

Chapter 1

A Matter of Motive

The rich and famous are typically driven to murder by the kinds of personal motives that contribute to any murder, such as love, jealousy, power, success, money, and prestige. What is different are the circumstances that distinguish how these motives play out.

Consider money. The rich and famous, used to dealing with large sums, are generally motivated by large amounts of money, killing perhaps for an inheritance or a business gain of hundreds of thousands or millions of dollars. By contrast, middle- and low-income killers might kill for much smaller amounts—say a few thousand or more at the middle-income level or a few hundred or even less for those with low incomes. Then, too, for someone with a lot of money, the thought of losing one's fortune and the social connections or prestige that go along with that money can be a reason to kill.

Similarly, ideas of power, success, and prestige are defined differently. For example, a slight or an exclusion from an exclusive club, which a person without wealth or prominence could not even consider joining, could trigger a response. An example is the Molineux case, described in this chapter, where a member of an elite New York society club developed an enduring hatred for another member, which led to murder. Another reason a very successful wealthy person might be led to murder is if he (and commonly it is a male when achievement or job success is the motivator) feels someone is standing in his way of job advancement or threatens to topple him from an already achieved high position. For a rich and powerful women whose source of wealth and high status is through marriage or being the mistress of a wealthy and

powerful man, the trigger may be a rivalry for her husband's or lover's affection, leading her to kill her husband, rival, or both, before a divorce can take away that money and status.

Still another difference is that feelings of love and jealousy are often intertwined with motivations for success, money, and power, such as when a woman's love for her husband is, in part, due to his money and lifestyle. In such a case, when a rival threatens or he is losing interest in her or wants his freedom, she may be motivated by losing both his love and the good life to which she has become accustomed. Alternatively, for the wealthy man, feelings of love are often tied to feelings of power that often arise because money commonly provides status, authority, and the ability to pay for whatever one wants. Thus, a wealthy man losing a mistress or a wife might not only feel threatened by the loss of love, but of his power over her, as illustrated dramatically by the Capano case, described in Chapter 4, where a high-powered prominent lawyer, unwilling to let a former mistress go after she was eager to move on and marry someone else, turned into a stalker and ultimately a killer.

Certainly, those such as the controlling husband or the wife who fears losing her comfortable suburban life as well as her husband, who are not rich and famous may be influenced by a mix of love, jealousy, and financial or power motives. But the rich and powerful have more money and power, and often those motives become far stronger motivators than love. For example, a wealthy man may decide that it is time to get rid of his mistress, though he has loved her, because she threatens his social position and status.

Then, too, the rich and famous are typically motivated to commit murders directed toward a particular victim, so usually these are one-on-one murders or, at most, murders involving two victims (such as a spouse and a lover). And usually the victim has a close personal relationship with the perpetrator.

Finally, as explored more fully in Chapter 9, there are the murders that spring out of cases where the rich are losing it mentally or financially and kill due to delusions, paranoia, or a desperate effort to hold onto the wealth and status they have once known. Still other reasons for losing it might be living a double life or engaging in kinky sexual activity that leads to the threat of exposure or blackmail, although such cases often involve outwardly ordinary middle-class people, too.

The following cases illustrate the way these more personal motives of love, power, honor, and money play out for the rich and famous. While there are many dozens of cases to choose from, I have chosen two cases from different time periods—the first, from early in the twentieth century, shows how a slight to honor and respect, mixed with love and jealousy, can lead to murder (the Molineux case); the second, from mid-century, shows how the threat of losing a life of luxury and one's high social position, along with love for someone else, can result in murder, too (the Mossier case).

**A MATTER OF LOVE AND HONOR:
THE CASE OF ROLAND BURNHAM MOLINEUX
(NEW YORK, NEW YORK, 1898–1902)**

Roland B. Molineux, an aristocrat of old New York, not only killed once, but twice, and each time with a different motive. The first time was out of love and jealousy, when one man threatened to take away the woman he wanted to marry; the second time was when a fellow member of an elite New York club demeaned him with petty insults and humiliations. Unfortunately, Molineux's search to restore his honor in the second instance backfired and led to an investigation into his first murder as well. His problem was that the second time around he poisoned the wrong person; her death launched an investigation that led the police to him and resulted in two trials that were the talk of turn-of-the century New York.

