

The Project Gutenberg eBook of The Crime of the Century; Or, The Assassination of Dr. Patrick Henry Cronin, by Henry M. Hunt

This ebook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this ebook or online at www.gutenberg.org. If you are not located in the United States, you'll have to check the laws of the country where you are located before using this eBook.

Title: The Crime of the Century; Or, The Assassination of Dr. Patrick Henry Cronin

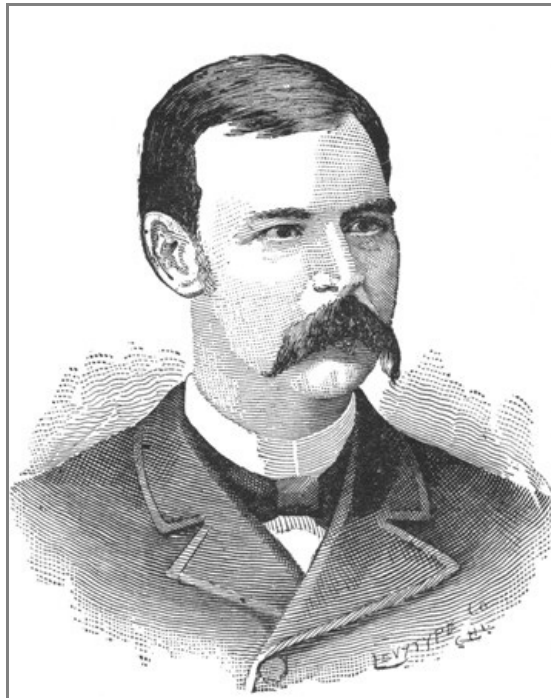
Author: Henry M. Hunt

Release Date: May 25, 2010 [EBook #32533]

Language: English

*** START OF THE PROJECT GUTENBERG EBOOK THE CRIME OF THE CENTURY; OR,
THE ASSASSINATION OF DR. PATRICK HENRY CRONIN ***

E-text prepared by Juliet Sutherland
and the Project Gutenberg Online Distributed Proofreading Team
(<http://www.pgdp.net>)



FROM A PHOTOGRAPH TAKEN JUST BEFORE THE MURDER.

P. H. Cronin U.S.A.

THE CRIME OF THE CENTURY

OR,
The Assassination of Dr. Patrick Henry Cronin.

**A COMPLETE AND AUTHENTIC HISTORY OF THE
GREATEST OF MODERN CONSPIRACIES.**

BY
HENRY M. HUNT,
THE NOTED JOURNALIST.

PROFUSELY ILLUSTRATED WITH ORIGINAL ENGRAVINGS.

**APART FROM ITS VALUE AS A HISTORY OF A CELEBRATED CASE,
THE STORY ITSELF IS OF THRILLING AND
FASCINATING INTEREST.**

COPYRIGHT 1889,
BY
H. L. & D. H. KOCHERSPERGER.

PREFACE

[Pg v]

This volume is not intended as an addition to the criminal literature of the country. It has not been published solely for the pleasure of those who delight in devouring morbid tales of crime and criminals. It rather owes its existence to a general demand from all parts of the United States, from the Canadas, from Great Britain, and from many points on the continent of Europe, for a complete, concise, and accurate story of one of the greatest of modern crimes and the events connected therewith. The reports of the public press, while of the most searching and elaborate character, have nevertheless been of necessity so disjointed, fragmentary and confusing, covering a period of over seven months, each day and week replete with new discoveries and new sensations, as to make it well-nigh impossible for even the most careful reader, with unlimited time at his disposal, to grasp or comprehend anything more than the barest outline of this remarkable case. The object of this volume therefore, is to present in consecutive form and as a complete narrative all the facts which have been brought to light from the day of the disappearance of Dr. Cronin, to the close of the trial of those accused of his murder. Many circumstances have combined to make the task a difficult and laborious one, but the results are submitted in the belief that as the only effort of its kind, it will prove not only a story of thrilling interest to the general reader, but also valuable, by its accuracy and continuity, as an historical work.

[Pg vi]

THE AUTHOR.

CONTENTS.

[Pg vii]

CHAPTER I.

A Crime That Shocked the Civilized World—The Mysterious Stranger—A Sudden Summons—The Instincts of Humanity Triumph over Personal Considerations—Last Moments at Home—Parting Words with a Friend—Dr. Cronin's Eventful Life—How He Worked His Way Upward on the Ladder of Honor and Fame, 15

CHAPTER II.

Dr. Cronin Fails to Return Home—Anxiety of His Friends—The Early Morning Ride to the Ice House—O'Sullivan's Surprise and Ignorance—The Mysterious Wagon and Its Occupants—A Bloody Trunk is Found—The Search Commenced—"It is His Hair," 27

CHAPTER III.

An Accidental Clue—Frank Woodruff's Arrest—How He Was Hired to Get a Wagon to Carry the Mysterious Trunk to Lake View—A Corpse is Dumped Out—He Thinks It was That of a Woman—His Sensational Confession—The Police on a Wild-Goose Chase, 46

CHAPTER IV.

"It is a Conspiracy"—Dr. Cronin's Friends Claim the Murder was a Political Assassination—The Public Skeptical until Startling Developments Are Made—The Physician in Danger of His Life for Years—Previous Attempts to Remove Him—The Trouble in the Clan-na-Gael—Charges and Counter Charges—The Buffalo Convention—Why His "Removal" became a Necessity to Certain People, 57

[Pg viii]

CHAPTER V.

Strange Influences at Work—Miss Anna Murphy Thinks She Saw the Doctor on a Street Car—His Long and Mysterious Ride with Conductor Dwyer—Reporter Long also Encounters Him, This Time in Toronto—The Police and Public Satisfied, but His Friends Still Anxious—Efforts to Prove Him a British Spy—A Big Reward Offered 101

CHAPTER VI.

Hoping against Hope—The Stench in the Sewer—"Murder Will Out"—A Ghastly Discovery—Where the Body was Found—The Recognition by Captain Wing—Its Horrible Appearance—Evidences of a Foul Crime—The Corpse at the Morgue—Pitiable Scenes of Grief—The Official Autopsy—The Brutal Way in Which the Physician had been Done to Death 126

CHAPTER VII.

The Crime Creates An International Sensation—Discovery of the Lonely Cottage Where the Irish Nationalist Met His Death—Evidences of a Terrible Struggle—The Tell-Tale Blood Stains and Broken Furniture—The Mysterious Tenants and Their Movements—The Furniture Bought and Carted to the Assassins' Den—What Milkman Mertes Saw—The Plot as Outlined by the Surroundings—Iceman O'Sullivan Under Surveillance 154

CHAPTER VIII.

The White Horse and Buggy—Detective Coughlin Hires It for a "Friend"—The Trouble in the Stable—Dinan Goes to Schaack—The Captain's Peculiar Movements—Scanlan Identifies the Horse—The Detective and O'Sullivan are Jailed—The Grand Jury Indicts Them with Woodruff—The Accused Arraigned in Court 195

CHAPTER IX.

The Lying in State—An Impressive Scene—The Imposing Procession—At the Cathedral—An Eloquent Voice from the Pulpit—Clerical Denunciation of the Crime—Laid to Rest in Calvary Cemetery 220

[Pg ix]

CHAPTER X.

The Coroner's Inquest Opens—A Model Jury—Visiting the Scene of the Tragedy—Taking the Evidence—Captain Schaack's Compromising Admissions—Prominent Clan-na-Gael Men put on the Stand—Alexander Sullivan's Threats—Luke Dillon Tells What He Knows—The Documents Left by the Murdered Man Read by the Coroner—A Sensational Inquiry 236

CHAPTER XI.

Closing Scenes of the Inquest—The Verdict—Alexander Sullivan's Arrest Ordered—Midnight Visit to His Residence—His Cool Demeanor and Cheerful Acquiescence—Taken to the County Jail—Incidents of the Arrest 259

CHAPTER XII.

At the Toronto End of the Conspiracy—Investigating Long's Circumstantial Stories, and His Interviews with Dr. Cronin—A Chicago Fugitive Concerned—His Suspicious Movements—A Chapter of Startling Coincidences—Long on the Rack—Makes Damaging Admissions but will not Retract—The Object to Distract Attention from the Scene of the Crime—Another Confession from Woodruff 275

CHAPTER XIII.

Sullivan's Arrest Creates a Sensation—His Friends Stand by Him—The Noted ex-Irish Leader in Court—Efforts to Secure His Release—Judge Tuley Gives Him His Liberty—Arrest of Maroney and McDonald in New York—Their Extradition Refused 292

CHAPTER XIV.

Officer Collin's Suspicions—Martin Burke and His Record—Fortunate Discovery of the Photograph of a Clan-na-Gael Group—The Carlsons and Others Identify Burke—His Peculiar Movements and His Flight—An Indictment against Him—The Capture in Winnipeg, when *En Route* to England—Stubborn Fight to Prevent His Extradition to American Soil—The Law Triumphant—A Memorable Journey Home—Preliminaries of the Trial—A Separate Trial Granted Woodruff 303

[Pg x]

CHAPTER XV.

Theories Regarding the Disappearance of the Murdered Man's Clothing—The Hand of Providence Manifests Itself—Fortunate Discovery of the Last Bloody Evidences of the Crime—Dr. Cronin's Apparel is Found—It had been Secreted, with His Case of Surgical Instruments, in a Catch-basin, Adjacent to the One in Which the Body was Discovered—Shoes, Jewelry and Purse Missing—Complete Identification by His Friends—The Search Continued—A Piece of Carpet Found—The Conspirators' Plans Thwarted 333

CHAPTER XVI.

Special Grand Jury Summoned—*Personnel* of Its Members—Judge Shepard's Vigorous Charge—The Testimony Taken—Seventeen Days' Investigation Results in the Indictment of Seven Men—Full Text of the Indictment—Arrest of Beggs and Kunze—The Alleged Trial of Dr. Cronin in Camp 20 351

CHAPTER XVII.

Public Abhorrence at the Crime—A Great Out-pouring of the People—Cosmopolitan Assemblage at Central Music Hall—A

Judge's Vigorous Speech—Congressmen Denounce the Crime—
The Rival Demonstrations at Cheltenham Beach and Ogden's
Grove

369

CHAPTER XVIII.

In Court at Last—The State's Attorney Points Out the Accused,
Man by Man—A Formidable Array of Legal Talent—Objections
to Luther Laflin Mills and his Associates—Over-ruled by the
Court—Weeks consumed in the Wearisome Task of Securing a
Jury—Scenes and Incidents

384

CHAPTER XIX.

Startling Interruption to the Trial—Villainous Attempt to
Frustrate the Ends of Justice—Bold Efforts to Bribe the Special
Veniresmen in the Interest of the Prisoners—A "Hung" Jury
Wanted—Fortunate Discovery of the Plot—The "Wheels Within
Wheels" of the Conspiracy—Prompt Action of the Prosecuting
Authorities—Speedy Arrest and Indictment of the Guilty Parties
—Crime Added to Crime

399

[Pg xi]

CHAPTER XX.

A Jury Secured at Last—Names and Sketches of the Twelve
Men Selected to Determine the Guilt of the Accused—The Trial
Under Way—Opening Speeches for the State—Scenes in the
Court Room

414

CHAPTER XXI.

Evidence for the State—The Story of the Crime Retold—A Long
Line of Witnesses—Sensational Disclosures and Missing Links
Supplied—Mrs. Hoertel's Graphic Story—Dr. Cronin's Knives
are Found and Produced in Court—A Masterly Grouping of the
Testimony Against the Prisoners

430

CHAPTER XXII.

The Defense Takes its Turn—Unsuccessful Efforts to Exclude
the Bulk of the Evidence Given for the State—Alibis for the
Prisoners and the White Horse—A General Denial of Complicity
in the Tragedy—Rebuttal Evidence for the Prosecution

457

CHAPTER XXIII.

Opening for the State—The Evidence Reviewed—A Masterly
Argument by State's Attorney Longenecker—Tracing the Plot
from its Inception to the Murder—An Appeal for Justice—
Arguments for the Defense—Donahoe, Wing, Foster and
Forrest make Their Final Pleas for the Prisoners, and Ingham,
Hynes and Longenecker Close for the State

470

CHAPTER XXIV.

All the Testimony Before the Jury—Judge McConnell's Lucid
Charge—The Jury Retires—A Period of Anxiety—Popular
Excitement at its Height—Demeanor of the Prisoners—
Suspense at Last Ended—The Verdict

563

LIST OF ILLUSTRATIONS.

[Pg xii]

	PAGE.
PORTRAIT OF DR. PATRICK HENRY CRONIN, THE MURDERED PHYSICIAN	Frontispiece.
PORTRAIT OF PATRICK O'SULLIVAN, THE ICE MAN, ONE OF THE DEFENDANTS	28
PORTRAIT OF DANIEL COUGHLIN, THE DETECTIVE, ONE OF THE DEFENDANTS	197

PORTRAIT OF MARTIN BURKE, ONE OF THE DEFENDANTS	315
PORTRAIT OF JOHN F. BEGGS, ONE OF THE DEFENDANTS	360
PORTRAIT OF JOHN KUNZE, ONE OF THE DEFENDANTS	367
O'SULLIVAN AND KUNZE, FROM PHOTOGRAPH TAKEN DURING TRIAL	392
PORTRAIT OF PATRICK COONEY, "THE FOX"	452
PORTRAIT OF SUPT. OF POLICE HUBBARD	210
PORTRAIT OF OFFICER DANIEL BROWN	354
PORTRAITS OF MR. AND MRS. T. T. CONKLIN	39
PORTRAIT OF ALEXANDER SULLIVAN	263
PORTRAIT OF MERTES, THE MILKMAN	187
PORTRAITS OF FIVE DEFENDANTS ON TRIAL	429
PORTRAITS OF THE SIX PRISONERS IN COURT	332
PORTRAITS OF THE TWELVE JURYMEN	416-417
PORTRAIT OF JUDGE McCONNELL, PRESIDING AT THE MEMORABLE TRIAL	456
PORTRAIT OF JOEL M. LONGENECKER, THE STATE'S ATTORNEY	469
PORTRAIT OF LUTHER LAFLIN MILLS (THE NOTED CRIMINAL LAWYER), FOR THE PROSECUTION	550
PORTRAIT OF GEORGE C. INGHAM, ATTORNEY FOR THE PROSECUTION	514
PORTRAIT OF W. J. HYNES, ATTORNEY FOR THE PROSECUTION	521
PORTRAIT OF W. S. FORREST, LEADING ATTORNEY FOR THE DEFENSE	536
PORTRAIT OF JUDGE WING, ATTORNEY FOR THE DEFENSE	512
PORTRAITS OF THREE OF THE CARLSON FAMILY	168
PORTRAITS OF PRINCIPAL WITNESSES BEFORE THE CORONER'S INQUEST	254
PORTRAIT OF DETECTIVE MICHAEL WHALEN	206
PORTRAIT OF DETECTIVE BARNEY FLYNN	464
PORTRAIT OF LAWRENCE R. BUCKLEY	242
PORTRAIT OF T. P. O'CONNOR	244
PORTRAIT OF P. M'GEHAN	247
THE COURT ROOM, SHOWING THE GREAT TRIAL IN PROGRESS	413
THE CARD OF SULLIVAN ICE CO., THAT LURED DR. CRONIN FROM HIS HOME ON THE NIGHT OF THE MURDER	20
THE MYSTERIOUS WAGON	31
DETECTIVES INSPECTING THE SPOT WHERE THE TRUNK WAS FOUND	42
THE BLOODY TRUNK AND ITS CONTENTS	35
PICTURE OF DR. CRONIN TAKEN AFTER HE WAS FOUND IN THE CATCH-BASIN WITH THE "AGNUS DEI" ON BREAST	135
SCENE AT THE MORGUE, SHOWING THE BODY LYING ON SLAB AND BEING IDENTIFIED BY SCANLAN AND CONKLIN	140
THE SPOT WHERE THE TRUNK WAS FOUND	33
THE SKULL OF DR. CRONIN, SHOWING THE WOUNDS	143
THE BROKEN ROCKER ON WHICH DR. CRONIN PROBABLY SAT WHEN KILLED	161
BLOOD-STAINED PIECE OF BRASS	161
THE SOLITARY LAMP	161
THE CATCH-BASIN—SOUTH VIEW	127
THE CATCH-BASIN, SHOWING FIRE-PLUG AND DITCH	129
THE DISCOVERY OF THE BODY IN THE CATCH-BASIN	131
ALEXANDER SULLIVAN'S RESIDENCE	264
THE ASSASSINS' DEN, SHOWING THE CARLSON COTTAGE IN REAR	157
DIAGRAM OF THE LOCALITY OF THE MURDER	156
FOOTPRINT FOUND IN HOUSE	160
THE CORONER'S JURY	239
JURORS EXAMINING FINGER MARKS IN PAINT ON WINDOW BLIND	245
JURORS EXAMINING BLOOD STAINS IN PARLOR OF COTTAGE	238
THE WHITE HORSE AND BUGGY THAT TOOK DR. CRONIN AWAY FROM HIS HOME	199
LIVERYMAN DINAN'S STABLE	198
THE FUNERAL PROCESSION	223

[Pg xiii]

[Pg xiv]

DR. CRONIN'S APARTMENTS IN WINDSOR THEATRE BUILDING	18
DR. CRONIN'S RECEPTION ROOM IN CHICAGO OPERA HOUSE BUILDING	184
DR. CRONIN'S OFFICE IN CHICAGO OPERA HOUSE BUILDING	181
DR. CRONIN'S MAIN OFFICE IN CHICAGO OPERA HOUSE BUILDING	183
STATE'S ATTORNEY LONGENECKER ADDRESSING THE COURT	296
DR. CRONIN'S BOX AND ITS CONTENTS	337
THE LOAD ON THE STRETCHER	338
SOME OF DR. CRONIN'S CLOTHES	340
TWO VIEWS OF DR. CRONIN'S HAT	341
DR. CRONIN'S POCKET INSTRUMENT CASE	342
DR. CRONIN'S SLEEVE BUTTON, COMB, R. A. BUTTON, CASE, ETC.	343
DR. CRONIN'S POCKET CASE	345
REMAINS OF THE MURDERER'S VALISE	346
THE SILVER HYPODERMIC SYRINGE CASE	347
DR. CRONIN'S SURGICAL INSTRUMENT CASE	348
THE ENGLISH PRESCRIPTION BOOK	349
THE JUDGE HEARS OF THE JURY-BRIBING PLOT	401
THE KNIVES	466

CHAPTER I.

[Pg 15]

A CRIME THAT SHOCKED THE CIVILIZED WORLD—THE MYSTERIOUS STRANGER—A SUDDEN SUMMONS—THE INSTINCTS OF HUMANITY TRIUMPH OVER PERSONAL CONSIDERATIONS—LAST MOMENTS AT HOME—PARTING WORDS WITH A FRIEND—DR. CRONIN'S EVENTFUL LIFE—HOW HE WORKED HIS WAY UPWARD ON THE LADDER OF HONOR AND FAME.

Little introduction to this volume is needed. It is the story—told in plain unvarnished words, so that everyone who reads may understand—of a crime that has shocked the people of the United States, and astounded the civilized world. Back of that crime was a conspiracy so wide in its ramifications, so cunningly contrived, so successfully executed, as to rival the diabolical plots and outgrowing tragedies that have been placed at the doors of the secret societies of France, Italy and Spain, by the historians of the Dark Ages. In the United States, as an event of national importance, the crime may be said to rank with the assassinations of Presidents Lincoln and Garfield. In the case of the former, as of the latter, the perpetrator of the crime was a half crazed enthusiast, who imagined that he had a mission to perform in taking the life of the Chief Magistrate of the Republic. An effort was made, it is true, to demonstrate the fact that the assassin of Abraham Lincoln was but the tool of a band of conspirators, but, despite the fact that five of his alleged accomplices suffered an ignominious death upon the scaffold upon conviction for complicity in the appalling crime, the question as to the actual existence of a conspiracy has remained to this day a mooted one. In the case of President Garfield there was not even a suggestion that the assassin acted upon other than his own insane impulse. So far as concerns the Haymarket horror in Chicago, the point as to whether the throwing of the bomb that echoed around the world was the outcome of a conspiracy, or the act of an individual who had inbibed anarchistic principles and doctrines until reason had been dethroned, and a desire for vengeance upon the supposed enemies of the proletiare had generated into an uncontrollable determination, is still unsettled in the minds of many people eminently well versed in the law; as well as in those of a goodly proportion of the masses. So far, however, as the tragic fate of Dr Cronin is concerned, no such doubt may be said to exist. That he fell a victim to a plot, remarkable in its conception and execution; conceived in shrewdness and forethought, and executed by the aid of far-reaching and elaborate machinery; and with remorseless precision, is beyond peradventure. But it serves no purpose to anticipate. The following chapters tell their own story of the manner and methods by which the murder of a law-abiding American citizen, prominent in his profession and of national reputation, was decreed and carried out. It was the first crime of its character in the history of the United States. It will probably be the last.

[Pg 16]

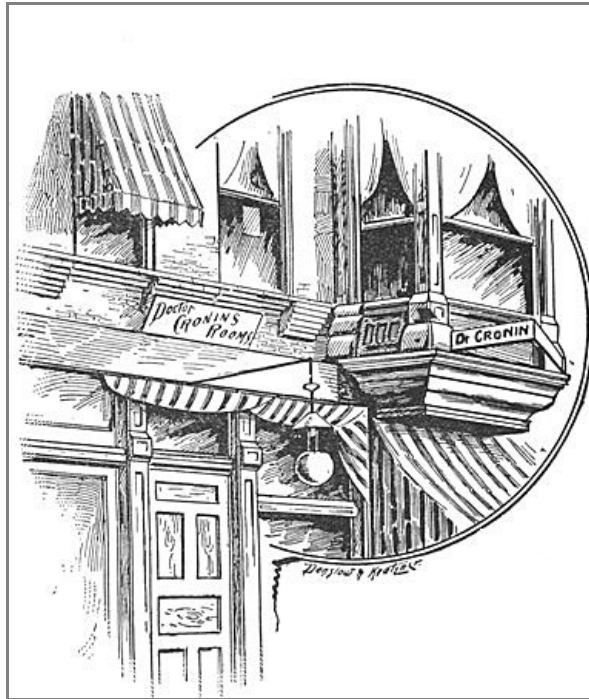
[Pg 17]

THE DISAPPEARANCE.

The locality was Chicago. The date Saturday, May 4th, in the year of our Lord one thousand

eight hundred and eighty-nine. The time eight o'clock of the evening. Philip Patrick Henry Cronin—for this was the full name of the physician—was closeted with a patient in the most spacious of the front suite of rooms attached to a handsomely furnished flat directly over the Windsor Theatre on North Clark Street. The tenants of the flat, T. T. Conklin, a well-known saloon keeper, and his wife, were among his most intimate and confidential friends, and with them the physician, who was a confirmed bachelor, had resided so long that he was regarded, to all intents and purposes, as one of the family. They nursed him in sickness, studied his every requirement when in health, and in a great measure, shared with him his personal and political knowledge. It was a happy, congenial family in every sense of the term. Dr. Cronin was on the point of dismissing the patient, for an important meeting of the Celto-American Society, which published a paper of which he was the political editor, necessitated his hurrying away to the other side of the city, when the door-bell rang violently. Mrs. Conklin responded. A man pale and breathless, stood on the landing.

[Pg 18]



DR. CRONIN'S APARTMENTS IN WINDSOR THEATRE BUILDING.

"Is Dr. Cronin in?" he demanded, in a hurried, nervous manner.

[Pg 19]

"Yes," was the reply, "but he is busy with a patient."

"Well," responded the stranger with increasing nervousness. "I want to see him. It is a matter of life or death."

Some fragments of the conversation had penetrated to the office where the physician was giving a final injunction to his patient. He threw open the door and came out into the vestibule.

"What is the matter?" he asked.

"Doctor" said the strange visitor as he presented a card, "one of the workmen at P. O'Sullivan's ice house at Lake View, has met with an accident and been terribly injured about here" (indicating the abdomen by a wave of his hand). "Unless a doctor sees him at once," he went on in his hurried, nervous, manner, "he will die. O'Sullivan is out of town, but he has spoken so often of you and said that you should be called in case of an accident that I thought I'd better come to you."

[Pg 20]

Dr. Cronin glanced at the card. It was a fac-simile of this.



For a moment he twirled it between his finger and thumb. Then he looked at his watch. It was near the hour for the meeting, in the proceedings of which he was liable to take a prominent part. But the humane instincts of the profession quickly overcame all other considerations.

[Pg 21]

"One moment" he ejaculated, "and I will be with you."

"I have a buggy and fast horse down stairs" called out the stranger.

Dr. Cronin darted into his office. Hastily gathering up his surgical instruments, he packed them into their case. A package of lint and absorbent cotton was pushed down into his pocket. Then he reappeared and with the remark "I am ready," made for the stairs. The unknown went down in advance and the doctor followed. At the curb, with a white horse in the shafts, was the buggy that was to take the physician on his supposed errand of mercy. As he reached the street, he came *vis-a-vis* with Frank T. Scanlan, Jr., a prominent young Irish-American, who had previously arranged to call for and accompany him to the meeting.

"Are you ready" the latter asked.

"No," was Dr. Cronin's reply. "I'm called away on an accident case."

The stranger was already in the buggy. "There's no time to lose," he called out, and the ejaculation caused Scanlan to turn his head in that direction. He was startled for a moment by the look of fiendish rage with which the fellow was regarding him. Before he could say a word, however, Dr. Cronin had taken his seat in the vehicle. A whip cut through the air and descended on the animal's back, and as it started off the physician called out to his friend, who still stood on the sidewalk:

[Pg 22]

"I may get down town in an hour, but don't wait for me. I really don't know how long this case may occupy me."

Man proposes, but God disposes. It was the physician's last farewell to his home and his friends. The white horse sped into the darkness and each revolution of the wheels of the vehicle carried one of its occupants nearer his doom.

THE STORY OF HIS LIFE.

It is necessary to digress a moment at this point in order that something may be said regarding the previous history of the man whose name was soon to be on millions of tongues. Born on August 7th, 1846, on Erin's soil, near the town of Mallow, in the famed county of Cork, he was brought to the United States when yet a babe in his mother's arms. For five years thereafter he was numbered among the population of New York City. Thence the family moved to Baltimore, and thence again to the province of Ontario. When ten years of age he was placed in the care of the Christian Brothers at the Academy of St. Catherines. He graduated with honors in 1863, and, a boy of seventeen, started out to battle with the world. His first wages were earned at Petroleum City, Pa., where he taught school. From here he went to Titusville and thence to Clearfield, in the same state, where in 1866 he held a good position in a store. But he was restless and ambitious.

[Pg 23]

There was no charm—from his point of view—in the plodding life of a country school teacher or store keeper. He wanted to make his way in the world and he realized that in order to accomplish this it would be necessary to take the historic advice of Horace Greeley and "go west." Accordingly, late in the fall of 1867 he bade farewell to the many friends and acquaintances he had made in the oil regions and departed for Missouri. He first located in a country town, but after a short stay removed again to St. Louis. Here he secured a position in the store of Michael Dougherty, a grocer. Those who came in contact with him at that time remembered him in after years as a young man of pleasing presence, fine attainments and a remarkably good musician. He was especially a fine tenor singer, and soon after his arrival he became a member of the choir of the Catholic Church of St. John's. The numerous

[Pg 24]

services and consequent rehearsals, however, conflicted materially with his work at the store, and as a result he secured another position as superintendent of omnibuses for a local transfer concern. Meanwhile he had been industriously engaged in the study of pharmacy, and so well did he combine this craving after knowledge with commendable prudence and economy, that after awhile he was enabled to become a full fledged druggist with a store of his own on Garrison street, adjacent to Easton avenue. Even then, however, he was not satisfied. He aimed still higher, and immediately begun the study of medicine at the Missouri College. From this institution he graduated in 1878, and, relinquishing the drug business, entered upon the practice of his newly chosen profession. Meanwhile he had identified himself with the local militia, and held the rank of captain at the time of the strike in 1877. Shortly after his graduation he was appointed a commissioner to the Paris exposition. The next twelve months were passed abroad, a goodly portion of that period being spent in Dublin and other parts of Ireland. Returning home, he accepted the professorship of *materia medica* and therapeutics in the St. Louis College of Physicians and Surgeons. Even with the onerous duties of this responsible position he found time and opportunity to study for two years—'80 and '81, at the Jesuit University, and received as his reward the degrees of A. M., and Ph. D. In 1882, by the advice of friends, he left St. Louis for Chicago, and almost immediately upon his arrival in the Garden City was appointed one of the staff of physicians at the Cook County Hospital. From this he drifted into private practice, and gradually became identified with a large number of political and secret societies. Among the latter were the Royal League, the Legion of Honor, Ancient Order of Hibernians, Ancient Order of United Workmen, and Independent Order of Foresters. He was at one time or another a Deputy Grand Regent of the Royal Arcanum, Past Commander of the Knights of Pythias and Chief Ranger of the Catholic Order of Foresters. Of many of these societies, as well as of the Plasterers' Union, he was the medical examiner. His practice necessarily was a lucrative one. He took an active interest in various Irish movements calculated to elevate his race and to promote the cause of Irish independence, and, at the time of his taking off, he was president of the Celto-American Club of Chicago.

[Pg 25]

Dr. Cronin never married. When rallied on one occasion on his apparent determination to live and die a bachelor, he tersely rejoined that "he had no desire to make widows." His only surviving immediate relatives were a sister, Mrs. Carroll, living at St. Catherines, Ont., and a brother John, who, just before the tragedy, had removed from Pawnee Rock, Kan., to Arkansas. He also had two nieces who were Mother Superiors in Canadian convents. In appearance he was a fine looking man, five feet ten and one-half inches tall, weighing 180 pounds and well proportioned. His hair was black and his luxuriant mustache was generally worn long and wavy at the ends. Personally he was courteous and warm-hearted. At the same time his impulses were quick and strong, and, while he would go to any extreme to serve a friend, he would follow up an enemy with relentless determination and vindictiveness. Wherever he went he enjoyed great popularity, and he could always boast of an extensive acquaintance and a host of close friends. He always retained the fine tenor voice of his youth and almost his last public appearance in Chicago was at the Washington centennial celebration at the Cavalry Armory, on which occasion he sang a specially composed "Hymn to Washington," with such telling effect as not only to elicit an encore but to rouse the vast audience to unwonted enthusiasm.

[Pg 26]

CHAPTER II.

[Pg 27]

DR. CRONIN FAILS TO RETURN HOME—ANXIETY OF HIS FRIENDS—THE EARLY MORNING RIDE TO THE ICE HOUSE—O'SULLIVAN'S SURPRISE AND IGNORANCE—THE MYSTERIOUS WAGON AND ITS OCCUPANTS—A BLOODY TRUNK IS FOUND—THE SEARCH COMMENCED—"IT IS HIS HAIR."

Dr. Cronin did not join his friends at the meeting of the Celto-American Society that memorable Saturday night. Nor, although the Conklins waited for him until long past midnight, were the familiar footsteps heard upon the stairs. The Sabbath dawned, and the first streaks of grey penetrated through the curtains into his apartments, but he was still absent. Naturally the Conklins became alarmed. During all the years that the physician had lived with them he had been a model of punctuality in his habits. It was the first occasion that he had remained so long from home without reason. If his business affairs happened to keep him away even an hour longer than usual it was his invariable practice to in some way contrive to advise his friends, so that they might notify any patients that came in his absence. Moreover, he was not a drinking man and such a thing as staying out all night with boon companions was foreign to his practice. Yet, eight hours had sped by, the morning had broken, and he had not returned. No wonder, then, that the family was alarmed, or that Mr. Conklin, without waiting for breakfast, determined to procure a buggy and drive to P. O'Sullivan's residence, which adjoined his ice house, at the corner of Seminary Avenue and Lake View. A startling surprise awaited him at the end of his six mile ride. O'Sullivan, when aroused from bed, was, to all appearances, considerably surprised when asked if the doctor

[Pg 28]

was in the house.



P. O'SULLIVAN, THE ICE MAN.

"This is all news to me," he said, with an apparent air of frankness. "I have not been out of town and I know nothing of the man in a buggy."

[Pg 29]

"Was there not an accident in your ice house?" he was asked. "No," was the reply. "I have only four men in my employ and none of them have been injured."

"Then you did not call on Dr. Cronin, or send for him?"

"No, the man who did call used my name without authority. You say he used one of my cards, leaving it at the office. Well, I can understand how that happened. My cards are scattered all over Lake View and the city, and anybody could have used one in the same way."

"Do you know Dr. Cronin?" the ice man was asked.

"Yes," was his reply, "I have met him several times, and we were quite friendly."

"How did you come to engage him as physician to your family and workmen, when you live six miles from his office?"

This pointed query seemed to stagger the ice man for a moment, but at last he replied:

"He was recommended to me by Justice Mahoney." The latter, who had been elected a Lake View Magistrate but a few weeks before, had been regarded as one of Dr. Cronin's friends.

"Then you do not know how it happened that he was summoned to your ice house?" was the final query.

[Pg 30]

"I do not," emphatically replied O'Sullivan, "I cannot understand what were the motives of the man who went for him."

This was all that the ice man had to say. In the light of subsequent events, however, it was of importance. Mr. Conklin's worst fears were intensified. Driving rapidly home, he learned from his wife that the physician had not taken his revolver, as was his practice when going on a long trip; that he had only a small amount of money with him, and that he wore no jewelry of value except a watch. Without delay, Conklin proceeded to notify Frank J. Scanlan, his brother John, and two or three other Irish-Americans of prominence.

"This is the work of political enemies," they said without hesitation, "it has been skillfully planned and executed. It will take time and money to find him, if it is not intended to murder him."

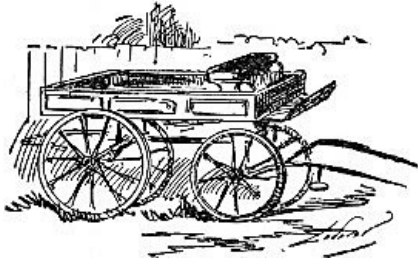
Significant words. At that very hour the blood of the murdered man was calling aloud for vengeance.

A hue and cry was at once raised. The Chicago police were notified, and the most experienced detectives of the department started out on the case. Pinkerton's Detective Agency was retained, and Detective Frank Murray went out to Lake View as fast as a swift horse could take him. Captain Schaack of the Chicago Avenue Station, and officers of the Lake View police, were waited on and urged to turn loose all the officers they could spare to solve the mystery. Last, but not least, the newspaper offices were advised of the disappearance, and a score or more of sleuth reporters were soon in the suburb. By

[Pg 31]

sundown of Sunday nearly sixty people were engaged in the search.

A STARTLING DISCOVERY.



THE MYSTERIOUS WAGON.

Meanwhile there had been startling developments in another direction. Somewhere in the neighborhood of two o'clock on the morning of the same day (Sunday) and about six hours after the physician had been decoyed from his residence, Officers Smith and Hayden, of the Lake View police force, were on duty at the corner of Clark and Diversey Streets, when they saw a carpenter's wagon, drawn by a bay horse, rumbling at a furious rate toward the north. The Lake View police were under instructions to hail passing vehicles and pedestrians after midnight, and accordingly, Officer Smith stepped out on the pavement to look at the two men who sat upon the driver's seat.

[Pg 32]

The wagon was driven at such speed, however, that the officer did not have time to look into the faces of the two mysterious men or command them to stop. There was a large trunk in the wagon. Both officers saw this receptacle. When the wagon had disappeared Officer Smith became suspicious of the two drivers, and told Officer Hayden so. The two policemen patrolled their beats until about 3.30 o'clock when they again met at Clark and Diversey Streets. They had been there but a few moments when they again heard a vehicle rumbling over the pavement. It proved to be the same old carpenter's wagon with its mysterious occupants and its old bay horse. But the trunk was no longer in the wagon. This time Hayden walked out upon the pavement to look at the men in the driver's seat. One of them wore a black derby hat. His companion wore a soft hat. Both were young and muscular. There was no name on the wagon. Officer Hayden saw all this, but he could not get a good view of the men on the seat. He did not hail them because he thought the movement of a trunk at that time of year was not extraordinary. The wagon rolled back toward Chicago and Officer Hayden dismissed the incident from his mind; but Officer Smith was greatly disturbed, and told his companion so several times during the early morning hours.

[Pg 33]

FINDING THE BLOODY TRUNK.



THE SPOT WHERE THE TRUNK WAS FOUND.

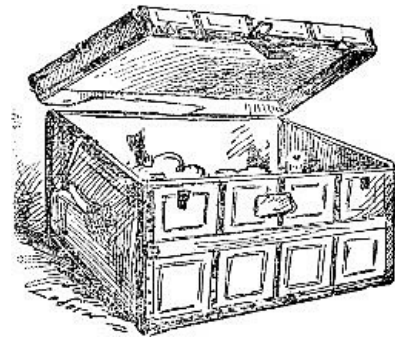
The officers returned to the station at the usual hour, but neither made any report of the mysterious wagon or its still more mysterious occupants. At half past seven o'clock, Alderman Chapman, of Lake View, was driving along Evanston Avenue, between Graceland and the Roman Catholic Cemetery. He had reached a point five hundred yards from Sultzer Street, when he saw three men standing around a trunk which stood back of a bush, with one end thrust into the ditch which runs near the thoroughfare. Alderman Chapman alighted and went to the spot. The cover of the trunk had been forced open. The interior was bespattered with blood and partially filled with absorbent cotton which was saturated with gore. Chapman drove hurriedly to the Lake View Police Station and gave the alarm. Captain Villiers and a detachment of officers leaped into the patrol wagon and made a furious run to the lonely spot. When they got there they found a large crowd of gaping men and boys who had trampled the grass in every direction.

[Pg 34]

The trunk was taken to the station house. The first thing Captain Villiers did after he cleared his private room of the curiosity seekers who had swarmed into the station house, was to make a careful examination of the trunk. He found enough evidence to satisfy him that a grown person had been murdered, thrust into it, and then carted to the spot between the two cemeteries. The trunk was new and large. A man six feet tall could be cramped into it. A trunk dealer who was summoned to the station house by Captain Villiers, said at once that it had been made either in Racine or Milwaukee. It was of cheap pattern and had evidently been purchased for the purpose for which it was used. The trunk had been locked after the body had been placed in it and the cotton had been packed about the wounds in order to stanch the flow of blood and thus insure greater safety in its transmission from place to place. Before the body was removed the lock of the trunk had been broken by two sharp blows with a blunt instrument. The marks of these blows were on both sides of the lock. In their haste to remove the body the murderers had thrown the cover back with such force that one of the sheet-iron hinges was broken. Captain

[Pg 35]

Villiers picked the cotton out and placed it upon his table. He had formerly been a doctor and his examination of the cotton led him to the belief that the murder must have been committed some time after midnight. Some of the absorbent material was still soft with blood and there was a pool of fresh blood in one corner of the trunk. Careful examination of the cotton revealed other things to the officer. He found a lock of dark-brown hair, which was almost as fine as a woman's but not so glossy.



THE BLOODY TRUNK AND ITS CONTENTS.

This was the only possible tangible clue to the identity of the victim. The lock of hair was placed under a microscope. It was found to be filled with blood and particles of cotton.

More closely examined; it looked as though it had been chopped off with a blunt instrument. It had not been pulled out of the scalp but the hairs were all of uneven length and looked as though they might have come off the cranium near the forehead. The inside of the cover of the trunk was bespattered with blood. Some of the life fluid had trickled down the exterior; presumably when the body was dragged out upon the ground. There were no marks on the trunk and aside from the lock of hair there was absolutely nothing left for the officers to hold for identification.

SEARCHING FOR CLUES.

Captain Villiers had not yet heard of the disappearance of Dr. Cronin. He was quickly satisfied, however, that a diabolical murder had been committed and at once issued orders to his subordinates to institute a thorough search for the body, which he believed to be somewhere in the neighborhood of the spot where the trunk was found. A patrol wagon filled with officers was out the entire afternoon. The men searched all the brush, prairie and vacant houses for a mile around, but could find no trace of the corpse. So many persons had trampled the grass at the spot where the trunk was found that the officers could not discover tracks of any vehicle. Evanston Avenue is so well paved that search along this much travelled highway would have been useless. The officers scoured the grass, examined the fences and went even so far as to invade the cemeteries. Not a drop of blood nor a particle of cotton could be found anywhere. Three boards of a fence were down at Argyle Street, but there was no evidence that they had been removed for the purpose of assisting men in the removal of a body. Efforts were made to find the men who first discovered the trunk but without result. One man that drove along the Evanston road an hour ahead of Alderman Chapman was positive that it was not there at that time, while on the other hand the alderman insisted that there were men at the spot for some time before he happened along in his buggy.

[Pg 37]

It was six o'clock on Sunday evening when Officers Smith and Hayden entered the station to report for their night's work. The instant Smith entered the Captain's private room he declared that the bloody trunk lying before him was the one he had seen in the carpenter's wagon when he stood with his brother-officer at Clark and Diversey Streets in the early morning.

