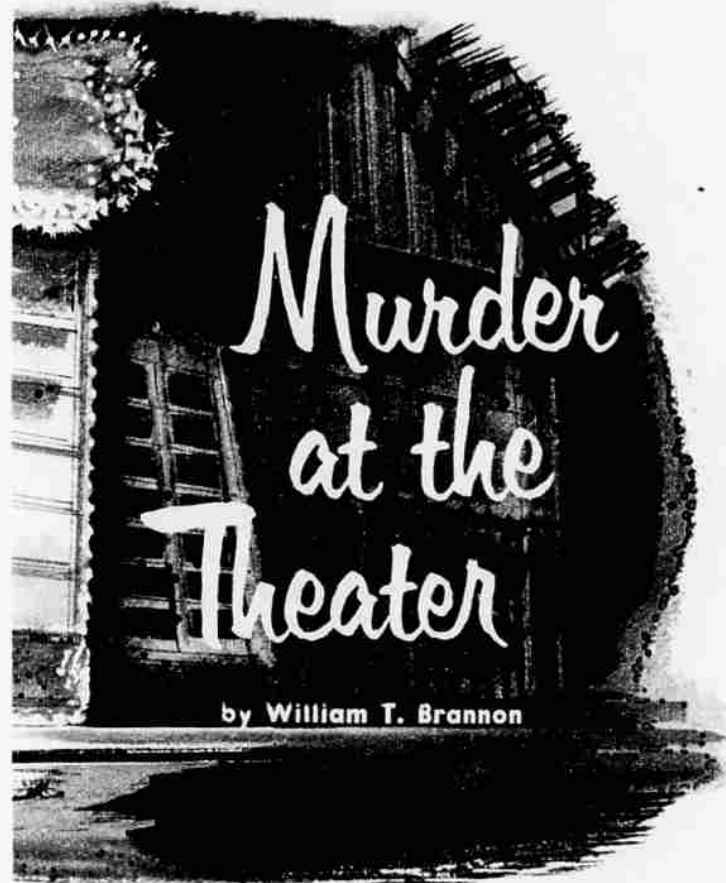




by William T. Brannon

vously, saw the officer, and broke into a run. Tipton raced after him, following him into an alley. But the fugitive had vanished. Tipton took a quick look in other nearby alleys, then came out onto Bay Street. There at the corner of Bay and Ocean stood the red-haired man.

Tipton gave chase and again lost his man in dark alleys. A second time, the officer returned to Ocean and Bay—and found the fugitive standing there. Another chase ensued, and this time Tipton got his man, taking away his revolver after the trigger had clicked on an empty chamber.

The prisoner gave his name as Frank Rawlins but refused to answer questions. His pockets contained \$800 in currency, neatly done up in Palace Theater wrappers.

The officer marched Rawlins back to the theater, where there was a lot of excitement. After the fourth act, the treasurer, E. S. Harrison, had brought the day's receipts, \$800, to the office of the manager, George Hickman. He had hardly placed the money on the manager's desk when the door was pushed open and a man with a revolver announced a stick-up.

As Harrison turned around, a blow on the head sent him reeling. Hickman reached for a gun in his drawer, but the bandit struck him, too, and when the manager tried to fight back, a shot put an end to his struggle—and his life.

As Tipton entered with his prisoner, Harrison cried hysterically, "That's the man. That's the killer!"

Rawlins was taken to the office of Duval County Sheriff R. E. Merritt. He was questioned for several hours, but all the officers learned was that he hadn't been in Jacksonville long; before that, he had lived in Atlanta.

After Rawlins was led to a cell, Sheriff Merritt said, "He didn't think up this robbery by himself. Somebody else is back of it!"

The sheriff explained: Rawlins was a comparative stranger, yet he knew the exact time the theater treasurer would bring the money into the manager's office. Somebody, obviously, had told him.

AN EXTENSIVE investigation revealed that Rawlins was a skid-row character. He lived in a cheap rooming house and had no known friends. He had been tried for stealing a suit of clothes only a few days before, but a prominent criminal lawyer, John H. Pope, had defended him and won an acquittal.

