

An Observance Of Trifles

You know my method. It is founded upon the observance of trifles.

(Arthur Conan Doyle)

snell's interminable ramblings about the canon

The Return of Sherlock Holmes

Adventure XXXIII -- The Adventure of Black Peter

The Adventure Of Black Peter--The Victorian Enron?!?

The Adventure Of Black Peter is about two (or three) criminals in pursuit of one goal.

One of them is a drunken lout who terrorizes his family, assaults the local pastor, and (*allegedly*) murders a man for financial gain. His is not the most interesting story.

Another criminal is also a sailor, an admittedly blackmailer who killed the first criminal in (*allegedly*) self-defense. Again, his is not the story that most engages my interest here.

No, what really intrigues me here is the father of **John Hopley Neligan**, and the financial shenanigans he was involved here.

Allow to share an extended passage, with a few asides deleted, where the younger Neligan describes the scandal that enveloped his family years ago:

"Well, I will tell you," he said. "Why should I not? And yet I hate to think of this old scandal gaining a new lease of life. Did you ever hear of Dawson and Neligan?"

...

"You mean the West Country bankers," said [Holmes]. "They failed for a million, ruined half the county families of Cornwall, and Neligan disappeared." "Exactly. Neligan was my father."

...

"It was my father who was really concerned. Dawson had retired. I was only ten years of age at the time, but I was old enough to feel the shame and horror of it all. It has always been said that my father stole all the securities and fled. It is not true. It was his belief that if he were given time in which to realize them, all



would be well and every creditor paid in full. He started in his little yacht for Norway just before the warrant was issued for his arrest. I can remember that last night when he bade farewell to my mother. He left us a list of the securities he was taking, and he swore that he would come back with his honour cleared, and that none who had trusted him would suffer. Well, no word was ever heard from him again. Both the yacht and he vanished utterly. We believed, my mother and I, that he and it, with the securities that he had taken with him, were at the bottom of the sea. We had a faithful friend, however, who is a business man, and it was he who discovered some time ago that some of the securities which my father had with him had reappeared on the London market. You can imagine our amazement. I spent months in trying to trace them, and at last, after many doubtings and difficulties, I discovered that the original seller had been Captain Peter Carey, the owner of this hut."

...

"In any case, if I could prove from Peter Carey's evidence how these securities came on the market it would be a proof that my father had not sold them, and that he had no view to personal profit when he took them."

Well, well. There a *lot* to digest here.

First, let me say that I take some *comfort* in knowing that failing banks ruining the lives of massive numbers of families isn't a new phenomenon. It's not, as some like to opine, some result of ethical failures unique to those *terrible, ethically-challenged post-Baby Boomers*. 120 years ago, the same thing was happening. [Yes, I know this is merely a fictional case. But certainly **Sir Arthur Conan Doyle** used this as a plot point because such things did occasionally happen in Victorian England.]

The next thing to note is, the story we're given is *filtered through the memories of a ten year old boy eager to believe in his father*. Of course young Neligan going to accept his father's claims of innocence! Of course he's going to believe any odd piece of "evidence" will clear his father's name, when it does nothing of the sort. So we shouldn't be too hard on John because his story is almost certainly being hogwash.

There are many possible reasons for a bank to fail--poor investments, bad loans that are never repaid, poor economy, mismanagement, bad luck--that don't rise to the level of criminality. Yet the younger Neligan's story doesn't tell us *why* the bank collapsed, which may in and of itself be an indication that something was awry--if the bank failed for a "*legitimate*" reason, wouldn't he eagerly be offering this information, to help clear his father's name?

Yet the elder Neligan fled the country "*just before the warrant was issued for his arrest.*" Now, that doesn't mean he was automatically guilty--we've certainly seen plenty of times in the **Canon** when the authorities went after the wrong man. But it does indicate that the police must have had *some* evidence that this wasn't just a typical bankruptcy.

His son's insistence that the father didn't "*steal*" the securities, but just took them overseas to "*realize*" them and pay off the firm's creditors, shows an ennobling amount of child-like faith. Yet aside from the obvious question of why you would go to Norway to best sell off stocks in North American and Latin American companies, the fact is those stocks were stolen. When **Dawson & Neligan** failed, it would have gone into *court-controlled bankruptcy*, and the *court-appointed receiver* would have control of those securities. It was his duty to take those stocks, "*realize*" them, and distribute those proceeds to the creditors. It was no longer the elder Neligan's job to reimburse the creditors. There was *no reason* to try and do it himself. Did he think the British receiver incompetent? Even if he thought he could somehow get more money for the stocks in Norway, there is no reason the receiver couldn't have done that.