[Pg 38]

Officer Hayden, when called in, was equally positive. At this moment the news of Dr. Cronin's disappearance was received, and Captain Villiers became intensely excited. The report that Dr. Cronin was missing under the most alarming circumstances and the gory evidences of a murder lying before him seemed to inspire the Captain with the belief that perhaps the mystery surrounding the well-known doctor's disappearance had been solved. He at once issued orders for a search for the mysterious wagon and its occupants. He hurriedly drove over to O'Sullivan's and put the ice man through a sharp examination. The latter, however, stuck to the story he had told earlier in the day. He knew nothing but what he had been told, he said; and his manner was so earnest, and his distress of mind—to outward appearances—so intense, that the official took him at his word.

"JUST LIKE HIS HAIR."

From the icehouse Captain Villiers drove to the home of the missing physician. For hours the apartments had been thronged with visitors, some waiting hour after hour, others coming and going, to hear the latest intelligence of the search. Without apprising them of his conjectures regarding the trunk the captain enquired as to the length of Dr. Cronin's hair.

[Pg 39]

"He wore his hair much longer than men usually do," said Mrs. Conklin, "and lately it had been quite long."

"Had he plenty of hair on the top of his head" the captain went on.

"Yes" replied some one in the room "and it was quite



MR. AND MRS. CONKLIN.

long."

The Chief then took from his pocket the scrap of paper containing the lock of hair he had found in the trunk, and those present crowded around and examined it closely. Some were inclined to believe that it resembled that of the missing man, but were fearful of expressing a positive opinion. At this juncture F. T. Scanlan, Jr., came into the room. He took the lock of hair and fingered it for a moment, his face blanched, and as he laid it down upon the table he ejaculated:

"That is just like his hair, yes, just like it."

There was a scream and a fall. One of the ladies present had fainted away.

By this time Captain Villiers was fully convinced that the lock of hair was destined to play an important part in the solution of the mystery. At the same time he was desirous that the identification should be more complete, or that the resemblance between the lock and the hair of the missing man should be established by the testimony of those best qualified to speak on the subject. Accordingly, bright and early on the following morning he visited the tonsorial establishment one door north of the Windsor theatre, where for years the physician had been in the habit of getting shaved three or four times weekly. Here, however, his theory encountered a set back. The proprietor, H. F. Wisch, was positive that the hair had come from some other head than that of Dr. Cronin. In this opinion he was supported by two of his employes. They had cut his hair time and again, and they insisted that there could be no possibility of their being mistaken when they said that the hair could not have come from Dr. Cronin's head. The lock that they were asked to identify was fully four inches long, and fine, while, so they contended, the physician's hair was exceptionally coarse. Moreover—and this appeared to be conclusive—his hair had been cut three days prior to his disappearance and it would have been impossible that a lock four inches in length could have been left on his head. So far as could be remembered his head was trimmed to an average length of two inches. As to color, there was something of a resemblance, although there was enough apparent difference in shade to be noticeable when compared with a few hairs taken from a hair brush that was kept for the doctor's exclusive use. Mr. and Mrs. Conklin, however, took issue with Barber Wisch on almost every point. The hair of their friend and tenant they asserted, was long, soft and remarkably silky, while, moreover, it was precisely of the same shade as the lock held by Captain Villiers. In the face of these conflicting statements the latter very wisely concluded that it would be useless to push this particular branch of the investigation at that time, and the clue was consigned to a drawer of the safe in the Lake View Station.

[Pg 40]

[Pg 41]

WAGON TRACKS LEAD TO THE WATER'S EDGE.

Meanwhile every available officer of the police force of the suburb, reinforced by Captain Schaack and a number of city detectives and officers, were searching high and low to discover the whereabouts of the physician and to solve the mystery surrounding the bloody trunk. Captain Schaack and his associates, after examining the locality of the find, tramped over the ground for a mile around.



DETECTIVES INSPECTING THE SPOT WHERE THE TRUNK WAS FOUND.

While thus engaged a discovery was made that in the light of subsequent events was of considerable importance. It was the tracks of a wagon in the sandy road leading to the lake. Commencing at a point but a few yards from the place where the trunk was dumped, the trail went northwardly some three hundred yards, then turned to the side road and went east to the water's edge. Here in the wet sand the indications of a halt were quite plain. Thence, after following the beach about a hundred yards, the tracks turned into what was known as the Wilson road, and apparently proceeded southward to the city. It was impossible to determine from appearances whether the ruts were a day or a week old, for the high wind had blown the fine sand across the level beach in great clouds. At this juncture, however, a special officer of the village of Edgewater, and a watchman at the station, Wade by name, and who had learned that the officers were inclined to connect the wagon tracks with the trunk, told an interesting story.

[Pg 42]

[Pg 43]

"Early on Sunday morning," he said, "I was standing on Hollywood avenue, just north of Bryn Mawr avenue, when I saw a team standing near the edge of the lake. It was about 1:05, and I went to the team and asked a fellow who stood near what he was doing there at that hour of the night."

"We're looking for the Lake Shore drive," said he, "we want to get back to town."

"The Lake Shore drive, man, is two miles from here," I said, "can't you see there is no roadway here?"

"While I was talking a couple of fellows who had been walking along the beach came up."

"Boys," said the first man, "this officer says we're away off the road."

"At this they all got into the wagon and drove west on Bryn Mawr avenue until they reached the Evanston road. Then they started down Evanston avenue at a rapid gait and I lost sight of them. I noticed a long square box in the wagon, but it was very dark and I could not see plainly what it was. The fellow I talked to, however, I'll recognize and identify anywhere."

[Pg 44]

From a study of the surroundings, taken in connection with this story, the conclusion was arrived at by the police authorities that the trunk had been first taken to the lake, its contents thrown into the surf, and that it was then brought back into the road and dumped into the ditch. This, as was developed later, was the original intention of the murderers. The point on the beach where the tracks showed that the vehicle had made a halt was about as dreary and desolate a spot as could be found in the country. Sandy, covered with heavy timber, and removed nearly half a mile from a house or a shelter of any kind, it was just the place that a man or a party of men with a murderous job on their hands would have naturally selected.

To empty a trunk into the lake, or to dig a hole in the sand and drop a human body in it, would have been the work of but a few minutes, and all traces of the bloody crime might thus have been obliterated forever.

THE SEARCH REVEALS NOTHING.

For the next forty-eight hours the efforts of the authorities were re-doubled. All the livery stables on the north side of the city were visited for the purpose of ascertaining if a white horse and vehicle, as described by Mrs. Conklin and Frank Scanlan, had been rented out on the previous Saturday. Several white horses were owned by the liverymen in that section, but all, apparently, were satisfactorily accounted for. The one man, who, had he so chosen, could, by answering the question in the affirmative, have solved at least this portion of the mystery, preferred to hold his peace for the time being. Scores of men and boys waded through the pond in the German Catholic Cemetery, the river in the vicinity was dragged, nearly every sewer and sluice box in the city of Lake View was examined, and even the clay holes—which were as plentiful thereabouts as reefs in Lake Michigan—were hunted from end to end. As a last resort, and at the earnest solicitation of friends of Dr. Cronin, the Chicago River was dredged for a distance of six hundred feet at Fullerton avenue bridge, over which the wagon with the trunk was supposed to have crossed. This task, conducted by Captain Schaack and eight officers, occupied two days. Like the search in every other direction, however, it was utterly without result. The physician had disappeared as completely as though the earth had opened and swallowed him up, and the mystery of the trunk and its gory contents remained a mystery still.

CHAPTER III.

AN ACCIDENTAL CLUE—FRANK WOODRUFF'S ARREST—HOW HE WAS HIRED TO GET A WAGON TO CARRY THE MYSTERIOUS TRUNK TO LAKE VIEW—A CORPSE IS DUMPED OUT—HE THINKS IT WAS THAT OF A WOMAN—HIS SENSATIONAL CONFESSION—THE POLICE ON A WILD GOOSE CHASE.

Despite the small army of professional and amateur detectives at work on the case and the untiring labors of the missing man's friends, it was an accident rather than a clue that brought about the first important development of this sensational tragedy. On Thursday morning, May 9th, five days after the physician had disappeared as completely as though the ground had opened and swallowed him up, a stable owner named Foley, having barns on Fifteenth Street near Centre Avenue, entered the Twelfth Street Police Court while the hearing of a case was in progress, and informed Lieutenant Beck that a young man had been trying to sell him a horse and wagon and that he had agreed to purchase the rig for \$10, in order that he might detain the supposed horse-thief until the police could be notified. Two officers, O'Malley and Halle, were at once sent to the barn. The man, upon being placed under arrest, at once fainted. Upon regaining consciousness, he was started for the station. His peculiar agitation was noticed by the officers, and one of them, in joking about a horse-thief having such a nervous temperament, made a slight remark in which he mentioned the name of Dr. Cronin. The prisoner evinced a strong tendency to faint again, and gasped:

"I'll tell you all when I get to the station."

The officers laughed. Their dull comprehensions failed to connect the remark with the trunk mystery. When the station was reached, however, and the attention of Lieutenant Beck had been called to what the man had said, he at once jumped to the conclusion that the horse was the one attached to the wagon that had hauled the mysterious trunk. He ordered the man into his private office and at once began to put him in what is known in police parlance as "the sweat box," or in other words, to put him through a rapid course of questioning. At first the man—a mild mannered young fellow, attired in clothes of cheap material, with bad complexion, square features, heavy jaws, and a pronounced squint in one eye—gave his name as Frank J. Black, although he afterwards admitted that it was Woodruff. He was, he said, 26 years of age, a Canadian by birth, and a railroad laborer by occupation.

"I want to make a confession," he remarked, after the preliminaries had been completed. He was warned that it would have to be entirely voluntary, and that no immunity could be promised. To this understanding he gave his assent, and Sergeant Cosgrove, having been called in as a witness, the prisoner commenced his story:

"A week ago last Wednesday," (May 1) he said, "I was in Sol Van Praag's gambling house, at 392 South State Street, playing poker. I lost \$8, and, just before 11 o'clock, I got up from the table saying: I ought not to gamble, I can't afford to lose any money. Just then William H. King, an old friend of mine, who was standing by, said to me: 'I'll put you on the road to make a few dollars if you want to.' I told him I was willing," went on Woodruff, "and that I could be found at D. G. Dean's livery stable, at 406 Webster Avenue, where I was working. We had several drinks, and then went down State Street to Madison, where King left me. He did not say how I was to make the money. But last Sunday he came up to the stable in the afternoon, and called me out. We went into a saloon near by, and King said to me: 'I want you to get a horse and some light rig in which to carry a trunk, about 2 o'clock to-morrow morning, if you can. I want you to do it quietly, and be sure to come out before three or four

o'clock. If you can't get out as early as that, I don't want you at all."

Woodruff had been talking rapidly. He paused a moment for breath, and then went on.

WOODRUFF'S LURID STORY.

"The wagon was to be brought to a corner a few blocks from our stable, where King was to be in waiting. At three o'clock in the morning I hitched a white horse to a light wagon and drove to the corner, where I found King. He told me it was all right, and that there was \$25 in it for me. King got into the wagon and told me to drive to the rear of 528 North State Street. When we got there, we met a man that I supposed was Dr. Cronin, also a sporting man named Dick Fairburn, who I knew to be a desperate character. They went into the barn and hauled out a trunk. The man I supposed was Cronin was extremely impatient and nervous, and urged the others to hurry up. They called him 'Doc.' and when he was inclined to get mad, Fairburn said, 'all right, Doc., we'll hurry.' When the trunk was put into the wagon, King and Fairburn got in and the rig started north, 'Doc.' being left behind. The horse was guided up the Lake Shore drive to the north end of Lincoln Park. Here a strange man in a high cart, driving a buckskin-colored horse, approached the wagon from behind, and the men told me to hurry out of the way. I turned off the road into a parallel driveway and went up about a quarter of a mile. Then King told me to stop. While going up the driveway, King gave me \$25, and I heard him say:

[Pg 50]

'If we'd have let Tom alone, we'd have had the Doc. in here too.'

When the wagon stopped, King remarked as he jumped off:

"Here's where we drop Alice."

"Then the trunk was opened and a stench came out. The horse became restless and I had to get out and attend to him. What I saw led me to believe that the body removed from the box was that of a woman in a mutilated condition. I saw a leg that had been cut off at the thigh. The corpse was wrapped in cotton batting. After the remains had been dumped near a clump of bushes, the batting was placed in the trunk, which was then thrown into the wagon. Then King said: "Leave us here. You drive on a piece and hide the trunk some way or another, and then go home."

[Pg 51]

"I drove on for about fifteen minutes," the fellow resumed, "and then I stopped at a hole and threw the trunk into it. Then I made straight for the barn, driving as fast as I could. I reached there at five o'clock, and managed to get in without any one seeing me."

"How was it possible for you to get the rig out without being detected," Woodruff was asked.

"O, that's easy enough," he replied, with a laugh. "You could go there yourself, almost any night, and do the same thing. Howard (one of the employes) is usually out, seeing his girl, and as for Charlie (another employe), you might fire a sixteen-pound cannon under his ears, and he'd never wake up. I went to bed as usual that night, just about eleven o'clock, in the room near the stable. I lay quiet until I knew that the boys were asleep, and then I slipped out and went down the stairway to the floor where the horses were, carrying my shoes in my hand. I had left the wagon in the alley outside, so as to be sure of it."

"What kind of a rig was it," asked the Lieutenant.

"It was a red gear wagon, with a black box and a high dashboard in front. The doors leading to the barn are folding doors, which open easily, and the floor is sprinkled with sawdust. I got the horse out all right, after muffling its hoofs, and led it to the wagon in the alley, where I hitched it up. I am sure nobody saw me when I got back. Somebody used the mare later in the day (Sunday), and said when she came out, 'It doesn't seem to me she's fresh, today.' I heard it all, but I didn't say a word."

[Pg 52]

Woodruff was sharply questioned, with the view of testing his veracity, but he stuck closely to his statements. He admitted that he had taken the horse and wagon that he was charged with stealing from Dean's stable two days before, and inquiry by telephone developed the fact that Dean had reported his loss at the nearest police station. The prisoner admitted that he had made up his mind to leave the city just before being arrested, because he was afraid of Fairburn, who had told him to say nothing about the midnight ride, and had warned him that if he "peached" he would kill him (Woodruff), if he had to wait twenty years to do it. Fairburn, he described as being short, heavy-set, with gray hair and moustache. He was a desperate man, and one not afraid to commit murder. King was about thirty-two, six feet tall, stout, dark-complexioned, and of gentlemanly appearance.

No time was lost by Lieutenant Beck in communicating the developments of the day to his superiors, and Captains Schaack and O'Donnell were at the station as fast as horseflesh could bring them. The records of the two men mentioned by the horse-thief were first looked up, and both turned out to be hard cases. Fairburn was recognized from the description as a desperate thief, and who, under the alias of Neil White, had "done time" in the penitentiary. At one time he was a resident of Minneapolis.

[Pg 53]

WOODRUFF GOES OVER THE ROUTE.

As a result of the conference of the two police officials it was decided that, in order to test the truthfulness of the prisoner, he should be taken out and allowed to drive over the route that he claimed to have taken on that memorable Saturday night. Just as soon as darkness had set in this idea was carried into effect. Starting from Webster and Lincoln avenues, he proceeded directly to North State and Schiller streets, turned into the alley between State and Dearborn, and stopped in front of the barn in the rear of 528 North State street. This, he claimed, was the place from which the trunk was taken. From here the drive was north to North avenue, where he turned to the right, and struck the Lake Shore drive. Woodruff stopped the horse directly opposite the artesian well, and, pointing to a clump of bushes, told the officers that that was the place where the trunk had been emptied and the mutilated body taken out and left with Fairburn and King. This spot was directly below the sand-hills, and a little while before had been planted with evergreens and shrubbery. Resuming the trip, Woodruff drove straight and without prompting or hesitation to the spot where the empty trunk was found, on the Evanston road, north of Sulzer street. His course was along the Lake Shore drive to Belmont avenue, thence to Evanston avenue, and from thence north until the spot was reached. At the ditch he stopped long enough to explain how the trunk fell sideways on the ground, and in doing so burst open, the lid breaking off at one end. His description of the trunk corresponded in every detail with the one that at that time was locked away in the Lake View Station.

[Pg 54]

What between the story and the trip, the police were considerably mystified. It seemed impossible that, even with the newspaper accounts of the disappearance and the details as material to work upon, a man of only average intelligence could invent such a story and strike the localities with such accuracy. At the same time outside investigation failed to substantiate what he had said. The keeper of the gambling house denied that any men answering to the description of King and Fairburn had ever frequented his place, or been seen in conversation with Woodruff, although he recognized the latter as an occasional visitor to the den. Liveryman Dean and his employes were equally positive that it would have been impossible for the horse and wagon to have been taken from the stable and returned without detection. Finally, the occupier of the barn scouted the idea that the trunk had been taken from that place as ridiculous, in view of the fact that it was always kept well locked and provided in addition with burglar alarms communicating with the house. Diligent inquiry in a dozen different directions failed to locate either of the two men named by the prisoner, or to corroborate any other portion of the story. But Woodruff, when confronted with these contradictions, held his ground well, even in the face of a vigorous cross-examination. His description of the mysterious "Doc" tallied with that of Dr. Cronin to the life. He was positive, moreover, that the corpse was that of a woman, not only because the men had referred to "Alice," or "Allie," but also because the hand that was exposed was soft and white and slender. This afforded ground for the theory that the remains might have been those of a woman who had fallen a victim to a criminal operation, but a little reasoning showed that this was untenable. It was hardly likely that King would have arranged with Woodruff to haul the trunk three days before the nefarious job was to be done, for he could not very well have known that the operation would result in the death of the victim and that, consequently, there would be a corpse to dispose of. Nor could the crime have been committed on the Wednesday, the day upon which Woodruff claimed to have been first approached, without the decomposing body attracting suspicion. The only effect, therefore, of Woodruff's first confession—for several more were to follow at later stages of the case—was to deepen the mystery and, incidentally, to start the authorities and friends of Dr. Cronin on another wild goose chase. The ponds and river were dragged a second time, sand hills and prairie trudded over for miles, until the weary and dispirited men were ready to drop the work as well as the idea that any connection existed between the blood-stained trunk and the disappearance of the physician. Twenty-four hours later, as an outcome of sinister influences that emanated from Canada, and which are dealt with at length in another chapter, the search was practically abandoned by almost every one concerned.

[Pg 55]

[Pg 56]

CHAPTER IV.

[Pg 57]

"IT IS A CONSPIRACY"—DR. CRONIN'S FRIENDS CLAIM THE MURDER WAS A POLITICAL ASSASSINATION—THE PUBLIC SCEPTICAL UNTIL STARTLING DEVELOPMENTS ARE MADE—THE PHYSICIAN IN DANGER OF HIS LIFE FOR YEARS—PREVIOUS ATTEMPTS TO "REMOVE" HIM—THE TROUBLE IN THE CLAN-NA-GAEL—CHARGES AND COUNTER CHARGES—THE BUFFALO CONVENTION—WHY HIS "REMOVAL" BECAME A NECESSITY TO CERTAIN PEOPLE.

"He is dead I feel sure of it." So said Mrs. Conklin, when the news of the finding of the bloody trunk, the cotton batting, and the locks of matted hair, had been brought to her.

"This is the work of political enemies" echoed Frank T. Scanlan.

"Dr. Cronin has been the victim of a political assassination" was the immediate verdict of a number of prominent Irishmen of New York, Philadelphia and other places. And the developments soon to come showed that they knew whereof they spoke.

But the general public, while it listened and eagerly discussed the mystery, was inclined to be sceptical.

[Pg 58]

A political murder in the free, liberty loving United States. It could not be! Two Presidents had, it was true, been shot in cold blood by madmen; and in different parts of the country and on divers occasions men had been killed in scimmages at the polls as a result of troubles growing out of election affairs. But these were not political murders in the general acceptation of the term, not the deliberate well planned taking of life; not the outgrowth of a conspiracy to "remove" some one whose particular political predelictions or position had rendered him obnoxious to those politically associated with him. "Such things might happen abroad it is true" said the sceptics, "but on American soil it would be an impossibility."

DR. CRONIN AS A PROPHET.

Dr. Cronin's friends were not among the sceptics. Very well they knew that there was more than ordinary ground for the fears they had expressed. There was abundant evidence that long before his death the physician had known that his life was threatened, and that any day might be his last. This knowledge, or belief,—it may be put in either way—was clearly outlined in a pamphlet which, under the title of "Is it a conspiracy," he caused to be printed and circulated among his friends a year before his taking off. In this document which, at the time was summed up by most of those that read it, as a mass of words and phrases without meaning to any one but the writer, Dr. Cronin clearly outlined the fact that he would meet his end by violent means. There was a key to the story which, when read between the lines after his disappearance, made its meaning clear to many of those to whom it had previously seemed but a jumble of incoherences.

[Pg 59]

The closing paragraph, in particular, was an extraordinary indication of the prophetic spirit that had been generated in the physician by the dangers that he knew assailed him.

"It strikes me that your funeral would be a largely attended one," was the question that he put into the mouth of the mythical reporter who was supposed to be interviewing him.

"Yes," was the reply that followed "and the cause of death extensively inquired into."

Prophetic words. How largely his funeral was attended; how extensively the cause of death was investigated; this volume itself is a record.

The fact that his life was in danger had been the burden of Dr. Cronin's confidences to his friends for a year prior to that memorable night in May.

[Pg 60]

More than once attempts had been made to lure him to isolated and unfrequented spots on the pretense that his professional services were required. On one of these occasions, so it is said,—although the doctor was always uncommunicative on this point—he barely escaped with his life from a house whither he had been summoned to attend a woman who was, in reality, feigning sickness. At another time he publicly denounced a man whom he believed had been sent from a distant city in the east to encompass his death. Still another time a local sport who had been hired by his enemies to "do him up" as the expression was used; inspired by feelings of gratitude from some indirect favor, had made a clean breast of the matter. Little wonder then that Dr. Cronin felt that he lived the life of a marked man, and that sooner or later, he would fall a victim to the machinations of those that were bent upon his removal. But why had he enemies? and why moreover was his death so greatly desired?

CRONIN AND THE CLAN-NA-GAEL.

The answer to these questions is given in the theory adopted by the officers of the law immediately upon the discovery of the body; which was subsequently endorsed by the coroner's jury, re-indorsed by the Grand jury; and in pursuance of which seven men were soon to be placed upon trial for actual participation or complicity in the crime. This theory was that the physician had fallen a victim of a conspiracy, covering two continents, its ramifications extending in numerous directions and involving people of high as well as low repute, and that this conspiracy had for its object his deliberate removal in order that certain secrets and information that he possessed, and which virtually affected the reputation, honor, and credit of certain Irishmen of international reputation, might not be given to the world. In order, however, that this theory may be made clear, it is necessary to go back to the beginning of the trouble. Almost from his boyhood days Dr. Cronin had taken an active interest in organizations that had for their object the liberation of Ireland from British domination. One of these organizations was the Clan-na-Gael. This was probably the most closely oath-bound of all the Irish Societies of this country or abroad. Its strength,

[Pg 61]

moreover, was phenomenal. Although, owing to the secrecy which surrounded its annual conventions, no public reports of its total membership had ever appeared of record, it was generally believed and understood that it ran into many scores of thousands, and penetrated into almost, if not quite, every section of the North American continent. In age it dated back to 1869, its cardinal object being to establish in Ireland an Irish republic, to bring about fraternal feelings among Irishmen in the United States, and generally assist in the elevation of the Irish race. It affiliated with the old revolutionary organizations in Ireland, and moved on lines so nearly masonic in their secrecy, that in many parts of the country the clergy of the Catholic church either discouraged or altogether forbade the members of their flocks from becoming identified with it. Despite this fact, however, the order, almost from its inception, grew in strength, in wealth, and in influence. There was nothing in the obligation which would-be members were compelled to take, before being entrusted with the passwords and other secret work that conflicted with their duties as citizens of the United States, except that the occasion might arise when it would be necessary for them to violate the neutrality laws. Every man, however, that joined the Clan-na-Gael, or, as it was more generally known to the outside world, the "United Brotherhood," knew that, as an Irishman or a man of Irish descent, his sworn duty was loyalty to Ireland, and that, were he called upon to take up arms in aid of any movement for the independence of Erin's Isle, it would be his duty to comply without question or demur. The membership of the organization was divided into districts, which again were subdivided into local lodges or "Camps." Each district had its general officer, to whose authority each local camp was subject, and the district officers in turn made up an Executive Board. This body possessed absolute and complete control of the organization in every particular.

[Pg 62]

[Pg 63]

THE "TRIANGLE" IN POWER.

It was not until 1881, when it had passed its first decade of existence, that the United Brotherhood first came prominently to the attention of people of all nationalities in the United States. In that year it held a national convention in Chicago. At this time its membership was at its height. Tens of thousands of men of Irish blood had become affiliated with it for motives of the purest patriotism, many others on account of the secret political influence which it was enabled to wield; and not a few because they thought they saw in it a source of livelihood and profit to themselves. Its treasury had swollen to large proportions, as a natural result of that section of the constitution which required every local camp to remit ten per cent. of its gross receipts to the Executive Board, and to faithfully keep the balance, save and except so much as might be required for running expenses, in its treasury for an emergency. It was from this convention that the troubles which afterward overwhelmed the order first dated. One of its actions was to so change the system of government as to confide the supreme control to an Executive Board of five men, of which number three formed a quorum. Alexander Sullivan of Chicago, Michael Boland of Louisville, and D. C. Feeley of Rochester, New York, were elected members of this Executive Board, and, working together, became both the majority and necessary quorum. This was the trio which was destined to become famous in after years as the "Triangle."

[Pg 64]

Almost from the day and hour that the convention adjourned, the "Triangle" commenced to rule the order with a rod of iron. Despite the fact that when it came into power there was in the treasury funds, according to the best data that has been obtainable, aggregating a quarter million of dollars, a new rule was promulgated which required nearly the entire receipts of each Camp, instead of the former ten per cent., to be forwarded to the National Executive Committee. In justification of this remarkable step, it was quietly given out that matters connected with the objects of the organization indicated that an imperative demand was very shortly expected, which would allow of no delay, and in which much money would be required. As the funds had been raised for the sole purpose of assisting in revolutionary efforts, which, from their very nature had necessarily to be conducted with the utmost secrecy, no great objection came from any quarter to the transfer of the funds. The amount thus placed in the control of Alexander Sullivan, as chief of the Executive Committee, and of Feeley and Boland, his aids, was subsequently stated by men who knew, men of honor and integrity, men whose word in commercial transactions was considered as good as their bond, as being in the immediate neighborhood of the enormous total of one hundred thousand dollars.

[Pg 65]

VICTIMS OF A "PHYSICAL FORCE" POLICY.

What followed in the next few years is a matter of history. At irregular intervals the news of dynamite explosions in different parts of England, was flashed over the wires that spanned the two continents beneath the broad waters of the great Atlantic. So, too, was the news of the death, or capture and subsequent imprisonment, of those supposed to have been primarily concerned in these affairs. Oftentimes the arrests were made under circumstances which could lead to no other belief than that the victim had been deliberately betrayed. Between 1881 and 1885 twenty-nine Irish revolutionists were sent from America into English prisons, and in almost every instance the suspicion was so strong as to almost

[Pg 66]

amount to a certainty that these victims were betrayed to the government, against which their attack was to be directed, before they had left the vessel which had carried them across the ocean. This is the record:

<i>Date of Sentence.</i>	<i>Name.</i>	<i>Crime.</i>	<i>Sentence.</i>
1881.			
May	James McGrath James McKevitt	Attempt to blow up Liverpool Town Hall.	Life. 20 years.
1882.			
Jan. 31	John Tobin	Illegal possession of nitro-glycerine.	7 years.
July 31	Thomas Walsh	Illegal possession of nitro-glycerine.	7 years.
1883.			
May 28	Thomas Gallagher A. G. Whitehead H. H. Wilson	Illegal manufacture of nitro-glycerine at Birmingham	Life. Life. Life.
July	John Curtin William Tansey Pat Noughton Pat Rogerson James Kelly	and transfer of it to Weston House in Galway.	14 yrs. 8 yrs. 12 yrs. 2 yrs. H. L.
July 30	Timothy Featherstone Dennis Deasy Pat Flannigan Henry Dalton	Illegal possession of infernal machines.	Life. Life. Life. Life.
Dec. 21	James McCullough Thomas Dewanne Peter Callahan Henry McCann Terrance McDermott Dennis Casey Pat McCabe James Kelly James Donnelly Patrick Drum	Outrages in Glasgow in January, 1883.	Life. Life. Life. Life. Life. 7 yrs. 7 yrs. 7 yrs. 7 yrs. 5 yrs.
1884.			
July 29	John Daly J. F. Egan	Illegal possession of infernal machines.	Life. 20 yrs.
1885.			
March	Patrick Levy	Explosion at Mill street barracks.	1 yr. H. L.
May 18	J. G. Cunningham H. Burton	Explosion at Tower of London, etc.	Life. Life.
Nov. 18	J. Wallace, alias Duff	Murder at Solihall.	20 yrs.

This was a total of thirty-two men convicted of participation in dynamite explosions. The conviction of Wallace for murder grew out of his arrest on the charge of conspiracy. Two of the unfortunates died shortly after their conviction, one was pardoned, and of the remainder there were on October the 1st, 1889, twenty-two still confined in British convict prisons. Besides these, two other delegates from the United States, Captain Mackey Lomasney and a mysterious man, known only as Peter Malone, were supposed to have been killed in the explosion on London Bridge on the evening of December the 13th, 1884, while one more of the number, James Moorehead, better known as Thomas J. Mooney, who, with others, managed the explosion in Whitehall in 1883, was successful in escaping to New York. Some time after his return to the United State he made a full statement of the manner in which he was sent abroad for dynamite work, and furnished with money and methods of introduction to the agents of destruction on the other side of the Atlantic.

CRONIN TO THE FRONT.

For a time Irish fealty proved equal to the situation, and no outcry was raised because the treasure was wasted, the lives of brothers lost, and the sentiment of the whole world turned against the cause of the freedom of Ireland. Presently, however, a demand was made by the Executive Board upon the local Camps for more money, and dissatisfaction began to manifest itself. It seemed incredible that the immense sum which but a few years before had been at the disposal of the Triangle could have been absorbed, and that, as was claimed the order was thousands of dollars in debt. An investigation was demanded, and the Triangle responded with its rod of iron. It declared that opposition should be crushed out. Member after member, and then Camp after Camp was expelled. It was at this time that Dr. Cronin came to the front. He was a colossus. He insisted that the members of the organization had a right to know what was being done with their money, whether the immense amounts levied and wrung from patriotic Irishmen in America, had been well used, or whether it had found its way through other channels into the pockets of financial conspirators. The Triangle did not deign to notice him for a while, but his following increased from scores to hundreds and from hundreds to thousands, and it became evident that the bold, intrepid Irishman who had forged his way from poverty to an honorable position in the metropolis of the West was the man of all men of whom to be feared. The fiat went out that Cronin's expulsion from the order was necessary to the future safety of the organization. An opportunity was soon found. In his own Camp, Dr. Cronin had read a circular from one of the Camps that had been expelled, protesting against the action of the Executive Board. For doing this he was charged with treason. This was in 1885. He was brought to trial in Chicago before a committee consisting of Lawrence Buckley, Frank Murray, John O'Malley, Daniel Coughlin, the detective, who later was to be charged with participation in his murder, and Henry LeCaron, *alias* Beach, afterward a British spy, and who had been introduced into the order by Alexander Sullivan. The latter acted as prosecutor. With such a trial committee it was little wonder but that the physician should have been pronounced guilty of treason, and that his expulsion from the order should have been decreed.

[Pg 68]

[Pg 69]

The "treasonable" letter was as follows:

THE "TREASONABLE" LETTER.

The initials used throughout represent the titles in this order:

"V. C.," United Brotherhood; "F. C.," Executive Body; "U. S.," United Sons; "D.," Camps; "I. R. B.," Irish Republican Brotherhood; "R. D.," Revolutionary Directorate; "S. C.," Supreme Council.

HEADQUARTERS F. C. OF V. C.,
Sep. 15, 1885.

[Pg 70]

To the Officers and Members of the V. C. and of the U. S.:

BROTHERS: In accordance with the call of the Committee of Safety a general convention of the V. C. was held in New York City, Aug. 3 and 4, for the purpose of taking the necessary measures to save the organization from the ruin which threatens it. A full account of its proceedings will be found in the printed report, to which we invite your attention.

Having been chosen by the convention to fill a position of great difficulty and responsibility in the organization during this, the supreme crisis of its existence, we feel it to be our duty to lay before you the plain facts of the present situation, and to ask the assistance of every honest man in bringing about a remedy. We make this appeal without regard to the side you may have taken in the recent and present troubles, knowing full well that nine-tenths of the organization are in a state of utter ignorance as to the actual facts, and that honest men have been led to sustain wrong. We make it more particularly to those who are supporting and yielding blind obedience to men who have turned their backs on the I. R. B., thereby ignoring the fundamental principal which is the cause and object of our organization. If that support is withdrawn an effective remedy can be at once applied. That there is trouble you will not now deny, and that it is serious enough to menace the existence of a once powerful organization, and to threaten the ruin of the hopes that have hitherto stimulated our efforts for Ireland, every day will make more clear to your understanding. The efforts at concealment made by the men who created this trouble, the withholding of information as to the wholesale suspension of D's, and the mendacious assertions made in recent circulars, have all failed of the desired effect; and in every D in the organization, to-day, there is gloom and discouragement and members are fast falling away. No official denials, a thousand times repeated, can any longer conceal this fact. Every member from Maine to California can see it for himself. The truth is beginning to filter through the barriers set up against its entrance to the D's, by desperate men, whose characters depend on its suppression. The frantic efforts and reckless

statements of the army of paid organizers, sent around to counteract the progress of truth and avert the exposure of wrong doing, are useless and unavailing. Many of these are the men under accusation of complicity in the fraud, and they now use your money to deceive you and prolong the reign of dishonesty. Their prevarications, contradictions, and shuffling evasions are doing more to establish the truth of the charges, against which they are vainly struggling, than the strongest statement made in the interest of right and justice, and a spirit is gradually growing up in the organization which will produce one of two results—reform and punishment of the evildoers, or disruption of the organization and escape of the prisoners.

One or other of these results is inevitable. And whichever it is, it will be the clear and logical result of your action. Your withdrawal from the organization, in despair or disgust, will no more enable you to shake off your responsibility than if you give an active support to the criminals. Which result shall it be? The decision rests with you. If the men responsible for this wretched state of things cannot succeed in stifling all investigation into their misdeeds, they would prefer to see the organization smashed. "Dead men tell no tales." They know that an honest investigation would overwhelm them, and they are fighting for existence. Therefore they are determined there shall be none, and every D that demands one is suspended or left without communication. This conduct is capable of but one explanation. They cannot stand investigation. The question with them is, shall their personal reputations be destroyed, or the organization be ruined? and they have chosen the latter. Men with true instincts, and whose records were clean, would scorn to force themselves on any organization, to handle its funds and direct its policy, while under such accusations as have been leveled against the Triangle. Men with the real good of Ireland and of the V. C. at heart, would refuse to hold office at the expense of the unity and the efficiency of the organization. Looked at from any standpoint their conduct is indefensible and unpatriotic. No man fit for the duties of the high office, these men hold, would acquire it by such means or hold on to it when acquired. No men who honestly intended to aid the men at home to free Ireland—which is the fundamental principle of the V. C.—would begin their official careers by deceiving their colleagues in Ireland and persisting in carrying on any policy against their protest.

[Pg 71]

Since the disastrous gathering, miscalled a convention, which met in Boston twelve months ago, the organization has been going from bad to worse. The deceit and trickery by which three members of the F. C. were enabled to continue themselves in power, and so to change the whole form and object of the order, as to make it a convenient instrument for the furtherance of personal ambition, at the expense of the sacred cause of Ireland, have continued to play havoc in our ranks. The strength and vitality of the national movement have been shattered. The oldest and strongest D's are being driven out one by one, and a system of repression of free speech and sham trials, copied from the worst features of British tyranny in Ireland, is brought into requisition for the purpose of crushing all independence of thought, and stifling the voice of patriotism. No honest man in the V. C., who sees and hears what is going on around him, can fail to recognize that ruin and disintegration must speedily make shipwreck of our hopes, if a strong and vigorous remedy be not soon applied. No intelligent man can fail to see that every effort of the three men who have usurped the governing authority of the V. C., every dollar intrusted to them for the advancement of the cause is being devoted to the maintenance of their power, and to the work of driving from the organization every man who charges them with wrong-doing, or who advocates an investigation of the charges made.

[Pg 72]

That the aims and objects of the organization, and also its money, are being sacrificed to the necessities of the war of self-defense, waged by three desperate men, must be plain to every intelligent man, and it must be equally plain that an honest, impartial investigation of the serious charges, made against these men, would put a speedy end to all this trouble, by either convicting them of wrong-doing or their accusers of falsehood. In either case the organization would be freed from evil-doers and restored to harmony. Why, then, is such an investigation refused? The men who make the charges are ready to substantiate them and take the consequences. The accused men shirk an investigation, drive their accusers out of the organization, so that their evidence may not be available, and hold on with the grip of desperation to the positions they are accused of disgracing.

Can any organization of intelligent, self-respecting men tolerate such a state of affairs? You who submit to the scandalous methods by which it is kept up are making yourselves responsible for irreparable injury to the cause you are sworn to serve.

Let us recapitulate the work of the Boston "Convention," the charges made

against the Triangle, the disruptive policy they have since pursued, and the remedy we propose. We charge that the three members of the last F. C., who now constitute the Triangle, are solely responsible for the evils of the present situation, and that deceit and trickery have characterized their action at every step. There is no statement of theirs, now promulgated, that is not made for the purpose of misleading the organization in regard to vital facts. These facts cover the postponement and change of form of the convention, the proceedings of that body, the relations with the I. R. B., the disbursement of the largest sum of money ever handled by any F. C., the authority and responsibility of the R. D., and the policy pursued. In short, they embrace every question of vital importance to the organization and to their characters as officers and members of the V. C.

First—The Postponement of the Convention—It is claimed that these men had nothing to do with it—that it was entirely the work of the organization. Here are the facts:

Those who were delegates to the Philadelphia National Convention will remember, that the subject was first mooted there *at the request of the three members of the F. C. in question*, in a caucus of members of the V. C. It was proposed by a member of D. II, and seconded by a member of D. I, and passed as a recommendation to the D's that they favor a change in the constitution, by which each district should elect delegates in proportion to membership to the National Convention. It was recommended in that form to the F. C. for promulgation to the D's. When promulgated it had undergone a remarkable change, by which each district was allowed two delegates, irrespective of membership. This would give a district, having then less than 100 members in good standing, the same representation as others having 1,500 members.

[Pg 73]

The proposition of the F. C. was passed in some D's, with an amendment providing for representation according to membership, and a request that the amendment be submitted to all D's. The reply of the F. C. was that there was no time to do so, and yet about a year elapsed before the convention was held. Thus they secured a postponement of the convention under pretense of submitting a constitutional question to the D's, but so altered the question itself as to deprive large districts of representation in proportion to their membership, reducing the number of delegates to the convention, thereby making the work of manipulation easier. Thus, you see, the proposition originated with the F. C. was supported by them in caucus, and they voted and worked for its passage, and yet they tell you they had nothing to do with it, "that it was the work of the organization."

This was the first part of the program by which they sought to deceive and hoodwink the organization, escape a proper accounting of their trusts, and secure a continuance in office. Let us now examine the second part of the program, or farce, played at Boston.

The Convention—Notwithstanding the long delay and the evidence of elaborate preparation for the convention on the part of the F. C., the notice to the delegates was only given at the last moment. Both the first circular after the convention, and the so-called "report" of its proceedings, issued by the Triangle in the name of the delegates from each district, contained deliberate misstatements of facts. There was no Committee on Credentials, and the word of the Secretary of the F. C. was the only voucher for the genuineness of the delegates. There were three persons present who were not delegates, and one of the three presided. The composition of the committees appointed by the chairman, after dining with the men who controlled the F. C., and disbursed its funds, left every consideration of decency and bona fide investigation out of account. To investigate the work of these men, a Committee on Foreign Relations, consisting of two of them, and a man who was entirely dependent on them for information, was appointed. The Financial Committee consisted of three district members, two of whom were the agents of the F. C., in the "active policy," and notoriously their partizans. These committees, sitting jointly, and having out of the six members only two who were not previously concerned in the work of governing and spending the funds, had the coolness to report that "The Finance Committee are fully satisfied with the economy and prudence with which the expenditures have been made, and the Foreign Relations Committee find complete exactitude in the financial acknowledgments of the R. D., etc." That is, two members of the American part of the R. D., who had been receiving and spending, in the name of that body, vast sums of money, of which the three home members knew nothing, aided by two accommodating district members who had been helping them to spend the money, find "complete exactitude" in their own accounts. And then, on the plea that "lives of faithful and devoted men are in the keeping of each of us who have served on either of these committees," they appeal to be allowed to keep the knowledge to themselves, and assure the organization that

[Pg 74]

they "individually and collectively agree that it is a misfortune that so many of us should have this knowledge." They describe their anxiety to "see in the flesh the officer in charge of the new policy"—a staunch confederate of theirs whom they appointed and who merely carried out their orders—so that they might, forsooth, determine whether economy characterized his work and their own. But the crowning hypocrisy of all was their desire to ascertain if the receipts "acknowledged by the Home Branch of the R. D., corresponded with those reported by the F. C., as having been paid out." That is, they wanted to see if moneys received and spent by the American Branch of the R. D., without the knowledge or consent of the Home Branch, were properly accounted for by men who knew nothing about them, and whose representative was kept away from the convention lest the truth should become known. And the men guilty of this shameless deceit and hypocrisy are running the U. S. to-day.

