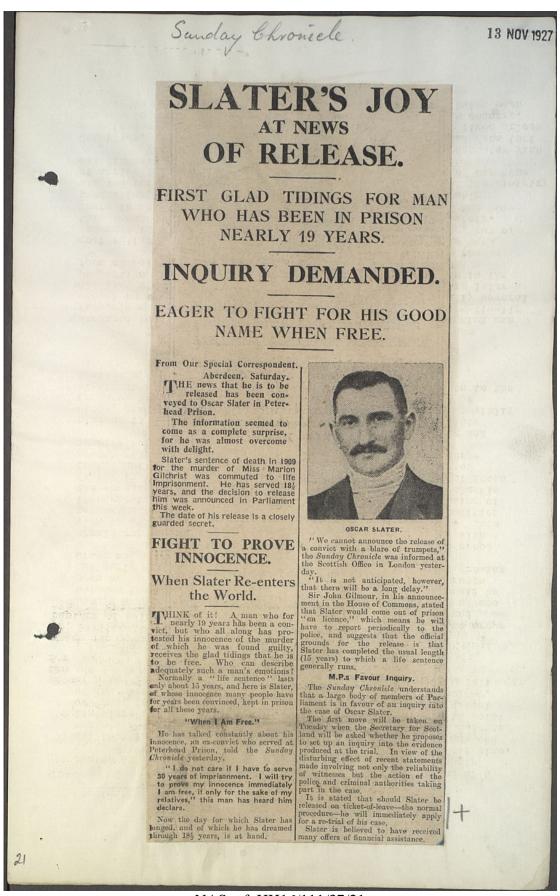
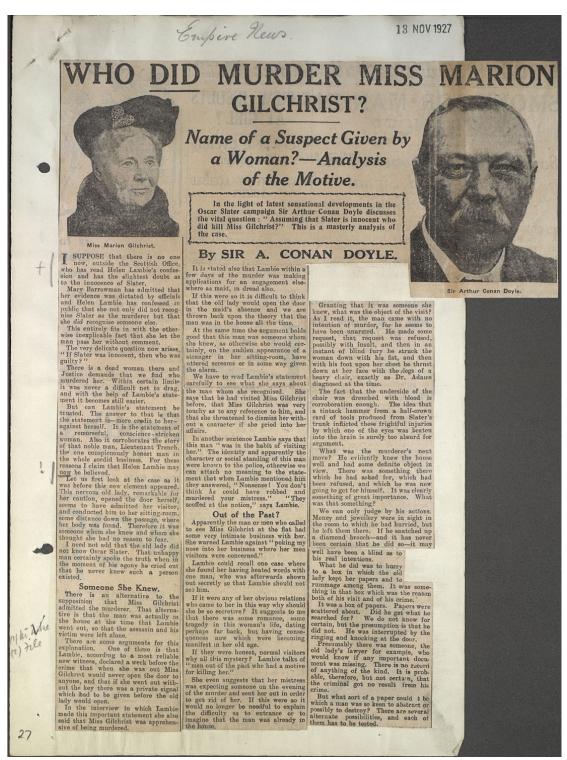


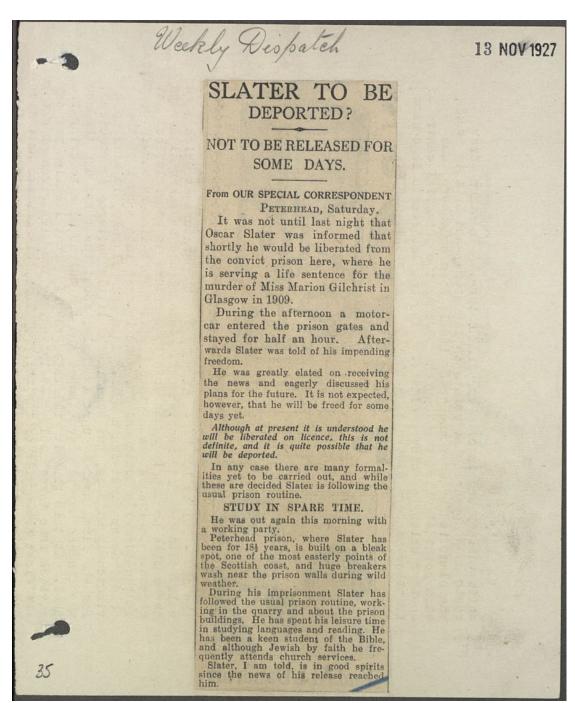
Selection of newspaper cuttings about Oscar Slater (NAS ref. HH16/111/37/21, 27, 35, 48, 54, 57)