The case began a few days after Henry Cornish, the athletic director of the posh Knickerbocker Athletic Club in New York, received a bottle of Bromo Selzer in the mail shortly before Christmas. It came in a pale-blue box that looked like a gift from Tiffany's, one of the most fashionable stores in the *city*. Inside he found a silver toothpick-holder in the shape of a two-inch-square candlestick, and beside it he saw a one-ounce blue bottle of Bromo Seltzer, which could fit into the holder. Though a small envelope lay in the box, it contained no card, so he couldn't tell who sent the package.¹

Cornish thought the package a Christmas joke and presumed that a friend had playfully sent it to caution him not to drink too much over the holidays. His fellow Knickerbocker Club members similarly thought it a joke when he showed it around. But who sent the gift? At his assistant's suggestion, he pulled the manila wrapper from the wastebasket and cut off the address, hoping he might eventually recognize the handwriting and identify the prankster. Though he didn't notice it at the time, the envelope held an important clue: the address number at 45th and Madison was misspelled as "fourty." Later, this error would provide a crucial clue for investigators.²

A few days later, on December 27, Cornish brought the present home to his boardinghouse and showed it to his landlady Mrs. Katherine Adams, also his widowed aunt, and her daughter Mrs. Florence Rodgers. Then, he put the bottle in his room, along with the wrapper. When Mrs. Adams awoke the next morning with a splitting headache, her daughter remembered the Bromo Selzer and asked Cornish to give some to her mother. Graciously, he poured her a glass with about a half-teaspoonful of medicine. As Mrs. Adams drank some, commenting that it tasted bitter, Cornish drank a bit of what remained, commenting that it tasted all right. But unfortunately, it wasn't.³

A few minutes later, after Cornish had returned to his room, Adams went into convulsions. She vomited, writhing and screaming in pain, and fell un-

conscious on the floor. Mrs. Rogers knocked urgently on Cornish's door, begging him to come quickly. Minutes later, they sent a boy out to get Dr. Edwin Hitchcock, who soon arrived with a stomach pump and emergency bag. But by then, Mrs. Adams was near death, lying almost motionless on her back. Meanwhile, Cornish began retching, with the same symptoms as Mrs. Adams, though not as severely.⁴

Dr. Hitchcock quickly suspected the medicine. To check, he tasted a bit of the remaining powder by putting a drop on his finger against the tip of his tongue. Soon he felt a slight nausea, though this quickly passed. But Cornish, who had sipped a little more, was ill for days.⁵

Meanwhile, as Cornish recovered over the next few days, the police, led by Detective Carey, began to investigate. At first, they considered a simple manufacturing flaw in the Bromo Seltzer and sent it out for testing. But after the results came back, they discovered the bottle contained cyanide of mercury, one of most deadly drugs known. The press had already started following the story, and now it began to speculate about who could have been the poisoner, surmising that Cornish was the intended victim because the package was sent to him. So who might have hated him enough to have sent it?

Detective Carey and the other police officers wondered, too, and they went to the Knickerbocker club to ask club members who might want to harm Cornish. Several club members recalled that a former club member, Roland Molineux, had had several run-ins with Cornish. Perhaps, he might have continued to hold some ill-feelings toward Cornish after resigning his membership in the club.⁶

Yet, the conflicts seemed strangely trivial. Could they have really inspired murder? In one case, Molineux, a champion gymnast and member of the club's athletic committee, had asked Cornish to order a certain type of horizontal bar, but Cornish didn't order it. Molineux had also complained to other members that Cornish let athletic members and their guests use obscene language around the club swimming pool, which offended Molineux's aristocratic sensibilities. Then, perhaps most humiliating of all, Cornish had shown he could lift heavier weights in a dumbbell-lifting contest.⁷ Eventually, Molineux told the board members to fire Cornish or he would resign, and when the board members refused to fire Cornish, that's what he did—he resigned from the club in 1897.⁸ Could such minor incidents possibly be a motive? police wondered.

To find out, the police began to look into whether Molineux could have sent the package. They soon found a suggestive lead in the address on the manila package Cornish had received. Two club members, secretary John D. Adams and club steward Andre Bustanoby, thought the handwriting on it looked a little like Molineux's. So, a few days later, the police called Molineux in for questioning, and the morning newspaper reported their interest with the headline: "The Police Want Roland B. Molineux."⁹

At first, Molineux showed his eagerness to cooperate. The next day, he and his father, the prominent Civil War general, Edward Leslie Molineux, showed up at the home of the Chief of Detectives, Captain McClusky. At once, Molineux insisted he had nothing to do with sending any package to harm Mr. Cornish, and because there was no evidence that he had sent it, Captain McClusky let him go.