Third—The Relations with the I. R. B.—Without the presence of an envoy from the I. R. B. the convention was dependent on the word of men, who admitted the receipt and expenditure of \$266,000, and who are positively known to have received a much larger sum, for the genuineness of the account. They place \$128,000 to the credit of the R. D., and \$75,000 to that of the S. C. of the I. R. B., and they make it impossible for an envoy from Ireland to confirm or contradict the statement, by withholding information from him as to the time and place of the convention.

They aver that they sent the information both by cable and mail, and yet there are letters at our disposal, dating from June to October, from a member of the S. C., complaining that they could not get the information they sought, and the last one affirming that the old address was still good for either cable or mail. No letter passing between the two organizations ever miscarried before that time, and others have reached the same address since. The F. C. were made aware of the non-receipt of the information, and if it was intended to reach the S. C. it would have been received. The true explanation for all this is found in the admission in the "report" of the convention of a radical difference of opinion between the F. C. and S. C., and of a determination to dictate to the latter body. There is not a shadow of doubt that three members of the F. C. who represent the V. C. or the R. D. usurped the functions of the whole body, and spent the money voted to it by the F. C., without the knowledge of the home members. By keeping away the one envoy of the I. R. B., and auditing their own accounts, and speaking in general terms of the R. D. as if they spoke for the whole body, they hoped to conceal this fact and secure a continuance of the fraud. We now begin to see why it became necessary to impose silence, by oath on the delegates, for the first time in the history of the conventions of the V. C. The report of the convention issued by the Triangle, and the tone of circulars since issued, show a deliberate purpose to prepare the minds of the members of the V. C. for a break with our brothers at home. Are such men worthy of your confidence?

[Pg 75]

Fourth—The R. D.—The R. D. is a fundamental law of the V. C., protected and ratified by international treaty with the I. R. B. It cannot be altered or abolished without the consent of the I. R. B., and the consent of the D's. It was adopted by the Philadelphia convention of the V. C., by a unanimous vote in 1876, with the proviso, that it should become a law only when approved by a two-thirds majority of the D's. It was submitted to the D's, and after being discussed at special meetings in every D, was approved by much more than the necessary majority. It was then submitted to the S. C., and having been agreed to by them the R. D. was elected, and by a solemn treaty invested with the supreme authority in all revolutionary matters.

The R. D. could not be abolished without the consent of both the contracting parties, nor its functions assumed by a minority of that body, or their confederate "in flesh," without the consent of the S. C. or consulting the D's, who created it, and that most accommodating body called the Boston convention, has empowered the Triangle to elect an R. D. or not, as they see fit. That is, to elect the whole body and run a boat of their own, as did the Flannigans at the Flood, with the assistance of their confederate "in the flesh."

The R. D. provided the means of adjusting all differences between the two organizations, of adopting a common policy, of auditing all expenditures, and made out of previously disjointed fragments, one united Irish revolutionary body throughout the world. Every intelligent man will now perceive that the assumption of power by the V. C. members of the R. D. and their "officer in the flesh," as well as the action taken at Boston, means broken faith with the I. R. B., means secession, disruption, divided counsels, is a direct blow at the integrity of the national movement. We cannot believe that you will continue to condone this offense on the part of the present Triangle, or indorse this breach of faith with the I. R. B.

Fifth—The other work of the convention—The mode of electing the Triangle is

inconsistent with honest intentions and gives the organization no protection against wrong doing. The oath of secrecy, as to the whole proceedings, is absolutely without justification or valid reason. Its evident intention was to cover up the farce enacted by the committees.

No reasonable member of the V. C. wants information, involving danger to men, within the enemies reach. But every man should know, who audits accounts covering hundreds of thousands of dollars, and insist on having some guarantee that an honest inquiry is made into the most important work of the F. C., viz: their relations with the men at home. The change in the oath bodes evil to the cause. What intelligent man will bind himself to promote all measures adopted by the Triangle, "whether known or unknown?" Are we to follow these men blindly in every enterprise to which fancy or ambition leads them, including schemes of American politics?

[Pg 76]

This, brothers, is the true situation of the Irish National movement in America to-day.

The only possible remedy is in a general convention, which will pronounce final judgment, and calmly and impartially set aside all men who stand in the way of union. We have appealed to the triumvirate for such a convention, as have many of you, in vain.

They will never call it, for the simple reason that they dare not. The only possible means of securing it, and thereby ending this trouble once for all, is by your shaking off the lethargy that has overtaken you and joining hands with us. Your appeals and protests to your leaders will be met by hollow pretenses and subterfuges, such as have met all such efforts for the last year.

Waiting for the "regular" convention means submitting to another farce and allowing the work of disruption to go on with accelerated speed. Come, frankly and openly to our side, and the settlement of the trouble will be in your own hands. We are empowered to call a convention at any time, when we see the necessity for it, without waiting for the period fixed, and it shall be called as soon as you say the word. Then let the culprit suffer, whether it be accused or accuser, and the unfaithful, incompetent, and factious step to the rear. The cause of truth, justice and patriotism will triumph, the confidence now broken be restored, the gloom now hovering over the organization dispelled, and with brightening hopes we will march on to the accomplishment of our object—the restoration of national independence under a republican form of government to our native land.

Fraternally yours,
THE F. C. OF THE V. C.
X. F. G. (W. E. F.), Chairman.
Y. F. C. (X. E. B.), Sec.

All communications should be addressed to John C. Phillips care of P. O. Box 2049, New York City.

CHARGES AGAINST THE TRIANGLE.

But these vigorous measures, instead of crushing the opposition, served only to give it new life and energy. An organization, antagonistic to the Triangle, composed of men bitterly hostile to Sullivan, Boland, Feeley and others high in power, was brought into existence, and rapidly grew until it was equal in strength to the original Clan-na-Gael. It had trusty spies and avowed adherents in the older organization, and the bitter quarrel was also brought into other Irish movements. Sullivan and his aids gradually dropped out of control, first seeing to it, however, that they were to be replaced by men to whom their word would be as law. Still Cronin and those with him kept up their warfare. Numerous efforts were made to silence him, and twice in 1887 he was called as an expert witness in trumped up cases before two Chicago police justices, in the hope that his persecutors, by putting him on the rack of cross examination, might find some flaw in his life that could be made use of in lessening his influence, or some disgraceful scrape which might be held over his head, to make him heed the behests of the man into whose possession the secrets had come. This effort failed of its object, and the physician returned to the charge with two new allegations. One was that the Triangle had allowed the family of Lomasney to suffer for the necessaries of life, while funds that had been appropriated by a local committee of the Clan-na-Gael, which labored under the belief that the missing brother was in an English dungeon, had been withheld, and another, that Sullivan had gone to Paris, while Patrick Egan was an exile in the French capital, and demanded the sum of \$100,000 of Land League funds to carry out the aims of the physical force men in America. According to this charge, the money was demanded to meet certain expenditures that had been planned in a convention of representative members of the Clan. Mr. Egan, so it was claimed, after a good deal of consideration, refused to turn over the money, and then Sullivan threatened to disrupt every Irish society in America

[Pg 77]

[Pg 78]

unless his demand was speedily complied with. He pointed to the fact that there was a large and growing element among Irish-Americans that was dissatisfied with the management of national affairs, and was ready to revolt as soon as a leader turned up to direct them. A whole week was consumed in discussing the demand of the American emissary, and in the end Mr. Egan was convinced that it would be wiser to take counsel with some of his conferees before rendering a final decision. He told Mr. Sullivan plainly that he was opposed to granting so large a sum of money for any purpose whatever, but he was willing to abide by the decision of other men who had as close a knowledge as himself of the needs of the order at home and abroad. He offered to submit Sullivan's proposition to Sheridan, the famous No. 1 of the Phoenix Park Invincibles, and the leader of the physical force men in Ireland. Mr. Sullivan agreed to this offer, and Sheridan was called to Paris from Ireland by telegraph. Within a week after all the facts had been laid before him, he decided that the money demanded by Sullivan had better be paid than withheld to conciliate all factions of the Clan-na-Gael in America. In result it was claimed that Egan paid Sullivan \$100,000 in cash, from the funds of the Irish National League, of which he was treasurer, and that the then chief of the Triangle brought the full amount with him when he returned home. Instead, however, of turning it into the treasury of the Clan-na-Gael, it was contended that only \$18,000 was accounted for, and the balance of \$82,000 was deposited in the Traders' Bank, to the credit of "Alexander Sullivan, agent," the full amount being subsequently withdrawn on account of certain speculations by Sullivan on the Chicago Board of Trade. That such a deposit had been made was confirmed some time later, when the bank in question failed and its records, as the outcome of legal proceedings, became public property.

[Pg 79]

SULLIVAN ON TRIAL.

But the troubles of the warring factions could not last for ever. There were influential men on both sides who wanted harmony, and were determined to secure it. Finally, the two sides came together at a convention held in Chicago in 1888. Peace was restored, and the Camps and individuals that had been expelled by the Triangle were declared to be again in good standing. It was decided that the accounts and acts of the Clan-na-Gael society from 1881 should be investigated, and three men were chosen from each faction as a trial committee. They were as follows:

[Pg 80]

Dr. P. H. Cronin, of Chicago.
Dr. P. McCahey, of Philadelphia.
John D. McMahan, of Rome, N. Y.
P. A. O'Boyle, of Pittston, Pa.
Christopher F. Byrne, of Saxonville, Mass.
James J. Rogers, of Brooklyn, N. Y.

The sessions of the committee commenced at Buffalo, in 1888, but the fact that there were a large number of witnesses from points adjacent to New York City, induced the body to make a change of base to that city, and the inquiry was resumed at the Westminster Hotel during the heat of the Harrison-Cleveland presidential campaign. It was soon found that the hotel was altogether too public a place for the inquiry and a hall was hired in another locality. Alexander Sullivan, who, with Boland and Feeley, was present in person, entered a formal protest against the participation of Dr. Cronin, couched in the most vituperative language. It read as follows:

[Pg 81]

SULLIVAN'S CELEBRATED PROTEST.

NEW YORK, SEPT. 15, 1888.

P. O. BOYLE, *Secretary*.

DEAR SIR:—At the opening of this investigation in Buffalo I protested against the presence of P. H. Cronin as a member of the committee to investigate any charges against me. The committee decided that it had no power to act in the matter, but, through its chairman, said that I could file my protest in writing. Therefore I formally and in writing renew said protest. My grounds are

First, he is a personal enemy; second, he has expressed opinions in this case; third, he is a perjurer and scoundrel, unfit to be placed on any jury.

To the first objection I cite the men of the United Brotherhood organization in Chicago, from which he was expelled in a case where I conducted the prosecution. There is no question in Chicago of his personal hostility. Before the National League convention in 1886, his was one of the signatures to a circular assailing me, and he was a regular attendant at meetings hostile to me. This is so notorious to me from all parts of the country that it is not necessary to enlarge upon it, but if substantiation is required it can be furnished to an overwhelming degree.

In the support of the second objection it is only necessary to recite the now

notorious fact that Cronin was a member of the executive body of the United Brotherhood, and as such he was one of those who circulated charges against my former associates and myself. He therefore not only expressed opinions, but in his official capacity caused those opinions to be published and circulated.

Your committee is chosen from two bodies, whose members differ on many points, but who all agree, or profess to agree, in denouncing unfair trials, biased juries and prejudiced jurors in Ireland, and yet I am asked, after a period of four years has elapsed since I was a member of the organization, to come for trial before a committee chosen in my absence at a place where I was given no opportunity to be heard, although I was within a few hundred feet of the place.

While you ask the world to believe that you want a fair trial on one side of the Atlantic, you ask me to accept as a juror one who would be excluded in any civil court from a jury in a trial of a case in which I had an interest however trivial.

I am told that it has been declared that if I do not appear before this committee I shall be denounced as one unable to defend himself against the accusations filed. So I was left with the alternative of being tried before a jury, with at least one perjured member, or being abused and villified for my non-appearance. And this is what the men who selected Cronin were led to believe was fairness. They should never again be so indecently inconsistent as to criticise the position of juries or courts chosen to try men in England and Ireland. Had he as much decency as an ordinary dog he would not sit in a case in which I was interested.

As to the third objection to Cronin, I charge that the brand of perjury is so burned into the scoundrel's brow that all the waters of the earth would not remove the brand. He was a delegate at the district convention held in Chicago, March 23, 1884, that being the first one held in this district. After the constitution was so amended as to provide for the elevation of two delegates from each district, two delegates were elected at the very same session, one being chosen immediately after the other. Yet Cronin, after first officially reporting to his club that two delegates were elected, circulated a report that only one was elected, and stated that he would not be permitted to speak or to present any suggestions from his camp. Every such delegate at the convention has been sworn, and every one, including those who were with Cronin in the U. B. organization, testified that two delegates were chosen, that Cronin was present when they were chosen, that every delegate not only could speak, but was actually called upon to speak, and that every delegate, including Cronin, did speak.

[Pg 82]

Cronin was expelled, a convicted liar, who added perjury to his slander. I have further investigated his record, and I find that in several matters outside of this organization he is also a perjurer. A record obtained from Ireland by William J. Fitzgerald says that Cronin was born at Buttevant, April 13, 1844. Cronin swears that he lived at St. Catherines, Canada, until after the assassination of President Lincoln, April 14, 1865. Captain McDonald, of No. 2 Company, Nineteenth Battalion of the Canadian militia, of which P. H. Cronin was a member, says that at its formation in 1862 or 1863 he had P. H. Cronin in his company, or shortly after its formation. He was known as the "Singer Cronin," and at the time of joining he took the oath of allegiance as follows: "I swear that I will bear true and faithful allegiance to her majesty, the queen, her heirs and successors."

About 1863 positive orders were sent by the government that every man had to take the oath of allegiance, and that there were none under his command who did not take it. The record shows that Dr. Cronin's father, J. G. Cronin, was a British subject and continued in Canada up to the time of his death, so that P. H. Cronin until 1865 or 1866, when he left Canada, was a British subject, and if, as he claims, his father was naturalized in the United States before going to Canada, he voluntarily abandoned his American citizenship and resumed the position of a British subject.

This P. H. Cronin voluntarily swore allegiance to her British majesty. Yet this creature swore in his name as a voter in St. Louis and voted in that city. He thought best not to come to Chicago and reside one year, but sneaked down to a county in Illinois, doubtless being afraid of attracting attention in Chicago, and swore that he arrived in the United States a minor, under the age of twenty-one years; that he resided in the United States three years preceding his arrival at the age of twenty-one years. He claimed to have been home in 1856, and not in 1844, and even if that were true, he was only nineteen years old when he left Canada, because he swore he was in Canada when President Lincoln was assassinated; that he came to the United States in 1865 or 1866,

[Pg 83]

and yet he swore he resided in the United States three years previous to arriving at the age of nineteen, and thus secured his papers on this minor petition falsely sworn to.

This side of Cronin's character, I submit, should be considered in connection with any report his malice and prejudice may dictate. I have not made any formal protest against the presence of Dr. McCahey on the trial committee, but it is well known that he has been active in publishing documents and interviews hostile to me, and it is at least strange that one who has been so engaged should be willing to serve on such a committee.

Very respectfully,
ALEXANDER SULLIVAN.

The protest was overruled. The charges, five in number, filed by John Devoy, of New York, and Luke Dillon, of Philadelphia, set forth that no active work had been performed by the "Triangle" or its agents; that there was nothing to substantiate its claim that it had expended over \$87,000 in active work; that it had basely neglected the families of men sent on errands of the Brotherhood; that bogus transfers had been issued to members of the organization as coming from Ireland, and that a district convention had illegally instituted. The trial was a heated one. Each side went to the hall every night backed by desperate followers. Letters threatening them death if a verdict of guilty was rendered were received by Cronin and McCahey. Suspecting treachery; the former took the precaution of making full notes of the testimony for his private information. When the evidence was all in a vote was taken on a motion to acquit. It stood three to three. Next a vote was taken to find Sullivan, Boland and Feeley guilty. This time it stood four to two, one of Cronin's colleagues deserting to the other side, and leaving the Chicago and Philadelphia physicians alone in their opposition to the Triangle. The question then arose as to the disposition of the evidence and a resolution was adopted that every record of the trial should be destroyed. Dr. Cronin demanded that the evidence should be published with the report, and sent to every Camp, but again the majority was against him. Thereupon he refused to surrender his private notes, and after returning to Chicago and consulting his friends, he determined that every man in the Clan-na-Gael should hear the story, and that a statement on the subject should be made at the meeting of the Irish National League of America, which had been called to assemble in Philadelphia in 1889. From this time on to his death, the matter was uppermost in his mind. A minority report, signed by the physician and Dr. McCahey, was filed with the executive, and a demand was made that it should be made public in the order. This was not done, however, simply because the majority of the Executive was attached to the "Triangle element," and, this avenue closed against him, Dr. Cronin contented himself with reading the report in his own Camp. It was this act, according to the subsequent theory of the prosecution, that, more than any thing else, cost him his life. Meanwhile he was industriously engaged upon the preparation of his papers for the prospective conventions of the Clan-na-Gael and Irish National League, his report of the New York trial proving invaluable to him in this connection; while he continued at the same time to periodically insist upon the publication of the minority report of the trial. On the very day upon which he was decoyed from home, the Executive Board was called together; and on the following day, (Sunday) an order was issued that Alexander Sullivan's protest, which branded the physician as a perjurer and a traitor, should be sent to every Camp.

[Pg 84]

[Pg 85]

It was hardly to be expected that the adherents and allies of the ex-head-centre of the Triangle would contemplate the vigorous assaults of Dr. Cronin upon the reputation and official conduct of their erstwhile leader with equanimity. The temporary calm that had settled over the organization with the close of the Chicago convention and its treaty of peace, vanished like a fog before the noon-day sun; and strife and bitterness once more reigned supreme. Every camp had its faction that championed the one side or the other. Under the banner of the physician, as well as under the colors of his adversary, were ranged scores and hundreds of men who had left their imprint upon the Irish-American history of the decade. The physician had his Rends, Dillons, Devoy's, Hynes, Scanlans, McCaheys; the lawyer his Egans and Fitzgeralds, O'Briens and Bolands. Effort after effort was made to induce Dr. Cronin to abandon his policy. Arguments, pleading, cajolery, threats—all were employed in vain. To one and all he had but one reply: "That he had put his hand to the plow, and that, God helping him, he would never turn back." For months before his disappearance, he believed that he was a marked man, and that, at the first opportunity, he would pay forfeit with his life for what he regarded as his unselfish devotion to the cause of his native land.

[Pg 86]

Little wonder then, that those of his intimate friends who were familiar with these facts declared, as with one voice, that he had met his death at the hands of his enemies.

Dr. Cronin's report of the trial, and which for weeks prior to the night of his disappearance, he had carried with him for safe keeping, were found in one of his garments in his residence after his failure to return home. The record in full is as follows:

TELEGRAM.

MARCH 13, 1889.—*Dr. P. H. Cronin, No. 468 N. Clark Street:* Meet me at Westminster Hotel, New York, Tuesday evening, 15th, 8 o'clock. Peremptorily

[Pg 87]

required on account report of committee to read.
McMAHON.

J. D.

Telegram dated Jan. 19 or 18, 1889, New York:

Dr. P. H. Cronin, Opera House, Chicago, Ill.: Ordered by the proper board that you send to me without delay your report on the trial. RONAINE.

Dr. Cronin's reply as follows:

CHICAGO, Jan. 17, 1889.

T. H. Ronaine, Esq., New York.—

DEAR SIR AND BROTHER: I am in receipt of telegram, and in reply would say that I vote as I did at last meeting of committee in New York; with the recommendation that vote be published and read to the clubs. McCahey has correct record of my vote. Or, if not, please inform me. Fraternaly,

P. H. CRONIN.

PHILADELPHIA, PA., Jan. 15, 1889.

To the F. C. of the U. S.—

DEAR SIRS AND BROTHERS: The Trial Committee appointed at Chicago was unable to elicit all the facts connected with the charges placed before it, because of the refusal of several of the witnesses to answer many of the questions asked, and because of the inability of others to remember events and figures that might be supposed to be indelibly impressed on their memories. From the evidence presented I am obliged to report:

1. That the family of one who lost his life in the service of the order was scandalously and shamefully neglected, and continued to be neglected for two years after their destitute condition was known, and that Alexander Sullivan, Michael Boland, and D. C. Feeley are responsible and censurable for that neglect.

2. That Gen. C. H. McCarthy, of St. Paul, Minn., was unjustly and deliberately excluded from the Boston convention, and subsequently shamefully persecuted and driven from the order, and that Alexander Sullivan, Michael Boland, and D. C. Feeley are responsible and censurable for that series of reprehensible acts.

3. That delegate from home organization was excluded from the Boston convention, and that the same three defendants are responsible and censurable for that exclusion.

4. That the same defendants issued a deceptive report to the Boston convention, leading the order to believe that its affairs had been examined by independent committees, and that the order was \$13,000 in debt; that, in fact, Alexander Sullivan and Michael Boland were on the committee of foreign affairs, and the Treasurer states that there was a balance in the treasury and not a debt.

5. That prior to the Boston convention one hundred and eleven thousand (\$111,000) dollars was expended without any direct or indirect benefit to the order, and most of it in a manner that could not in any way have benefited the order, and that the same three defendants are censurable and responsible for this enormous and wasteful expenditure.

6. That this enormous sum was spent without the sanction or knowledge of the home portion of the R. D.

[Pg 88]

7. That various persons sent abroad were not supplied with sufficient funds, and that the agent of the Triangle is responsible and censurable for that criminal neglect, and not the three defendants.

8. That Michael Boland and the late Secretary of the I. N. B. issued fraudulent transfers, for the purpose of deceiving the order in Philadelphia into believing that the union with the home order had not been broken.

9. That Michael Boland and D. C. Feeley, the former by acts and the latter by assent, are guilty of attempting to pack the Pittsburg convention by, first, excluding the delegate from the Pacific Slope; second, excluding Mr. McLaughlin, delegate from Dakota; third, excluding O'Sullivan and Delaney,

rightful delegates from New York; fourth, admitting the Rev. Dr. Betts and John J. Maroney, on bogus credentials from the bogus districts; fifth, admitting Boland and Malone, illegal delegates from New York; sixth, admitting proxies from Iowa, Brooklyn, and Illinois; seventh, sitting as delegates themselves in direct violation of the constitution.

10. That the \$80,491, reported to the district convention as having been spent in active work was not spent for any such work, no such work having been done or contemplated during the eleven months within which this large amount was drawn from the treasury. The active work done between the Boston and other district conventions, was paid for out of the surplus held by the agent of the Triangle at the time of the Boston convention, and not out of the \$87,491 drawn from the treasury months after such active work had ceased.

11. That Michael Boland and D. C. Feeley, the former by acts and the latter by silence, are responsible for the expenditure of this large amount of money, and censurable for deceiving the district convention as to the purpose for which it was spent.

12. That Michael Boland, Alexander Sullivan, and D. C. Feeley, the former by acts and the two latter by assent, illegally suspended D's in January, 1885, and that Michael Boland and D. C. Feeley, the former by acts and the latter by assent, illegally suspended U. D.'s in New York, in January, 1886.

Yours, respectfully, P. McCAHEY.

I concur in the within and foregoing report, and would recommend, in strict fairness to all concerned, and in justice to the entire organization, that the evidence, from which were deducted the foregoing, be printed by F. C. and sent to each D. O. and by him read at the general meeting or district over which he presides.

P. H. CRONIN.

Signed Jan. 19, 1889.

NOTES OF TESTIMONY.

First meeting, Westminster Hotel, New York, July 30.

J. D. McMahan, of Rome, N. Y., in the chair.

Committee met, and after some discussion as to choice of chairman and secretary the matter was arranged by electing anew J. D. McMahan as chairman, and P. A. O'Boyle as secretary. Members present: McMahan, O'Boyle, McCahey, Rogers, Burns and Cronin.

Letters and telegrams were read showing that none of the defendants were ready, owing to brief notice. Accusers on hand.

On motion, committee adjourned to meet at Buffalo, N. Y., Aug. 20, 1888.

Genesee House, Buffalo, N. Y., Aug. 20, 1888. Committee called to order. J. D. McMahan, President; P. A. O'Boyle, Secretary.

Present: J. D. McMahan, P. A. O'Boyle, P. McCahey, J. J. Rogers, P. H. Cronin, C. F. Burns, Sullivan, Feeley, Boland, Ryan, Devoy, Trude, O'Neill, McCahey.

On announcement by the Chair that the committee was ready for business, Mr. Sullivan stated that he had an objection to offer to the constitution of the committee. The chairman asked if it was to the committee as a whole, or to any particular person.

Sullivan answered that it was to the personnel of the committee; that one of the committee was a malignant enemy of his (Sullivan's); that the same party was forever pursuing him with a design to injure him; that as an expelled member of the order, that party referred to ought not to sit in any committee. Continuing, Mr. Sullivan said that the party referred to was Dr. Cronin, who recently had made statements through a newspaper in regard to him that he knew to be false; that the newspaper editor (giving name of paper and editor) had sent him (Sullivan) a letter of explanation, and that for this and many other reasons he objected to being tried by the committee as constituted.

Messrs. Feeley and Boland followed, both strongly objecting to Dr. Cronin. Boland said that though personally he had some objections to Dr. McCahey he would waive those objections and join with Messrs. Sullivan and Feeley in asking that Dr. Cronin retire from the committee, they being willing to accept any one in the room in preference.

Dr. Cronin replied to this; said he thought it strange that Mr. Sullivan should speak of him as a malignant enemy. He (Cronin) had never characterized Sullivan personally as an enemy; anything said by him (Cronin) was directed toward the men whom he was given to understand had wrecked the organization. Sullivan was one of them, he understood, and only in connection with certain developments pertaining to the order did he say anything of Sullivan. If Mr. Sullivan believed everything told him by gossips he (the doctor) could not help it. "Indeed," the doctor continued, "why should I be the enemy of Mr. Sullivan? What has he done to me that I should, as he says, single him out for personal enmity?" As to the newspaper editor matter, the doctor said, that while not believing in introducing what savored of American politics, he could explain the newspaper affair by referring to the paper itself. Mr. Sullivan would certainly not make an affidavit to the statement that the paper had done what he said, for he (Dr. Cronin) had evidence that would readily disprove it.

[Pg 90]

To this Mr. Sullivan replied that he did not want to make affidavits, but would say that the creature (referring to the doctor) should not sit as one of his judges; that he (Sullivan) could prove by a dozen men, who would not believe the doctor under oath, that he (the doctor) was an expelled member of the organization. [Then the paper mentions the names of three men.]

Mr. Cronin said, interrupting Mr. Sullivan, that the gentleman evidently meant to irritate him or intimidate the committee.

Mr. Sullivan said that he did not wish to intimidate the committee.

Dr. Cronin then said: "Then you probably mean to intimidate me. That you cannot do, sir, and you ought to know it by this time. All the objections you urge were made at the convention, and by an almost unanimous vote, as the selection of that convention, I am the peer of any one here and doing my duty by the body that created me. I would not, if I could."

Mr. Sullivan took his seat, overruled by that body.

The Chairman asked all but the committee to retire, and, upon a vote being taken, the objections of the defendants to Dr. Cronin were overruled by the votes of the Chairman, Messrs. Burns, Rogers, McCahey, and Cronin, the Secretary not voting. This was announced to those making the objections, and the trial proceeded.

Before the trial proceeded, Col. Boland said he had a witness whose expenses he wished to have guaranteed; that the witness resided at Leadville. On motion it was ordered that the expenses of witness be guaranteed.

Col. Boland called attention to the fact that many persons present who were witnesses, etc., should not know what was going on. The Colonel said that matters of grave importance might come before the committee, and as it was common report that one witness had given information to the British Government, that John Devoy had given information to the British Government, he requested that none but the attorneys for prosecution and the defendants remain before the committee, each witness to be examined separately.

Dr. Cronin objected to this, saying, that as Devoy had been singled out for animadversion by Col. Boland, it was not fair for the committee to extend support to Boland's unjust attack.

On motion all but the committee retired. The committee then decided that each prosecutor should remain with the attorney and that witnesses be introduced separately; the defendants remaining also; the committee admitting all those entitled to be present, the charges were presented and specifications as follows:

1. That no active work had been performed by F. C. that had been claimed by that body and its agents.
2. The men on errands of the brotherhood had been basely neglected and their families left without support.
3. That bogus transfers to members of the organization had been issued as coming from Ireland.
4. That the district convention was falsely instituted, etc.
5. That F. C. members sat as delegates in that convention in direct violation of the constitution.

[Pg 91]

The proof of charges had shown:

1. That they had claimed that \$87,467 had been expended in active work. No

vouchers were presented, no contracts, and no money, no account explained about.

2. Proof that such explanation was never made.

3. But little money given Mrs. McCahey; small sums given to men abroad; bogus transfers fabricated by X Y and others.

4. Convention illegally constituted at Pittsburg; proxies present, Boland and Feeley sitting there. Boland offered position as R. D. and money sent him that he might make statement that active work was engaged in.

A witness testifies: Witness called to stand, after being duly obligated, testified as follows:

Some time previous to the Boston convention I was called on by certain members of the order in reference to an offer of services made by me some time previously. After conference in relation to details I agreed to go to the other side. I went by steerage on ticket procured for me and received £20. After an absence of seven weeks I returned by steerage passage out of the amount received. Upon my arrival in America I met Donovan, who acted as agent for the body, and who paid me \$50. Donovan was then in the employ of Gen. Kerwin. I complained of the small amount given me, but did not ask for more. Not enough was given me for the work expected to be done. Later in the same year I was again called on by Donovan, who asked me if in addition to myself I could furnish enough men to accomplish a certain amount of active work. He asked me would I go again I said yes. Looked up the men. It was almost impossible to find any. Got two men on steamer and one to accompany me to do work abroad. Everything being ready, I met Donovan at Green's Hotel, Philadelphia, in company with John J. Maroney. Donovan told me that Maroney would buy tickets for me by steerage. They cost \$18 apiece and \$100 was given me to carry on work. I told Donovan that on former occasions I had to go on vessel three days after work was done; that the sum now offered me was too little for the work looked for. I insisted on getting money enough for the purpose of safety, else I would not go. Donovan told me that sufficient funds would be furnished on the other side. He stated his reason for not giving me more before leaving was that men engaged in similar work had been arrested on landing on the other side; that my carrying a large sum might excite suspicion. That was satisfactory to me, especially as I was given the name of the agent on the other side who was to furnish funds as needed. I left the room and sent in — (another man), the one that was to accompany me. Maroney left the room with me. This other man told me he received the same amount that I did. Maroney then told me he was glad I refused to accept the sum offered me as total compensation for the work. He also said he did not believe it was the wish of the F. C. to do as the S. had said. He promised to see the F. C. and demand money from them, and should they not give it he would send me help on the next steamer by a trusty man. On the way over I had to pay over £2 for certain accommodations on steamer. After being on the other side nine days, taking care not to excite suspicion, I had but £10 left. I then went to Capital City, and met the man who I was told was the agent and would give me money, and I told him I wanted some help, as I was short of funds. I asked him for £10. He denied having any money for any such purpose; he had no more than he required for actual expenses, and hardly that. He said all he had received upon leaving was \$200.

Objected to by Boland, who asked to know how witness knew the man was agent.

Witness—I was told by Donovan in the presence of Maroney that upon my arrival on the other side I would get funds from the man mentioned. The man then went on to say, that owing to the circumstances he might be obliged to stay for a year. He had worked at his business for some time, but was doing nothing now. I then said I would return at once to America. He said he would at once ask something for me from Ex. I replied that if he did not get funds I would go back. Before leaving I asked him where would it be necessary to do the work. He said he did not know; things were looking queer; that he was sure he had been betrayed by some one.

Question by Mr. Ryan—What became of this man?

Witness—He is now in prison. His reason for thinking he was betrayed was that two men had called at his lodging asking for him under his assumed name. I told him to change his lodging. But soon after I was told he had been followed up by the same individuals, whom he had suspected were detectives. This alarmed him much. At his request work was delayed six weeks. I at last told him I would do the work. There were four of us. At various times I asked him if he had received any money from Ex. He said no. He seemed so careful that my men deemed it cowardice. I called his attention to this before the men,

saying we looked for courage at this time. He repeated before us that he believed he had been betrayed, for, though he had changed his lodgings several times, the party he suspected as being a detective had called upon him at each place.

Exception by defendant. To which was said:

I finally induced him to give orders to do the work. This was Thursday. Saturday we did it. After the work was done I met him that same evening. He remained in Capital City seven days afterward. I was so reduced for funds that I prevailed upon him to give me £4 of the £16 he had left. On landing in this country had £3½. Had no bed nor bedding on the ship; slept on the top side of a plank.

This in answer to a question by Dr Cronin:

[Pg 93]

I at once complained to Donovan and Maroney, and through them to the executive, or Gen. Kerwin, of the treatment I had received and the culpable neglect of the F C. About the last of February, 1885, Donovan furnished me \$10 with which to reach home. The man in charge for the order made me take an oath before leaving to bring the matter before the order.

I always supposed Kerwin was a member of the executive. Before leaving America I told Maroney I would take an alias known to me; my alias was the proper name of a man. The imprisoned one bore the alias given to me. This was the agent. He was four miles from the place we worked at. Only three of us did the work.

Question by Mr. Ryan—How much money in all did you receive?

A.—Four persons in all. \$500; of this the agent got \$200. We were two months in the country.

Then the witness makes a statement that the other man who went with him, whose name I did not read the last time—this man came back six months after. At an expense for material, I should think, of \$7,400 in all to cover the enterprise.

Q.—How many operations did you perform? A.—Three. We always bade each other good by after each meeting, thinking it might be our last meeting on earth. I have learned that in order to get back, the other man who went over with me had to sell his clothes to get passage money. He came with a sprained ankle. In July or August, 1885, he received \$7 from Maroney. I took up Rossa's paper one day and in it I saw an announcement of a subscription to keep the mother of Cunningham. I went to Maroney, and after telling him it was shameful that she should be allowed to suffer so he said he would see to the matter. Spoke of Gen. Kerwin as being asked to send some help; said he would not. I said if they didn't I would. Kerwin then came to my home and said I ought to be expelled; I told him he ought to send help to the woman; he said he ought not as the man himself had abundant means; I finally induced Mr. Ryan to get F. C. to send something. One hundred dollars was sent through D. 18, who sent it through F. C., and I was informed of S. G. of 18. A few months after I met a lady of Detroit who told me that Capt. Mackey's wife was in want; he was killed in London and was assured, I am told, that his family would never want. Lomasney, and his brother, accompanied by Fleming, went over in 1884. I wrote to Cochrane, and both assured me that Mrs. Mackey was in want. At once \$1,025 was raised and sent to Detroit, where matters were found to be even worse than they had been represented.

In the case of Dr. Gallagher, his people were in want. Mr. Delaney had recovered the money on the doctor's person, but that was only a small sum, and most of it was being used in his defense.

On consultation, met D. in New York. One hundred dollars was raised and sent to Mrs. Gallagher. I requested that the men on trial on the other side should be defended. Gen. Kerwin said that friendless men were better off in such cases. I raised £50 to send to Jack Delaney's sister.

[Pg 94]

Witness produced five forms of transfer, purporting to be in accordance with the rules of the combined order, but which were shown to be bogus. Witness said: I wrote in the early part of June, 1886, for transfers for certain persons in Philadelphia, who had been clamoring for admission into D. I said it would do a great deal of good to be able to show that we were in opinion with the folks at home. Within four days I received six, of which those five are a part. McMahon, Burns, Henry, Gallagher, Henry, the witness testifying. Leonard stated to me—

Objected to by the defendants.

Some time before the Pittsburg convention, witness was called upon by P. O.

Sullivan and J. J. Delaney, who had learned that he was a delegate to the convention. They said they represented eleven D's, and that in order to seat Boland and Miller, Sullivan and Delaney had been thrown out by the suspension of D.

Mr. Boland objects to this.

Mr. Ryan and I protested at the convention and asked that Delaney and Sullivan be seated. We stated that a good member of the executive should sit as a delegate in the convention; for the same objection, we objected to Mr. Feeley and Mr. Gleason. Each of these men voted to seat the other. We objected to the proxies from Chicago, Messrs. Tim Crane and Florence Sullivan, the latter proxy for Father Dorney. The other said he represented Alexander Sullivan.

It having been stated that district S. represented or had been represented by virtue of a cablegram sent to Gleason and Sullivan, Boland requests them to act for Australia, and that John J. Maroney and Dr. Betts were admitted as proxies. We asked the secretary if any money had been sent by this district in any communication had before the receipt of this cablegram. Secretary said he hadn't had any communication with S. at all. The communication was with Alexander Sullivan and Michael Boland.

We then asked how the Australian cablegram came here, by which route. The secretary didn't seem to know. Mr. Ryan then informed the convention that all cablegrams reaching here from Australia were recorded in the London post office. For this reason he thought it highly improbable that any such message came to the gentleman mentioned.

Here Mr. Sullivan denied having been appointed delegate to the convention, or that his brother Florence represented him there.

The Witness—I was R. D. at that time in place of Gen. Kerwin. Before my election as delegate I never acted as R. D. There was no connection with the home body. I received \$500 from Mr. Ryan, which it was said I was to use as my judgment dictated. I asked Boland if I should do any active work outside and kept a lookout for it. I spent money afterwards in trying to right the order.

[Pg 95]

CROSS-EXAMINED BY ALEXANDER SULLIVAN.

Q—When and to whom did you complain on your return to this country? A—To Donovan.

Q—You made no complaint to the executive directly. A—No.

By Mr. Boland—How did you get the money, the \$500. A—In cash. This was three months before the convention.

Q—Did I ask you to get the amount right as representing R. D.? A.—I told you I had them on the ship.

Q.—Has any difficulty since that made you say why you were on R. D.? A.—No.

Q.—Were you a delegate at the time you got the money? A.—No.

Q.—Were you appointed on foreign relations or finance committee? A.—No.

Q.—Pending the discussion of the report you left the convention? A.—I left, claiming it was not a convention of the order.

Q.—You don't know who I appointed? A.—No; I was not in on permanent organization.

Q.—You don't know of operations outside of your own? A.—No.

To Mr. Rogers—I voted at the convention under a vote taken on various motions.

By Mr. Ryan—Do you know of any work having been done between Jan. 20, 1885, and the district convention. A.—No.

Q.—How much did it cost for Mackey's work? Objected to by Feeley.

Q.—When did you get that \$500. A.—The check sent by Boland and Ryan will show I got the money from Ryan, but he received it by check.

Constitution of the order offered in evidence.

Examination of another witness. Obligated, name, etc.

My knowledge when I was elected D. M. to fill vacancy, caused by resignation of John J. Marony. In July, 1885, his resignation was demanded by the district.

In October I went out as an organizer for the National League through the west. Nov. 23, I spoke at Philadelphia. Several seniors mentioned that Dillon was in straightened circumstances. I promised to see the executive. I saw Gen. Kerwin, D. M., of New York. He said when I mentioned the matter to him, that he had no power; that this was not an order to grant pensions. He would see Boland. I met Boland by arrangement. He listened to what I had to say, and at first refused to assist Dillon. Finally he said he would consider the matter. Then he authorized me to pay \$200 of obligations maturing. I advanced this myself, and got it back in December, 1885, and I saw Gen. Kerwin, and told him he should send money to Mrs. Cunningham; that the lady was hurt on the subject of her being neglected by us. He said he would send it. In December, 1885, it was rumored that our convention would be held in January, 1886. I was told by Kerwin and Boland that Egan wanted to retire from the Presidency of the league. I was asked by them to accept the Secretaryship of the league. This I refused. It was said considerable trouble might be looked for in any case; about the last of December I was sent for to go to New York. I saw Boland and Kerwin together at this time, as well as in January and February. Had interviews with Kerwin and Boland on the subject of the convention and like matters. Mr. Boland asked me why I would not take the Secretaryship. He said the plan for holding a convention of the order had been abandoned, as the L. R. then did not take place. Men would get out and I would not be selected as President of the league.