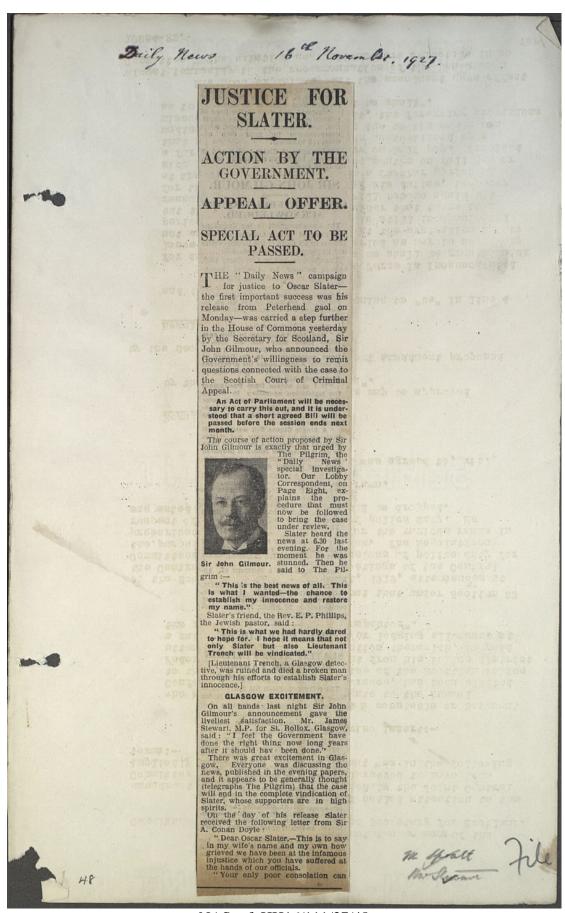
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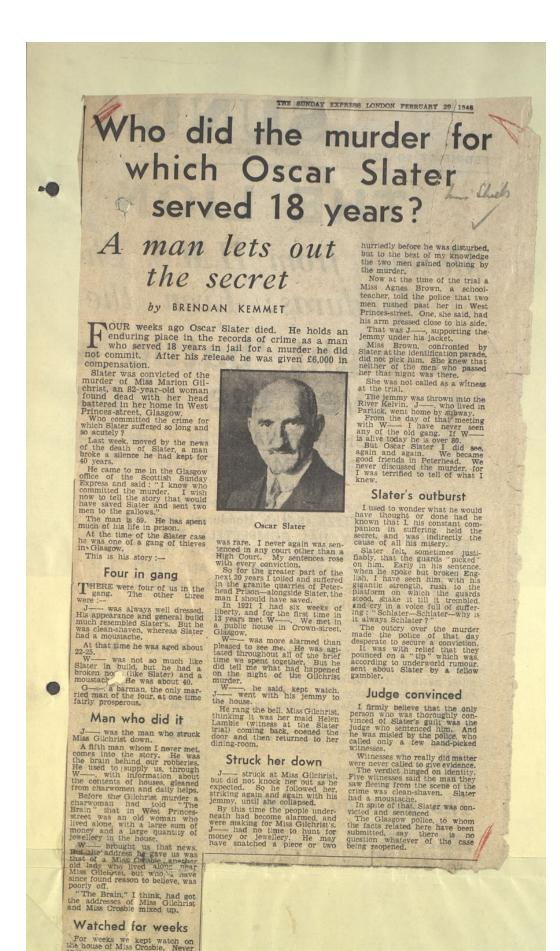
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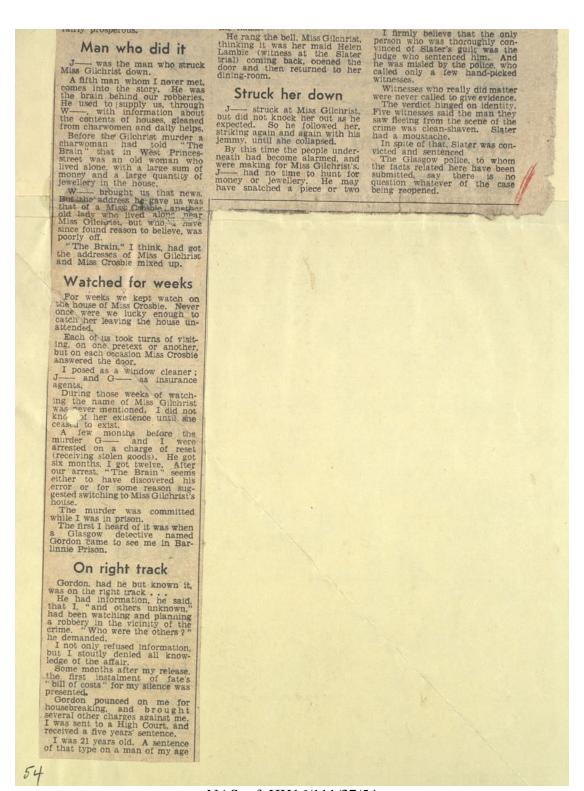
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NAS ref. HH16/111/37/48