Then came some tantalizing new evidence. When the police interviewed the club doctor Wendell C. Phillips, he remembered that about a year prior another club member, Henry C. Barnet, had died from symptoms similar to Cornish's. As Phillips explained, Barnet had taken a dose of another patent medicine called Kutnow powder, and it had been mailed to Barnet anonymously.¹⁰

Soon, the police located Barnet's doctor, Henry Douglass, and questioned him about Barnet's death, which had never aroused earlier police suspicions because it had been considered a natural death at the time. As Douglass explained, he had given the medicine bottle the powder came in to a chemist for analysis and learned it contained cyanide of mercury. But because he had believed that Barnet died of diphtheria, he didn't make the connection between the cyanide poison and Barnet's death. Thus the report was never sent to the police."

Returning to the club, the police learned even more suspicious details. Now club members told them that before Barnet died, he had taken an interest in a beautiful young woman named Blanche Cheeseborough and was courting her. But Molineux was attracted to her, too, and a few weeks after Barnet's death in October 1898, Molineux married her.¹² Was his death just a fortunate coincidence? Or was it Molineux's way of eliminating the competition? the police wondered.

After more questioning, the police discovered that Molineux's father, the general, was not only a chemist but also the superintendent of Morris Herrmann and Company, a factory across the river from Manhattan in Newark, New Jersey. It manufactured dry colors, using all kinds of chemicals. One was cyanide of mercury.¹³

The police learned that before Barnet died and Cornish fell ill, someone had established a fictitious letter-box account in the names of both men at a post office on 42nd Street—the Barnet box in May 1898 and the Cornish box on December 21, 1898. Significantly, the Cornish box was opened just two days before Cornish received the Bromo Seltzer bottle. Whoever opened these boxes used the two men's names to place a number of orders, as the mailboxes' proprietor Nicholas Heckmann reported.¹⁴ What orders? One order, as the police discovered, was for Kutnow powder for Barnet; several other orders were for a cure for impotence and other patent medicines.

Then, in looking more closely at the correspondence, Detective Carey noticed several misspellings, and one in particular caught his attention. The

writer had misspelled the word "forty" as "fourty"—just as it was misspelled on the package sent to Cornish. Another piece of the puzzle came when Heckmann identified Molineux as the renter of the box and reported that Molineux had stopped in about two dozen times to pick up mail and packages. The police additionally found that Molineux's handwriting on the box rental slip also seemed to match the handwriting on the Cornish package.¹⁵

But even if Molineux had sent the package, worked in a paint factory, and had a motive due to jealousy or anger, did he actually poison the medicine? There was still no clear proof of a crime, a problem that often arises in rich and famous cases involving deceptive and surreptitious methods.

Detective Carey was determined and continued his investigation. Then, he found even more convincing proof. He located saleswoman Emma Miller at the Hartdegen jewelry store in Newark, who told him that she remembered selling the silver toothpick holder to a man in a Vandyke beard—a man who was looking for something to hold a Bromo Seltzer bottle.¹⁶ Because Molineux had such a beard, that was another persuasive bit of evidence.

Meanwhile, the Newark police, who were assisting with the investigation, found still more evidence when they spoke with an employee who worked with Molineux, Mary Melando. She said she recognized the light-blue stationery used to order the medicine for impotence. She had previously seen it in Molineux's office, she explained to a detective.¹⁷ At a police inquest, Molineux had denied ever seeing such a letter, but Melando's comment contradicted him. Could Molineux explain it away?

Angrily, Molineux insisted he was innocent, claiming that Heckmann, the rental box owner, had set up a plot to extort him. Because Molineux and his family had the resources to put up an extended fight, a long, ex-pensive battle to keep Molineux from going to trial ensued. His father put up far more than the \$200,000 the prosecution spent trying to convict him—equivalent to spending millions today. Also, Molineux had a good high-power attorney, Barlow S. Weeks, to represent him.¹⁸

Soon the legal wrangling turned to fighting about the evidence, although ultimately Molineux's motivation would come into play, as each side sought to show why Molineux, a highly respected member of New York society, would or would not have had a reason for committing the crime. Though motive might not be one of the elements in proving the crime, it would play an important part in convincing the jury to accept either the prosecution or the defense theory of the case.