[Pg 96]

Some time after this I received the following letter from Kerwin:

"*My Dear Sir:* (Giving the name.) The Chicago people have asked for you for the 4th of March. If you will take my advice you will take no office in the league."

I was led to believe about this time that the organization intended opposing Parnell, owing to his recognition of others. Boland and Kerwin both said this.

(Interrupted by Boland.) Is that your recollection of what took place? A.—Yes.

Various letters were shown. (Exhibit B.)

These exhibits were not found among the physician's papers.

Q.—By Mr. Rogers—What did you give the money to Dillon for? A.—The money had been given me as a general resource. I did not want to go into active work, and suggested Dillon. I gave him the money. Boland authorized this by a letter to me. [Letter read.] Dillon had convinced me that the F. C. hadn't done fair; in fact, I felt that Boland was trying to play me, and I wished to return the compliment.

Q.—Did you want to accept the Presidency of the league? A.—The slate was Baldwin, Minton and Carroll for F. C., and myself as President of the league. I knew that my age was a bar to my acceptance. Then I was going to attack the ones in authority. I attended the convention. Carroll was temporary Chairman; Reynolds was elected permanent Chairman.

Convention went into Committee of the Whole. It was reported that Father Dorney could not come because he had trouble with the Bishop, and that Alexander Sullivan was absent because British detectives were shadowing him. I held that no member of the executive could sit as a delegate; quoted the constitution; no exception to my doing so; the fact was as stated by me. The last district called was Q. For R. we were directed to apply to the Secretary. District S. was named. I objected to this as no mention had been made of it in our report. I asked "Where is it?" I was answered, "Australia." Its representatives here are Maroney and Betts. They said they represented Boland and Sullivan. I asked if there was any organization in Australia? I was answered there is one in contemplation. The Secretary said Betts and Maroney were there by order of the executive and by order of a cablegram sent to Sullivan and Boland.

[Pg 97]

Sullivan is said to be not a member of the order and Boland represents New York. They had earlier said that Sullivan was shadowed by detectives.

I then showed how the cablegram had come from England. Letters had been left with the President by Boland. Districts H. and B. declared they would leave the convention. We refused to take any part. Did not return. Motion to expel seceding members carried by a vote of 20 to 5.

Q.—By Mr. Boland—The conversations were in the presence of Kerwin, were they not? A.—Yes, many of them.

Q.—Did the matter come up in relation to your treatment at Chicago? Some of it took place before you were elected? A.—Yes. At district meeting of S. J. Kerwin was present as the representative of F. C. The district requested me to

accept. Had no conversation with you until months after.

Q.—By Mr. Feeley—Did you present any objection at district convention as to your statement as to district? A.—No. Because I knew nothing of any other district.

Q.—Did you present any evidence, other than your statement, in relation to any of the acts mentioned? A.—No. Because I was not aware of any man elected.

Q.—Do you recollect that a vote was taken in regard to District A.? A.—Yes; if you have any doubt I can refer you to mem.

Q.—Do you recollect my opposing the representation of Australia by any person in that body? A.—No; you spoke to me, however, and said to me that I should not oppose it; that you were as anxious as I, for you had been ignored or not consulted for eighteen months. You voted to seat Australia.

Q.—You charged that the executive used the funds of the organization to pay Maroney's debts, did you? A.—No. In August, 1884, Maroney was a porter in a store on Market street. Soon after he was D. M. of three counties surrounding Philadelphia. He went into the gents' furnishing goods at No. 2400 Kensington avenue. He got \$400 from the executive; check on the Continental Bank, exchanged to his credit. Afterwards he went into debt \$600 to McDermott (Black Jim). This amount the executive paid to McDermott. I saw the \$600 paid him. I made the fact known to the convention. [Mr. O'Boyle interrupts.]

Q.—What was the relation between Maroney and the executive? A.—I don't know.

Mr. Rogers—What did Maroney say when you gave him the money? [There is no answer to that question.]

Mr. O'Boyle—Upon whom was the check drawn? A.—All checks were signed by Kerwin for the executive.

Mr. Rogers—Had this not been a prior date? A. No.

[Pg 98]

Mr. Feeley—Was your charge denied by Maroney? A.—No, he said the money was furnished by the executive for work until he should earn enough to pay it back.

Mr. Feeley—When was Maroney's debt paid? A.—Some time in December.

Q.—Did Maroney do any work after that? A.—He acted as detective in Iowa. He went with Sullivan and Boland to St. Paul.

Dr. Cronin—Did the term report show any loss to Maroney? A.—I could not say; the time was from August, 1885, to August, 1886.

Examination of another witness, a member since the beginning of the old organization.

Q.—Did you know Capt. Lomasney? A.—Yes.

Q.—Do you know of his having left on a certain motive? A.—Yes, three or four times since his imprisonment as Mr. O'Sullivan in 1867.

Q.—Do you remember the last time he went? A.—Yes; in August, 1884.

Q.—What did he say to you on the subject of his work? A.—I was closer than a brother to him. Our families had constant intercourse. I offered him my hand the day he told me of his project; had little help. Wife saved a bed.

Q.—What family had he? A.—A wife and four children and an aged father.

Q.—Who were with him? A.—His brother Jim and Mr. So-and-so.

Q.—Have they been seen since? [No answer to this.]

Q.—What was Mrs. Lomasney's condition before his going? A.—A most outrageous case of neglect. Flemming's mother died in the poorhouse.

Q.—Did you ask for help? A.—Yes; in 1885 I went to New Haven. We had no directors. I called upon Dr. Wallace. He was D. Saw Mulvaney and Condon. The latter went with me to Carroll. He professed utter ignorance of the whole affair. I said: "By God, you must see her;" her, Mrs. L. He decided to. Mulvaney said: "Why don't you see Boland?" Found him on Fifth avenue. He denied all responsibility. He would have nothing to do with it. Finally he claimed she had received much money. I said she did not. He was non-committal. His acknowledgment made him responsible.

Q.—Did you see Carroll at New York? A.—Yes. We met him at Vesey street. He

left me to go into the *Herald* building and brought me \$100. I refused this. I told him I didn't come for money. I said: "You know how to send this, as you have the others; if you respect the memory of the dead and the widow and the orphan, made so by your act, do your duty by all."

Q.—Until August, 1886, what was her condition? A.—Poverty-stricken; no coal, no clothing; nothing left her but misery and her pride. Our S. G. would not give the channel of communication. He read our resolutions; whether he ever forwarded them or not I did never know. He is dead. He told the committee of D. that the organization was not responsible.

[Pg 99]

Mr. Rogers—You swear you called the attention of Boland and Carroll to her condition? A.—Yes; and not until somebody came to us with \$1,025 did the poor woman have any adequate support.

By Dr. Cronin—Did Lomasney attend the district convention held in Chicago in 1884? A.—No; he was not elected.

Q.—Was any one elected from your D.? A.—No; we noticed it much. We could not account for our D. having no representation.

Q.—Would Lomasney tell you if he had been selected a delegate by any one outside of D.? A.—Yes, and we would have been aware of his absence.

Q.—Would he have gone there, if not elected a delegate?

A.—No; he was the soul of honor, and despised trickery; he did not care for office; never held any in his life except in danger.

Mr. Boland—Did you see him at Boston? A.—Walsh told me he had no control. S. G. contended that the organization had no responsibility. In 1885 John Maroney called; said he had been especially sent. They had come for a little money; gave \$10; Lomasney had nothing. N. Y. D. S. raised and sent \$150. More was raised and suppressed. In 1887 the sheriff put Mrs. L. out on the street. No home was ever bought for her.

Question by Mr. Dillon—Do you know that Mrs. L. is an economical woman? A.—Yes. People began to talk of her and sent an organization to me to say that she was extravagant; talked of her husband's taking off, which prejudiced many, and her rent was raised. She had been paying \$30 a month; no general increase; the landlord wanted her put out.

Mrs. Lomasney examined. [Upon Alexander Sullivan's request not sworn.] Husband went away in August, 1884.

Q.—How much money have you received from the organization since? A.—A thousand dollars altogether.

Q.—How much since? A.—In the summer of 1885 I visited Alexander Sullivan. I went to inquire after my husband, as I was led to believe he was in possession of certain funds; he did not know my condition, nor did he relieve me. He did send for a ticket to Detroit with which I returned home.

Q.—When again did you call upon Mr. Sullivan? A.—In August, 1886, I made known my condition, and after advising me to sell my little store, he asked me a schedule of my liabilities: \$200; he would attend to the matter. He gave me no money, nor offered me any. He seemed anxious that I should not communicate with any one in the city. He asked me if I was acquainted with any one. I told him of James Q. Mr. S. said I should not mention his (Sullivan's) name to any one, etc. Called on Q. He talked to me about Father Dorney. No help.

Met Col. Richard Burke, and he, with some friends, assisted me, I know that Mr. Sullivan was the one that had a right to attend to this. Was afterward amazed that he did not. The dress I wore was a borrowed one. John Hickey was S. G. Several weeks after I went to Mr. Sullivan and asked him a loan of \$100; this he sent me; nothing since. I could not give up the store, as that would confirm the belief that husband was dead or in the business. Thomas Tuttle was the first to relieve my necessities.

[Pg 100]

CROSS-EXAMINED BY ALEXANDER SULLIVAN.

Q.—You saw me in 1886, was it not? A.—Yes, certain. Another \$500 came from Brooklyn. I had a letter sent by my husband when he was in Europe, inclosing one from Mr. Alexander Sullivan, in which he said, in my letter, he asked for money. I afterwards received a note from my husband saying he had received money from Mr. Sullivan; I don't know the amount.

Here Mr. S. admitted that Lomasney was sent by the organization.

The last letter from husband was in 1884; anxious to go home. His age 44.

Examination of another witness. Evidence corroborates that of the first witness taken. Received £20 and one steerage passage six weeks after the first witness. No shoes. Sold clothes and trunk to get home. No bed.

Here the notes abruptly ended.

CHAPTER V.

[Pg 101]

STRANGE INFLUENCES AT WORK—MISS ANNIE MURPHY THINKS SHE SAW THE DOCTOR ON A STREET CAR—HIS LONG AND MYSTERIOUS RIDE WITH CONDUCTOR DWYER—REPORTER LONG ALSO ENCOUNTERS HIM, THIS TIME IN TORONTO—THE POLICE AND PUBLIC SATISFIED BUT HIS FRIENDS STILL ANXIOUS—EFFORTS TO PROVE HIM A BRITISH SPY—A BIG REWARD OFFERED.

Less than a week had elapsed from the events narrated in the first chapter when sinister rumors commenced to gain circulation. It was whispered about that the alleged "mysterious disappearance" was in reality no mystery at all, that the physician had not been decoyed from home; that he was alive; that he had left the city of his own free will, and that the whole affair had been concocted for sensational purposes, the motive for which would be brought to light so soon as the cardinal objects had been attained. It was further hinted that the physician was inclined to be extremely erratic at times, that his love of sensationalism bordered on a mania, and that such a performance as that of May 4 was entirely in a line with his methods.

[Pg 102]

A STREET CAR "CLUE."

On the heels of these rumors came positive statements of alleged facts. It was first claimed that Dr. Cronin was seen on a street car two hours after he had parted with Frank Scanlan outside of the Windsor Theatre Building. Miss Annie Murphy, an employe of the City Recorder's Office, was responsible for this story which was made public a few hours after the arrest and "confession" of Woodruff. A comely and talented young lady, with a reputation as an elocutionist of no mean ability, she had frequently figured on the programme with the physician at Irish demonstrations and Catholic entertainments. Consequently she knew him well, and what she had to say commanded general attention, and a large degree of confidence. It was not known at this time, however, that her father, Thomas Murphy, was a prominent member of the Clan-na-Gael, and an officer in one of the local camps to boot. Miss Murphy's statement made on May 9th, when the popular excitement was at its height, was to the effect that she had seen Dr. Cronin on a Clark Street car shortly after nine o'clock on the night of his disappearance.

"I had been paying a visit to friends on Garfield Avenue," she said, "and left at nine o'clock, taking a Garfield Avenue car. At the corner of Clark Street this was attached to a cable train. When we reached Division Street, I looked into the cable car, and I am positive that I saw Dr. Cronin sitting in it, his arms folded and his head bowed as if in deep thought. He did not look at me, nor could he have recognized me if he had, as it was dark outside, while the car in which he rode was well lighted. He had an oblong bundle of some kind resting upon his knees, over which his arms were folded. When I read in the papers on Monday morning that Dr. Cronin had disappeared, I told father that I had seen him, and we both laughed at the idea that the doctor had been murdered. When I reached the office, I told the same story."

[Pg 103]

"You are sure that the man was Dr. Cronin?"

"Just as sure as I am about my own identity," was the reply.

CONDUCTOR DWYER ADDS A "LINK."

Equally positive was the statement of William Dwyer, the conductor that had charge of car 415, and it convinced a good many people who had been inclined to the belief that Miss Murphy had been mistaken. Two weeks later, when the body of the murdered physician had been brought to light, Dwyer suddenly became an invalid, resigned his position and went to Canada "for his health." This fact gives additional significance to the circumstantial story that he told at the time.

[Pg 104]

"My regular run," he said, "is on the State Street horse line, but I was called up to the limits barn Saturday night to take the place of Conductor Humphrey who got suddenly sick. I was

put aboard of car No. 415, one of the big, long ones. It was just 9:18 o'clock to a second when we left the barn. There was not a passenger aboard. When we reached Frederick Street a tall, good-looking man with a heavy mustache, and I think a plug hat, got on. I took particular notice of him, because he was a striking looking man."

"Where did he sit down?"

"In the middle of the car. He faced east."

"Did he have any parcels?"

"Yes. I remember that he carried a little box or case. I think it was black. It was made of highly polished wood."

"What did he do with it when he sat down?"

"Put it in his lap and leaned his arm on it."

"Did you notice how he was dressed?"

"No, not particularly, except that he was well dressed. I saw he had a kind of a round bundle in his lap, too. It was a queer color—a kind of light red or pink."

[Pg 105]

"Are you sure about that?"

"Yes, because I noticed it particularly as I passed through the car. My attention was first attracted to it by a kind of white stuff that stuck out of the ends. It looked like white cotton, and when I passed through the car I brushed against it and a small particle of cotton clung to my coat."

"Do you think your solitary passenger was under the influence of liquor?"

"No, I don't. He walked straight and seemed to be sober. He was only abstracted and preoccupied. I noticed when we were passing the Windsor Theatre that he looked through the open windows of the car at the building with more interest than he had shown in anything else."

"How was it that you noticed him then?"

"Because he leaned forward as far as he could, and I guess I hadn't much else to look at just then."

"Did he get up as if he intended to leave the car?"

"No, he didn't; he kept his seat."

"How far did he ride?"

"To Madison Street. He started to get off at Washington Street, though. He had been more preoccupied than ever going through the tunnel, and when he got up at Washington Street he seemed kind of dazed. He asked me if we were at Madison Street, saying that he wanted to go to the Union Depot. I told him we were a block from Madison Street, and he returned to his seat. When we got to Madison I stopped the car and he jumped off. He started toward the river at a fast gait, as if he had an important appointment to keep."

[Pg 106]

"Do you know Dr. Cronin?"

"No, sir; I think not."

"Then you do not know, of your own knowledge, that your solitary passenger was Dr. Cronin?"

"No. But now that you speak of Dr. Cronin," he said after a long interval, "I remember that I thought he was a doctor, and I got an impression somehow from his grave aspect that he had been attending to a very serious case."

"Did you notice whether anybody was with him when he stepped out at Frederick Street to board your car?"

"I didn't notice, but I don't think there was."

"Did you see an undersized man with a heavy mustache and a slouch hat?"

"No; I didn't—but hold on a minute. I did see a man on the sidewalk, standing in the shadow of the building, who I think wore a soft hat, but as I had only a fleeting glimpse at him I couldn't attempt to describe him."

[Pg 107]

These two stories, the first so clear and direct, and the other so corroborative obtained general credence except among the immediate friends of the physician. These still insisted upon their theory of foul play. Numerous contradictions in the statements made by Dwyer to different people were pointed out. An inspection of the sheet upon which he had made out his report of the trip when he turned in his receipts showed that instead of one passenger on the nine o'clock car he had carried thirty-six. The story told by Miss Murphy was directly challenged, many of the physician's friends declared that it was manufactured for ulterior motives. It was also charged that her father and Dr. Cronin were bitter enemies. This was

denied at the time, and it was added that Murphy, who resided on Oak Street near by Alexander Sullivan, had never taken an active part in Irish affairs. Subsequently, during the Coroner's investigation, it was developed that at that very time he was the financial secretary of a Clan-na-Gael camp hostile in its composition to the missing man.

BOGUS "INTERVIEWS" FROM CANADA.

But still more astounding developments in this phase of the case were soon to come. There resided in Toronto, Canada, at this time, one Charles T. Long, a young man whose father was the publisher and part proprietor of an influential newspaper. Some time before this Long had been employed as a reporter on one or two Chicago morning papers, and in the performance of his duties he had met Dr. Cronin on numerous occasions. He had, moreover, for a short period been a member of a secret beneficial society with which the physician was identified, and hence could claim something more than a passing acquaintance with him. When therefore on the night of Friday, May 10th, the morning papers of Chicago and several other cities received dispatches—the majority over the ex-reporter's own signature—to the effect that the physician was alive and in that city, and had actually been spoken to, it was taken for granted that the major portion of the mystery had been solved. No mere *resume* could do justice to what might well be termed the devilish ingenuity with which these dispatches were framed, and it is necessary to quote them at length. The one received by the Chicago *Herald*, and which was a fair type of all, ran in this wise:

[Pg 108]

Dr. P. H. Cronin is in Canada. He was seen, recognized and spoken to here to-day by a former Chicagoan, and in return told of his troubles, bitterly denouncing a number of Garden City people, Alexander Sullivan particularly. The missing and supposed-to-be-murdered physician seemed to be slightly deranged. C. T. Long, who for three years was intimately acquainted with Dr. Cronin in Chicago, was walking down Yonge street shortly after 11 o'clock this morning, and when opposite the Arcade came face to face with the missing Irish nationalist. He was accompanied by a man of shorter stature. "Hello, Doc; what are you doing here?" was Long's greeting. To this the doctor answered "Hello," and then pausing and drawing himself up in an injured manner, continued: "You have me at a disadvantage, sir. What do you want?"

[Pg 109]

"Why, Cronin, is it possible that you don't remember me?"

"I do not know you, sir, and shall have you handed over to the police in case you bother me further."

Having delivered himself of this the doctor turned the corner of the Arcade and quickly followed the retreating footsteps of his friend, who turned down Victoria street, and together they were soon lost in the crowd. Long informed the *Herald* correspondent that for three years he had been intimately acquainted with Cronin while living in Chicago—in fact, employed him as his family physician and belonged to several organizations with him. He was completely dumbfounded, first at sight of him and then at his mode of treatment. Cronin was dressed in a black coat and vest, light colored pants, black silk hat, and carried a small black hand-bag in one hand and a light spring overcoat thrown over his arm. The person with him appeared to be twenty-seven or thirty years of age, and while Long cannot place him, his face seemed quite familiar. At first sight he was taken for Jack Lynch, bailiff in Judge Clifford's court, and very strongly resembled him, but as far as Long knew Lynch was unknown to Cronin. Cronin's companion was dressed in a dark suit of clothes and slouch hat. He carried nothing but a newspaper, which was afterward picked up on Victoria street and proved to be a Chicago evening newspaper of the 7th inst.

Long at once made for the Union Station in the hope that he might there run across the pair, but after waiting some thirty minutes concluded to notify the police and have them keep a sharp lookout for Cronin. While on the way to the Court street Station, police headquarters, and at the corner of King and Toronto streets, Long again caught sight of the pair walking rapidly down Toronto street. Slipping into a doorway at the receiver general's office he waited until they had passed, and then noticed that Cronin had adjusted a pair of goggles, but otherwise was attired precisely the same as on Yonge street. Stepping up to the doctor the point-blank question was put: "Cronin, what are you doing in Toronto when your friends in Chicago are hunting the earth for you?"

[Pg 110]

"Now, look here, Long," he replied, "for God's sake let up on me. I have already had enough notoriety and don't want to be bothered. Why can't you let me go? You know I have always been your friend, and I shall expect that you will say nothing about having seen me."

"Come in and let us talk the matter over," said Long, leading the pair into a

convenient saloon. Cronin appeared to be a very sick man; in fact, the first impression conveyed was that he was out of his mind. He rambled away, talking about the Royal League and Mr. Warren, the secretary, and then, apparently getting frenzied, denounced in strong terms a number of St. Louis and Chicago gentlemen, among them Alexander Sullivan, John F. Scanlan, Dr. O'Reilly, M. F. Madden, Lawyer Berry, Harry Ballard, Judge Prendergast and Lawyer Wade. He mentioned several other names, but they were unknown to Long. Cronin went on to state that he had unearthed a great crime in Chicago during the past few months, but would give no details, and stated that his life had been settled as the penalty. "You know what kind of a man Sullivan is, don't you?" he said. "Well, he will never let up on me for what I have done, but I have a host of friends—yes, sir, a host of friends—in this country, and if harm comes to me all will not be well for him, I can assure you." All during the conversation his companion never opened his lips, and when he began talking of Sullivan he took him by the arm and whispered in his ear, after which Cronin refused to speak further.

"Where are you stopping in town?" was met with a point-blank refusal to say more and an entreaty not to follow him. He was allowed to leave the saloon, and at once Cronin and his companion entered a cab and were driven rapidly west on King street. Long, too, summoned a cab, but through a mistake of the driver the wrong hack was followed. This brought up at the Union Station shortly after 12 o'clock. Long glanced at the time tables and found that the first train leaving the depot would be at 12:20 and concluded to wait and see if the case would further develop. At exactly 12:18 a two-horse covered cab dashed up to the station and from it sprang Cronin, the unknown man, and a lady apparently about twenty-three years of age. They all three hurried into the train for Hamilton, not waiting to purchase tickets. Long boarded the train and asked Cronin for what point they were bound, and being refused a civil answer stated that he would stay with him and inform the police at the first station in case he refused to give up. He thereupon stated that they intended going to Niagara Falls. The lady was probably twenty to twenty-three or four years of age and wore a dark gray traveling dress and a turban hat. She carried a shawl-strap and a brown paper parcel. Cronin had nothing but his small bag and overcoat, while the stranger carried a large brown leather valise.

[Pg 111]

Long has known Cronin for the past three years and intimately for the past two, belonged to a number of societies with him and had frequently visited his office on Clark street and received in return calls from the doctor at the house he used to live in, 271 Huron street, and could not possibly be mistaken in the man. The only time Cronin ever made any remark to Long while in Chicago which would lead to the idea that he anticipated violence was one night while walking together up Clark street about 11:30 o'clock, and at Huron street the doctor requested Long to accompany him as far as Division street on a car, as he did not know what might happen to him. Passing Dillon's book store Frank Scanlan was met, and he went on home with the doctor.

A CHAPTER OF INFAMY.

Dr. Cronin's friends were dumbfounded when they opened their morning papers and found themselves confronted by these dispatches. His opponents, on the other hand, were in high glee, and quoted the news as vindicating their own acuteness of perception. But the Toronto end of the conspiracy had scarcely got into active operation. The initial dispatch of Friday was intended simply as a feeler. Long returned to the charge on Saturday with a second circumstantial story that completely eclipsed his first effort. It was as follows:

[Pg 112]

After Cronin and his party—a man and woman—left Toronto yesterday on the Grand Trunk train moving west, your correspondent telegraphed a friend at Hamilton a description of the trio and requested that he should keep a sharp look-out for them; also that he should wire regarding all their movements and follow them, no matter where they went. In case they separated he was to put men on the track of the woman and strange man and to follow Cronin. This afternoon at 4:10 o'clock a message arrived stating that Cronin had left Hamilton alone, and was on the train scheduled to arrive at Toronto about 5:30 this evening.

Dr. Cronin was not on that train.

Shortly after 7 o'clock a telephone message announced that the Doctor was in this city at the Rossin House, King street, West.

The correspondent sought out the fugitive and greatly surprised him when he answered his knock at the door.

"Well, Doctor, back again?" was the greeting, to which the Doctor answered: "Well, —," calling the correspondent by name, "it is really too bad that you should dog me round in this shape. What is your object in doing it? I have committed no crime and cannot see why you should thrust my name before the public as you did this morning in the *Empire* (a Toronto paper). You lied when you stated that Jim Lynch accompanied me. I don't even know the man."

"Well, Cronin, you must certainly know that the people generally, and your Chicago friends particularly, are anxious to know where you are, why you left Chicago, and where you intend going."

"I don't intend making statements," said the Doctor, "I guess I have some rights. Make a statement? I guess not! Now, please get out of my room, or I will kick you out."

The correspondent mentioned that a number of detectives were searching for the missing man. This announcement appeared to annoy the Doctor, and he appeared willing to do anything rather than have detectives take him in charge. He seemed anxious to know all about the detectives, who they were, and what they were doing, and was especially desirous of knowing positively whether any of them were here. He was told that a rumor to that effect had gone the rounds to-day.

[Pg 113]

Finally, Cronin requested that questions should be put to him, and the following conversation took place:

"When did you leave Chicago?"

"Just a week ago to-night."

"Where did you go?"

"I went to Montreal."

"How did you leave Chicago?"

"I refuse to answer."

"Come, now, Cronin, remember the detectives."

"Now, for God's sake, don't push that question! I can't answer it!"

"When did you get to Montreal?"

"I got there last Monday evening."

"Where did you put up?"

After considerable bickering the Doctor said he had taken a room at the St. Lawrence Hotel, got his meals at the house of a friend, whose name he would not give.

"Why did you leave Montreal, and when did you do so?"

"I received word that it was known in Chicago, or at least supposed, that I was down there, and got out so I could not be found."

"Where did you then go?"

"I came up to Ottawa."

"When did you leave Montreal?"

"I left there Thursday night."

"Where did you put up in Ottawa?"

"At the Russell Hotel."

"Under your own name?"

"No."

"What name did you give?"

"I don't remember."

"Was it Parkhurst?"

"No, that was not the name."

"What address did you give?"

"I think it was New York."

"Don't you know?"

"Yes."

"Well, why did you leave Ottawa?"

"Because the town was so small that I was afraid some one might know me."

[Pg 114]

"When you got to Montreal where did you intend going?"

"I intended taking a steamer for France, but found that no ship left that port which would take me there."

"Why did you not then go on to New York?"

"Because I am well known there and did not care to risk it."

"After you left Ottawa where did you go?"

"I took the Canadian Pacific train for Toronto and arrived here Friday morning at about 9 o'clock."

"Where were you from 9 o'clock till the *Empire* reporter met you on Yonge street?"

"I had been trying to find Starkey, the lawyer, who left Chicago last winter."

"Why did you wish to see him?"

"Simply to get the run of the town."

"Did you not suspect that he might expose you?"

"O, no! I am sure he would not do that. It would not be to his interest."

"I thought Starkey was not friendly to you. Did he not at one time try to hurt your reputation?"

"I don't know that he did. In any case he would not do so now."

"Well, now, as to why you left Chicago?"

"I have been declining in health for some time and thought it would do me good to take a trip."

"Why should you have left Chicago without letting your friends know?"

"Well, now, that is a long story and the telling of it would implicate a great number of my friends who are in no way responsible for any of my actions. I trust you will not press me on that point."

Cronin was pressed, however, and told the following story:

"While I lived in St. Louis I promptly identified myself with the Irish cause, then disturbing the public. I soon found that the great Irish movement was to be centered either at Chicago or New York, and after consulting my intimate friends, among whom was Dr. O'Reilly, I made up my mind to go to Chicago. I did so, armed with letters of introduction, and soon found myself prominent in Irish as well as other circles."

He then went on to say that he soon discovered that the large quantities of money being received by certain persons for the Irish cause were not handled properly, and that not more than three-fourths of it ever reached Ireland.

[Pg 115]

"I know," he stated, "that at least \$85,000 was gobbled up by certain persons in Chicago, and when I began to 'call the turn' on them they tried to scare me off. Failing in this, they tried to bribe me. That would not work."

"Their next move," said Dr. Cronin, "was to introduce me to Le Caron under the name of Beach, in order that he might pump me and damage me in any way that he could. Beach was introduced to me by a reporter named Conwell, a man whom I had always considered my friend, but since the recent developments in the London *Times* case I know he was against me and that Le Caron was introduced to me for no good purpose. He got little out of me, however, and that means failed. I have been warned several times to get out of the country, and assured that my life was in danger. But up to last Saturday I felt that I could hold my own. Last Saturday, however, I was put in possession of unquestionable proof that the Clan-na-Gael Society had decided that my life should be taken. A man was appointed as my executioner and preparations were in active progress to accomplish the deed. Enough to say I made up my mind at once to fly. You know the rest. The lady who accompanied me yesterday to Hamilton was quite unknown to me, as was also the gentleman, until I met them on the train between Ottawa and Toronto. Neither of them knew who I was until you met me on Yonge street Friday morning. They happened to be going to Buffalo on the train I took out of Toronto, and I left them at Hamilton."

This part of the story proved to be true.

"Did you plan for a man to call at your office and request you to go out to the ice-house and attend a patient?" he was asked.

"That I will not answer."

When asked what move he intended making next the Doctor stated that he would go to France as soon as possible. "I left some important documents behind in Chicago," he said, "and only hope that I can get to a country where I will be safe; then I will make some disclosures which will open the eyes of the public generally and make the hair stand on the heads of several Chicago and New York gentlemen. This talk about my having been seen in a cable-car Saturday night is entirely false. The Conklins have made fools of themselves over the whole matter. According to the instructions I left with them they should not have opened their mouths until I was safely out of the country; but it is the same old story—tell a woman anything and you are sure to get the worst of it."

[Pg 116]

The Doctor intimated that a certain Methodist minister had caused all his trouble, but would not disclose his name.

The woman who accompanied the Doctor from Toronto to Hamilton proved to be from Buffalo and had no knowledge of the company she was keeping until she read the paper. The Doctor says that the man who walked up Yonge street with him Friday afternoon was also unknown to him until Thursday night and that he was on his way to Winnipeg. This man has been located at Collingwood, a small town about 100 miles north of Toronto. He is unknown there, and may be waiting a steamer which would take him to Winnipeg.

Cronin is still in town and a close watch is being kept on all his movements.

CRONIN'S ENEMIES IN HIGH GLEE.

In another dispatch it was stated that Dr. Cronin had, on Saturday night, accepted the hospitalities of W. J. Starkey, an ex-Chicago lawyer. On the following morning, so the same dispatch went on to say, the physician had actually been entertained by Long at his residence. To ninety-nine out of a hundred people, this was conclusive. Everything pointed to the fact that the hitherto missing man was alive and in the flesh. No chain of evidence could have been more complete. Had not Miss Murphy seen him on the car? Had he not ridden down town with Conductor Dwyer, to whom he said that he was on his way to the Union Depot, and had he not appeared in Toronto, broken bread with Starkey and Long, and admitted that he was on his way to cross the ocean? What more was wanted? At this point, too, his enemies in Chicago began to add leaven to the lump. The story told by Woodruff was recalled, and it was insidiously suggested in one quarter that the physician was the mysterious "Doc," and that having performed a criminal operation upon the equally mysterious "Alice," whose remains had been taken to the park in the trunk, he had fled the country to avoid the legal consequences of his crime. In another direction it was boldly charged that before many days the physician would turn up in London in the *role* of a second Le Caron. Said one of his most inveterate opponents:

[Pg 117]

"Dr. Cronin is not dead; at least he wasn't assassinated at the end of his buggy ride with a strange man last Saturday night. Neither is he likely to be found in this city or State, and perhaps not in the United States. And there is much reason to suspect that he went at the beck and call of the English Government—in short, that he was a British spy, and has gone to join Le Caron, his friend and companion and near neighbor both here and in St. Louis. A startling communication in cipher has been received from the other side, and the information comes from a source whose accuracy cannot be doubted. It is to the effect that agents of the English Government have been arranging to place another American informer on the stand in the Parnell inquiry. It seems that the informer has offered to testify for a stated sum, which is said to be \$100,000, and that the Government is only awaiting the report of its experts, who are inspecting his documentary proof before accepting his proposition. That is the way the matter stands now. I have been asked to find out who this new informer is. I have tried my best to do so, but I can't say I have been entirely successful. Dr. Cronin's mysterious disappearance has left a deep suspicion on my mind. I never liked that fellow, anyway, for I always considered him a contemptible rascal. I don't believe, either, that he has been assassinated, because I don't know of any good reason for killing him. I wouldn't be surprised if he turned up in London shortly. It wouldn't be at all strange. He was Le Caron's friend, as nearly as I can ascertain from Chicagoans, who knew them both, and what would be more natural than for him to cross the Atlantic to pay the druggist a friendly visit?"

[Pg 118]

On the heels of this came an alleged dispatch from London:

"Le Caron, the man who acted as a spy for the British Government on the movements of the Irish leaders in America, and who testified for the *Times* before the Parnell Commission, declares that he and Dr. Cronin were the closest friends. Le Caron believes that Dr. Cronin has been killed, and that the friendship of the murdered man may account for his removal."

Naturally enough, these diabolical insinuations had their full effect on the public mind. The search for the body was practically abandoned by the police, and the theory that the physician had left the town of his own free will was generally accepted by the public.

Even some of those who had been closely associated with him were inclined to the same view, except that they ascribed his possible trip to London to different purposes to those advanced by his enemies.

"I believe Dr. Cronin is in New York on his way to London for the purpose of testifying before the Parnell Commission," said one of his friends.

[Pg 119]

"Why do you think so?" he was asked.

"Apart from certain things I cannot divulge," was the response, "Dr. Cronin has for several years been prepared to prove that not one-tenth of the amount of funds published in the American papers as having been collected for the Land League ever went across the water."

"How would testimony to that effect benefit Parnell?"

"It would show that his connection with certain extensive movements among the Irish factions in America has not been as close as was supposed. If, as a matter of fact, he has received no financial help from these factions, he cannot be held responsible for their statements of his advocacy of their advocacy."

"Do any other persons entertain this theory?"

"Yes, a number of Irish-Americans, who know of Dr. Cronin's possession of the information I speak of, have expressed the opinion I hold."

And, as if to demonstrate the fact that the speaker was on the right track, a dispatch was received in Chicago, through the agency of *The United Press*, within the hour, that said:

"New York: It is reported to-night that Dr. Cronin is in this city."

[Pg 120]

STAUNCH FRIENDS TO THE FRONT.

But, to their eternal honor and credit, be it said, there were many staunch friends of the missing man, who, undeterred by slander and suspicion on the one hand, and questionable reports on the other, were determined that the mystery should be probed to the bottom, and that, dead or alive, the physician should be found. Among them were John F. Scanlan, W. P. Rend, Frank Scanlan, P. McGarry, and T. T. Conklin. These and others came together and decided to send one of their number to Toronto to investigate the reports that had emanated from that city. An unlimited supply of money was pledged, and Pat McGarry was selected for the mission. Information regarding this action was telegraphed to Toronto and took the Canadian conspirators—who had not contemplated any such move—somewhat by surprise. Prompt action became necessary, and the only thing to be done was to make it appear that Dr. Cronin had disappeared from the city as suddenly as he entered it. Accordingly, dispatches to that effect were prepared and transmitted to the various papers that had received the previous reports. One of these was worded as follows:

[Pg 121]

Dr. Cronin is a fugitive. He has not been seen in Toronto since 10 o'clock this morning, when Long, his former Chicago friend, left him under the surveillance of an amateur detective, paid for the purpose. Cronin then was in a state bordering on terror, and begged frequently that detectives should not be put upon his track, and offered to give any additional particulars he knew about affairs generally. Dispatches from Chicago newspapers had given the story of suspicion against Cronin in respect to the trunk mystery. When asked about this mystery he denied that he knew anything. This morning, when the news contained in Chicago dispatches was communicated to him, he stuck to that statement, though once or twice threatened with exposure and the allegation that detectives were waiting in the vestibule of the hotel and had a warrant for his arrest on the charge of malpractice. He was next asked if there was any truth in the other story about his going to London to communicate with the British Government. His manner and evasive replies tended to create this impression rather than that he made his escape from Chicago over the trunk mystery. He said he intended in a day or two to return to Montreal, where he had been to get one of the Canada-French line boats to Paris. Then he said he might go to England.

Cronin promised he did not intend to leave Toronto for a few days. He was not registered at the hotel, and the scores of reporters who called were informed that he was not staying there, and had not been there. This was arranged by Cronin's occupying a room engaged by another party, so the hotel clerk had no

idea that the man was in the house. The information contained in the interview was no doubt intended by Cronin to mislead, and the interviewer was well aware of the fact at the time. He got his amateur detective at the end of the corridor and told him to keep his eyes open, and when Cronin was left alone in his apartment to see that he did not leave it. Some few minutes after, Cronin made a dash from his room and went toward the stairs. He had evidently seen the man who was watching him, and his action must have been taken after a great deal of deliberation. When the detective saw him on the stairs he walked to the staircase leading to the ladies' entrance to intercept Cronin there. Cronin, however, had only gone half way down the staircase. Then he returned and took the elevator, descending to the ladies' entrance, where the detective, not finding him, thought he had been fooled, and again returned to the head of the stairs. Cronin had disappeared. At 11 o'clock a second detective was at the hotel to renew the watch over Cronin.

[Pg 122]

There is no trace whatever of Cronin since 11 o'clock. The people at the Rossin House knew nothing about Cronin getting out. The theory is that Cronin, fearing arrest on the charge of murder, has gone to Montreal again. The only trains leaving the city to-day were the morning and evening express and the noon train for Hamilton. Cronin was seen after the morning express had left. The evening express was watched, and few people went on the noon train, no one of them answering to Cronin's description. The livery stables did not hire out any rig that could have carried the man a great distance out of the city. His disappearance is a perfect mystery. Dispatches from St. Catherine's to-night say that Cronin is believed to be stopping there with friends. It would be outside the range of possibility that he could have reached there except by driving from Hamilton. Several dispatches have been received by Mr. Axworthy, of Cleveland, and at the Rossin House, making inquiries after Cronin.

In this, as in the previous reports, the one thing which it was endeavored to bring into bold relief was the fact that the physician was about to cross the Atlantic, and, while McGarry was *en route* from Chicago, Chief of Police Hubbard telegraphed to Chief Constable Grossett, of Toronto, asking for definite information regarding Cronin's alleged presence in that city. Instead of conducting an independent investigation, the Canadian official went to Long, and on the strength of the latter's statements, a reply in the affirmative was wired back to Chicago. Even this, however, was not accepted as final, and Detectives Reed and Reyburn were wired to follow up the supposed clue. Starkey was interviewed as to the truth of Long's story. He replied that he had seen Cronin, that the latter had been at his (Starkey's) house, but that he had no knowledge of his subsequent whereabouts. W. Axworthy, an ex-Chicagoan, when telegraphed by W. P. Rend to learn whether the physician had actually been there, went to Long, heard his story, and answered, "Yes." A "prominent railroad official" was next quoted as having recognized the physician, and on the morning subsequent to his alleged disappearance from Toronto, the Chief of Police of St. Catherine's, Ontario, positively recognized him in Sherwood, New York! But with the arrival of McGarry the falsity of one and all of these stories became apparent, and the infamous prostitution of the liberty and license of a journalist, of which Long had been guilty, was fully demonstrated. It took the young Irishman but a few hours of investigation to convince himself of the fact that the missing physician had not been seen in Toronto since the day of his disappearance. The same conclusion was arrived at by Detective Dennis Simmons, of Chicago, who had been despatched to the scene by Chief Hubbard, and had, unknown to McGarry, conducted an independent investigation. Simmons wired his superior briefly and to the point: "No truth in it, Cronin has not been here," while the same wires carried this message from McGarry to Frank J. Scanlan:

[Pg 123]

"Proprietor and clerk on duty do not recognize Cronin's picture as stopping at Rossin House last week. Name not registered at all. No signature resembles Cronin's. Sure interview did not take place with their knowledge."

And, to make the repudiation the more complete, Chief Constable Grossett, who, earlier in the week, had endorsed the statements of Long in hap-hazard fashion, retracted his statements in a letter to the Chicago authorities, in which he said:

"I have caused particular and exhaustive inquiry to be made into the statements that have appeared in the *Empire* newspaper of this city, and have caused the party who gave the information which was telegraphed you to be questioned closely on the subject. It would now appear that the identification of Dr. Cronin by the party who stated he saw him in Toronto last Saturday was by no means complete; in fact, I think there are the best of reasons for supposing it to have been a case of mistaken identity. It is quite true that the party here thought he met Cronin in the street, stopped him, and afterward saw the man leave the city by train with a woman. So far as I can learn this is the foundation for the sensational reports that have been transmitted from here and published in your papers. I regret that in sending you my telegram on Monday last more care was not taken to verify the correctness of my informant's statements."

[Pg 124]

A BIG REWARD OFFERED.