NAS ref. HH16/111/37/54



NAS ref. HH16/111/37/54

GLASGOW HERALD

= 2 FEB 1948

OSCAR SLATER'S DEATH RECALLS FAMOUS MURDER TRIAL

Lengthy Legal Battle Against Crown

Oscar Slater, who served 18 years in prison for a murder of which he was wrongfully convicted, died on Saturday at 25 St Phillans Avenue, Ayr, at the age of 76.

Avenue, Ayr, at the age of 76.

In 1909 he was convicted of the murder of Miss Marion Gilchrist at her home in West Princes Street, Glasgow, the sentence of death being later commuted to penal servitude. After a long agitation he was released in 1927, and in 1928 the Court of Criminal Appeal found that there had been misdirection by the Judge.

Since his release from prison he had lived mainly at Ayr. He had been an invalid for three years. Early in the war he was interned for a short time because of his German origin.

Born to Misfortune

Born to Misfortune

The case of Oscar Slater is one of the most famous, if not the most famous of all, in British criminal history, and it is appropriate that it, should have had its first beginnings in obscurity. The man who inherited so much misfortune was born to inherit very little else. So far as appeared at the trial about his origins, he was a German Jew and his name was Oscar Leschziner. To avoid the military service compulsory in Germany, he moved to London, where he made a living as a bookmaker. About this time he also visited Edinburgh and Glasgow on several occasions. In 1902 he married an Englishwoman, but the marriage was not successful. In 1908, the time of the trial, he had been living with a Frenchwoman called Mile. Antoine in circumstances which were commented on by the Judge to the detriment of his law and so won Slater his restitution after 20 years.

Slater and Mile. Antoine had lived a cosmopolitan life between New York, London, and the cities of the Continent, where they ran social clubs. And there were other possible sources of income, for Slater variously described himself as a dentist and as a dealer in precious stones. In 1908 he was living at 69 St George's Road, Glasgow, with Mile. Antoine, His only occupation then, so far as appeared at the trial, was gambling in some of Glasgow's more modest clubs and raising money from a pawnbroker on a diamond brooch. Mile, Antoine's contribution to the household expenses is irrelevant to the heistory.

View of Murderer

View of Murderer

It was a few days before Christmas of 1908 that the sensation broke out which was to last for 20 years. About a quarter of a mile away from Slater's flat the old lady, Marion Gilchrist, lived in West Princes Street with a young servant maid called Helen Lambie. There was nothing remarkable about the household, except that Miss Gilchrist kept a valuable collection of jewellery in her bedroom. On the night of December 21 Helen Lambie went out as usual for the evening newspaper, leaving Miss Gilchrist alone for about ten minutes. While Helen Lambie was away a Mr Adams who lived on the floor below was alarmed by noises coming from Miss Gilchrist's. He ran upstairs to see what was wrong, rang the bell, and got no answer. While he was still at the door need the door and went into the house while Adams stayed on the mat. As Adams stood there a man came from the bedroom in the flat. In Adam's own words at the trial—

I saw the man walk quite coolly till he got past me, then he went down quickly and banged the door all doubt battered to death; and beyond all doubt

In the dining-room Miss Gilchrist lay battered to death; and beyond all doubt Adams and Heien Lambie had seen the murderer for a brief moment.

asked to stop him when he got to New York. That was done. Mr Adams, Helen Lamble, and Mary Barrowman were then sent over to identify Slater. They had no difficulty about the identification, for as soon as Slater was brought in, handcuffed to a U.S. marshal, they cried out, "That's the man." It was stated afterwards that they had been shown a photograph of Slater before they left Glasgow. Slater came back to Glasgow to face his trial.