Initially, all of this legal maneuvering helped to delay the prosecution, always a helpful strategy for the defense. Then, as now, the effort to delay the trial was a usual defense strategy, because with delays, evidence can be lost or degraded, witnesses' memories can fade, and the defense can find more supportive witnesses to create reasonable doubt. To this end, Mo-

lineux's lawyer first convinced the judge to dismiss a February 1899 grand jury indictment by arguing there wasn't sufficient evidence for an indictment. Why? Because, he argued, the handwriting wasn't admissible, since one of the samples was sent through the mail, and there was a question of who sent the letters signed by Cornish and Barnet.¹⁹ Additionally, he raised suspicions about Heckmann, suggesting he might be an escaped prisoner from Nashville named Percy Raymond who was trying to set up Molineux. In response, a Tennessee lawyer claimed there was a plot to take Heckmann from New York State to prevent him from testifying.

While the complications were being sorted out, the first judge decided to dismiss the first grand jury indictment and turned the matter over to the next grand jury.²⁰ So now Molineux's fate rested in the hands of the new jury members.

Finally, in July, after New York Supreme Court Judge Pardon C. Williams ruled that the handwriting could be admitted if determined genuine, the grand jury decided to indict Molineux. So at last, on December 4, 1899, Molineux went to trial before Judge John W. Goff at the Court of General Sessions of the Peace.²¹

As an eager press followed the story, it was an epic battle for the next eight weeks. Using the evidence Carey and other detectives had collected, District Attorney James W. Osborne tried to show how Molineux had created a grand scheme to get rid of his two hated enemies: Cornish, as well as Barnet. Poor Katherine J. Adams, Cornish's landlady, had simply been an inadvertent victim because Cornish happened to give her the Bromo Selzer for her headache.²²

But could Osborne prove that Molineux planned to get rid of his enemies? One battle was over whether Heckmann was correct in claiming that Molineux rented the letter boxes or whether another man rented them. An even bigger battle was over the handwriting, which had only recently become admissible evidence in any court. Osborne brought in fourteen expert witnesses who said the handwriting definitely was Molineux's, but Weeks attacked their credibility.²³ Then, it was time for the defense's presentation, but instead of presenting any defense, Weeks immediately began his closing arguments, claiming the prosecution had not established its case. He argued that the prosecution was trying to build a case based on the dubious claims of so-called experts, and he concluded by dramatically throwing down the gauntlet: "Find Molineux guilty of murder in the first degree or nothing."²⁴ It was an audacious ploy to show that Molineux was so sure of his innocence that the jurors couldn't help but agree.

Would the ploy for innocence work? Unfortunately, no, because seven hours later, the jurors unanimously found Molineux guilty, and the judge sentenced him to the Tombs prison in New York and the death house at Sing Sing. Molineux looked shocked as he heard the verdict, and just before the sentence was announced, he stood up, protesting his innocence.

journalists put a price on my head," he charged, claiming that Heckmann had been co-opted by this money to testify falsely against him. As he put it, this price was "an invitation to every blackmailer, every perjurer, every rogue, every man without principle but with a price, and to that invitation Mr. Heckmann responded."²⁵

But Molineux had the resources to keep fighting and was able to hire a good lawyer and pursue an appeal. As a result, while Detective Carey had no doubts of Molineux's guilt, in 1901, Molineux's appeal was heard by the New York Court of Appeals and the court unanimously reversed his conviction and ordered a new trial. Why? Because Molineux's lawyer successfully convinced the judges that the trial court erroneously let in hearsay testimony from Barnet's physician, who described how Barnet had gotten the Kutnow powder in the mail and became ill after taking it. The court ruled that Barnet wasn't sufficiently ill at the time for his statement to be considered a dying declaration and therefore admissible hearsay. In addition, the court said that the prosecution couldn't bring in any evidence about Barnet's death because the crime wasn't charged in the indictment. Also, the judges raised questions about the letter-box correspondence and the fictitious names, suggesting that it was a stretch to use them to link the two victims.²⁶ In short, the judges ripped the heart out of the prosecution's case.

As a result, when Molineux was retried in October 1902, after spending eighteen months in the Tombs, much of the evidence against him was excluded. The prosecution couldn't introduce any evidence related to the Barnet poisoning and could only introduce six of the Barnet letters that did not refer to the poisoning to compare these with the letters to Cornish. Also, Mary Melando, key witness against Molineux when she described seeing the blue stationery to order a cure for impotence in his office, re-fused to appear. And because she lived in New Jersey, the prosecution couldn't compel her appearance in New York.²⁷

Molineux's other trump card was that this time he appeared on the stand, and he impressed everyone with his confident aristocratic bearing when he described how he was visiting a Columbia University professor on the day the poison package was mailed. Additionally, he confidently denied writing any of the letters to Barnet or Cornish, and he even claimed he had never heard of cyanide of mercury. He put on a magnificent performance, and after twelve minutes of deliberation, the jury found him not guilty.²⁸

