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Book Review

THE HIRED KILLERS. By Peter Wyden. New York: William Morrow & Co., 1963.
Pp. xv, 236, \$4.50.

This interesting book, introduced by a famous psychiatrist, Dr. Karl Menninger, and an outstanding lawyer, Senator Estes Kefauver, has been written by a distinguished journalist, who is now a senior editor of *McCall's* magazine and has had experience in reporting sensational criminal trials. It attempts an analysis of a certain type of criminal: one who, though not a professional killer, commits a murder for hire in which he has no personal interest. An amateur job, so to speak. Only incidentally does the author deal with the professional hired killer, attempting to distinguish him from the hired amateur. But the analytical part of the book does not appear to be its strong side. In the reviewer's opinion the author did not succeed in tracing a general psychological picture of all those amateur killers for hire whose shocking deeds he describes. This is different with the factual contents of the book, which present the lurid details of two sensational cases of rather recent date, the California murder of Olga Duncan by Gus Baldonado and Luis Moya, who were hired by Elizabeth Duncan, the victim's mother-in-law, and the Florida murder of Judge Curtis Eugene Chillingworth and his wife by Floyd Holzapfel and Bobby Lincoln, hired by Joe Peel, another Florida judge. Only incidentally does the book mention a third sensational case where the would-be hired killer cheated his employers and collected the price for a murder which the hiring parties were finally forced to commit themselves. This is the California case of Dr. R. Bernard Finch and his receptionist-mistress Carole Tregoff, who were found guilty of the assassination of Dr. Finch's wife.

Though both the Duncan case and the murder of Judge Chillingworth and his wife made newspaper headlines, the highly sardonic facts of those heinous crimes were never so colorfully brought out or described in such a fascinating way as in Mr. Wyden's recital. Nor are they contained in the official court reports which, generally, are almost exclusively concerned with legal questions, but not with factual details.¹ Both cases are startling in various respects. In the Duncan-Baldonado-Moya case it is not only the

1. For the Duncan-Baldonado-Moya case see *People v. Duncan*, 53 Cal.2d 803, 350 P.2d 103 (1960); *People v. Baldonado*, 53 Cal.2d 824, 350 P.2d 115 (1960); *People v. Moya*, 53 Cal.2d 819, 350 P.2d 112 (1960). No official report of the case concerning the murder of Judge Chillingworth and his wife has been found. But see *State v. Peel*, 111 So.2d 728 (1959), concerning a related case.

extraordinary cruelty of the perpetration of the crime which is extremely shocking, but also the fact that several people of no criminal background and apparently of good moral reputation knew of the preparation of the murder including the hiring of the killers without notifying the authorities of the scheme and, in part, even aiding and abetting it. It is true that Mrs. Duncan, Baldonado and Moya were found guilty, sentenced to death and executed. It seems however that none of the other persons implicated in the conspiracy were ever punished or even prosecuted.

In the Peel-Holzapfel-Lincoln case the judicial result is highly unsatisfactory, since only Holzapfel was sentenced to death. Judge Peel was sentenced to life imprisonment although he was the instigator and was the only one who had a motive for committing the crime. Lincoln was not even prosecuted but was granted immunity to serve as a witness for the prosecution. It would seem that granting immunity to one of the direct perpetrators of such a heinous murder in order to have him available as a witness against his accomplices, is highly repugnant to the feeling of justice and the ideal of equality before the law, and that such practice is not sufficiently vindicated by the increased possibility of convicting the co-conspirators. However this may be in general, certainly the Chillingworth murder case and the treatment accorded Lincoln presents an extreme instance of questionable bargaining practices in the administration of criminal law.

The foregoing observations should be sufficient to show that Mr. Wyden's book is not only a fact-crime thriller wherein reality matches the suspense of fictional crime stories, but also makes most interesting reading to lawyers concerned with the legal aspects of the gruesome facts.²

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2. For a Missouri case involving this subject see *State v. Brown*, 360 Mo. 104, 227 S.W.2d 646 (1950).

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