Public interest in the mystery was renewed by these developments. The theory of foul play was again revived, and this time it found numerous supporters, where incredulity had previously existed. Again the friends of the physician were equal to the situation. Another conference was held and it was decided to persevere in the search until the mystery had been solved. Funds to any extent were pledged on the spot. "We will find our friend, if alive; we will avenge him, if dead" was the key note. That night the following address was flashed over the electric wires to every quarter of the continent.

[Pg 125]

TO THE PUBLIC: On the night of May 4, 1889, Dr. P. H. Cronin, a prominent and respectable physician of this city, was decoyed from his home to attend an alleged case of injury to an employe of an ice dealer in the town of Lake View. Since that time no trace of him has been found, and it is believed that he was made the victim of foul play, and that he is murdered.

On behalf of his friends and fellow-citizens, who think that his disappearance is due to a conspiracy, I hereby offer a reward of \$5,000 for any information that may lead to the arrest and conviction of any of the principals in, accessories to, or instigators of this crime.

A studied attempt seems to have been made, by false dispatches, and other agencies in the public press, to create the impression that he is still alive, and that his disappearance is voluntary.

I am also authorized to offer a further reward of \$2,000 for any satisfactory evidence that will prove that he is not dead, and that would lead to the discovery of his whereabouts.

The public is asked to discredit any and all charges, reports, or insinuations reflecting in any manner upon his professional or personal character. He was a man of temperate habits and lived a pure and unblemished life.

The above rewards are offered by his friends and fellow-citizens with the full conviction that a terrible crime has been committed, and with the view that law and order may be vindicated.

JAMES F. BOLAND,
Chairman of Com. from Societies and Friends.

CHAPTER VI.

[Pg 126]

HOPING AGAINST HOPE—THE STENCH IN THE SEWER—"MURDER WILL OUT"—A GHASTLY DISCOVERY—WHERE THE BODY WAS FOUND—THE RECOGNITION BY CAPTAIN WING—ITS HORRIBLE APPEARANCE—EVIDENCES OF A FOUL CRIME—THE CORPSE AT THE MORGUE—PITTIABLE SCENES OF GRIEF—THE OFFICIAL AUTOPSY—THE BRUTAL WAY IN WHICH THE PHYSICIAN HAD BEEN DONE TO DEATH.

It is always the unexpected that happens.

Even the closest friends of the missing man, earnest as they apparently were in the declaration of their belief that he had been the victim of foul play, still hoped against hope that their fears would not be realized. As a drowning man clings to a straw, so they clung to the hope that they would again see him alive and in the flesh.

But it was not to be.

Dr. Cronin did *not* leave Chicago on the night of his disappearance.

He was *not* seen on a street car apparently en route to the depot.

[Pg 127]

He was *not* recognized on Canadian soil; nor did he unbosom himself to reporter Long.

He was *not* en route to London to betray the cause to which he had devoted so large a portion of his active life; or to re-enforce the spy Le Caron in his work of infamy.

Dr. Cronin was murdered.



THE CATCH-BASIN—SOUTH VIEW.

While these reports and rumors were confounding his friends and making his enemies exultant; his body, hacked and marred and battered, was rapidly decomposing in one of the sewer catch-basins in the town of Lake View.

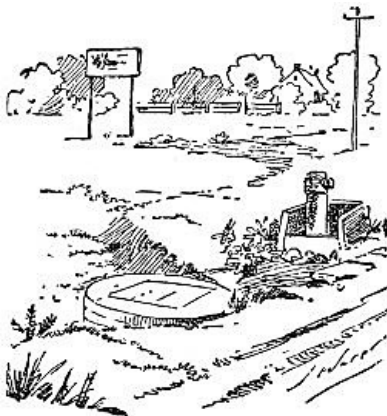
WHERE THE BODY WAS FOUND.

Ten days after the physician's disappearance the board of public works of Lake View received a complaint that the sewer at the corner of Evanston Avenue and North Fifty-Ninth Street was apparently choked up, and that the foul air in the neighborhood was beginning to be a nuisance. No immediate action was taken. Another complaint came in, and another, and very soon they were counted by the score.

[Pg 128]

Finally, realizing that the complaints demanded attention, Otto Failmerzger, chief clerk of the department, hung on the hook an order to the foreman of the gang charged with the care of gutters and sewers, to remove the supposed obstruction in the sewer without delay. On the following morning—Tuesday, May 22nd—the foreman in question, Nicholas Rosch, accompanied by two of his assistants, John Finegan and William Michaels, went to the locality indicated. They found that the ditch on the east side of Evanston Avenue was partially filled with water, which was constantly creeping from a damaged fire plug. The fall of water here was to the north. About twenty feet north of the fire plug was a catch-basin into which the water from the ditch was supposed to flow, just as it flows into them in sections of the city that are paved. At this point, however, the sand had rolled down from the roadway into the open ditch, damming up the water so that it could not escape into the basin.

[Pg 129]



THE CATCH-BASIN,
SHOWING FIRE-PLUG AND DITCH.

One glance at the ditch convinced Foreman Rosch that this was the source of the trouble, and procuring their shovels, the three men went to work with a will to throw out the moist sand. It was a slow and laborious job, and it was well on towards four o'clock when they reached the immediate vicinity of the catch-basin. The latter, as will be seen in the illustration, was circular in form, built of brick, and with a heavy wooden top on a level with the street. About two feet below the top was an opening in the side of the brick wall to the southwest. In this a barred iron grating was set, through which the water from the ditch was supposed to flow. With the exception of this side, which was open to the bottom of the grating, the circular brick basin was surrounded by dirt almost to the street level. The locality was precisely one mile north of the spot where the bloody trunk had been found, the same roadway leading directly to

the catch-basin and almost directly to the neighborhood of O'Sullivan's ice-house whither Dr. Cronin had been summoned by the mysterious messenger.

[Pg 130]

"MURDER WILL OUT."

The laborers wondered, as they shoveled the sand out of the ditch, what it was that caused the terrible stench that pervaded the atmosphere. It was indescribably strong and noisome, and more than once they were almost compelled to cease their work. Yet, although they searched around and examined the ground for a square block, they could find nothing to which it could be attributed. At last the ditch was cleaned out, and the foreman concluded to take a look into the catch-basin before quitting for the night. Accordingly, getting down on

his hands and knees, he peered through the iron grating. In the darkness he could discern something white apparently floating in the water.

"There's a dog in here" he called out "and that's what has been making this stench."

"That's strange" replied Finegan, coming up "how the deuce could a dog get in there?"

Finegan pressed his face close to the bars for a moment.

"Great heavens," he ejaculated, "it's a corpse!"

[Pg 131]



DISCOVERY OF DR. CRONIN'S BODY IN THE CATCH BASIN.



To tear off a portion of the heavy plank top of the basin was to the three strong men but the work of a moment. The foul air and stench that escaped caused their heads to swim and their faces to turn pale; but, quivering with excitement, they bent over the edge and peered down into its depths. What they saw filled them with horror. The basin contained the nude body of a man. A large quantity of cotton batting had been thrown over the corpse partly concealing it. A towel was tightly tied around the neck. The head was bent forward upon the breast and was entirely submerged.

[Pg 132]

The feet and legs were deep into the four feet of water. The body was floating, the back and hips alone being above the surface. The three men looked at each other. Strange to say, not one of them thought of connecting the ghastly discovery with the missing doctor. It was evident that it would be no easy matter to bring the body to the top of the basin, and Rosch, hurrying to the

[Pg 133]

grocery store of C. H. Noyes, a little distance away, sent a telephone message to the police headquarters of Lake View. In a little while the patrol wagon, with Captain Wing and Officers Phillips and Malia, was on the scene. At first sight it seemed as though it would be impossible to bring the corpse to the top of the basin without being compelled to mutilate it, but finally one of the party suggested that a horse blanket might be passed under the stomach and the remains thus drawn up. This suggestion proved practicable, and the blanket, having been pushed under the body with the aid of the handle of a hoe, the men took the two ends and commenced to lift it to the surface. Owing to the stiff and bent condition of the body, however, it was found necessary at this point to remove the entire top of the basin. A knot was then tied in the blanket, during which operation the arms, released from their pressure, flew apart, and with a little more exertion the ghastly load was entirely removed from its prison of brick and laid upon the ground. As this was being done the face, bloated and discolored, turned up toward the men.

"My God," exclaimed Captain Wing, "it is Dr. Cronin."

THE BODY AT THE MORGUE.

The little group stood dumbfounded as the ejaculation burst from the officer's lips, and, for the first time, they realized the terrible significance of their discovery. Quickly arousing themselves to action, however, they gently laid the body upon the stretcher and lifted it into the wagon. Little time was lost in making the return trip to the police station. Here the body was conveyed to the basement, which served the purpose of a morgue, and placed upon a

[Pg 134]

low table. A cursory examination developed the fact that the cotton batting, as well as the towel around the neck, were heavily saturated with blood. Upon removing the towel, which had been tied in a knot, there was disclosed to view an

"AGNUS DEI,"

or scapular, a heart-shaped religious emblem very generally worn by adherents of the Roman Catholic faith as a safeguard against injury. Attached to a ribbon around the neck, it rested just below the collar bone. It was the only thing that the physician had worn in life that had been left to him in death, and, brutal and bloodthirsty as had been the assassins in the perpetration of their dastardly crime, they had evidently—even after stripping the corpse of their victim of every shred of clothing, in the hope that all means of identification would thus be destroyed—stood appalled at the idea of molesting the holy emblem of the church with their bloody hands. Even in that terrible moment, and in the presence of the naked and reeking corpse of the man they had lured to destruction, the "Agnus Dei," resting mute upon his breast, had possessed an influence that compelled them to pause. Thus far they had gone, but they could go no farther. It had spoken to their affrighted souls in trumpet tones: "Touch me not."

[Pg 135]



THE CORPSE WITH "AGNUS DEI" ON BREAST.

Considering the fact that the body had in all probability, been in the place where it was found for nearly three weeks, it was not by any means in the condition that would have been expected under the circumstances. It had swollen, however, to about one-third of the natural size. As it appeared under the gas light it was that of a stout, well-nourished man of about forty-five years of age. The skin was white, although the body and chest was considerably bloated. The feet, which had been the most exposed, were hardly cracked. The hair had peeled from the skin both of face and body. One side of the mustache, with the skin attached, was turned over onto the lip. Only a few straggling hairs were left on the other side, but, just under the lower lip, a small but well-defined goatee of dark bristling hairs was apparent. The forehead was bald, while the thick dark hair lay in matted clots on the back of the head. The chin—the towel not having been replaced—was sunk well into the neck. The mouth was tightly closed, and for a time resisted all efforts to force it open. About the ears and hands the skin hung in shreds, and the eyelids had swollen to such an extent that they had forced each other partly open. But it was the head that attracted the greatest attention, and brought exclamations of horror from the few spectators. It was a mass of wounds. In the forehead at the roots of the hair there were three horrible cuts, each over an inch in length, and attended with a slight discoloration that indicated decay. These had evidently been made with a sharp instrument. Over the right eye there was a wound that looked as though it might have been made with the cutting edge of a blunt axe. Others on the back of the head were evidently the work of a blunter instrument, but the worst one of all, on the top of the head, suggested the use of the back of a heavy axe. There was no need to look elsewhere for horrible explanations of the cause of death. The head told its own story. The unfortunate physician had been hacked to death with a brutality beyond conception.

[Pg 136]

[Pg 137]

FRIENDS IDENTIFY THE REMAINS.

With amazing rapidity the news had spread throughout the suburb, and by this time the station was besieged by an excited crowd, while hundreds of voices clamored loudly but vainly for admission. Down in the city, too, where the information had been telephoned as soon as the remains had reached the morgue, the excitement was equally intense. It was just at the hour when the mercantile establishments, business houses, and manufactories, were emptying their army of toilers at the conclusion of the work of the day, and the bulletins that were displayed at the newspaper offices and a score of other places in the most frequented

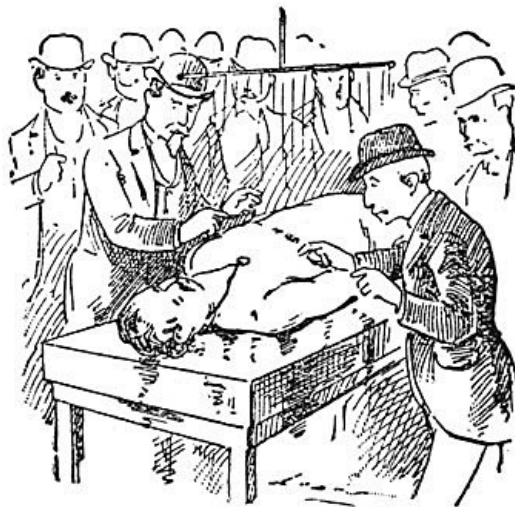
thoroughfares, were surrounded by thousands of people, who read and commented upon the startling information that was thus conveyed. Many gave vent to shouts of horror, others loudly breathed imprecations upon the murderers. Extra editions of the evening papers, giving the facts so far as known up to the hour of publication, were successively issued, and added to the popular excitement. Before midnight the fact that the body of the missing physician had been discovered under such revolting circumstances was known under almost every roof in the great western metropolis, and was being discussed by Irishmen in scores of towns throughout the country, to which it had been flashed over the electric wires.

[Pg 138]

Among the earlier arrivals at the morgue were several citizens of Lake View, who had known the physician when in the flesh, and with one or two exceptions, their identification of the remains was instantaneous and complete. They were soon joined by John F. Scanlan, Mortimer Scanlan, Pat McGarry, James Boland, and John E. Scanlan, all intimate friends of Dr. Cronin and members of the committee which had the case in charge. They made a careful examination of the remains and pointed out the resemblances. The Doctor had large hands, as had the corpse; he was a hairy man, and there was lots of loose body hair on the corpse. The water had rotted this off, but it lay in masses and tufts on the body. The height of the man and his build agreed with that of the physician. Next to this they relied upon the "Agnus Dei." Cronin had worn one of these reliquaries, and had never taken it off even while bathing. Then some one remembered that the Doctor had an extravasation of blood under the finger nail of the right thumb; and this, too, was found upon the corpse. A mark upon the side was also declared to be identical with one upon the body. Cronin had a superfluity of hair about the wrists, and this point of resemblance was found on the corpse. There was also a peculiarity of the second finger of the right hand, which might be described as a base-ball finger, with which Dr. Cronin had been afflicted. This malformation was apparent on the same hand of the dead man. But the most convincing and conclusive identification of all was that of Dr. T. W. Lewis, a dental surgeon, who had done considerable work for the Doctor. Upon his arrival at the morgue, John F. Scanlan pried open the mouth of the corpse with a pencil, and Dr. Lewis immediately recognized his handiwork in the gold filling of some of the upper teeth. It was a remarkable fact, moreover, that in a lower jaw plate that he had made for the physician he had placed several teeth peculiar to themselves, and known to the profession as "crown sunk." He had done this something in the line of an experiment. This identical plate was taken from the mouth of the dead man, while, to make the proof still more positive, the cast of Dr. Cronin's mouth, taken for the purpose of making the plate, was found to fit the mouth of the corpse to a fraction.

[Pg 139]

[Pg 140]



SCANLAN AND CONKLIN IDENTIFYING THE BODY.

After Dr. Lewis came Cronin's tailor, Joseph J. O'Keefe, and who, upon making tests, found that the measurements of those portions of the body that had not perceptibly increased in size were identical with the figures in the order book kept by his cutter. John Buck, the barber who had counted Dr. Cronin among his customers for over a year, recognized the shape of the head and the texture of the hair; and immediately after, Dr. John R. Brandt, President of the staff of the Cook County Hospital, and who had been comparing the dead man's hair with the lock of hair found in the trunk three weeks before, declared that they had come from the same head. In this he was corroborated by Dr. Ruthford. T. T. Conklin arrived at the station at 8 o'clock. He was taken down-stairs and looked long and earnestly at the bloated corpse. "It is the body of Dr. Cronin," said Conklin, his eyes filling with tears. "I have known him for twenty years and cannot be mistaken. I have been in swimming with him and know him better than any man living. There is no chance for a mistake. I don't like to say 'I told you so,' but this substantiates what I have said from the start. Dr. Cronin was murdered, and if the police had done their duty, instead of believing the lies invented by Dr. Cronin's enemies, the murderers would have been captured before this time."

[Pg 141]

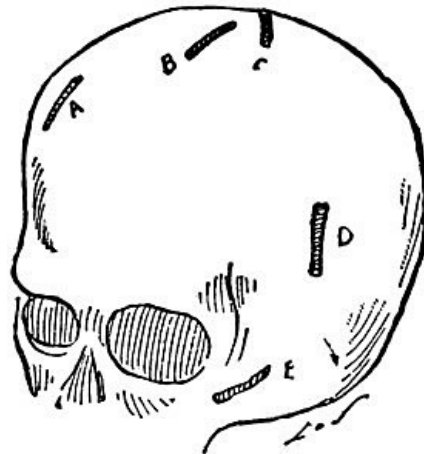
And so for hours the friends of the murdered man came in singly, and in twos and threes, and added their testimony to what had already been given. Many of them were profoundly affected, and there were many pitiable scenes of grief as one man after another turned away from the bloated corpse that was all that remained of the man with whom they had been so closely associated for years. Captain Wing, when interrogated, said that the place where the body was found was a particularly lonely one, the nearest house being over a block away. A hundred yards to the east was the depot of the Chicago & Evanston railroad. The spot was a little over three-quarters of a mile beyond the point where the trunk was found on the morning after the physician's disappearance, and four miles north of Fullerton avenue. It was surrounded with swampy land, the few trees growing to the north serving to shut off the view from the residences that were located in the neighborhood.

[Pg 142]

All this time the excitement outside was at fever heat. For hours the streets in the neighborhood were crowded with vehicles, and thousands of people blocked the approaches to the morgue until the police were compelled to use their clubs again and again. The station was filled with Chicago officers, who consulted with those of the suburb upon the best method to be adopted with the view of running down the assassins. The tumult continued until midnight, and then the morgue was cleared in order that a more careful examination of the head might be made by Dr. Gray. It was first placed in an upright position and photographed, and when he had finished his examination, Dr. Gray said:

"There are five wounds. No. 1 is on the front parietal suture, just here," and he took a skull which he had brought with him and used it in the demonstration. "That could easily have been fatal in itself. No. 2 is on the vertex, to the right of the sagittal suture," and he touched a point on the skull before him squarely on the top, but a little forward of the crown. "The skull is not strong there, and a heavy blow would be fatal. The third wound is one-half inch posterior to No. 2—just here," and he again illustrated by laying his finger almost on the crown of his object lesson. "The fourth is on the left temple, and is only one inch long. The rest are about an inch and a half in length. The fifth is a crushing wound, immediately below the external angle of the left eye. This one fractured the cheek bone, and must have been delivered with great force."

[Pg 143]



THE SKULL SHOWING LOCATION OF WOUNDS
THAT CAUSED DEATH.

"The absence of wounds on the hands," said Walter V. Hayt, a city health inspector, "would indicate that the first blow, whichever one of these five it was, was delivered unawares; otherwise there would have been a struggle which would have left its mark on the hands or arms, either in striking or warding off blows. He must have been surprised and stunned at the first blow."

[Pg 144]

Dr. Brandt, who also assisted in the examination of the wounds, said the blows must have been made by some sharp instrument, perhaps an ice-pick. He said if the instrument had not been sharp the skull would have been fractured, whereas it was only indented, or marked by the blows.

To many of the dead man's friends it seemed remarkable that the body had not sooner been discovered, more especially as the Lake View police had started out to search the catch basin on the day after the trunk was found, and continued at the work for nearly a week. This was satisfactorily explained, however, by Alderman Maxwell, of the city council, who was one of the searching committee. It appeared that there were four catch basins at the intersection of Evanston avenue and Fifty-Ninth street, the body being discovered in the one on the south-east corner. The committee, aided by fifteen police officers and six volunteers, had commenced their operations at Evanston avenue and Sulzer street, where the trunk was found, and went east and west from that corner. From here they had gone through the basins north and south along Evanston avenue, but no clues being discovered, they arrived at the conclusion that the trunk had been left for a blind, and that, in all probability, the

[Pg 145]

body had been hidden some distance away. They had consequently gone to Graceland and looked through the basins up and down the avenue and on the cross streets for a distance of several miles. This occupied an entire week, until, tired and disgusted, they had stopped, by sheer bad luck, two blocks north of Fifty-Ninth street. Hence it was that the catch-basin in which the body had been hidden was missed.

THE STORY OF THE AUTOPSY.

All that night the body rested on the little table in the morgue, with an automatic sprinkler pouring water upon the face and breast. Decomposition advanced with such terrible swiftness, however, that by morning it was apparent that unless the process of embalming was resorted to without delay it would soon be unrecognizable. One of the earliest arrivals was John T. Cronin, of Bradford, Kansas, the only brother of the dead man. He wept bitterly, and sobbed and moaned when taken into the morgue, and at once recognized the corpse, not only from its facial characteristics, but also from a malformation of a portion of the body that the physician had kept secret from even his most intimate friends. He was with difficulty persuaded to leave the bier, and, prostrated with grief, was half carried from the room. The county authorities now took charge of the case. From the police department the following proclamation, over the signature of Chief Hubbard, went to every station in the city and was read to the men at the morning muster:

[Pg 146]

"To CAPTAINS:—In view of the fact that the mutilated body of Dr. Cronin has been found in a catch-basin in the town of Lake View, and that much public comment will be aroused, you will instruct your officers to note the nature of any such comment that they may overhear, and follow up all clues which may be thus obtained. The order is sent out merely because some person having some criminal knowledge of how Dr. Cronin met his death may be indiscreet enough to make some statement when excited that would lead to the solving of the mystery. In such a case we want our officers to be on the alert and ready to take advantage of any such admission."

Following this action, the county coroner, H. L. Hertz, decided to proceed with the official autopsy without delay. A jury was first empanelled, and, a view of the body having been taken, and an adjournment for several days decided upon, the physicians commenced the post-mortem examination. It was conducted with great care and deliberation and occupied over five hours. Drs. James F. Todd and Egbert, respectively county physician and assistant county physician, were materially aided by Drs. Bell, Porter, Miles, Kuhn and D. G. Moore, while Deputy Coroner Barrett, Captain Wing and Lieutenant Spengler watched the proceedings as the representatives of the authorities. The skull was cut open and the brains removed. When the scalp had been taken off it was discovered that the bones composing the skull had scarcely been marked by the blows of the instruments. There were no signs of congestion about the brain, but the lungs and pulmonary cavity were filled with blood, a condition which was explained by the fact that the head had been placed head downward in the catch-basin. A cut one-half inch deep was found upon the head and numerous bruises on the lower limbs. There were no signs of suffocation or any bruises about the neck such as would result from the choking of a man with a towel or rope. The passage through the wind-pipe was unobstructed. The surgeons were considerably puzzled by the fact that there was no fracture of any of the skull bones or of the small bones about the face, even the inner table of the skull being unfractured. In technical language the injuries to the head included a deep wound over the left temple four inches long, through the scalp and into the skull, a cut one and a half inches long over the left parietal bone, this one also marking the skull, a cut one and a half inches long over the frontal bone at the junction of the left parietal; a cut three inches long through the scalp marking the occipital bone, and two cuts each an inch long, together with a bruise, back of the forehead on the right parietal bone. There was also a severe contusion apparently made by a bludgeon on the forehead, as well as a lineal incision on the neck that had been made by some sharp instrument. It was the opinion of the medical men conducting the autopsy that more than one instrument must have been used to produce the apparent wounds, and that their direction indicated that they must have been inflicted from behind and were struck downward from above.

[Pg 147]

[Pg 148]

After the autopsy had been completed the friends of the deceased were permitted to take charge of the remains, and they were removed to an undertaker's establishment within a short distance of his former residence. The process of embalming was successfully carried out, the features being reasonably life-like, and their natural character well preserved; and the body, having been clothed in a suit of broadcloth, was placed in the elegant casket that had been prepared for it. This was of metal, overlaid with French walnut, and heavily mounted in gold, ornamented with silver flowers. Upon each end of the surface filling the two spaces beside the plate, were two large wreaths of gold wheat, intertwined with roses and set off with silver pansies. At close intervals around the top of the casket were heavy gold knobs, and along each side of it a continuous heavy rail of silver was mounted in lieu of handles. The ends of this were decked with heavy gold and silver tassels, the whole effect being very rich. On the massive and elaborately chased silver plate, in the center, were the simple words in English text:

[Pg 149]

PHILIP PATRICK HENRY CRONIN,

BORN:
August 7th, 1846.

DIED:
May 4th, 1889.

A SISTER'S GRIEF.

The first stage of the journey to the tomb was now commenced. Under escort of a number of friends the casket was taken to the Armory of the First Cavalry, on Michigan avenue. Here it was placed upon a catafalque, which had been erected in the center of the vast hall. It had no more than been placed in position, however, when a gray-bearded man, dressed in a gray overcoat and low-crowned hat, stepped to the front and demanded the opening of the casket.

[Pg 150]

"Why?" asked the attendant.

"I am his brother-in-law, and his sister here desires to see him." He pointed, as he said this, to a lady of above middle age, gray haired, and wearing a black bonnet and sober, gray shawl, who stood at his side. She was weeping freely, and pressed a handkerchief to her face.

The casket was partially opened when a number of the committee of arrangements appeared and ordered the attendants to screw it up again.

"Why should the casket be opened?" he asked.

"This lady is a sister of the deceased and desires to view the remains," replied the stranger.

"Well, I don't know you and don't know whether you are his brother-in-law or not. Where is Mr. Conklin?"

At this protest the attendants again commenced to screw up the casket.

"I am John Carroll," said the stranger, with dignity. "I came here to-day with my wife from St. Catherines, Ont. I don't know Mr. Conklin or anything about him. If I wanted to insist, I could take charge of the remains and conduct the funeral myself, but all I ask is to let his sister see the body."

[Pg 151]

The committeeman relented at this, and by a gesture indicated that the attendants might open the coffin. When they had exposed the face, covered as it was by the glass, the sister stepped forward, and gazing long and intently at the features beneath, burst into a passion of tears. Bending her gray head to the glass of the casket, she lifted her veil and pressed her lips convulsively against the glass again and again as she said: "Good-by, good-by, asthore!" She turned away in a burst of passionate weeping. Her husband could not control his feelings as he silently gazed at the remains of the brother they had loved, and he, too, burst into tears. Mrs. Carroll was an elder sister of the deceased, residing at St. Catherines, Ont., and neither she nor her husband had seen him for fourteen years, but her heart warmed to him as it had in childhood when they played together in the years gone by.

Between this occurrence and midnight, a period of nearly eight hours, many thousands of people were admitted to the building. Four Knights of St. Patrick, in plumed bonnets, long gloves and drawn swords, guarded the casket, one being stationed at each corner of the catafalque. The latter was imposing enough for the obsequies of a monarch. At the four corners there were standards supporting cross pieces above at a height of fifteen feet, and which, together with the supports, were draped in black over-wound with white. Above, depending horizontally from the beams of the great roof, were draped three immense flags, their centres reaching down to the roof of black below. At the head of the casket was a massive floral cross, nearly six feet in height, and composed of marguerites, carnations, cape jasmines, roses, and lilies-of-the-valley, all in white. At the foot, upon a black-robed pedestal, stood a four-foot candelabra of brass, bearing seven lighted wax candles. Upon the top of the coffin was a large bunch of white roses attached to a pair of palms by satin ribbons, while the side and base of the bier were covered with smilax and palms overstrewn with a profusion of loose roses. To complete the effect the four corners of the catafalque were banked with pink hydrangeas, and over all looked down, from a frame of crape, a lifelike portrait of the murdered man. Only the casket and catafalque were to be seen, the coffin lid being closed until the formal lying in state on the following morning, but all who came were admitted, and hour after hour a steady stream of people filed before the sentries, and when, at midnight, the big doors were closed, it was estimated that fully twelve thousand people had, by their presence, by bowed heads and by tear-dimmed eyes, paid a simple token of respect to the memory of the murdered man.

[Pg 152]

[Pg 153]

CHAPTER VII.

[Pg 154]

THE CRIME CREATES AN INTERNATIONAL SENSATION—DISCOVERY OF THE LONELY COTTAGE WHERE THE IRISH NATIONALIST MET HIS DEATH—EVIDENCES OF A TERRIBLE STRUGGLE—THE TELLTALE BLOOD STAINS AND BROKEN FURNITURE—THE MYSTERIOUS TENANTS AND THEIR MOVEMENTS—THE FURNITURE BOUGHT AND CARTED TO THE ASSASSINS' DEN—WHAT MILKMAN MERTES SAW—THE PLOT AS OUTLINED BY THE SURROUNDINGS—ICEMAN O'SULLIVAN UNDER SURVEILLANCE.

The discovery of the body of the missing physician under such appalling circumstances, and with the surrounding evidences that a crime of the foulest character had been committed, created a most profound sensation, not only among all classes and nationalities in cosmopolitan Chicago, but also in Irish-American circles throughout the United States, and among the countrymen of the murdered man across the Atlantic. Telegrams and letters, breathing indignation and horror, and urging that no stone be left unturned to the end that the assassins might be run to earth and brought to justice, poured in on the dead man's friends from the four quarters of the continent, as well as from abroad. The scoffers—those who all along had scouted the theory of foul play, and had voiced the stories so artfully concocted by the plotters that the physician had left Chicago of his own free will, and with objects and motives that would, sooner or later, be revealed—were, in a figurative sense, deprived of the power of speech. In the presence of the hacked and decomposing body of the man they had maligned they had not a word to say.

[Pg 155]

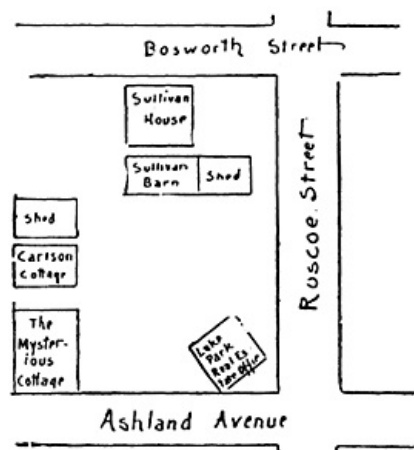
THE LONELY SCENE OF THE MURDER.

Startling developments were destined from this time on to follow each other in rapid succession. Less than twenty-four hours after all that was mortal of Dr. Cronin had been taken from the Lake View man-hole, the place where his life's blood had been shed was discovered, and the officers of the law were in possession of important clues which promised to lead to the capture of the murderers.

It was a lonely place that the assassins of the Irish Nationalist had chosen to perform their bloody work.

Patrick O'Sullivan, the ice man, resided in a comfortable house on the corner of Bosworth and Roscoe Streets, in Lake View, less than two miles from the man-hole that had been converted by the murderers into a temporary tomb. Ample grounds surrounded the residence, while barns, sheds and out-houses filled up most of the ground in the rear. The corner lot back of these structures was vacant, but immediately next, facing Ashland Avenue almost in a straight line with O'Sullivan's house, and less than 150 feet away, stood a vacant cottage. It was a one-story and basement, with an unfinished attic, weather-beaten and worn. The street entrance led up a flight of wood stairs, while access to the rear could only be obtained by another flight. The cottage stood fenced in in a narrow lot, crowded into which, not fifty feet away, in the rear, was a still smaller house.

[Pg 156]



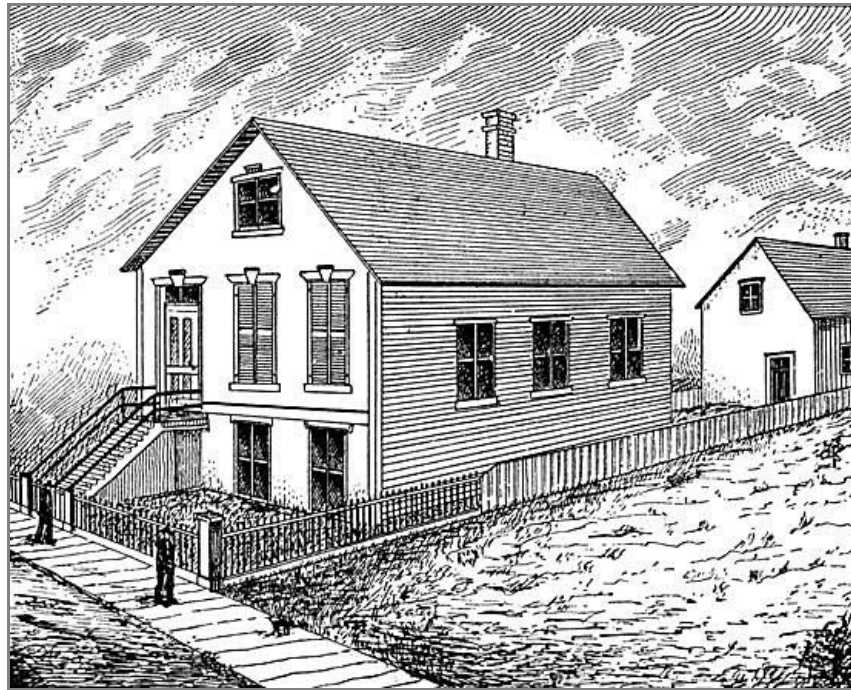
SCENE OF THE TRAGEDY.

This was occupied by an aged Swedish couple, Jonas Carlson and his wife and their son John, a strapping, well-built fellow of some twenty-five years. His parents owned the property, and about their only means of livelihood was the rent derived from the larger cottage, when they were fortunate enough to secure a tenant. Good luck, however, had failed to attend them. Early in the year, the man, who, with his family, had occupied it for

[Pg 157]

some time, was convicted of embezzlement and sent to the penitentiary, and his wife and children, lacking the wherewithal to pay the rent, were forced to vacate. At the best, it was not a particularly desirable locality, for, barring O'Sullivan's house, the two buildings stood alone in an area as large as a city square, while the prairie, dotted here and there with one-story cottages, stretched far away in every direction.

[Pg 158]



THE ASSASSIN'S DEN, WITH THE CARLSON COTTAGE IN THE REAR.

This was the lonely spot, and this the vacant house that the assassins chose for their den, and within these walls Dr. Cronin came to his death.

On the day following the finding of the body State's Attorney Longenecker, Captain Schuettler of the City Police, and Captain Wing of the Lake View Police, met in consultation. It was decided to send for O'Sullivan, the ice-man. While no direct suspicions were at that time entertained that he was concerned in the tragedy, there was an indefinable feeling that he knew something or other that might prove of importance in relation to the affair. O'Sullivan promptly responded to the summons. Pressed by the State's Attorney to tell them anything he might know, O'Sullivan said that he believed there had been something mysterious going on in the Carlson cottage. Two suspicious looking men, he went on to say, had appeared in the neighborhood about March and rented the place, paying a month's rent. Since that time they had occupied it very little, if at all. To the landlord they had pretended that they were going to work for him (O'Sullivan), but this was not true, for he knew nothing about them, and certainly had never hired them. The matter looked suspicious, he thought, and ought to be investigated, especially as it was possible that these were the men who had used his name to Dr. Cronin. Beyond this he knew absolutely nothing.

[Pg 159]

"BLOOD, BLOOD, EVERYWHERE!"



To the ordinary listener O'Sullivan's story would have seemed of little or no importance. Not so, however, with Schuettler and Wing. These experienced officials, who knew of old that important results often follow in the wake of the most unpromising trail, saw in it a possible clue. Together they drove with all haste to the Carlson cottage. It was broad daylight, and even before they had alighted from their buggy, they saw enough to convince them that they were on the right track at last. There were big blood stains on the boards, that crossed the ditch in front of the gate. There were larger ones on the sidewalk in front of the house; and they led, in two dark-red parallel streams right up the wooden steps to the front door. It was the work of a couple of seconds to force the lock. The usually cool, imperturbable officials were too excited to go after keys, while, moreover, it was desirable that what was to be done should be done quietly. The lock gave way to the pressure with a crash, and the two men entered. Spots of blood again

[Pg 160]

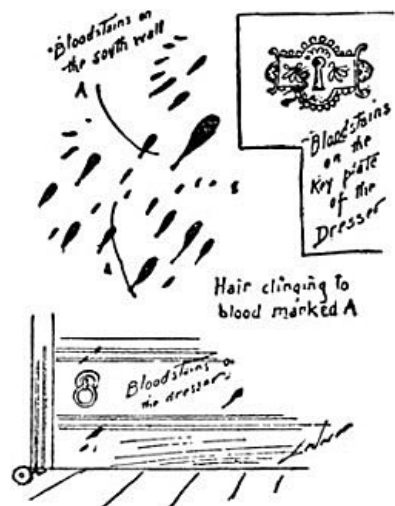
confronted them on the floor of the hall. An attempt had been made to cover some of them up with a coat of yellow paint. The individual who performed this task had divested himself of his boots and hose, for the print of a naked foot stood out clear and distinct in a splotch of the red paint.

A couple of steps and the captains were in the parlor, and then for the first time they realized the full and terrible import of their discovery. There were abundant evidences that a frightful struggle for life had taken place within the four walls, and that it was here that the unfortunate physician had met his doom. It was a small room, only 16 by 20 feet, with three windows, two facing west on Ashland Avenue and a third looking out south on a vacant lot. Near the southwest corner was a bloody stain nearly a foot in diameter and about four feet away from the wall. Almost in the center of the room was another blood-stain almost as large. It looked as though a body had been rolled from one place to the other, the changes of position leaving a small pool wherever the head had rested. Over these stains the same reddish brown paint that appeared in the hallway had been applied, but in such a bungling way as to leave no doubt that it had been done with great haste. The stains of blood were not heavy, and it was apparent that the life-fluid had soaked through a carpet before reaching the wood. In the northeast corner was a bedstead, in the northwest a dressing-case, in the southeast a wash-stand with a pitcher and bowl. In the center of the room was a rocking-chair. The right arm was broken off and lay on the floor, and the officials came quickly to the conclusion that the physician was sitting in this chair when he was first attacked.



[Pg 161]

[Pg 162]



On the floor in other parts of the room were a lamp and the oil can from which it had been filled. But these articles attracted little attention for the moment. The attention of the officials was riveted on the blood stains that met their eyes in whatever direction they looked. As Captain Wing remarked later in the day, it was "blood, blood, everywhere." The center of the floor was dotted with drops about the size of a pea. There were half a dozen stains on the front of the dressing case, and some of it had congealed thickly on the brass facing of the lock. This Captain Wing plied off, in order that an analysis might be made. There were more spots on the key plate of the washstand, and this also was forced off. On the south wall was a score or more of stains, large and small, to several of which long black hairs were adhering, just as if the blood that spurted out when the head was struck with some blunt instrument had carried the hair with it. The wall was white, and the mute evidences of the awful crime stood out with terrible distinctness. On the bedstead was a mattress and a pair of

[Pg 163]

uncovered pillows, but this part of the room had escaped the struggles of the victim to save his life. The painter had left his mark on the inside blind or shutter of the window looking out on the vacant lot, for eleven finger prints were plainly visible. Apparently the blind had been closed in a hurry while the paint was still wet.

Passing through the communicating door into the dining-room, another spot of blood appeared in the middle of the floor. Strange to say, no effort had been made to cover this over. There was nothing else about the room to attract attention. The basement was next visited. Here the pot of red paint and the paint brush had been thrown down under the stairs. A broom with a broken handle stood against the wall, and a hurried inspection showed that it also was stained with blood and particles of wool. This had evidently been used to sweep the carpets while yet wet with gore. The paint pot bore the name of a well-known Chicago firm. Returning up stairs, the officials commenced a more minute inspection. On the floor beside the bed they found a key, which was subsequently tried in the lock of the bloody trunk found on the previous day, and proved to be the one wanted. A bill for curtains was also brought to light. The dressing case and wash stand were turned around, and the officials were considerably elated at finding them branded with the letters "A. H. R. & Co.," the trade mark of Alexander H. Revell & Co., an extensive local furniture house of national reputation. This of itself was a valuable—and as it subsequently turned out—a vital clue. The kerosene lamp was found to be almost full. If it was filled the night of the murder, it did not burn more than an hour. There were, however, no signs of a single article of the murdered man's clothing, of the implements in the surgeon's case that he had taken with him, or of the cotton batting. It was surmised that the murderers might have buried their tell-tale evidences of their bloody work in the cellar, and later in the day a half-dozen detectives from the Chicago Avenue station dug the place over to a depth of several feet. Nothing, however,

[Pg 164]

was brought to light.

FORMING A THEORY.