After that, Molineux never went back to the paint business. Instead, he became a writer of poetry, plays, and stories, and he based one of his books *The Room with the Little Door* on his experiences in the Tombs, using his writing to help restore his tarnished reputation and regain his standing in New York society. In *The Room*, he described how he had been falsely identified by a "blackmailer" or "crank" by "the yellow newspapers, hungry for sensation,"²⁹ and he decried the false testimony of the so-called handwriting experts. As he put it:

The handwriting expert passes no examination, and possesses no diploma. He need not even procure a license.... The expert in handwriting may have your life, liberty, and fortune in his hands; but he comes from—where? Who taught him? Who has tested or examined him as to his knowledge or accuracy? . . . All scientific things are recognized by these great colleges and universities. The study of questions arising from disputed handwritings is recognized in none of them; hence this study is not, at least as yet, a science. . . . it is based on the theory of probabilities; it is mere speculation . . .

In courts of justice no experts should be allowed to plead for the side they espouse. . . . Their opinions are tintured by retainers. . . . The expert will declare it a tracing should his retainer dictate; otherwise not; but whichever way he testifies can never be proved wrong.³⁰

He concluded his argument for innocence by imagining a duel between himself and his former prosecutor, Osborne, who had won the first round. Molineux described it as a battle between the bludgeon against the rapier. But in this second round, though Molineux came from his cell, where he had been shut up for nearly four years, looking "pallid and wasted," in the end he made an "excellent witness" and "gave an impression of utter sincerity." In fact, Molineux used this text to deny he had any motive for these crimes. As he explained, he had only given the woman Barnet pursued, Blanche Cheeseborough, a friendship ring shortly after Barnet had died. Thus, there had been no impropriety in his attentions to her, no motive to kill Barnet—she had just been a friend. But instead, Osborne had used the story of the ring as part of a devious plot to destroy him. But finally, in the battle of the bludgeon and the rapier, he had won.³¹

Thus, with any guilt or motive for killing explained away, Molineux resumed his aristocratic place in society, at least for awhile. Though his first wife Blanche divorced him, he remarried. He even became a reporter for several newspapers, covering murder stories, and one of his plays about prison life, *The Man Inside*, was produced by the theatrical impresario David Belasco in 1913. Unfortunately, though, that same year, he had a nervous breakdown and was committed to an insane asylum in Babylon, Long Island; and the following year he was found running away without trousers, wearing only a running shirt and a bathrobe. He was committed to another asylum, the Kings Park State Hospital, where he died in 1917.³²

So did Molineux commit these murders? Did he have the motive to do so? Almost assuredly he did. But with the power of upper-crust money and the confident bearing of an aristocrat, he escaped conviction, though he kept on trying to convince the world of his innocence through his writing. And ironically, despite all his protests about the power of handwriting to destroy, his handwriting is what gave him away in the first trial.

FOR LOVE AND MONEY: THE CASE OF CANDACE (CANDY) MOSSLER (MIAMI, FLORIDA, 1964–1966)

The Candy Mossier case is a perfect example of the woman, married to a very wealthy older man, whose motives are money, freedom from the relationship, and a desire to be with someone else. The case had all the elements that would turn it into a front-page story as the 1964 version of the trial of the century—"incest, adultery, money, greed, passion, hatred."³³ The charge? Mossler, a platinum blonde and bouncy 39-year-old woman, was accused of killing her husband, Jacques Mossler, with the help of her nephew and lover, Melvin Powers. To defend herself, she hired a team of five lawyers, led by the formidable legal powerhouse, Percy Foreman, who mounted a strong and spirited defense.

The case began in the early morning of June 30, 1964, when Candy, claiming a severe migraine headache, left her apartment at the exclusive Governor's Lodge in Key Biscayne, Florida, at 1 a.m. to take her four adopted children, who ranged in age from eleven to twenty, for a car ride to a hospital emergency room. But was this really her reason or was it an excuse to be out of the house when the murder occurred? After a long, meandering drive, she returned to her apartment at 4:30 a.m. There, she found her husband, Jacques, lying dead on the floor, in a pool of blood resulting from thirty-nine stab wounds and a massive blow that fractured his skull.³⁴ Possibly, the blow was from a large shattered ceramic swan that was on the floor near the body, though later prosecutors would claim the weapon was a large Coke bottle obtained from a nearby bar. Also, the police found a bloody palm print on the kitchen counter.³⁵