The sheriff ordered an investigation of all employees and former employees of the theater. The detectives quickly cleared all except one—Karl Fitzpatrick, a projectionist who had quarreled bitterly with the manager and had been discharged.

This was a motive, perhaps, but it wasn't evidence. De-

tectives were detailed to Fitzpatrick's home to watch his actions. But he did nothing suspicious and made no effort to visit Rawlins in jail.

Tipton recalled seeing a brown touring car parked near Bay and Ocean the first time he spotted Rawlins. He had paid little attention to it but noticed that it pulled away as he approached.

Touring cars were popular at the time, but very few were brown, so this one should be easy to find. It wasn't. Every officer was alerted, but no brown touring car was spotted on the streets of Jacksonville.

Pope, the socially prominent attorney who had defended Rawlins, was questioned. He said he defended him simply because he had come to the office seeking a lawyer. "If he wants me," Pope added, "I'll defend him again. But I can't tell you anything about him. That comes under the heading of a privileged communication between an attorney and his client."

SHERIFF Merritt ordered a quiet investigation of Pope. Meanwhile, the brown touring car was found—parked in Fitzpatrick's garage. The projectionist was questioned.

"Only someone familiar with the routine at the theater would have known when the money was brought to the manager's office," the sheriff told him. "And somebody in a brown touring car like yours was waiting for Rawlins at Ocean and Bay!"

"It wasn't me. I was at the theater, watching the show, and I can prove it!"

Fitzpatrick did prove it. Reliable witnesses swore that Fitzpatrick was seated in the audience when Hickman was shot and that he remained inside the theater until after Rawlins had been brought in. He couldn't have been the driver of the brown car.

Then the reports came in on Pope. He led a Jekyll and Hyde existence. Though socially popular and presumably wealthy, he was a heavy gambler, a frequent visitor to speakeasies, and a philanthropist who spent lavishly on many women. If he needed money, he could have engineered the theater robbery. But Pope, a brilliant lawyer, could easily refute the charge.

Investigating officers then found a woman who had seen Tipton chasing Rawlins and

had noticed the touring car. Had she recognized the driver? Yes, he was John H. Pope.

Fitzpatrick was picked up again. Yes, he said, Pope had borrowed his car. "But I never dreamed he was mixed up in a crime." Fitzpatrick convinced the officers he was an innocent dupe.

Pope was arrested and indicted. The hitherto silent Rawlins now was eager to talk. This was his story:

The lawyer, who had heavy gambling losses, needed money. When Rawlins was in trouble for stealing a suit, Pope offered to defend him. After the acquittal, the lawyer forced him to join a robbery ring. Pope would set up each case, provide the getaway car, and if any member of the ring were caught, would defend him. There was just one stipulation: Pope's role must be kept secret.

"Pope was a big lawyer, and I figured he would help me," Rawlins concluded. "That's why I wouldn't talk."

The lawyer had heard of Fitzpatrick's argument with the theater manager, so he borrowed the projectionist's car, knowing it might be seen and recognized. But Pope hadn't counted on Fitzpatrick attending the theater that very evening, giving him an iron-clad alibi!

On October 8, 1921, Pope and Rawlins were convicted of first degree murder and given life sentences.

Sheriff Merritt later was asked to explain why he had suspected Pope.

"Pope was a society lawyer who worked for big fees," Merritt replied. "Why did he defend a bum like Rawlins who had no money? Because he wanted to use him later for something illegal."

"But why were you so sure another man was involved?" the sheriff was asked. "You had the actual killer, and you could have convicted him without any trouble."

"Suppose you were trying to run away from a policeman," the sheriff said. "After you had outdistanced him, what would you do? You'd keep on going and get as far away as possible. But Rawlins didn't do that. He came back to the corner of Ocean and Bay—not once, but twice. There had to be a good reason for that. I figured he was waiting for an accomplice to pick him up—the man in the brown touring car."

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