In the light of the surroundings a theory of the circumstances under which the crime was committed was easily formed. Than the place itself a better one for such a purpose could not have been found. The street was absolutely dark after midnight, and even during the early evening the only outside light was that given by two kerosene lamps, one at each of the street intersections. Hence it was in comparative darkness all the evening. The house, moreover, was so near that of Sullivan's that it was probably an easy matter to decoy Dr. Cronin to it without arousing his suspicions. He had been struck the moment he entered the parlor, and fell in the corner of the room where the largest of the blood-stains appeared. The blow, however, had not deprived him of consciousness, and, gaining his feet he had engaged in a hand-to-hand struggle with his assailants. This was apparent from the manner in which the blood was spattered over the articles of furniture that were several feet distant from each other. It had evidently been in this struggle that the arm of the rocking-chair was broken. Another terrific blow had been dealt his head while he retreated backward, as was evidenced by the hair and blood upon the wall. The last foul blow having been struck, the unfortunate man, perhaps still breathing, was stripped naked and the body packed into the trunk, which was already in the house. Having thus disposed of the corpse the trunk was borne out of the building to the wagon, which stood on the roadside. As it was being carried down the steps the blood that gathered at one end seeped through the corners and left the two gory trails on the boards of the sidewalk and the plank crossing the ditch. Then there was the hurried drive to the catch-basin, the dumping of the body, still warm, into its recesses, and the disposal of the trunk. The murder having thus been accomplished and the body disposed of, the conspirators, with strange assurance of their safety, had returned to the cottage and endeavored to efface the evidence of their crime by taking up the carpet and then plastering the blood-stains with the paint—a mixture of yellow and brown ochre. Either they were in a hurry or there had been some interruption, for the job was not half done and the murderers, leaving behind all the evidences of their atrocious deed, vacated the cottage for good and all.

[Pg 165]

[Pg 166]

THE BLOOD EXAMINED BY EXPERTS.

One of the first things to be determined was whether the blood on the floor of the cottage and that found in the trunk was identical. Dr. Brandt and Dr. Hectone were sent for, and for the balance of the day they were busily engaged in making examinations and microscopic comparisons. By night they were in a position to declare that two things had been definitely established. First, that the blood found in the Carlson cottage was that of a human being, and second, that, so far as an expert examination by the most approved methods had gone, it went to prove that the blood taken from the trunk and that taken from the house came from one and the same body. This feature of the tragedy created the greatest interest in medical circles, from the fact that it was the first case on record in which such a comparison had been attempted.

[Pg 167]

"I examined the blood found in the trunk," said Dr. Brandt on the evening of the day in question, "soon after it was found and determined that it was human. The first thing to do was to determine whether the spots in the house were also human blood."

"How can you tell whether certain blood is that of a human being, or of some animal?" he was asked.

"Only by the size of the corpuscles. They are large and compressed on either side. It can be done only by means of a powerful microscope, and even with this aid none but an expert can tell. By submitting the blood to this test it was found to be human blood. This settled, the next thing of importance was to find out if the two specimens of blood bore any resemblance."

"Can you tell to a certainty whether two drops of blood come from the same body?"

"You cannot; but if they bear certain marks of resemblance the inference is pretty strong. You must bear in mind that the blood in both cases was taken from wood. That found in the trunk was diluted with water. After diluting the blood taken from the floor of the house sufficiently to make it of the same consistency, or as near as may be, with that from the trunk, we submitted them both to the microscopic test——"

"And found?"

"That the points of resemblance were marked. The pigment crystals were exactly alike."

"From which you inferred——"

"That the blood found in the trunk and that taken from the floor of the house came from the same person."

[Pg 168]

"Do you think, Doctor, that it is the blood of Dr. Cronin?"

"There is not the least doubt of it in my mind. It is almost certain that the doctor's body was in that trunk. If this is so, there can be little doubt that he met his death in the house on Ashland avenue."

THE CARLSONS TELL THEIR STORY.



THREE OF THE CARLSON FAMILY.

After sending for Dr. Brandt and his colleague, the two police captains lost no time in putting the Carlsons on the rack. It was evident from the start that the family had known all about the condition of the interior of the cottage for days, if not weeks. They had hesitated about notifying the police, however, for fear that difficulty would be experienced in renting the cottage if the facts became known; while, at the same time, they were afraid to destroy and efface the evidences of the crime that they realized had been committed. Mrs. Carlson did not need any pressing to tell what she knew. From her story it was developed that on March 20th a tall, slender, pale-faced young man called at her house to learn the rent of the cottage. He was told he could have it for \$12 monthly. The amount suited him, and he paid a month's rent in advance, without being requested to do so, and received the key. He went on to say that his name was Frank Williams, that he had two brothers and a sister, who would live with him, and that the sister would keep house. They were coming from Baltimore, and would join him in a day or two. He took the keys and went away, but the sister never came.

[Pg 169]

For a month there were no outward signs that the mysterious Frank Williams intended to occupy the building he had rented. Mrs. Carlson became very uneasy.

Nearly seven weeks prior to the disappearance of the physician, or to be precise, on Wednesday, March 20th, just about the noon hour, a man of medium size, with dark hair and eyes, a full mustache, a derby hat, pulled well down over his forehead, and a heavy overcoat buttoned up around him, had knocked at the door of the little cottage occupied by the Carlsons. Mrs. Carlson herself was absent at the time, but her husband, Jonas, Charles, their son, and the latter's wife, Annie, were at home at the time. The latter was a domestic servant in the employ of a prominent family on Michigan avenue; but—by another peculiar coincidence—this happened to be her "day off," the first she had taken for several weeks. Jonas Carlson answered the door, and the stranger inquired if he (Carlson) was the owner of the cottage on the front lot. Receiving an answer in the affirmative, he expressed a desire to rent it. Carlson secured the keys, and the two men went down to the cottage, entering by the rear door. The would-be tenant gave a cursory glance over the interior, and, remarking that there were six rooms, just the number that he required, asked what the rent would be. Carlson named the sum of twelve dollars monthly, to be paid in advance, but the stranger demurred and expressed the opinion that eleven dollars was quite enough. Finding, however, that Carlson was unwilling to lower his figure a single dime, the man at last remarked: "All right, I'll take it and give you the money now." The landlord and his new tenant then returned to the former's cottage, when the latter paid over the first month's rent. Charles Carlson wrote the receipt, and while this was being done the man remarked that he worked in the city, that he was one of three brothers, that his sister was coming from Baltimore to keep house for them, and that it might be several days and perhaps a week before they could move in. He also added that he had ordered some furniture, and that it would arrive in a few days. When asked his name he replied "Frank Williams," and the receipt was made out accordingly. Meanwhile, the three Carlsons had ample opportunity to "size up" the individual who was soon to be their neighbor, and his features were impressed on their memories. Annie Carlson and her husband especially noticed a peculiar way he had of glancing around, as well as a kind of sinister expression of his mouth. Having secured the receipt and the keys the man went away. On the third day following, about seven o'clock in the evening, a few articles of furniture were delivered at the cottage. Young Carlson strolled over to the place, and saw "Frank Williams," assisted by a man he described as dark, short and slender, together with the expressman, carrying in the goods. He passed the time of day with the expressman and found that the latter was a Swede. Weeks passed without any sign of activity on the part of the new tenant and nothing was seen of him until April 20, when he again called upon the Carlson's to pay the second month's rent. At this time young Carlson remembered that there was a trunk and a lounge in the cottage belonging to a former occupant, and "Williams" consented to help him move the articles out. While doing this an opportunity was afforded him of looking around the house, and he was particularly struck

[Pg 170]

[Pg 171]

[Pg 172]

with the meagre character of the furniture. There was nothing on the bedstead but a spring mattress and comforter, the carpet was cheap and the chairs, washstand and other articles were of the most common kind. The elder Mrs. Carlson received the rent this time, and with a woman's natural inquisitiveness, she asked the man what was the matter that his people did not move in. He replied that his sister had been taken "awfully sick," and was in the Sister's Hospital. Mrs. Carlson replied that she liked to see people move in when the house was rented, as it did not look well to have it rented. To this "Williams" responded that it might be a week and perhaps a little more before his people were finally settled. Before leaving the three had a pitcher of beer together. After this the Carlsons were on the *qui vive* for their new neighbors, but the week passed, and two more, and still the cottage was unoccupied. On Monday, May 13—Dr. Cronin had then been missing for eleven days—the Carlsons had another visitor. He was a short stout man, full chested, with light hair and complexion. To Mrs. Carlson he said that Frank Williams had sent him to pay the rent, that his sister was still so sick that they could not take possession. But by this time the old lady had made up her mind that if the people couldn't begin housekeeping she couldn't take the rent, and she said so. The visitor tried to argue her out of her determination, but in vain. She knew that the little frame building was eyed with suspicion by the keen-witted Germans that lived in the neighborhood, and that it had become current gossip that there were queer tenants in the apparently vacant house. The few pieces of furniture was all that any one had seen carried into the place, and yet it was, to all appearances, the home of somebody. No woman had been seen around, although once in a while a light could be seen burning at night through the closed blinds, and a piece of bed quilt had been stretched over one of the street windows. All these things had tended to make Mrs. Carlson suspicious, and although she said nothing about them, she gave her visitor to understand that she did not propose to have the place apparently unoccupied any longer, and that moreover she wanted to put it in the market. Upon this the man suggested that she could do this and still let them have the use of the rooms; but Mrs. Carlson could not be shaken from her position, because, as she sagely remarked, people who thought of buying it would want to get into it to see what it was like. Moreover, she added it would be another week before the rent was due. The man admitted this but said that "Frank Williams wanted to be sure of the place as he did not want to lose it." All his arguments, however, were of no avail, the old lady would not take the money under the circumstances, and the man departed.

[Pg 173]

[Pg 174]

Matters went on in this way until May 18th, when a letter, addressed in a scrawling hand, and bearing the postmark of Hammond, Indiana, was delivered at the Carlson cottage. Its contents, written on a half sheet of note paper, were as follows:

Mr. Carlson—DEAR SIR: My sister is low at present and my business calls me out of town. If you will please put the furniture in your cellar for a few days I will pay you for your trouble. I am sorry that I lost the key to the cottage door, but I will pay you for all trouble. My sister told me to paint the floor for her so that it would not be so hard to keep clean. I am now sorry I gave the front room one coat.
F. W.

That afternoon, Charles Carlson went over to the cottage for the purpose of disposing of the furniture as requested in the letter. The front window next to the cellar was found to be open, and through this he secured an entrance. One glance at the inside filled him with alarm, and he went back to the house after his father and mother. The condition in which they found the place has already been described in the earlier portion of this chapter. Their first impulse was to notify the police, but after talking over the matter, they decided to allow the cottage to remain as it was, moving neither stick nor stone until "Williams" came for his furniture or an opportunity was afforded for renting the cottage to another tenant. This determination was adhered to until the finding of Dr. Cronin's body.

[Pg 175]

O'SULLIVAN AND "FRANK WILLIAMS."

This was the story as told by Mrs. Carlson and supplemented by her husband, son and daughter-in-law. When, however, their memories were refreshed by the numerous questions which were propounded by the officers, and which served to bring back scenes and incidents that they had almost forgotten, many facts of essential importance were added to the initial narrative. Old man Carlson remembered that after the man had rented the cottage and received the keys, he walked across the prairie toward O'Sullivan's house. The iceman was standing near his buggy, and Carlson plainly heard "Williams" remark: "Well, the cottage is rented." Just before the second month's rent was due Carlson had gone to O'Sullivan and asked him if he knew the man.

"Yes," the iceman had responded, "I know one of the men. He is all right."

Again, upon receipt of the letter from Hammond, Carlson had taken it to O'Sullivan and asked him what he thought about it. His reply was that the cottage seemed to be an unlucky one, and that it would have to be rented again. O'Sullivan had also intimated that he would be responsible for a month's rent if "Williams" failed to appear; thus holding out an inducement to the Carlsons not to disturb the place for the time being. The old man also remembered that on the night of May 4th he saw Williams standing on the front steps of the house for several minutes, after which he went indoors. This was about five o'clock. Two

[Pg 176]

hours or so later he heard two men talking loudly in the front room of the cottage. He could not distinguish what was said, and the blinds were drawn so closely that nothing could be seen. He gave the matter no thought, and at eight o'clock—about the time that the physician must have reached the scene—himself and his family were abed. On the following morning, while prowling about his lot, he saw strange stains on the front door steps, which he thought were made by the breaking of a jar of preserves. In the soft mud in the sidewalk fronting the house were the footprints of men who had worn heavy shoes, and near the curb were fresh wagon tracks that seemed to lead to the southward. Charles Carlson also remembered that a few nights after May 4th he had noticed a man skulking about the cottage. It was extremely dark, but he could see that he was light-complexioned and wore a black slouch hat and an overcoat. Carlson asked him what he wanted, and he replied that he was out of work and wanted to find the nearest police station. The information was given him and he went away. Young Carlson also said that about the first of May he noticed that one of the slats of the front blinds had been cut out, so that any one approaching the house could be seen from the front room—the one in which the death-struggle had taken place.

[Pg 177]

THE FURNITURE TRACED.

To say that the authorities and the friends of the murdered man were elated by these developments is to put it mildly. It was next in order to ascertain where the furniture had been purchased, and by whom. The first question was practically answered by the trademark of A. H. Revell & Co. on the back of the dressing-case and wash-stand. The second seemed a more difficult one, as the firm in question sold tens of thousands of such articles of furniture every few months. Here, again, good fortune favored the investigation. It happened that in the establishment in question a careful and systematic record of all sales was kept, comprising a description of the goods sold, their price, the name and address of the purchaser, together with any attendant circumstances that might serve to make the record the more complete. On an examination of this record the fact was elicited that the furniture of the description found in the Carlson cottage had been purchased at the store on February 17th. The salesman was W. T. Hatfield, an old employe of the firm, and the purchaser a man who gave his name as J. B. Simonds. This individual Mr. Hatfield described as about twenty-five years of age, one hundred and fifty pounds in weight, complexion a cross between dark and fair, a rather heavy, reddish-brown moustache, high forehead, and thin drab hair. He wore a dark cut-away-coat, dark trousers, a brown, heavy over-coat, and a derby hat. Upon entering the store he said that he wanted to fix up a room or two very cheaply, with goods as cheap as they had in the house, as they were only for temporary use. He was taken up-stairs, and, after selecting what he wanted, asked to be shown a large trunk. This necessitated a trip down-stairs, and, after looking at several sizes, he chose one known to the trade as a "Becker 40 No. 2." When all his purchases had been completed the bill footed up in this order:

[Pg 178]

32 yards of ingrain carpet at 35 cents	\$12.80
1 trunk	3.50
1 outdoor mat	1.00
1 small hand sachel	1.00
1 chamber suit	14.50
1 "solid comfort" spring	1.50
1 mattress, excelsior top	2.75
1 pair of pillows	2.00
1 bowl, pitcher, etc	1.35
1 lamp	50
1 comforter	1.00
1 cane chair	65
1 cane rocker	1.95
1 trunk strap	1.00

Total	\$45.50

[Pg 179]

It was noticed as curious by Mr. Hatfield that the man could not tell how large his room was, but guessed that thirty-two yards would be plenty.

"Where shall I have the goods delivered?" asked the salesman when the bill had been made out.

"I don't know," replied Simonds. "You keep them here and I'll take a memorandum of them." This he did. "I will come back," he went on, "to-morrow or next day, and give you my address."

True to his word, the man put in an appearance at ten o'clock the following morning, greeting Salesman Hatfield with the remark: "Well, I will take those goods." The bill was presented, and Simonds, stepping to the cashier's desk, pulled out a big roll of bills of large denominations, tens and twenties predominating.

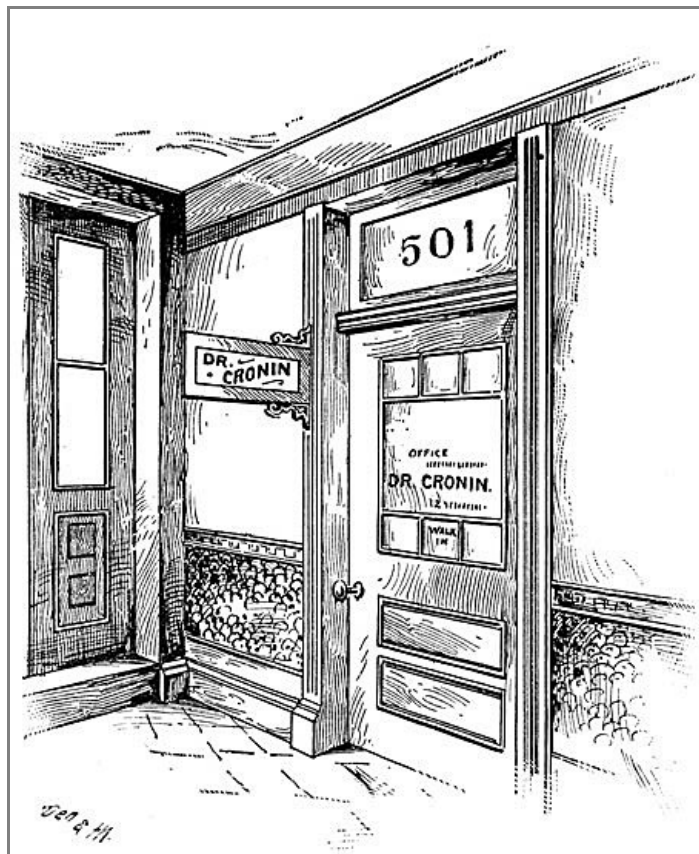
"Now I will give you the address," he added, as he pocketed the change. "You can send those things to J. B. Simonds, 117 South Clark street, rooms 12 and 15, and send a man to put the carpet down."

[Pg 180]

IN THE CLARK STREET FLAT.

About noon of the same day the carpet-layer accompanied the furniture to the address that had been given. This building was directly opposite the ten-story Chicago Opera-House structure, in which the offices of both Dr. Cronin and Alexander Sullivan were located. There were two rooms bearing 12 as their number in the building. One room, the door of which was covered with Turkish characters, was on the second floor. This was not the room occupied by Simonds, and another flight of stairs brought the furniture men to a sort of lodging-house arrangement of rooms. No. 12 was a front room, and 15 adjoined it in the back. In the front room the carpet-layer found a short, rather stout man of dark complexion, and wearing a closely cropped black moustache, who told him to go ahead with his work. He had no noticeable accent in his speech, and seemed to be an American. He superintended the laying of the carpet, and talked a good deal in a friendly way. The carpet proved to be too long by several yards for the room, and the carpet man wanted to cut it off.

[Pg 181]



DR. CRONIN'S OFFICE IN CHICAGO OPERA HOUSE BUILDING.

"Oh, no," the other protested as he handed the workman a cigar. "Turn it under. I'd much rather have it that way. You see, this is only temporary anyway. I may move at any time."

[Pg 182]

The man did as requested, and the packing trunk and a portion of the furniture was taken into the room. The remainder was unloaded into No. 15. Simonds, had called at the furniture house on the following day and exchanged the trunk-strap for a larger one.

After making this statement Hatfield accompanied the officers to the Carlson cottage. Here, as had been expected, he immediately declared that the furniture and carpets were *fac similes* of the articles he had sold to Simonds. The bloody trunk that had been found on the Lake View prairie corresponded also in every detail with the one that figured in his bill of goods.

WHEN THE FLAT WAS RENTED.

The rooms that had been occupied by Simonds and his confederates looked almost direct into the offices of Alexander Sullivan across the street. Those of Dr. Cronin's, being in the rear of the opposite building, were not within sight, although the goings and comings of the physician on the street could be seen from the window of No. 12. Salesman Hatfield's disclosures had forged another link in the chain, and the authorities turned their attention to the renting of the rooms. The agents of the building were Knight & Marshall, a leading real estate firm and of which Edward C. Throckmorton was cashier and renting agent. It was found that Simonds had called at 117 Clark street on February 19th, the same day that the furniture was picked out, and inquired what rooms could be had. The janitor showed him all the rooms on the upper floor. He asked several questions and then went over to the office of the agents. Here he first saw Throckmorton, to whom he expressed a wish to lease the flat he had looked at. He gave no references, but said that he was a stranger in the city and wanted the place for a brother who was coming from the East for treatment for his eyes. The cashier suggested that he take two rooms on the lower floor, but Simonds was not willing. The upper floor was preferable, he said, because it had no other tenants. Throckmorton turned the matter over to Mr. Marshall, who named the figure of \$42 monthly as the rent of the flat. Simonds made no quibble about the price, signed the lease to April 30th, and paid the first month's rent. Nothing more was thought of the matter until March 20th, when Collector Herman Goldman went to the flat to obtain the next month's rent. Nobody responded to his knocking, but on peeping through a hole in the front door he saw the furniture and carpet within. When he went back twenty-four hours later every vestige of the furniture had been removed and not a trace of the mysterious J. B. Simonds was to be found.

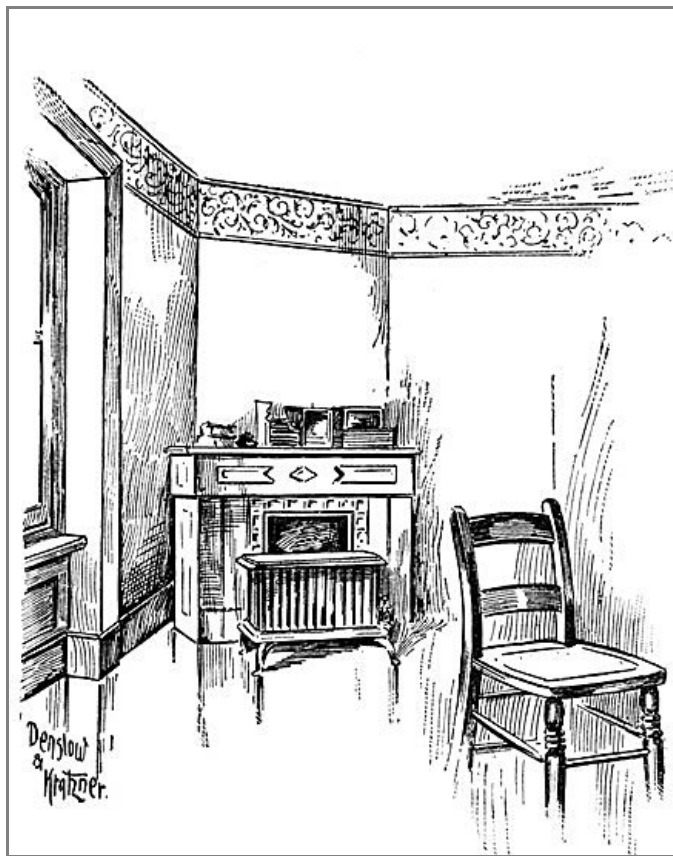
[Pg 183]

[Pg 184]



DR. CRONIN'S MAIN OFFICE IN CHICAGO OPERA HOUSE BUILDING.

[Pg 185]



DR. CRONIN'S RECEPTION ROOM IN CHICAGO OPERA HOUSE BUILDING.

MILKMAN MERTES' STORY.

[Pg 186]

While these facts were being brought to light in one direction, information of the greatest value had been secured in another, and which confirmed, almost beyond question, the general belief that Dr. Cronin had been murdered in the Carlson cottage. It came from William Mertes, a milk dealer of reputation and good standing in the community, and who lived on Woodside avenue in Lake View. On the night of May 4th, somewhere between 8:30 and 9 o'clock, Mertes left his house to visit the grocery at the corner of Ashland avenue and Otto street, which was only a short block south of the cottage. He walked east on Addison avenue to Ashland, and then turned south on the east sidewalk. As he neared the Carlson cottage at Roscoe street a buggy containing two men rolled up to the edge of the ditch. One of the men, whom Mertes described as a tall and apparently athletic man, sprang from the buggy and ran up the front stairs of the cottage, the door of which was thrown open before he even knocked for admission. Scarcely had the door closed again when the sound of loud and angry voices within the cottage startled the milk dealer. He looked searchingly at the man in the buggy, wondering what had brought him to that lonely neighborhood at such an hour of the night, but the stranger's face was shrouded by the brim of a soft hat, and Mertes was unable to tell whether he was stout or slender, or fair or dark. The fellow whipped his horse into a gallop, drove to Addison avenue and then turned in the direction of the lake.

[Pg 187]

Mertes thought at the time that a fight was in progress, but as he heard only words he paid but little attention.



"Were there any lights in the house?" he was asked.

"Yes, there was a light, a small one, in the front room of the first floor. I could see it through the blinds."

"Could you distinguish the loud words you heard?"

[Pg 188]

"No, I could not. I tried to, but as they were spoken in the house they did not reach me."

"Did you hear any sounds that would indicate that a scuffle was in progress?"

"No; I listened for them because I thought there was a fight."

"Did you hear any loud words before the man from the buggy entered?"

"No, I didn't; but I was a long way from the house then."

"Did you see the man's face?"

"He ran up the stairs in too much of a hurry for me to get a glimpse of him. He appeared to be in a terrible hurry."

"Did he speak to the man in the buggy before the latter drove away?"

"I think not."

"Do you remember whether he knocked for admission?"

"I don't believe he did. He had scarcely reached the landing when I heard the bolt of the door fly back and then it opened, and he went in."

"And you heard the loud words directly afterward?"

"Yes; just as soon as the door closed."

"How was the man dressed?"

"My impression is that he had on a long overcoat, which was of a brown color, but I wouldn't be sure of it."

[Pg 189]

"Did he have a box or parcel in his hand?"

"I am not sure. He went up-stairs so fast that I couldn't see much of him."

"Was he tall?"

"Yes; and I think quite straight and well built."

"What sort of a horse was attached to the buggy?"

"I think it was a light sorrel with a white face. I am sure about the white face."

"Was it a top buggy?"

"Yes."

"Did you notice the man in it?"

"Not very much, because he went away so fast."

"Did you see how he was dressed?"

"I could only see that he had on a slouch hat. I thought it was a little funny that they should be going up to the front door, because I had always noticed that the people who lived around there went in the back way."

Mertes had said nothing of this experience until he fell in with a party of friends who were discussing the discovery in the cottage. Then he added the startling incident of his night trip to the corner grocers, when he was probably the only man besides the murderers who heard the physician's death struggles. The authorities arrived at the conclusion that the loud voices that had startled him were made by the murderers as they fell on their victim, and that the doctor had been attacked the instant that he entered the door, being given no chance to defend himself. Taken in connection with the blows on the body, there was good ground for the theory that he was first struck over the left eye with a billy or sand-bag, and then hacked about the head with a hatchet or ice-pick. The towel that was found about the head might have been used at the start, to stifle any out-cry, and then to strangle the victim when it became apparent that horrible butchery would have to be resorted to to complete the job as it was begun. At the same time it was acknowledged that this theory was hardly compatible with the broken furniture, the blood be-spattered walls, and the other apparent evidence in the room that the physician had made a terrible struggle for life.

[Pg 190]

THE EXPRESSMAN IS FOUND.

There now remained but a single link to establish the connection between the furniture left in the cottage and that sold by Hatfield. The expressman who hauled the goods from the Clark street flat was still to be found. But there were several hundred men in the city engaged in that line of business, and although the police and detectives worked like beavers, it looked for a while as though their labor would be thrown away. Success came at last, however, although it was nearly two week's before the much wanted man was run to earth. He proved to be a Swede named Hukon Mortensen, a simple, unsuspecting young fellow, not possessed of more than the average intelligence of men of his occupation. From him it was learned that one day in the latter part of March, while at his stand, at the corner of Chicago avenue and Market street, he was approached by a man who asked him his terms for hauling a load of furniture from 117 Clark street to the corner of Lincoln and Belmont avenues. He offered to do the job for \$2, but the man was not willing to pay more than \$1.50, and this he accepted. This man, whose description tallied exactly with that given by the Carlsons of "Frank Williams," was assisted by another man in carrying the furniture down-stairs. When the wagon had been loaded Mortensen was told to go out to Lincoln and Belmont avenues and wait, his customer saying that he would take a cable car. The expressman was first on the ground; but the man did not put in an appearance for over an hour, when, with a companion, he drove up in a buggy, explaining the delay by saying that the cable had broken down. After the pair had carried the furniture into the cottage, young Carlson, meanwhile looking on, they took the expressman to a tobacco store two blocks away, where, after securing change for a five dollar bill, he was paid the amount agreed upon. After this he drove back to the city. It was after eight o'clock, and consequently pitch dark when his wagon was unloaded. Three or four times during the next few days the same man passed the stand, and then he was not seen again in the neighborhood.

[Pg 191]

[Pg 192]

The plot, according to the surroundings, could now be outlined. Preparations for the "removal" of the unfortunate physician had been commenced as early as February, when the flat was hired and the furniture purchased. Apparently it was the original intention to lure him into the third story of the Clark street building, where isolated, and, as "Simonds" remarked, "with no tenants on the same floor," he could be summoned from his office on the other side of the street and speedily done to death. For some reason or other, however, possibly because a single outcry might have alarmed the people on the floor below, this idea was abandoned, and the lonely cottage was hired. For over six weeks the assassins must have plotted and planned the carrying-out of their murderous intentions. Then came the summons of the night of May 4th, the crime, the efforts to dispose of the body in the lake, its concealment in the catch-basin, the throwing away of the bloody trunk, the endeavor to efface the blood-stains in the cottage with paint, and finally the strenuous effort to continue its occupancy, in order that its condition might not be seen by other eyes. So far the authorities were satisfied with the results accomplished.

[Pg 193]

ICEMAN O'SULLIVAN SUSPECTED.

The opinion was now almost general that Iceman O'Sullivan knew more concerning the tragedy than he was willing to admit. No one was yet bold enough to accuse him of actual complicity in the crime, while at the same time it was apparent that his statements to the police, as well as to the friends of Dr. Cronin, were widely at variance with the discoveries that had been made. The peculiar nature of the contract he was said to have made with the physician, to attend any man in his employ who might meet with an accident, his denial of any acquaintance with the men who had rented the cottage, in the face of the fact that he had been seen in conversation with "Frank Williams," and had guaranteed the payment of the rent by the latter, and numerous other circumstances, some more or less trivial, were sufficient to raise the question as to whether, even had he taken no actual part in the terrible crime, he, in legal phraseology was not "possessed of a guilty knowledge." Hence it was the police decided to place the iceman under surveillance. Thereafter his house, as well as his every movement, when out of doors, was watched both night and day, and any attempt to leave the city would have resulted in his immediate arrest.

[Pg 194]

CHAPTER VIII.

[Pg 195]

THE WHITE HORSE AND BUGGY—DETECTIVE COUGHLIN HIRES IT FOR A "FRIEND"—THE TROUBLE IN THE STABLE—DINAN GOES TO SCHAACK—THE CAPTAIN'S PECULIAR MOVEMENTS—SCANLAN IDENTIFIES THE HORSE—THE DETECTIVE AND O'SULLIVAN ARE JAILED—THE GRAND JURY INDICTS THEM WITH WOODRUFF—FULL ON THE TRACK OF THE CONSPIRATORS.

"Who owned the rig in which Dr. Cronin was driven to the assassin's den?"

"Who hired the white horse and buggy—if it was hired—that Frank Scanlan saw standing outside of the Windsor Theatre building on that memorable May night?"

These were the questions to which the friends of the murdered physician now directed themselves. The body had been found; the cottage in which the crime had been committed—with all its mute but gory testimony—had been located. But even now the wheels of the mill of justice had scarce begun to revolve. Dr. Cronin had left his home alive; he had reached the cottage alive. Whose rig was it that took him to it?

[Pg 196]

The question that was uppermost in the minds of thousands of people was soon to be answered—answered, too, in a manner that furnished a still more startling episode to the already startling tragedy. For the man that hired the horse and vehicle that carried the Irish Nationalist to his doom was a trusted officer in the employ of the city of Chicago; a man who, from the day of the disappearance, had, enjoying the full confidence of his superiors, been apparently working with might and main to bring about a solution of the mystery. It was Daniel Coughlin, detective.

COUGHLIN HIRES THE RIG.



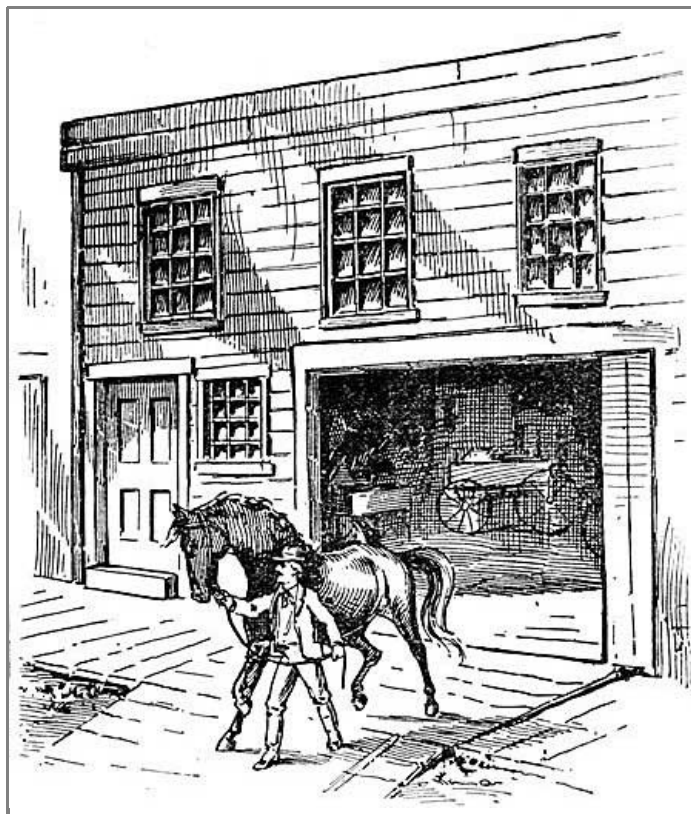
DANIEL COUGHLIN,
DETECTIVE.

Coughlin was attached to the East Chicago Avenue Police Station, which at that time was under the direction of Captain Michael J. Schaack, who had gained an international reputation for his brilliant work in connection with the celebrated Anarchist cases. The station house was located within a few doors of the southwest corner of Clark Street and Chicago Avenue. Little more than half a block north, on the former street, was a livery stable kept by Patrick Dinan. Naturally enough, as a result of his close proximity to the station, Dinan knew about all the officers and they knew him. Moreover, if any of them wanted a rig at any time to take their family or friends for a drive, they almost invariably went to No. 260 North Clark street to get it. So far as Dinan was concerned, therefore, there was nothing remarkable in the fact when, early on the morning of the day that the physician disappeared, Coughlin called at the stable.

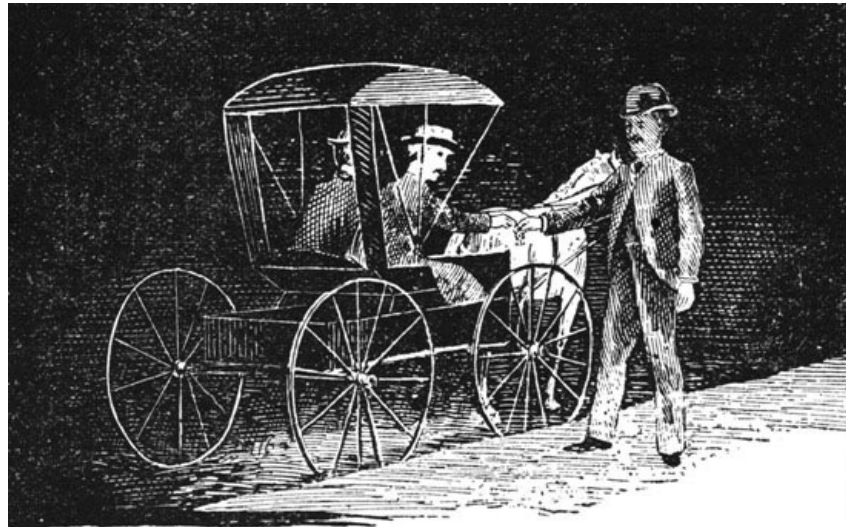
[Pg 197]

"I want you to keep a rig in readiness for a friend of mine to-night," he said, "and I don't want you to say a word about it. When he calls for it give it to him, and I'll be responsible for it."

"All right," was Dinan's response. "I will have one on hand." The liveryman said afterward that he did not pay much attention to the remark that he was to "keep still about it," from the fact that Coughlin was often in the habit of hiring cabs and rigs to do detective work. In fact, he did not pay any attention to it at all, as there was nothing out of the common in his manner or conversation.



[Pg 198]



THE WHITE HORSE AND BUGGY.

The detective's "friend" was on hand at the livery stable a few minutes after seven that evening. Seen under the dim gas-light; he was a man about thirty-five years old, of dark complexion, with a black mustache and a four weeks' growth of beard. He was rather undersized, and weighed in the neighborhood of 125 pounds. A small, soft felt hat, with the front pulled down well over his eyes, covered his head, and a seedy, faded gray or yellow overcoat was buttoned up close around him. A few moments before, Dinan's blacksmith had ordered a high-strung bay horse to be hitched up, and while this was being done, the two men strolled up the street to an adjacent cigar store. While they were absent, the stranger entered, and going to the back of the stable, told the hostler that he had come for the rig that "Dan Coughlin had ordered for him." Dinan returned at this juncture, and in reply to a question, ordered his employe to hitch up the white horse. When the stranger saw the color of the animal, he objected violently. He did not want it, and expressed a preference for a carriage horse that stood in its stall. He was told that if the animal were put in single harness it would kill him. Next he wanted the horse that was being put into harness for the blacksmith. The latter was willing enough, in his good nature, to give way, but Dinan was stubborn. He knew, he said, how much the black horse had done that day, but he did not know how much was before the white one after it had gone out. Failing to get the white horse the man proceeded to find fault with the buggy. He wanted a better one, but was told that he would have to take it or nothing. At this he scowled. Then he wanted to know why the side-curtains had not been attached. By this time Dinan, who was in an independent mood, not attaching much importance to the fellow or caring for his trade, was on his mettle, and in a pointed manner he replied that he could not give any curtains, that he did not know where they were, and that it would take too long to look for them. It was dark anyway, he added, and nobody could see him, but if he wished to shield himself from view he could put up the top. Growling something that could not be understood, the stranger adopted the suggestion, and, getting into the vehicle, drove out into the street. He turned north on Clark Street, heading direct for the Windsor Theatre building. It was then about 8:15. The horse had not been out before that day, and as Dinan was anxious to see how it would act he went out into the street, two of his employes going with him. They watched it until it had crossed Chestnut Street, about a block and a half distant, when it was lost in the darkness. The horse, however, seemed to behave admirably. Dinan was absent when the same man brought back the rig between 9:15 and 9:30 the same evening. Napier Moreland, the hostler, was in the rear barn at the time, and the man, driving in the rig to the carriage-walk, hurried out of the door without stopping to find any one to care for it. Moreland barely caught sight of him as he turned the corner of the door. The horse was found to be extremely warm, as if it had been driven fast and a good distance. Its description at the time, as it will live in the history of the case, was as follows:

[Pg 200]

[Pg 201]

"A white horse, standing about fifteen and a half hands high, rather long limbed, long body, little, slim and long, rangy neck. Not a mark by which he could be identified. Clean as a whistle, neither spavin-boned nor collar-boned nor ring-boned. Buggy three quarter-seat, Columbus, Ohio, manufacture; side bar rather low, not much higher than some phaetons; old, trimmed with blue cloth, and provided with a cotton whip."

[Pg 202]

DINAN GOES TO SCHAACK.

The livery-man thought nothing further of the circumstance until early the following Monday morning, when the excitement over the disappearance of the physician had commenced to manifest itself. The description of the white horse and buggy which Frank Scanlan—and, as it subsequently proved, Mrs. Conklin—had seen driven up, and which carried the doctor away, arrested his attention, and recalling the event of Saturday night, he determined to go to Captain Schaack and acquaint him with the facts. At the same time he had little idea that it was his own white horse that had been mixed up in the affair. Only a coincidence, he reasoned, especially in view of to the fact that it was Detective Coughlin that had hired it; while yet at the same time, it might prove be the best policy to tell what he knew. In the meantime, several police officers in uniform had called at the stable to learn if a white horse had been hired on the Saturday night, and the hostler, acting under instructions that they were never to tell who took out horses ordered by the Captain or his detectives, answered each inquiry in the negative. It was between nine and ten o'clock when Dinan went up to the station to see Captain Schaack. On the steps he met Coughlin.

[Pg 203]

"Hello!" said the detective. "Who are you looking for?"

"Captain Schaack," replied the liveryman.

"What for?" demanded Coughlin. "What are you so excited about?"

"Well," was the reply, "there have been so many inquiries made about the white horse that was out on Saturday night—the one that I let your friend have—that I want to tell him all about it."

Coughlin's face paled perceptibly. The muscles twitched, and he nervously chewed his mustache. For a few moments he stood deep in thought, and then, turning to Dinan, he said:

"Look here, there is no use making a fuss about this thing. You keep quiet about it. Me and Cronin have not been good friends, and it might get me into difficulty or trouble. Everybody knows he and I were enemies."

Although the livery-man appeared to acquiesce in the detective's suggestion, and went away for the time being, he was more than ever determined in his mind to see the captain. He did not propose to "keep quiet about it." Accordingly, an hour later he went again to the station. He was told that the official was home at dinner, and he made a bee-line for the house. Schaack was there, and into his attentive ear Dinan poured his tale of the white horse, the buggy and the peculiar customer.

[Pg 204]

SCHAACK'S PECULIAR MOVEMENTS.