At once, after finding the body, Candy called to report the homicide, and soon after, the police arrived and began questioning Candy and the neighbors. They soon learned that at about 1:30 to 2:00 a.m., the neighbors had heard thumps and screams from Candy's apartment, as well as the loud barking of the Mossler's boxer, Rocky, who the police found chained to the kitchen doorknob. One neighbor down the hall, Mrs. Peggy Fletcher, reported hearing the plaintiff cry: "Don't—don't do that to me!", after which the dog began to bark. Then, as she went to the door to find out what was going on, before opening it, she heard the door close across the hall, followed by the sound of footsteps walking down the hall. Afterward, she heard the intruder running down the concrete outer stairway. According to the neighbors who heard the footsteps, they sounded heavy, like those of a man.³⁶

Meanwhile, to help deflect any suspicion from herself, Candy was quick to suggest to the detectives what might have happened. She told police that Jacques might have been killed by a homosexual lover or someone he had met at the beach, since he had this secret sex life and often brought his lovers home.³⁷ And early on, the police did arrest a suspect who was gay, though they quickly released him after questioning. Additionally, they

picked up a few other suspects, including a man found near Key Biscayne dressed in bloody clothing, who claimed he had been beaten up by a gang of teenagers.³⁸

However, very soon, the police had other evidence that pointed to Candy and her 24-year-old nephew Melvin Powers, who ran a trailer sales lot in Houston that Mossler financed. Among other things, they learned that Candy appeared to be having an intimate relationship with Powers. They also discovered a note from Mossler that stated: "If Mel and Candace don't kill me first, I'll kill them"; in addition, they found a match between Power's palm print and that left on the kitchen counter. Thus, on the theory that Powers had flown from Houston to Florida, killed Mossler, and returned to Houston within forty-eight hours, the police arrested Powers.³⁹

Immediately, Candy flew back to Houston, where she and Mossler had another of their luxurious homes. There she hired a top lawyer, Percy Foreman, to defend Powers. At the time, Foreman was the most famous criminal lawyer in Texas, known for his great success in keeping defendants in murder cases out of prison or from getting the death penalty.⁴⁰

A few weeks later, Candy was herself arrested, accused of "being the brains behind the murder" whereas "Mel was the brawn."⁴¹ Now she brought in her own team of four lawyers, consisting of two lawyers from Houston, Clyde Woody and Marian Rosen, and two well-known Miami lawyers, Harvey St. Jean and Henry Carr. The four then combined forces with Foreman, who headed up the defense. For about a year, Powers fought against being extradited from Texas to Florida for the trial, but finally, on January 16, 1966, the trial began with jury selection.⁴²

Meanwhile, as Candy and Melvin remained free on \$50,000 bail each, the newspapers and news magazines began the build-up that would turn the trial into a media circus. It had all the elements. One was the very brutal murder of Jacques Mossler, a millionaire with three luxurious homes in Miami, Houston, and Chicago who had made his fortune in oil and had investments in banks and finance companies. Another was the beautiful and flamboyant Candy, who looked like an aging Hollywood star. Before marrying Jacques in 1948, she had run away from her poor Georgia home, been a model, and owned her own modeling agency in New Orleans.⁴³ Additionally, there were salacious allegations that Candy had been having an incestuous relationship with her nephew and that she and Jacques had an unusual family arrangement with ten children. Jacques had four grown daughters from his first marriage; Candy had two very attractive children from her last marriage; and together, Candy and Jacques had adopted four teenagers, who had become homeless orphans after their father, a mentally disturbed war veteran, had killed their mother and was committed to a mental institution.⁴⁴

And that intriguing background was just for starters. As the trial unfolded, there would be reports that Jacques had been leading a secret and perverse life that included hookers, transvestites, and gay lovers. At the

same time, Candy proved to be a glamorous, easy-to-talk-to interviewee for reporters, beginning with her arrival for the trial at the Miami airport. There she met the hordes of reporters waiting for her and turned on her southern charm, as she "declared her innocence and her faith in the good people of Dade County."⁴⁸

Though Candy firmly denied the allegations that her nephew Melvin Powers was also her lover, her claims were questioned when reporters asked about some letters to Powers in which she called him "darling" and expressed her love. But she had a ready answer for that, claiming that she used these words of affection for everyone, or as she put it: "I write to everyone, 'Darling,' I love you. I want you in my arms.' I say the same thing to my lawyer. It doesn't mean I really love him." ⁴⁶ She even told reporter Theo Wilson in an interview that her alleged love letters, with phrases like "I love you" and "I miss you," were simply the comments of a "loving aunt."⁴⁷ Yet the suspicion lingered, especially when reports surfaced that Powers had described how he had gotten his aunt to give him all sorts of favors—such as giving him good clothes and a good car—by performing oral sex on her, or as he put it: "scarfing" her.⁴⁸

Needless to say, such lurid tidbits made great copy, and the public ate it up. Theo Wilson and other reporters even wrote a song to the tune of "Frankie and Johnnie Were Lovers," called "Candy and Melvin Were Lovers" which featured the popular sentiments about the couple and spread around the world.