There was one piece of evidence taken in New York that is of considerable interest. When the question was raised of how the murderer got into the house, Helen Lambie said "Miss Gilchrist must have opened the door," The importance of that statement is perfectly set out by Mr William Roughead in "Knaves' Looking Glass."

When Lambie left the house that night

Mr William Roughead in "Knaves' Looking Glass."

When Lambie left the house that night she closed the street door. It was open when she returned. This could be done in answer to a ring, by a handle within the house door. Miss Gilchrist's invariable custom, if alone in the house, was in such circumstances to look over the banisters—the staircase is wide, open, and well-lighted—and if the bell-ringer was a stranger to her, or some one she did not wish to see, to retreat into her house and shut and bar the door. Slater, as I have said, was a strange-looking man of markedly foreign aspect, the last sort of person whom the old lady would yoluntarily have admitted. The inference is plain: the visitor was known to Miss Gilchrist, otherwise, without two false keys (which no one ever suggested), it was virtually impossible for him to have got into the house.

Curiously enough, this point was never alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and those was a sever alsed at the trial and there was a sever alsed at the trial and those was a sever alsed at the trial and there was a sever alsed at the trial and those was a sever alsed at the trial and there was a sever alsed at the trial and there was a sever alsed at the trial and there was a sever alsed at the trial and the sever and the sever

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The Crown's Case

The case against Slater was quickly built up. Several witnesses came forward

The Crown's Case

The case against Slater was quickly built up. Several witnesses came forward to say that a man had been loitering at the corner of the gardens for some weeks and presumably keeping an eye on Miss Gilchrist's. These were easily able to identify-Slater at a parade when he appeared among a company of typical Scots police and railway men. And in one of Slater's trunks a tack hammer was found that was put in as the lethal weapon.

The preliminaries settled, the hearing began in the High Court of Justiciary in Edinburgh on May, 3, 1909. Lord Guthrie was Judge. The prosecution was led by the Lord Advocate, for Alexander Ure, who later became Lord Strathclyde. He was assisted by Mr T. B. Morison, K.C. later raised to the Bench as Lord Morison, and Mr W. Lyon Mackenzie. Slater's counsel were Mr A. L. M'Clure, K.C., afterwards Sheriff of Aberdeen, and Mr John Mair. The Crown Agent was Mr W. S. Haldane, now Sir William. Slater's agent was Mr Ewing Speirs, a Glasgow solicitor.

counser, afterwards Sheriff of Rosel was Markey John Mair. The Crown Agent was Markey W. S. Haldene, now Sif William. Slater's W. S. Haldene, now Sif William. Slater's agent was Mr Ewing Speirs, a Glasgow solicitor.

The first part of the Crown's case was based on the identification of Slater as the man who had been loitering outside Miss Gilchrist's and as the man who had run away immediately after the murder. Though there was disagreement as to details, the vitnesses thought Slater was that man. The medical evidence by Professor Glaister and Dr Galt indicated that the tack hammer was possibly the weapon used; and Professor Glaister said he had found spots that might be humar blood on a waterproof taken out of one of Slater's trunks, but it was impossible to make satisfactory tests. For the defence Dr Aitchison Robertson said he thought the tack hammer was an unlikely weapon to produce which the contract of the

if the stains on the waterproof were Miss Gilchrist's blood, then he had destroyed the clothes he wore as watcher and kept the waterproof he wore when he committed the murder; (c) that there were discrepancies between Helen Lambie's evidence in New York and her evidence in Scotland. He then reminded the jury of the case of Adolf Beck, who was convicted through identification and sentenced for crimes he did not commit. Lord Guthrie summed up with judicial fairness; but, perhaps with the Lord Advocate's speech in his mind, allowed himself some unfortunate comments on Slater's way of living. The jury took just over an hour to reach a verdict of guilty by nine votes, there being five for not proven and one for not guilty. After a passionate protest by Slater, Lord Guthrie sentenced him to death.