We should also question the story on this basis: if the bank had enough stocks to covers the losses ("*failed for a million*"), *then they wouldn't have collapsed*. Just sell them and pay your creditors and go quietly out of business. This makes the decision to steal away abroad, ahead of the law, *even more suspicious*, and harder to believe that it was an honest collapse, and not embezzlement or worse, by the elder Neligan.

Seriously, although ten year old Neligan couldn't see it, the whole story *stinks to high heaven*. To put it in a modern context: say that after the **Enron** collapse, **CEO Kenneth Lay** is caught *fleeing in his yacht to Guatemala* with a briefcase full of the company's only real assets just before the arrest warrant is issued. Would *any* sane adult believe a story that he was just going so he could sell off these assets there and give the money to the people whose lives he had ruined, and he'll be back soon, promise?

That's simply *not* the way an innocent man behaves. The arrest warrant, the panicked plight, the stealing of a million dollars worth of securities--*everything* points to the elder Neligan being guilty of some malfeasance, whether it is embezzlement or fraud or some Ponzi scheme. And whatever the full story, he played a part in "*ruining half the county families of Cornwall.*" That doesn't mean he deserved to die, but it defies belief to think that he was some innocent Samaritan trying to help his poor creditors.

And sadly for John Neligan, recovering the securities from **Peter Carey** could in no possible way "*prove*" that his father "*had no view to personal profit when he took them.*" It would just prove that Carey had them. Even if Carey *had* stolen them from Neligan, that doesn't *in any way prove* that Neligan wasn't planning on selling them for himself once he got to Norway, had the theft (and murder) not taken place.

It's unclear how informed **Holmes** on the disposition of such financial doings--his declaration that **Inspector Hopkins** "*must return the tin box*" to Neligan is ridiculous, of course. Those securities belong to the bank's creditors, not the elder Neligan's heir.

This case involves a pair of murders. But it also involves financial shenanigans that ruined the lives of hundreds or thousands of people. And Holmes shows the attitude that sadly seems to still prevail today--go after the killers, but let the robber barons keep their ill-gotten gains with little punishment...

OTHER TRIFLES AND OBSERVATIONS:

****Meanwhile, there are the 2 murders.**

The "*facts*" are these. The elder Neligan was lost at sea. He used rescued by the **Sea Unicorn**. One night, Peter Carey killed him, throwing him overboard, in order to get the securities he carried with him. Years later, the sole witness to this act, **Patrick Cairns**, tracked down Carey to blackmail him. In a drunken rage, Carey tried to kill Cairns, so Cairns slew him in self-defense.

And yet, *all of that--100% of that*--comes from Patrick Cairns, a man who has a definite motive to lie.

Cairns is facing the gallows, and has two hopes for a lighter sentence--to claim self-defense, and to claim that Carey himself was a vile murderer who deserved to die, so he was just saving the state "*the price of the rope*." Pretty clearly, then, Cairns has strong reason to shade the truth, or outright lie.

Should we trust the word of an admitted blackmailer and killer? There are reasons to be skeptical of Cairns' story.

First of all, we have an important question: Why didn't Carey sell *all* of the stocks he took from Neligan? We're told that "*the great majority*" of the stocks had not yet been sold. Why was Carey hanging on to them? Saving them for old age? Waiting until the "heat" was off before cashing more in?

Perhaps. But one could also propose that Carey had a partner in the murder of Neligan, and he was holding the stocks until that partner returned. Cairns, perhaps?

Secondly, the pages for that month's logs of the Sea Unicorn were torn away. John Neligan didn't tear them away--he was *looking* for them. Did Carey rip the out, in a clumsy attempt to hide his guilt?

But Cairns *also* had access to the books in Carey's "*outhouse*," after he killed Carey. And if those logs implicated him Cairns in Neligan's murder, then he had ample motive to rip them out that night.

Certainly, we've no evidence for these suppositions--but mainly because Cairns *conveniently killed the only other witness* to the events.

As to the self-defense, Cairns' own words tell us that Peter Carey was very drunk, and *hadn't even unsheathed his knife*. Was he really a threat to Cairns? Or was Carey attempting to pull his knife in self-defense when Cairns came at him with the harpoon?

I'm not going to argue that it is a certainty that Cairns is far guiltier than he lets on. But this alternate tale--Cairns partnered with Carey in the murder of Neligan, and years later killed Carey in a fight between partners--fits what little evidence we have *just as well* as Cairns' story. And as a blackmailing blackguard himself, there is ample reason to be skeptical of Cairns' self-serving statement.

Sherlock Holmes should have been far less trusting of his tale, and, as he chided Hopkins for not doing, "*look for a possible alternative, and provide against it.*"

******When Cairns took the infamous tin, he found "*nothing but papers that I would not dare to sell.*"

Why not? Carey sold some of them. Was Carey that much more *financially savvy* than Cairns? Did Cairns *really* think the tin box held a fortune in cash, or jewels? I suppose this disproves my theory above--if Cairns really was this ignorant about the contents of the tin, he couldn't have been a partner with Carey in the whole affair...