So as the trial proceeded, even the press and public believed that Candy and Melvin, as lovers, had a good reason for getting rid of Jacques, especially because Candy would inherit his millions.

But what would the jury decide?

Foreman immediately sought to get a more receptive jury pool by making sure that the jurors would not be likely to convict if they believed the defendants had engaged in adultery, fornication, or incest and would be open to separately considering whether there was reasonable doubt of a homicide. Thus, to eliminate jurors who might be swayed to convict if morally offended, Foreman repeatedly asked each prospective juror: "If you were satisfied there had been adultery, fornication, an incestuous relationship beyond a reasonable doubt, but were not satisfied that the prosecution proved homicide, would you convict them of murder?"⁴⁹ Eventually, the jurors who were selected did agree that they could tell the difference between such allegations and homicide.

The prosecution case was relatively straightforward and compelling, showing a strong motive of love and money, backed up by strong evidence of guilt. The prosecution team, which included Arthur Huttoe⁵⁰ and Richard Gerstein,⁵¹ argued that Powers had killed Mossler at Candy's request, so **that** she would inherit over \$7 million after his death and then be free to marry.⁵² By some accounts, the prosecution showed that Mossler's estate was worth much more—over \$200 million in gross value, \$22 million net.⁵³ Whatever the amount, this was a huge amount of money, as the

argued, and therefore the prospect of losing it was a strong incentive to kill.

Presumably, Mossier had discovered their affair and was planning to seek a divorce and drop Candace from his will. So that's what prompted Powers to fly from Houston to Miami, where he drove the white car he obtained from Candy, which some witnesses had seen in the area. Then, the prosecution argued, several hours before the murder, Powers had gone to the Stuffed Shirt Lounge, located on the way to Key Biscayne, where he had ordered a drink and asked the bartender for a large empty Coke bottle. After this, he had gone to the Mossier house to kill Jacques, while Candy was driving to the hospital and back with her children from 1:00 a.m. to 4:30 a.m. to provide an alibi. Finally, after the murder, he had driven the car back to the airport and returned to Houston.⁵⁴

Based on these facts, as lead the prosecutor Huttoe emphasized to the jurors, the motive was clear: "The motive for this murder was a personal hatred of the deceased by Melvin Lane Powers and a sordid, illicit love affair between the deceased's wife and her sister's son."⁵⁵ Plus there were the millions of dollars to be reaped from Jacques's demise, half of which would go to Candy.

To back up this theory, the prosecution provided plenty of supporting evidence. For one thing, Power's fingerprints were not only in the car, but in the bloody print on the kitchen counter. Some witnesses saw a man with dark hair running away from the apartment and/or driving a white car, much like the one Candy had driven in the afternoon.⁵⁶ The prosecution also introduced several witnesses who spoke about Candy's earlier efforts to find someone to kill her husband, including one witness, William Frank Mulvey, who claimed that Candy had given him \$7,500 to murder her husband, though he never carried out the killing, nor intended to do so. Further, Mulvey claimed that after he was sent back to prison for another crime, he had met Powers there and Powers had boasted about killing Mossler.⁵⁷

Additionally, the prosecution brought in witnesses to testify that Candy and Powers did have a hot and steamy relationship. One ex-convict, Ed-ward Bart Diehl, described how he and his wife worked as caretakers on Jacques's ranch near Galveston, Texas, and how his wife cleaned up a trailer that Candy and Mel used, which was "always a mess," with beds that were left rumpled and unmade into the middle of the day. He claimed that Powers had once described the affair to him, explaining that he could get good clothes and a good car from Candy and "all he had to do was scarf her," which Diehl translated as to "eat her box"—in other words to satisfy her

through oral intercourse. Then, "he could get anything he wanted," Diehl explained.⁵⁸ And one handyman, Earl Martin, testified that not only did Powers offer him some fast money to kill Candy's husband, but that he had seen Candy at Power's office kissing and hugging him in her car.⁵⁹

Thus, the prosecution built what seemed to be a very strong case to show not only motive, but the acts in which the defendants engaged, which demonstrated both their affair and their acts to carry out the murder plot.