The proportion of nine to six must have been reflected in public opinion. Slater's agent prepared a memorial, and 20,000 persons signed a petition for commutation, which was sent to the Secretary of State, the grounds being that the evidence of identification was insufficient and that Slater's way of life had been given undue prominence. Two days before the execution was due the Secretary of State commuted the sentence to penal servitude for life. Slater disappeared into Peterhead Prison for the next 19 years.

Inquiry Sought

Inquiry Sought

But some eminent persons were dissatisfied with the trial. Mr Andrew Lang, Sir Arthur Conan Doyle, Sir Edward Marshall Hall, Sir Robert Stephen, and others less distinguished feared that there had been a miscarriage of justice. There was correspondence in "The Times" and elsewhere. The record of the trial, published by Messrs Hodge and edited by Mr Roughead, allowed the evidence to be examined in detail. In 1914 a Glasgow solicitor, Mr David Cook, sent a memorial to the Secretary of State for Scotland with application for an inquiry. The following questions were raised:—

1. Did any witness to the identification on the night of the murder name a person other than Oscar Slater?

2. Were the police aware that such was the case?

2. Were the police aware that such was the case? If so, why was the evidence not forthcoming at the trial? 3. Did Slater fly from justice?

Did Slater fly from Justice : Were the police in possession of informa-tion that Slater had disclosed his name at the North-Western Hotel, Liverpool, stating where he came from, and that he was travelling by the Lusitania?

was travelling by the Lusitania?

5. Did one of the witnesses make a mistake as to the date on which she stated she was in West Princes Street?

The Secretary of State then ordered the Sheriff of Lanark, Mr Gardner Millar, K.C., to hold a commission of inquiry. This inquiry was held in Glasgow. The hearing was secret The witnesses were not on oath. Stater was not represented, but the Chief Constable gave the Commissioner every assistance. every assistance.

Detective's Fear

The chief witness at the inquiry was Detective Lieutenant Trench, of the Glasgow police. Trench had been one of Glasgow police. Trench had been one of the officers engaged on the case, and he feared that an injustice had been done to Slater in the matter of identification. Incidentally, it was Trench who broke the case, based on identification, against Warner, who was arrested for the murder of a Dundee woman. Trench was able to prove that Warner had been in Antwerp at the time. Was Slater's an analogous case? Lieutenant Trench thought he had more than analogy to go on. He stated to Sheriff Millar that Helen Lambie had said to a Miss Birrell on the night of the murder that the man who had come from Miss Gilchrist's room was one "A.B.," an acquaintance of Miss Gilchrist. Helen Lambie and Miss Birrell had afterwards denied that Helen Lambie said continued.

NAS ref. HH16/111/37/57

iswer. Robb for Helen Lambie diamond brooch was missing from the diamond brooch was missing from the droom. At the same time some jewels of value were lying quite openly on the dressing table and other jewels in the wardrobe had not been touched. But there was another fact of possible importance—the box in which Miss Gilchrist kept her papers had been opened by some one in a hurry. There were thus two lines of investigation—through the clue of the missing brooch, pointing to ordinary theft as motive; or through the clue of the deed box, pointing to something more intimate. The police decided on the clue of the brooch and stuck to it with almost terrifying persistence.

Girl's Evidence

Information was circulated and produced a message girl called Mary Barrowman, who said she had seen a man run out of the close door at the time of the murder. More: she could describe the man, and did so. After considering her statement along with those of Adams and Helen Lambie the police decided there must have been two men. Later on they gave up that view and concentrated on Slater.

on Slater.

The police information also produced one MLean, a cycle agent, who said that a person called "Oscar," whom he had met socially, had tried to sell him a pawnticket for a diamond brooch. He took a detective to Slater's house and there they found that Slater and Mile. Antoine had left that night for Liverpool with all their baggage. These were suspicious circumstances; but when the police found the pawnshop they also found that the brooch had been pledged a month before, and finally Helen Lambie was able to say it had never been Miss Gilchrist's.

The clue of the brooch had completely failed; and, as there was nothing else to onnect Miss Gilchrist and Slater, the case winst that suspect seemed hopeless.