******By the way--thank you, Sir Arthur, for giving us two characters with such *easily confused* names. Peter Carey and Patrick Cairns? Would you like to know how many times I mixed them up while writing this?

Of course, **P.C.** are common enough initials, so I can't object to the coincidence of both characters' having them. Yet Doyle could have named one of them, oh, I don't know, **Pinky Clydesdale**, to distinguish them more, and reduce the confusion of poor readers and bloggers.

******Two more of Holmes' unrelated cases: "*his famous investigation of the sudden death of Cardinal Tosca--an inquiry which was carried out by him at the express desire of His Holiness the Pope--down to his arrest of Wilson, the notorious canary-trainer, which removed a plague-spot from the East End of London.*"

****Watson** confirms that Holmes frequently worked for little remuneration--although we should note that the doctor tells us the Sherlock "*seldom*" claimed "*any large reward,*" both important qualifiers to at least partially rebut those who claimed that Holmes for *free*.

But the more interesting point might be how much Sherlock *spent himself* on cases *he wasn't even hired for*.

Remember, Holmes had been investigating this case for quite awhile before he even had a client. Apparently, after reading the newspapers' account of the inquest, he dedicated himself to solving the case, even though he hadn't been contacted by Inspector Hopkins yet. At the end of the affair--that is, on his second day of official involvement--Holmes sighs that the case has "*haunted me for ten days.*"

In that time--again, with no client--Holmes took it upon himself to put a lot of effort into this investigation for eight days before he was even invited--harpoons, fake captain, fake expeditions, ads. In his own words:

I spent three days in wiring to Dundee, and at the end of that time I had ascertained the names of the crew of the SEA UNICORN in 1883. When I found Patrick Cairns among the harpooners, my research was nearing its end. I argued that the man was probably in London, and that he would desire to leave the country for a time. I therefore spent some days in the East End, devised an Arctic expedition, put forth tempting terms for harpooners who would serve under Captain Basil--

Add in the time he spent trying to harpoon a pig at the butchers, and you have Holmes making a huge investment of time, and money, investigating a case in which he isn't even involved in!! Three days of wiring, setting up fake ads and a fake expedition, paying rejected seamen candidates a half sovereign each, paying the butcher for the pig, buying a harpoon...That's *a lot of spending* on a case where he had no expectation of being hired.

If that was typical of Holmes in this era, it's little wonder he was eager to take the reward that the **Duke of Holderness** offered in **The Priory School**. If the man was willing to part with his money so freely, why *shouldn't* Sherlock use it to finance the out-of-pocket expenses on his private investigations?

****"Captain Basil"**--c'mon, admit it, you *immediately* thought of **Basil Fawlty**, didn't you.?

****Meet Inspector Hopkins**--this is our first encounter with the detective, even though he's apparently known Holmes for quite awhile, and become something of a protegee to Sherlock.

It's refreshing to see a **Scotland Yard** man who is not resistant to Holmes methods (even though they're all willing enough to take his results!), and even embraces them. And Holmes seems to respond well to the mentor's role. Even when he chides Hopkins, it's much more *gently* than his rebukes to other Yard men.

Until he's away from Hopkins, of course. Then Sherlock is far more *blunt* in his evaluations:

At the same time, Stanley Hopkins's methods do not commend themselves to me. I am disappointed in Stanley Hopkins. I had hoped for better things from him.

Dude, not so harsh!!

****Carey slept in an "outhouse"**--*heh heh*.

Childish laughter aside, it is a fairly *telling* character detail--a man so inured to life at sea, he cannot sleep unless it is a room made up to look exactly like a ship's cabin.

You could play it up as a *moral*, I suppose--even with the money Carey stole when he killed Neligan, he *couldn't* buy himself anymore happiness than he already had, as captain of a vessel. Even after purchasing a nice estate, he couldn't bring himself to sleep there. Guilt over his crimes? Or just so conditioned by the life at sea that he simply couldn't adjust to life on land?

And contrast it with Cairns', who couldn't wait to get "*free of the sea for life*." I have to wonder if Cairns would have slept well had he escaped with his treasure, or if he, too, would have had to make a shelter from life on land...

Why was Peter Carey so hard to track down? It was *12 years later*--why did it take Cairns and Neligan so long to track him down? Granted, he "*travelled for some years*"--but he lived at **Woodman's Lee for six years. It's not as if he was living under an assumed name...and he fairly infamous in his community. It couldn't have been hard to track him down, could it?