What possessed the doughty "burgomaster" (as Capt. Schaack was familiarly called by the residents of the North Division) to follow the course that he did at this juncture, passes all comprehension. On the witness-stand before the coroner's jury, some days later, he could only justify himself by the lame statement that, at the time, he did not believe that Cronin had been killed. He might also have admitted, and with truth, that he had placed absolute and implicit confidence in his subordinates, only—as had been the fate of many as good a man before him—to be deceived and betrayed. At any rate his treatment of the information, placed at his disposal by Dinan, was of such a character as to demonstrate so great a neglect of duty, both toward the chief of police and his subordinates and the public, that, when its full extent became known, he was, notwithstanding his previous record, first suspended from duty and subsequently dismissed from the force.

[Pg 205]

What Capt. Schaack should have done—what any other official of his own, or subordinate rank in the city would have done—was to have gone without unnecessary delay to the chief of police and acquainted him with the disclosures that the liveryman had made. Instead of this, however, upon returning to the station, he sent for Coughlin himself, the last man of all men, who should have been informed of what had transpired. When the detective responded, he was asked if Dinan's story was true, and replied that it was. Pressed for further particulars, he said that he had hired the rig for a man named Thomas Smith. Of this individual he knew very little, except that he had come to the station and introduced himself as a friend of Coughlin's brother, who lived in Hancock, Michigan. He had met this man Smith several times; and on the Saturday morning the visitor had asked him to procure him a horse and buggy for that evening, as he (Smith), not being known to the livery-men thereabouts, might experience some difficulty in securing one. This the detective protested, was the entire extent of his connection with the affair. He did not know what use the man had made of the rig, where he had gone, or what time he returned. In fact he had not set eyes on him since the day in question. Extraordinary as it may seem, Capt. Schaack accepted this story without question, and contented himself with ordering the detective to go out and find the man, and bring him in for examination. Coughlin promised to do so. Two days went by, and he failed to report. Schaack then sent for him again, and asked him if he had found his friend. Coughlin answered in the negative, and said that he did not know where to lay his hands on him, unless he happened to run across him in a saloon. This was not satisfactory.

[Pg 206]



DETECTIVE MICHAEL WHALEN.

"You go and find that man," said Schaack, "or it may be bad for you."

Detective Michael Whalen was also assigned to assist his brother officer in the search, and day after day, they tramped the streets in sunshine and rain; and scoured the saloons for the mythical "Smith."

[Pg 207]

While this hunt was going on, Capt. Schaack had gone one evening to the livery stable, procured the white horse and buggy, and, having driven to the residence of the Conklins, asked the lady of the house whether she identified the animal and vehicle as the same that had taken the physician away. Later on there was a wide difference in the reports of this proceeding. The captain insisted that Mrs. Conklin declared that she utterly failed to recognize the rig, and that she said positively that it was not the same horse, as the one driven by the mysterious stranger—was better looking, and a faster traveler. On the other hand Mrs. Conklin was empathic in the declaration that she had said nothing of the kind, but had told the official that there was a close resemblance between the two rigs. Schaack also went to Dinan and obtained a description of the supposed Smith, and again this description, as taken from Schaack's notes, was as different from what the livery-man had told everybody else as light is from darkness, and tallied in no particular with that narrated by Mrs. Conklin and Frank Scanlan. That night, when Coughlin and Whalen presented themselves with the usual report that Smith had not been found, the captain acquainted them with the result of his enquiries, expressed himself as satisfied that there was no connection between the two rigs, and ordered them to drop the Cronin case and report for general duty.

[Pg 208]

"Its lucky for you," he said to Coughlin, "that it wasn't the same rig that your friend took out that carried off the doctor. It might have been a serious affair."

Coughlin smiled grimly, but said nothing. A couple of nights later, while the detective and Whalen were walking down Clark street, Coughlin met a man who appeared to know him. He did not offer to introduce him to his fellow officer, and the latter strolled on, while the two men engaged in conversation. When Coughlin rejoined Whalen he said that the man he had talked with was the mysterious "Smith," and that he was on the point of leaving for New Mexico. Whalen turned round to look at him, but he had disappeared. That night Coughlin told the same story to Capt. Schaack, and the latter dismissed the matter, with the remark, "all right," never even so much as thinking to ask his subordinate whether he had asked the man where he went with the rig that night, or why he had not brought him to the station. To Dinan the detective repeated the same story, mentioning Prescott as the point in New Mexico to which the man was going. He also said that he had collected three dollars from him to pay for the use of the rig, but that he had spent it, and would settle on the first of the month.

[Pg 209]

COUGHLIN UNDER ARREST.

But, although he held his peace until Coughlin had left, the livery-man was anything but satisfied in his own mind, and the more he thought of it the stronger he was convinced that the matter had not been properly investigated. Finally he went to Horace Elliott, chief of detectives, with his story. Elliott took him to Chief of Police Hubbard. The head of the force listened attentively, and shrewd and experienced as he was, recognized the importance of the disclosure. Dinan's description of Coughlin's friend was compared with that of the supposed messenger from O'Sullivan's ice house, and found to correspond in almost every particular. With the chief to think was to act. Instructions were sent to the Chicago avenue station that Coughlin was to remain indoors, and all that day he was so closely watched that

if he had attempted to escape he could not have left the station without being placed under arrest. In the afternoon there was a conference at police headquarters, in which Mayor Cregier, Chief Hubbard, Corporation Council Hutchinson, Lawyer W. J. Hynes, Col. W. P. Rend, and others interested in the prosecution participated. Coughlin was sent for, and for two hours he was subjected to a rigid and merciless examination. His replies were evasive and unsatisfactory. Several times when hard pressed he refused to answer at all, and he frequently contradicted himself and became so confused that it was evident that he was endeavouring to conceal the truth. When he left the room the conference was resumed, and a general opinion was expressed that the detective had a guilty knowledge of the murderous plot by which Dr. Cronin had lost his life, and that he should be treated as an ordinary criminal. He was taken from the place in the same patrol wagon that had carried so many of his own prisoners, and that night he slept in "Criminals Row" of the armory station. Before the conference had ended, orders were also issued suspending Detective Michael Whalen, who was a first cousin to iceman O'Sullivan, for neglect of duty.

[Pg 210]

[Pg 211]



CHIEF OF POLICE HUBBARD.

THE SMITH STORY DISPROVED.

Coughlin's friend, Smith, put in an appearance at police headquarters of his own volition, the following day, only, however, to give a flat refutation of the story told by the detective. "Willard F." instead of "Thomas" Smith was his name. He had come to Chicago from Michigan four years before; had traveled thence pretty well all over the west and south, and eventually had returned to the city. When a boy in Houghton, half a mile from Hancock, he had lived next door to Coughlin, and after coming to Chicago the second time, he had called upon him at the station. On the last occasion he had said something about having been in New Mexico. He volunteered the statement that he was the man that Coughlin had met on Clark street when the latter was in company with Whalen, but strongly denied that he had ever asked his friend to hire a rig; that he had never used one in Chicago, or that he was identified in any way with Irish secret societies. In fact, although born in Michigan, his parents were native born Germans.

[Pg 212]

THE CASE AGAINST O'SULLIVAN.

No doubt could any longer exist but that the suspicions that had been entertained that Detective Coughlin was, to a greater or lesser degree, connected with the crime, was well founded. It was equally certain that, by the same process of reasoning, O'Sullivan was largely in the toils. Many a man and woman in foreign countries had been sent to the gallows on evidence far less circumstantial than that with which the iceman was confronted at this stage of the case. It was beyond all question, that about the middle of April, more than a month prior to the disappearance of Dr. Cronin, he had asked John A. Mahoney, a Lake View Justice of the Peace, to introduce him to the physician, giving as a reason that he wanted to make a contract with some good surgeon to take care of the men who were employed on his ice wagons, during the hot season. The Justice, either not knowing or not remembering that O'Sullivan employed but three or four men, readily consented, and the two men went to the Physician's office in the Chicago Opera House block. Here after considerable conversation, a contract was agreed upon, by which O'Sullivan undertook to pay Dr. Cronin \$8.00 per month, the latter agreeing to attend the iceman's employees when injured, as well as any children that might be hurt by his wagons. In this agreement however, there was one remarkable and significant stipulation. It was to the effect that the

[Pg 213]

Physician should respond to any call that might be made, by any person presenting one of O'Sullivan's cards, and, in order that there should be no mistake on this point, the ice dealer after the interview in question handed one of his cards to the Physician. The latter placed it in the frame of the mirror of his private office, and there, a silent witness, yet ready to testify in trumpet tones, it was found on the day succeeding the night that he was decoyed to his death.

It was commented upon at the time as remarkable that Dr. Cronin should not have made some inquiries when the matter of the contract was broached. So far as was known by his friends no arrangement of this kind had ever before been suggested to him in the course of his many years of practice. At this very time, moreover, he was in constant dread, or at least anticipation, of being murdered. Yet, although the financial consideration mentioned was purely nominal, he went into the matter as a speculator goes into a blind pool. Apparently it never suggested itself to him, to inquire why O'Sullivan should desire to make such a contract. He had no ice houses, his business consisting in retailing ice which he purchased at wholesale rates from various shippers. He employed but a very few men and there was no evidence that any of his wagons had created havoc among the little ones on the North Side of the city. His business was almost exclusively with private families who purchased their ice in small quantities, rarely over 100 pounds at a time. His men ran little or no risk of getting hurt, and even if they did, the iceman would in no way have been responsible. Assuming, however, that he was more than ordinary solicitous about his employees, and willing to assume the responsibility for their care in sickness, why should he have selected the Irish physician? Why should he have picked out a man whose office was nearly six miles from his barns, when fully two score of experienced surgeons were to be found all over the town of Lake View, to say nothing of those who resided at short distances along the route from the suburb to the residence of the Conklins? There were other pertinent questions. Why did O'Sullivan need an introduction to Dr. Cronin? He had met him before, in fact had participated in a meeting of a Camp of the Clan-na-Gael when the physician had assisted in the initiation of several new members. He had no favor to ask, and even offered to make the first month's payment on the contract in advance and to always pay in advance. Why then should he have induced Justice Mahoney to ride five miles in order that the justice might introduce a man already known to Dr. Cronin, who had no favor to ask and who simply desired to make a contract decidedly unfavorable to himself?

[Pg 214]

[Pg 215]

Again, why was the use of a card necessary? Was there any danger that outside parties would take advantage of a contract that they knew nothing about, and have their broken limbs or internal injuries attended to free of charge on O'Sullivan's account? What protection could a card guarantee? Would not the word of a caller have answered just as well?

Right here additional facts were woven into the web. Two days prior to the date on which the contract was made, O'Sullivan had called at the office of the Lake View Record, a weekly newspaper published in the town, and obtained some three thousand business cards which he had ordered to be printed about the middle of April. They differed slightly from the old card which he had used, but had the same general appearance. The same cut of an ice wagon was in the center, printed in red ink. The heading however, was "Sullivan Ice Company," instead of "P. O'Sullivan & Co.," the heading of the old card. This was May 2nd. Why did O'Sullivan need these cards. He must have had full a thousand of the old stock on hand. What did O'Sullivan do with these cards? Who did he give them to?

[Pg 216]

On Saturday, May the 4th, at 7:30 in the evening, a man had driven to the residence of Dr. Cronin and presented one of O'Sullivan's business cards, of the kind printed less than a week before. This man said that one of O'Sullivan's men was dangerously hurt. The physician was hurried out of the house, was driven rapidly north and was never again seen alive by his friends. This was but three days after the remarkable contract had been made, and five days after the cards left by the stranger had been placed in O'Sullivan's hands by the bookkeeper at the office of the Lake View newspaper. Who was this strange man? How did he get one of O'Sullivan's new cards? How did he know of the contract? If he had learned of it through one of the three men who were present at the time, how did he happen to get one of the new cards? Would he not, if he had been interested in the removal of Dr. Cronin, have hunted for and found one of the old cards on the same day or following forenoon?

Little wonder was it that this remarkable combination of circumstances directed suspicion against O'Sullivan, especially when it was further remembered that he was seen in conversation with the mysterious tenants of the Carlson cottage. Analyzed once more the case against him was considered quite as strong, even if not stronger than that against the detective. Accordingly it was decided to place both men under arrest. Early on the morning of May 27th O'Sullivan was notified that his presence was desired at the Lake View Police Station. When he responded he found himself a prisoner. During the day an information was sworn out by John Joseph Cronin, the brother of the physician, charging Coughlin and O'Sullivan, together with a number of persons whose names were unknown, with the murder of Dr. Cronin. Upon this information warrants were issued, and shortly before midnight Coughlin was arraigned before Justice Kersten at the Chicago Avenue Station, to the bar of which the detective, during his four years of service, had brought many scores of prisoners. Yet, even in this critical hour, he did not seem to feel his position, but smiled and chatted

[Pg 217]

pleasantly and in a light hearted manner, with his former companions on the force. No evidence was submitted, the prosecution requesting a postponement, and by agreement the case was adjourned for a week, an application for the admittance of Coughlin to bail being peremptorily refused. A patrol wagon conveyed the detective to the County jail and here he was assigned to Cell 25, in what was known as "Murderers' Row." While these proceedings were being taken, O'Sullivan, at the Lake View Station, was being closely interrogated by Captains Wing and Schaak, Lieutenant Schieuttler and Squire Boldenbeck, who at that time was mayor of the little town. The latter, who had considerable influence over the iceman, urged him to tell all that he knew, but the prisoner was stubborn, and it was only by dint of persistent questioning that he was led to confess that he had known Coughlin for years, that, although he had persuaded Justice Mahoney to introduce him to Dr. Cronin, he had met the physician before, that he (O'Sullivan) was a member of the Clan-na-gael in good standing; and that he had talked with the Frank Williams who had rented the assassin's den. More than this he would not say, and, much to his own surprise, he found himself within an hour the occupant of a cell adjoining that of Detective Coughlin in the County Jail.

[Pg 218]

INDICTED BY THE GRAND JURY.

At this time the Grand Jury for the May term of court was in regular session, and on the following morning—that of May 28th—the murder of Dr. Cronin was brought to its attention. Very few witnesses were examined, although the inquiry lasted nearly ten hours. The Carlsons told their story, and Mertes the milkman, Justice Mahoney and several others, added testimony which bore heavily against the imprisoned men. Nothing was adduced against Woodruff but his own confession, which was considered sufficient for existing purposes. The outcome of the investigation was an indictment against O'Sullivan, Coughlin and Woodruff, on three counts, (1st) of a conspiracy to commit murder with a sharp instrument; (2nd) of a conspiracy to commit murder with a blunt instrument; (3rd) of a conspiracy to commit murder with some instrument to the jury unknown. On May 31st the three accused men were formally arraigned before Judge Williamson, and, after being furnished with copies of the indictments returned against them were remanded to jail to await the outcome of the coroner's inquiry.

[Pg 219]

CHAPTER IX.

[Pg 220]

THE LYING IN STATE—AN IMPRESSIVE SCENE—THE IMPOSING PROCESSION—AT THE CATHEDRAL—
AN ELOQUENT VOICE FROM THE PULPIT—CLERICAL DENUNCIATION OF THE CRIME—LAID TO
REST IN CALVARY CEMETERY.

Four days after the discovery of the body, all that was mortal of the murdered physician was laid to rest in Calvary Cemetery. To the old residents that witnessed the procession there came back memories of the imposing obsequies of Stephen A. Douglas. It was a greater demonstration of the kind than the city had seen since the remains of the "Little Grant" were consigned to the tomb. Many a hero whose name is honored for victories won in hard-fought battles had gone to the city of the dead with less show of honor and respect. It was not that Dr. Cronin had more noble attributes than many other men that the people in tens of thousands turned out to witness the funeral march. It was the involuntary sympathy that went out to one whose death was so tragic, and—at that time—shrouded in so deep a mystery. There was, of course, the crowd that is always to be found at every public demonstration, be it what it may. But there were thousands upon thousands that had been drawn to the scene by a desire to testify, in their humble way, their sorrow and indignation that such a crime had befouled the fair name of the city, and there was not one face in the vast concourse that lined the streets through which the procession passed that did not wear a look of solemnity.

[Pg 221]

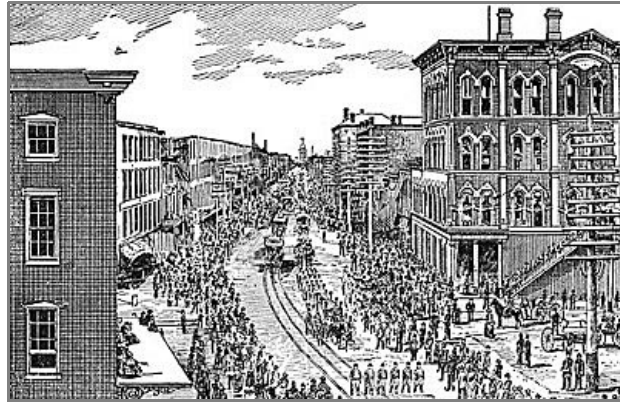
LYING IN STATE.

All through the night of May 25th the casket containing the body of the victim reposed on the catafalque in the First Cavalry Armory. At each corner of the catafalque a sentry, in the uniform of the Hibernian Rifles, stood immovable as a statue. It was a lonely vigil, and it was not broken until six o'clock of the Sabbath morning. Even at that early hour, while the church bells were ringing out their summons to those accustomed to attend the first or daylight mass, a large crowd had gathered outside of the Armory. Half an hour later a squad of the Central Police detail, under command of Lieutenant Wilson, arrived at the building.

The officers were drawn up in two lines on either side of the entrance, the doors were thrown open, and the people in waiting commenced to enter. And so for hours a living stream poured into the building, and past the catafalque, with its draping of American flags, its burning candles and golden crucifix, and its tributes of ferns and roses, hyacinths and daisies which reposed at the head and feet of the casket. They came in so rapidly that the attempt to keep a count was soon abandoned. There were old men and young; girls and white-haired matrons. Children hardly able to toddle led the aged men, walking with faltering, uncertain steps. Parents took their little ones, and the little ones their grandparents. Laborers walked beside bankers, mechanics ascended the platform elbow to elbow with citizens of national eminence, and together they looked down on the face of the victim of a murder that was without parallel in the history of the country. There were many rough and tough looking men in the throng, but their heads were bowed and their footsteps light as they passed by the coffin. There was no need to caution any one to be quiet. The air of solemnity and quiet hushed the least respectful, and those possessed of the least feeling. It was a memorable scene.

[Pg 222]

[Pg 223]



[Larger Image](#)

THE PROCESSION TO THE CATHEDRAL.

A GREAT PROCESSION.

Ten o'clock came and the doors were closed on the multitude that still craved admittance. The honorary pall bearers, their heads bared, marched out of the officer's room and took their stations beside the catafalque, in the following order: J. P. South, High Council of Illinois Catholic Order of Foresters; Leopold Rohrer, Cathedral Court of Illinois Catholic Order of Foresters; Dr. D. G. Moore, High Court of Independent Order of Foresters; E. E. Connery, Court Friendship, Independent Order of Foresters; C. S. Commour, Alcyone Council, Royal Arcanum; John F. Begg, Hancock Lodge, Ancient Order of United Workmen; C. D. Shoemaker, Ætna Lodge, Ancient Order of United Workmen; J. C. Brayden, Royal League; John O'Callaghan and P. M. Carmody, Ancient Order of Hibernians. Next came the active pall bearers, Captain O'Meagher Condon, New York; Luke Dillon, Philadelphia; O. McGarry, Thomas P. Tinte, Detroit; Frank T. Scanlan, Dan Sullivan, Charles Barry, and M. J. Kelly. A moment later the doors were thrown open, the police cleared a passage way through the multitude, and the casket was borne out and placed in the hearse. The latter was drawn by four black horses. Ten thousand men were already in line, Grand Marshal P. J. Cahill gave the signal, and the procession, eight thousand strong, moved north on Michigan Avenue in the following order:

[Pg 224]

Grand Marshal, P. J. Cahill—Chief of Staff, Col. M. C. Hickey.

[Pg 225]

Platoon of Police, Twenty-five Men, Sergt. Gibbons Commanding.

Reed's Drum Corps.

Hibernian Rifles, 100 Men, Capt. Ford Commanding.

Hearse, with Guard of Honor of Hibernian Rifles, Consisting of Lieuts. Sullivan, O'Neil, Monohan, Sullivan, Kennedy, Monohan.

Uniform Order Royal Arcanum, 110 Men.

Royal Arcanum, 315 Men.

Ancient Order Hibernians, 1,000 Men, State Delegate P. M. Cormody Commanding; County Delegate M. Dowling, Aide.

Mourners in Carriages.

Mr. and Mrs. Carroll (Dr. Cronin's Sister), of St. Catherine's, Ont., Mr. Cronin of Arkansas,
Mr. and Mrs. T. T. Conklin, Mr. and Mrs. J. F. Scanlan.

Clan-na-Gael Guards, 175 Men, Capt. Buckley Commanding.

Lake Side Cornet Band.

I. O. Foresters, Uniformed Rank, Fifty Men, High Marshal Frank Boden Commanding.

I. O. Foresters, 1,200 Men, Wm. Kilpatrick Commanding.

Drum Corps.

Royal League, 250 Men.

Catholic Benevolent Legion, 200 Men.

The Illinois Catholic Order Foresters, 2,700 Men, representing the following Courts:
St. Bernard, St. John, McMullen, St. Nicholas, Sheridan, Conway, St. Leo, St. Charles, St.
Agnes, All Saints, Pius, St. Francis, St. Patrick, St. Stephen, St. Lawrence, Immaculate
Conception, St. Joseph, St. Henry, St. Alphonsus, Blessed Virgin, Holy Name, St. Cornelius,
St. Vincent, St. Benedict, Sacred Heart, Ascension, St. Michael, St. Aloysius, American,
Dearborn, Excelsior, Columbia, Sedgwick, Superior, Independence, Industry, Jefferson,
Amity, Cavour, Paterson, Fidelity, Unity.
Cornet Band.

Ancient Order United Workmen, representing the following Lodges, J. F. Walter,
Commanding:

Light Guard, Peter Cooper, Troy, Lakeside, Ætna.

[Pg 226]

Carriages.

Civilians.

All along the line of march—Michigan Avenue to Rush Street, to Chicago Avenue, to State Street, to the cathedral—the streets were packed with people. It was a solid line of humanity, on pavements, in windows, on lamp posts, even the tops of the houses were a sea of heads. To the solemn music of the bands the men marched with slow and measured step. The muffled drums, the draped flags, the drooping banners, the tens of thousands of solemn faces, made the sight an impressive one. Every man in the multitude bared his head as the hearse passed by.

A SOLEMN CATHEDRAL SCENE.

It was nearly noon when the cortege arrived at the cathedral. Save that reserved for the mourners every foot of space in the sacred edifice was already occupied, and the thousands that had followed the hearse were unable to gain admission. High above the mass of humanity tolled the deep-toned funeral bell as the casket, preceded by a guard of honor of officers of the Hibernian Rifles, was borne into the church. Gently it was deposited between six lighted candles upon a catafalque in the center aisle. Then, with the rendering of Schmidt's Mass in D minor by the choir, the service was commenced. An atmosphere of grief was prevalent. The sobbing of women mingled with the impressive notes of the funeral mass. Strong men, to whom tears had been a half forgotten memory, wept as the thurible was waved over the casket and the wreaths of incense smoke ascended toward the dome. Men, brought face to face with a great crime, stood in the presence of their God, while the priests around the altar, clothed in mourning vestments, offered supplication for the soul of the deceased, and prayed for pardon for his murderers. As celebrant of the requiem mass Father Agnew, in cape and stole, chanted the versicles and gave the absolutions. At times his voice trembled perceptibly and his eyes were filled with tears. Rev. Father Mooney assisted in the celebration as deacon and Father Perry as sub-deacon. When the venerable Chancellor Muldoon ascended the pulpit, the "Librera Me Domine" was sung by the choir. The reverend Chancellor took as his text Ecclesiastics, chapter 9, verse 120: "Man knoweth not his own end; as the fishes are taken with hook, and as the fishes are caught with the snare, so men will be taken in the evil time, and it shall come upon them suddenly."

[Pg 227]

[Pg 228]

A VOICE FROM THE PULPIT.

In eloquent language the speaker impressed upon his hearers the uncertainty of life as

illustrated in the case of the murdered man. He spoke as follows:

"In the name of the Father, and the Son, and of the Holy Ghost, amen."

These words I have just recited to you from the inspired writer, my beloved friends, tell us by example and analogy that death comes upon us suddenly—that it shall come, as we are told elsewhere, "as a thief in the night." As the birds in the air have their being in the air, and drink it in and live their life mainly in the air, and as the fishes have their life in the sea, they shall find their death in that element in which they have their life. And so, too, we who are here living upon the earth, having our life, as it were, in the social world round about us—finding our being there—we, too, frequently find our death there, unawares and suddenly. In fact, we carry death in and around and about us, even, I may say, in our very being, for from the moment of our birth until the moment of our death, death is ever with us, death is ever working in our members. It is death that is forever bearing us down; it is death that is ever causing the ailments of humanity, which are a premonition of what is to come; and, as the sacred writers have told us, no matter when death comes, it will always come suddenly to us. We can never be enough prepared for it. We can never take it unawares, but it will too frequently take us unawares.

The lesson, then, taught us to-day by this text is that we should be prepared to meet this death whenever and wherever it shall come, and passing from the text of to-day to him whose memory we serve, it teaches us the lesson that death often comes as sudden as a thief in the night. It comes to snatch us away from all social relations, to take us away from home, to take us away from friends, family and all that is dear to us; to take us from earth to heaven, to take us from time to eternity. Death points this out to us, and his death should teach us a strong and emphatic lesson. If he (pointing to the bier) were here to-day to talk to you, he would not ask for a eulogy on his life, but he would ask you to take a lesson home to yourselves from his life to make you purer, richer and better. He would say: "By my life so guide your own. If there is anything else in my death to teach you to value life, to teach you to value Christ, and Almighty God, and the Holy Church, and the sacraments—oh, take it home to your own hearts, and make it part of yourselves. If I have suffered, let my suffering be a lesson to you; let it come home to your hearts and make you better and holier." His life and his death, dear friends, teach us to make ourselves better, teach us to make ourselves holier, and to prepare ourselves for our last moment.

[Pg 229]

What a change is here from a couple of weeks ago! To-day friends near and dear to him bore all that is mortal of him up this aisle to receive the last rites of the Church; and only two weeks ago that same person walked this floor and came up these aisles in all the vigor of his manhood. He came here with all the charity of his faith and nature to worship at the same altar before which and on which to-day his obsequies are said. O! this is a strong lesson to us. Who would think when he led that body of men here to the sacrament of the altar to make himself purer and better—who would think that in the short term of two weeks that health and vigor and manhood would be snatched ruthlessly from him? But such was the fact, and this death, so sudden and awful, may be ours—if not in the same manner, in other manners equally sudden, if not as atrocious.

Therefore the lesson is brought home to us to be always prepared lest God should strike us, for His angel is always coming from Him to touch the young and the old, the deformed and the beautiful, and His touch is enough to call them from this earth to the land above.

And now, my dear friends, have we reason to be sorry to-day? Have we reason to mourn that our friend has gone from us? No, my friends; there is no reason for mourning the death of a person who has lived a religious life. As the epistle tells us, the religious man, and one pleasing to God the Father, is he who visits the orphans and widows in their tribulation, and he is one, too, who preserves himself undefiled from the world. I shall not pronounce his eulogy, but examine his life in the light of this text, and see whether or not he was religious; and if his life was a religious life, and if it was, we must inevitably come to the conclusion that he was pleasing to Almighty God, and now enjoys the repose promised by Almighty God to those who serve Him while on earth. Religion pure and undefiled is to visit the widow and orphan. Did he do that? What was his avocation and mission in life? It was the grandest and noblest after the avocation of priest. It was to deal out charity—a charity of word and charity of example, to minister to the unfortunate, to heal the ailments of human life. This was his mission and this his vocation. Did he fulfil his vocation; I ask you here in the presence of his mortal remains, did he carry out his vocation? Most assuredly, my friends, he did so And why did he do so? The very manner in which he met his death will tell you in more emphatic terms than I can possibly utter. A call comes that a fellow being is in suffering. Other

[Pg 230]

things are crowded upon him—other business demands were calling for him. But he hearkened to the call of humanity. He was told that a fellow-man was sick, and instantly, without hesitation, with his heart full of charity, and in his hands the very instruments to bring relief and mercy to a fellow being, he goes forth with mercy, charity and good will to his fellow-man and—meets what? An atrocious death! In the fulfilment of his mission, in the very carrying out of his avocation, he met his own death. Must we not say, then, that meeting his death, thus fulfilling his mission and performing his duty, whatever there may have been against him, if there was sin upon his soul of any kind whatever, he shall be remembered before the throne of Almighty God? Yes, he did visit the widows and orphans; and as the anecdotes and sayings about him pass away, coming to us as straggling rivulets to swell the stream of his worth, and to show that him who we mourn had a noble Christian heart, and that is what we cannot say of many to-day. He had a good heart, a Christian heart, a Catholic heart, and that heart was full of love and charity toward his fellow-man. Was he ever a man opposite or opposed to the good of his fellow-man? Was he not ever anxious to improve the lot and well-being of his fellow-men? Look at the associations to which he belonged. Every one of those associations has its being and life in those things which are for the betterment of man.

I have often heard him urge those who are poor and of little means to join those associations, in order to make themselves thrifty and better, and to build up for themselves a home here, and provide for their children a means to live decently afterward. Was not this patriotic? Was not this the best thing a human being can do on earth, to strive with all his power to better his fellow-man, to make his home more agreeable, and leave an inheritance to posterity? Most assuredly it was; and most assuredly we must conclude that his life was righteous, good and holy. And did he preserve himself unspotted from the world? He lived a public life, a life with the people and among the people. He was in every sense of the word a public man, known of thousands, as the thousands here to-day testify; and if there was anything wrong or sinful in his life, long ere this it would have been brought forward in triumph. But now no single finger of scorn or imputation can be pointed toward him. After his life has been laid before you we know that he had a good, Christian, Catholic heart, and that his heart went out to his fellow-men, and that in all his dealings with his fellow-men he was never in any sense greatly sinful—that he was not small or mean toward or in his dealings with his fellow-men.

[Pg 231]

What better eulogy can we pronounce upon him than this? None. We have forgotten half our duty to-day if in our presence here whilst the priest has offered up for him the holy sacrament of the mass, we have not let our own hearts go out in charity, holiness and love toward him that is gone.

Now he is powerless; his days are past, and the church has done what she possibly can for him through her prayers and sacrifices.

It remains for you to do something for him. We believe that there is a hereafter, and that there is a probation for the small defects and defilements of sin that may be upon the soul after death.

It remains for us, his friends—for there is a communion of saints—to offer up our alms, to offer our prayers and the holy sacrifice of the mass that his soul may quickly and surely find rest and peace with God eternal. That is your duty, my friends, to-day. As Catholics and Christians this is imposed upon you, and if you forget it or neglect it you are not truly his friends.

Any more words of praise will be useless for him. But your prayers, the prayers of the poor and defenseless that he helped, will go as a sacred cry to the throne of God and will not be resisted, for God will hear it and take him to the bosom of his fathers. Let us then not forget to promise that we will as friends and Christians do something for him, and in the purity of our faith let us imitate the purity of his faith, the faith that he drank in with his mother's milk and that lasted him through life. There never was a time in the associations or organizations to which he belonged, or anywhere else, that he denied that faith, that he ever was ashamed to acknowledge that he was a Catholic and held to the tenets and belief of the church. He could say: "After my title of Catholic my title of patriot is prominent, and I am not ashamed to confess it to the world. I am willing to sacrifice anything in order to defend my term of Catholicity, and I am willing to do all in my power to help along the poor men of our country."

[Pg 232]

Therefore, my friends, pray for him who is gone. Let your prayers be that his soul may find rest. Remember him in your daily prayers. Remember him in the places you used to meet him. Remember him when on your knees before the throne of God. He was snatched from the earth without the sacraments of the church; he had not even the soothing words of the priest to bring him more quietly to his end, to help him on the perilous journey toward another life; but,

as I said, he met his death in the performance of his duty, and that supplied in part the place of the sacrament.

Pray for him. Breathe his name with love; and as his body moulders in the earth, he may say to you: "Have pity upon me, you, my friends. Have pity on me, for I am now helpless and defenseless. I have no power in my own hands, but your hands are full of alms, deeds and of blessings and prayers, and let them ascend before the throne of Almighty God that I may have rest and peace. Treat all with kindness as my life has been one of kindness—treat them with charity, as my life has been one of charity. If any one say aught against me let it pass forgiven. The words of man are nothing, and pass away as the wind from the mouth. Receive them, then, and mind them not, and those who have injured me most, in the name of mercy have pity on them."

Receive, then, O God, his soul. Be merciful to him for his faith and his hope and his love.

Every head was bowed while the Chancellor gave the benediction. The strains of the organ as it rendered the dead march in Saul filled the edifice, the congregation rose to its feet, the casket was borne out, and the service was at an end.

[Pg 233]

AT REST IN CALVARY.

While the services were in progress the throng in the street had been swollen by thousands of new comers, until it extended in an unbroken mass along State street, from Chicago Avenue to Huron street. The people waited patiently for the conclusion of the church ceremony. Considerable difficulty was experienced in reforming the procession in consequence of the crush, and many old men and women, barely able to walk without assistance, were pressed against the hearse and carriages, and with difficulty rescued from under the wheels. One hour was occupied in reaching the depot of the Milwaukee and St. Paul road—the streets, as before, being packed with spectators. Three special trains, aggregating thirty-six cars, were in waiting. On the first of these the casket was placed, the others following at intervals of a few minutes. At the stations along the route, as well as on house-tops, street crossings and vacant lots, crowds of people had congregated to see the funeral train go by. Five thousand people had gathered at the cemetery. The Hibernian Rifles formed in double column, and presented arms as the casket, and its small following of mourners passed within the gates. This was the most solemn part of the days' proceedings. In the city the uniforms and regalia of the various organizations, the dirges of the numerous bands, and the great concourse of people had somewhat dissipated the sad thoughts and sentiments of those who had been near and dear to the dead man; but now these accessories no longer exercised their effect. Slowly the small procession, consisting only of the pallbearers with the casket, and the few chief mourners, moved toward the vault. There was not a sound save sobs, not even the mournful strains of a funeral march were heard to relieve the intensity of the silence. At the door the rifles had formed an arch with their swords, and the air was laden with the perfume of floral tributes from far and near. One of these, a magnificent lyre of roses, bore the inscription in immortelles:

[Pg 234]

THE PHILADELPHIA
CLAN-NA-GAEL
MOURN THEIR PATRIOT
BROTHER.

and on the base in blue violets the single word

MARTYR.

There were no speeches, no requiem songs, no final benediction. Amid profound darkness the casket and mourners disappeared within the darkness of the receiving vault, and for a moment all was still. Then the mourners re-appeared, the gates swung to on their hinges, the key was turned in the lock, and all that was mortal of the patriot Irishman was at rest in the house of the dead. A sudden gust of wind shook the trees, large drops of rain began to fall, and the weeping of the dead man's sister was drowned by the wail of nature.

[Pg 235]

CHAPTER X.

[Pg 236]

The Coroner's investigation followed close on the action of the grand jury. It was probably one of the most sensational inquests on record in this country. It occupied eight days, and the spacious court room in the county building, which was placed at the disposal of Coroner Henry L. Hertz, was crowded to suffocation at every session. Six men, all well-known citizens, and of a high grade of intelligence, were sworn in on May 28 to determine as to the cause of the physician's death. Their names were: R. S. Critchell, Victor U. Sutter, Justus Killian, John H. Van Husen, H. H. Haughan and Rudolph Seifert. On the first day, May 28,

[Pg 237]



the jurors visited the Carlson cottage, the catch-basin, and the spot where the trunk was discovered. They also examined the furniture left in the cottage, the trunk, cotton batting, and other links in the chain of circumstantial evidence. Several adjournments were then taken at the instance of State's Attorney Longenecker, who held to the wise opinion that in a case of so much national importance it was best to "make haste slowly," and it was not until June 3d that the taking of evidence commenced in earnest. Mrs. Conklin, Frank T. Scanlan, Patrick Dinan (the liveryman), Jonas Carlson, Justice Mahoney, John T. Cronin (brother of the dead man), and the employes of A. H. Revell & Co., were among the first witnesses examined. They gave their evidence clearly and without reserve and produced a favorable impression upon the jury. A profound sensation was created when the blood-stained trunk was brought into the room. Police Captain Schaack was upon the stand, and his testimony developed so strongly the fact, that, through willful disobedience of instructions and gross

[Pg 238]

mismanagement, the murderers had been enabled to escape, that before the close of the day an order was issued by Chief of Police Hubbard suspending him from the service for an indefinite period for "apparent wilful neglect of duty." From his own evidence, it was clear that he had failed to obey the Chief's instructions to ascertain the livery stable from which the white horse had been hired, that he had failed to call upon several witnesses whose names had been given him, and that he had allowed Detective Coughlin to pull the wool over his eyes in the most extraordinary fashion. The examination of the officer who had made himself famous by his work in the Anarchist case, was thorough, searching and merciless. He reluctantly admitted, that for ten days following Dr. Cronin's disappearance he did little or nothing on the case, because he did not believe that the doctor was dead. He had also allowed wilful disobedience to his orders by Detective Coughlin to pass unrebuked. After the jury had gotten through with the Captain, John Sampson, an individual not unknown to the police, swore that Coughlin had tried to hire him over a year before to waylay the physician as he was returning from a meeting at McCoy's Hotel, and "do him up." This evidence was corroborated, and it was further shown that Sampson, actuated by a sense of gratitude—Dr. Cronin having at one time refused to accept compensation for medical attendance upon one of his (Sampson's) relatives—had informed the physician of his peril.

[Pg 239]

[Pg 240]



JURORS EXAMINING BLOOD-STAINS IN THE PARLOR OF COTTAGE.

But the most sensational features of the inquiry were yet to come.

ALEXANDER SULLIVAN AND DR. CRONIN.

Witness, after witness, many of them men of high standing in the community, as well as of unimpeachable veracity, went upon the witness stand and swore, that upon scores of occasions, the physician had expressed the opinion that Alexander Sullivan was his mortal enemy, and that he stood in eternal dread of the ex-Irish leader. Patrick McGarry for instance, an honest homespun Irishman, who, by industry, had accumulated considerable property, and who was one of the warmest friends of the murdered man, testified that on numerous occasions the physician had said to him, that Alexander Sullivan would be the instigator of his death. Less than three weeks before his disappearance, referring to the fact, that he had asked for an investigation of Sullivan's accounts, he had said, "I am taking my life in my hands. That may prove to have been a fatal night for me, but I am determined to show up Alexander Sullivan's thievery and treachery to the Irish people, even if my life is taken for it."

[Pg 241]

The buzz which invariably denotes the presence of suppressed excitement went through the court-room when the witness made this statement, and, catching the prevalent feeling, McGarry exclaimed with fervor:

"Thank God I don't belong to any organization of which that man is a member. For I consider Alexander Sullivan to be the man who has brought shame and disgrace on the Irish name in America."

To Joseph O'Byrne, the Senior guardian of Camp 234, of the Clan-na-Gael, Dr. Cronin had said that he knew that he was to be sacrificed. To Michael McNulty, another member of camp 234, he had insisted upon more than one occasion, that he knew that Alexander Sullivan and Lawrence R. Buckley, (the latter being a prominent member of the Clan-na-Gael) "were going to kill him." That the latter had made many violent speeches against the physician, was sworn to by Thomas J. Conway, an insurance agent. A previous witness, by the way, had testified that it was generally understood among the members of the organization, that Lawrence Buckley had given to the spy Le Caron, the credentials upon which the latter had attended a secret convention of the Clan-na-Gael.

[Pg 242]

Testimony was given by a large number of witnesses, to the effect that both Alexander Sullivan and numerous members of the organization, had denounced the physician in the most vigorous terms, questioning his loyalty to the Irish cause, and expressing sentiments, which generally analyzed, seemed to indicate that they would be glad to see him out of the way.



LAWRENCE R. BUCKLEY.

SELECTED FOR A FOREIGN MISSION.

One of the most sensational episodes of the enquiry, was the examination of Capt. Thomas F. O'Connor. He had been intimately acquainted with Dr. Cronin for several years, and firmly believing that the physician's life was in danger, had advised him to go armed at all times. O'Connor had been present at a meeting of camp 20, when charges had been made against Dr. Cronin, and a committee consisting of Buckley, Coughlin, Frank Murray, John F. O'Malley, and another man had been appointed to investigate them. These charges were to the effect that he had read, before another camp, a circular which was antagonistic to the spirit of the order. After the physician's disappearance, he had seen Coughlin, who had expressed the opinion, that he had gone to London to follow in the foot-steps of Le Caron, as a witness before the Parnell commission.

[Pg 243]

"Have you ever been requested as a member of this order," asked Coroner Hertz, "to do some secret work."

"Yes, I have," said the witness, after considerable hesitation.

