they should permit Arbuckle to open. The vote was 4 to 3 against him. Two members wouldn’t vote, which really was a tacit vote for Arbuckle, but they wouldn’t go on record.

It was a sad blow to Arbuckle. He gave up the personal appearance tour rather than face other such crises and stir up more trouble. He went back to Hollywood.

Here Doris tried to get him started again, but this time
her efforts annoyed Arbuckle. After a bitter quarrel in a club one night they decided on a divorce.

Alone again, Arbuckle threw caution to the winds. He was drunk most of the time. He was arrested for speeding several times. Once he was arrested for refusing to quiet down a party he threw in Laurel Canyon. His money was running out and friends were leaving him.

Then a strange incident happened that almost put him on his feet once more.

Coming out of the Embassy Club one night, intoxicated, with a girl on each arm, he stumbled, fell and pulled down both girls on top of him. When a policeman tried to help them all to their feet, Arbuckle resented it. One word led to another until Arbuckle wound up and tried to throw a weaving haymaker at the policeman. He missed by several feet.

The policeman, with help, bundled the trio into a police car and drove them to the Hollywood police station.

There Judge Milstein heard the case. Arbuckle wasn't very coherent, but he understood.

The Judge dismissed the case against him with some well-remembered words, "I feel sorry for you, Mr. Arbuckle, because the public has punished you far beyond what fair punishment should merit. You gave much happiness to the world and probably could give a lot more if circumstances should permit it. It is true that many people have not forgotten and still have a measure of hate for you—but they are the ones who are anti-American and immoral. You were pronounced not guilty and so in the eyes of the world you should be. You are a persecuted man. Your mistake is in acting like a guilty man. Hold your head up when you leave this courtroom and never let them lower it again."

Arbuckle was touched by this speech. He stayed in seclusion for a week, then left his room with an idea. For the first time in a year he was sober.

He called Sargent and they had a meeting. "How much money can I put my hands on?" he asked. Sargent figured about $20,000.

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"I want to open a nightclub in Hollywood," said Arbuckle. "I'll entertain in it."

Sargent was flabbergasted.

"Public opinion won't shut me down if it's my club. I'll fight them."

Sargent said he couldn't do it on that kind of money. But in a few weeks, Arbuckle found two partners. It wasn't hard to do the way the stock market was booming. Arbuckle opened The Plantation Club in Culver City.

The decor was wild, the music bouncy, the entertainment sophisticated. Arbuckle was host and entertainer. He added a chorus line and used actors to help with his skits. Drinks were made strong and the box office jumped.

Arbuckle added more adult jokes:

"A little dog looked up at a parking meter and said, 'Hell, you gotta pay now!'"

"A large truck had a sign, 'Watch my behind, not hers!'"

"There was an ad in want ads which read, 'Young lady seeks job as secretary. Willing to struggle if given a chance.'"

The club was a big success. He got the big spenders, the movie men who were big earners.

Arbuckle, for once, played it cool. He saved his money. But he kept trying to get a job in films. In fact he never stopped trying. The night club drew no public protests. It was possible the people didn't object to the comic in that setting. In fact, one night he noticed in the audience the secretary of a Moose Club that had personally protested his film making.

Arbuckle enlarged the club and profits mounted—until the critical days of the stock market collapse. He wasn't caught in the crash—he had no money in stocks—but the heavy spenders couldn't spend anymore. They just didn't have it. After six months of half-filled rooms, Arbuckle could see the writing on his night-club wall. He decided to get out while he still had some money.

It was a wise move. Business—all business—fell off badly and didn't stop slipping. The night club business was
hit hard. Arbuckle was glad he was out. But what now? A quixotic fate answered the question.

At 44, bored now with everything, Arbuckle went to Palm Springs for a change. Never losing his eye for pretty girls, the comic went to an outdoor fashion show held around a swimming pool. One of the models, who wore a bathing suit as if she were born with it on, appealed to Arbuckle. He had the hotel press agent introduce her to him. She was charming and knew of Arbuckle and was delighted to meet him. Her name was Addie McPhail.

From that day on the two were always together. She was taller than he, so wore flats. He believed this was a real, deep love. Two months later he married her. It was his third marriage.

If you believe in luck, then it must have been Addie who greased the rails for that lady to slide down again into Arbuckle’s life.

Married just a couple of months, Arbuckle was playing gin rummy one night with Addie when the phone rang. It was Jack Warner, a movie maker noted for his guts. “How would you like to make some comedy shorts for us?” he asked the astounded Arbuckle.

Arbuckle couldn’t believe what he was hearing. “Yes,” he said. “Certainly. You sure this is Jack Warner?”

“It is,” answered Warner. “I'll work out the terms with your agent. Just wanted to know if you were available and willing.”