Of course, that just heightens the *unlikely* and *enormous* coincidence that, after years of searching, both Cairns and Neligan found Carey--within days of each other. And that Neligan just happened to show up moments after Cairns killed Carey.

**Times have changed a bit, I guess.

Holmes focuses on the rum as a clue, asserting that *no one but a sailor* would drink rum when whiskey or brandy was available.

Perhaps that may have been true in Victorian England. As the manager of a liquor store, however, I can tell you that it is most certainly not true in 2015 in America. Indeed, in my experience, a good 75% of college aged youth (near to John Neligan's age) would never, *ever* drink brandy or whiskey if rum were available.

**The tobacco pouch clue is simultaneously a *great clue* (Carey didn't smoke, there was no pipe) and a *great red herring* (the initials). That's crackerjack mystery writing there. Well done, sir Arthur.

The police initially dismiss the testimony by the stonemason **Slater of seeing a stranger in Carey's cabin two nights before the murder. It was before the murder, it was through the trees, at some distance, and Slater had been at the pub drinking.

Yet Holmes gives *100% credence* to Slater's sighting. All of the above objections still exist, though. Under such conditions, could Slater really have made a firm negative identification from a silhouette on a window shade? And even if Slater was correct, that fact that person A was in the cabin on Monday *doesn't* prove that person B didn't commit the murder on Wednesday. (It also doesn't prove that person B wasn't *also* in the cabin on Monday, merely away from the window...)

Cairns' confession means that Slater's testimony wasn't necessary, of course. But for the purposes of Holmes' deductions, it does seem *a very slender* thread upon which to hang "Neligan couldn't have done it."

****Holmes:** *"My good Hopkins, I have investigated many crimes, but I have never yet seen one which was committed by a flying creature."*

So much for those who would give us a **Holmes Vs. Dracula** pastiche...

****It is good to see Holmes taken aback by the revelation of the notebook.**

Sherlock Holmes's face showed that he was thoroughly taken aback by this new development.

"I must admit both your points," said he. "I confess that this notebook, which did not appear at the inquest, modifies any views which I may have formed. I had come to a theory of the crime in which I can find no place for this.

Of course, this clue, while vital, leads Hopkins in the wrong direction. It does *"give them for the first time some indication of the motive."* But it also points Hopkins to Neligan who, while present in the cabin, was not the murderer.

Holmes manfully admits that he, too, might have been led astray in the investigation had he learned of the notebook and its stock listings from the beginning. He succeeded *"[s]imply by having the good fortune to get the right clue from the beginning."*

It is interesting to hear Holmes admit the role that *chance* might play in an investigation, and in a detective's flow of logic, and how sometimes even the right evidence can lead to the wrong conclusion, if you don't properly understand the context.

****Hopkins to a captured Neligan:** *"If you have no answer, it may go badly with you at the trial."*

So much for the right to remain silent...and *"the magnificent fair play of the British criminal law,"* of which Watson was enamored back in **The Dancing Men...**

****The capture of Cairns:**

"Shall I sign here?" he asked, stooping over the table. Holmes leaned over his shoulder and passed both hands over his neck. "This will do," said he. I heard a click of steel and a bellow like an enraged bull. The next instant Holmes and the seaman were rolling on the ground together. He was a man of such gigantic strength that, even with the handcuffs which Holmes had so deftly fastened upon his wrists, he would have very quickly overpowered my friend had Hopkins and I not rushed to his rescue. Only when I pressed the cold muzzle of the revolver to his temple did he at last understand that resistance was vain.

This is essentially *the exact same ruse* and set-up that Doyle used in the capture of *Jefferson Hope* in **A Study In Scarlet...**

****Hopkins:** *"I am the pupil, and you are the master."* Getting dangerously close to quoting **Star Wars** here.

Someone, quick--write a fanfic where Hopkins takes what he learns from Holmes and becomes a crime lord. When confronted, he tells Holmes, "*When I left you I was but the learner. Now, I am the master!*" "*Only a master of evil, Hopkins!*" replies Holmes.

Yes, I should be severely beaten for that.

***"If you want me for the trial, my address and that of Watson will be somewhere in Norway--I'll send particulars later."*

What the heck?!? This comes out of *nowhere*. Was this a *planned* vacation? Can it be a mere coincidence that, suddenly, Holmes is keen on traveling to Neligan's planned destination? Did he deduce some lead on where some more of the missing securities might be?

Cairns had just told Holmes moments earlier that the crew of Neligan's yacht had "*made for the Norwegian coast in a dinghy.*" Can it possibly be *just a coincidence* that Holmes immediately announces, out of the blue, a trip to Norway?

Or maybe Sir Arthur was just teasing us...?

Brian Keith Snell
February 15, 2015