The clue of the brooch had completely ailed; and, as there was nothing else to connect Miss Glichrist and Slater, the case ainst that suspect seemed hopeless, dentally there was never any proof that er had any dealings with Miss Glichristever, the police refused to let go, offered a reward of £200 for Slater's t and the New York police were

Used Alias

A minor but important part of the evidence dealt with the manner in which Slater had left for New York. The fact that he had registered on the Lusitania as Otto Sando was adduced by the prosecution as a proof of guilt and interpreted by the Lord Advocate and the Judge as a flight from justice. But Mile. Antoine said the alias was intended to put Mrs Slater off their track. One more part of the case must be noticed. Slater's servant maid admitted that Mile. Antoine entertained men at her house both in London and in Glasgow with Slater's acquiescence. Again the Lord Advocate and the Judge made much of that ovidence, with very important results.

made much of that evidence, with very important results.

The case thus rested on four main points—identification of Slater, the hammer and the waterproof, the flight from justice, and Slater's way of life. Mr M'Clure did not put Slater into the witness-box, though he always wished to give evidence on his own behalf.

benair.

The Lord Advocate's speech to the jury was a relentless statement of facts and inferences, and it was one of the best of its kind ever heard in that Court. The tone of the speech is very well expressed in the opening—

Up to yesterday afternoon I should have thought that there was one serious difficulty which confronted you—the difficulty of conceiving that there was in existence a human being capable of doing such a dastardly deed. Gentlemen, that difficulty, I think, was removed yesterday afternoon when we heard from the lips of one who seemingly knew the prisoner better than anyone else, who had known him longer and known him better than any witness examined, that he had followed a life which descends to the very lowest depths of human degradation, for by the universal judgment of mankind the man who lives upon the proceeds of prostitution has sunk to the lowest depths and all moral sense in him has been destroyed and has ceased to exist. That difficulty removed, I say without hesitation that the man in the dock is capable of having committed this dastardly outrage, and the question for you to consider is whether or not the evidence has brought it home to him. Fortunately for Slater, the appeal Judges 20 years later had a more accurate or more scrupulous knowledge of psychology.

Skilful Attack

Mr M'Clure was less impressive than the Lord Advocate, but he examined the various parts of the Crown's case with considerable skill and made some excellent points—(a) That Slater-had first been suspected on a false clue; (b) that if he were the watcher outside the house, and

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official information to Slater's agent,
It was in 1925 that the Slater case was revived through the publication of William Park's "The Truth about Oscar Slater." This book marshalled the various theories as to what happened in a way that increased public misgiving and strengthened the demand for another investigation. Meanwhile Slater was set free after 18 years in Peterhead. In November of 1927 the Government passed a retrospective Act allowing Slater to present his case before the new Court of Criminal Appeal, and in June of 1928 the last hearing began. The judges were:—The Lord Justice-General (Clyde), the Lord Justice-Clerk (Alness), and Lords Sands, Blackburn, and Fleming, The Lord Advocate (Watson) appeared for the Crown and Mr Craigle Altchison, K.C., for Slater.

for Slater.

The appeal was something of a disappointment, for Helen Lambie—married and in America—refused to appear and could not be compelled. But medical evidence was led as to the possibility that Miss Gilchrist was killed with a chair that stood by her body; as to the conditions in which witnesses identified Slater in New York; and, with regard to the "flight from justice," that Slater had registered in his own name in the Liverpool hotel.

Misdirection Appeal

The high-light of the appeal was Mr Craigie Aitchison's presentation of Slater's case. The Lord Advocate contented himself with reasons why the verdict should stand. After consideration the Court refused all grounds of appeal except the last, which was misdirection by the judge; but on that point the Court decided:—

the Court decided:—

It is manifestly possible that, but for the prejudicial effect of denying to the appellant the full benefit of the presumption of innocence and of allowing the point of dependence on the immoral earnings of his partner to go to the jury as a point not irrelevant to his guilt of Miss Gilchrist's murder, the proportion of nine to five for "guilty" and "not proven" respectively might have been reversed. In these circumstances we think that the instructions given in the charge amounted to misdirection in law and that the judgment of the Court before whom appellant was convicted should be set aside.

The rest of the story was an anticlimax. The Secretary of State for Scotland paid Slater £6000 as restitution. So at last the case ended and Slater lived out the rest of his days in obscurity and peace.

NAS ref. HH16/111/37/57