It was exactly as if St. Peter had called and told Arbuckle he was invited into heaven.

The deal was set for Arbuckle to make four film shorts for Warner Brothers. Life became hectic and happy once more for the fat man. He was busy reading scripts, figuring out comedy gimmicks, choosing props, getting writers, doing all the things he loved to do.

“Addie,” he told his wife, “it’s like coming out of a desert into a beautiful forest.”

The excitement, the hard work, the fear of protests all served to force pressure on him. During the picture Minta, his first wife, came to wish him well. He confided, “I’m
scared. I don’t think I’m funny any more. And I don’t feel well.”

 Asked what he meant, he said, “I have trouble breathing.”

 “It’s from running around too much,” explained Minta. He agreed. He never saw a doctor. He was too busy, too determined to use every moment for a comeback.

 After finishing the first short he was exhausted. Addie suggested they use the week between shorts for a vacation in New York. This had an added incentive for Arbuckle, because Primo Carnera and Jack Sharkey were fighting for the championship of the world in New York. He was an avid boxing fan.

 The couple went to New York and saw Jean Harlow and Clark Gable in Hold Your Man, James Cagney in Picture Snatcher and Constance Bennett in Bed of Roses.

 The Yankees and Giants were leading in their respective leagues, and Arbuckle got to two ball games too. It was while coming home from one game that Addie gasped and remembered that the following day was their first anniversary. Addie thought the occasion called for a party. The two were stopping at the Park Central Hotel, but they decided to hold the party at Billy La Hiff’s Tavern on W. 48th. Addie invited a lot of the sporting crowd they knew, including two fighters, Johnny Dundee and Johnny Walker.

 That night Arbuckle won $300 when Carnera knocked out Sharkey in the sixth round.

 It was a good omen for Arbuckle. “By golly,” he said, “if I can win on a fight those shorts will turn out just great. You watch!” He seldom won when he gambled.

 On the night of April 29th, 1933, Arbuckle played genial host at the Tavern. Fifty guests helped him celebrate. It was a heavy-drinking, noisy crowd but the comic was happy. That’s when he enjoyed himself—when the men were sportsmen, the girls “regular,” and the cigar smoke thick.

 Once during the party, director Ray McCarey went outside for a breath of air and found Arbuckle standing there
alone, smoking. "I'm not as young as I used to be," he said. "After all that noise and drinking and smoke I can't breathe." Ray sympathized.

But Arbuckle came in to cut the cake, open the first bottle of champagne and make a toast: "To Addie on our first. Let's all meet here for our fiftieth."

It got a howl of approval. Then the boys insisted Arbuckle entertain. He refused, but constant urging brought out the ham and he did some imitations, told some jokes and did a scene from the short just completed. There wasn't a sour note in the evening.

The party broke up at 2 A.M. Arbuckle and Addie were dropped off at their hotel and Arbuckle went right to bed with the words, "I'm beat." They were the last words he ever uttered.

A few minutes later, at 3:12 A.M. Addie asked Arbuckle if he'd like some hot milk. He didn't answer. She took one look at him and screamed. She called the hotel doctor but Arbuckle was already gone. Doctor Liebling said it was a heart attack.

He died in a hotel room not much different from the one in which his career had died twelve years before.

The following Saturday, Roscoe "Fatty" Arbuckle was laid out in the Gold Room of Campbell's Funeral Parlor, where Rudolph Valentino's body had been placed on view.

Thousands filed passed his bier to take a last look at the rotund comic. In death he drew bigger crowds than he had in the last twelve years of his life.

Most newspapers were kind in their obituaries. The New York Herald-Tribune asked: "Did Roscoe Arbuckle rape and murder Virginia Rappe in a Hotel St. Francis room in San Francisco? We don't know. But if he didn't, life gave him a raw deal."

That's the way we feel.
The party was getting rough...

The radio blared, the bootleg booze flowed freely, the September heat mounted, glazing the drunken, lustful faces with sweat.

In the center of the floor, two half-nude showgirls argued over their obvious charms, their voices rising above the din.

The place: a San Francisco hotel room.

The time: 1921, the beginning of the roaring decade, the heyday of Valentino, Barrymore, Chaplin—and a foolish, roly-poly, $5,000-a-week comic named Fatty Arbuckle.

As the party built toward a raucous frenzy, Arbuckle, clad in pajamas, led a slender, pretty girl into a bedroom and locked the door.

After several minutes of silence, a nerve-splitting scream brought the party to a halt.

And that scream, from a ravaged young girl, made headlines around the world as the famous fat man went to trial for the rape and death of the lovely Virginia Rappe.

FOR THE FIRST TIME, THE TRUE, COMPLETE STORY OF THAT EXPLOSIVE, SCANDAL-RIDDEN CASE