But then, led by Foreman, the defense struck back, presenting its own theory of the crime and attacking every bit of evidence the defense presented. The bloody palm print? Why shouldn't it be in the house, since Powers was a business associate of Jacques and perhaps he could have innocently cut himself, say on the kitchen knife? Besides the print could have been there for days. The witnesses claiming offers for a hit job? They were not to be believed because they were shady criminals, and Mulvey was not only a known drug addict with many convictions, but also he would easily lie to get out of prison. And he couldn't have heard anything anyway, because his cell was four cells away from Power's cell and they never spoke.⁶⁰ Moreover, on the dates when one witness, Arthur Grimsley, a mail-order minister serving time in the Arkansas State Penn, testified that Powers told him he was living with a relative and they wanted her old man killed, Powers was in the hospital for several operations.⁶¹

On and on Foreman's attack on the prosecution theory and witnesses went. The high point of the defense came in an attack on Jacques's character, coupled with intimations that any number of people who hated Jacques could have killed him. As Foreman described him, Jacques was an "insatiable sex pervert" and a "ruthless pirate" hated by thousands of people,⁶² thereby setting himself for either blackmail or murder. Among his vices were engaging in transvestism, homosexuality, voyeurism, masochism, and sadism.⁶³ When Candace testified, she added to this seedy profile by describing how her husband would bring many of the men he picked up back to the house, which is why she thought he was murdered. As she explained, in her soft, gentle southern drawl that made her sound so sweet and innocent:

My husband, unfortunately, very unfortunately, just picked up strangers. The children and I would walk into the apartment and the house would be full of strangers. They were young men, mostly, and they'd just clear out as soon as we walked in. . . . He'd just pick them up, sailors and young men, on the beach and in bars, in restaurants, on the highways.⁶⁴

Alternatively, if the killer wasn't one of Jacques's low-life sex partners, Foreman suggested that he had plenty of people from his business dealings who might hate him and want to kill him. Among them were dozens of auto dealers that he had ruined, thousands of people whose cars were repossessed, and many unhappy former employees.⁶⁵

In short, Foreman used the tried-and-true strategy of many defense lawyers: he attacked the victim and planted ideas about other killers to get the jurors to forget about the likely motivation of his own clients. Moreover, since he was working with four other lawyers, Foreman was able to give the last closing argument, normally reserved to the prosecution, because he had not called any defense witnesses himself. He had left that role to the four other lawyers representing Candy, and in his closing argument, he spoke for almost five hours, powerfully advocating the defense theory,

which attributed the motive to kill Jacques to potentially thousands of sex partners, disgruntled employees, and business associates.

So who would prevail? It was a long, tormenting wait of over sixteen hours because the jury initially deadlocked. But after a number of ballots, the jury returned with a "not guilty" verdict, finding insufficient circumstantial evidence to convict.⁶⁶ Candy was joyous, and as she left the courtroom, she kissed members of the jury, as well as Powers and Foreman. Later, she had a big victory acquittal party celebration, and her children went around the room with one of the big murder trial posters to collect signatures.⁶⁷ It was a total win, for now that the trial was over with an acquittal, Candy was free to inherit her husband's \$33 million real estate and banking business. She turned it into Candace Mossier Enterprises, which became an empire worth over \$100 million by the late 1960s.⁶⁸

Her relationship with Powers was soon over, however, though she did not want to talk about what happened. She had put that "regrettable circumstance in Florida," as she referred to the trial, behind her⁶⁹ and was ready to move on. When she married again a few years after the trial, it was to an electrician, Barnett Wade Garrison, who was eighteen years younger than she was. Oddly, though, he suffered a strange fall from the house in 1972. When he returned home one night and found the door locked, he tried to climb up to an unlocked window on the third floor. But as he climbed using only one hand, because he had a small automatic pistol in the other, he slipped and fell, sustaining a two-week coma and permanent mental damage. His reason for climbing with a pistol wasn't clear. Could he perhaps have had a motive for attacking Candy? Whatever the case, the marriage ended in divorce in 1975, and a year later Candy died, after an overdose of sedatives. Despite her glamorous appearance at her trial a decade before and great business success, she had become a drug addict over the years.⁷⁰ But at least for a time, her motive for murder had brought her the fortune and freedom from Mossier she craved, even if she didn't gain the love of Powers, which seemed to be one of her motives, too.