"Can you tell me who asked you to do this work."

"I can not."

"Did you consult any one about doing this work."

"I did sir."

"Whom."

"I consulted Dr. Cronin."

"What did he say."

"He said, after talking the matter over, that there was enough good, honest men behind prison bars now, and that I had better keep out of it." He did not believe in the policy of dynamite.

"Did you take the doctor's advice."

"I guess I did," answered Capt. O'Connor in a tone full of suggestiveness.

"How was the request brought to you."

"A man walked into my office about ten o'clock one morning, presented his card, and introduced himself. He said that there were some men going across the water, and that the chances were that I would be called on. This was on a Monday, and we talked the matter over pretty fully. The Wednesday following I was to meet him again. That morning I walked down town with Dr. Cronin. The man was standing on the steps of the Sherman House. I stopped and spoke to him. He asked me who that man was. I told him Dr. Cronin. He seemed to know the name, at least he recognized it the moment I mentioned it. He said he would see me that afternoon, but after seeing me with Dr. Cronin, he failed to keep his appointment."

[Pg 244]

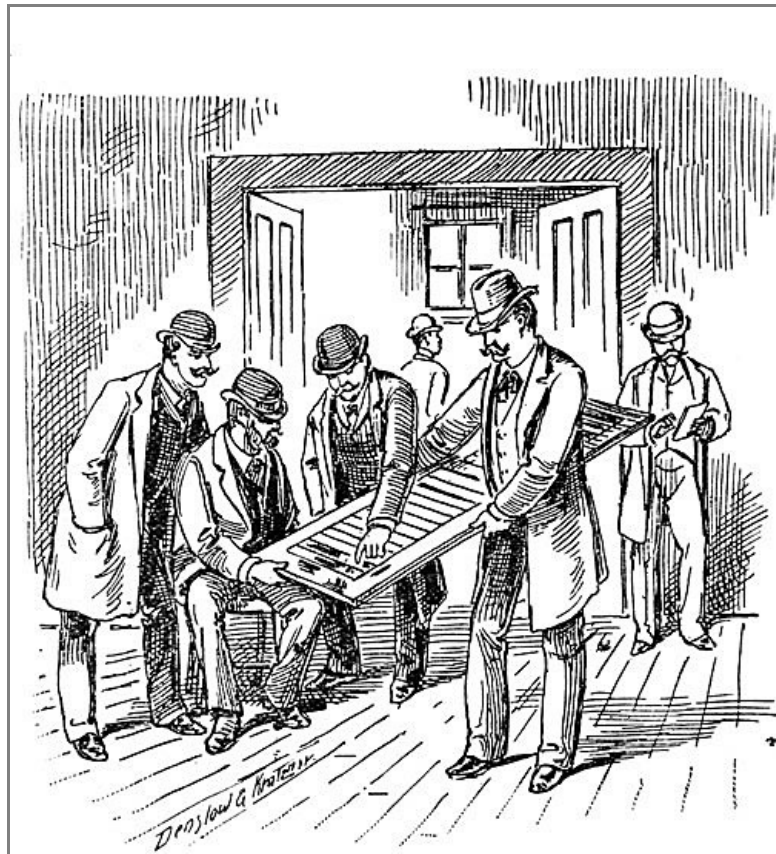


CAPT. THOMAS F. O'CONNOR.

Although pressed to give this mysterious individuals name, Capt. O'Connor insisted emphatically that he could not remember it. He said he knew Alexander Sullivan, but when asked the question, "do you know

whether or not it was he who wanted you to go," he simply replied, "I do not." He went on to say that the request to go on such a mission, would naturally come from the Executive Committee of the order. None except this committee, could know the names of the persons who were sent across the waters. Alexander Sullivan, he had heard, was a member of this executive committee. The other two were Feeley and Michael Boland. The latter at this time was the Police Recorder of Kansas City.

[Pg 245]



JURORS EXAMINING FINGER MARKS IN PAINT ON WINDOW BLINDS.

Peter M'Gehan, of Philadelphia, was another witness. He was at one time supposed to be the man who had driven Dr. Cronin from his residence to his death. In a general way he answered the description given by Mrs. Conklin, and his appearance in Chicago, at the time when the first steps in the conspiracy were supposed to have been taken, his destination being known only to J. J. Bradley, of the Clan-na-Gael executive, coupled with his loud talk against Dr. Cronin, and his association with the friends of Alexander Sullivan—all these circumstances caused him to be placed under arrest, although he was subsequently released. Not being found at his place of residence when wanted by the coroner, he was again arrested at his new boarding place, and put upon the stand.

In direct contradiction to the testimony of one of the previous witnesses, Joseph O'Byrne, M'Gehan denied that he had ever said that Dr. Cronin, with McCahey, of Philadelphia, ought to be put out of the way, or removed, or killed, or words implying any such meaning. He knew, however, that Dr. Cronin believed that he entertained such views. Standing at the corner of Clark and Randolph street one evening with Thomas J. Conway, he saw the physician and Mortimer Scanlon coming along, and the physician, calling him by name, said, "I understand that you have used violent language against me." M'Gehan replied that it was a lie. To this the physician responded "I have been informed that you were sent here to assassinate me." This the Philadelphia man denied, saying that the doctor was a "blamed fool," and that the people who were circulating these stories were only trying to make them enemies. M'Gehan was closely questioned as to his movements since his arrival in Chicago, and admitted that he had visited several of the Camps, including the one of which Dr. Cronin was senior guardian, and that he had borrowed money from several of the avowed enemies of the physician, although he had not been acquainted with them before reaching Chicago. Nothing was developed however to connect him, even indirectly, with the tragedy.

[Pg 247]

[Pg 248]



P. M'GEHAN.

This branch of the case was closed with some very interesting testimony from J. G. Hagerty, a railroad clerk. His story was, that sometime in 1885, a circular had been issued by the Clan-na-Gael, stating that several hundred British detectives had been sent from Scotland Yard for the purpose of finding out the secrets of the Irish revolutionists in this country, and hence all the members were on the *qui vive* for information as to the possible traitors in their midst. One night while he (the witness) was walking on the street with Alexander Sullivan, the latter had expressed the opinion that the doctor was a scoundrel and a menace to the Irish cause, and that it would be a benefit if the cause were rid of him.

"Did Alexander Sullivan say anything to you that night about having any idea that Dr. Cronin's life ought to be taken" asked the Coroner.

"That was my impression" answered the witness, "that was the view I took of the conversation and I must say that I coincided with him at the time. I believe that men who are trying to get the secrets of people, who are trying to elevate themselves should be exterminated, and I gained that opinion from the reports I had heard, especially from Timothy Crean, who is now dead, and who with other men had been instrumental in scattering this information, which, as I now believe, was scattered for the removal of Dr. Cronin."

[Pg 249]

"Did Alexander Sullivan use the words that Dr. Cronin ought to be removed," the witness was asked.

"I would not swear that the words were used exactly as you state them, but that was my impression at the time."

"Did you get the impression that that was what he meant."

"Certainly I did."

"Could he at that time or any time later have spoken to others in the same way."

"Most undoubtedly—to hundreds."

"Tim Crean had told me things that Alexander Sullivan had said," went on the witness, "and among them that this man was a traitor. The word traitor to an Irishman's visor calls up a terrible vengeful feeling. It does in me, the Irishmen know what informers are and do not feel leniently toward them. The impression that I got from Mr. Sullivan's talk was that this man should be removed from our ranks in some way or another; that he was a menace to the cause and to the success of the objects which we were trying to accomplish. I must say that at that time and since, Mr. Sullivan was not alone in the opinion as to the removal of men of that description—that is, the removal of them from our ranks, not by death, but that we should get them out of our organization. There was nothing more laudable, considering the actions of Le Caron, who as is now proven to have been Mr. Sullivan's friend, according to the evidence now before you. Le Caron was introduced to me on the evening of that conversation by Mr. Sullivan as a man worthy of our confidence and of the highest character, and coming from such a source, it being understood that Sullivan occupied a high office in the order, and considering the confidence with which he was looked up to by the Irish people at that time, myself, being nothing but a plebian, I could not but believe what he said."

[Pg 250]

"Did you believe that Dr. Cronin was a traitor."

"Yes; Mr. Sullivan gave me that information; that was his idea. He did not give me any proof, but considering his position, I could not do otherwise than take his ipse dixit for it. I will say, however, that up to the recent revelations I certainly had no idea at all that Mr. Sullivan could have been the man he is now represented to be. I must say in justice to myself I had no idea that he could have come as near being an accessory to this diabolical 'removal,' as

[Pg 251]

he is now represented to be by the circumstantial evidence before you."

"Is there anything in your obligation and the constitution of the order that would make you believe that you ought to remove a man if your executive ordered you to do so."

"No sir."

"That you ought to take life?"

"No sir, I would not do it if the order came to me."

"Do you think that a man of less principle or brains might do so?"

"I certainly believe now, to my sorrow, that such might be the result."

After this witness had left the stand it was proven by the evidence of the Sergeants of the Chicago Avenue Police Station that, for some time prior to May the 4th, Coughlin and O'Sullivan, the iceman, were in daily communication over the telephone, and that the latter had several times sent messages to the Detective to come over to his house, his office, or his barn.

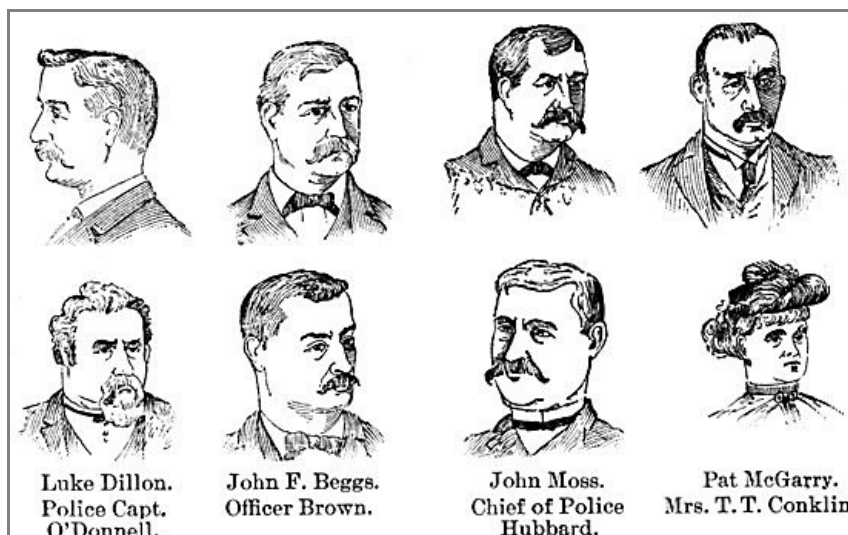
ALEXANDER SULLIVAN'S SPECULATIONS.

Considerable time was devoted to the investigation of Alexander Sullivan's speculations through various Chicago Brokers on the Board of Trade. It was first shown that in May, 1882, upon the return of Alexander Sullivan from Paris, where he had been for some two months, the sum of \$100,000 had been deposited to his credit in the Continental National Bank of New York. This deposit was in turn transferred to the Traders' Bank of Chicago, where it was credited to "Alexander Sullivan, agent." The books of this Bank, which had failed in 1888, when produced by Bryon L. Smith, the receiver, showed that checks had been drawn by Sullivan against this deposit, payable to John T. Lester & Co., the Board of Trade men, in the following order:—June 1st, 1882, \$30,000; June the 6th, \$30,000; August 26th, \$25,000; Sept. 6th, \$5,000; October 6th, \$10,000. The entire one hundred thousand dollars, therefore, had within the short space of less than five months passed into the hands of the Brokers. From the books of the firm it was found that between June the 1st and August the 30th, of that year, Sullivan had traded almost daily in railroad and telegraph stocks in blocks ranging from 100 to 5,000 shares each day. It was also shown that between June 1882 and June 1883, he had given his checks to the firm to a total of \$133,000, and received from the firm checks and stocks aggregating about \$128,000, indicating a loss of but \$5,000 on these extensive transactions. These checks, however, failed to find their way back again to the Traders' Bank. There was no record of any further transactions of this character on the part of Mr. Sullivan until 1886, when he was concerned in some speculations in grain through the house of Morris Rosenfeld & Co. He was a winner up to July, 1887, when the great Cincinnati wheat corner broke, his profits were swept away and he sustained a loss, which he settled by giving his note for an amount somewhere between one and two thousand dollars. This indicated that between the first and the last transactions he had gotten rid of the \$95,000 turned over to him by J. T. Lester & Co. What had become of this large sum of money was a mystery. Perhaps it had been lost in speculation, perhaps it had been returned to Patrick Egan, from whom, as was generally supposed, it had originally been obtained.

[Pg 252]

[Pg 253]

LUKE DILLON'S PLAIN WORDS.



PRINCIPAL WITNESSES BEFORE THE CORONER'S JURY.

It was not until June the 7th, in the closing days of the inquest, that Luke Dillon, one of the nine members of the Executive Committee of the Clan-na-Gael in America, and who had taken a leading and determined part in the movement to unravel the mystery which enshrouded the murder of Dr. Cronin, was called as a witness. Those who were in the court room when he ascended the stand, saw a man above the medium stature, broad shouldered, of well-knit figure, square cut face and well moulded features. His dark blonde hair receded slightly from his forehead; while a full blonde mustache of lighter hue shaded his firm compressed lips. His chin was square, indicating tremendous energy and great determination of character. His voice was full, resonant and well modulated, and he spoke fluently and yet in a measured way that indicated caution. In answer to the questions of the Coroner he said that he was a member of the Clan-na-Gael, but that there was nothing in the obligation which he had taken that conflicted with the laws of the United States. He went on to say that Dr. Cronin, shortly before his murder, had said to him that the personal ambition of Alexander Sullivan, to rule both in Ireland and American politics would be the cause of his (Cronin's) death, for he felt that the man had no more blood than a fish and would not hesitate to take his life. The witness related the circumstances connected with the meetings of the trial committee at Buffalo and New York, and the examination proceeded in this wise:

[Pg 254]

"Can you give the jury any other reason why Alexander Sullivan should be an enemy of Dr. Cronin?"

"I can give none except personal revenge."

"Revenge for what?"

"Because this man found him guilty of crime, of theft."

"By this man you mean Dr. Cronin?"

"Yes sir; and also because of treacherous conduct to members of the organization."

"Do you believe, Mr. Dillon, that Dr. Cronin's opinion of Sullivan was correct?"

"I do now. I used to think he exaggerated Sullivan's importance. I looked upon him then as only an ordinary villain. But Cronin looked upon him as a very dangerous man and a very able man."

"At the time of the existence of this so-called Triangle, Sullivan, Boland and Feeley, do you know of their betraying any members of the order?"

After a long pause the witness replied: "No; I believe men have been betrayed."

"Could these men whom you believe to have been betrayed, have been betrayed without the knowledge of the Executive?"

"No, they could not otherwise be betrayed."

"And men were betrayed?"

"I believe so."

"They were not known to anybody outside of the Triangle?"

"They were not supposed to be known."

"If known, where would those outside receive their information from?"

"The executive; the Triangle and Executive were the same thing."

"At that time who were the Executive?"

"Alexander Sullivan, Dennis C. Feeley and Michael Boland."

[Pg 256]

"Have you ever heard from any of the members that Dr. Cronin, in conversation, has charged that Alexander Sullivan had anything to do with betraying the members?"

"No; I don't think the doctor has ever charged that against Sullivan. He has told me that he believed men had been betrayed through the intimacy of Alexander Sullivan with Le Caron."

"Was Le Caron a member of a camp in Illinois?"

"Yes, sir; in Braidwood, Ill."

"Who is Le Caron?"

"Well," the witness said, smiling, "I wish they had tackled him instead of Dr. Cronin. I didn't know him personally."

"What position did he hold?"

"He held the position of chief officer—what would be the same as president in an ordinary society."

"Was he once considered a good member of the order?"

"Yes, sir."

"Is he considered such now?"

"Not at all; certainly not."

"Have you any other information, Mr. Dillon, which would be proper for you to give this jury, sitting to inquire into the death of Dr. Cronin, which would assist them in arriving at the cause of his death?"

"Well, I believe his death is the result of the abuse heaped upon him by the friends of Alexander Sullivan. He has been denominated a spy and a traitor, perjurer, and in fact all the invectives have been piled upon him that could be heaped upon the head of any man by the friends of Sullivan, all because of Cronin's enmity to Sullivan."

"Why did Cronin have any enmity toward Sullivan?"

"Because he believed, as I do, that he was a professional patriot, sucking the life-blood out of the Irish organizations, and we tried to purify the organization by removing from its head such men as Alexander Sullivan."

"Do you know the reason why Alexander Sullivan left the order?"

"I can tell you the general opinion in the order on that question. We believed that he left the order because he thought that his crimes would find him out, and that Cronin, John Devoy, I and others who were endeavoring to purify the organization would finally bring them to judgment before the rank and file. I believe that when he resigned he did not cease to rule. I have seen his handwriting on circulars issued to the United Brotherhood a year after his resignation was supposed to have taken place."

Continuing, Mr. Dillon said that immediately after hearing of the disappearance of Dr. Cronin, he came to the conclusion that he had been murdered and urged the Executive to appropriate \$3,000 to hunt up the murderers. The reply was made, however, that there was no proof that he was dead. In reply to a question the witness said:

[Pg 257]

"I will give you facts that may show animus. Dr. Cronin saw that the friends of Alexander Sullivan in Chicago were in the habit of saying that the verdict, on the trial at which Dr. Cronin was one of the jurors, was in favor of Alexander Sullivan. The verdict was supposed to be kept secret, but it somehow leaked out through the organization, unofficially, what the verdict really was, and the two doctors were pointed out as the only two men who found Sullivan guilty of any crime, and that Alexander Sullivan was not guilty. Dr. Cronin, in order to prove that he was in possession of information which, if they heard, or he was permitted to read, would prove the guilt of Alexander Sullivan, stated that he had in his possession at least three hundred pages of testimony which would be produced at the coming convention, to prove that these men were all the charges had specified they were. The executive ordered him to send that 300 pages of testimony to the chairman of that body, but he refused to hand them over."

"When was the convention to be?"

"The date of the convention was not decided on; it was to be at some future time. Dr. Cronin said it would be necessary for him to hold these documents, so that in the coming convention he would have something to justify the verdict he had given of guilty."

"What was the verdict?"

"There were four verdicts. There were no majority or minority reports. The vote of the jury was 3 to 3, a tie, as to the guilt or innocence of Sullivan and the others. They heard all the evidence, that is this evidence that Dr. Cronin was going to publish at the coming convention."

CRONIN'S PRIVATE PAPERS IN EVIDENCE.

The taking of evidence came to an end on June 12, with the reading of some of the notes and papers left behind by the murdered man. These, although not entirely pertinent to the inquiry, were of absorbing interest, and were listened to with breathless attention by the large audience. They related largely to the notes of Mrs. Mackey Lomasney's testimony before the New York commission—heretofore referred to—and revealed a condition of affairs in the management of Irish secret societies so callous, cruel, selfish, treacherous, and

[Pg 258]

revolting that a shudder passed through the auditors as page after page was read with precision and emphasis by the coroner. It was a woman's story of her husband's separation from her, and of the trials and tribulations through which she had passed, which was calculated to melt the stoniest heart, and served as a fitting finale to this historical inquiry.

CHAPTER XI.

[Pg 259]

CLOSING SCENES OF THE INQUEST—THE VERDICT—ALEXANDER SULLIVAN'S ARREST ORDERED—
MIDNIGHT VISIT TO HIS RESIDENCE—HIS COOL Demeanor AND CHEERFUL ACQUIESCENCE—
TAKEN TO THE COUNTY JAIL—RELEASED ON HABEAS CORPUS.

The closing scenes of the coroner's inquest were of a nature calculated to impress themselves upon the memories of the participants.

The morning session had been replete with sensational testimony. At the noon recess word went around that the jury had heard enough upon which to frame a verdict, and that the prolonged investigation was nearing its close.

This, of itself, was sufficient to bring to the building a throng, that not only crowded the court room and the outside corridors, but extended away down the three broad flights of stairs and out into the street. Nearly two hours were spent in the reading of papers relating to the Clan-na-Gael and its English operations. When the last sheet had been read there was a pause. Chief Hubbard came in through a private entrance and a long consultation ensued between that official, the State's Attorney, and the coroner. Then the latter turned to the jury.

[Pg 260]

"Gentlemen" said he "are there any more witnesses that you would wish me to call?"

"No sir," was Foreman Critchell's emphatic reply.

"That is all the testimony that we have at present," resumed the coroner, "I can furnish you with a good deal of corroborative testimony if you wish me to."

"I think the jury has heard enough corroborative testimony. If there are no witnesses on any new points we would like to retire."

It was five o'clock when Foreman Critchell led the little procession down stairs to the coroner's office. A Deputy Sheriff and Deputy Coroner went along as a body guard. The silence that had prevailed in the court room was broken by a loud hum; while everybody commenced at once to speculate on the probable verdict and the people it would implicate. Six o'clock came, seven, eight, nine, and still no word from the jury room. But the crowd kept its seats or its standing room with exemplary patience. Shortly after nine supper was sent in to the jurors, and the rumor went out that they were unable to reach a conclusion. This, however, as was to be developed an hour later, was wide of the mark.

[Pg 261]

THE VERDICT.

One hour later, just as the hands of the clock were pointing to ten, Coroner Hertz was summoned to the jury-room. He was absent but a few minutes, and when he returned Foreman Critchell and his associates filed in after him. A death-like stillness prevailed as Critchell commenced to read the verdict. When he reached that point which recommended that

ALEXANDER SULLIVAN, the lawyer,
P. O'SULLIVAN, the Lake View iceman,
DANIEL COUGHLIN, the detective, and
FRANK WOODRUFF, *alias* Black,

be held to the grand jury as principals in or accessories to the foul crime, there was considerable stir, coupled with exclamations of satisfaction, and no little confusion was caused by a number of those present scampering from the room to spread the news around the city. The verdict, as taken from the official document, was word for word as follows:

We, the undersigned, a jury appointed to make inquiry according to law as to how the body viewed by us came to his death, state from the evidence:

First—That the body is that of Patrick H. Cronin, known as Dr. Cronin.

Second—That his death was not from natural causes but from violent results.

[Pg 262]

Third—That the said P. H. Cronin was decoyed from his home on North Clark

street the evening of May 4, 1889, by some person or persons, to the Carlson cottage, situated at No. 1872 North Ashland avenue, in Lake View, Cook County, Ill.

Fourth—That at said cottage the said Cronin was murdered by being beaten on his head with some blunt instrument in the hands of some person or persons to us unknown, the night of the said May 4, or between May 4 and May 5, 1889.

Fifth—That the body, after the said murder was committed, was placed in a trunk and carried to Edgewater on a wagon by several persons, and by them placed in a catch-basin at the corner of Evanston avenue and Fifty-ninth street, Lake View, where it was discovered May 22, 1889.

Sixth—That the evidence shows conclusively to our minds that a plot or conspiracy was formed by a number of persons for the purpose of murdering said Cronin and concealing his body. Said plot or conspiracy was deliberately contrived and cruelly executed.

Seventh—We have had careful inquiry into the relations sustained by said Cronin to other persons while alive to ascertain if he had any enemy or enemies sufficient to cause his murder.

Eighth—It is our judgment that no other person or persons except some of those who are or have been members of a certain secret society, known as the United Brotherhood or "Clan-na-Gael," had any cause to be the instigators or executors of such plot and conspiracy to murder the said Cronin.

Ninth—Many of the witnesses testifying in the case have done so with much evident unwillingness, and, as we believe, with much mental reservation.

We find from the evidence that a number of persons were connected with this plot and conspiring to murder the said Cronin, and that

DANIEL COUGHLIN,
PATRICK O'SULLIVAN,
ALEXANDER SULLIVAN,
FRANK WOODRUFF, alias BLACK,

were either the principals, accessories, or have guilty knowledge of said plot and conspiracy to murder said Cronin and conceal his body, and should be held to answer to the grand jury.

We also believe that other persons were engaged in the plot, or have guilty knowledge of it, and should be apprehended and held to the grand jury.

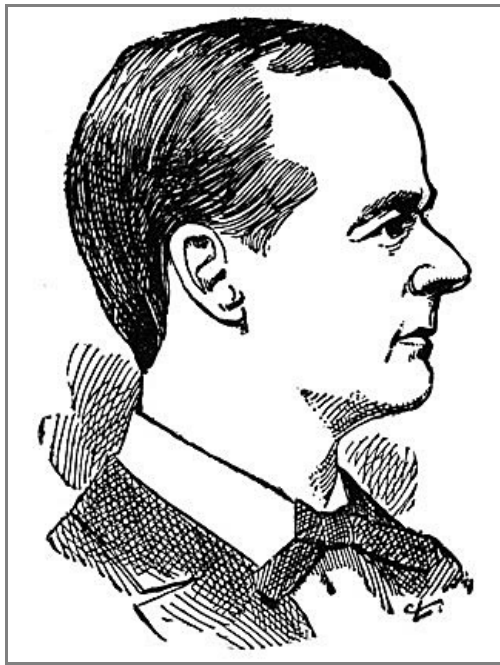
[Pg 263]

We would further state that this plot or conspiracy in its conception and execution is one of the most vile and brutal that has ever come to our knowledge, and we would recommend that the proper authorities offer a large reward for the discovery and conviction of all those engaged in it in any way.

We further state that in our judgment all secret societies whose objects are such as the evidence shows those of the Clan-na-Gael or United Brotherhood to be, are not in harmony with and are injurious to American institutions.

We hope that future vigor and vigilance by the police force will more than compensate for past neglect by a portion of the force in this case.

R. S. CRITCHELL,	H. A. HAUGAN,
JOHN A. VAN HOUSEN,	JUSTUS KILLIAN,
RUDOLF SEIFERT,	VICTOR U. SUTTER.



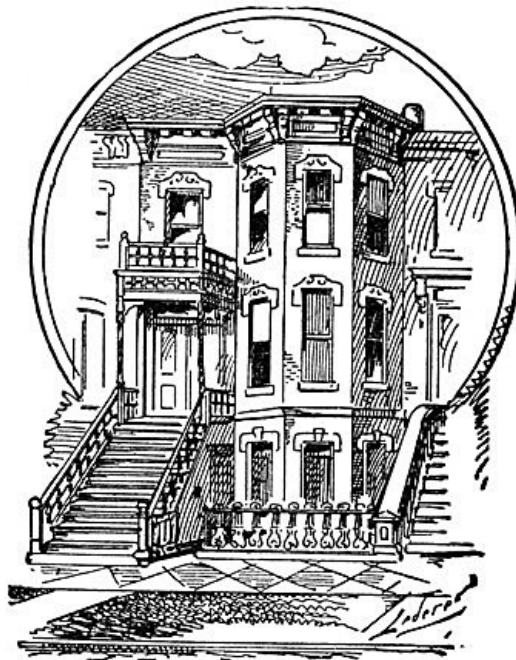
ALEXANDER SULLIVAN.

[Pg 264]

ARREST OF ALEXANDER SULLIVAN.

Just as soon as the verdict had been read, Foreman Critchell called the State's Attorney and Coroner inside the latter's private room for a consultation. A moment later they were joined by Police Captain Schuettler and Detectives Palmer, Amstein, Miller, Broderick, Schifter, McDonald, Williams and Hedrick. It was decided that the arrest of Alexander Sullivan should be effected without delay, notwithstanding the late hour, and the Coroner, having made out his mittimus, entrusted it to Detective Palmer. The latter selected as his assistants Detectives Williams and Broderick, and the trio entered a carriage. Well on toward midnight the elegant residence of the ex-President of the Land League, at 378 Oak street, on the North side of the city, was reached.

[Pg 265]



ALEXANDER SULLIVAN'S RESIDENCE.

Palmer was the first to alight.

He rapidly ascended the steps and rang the bell. Henry Brown, Mr. Sullivan's clerk, opened the door.

"Is Mr. Sullivan at home?" inquired Officer Palmer.

"He is," said Brown.

"I want to see him," said Officer Palmer, as he entered.

Brown closed the door. Fearing some scheme to give Sullivan a chance to escape, Palmer at once gave instructions to Williams to go to the rear of the house, and the officer ran back to the alley.

But the noted Irish Nationalist had no thought of escaping. At that very moment he was sound asleep in bed. It was characteristic of the strong will-power of the man. The drift of the testimony for a week had indicated to him, as to everybody else that heard or read it, that the Coroner's jury would name him either as a principal or as accessory to the crime. The paper that he had in his hand as he drove home that evening, chronicled the fact that the jury had retired, and was deliberating upon its verdict. And yet, well aware, as he must have been, that this verdict would be of terrible personal import—he had retired at nine o'clock and was as sound asleep as a worn out child.

[Pg 266]

"Mr. Sullivan, Mr. Sullivan," shouted Brown.

"What is it?" came a voice from the bed room, "I'm here."

"Some one wants to see you," returned Brown.

By this time Palmer had reached the top of the stairs and was outside the bed room. Sullivan opened the door and recognized his visitor. Not a muscle of his face moved.

"All right," he said, nonchalantly, "I'm coming."

To dress himself, as neat as wax—just as he always looked—was but the work of a few minutes. Then the door was opened again, and his form was seen in the dimly lighted hallway. Preceded by Palmer, who had been joined by Broderick, he went down-stairs into the dimly lighted hallway.

"Good evening, Palmer," he said, pleasantly.

The detective returned the greeting. "I have a mittimus for your arrest, Mr. Sullivan."

"Very well," was the response. He led the way into the parlor, and Palmer commenced to read the document. Sullivan stood up near the mantelpiece, leaning his elbow slightly upon the marble slab, and listened attentively. Not for an instant did he betray the slightest emotion. A contemptuous sneer settled on his lips. His head was slightly thrown back as if in defiance of the officers. His hand toyed for an instant with fringed plush that covered the rocking chair close by on his left. He never once took his eyes off Palmer as he read the mittimus. This was in the following form:

[Pg 267]

STATE OF ILLINOIS, COOK COUNTY, SS.—*The People of the State of Illinois, to the Sheriff and Jailer of said County, Greeting:* Whereas, at an inquisition taken for the people of the State of Illinois at the Coroner's office, in said County of Cook, on the 23d day of May, A. D. 1889, before me, Henry L. Hertz, Coroner, in and for said County, upon view of the body of Patrick Henry Cronin then and there lying dead, upon the oath of six good and lawful men of said county, who being duly sworn as a Coroner's jury, to inquire on the part of the people of the State of Illinois into all the circumstances attending the death of the said Patrick Henry Cronin, and by whom the same was produced, and in what manner and when and where the said Patrick Henry Cronin came to his death; and, whereas, the said jury, by their verdict then and there delivered to the said Henry L. Hertz, Coroner, did return and find that the said Patrick Henry Cronin came to his death by being beaten on his head with some blunt instrument or instruments in the hands of some person or persons to the jury unknown; and that one Daniel Coughlin, one Patrick O'Sullivan, one Alexander Sullivan, and one Woodruff, alias Black, were connected with the death of the said Patrick Henry Cronin either as principals or as accessories before the fact, and should be held to answer to the grand jury.

Now, therefore, you are hereby required to receive into your custody the said Daniel Coughlin, Patrick O'Sullivan, Alexander Sullivan and Woodruff, alias Black, and them safely keep until discharged by due course of law.

Witness my hand this 11th day of June, A. D. 1889.

HENRY L. HERTZ,
Coroner Cook County.

Palmer had hardly reached the last word, when Sullivan remarked, without a perceptible tremor in his voice:

[Pg 268]

"Will you not remain here with me over night, Palmer?"

"I have no authority to do that," answered the officer, after a moment's hesitation, "I was instructed to take you down to the jail. I am sorry, but I shall have to do it."

"Very well," replied Sullivan, "I should like to have some clean linen with me or have it sent

over."

"Certainly, that will be granted," replied Officer Palmer.

"Wait till I get my hat and coat," said Mr. Sullivan.

He walked out of the parlor into the hall-way, took down a light overcoat from the coat-rack, and put it on. Palmer assisted him.

"You are taking this very coolly, Mr. Sullivan," said the officer.

"Yes," was the answer, "why shouldn't I? My conscience does not trouble me."

"This proceeding was not altogether unexpected?"

"Well, yes, it was rather, at this hour of the night."

Brown stepped to the door and Broderick followed. Sullivan came behind.

"I am ready," he said.

Brown opened the door. Broderick stepped out, closely followed by Sullivan and Palmer. The three men went down the steps to the sidewalk, where they were met by Williams. All four entered the carriage which was in waiting. A dozen people were on the sidewalk, and Sullivan's next door neighbors had gathered on the veranda to see the Irish leader driven away. The driver gathered his reins, wheeled the horses around, and started them toward Dearborn avenue at a rapid trot. The vehicle had barely reached the corner when a little newsboy, with a big bundle of evening papers under his left arm, and waving an open one with his right, ran up to the carriage window.

[Pg 269]

"Here is your extra," he screamed, with all the strength of his infantile lungs. "All about Alexander Sullivan charged with Cronin's murder."

Not a muscle of Sullivan's face moved, not a fibre of his frame, so far as the officers observed, so much as twitched. He sat in his seat as motionless as a statue, apparently the most unconcerned of the four occupants of the vehicle.

Within five minutes the jail was reached. Williams was the first to alight, and, going up the steps, two at a time, he rapped heavily upon the iron door. In a moment it was opened. He ran down again to the carriage, and the other three men, Sullivan included, stepped out. The prisoner ascended the stone steps to the jail with deliberation, nodded to a bailiff who bade him good evening, and passed in. Not a word was spoken as the little party crossed the hall way and yard. The turnkey had evidently been prepared for the new arrival, for, no sooner had Palmer reached the head of the little stairway leading to the jail proper, than the iron gates swung open for their reception. In a dignified manner Sullivan bowed to the bailiff inside, but did not speak. The full light of a half dozen gas jets shone full on his face. Not the slightest change was observable in his appearance. He was just as cool, just as collected, just as courteous, as he had appeared to his clients in his office but a few hours before. He stepped up to the wicket as Palmer read the mittimus to the deputy jailer, and, when the latter bade him a cordial good evening, he merely nodded his head. The officials did not ask him a single question, and when one of the bystanders approached him and asked: "Have you anything to say to-night?" he replied, in a polite but firm tone that admitted of no doubt as to its meaning:

[Pg 270]

"No, not to-night. What I have to say will be said in court. I have no more to say to-night than I had a week ago." With these words he shook hands with the detectives and others present whom he knew personally. The door to the inner cage and corridor opened, and, as soon as he had stepped in, was pulled to and locked.

[Pg 271]

The ex-Irish leader, whose name was a household word wherever, throughout the wide world, two or three of the Irish race were gathered together, was a prisoner of the State, a prisoner charged with complicity in one of the most dastardly and cold blooded murders that had ever disgraced a civilized community.

Yet, even now, his phenomenal firmness and self possession remained with him. For a few moments he paced the corridor while the turnkeys arranged the bedding which had been specially provided for him in Cell number 25 of "Murderers' Row."

"This way if you please," said one of the jailers, when this had been done.

With a respectful half inclination of the body, Sullivan stepped into the narrow cell, and the big key grated in the lock. When, ten minutes later, the same jailer peered in through the grating, the prisoner, stretched upon his cot, was as sound asleep as a new born babe.

Many of the friends of the murdered physician remained in their headquarters until the arrest had been fully accomplished, and there was considerable jubilation when the information that Sullivan had been placed behind the bars was received. Telegrams conveying the developments of the day were sent to scores of prominent Irishmen in the leading cities of the country.

[Pg 272]

"This is a splendid days work," said Luke Dillon. "This crime will now be fully exposed. The plot will be unraveled and guilty brought to punishment."

"Everything is progressing in the right direction," said P. W. Dunne, one of the closest friends of the dead man, "I am the last man to gloat over a fallen foe, but Alexander Sullivan's arrest comes none too soon."

ALEXANDER SULLIVAN'S EVENTFUL LIFE.

Alexander Sullivan had been a conspicuous figure in Chicago's political life for some time, and a few years before had been a prominent figure in two of the most exciting murder trials ever witnessed in that city. Many persons believed, from the active part which Alexander Sullivan has taken in Irish affairs, that he was by birth an Irishman. He was a native of Amherstburg, Ont., where his father was stationed in the British military service. He went to Detroit in his youth and was engaged for a time in the boot and shoe store of A. J. Bour. Subsequently he set up in the same trade for himself, his store being in the Bresler Block, on Michigan avenue. He was not a success in the business, and his career in it was ended by the destruction of the establishment by fire, the work of an incendiary. It was charged by his enemies that he set the fire himself, but an investigation failed to fasten the guilt upon him.

Before this time he had made himself conspicuous in the trades unions as an advocate of the labor movement, then quite strong. In the political campaign of 1868 he took the stump for the Republican candidate. He was a polished and forcible speaker, and did excellent service throughout the State. His political course greatly offended his Irish brethren, nearly all of whom were Democrats, and they denounced him with great vigor. Soon after the installation of President Grant he was appointed Collector of Internal Revenue at Santa Fe, N. M., but was not confirmed. Subsequently, however, he was made Secretary of the Territory. He established a Republican paper at Santa Fe, and published it for some time. He became embroiled in several quarrels in the Territory, and was once shot at by Gen. Heath. He was next heard of in this city, where he was connected in a reportorial capacity with the *Inter-Ocean* and the *Times*. In 1873 he was made Secretary of the Board of Public Works, and held it for some time.

[Pg 273]

About 1874 he was married to Miss Margaret Buchanan, who for some time occupied a prominent position as a teacher in the public schools, at one time being Principal of the Houghton School. The evening of Aug. 7, 1876, Mr. Sullivan shot and killed Francis Hanford, Principal of the North Division High School in this city. The record is that at a meeting of the City Council on the evening mentioned, when the report of the Committee on Schools was submitted, it was accompanied by two letters written by Mr. Hanford, one of which made this statement: "The instigator and engineer-in-chief of all the deviltry connected with the legislation of the Board of Education is Mrs. Sullivan, wife of the Secretary of the Board of Public Works."

The letters further accused Mr. Sullivan's wife of bringing editorial and Catholic influences to bear upon the Board of Education, and of conspiring with Mayor Colvin and others to have J. L. Pickard, Superintendent of Public Schools, superseded by Duane Doty. Duane Doty and Mrs. Sullivan, it was further averred, were a "mutual admiration society."

Sullivan was present in the Council when these reflections on his wife were read. He went home, and, after narrating the case to Mrs. Sullivan, took her and a younger brother in a carriage to Mr. Hanford's house, and, meeting Hanford on the sidewalk in front of his house, demanded a retraction of what he had written. Hanford refused to give it. Sullivan struck him, and a general squabble ensued, during which, it was alleged, Hanford pushed Mrs. Sullivan, and thereupon Sullivan shot him. Hanford died in thirty minutes. Sullivan was indicted for murder and tried twice. The first trial began Oct. 17 and ended Oct. 26. The jury disagreed. It stood eleven for acquittal and one for conviction. The second trial began Feb. 27 and ended March 10. Sullivan was acquitted.

At the time there was some talk of indicting the jury, a strong belief prevailing that their verdict had been bought. The jury, however, were never molested. Since his acquittal Mr. Sullivan had been practicing law in Chicago and gathering unto himself that influence with Irish secret societies, notably the Clan-na-Gael, which resulted in his election and re-election as President of the new Land League, which consolidated the Irish-American societies of all kinds. His power and influence was phenomenal, and he ruled every organization with which he was connected, with an iron hand. As a result he made many warm friends, and just as many inveterate enemies, some of whom hated him with extraordinary intensity. Men like Parnell and Michael Davitt, however, extended him their full confidence, and were the first to come to his defense when the news of his arrest was published on the other side of the Atlantic.

[Pg 274]

THE OTHER ACCUSED MEN.

Dan Coughlin, the detective, at this time was about 34 years of age. He was a native of Michigan, and worked in the iron mines of the northern part of that State when a boy. He arrived in Chicago at the age of 26 and immediately fell in with Tim Crean, Florence Sullivan, and Tom Murphy. They introduced him to Alex. Sullivan and he secured a position on the police force through the latter. Sullivan's influence was such that he had an easy time. He became a pet of Capt. Schaack and stood closer to that officer than was good for the discipline of the force.

P. O'Sullivan was born in Galena about 1853. His parents were from Galway, Ireland. They moved to Southern Michigan soon after he was born, and subsequently to Wisconsin, where they worked a farm which O'Sullivan owned at the time of the tragedy. He moved to Chicago about 1877, obtained employment as a street-car conductor, and quit that position after about eight years to go into the ice business. He went into politics in Lake View, and was a candidate for Alderman on the Democratic ticket, and was beaten.

Frank Woodruff, or Black, was the son of a farmer of San Jose, Cal. He was born in Wisconsin. He had been in various penitentiaries, but for petty offenses. He moved to Chicago about five weeks before the 5th of May. He was an American.

CHAPTER XII.

[Pg 275]

AT THE TORONTO END OF THE CONSPIRACY—INVESTIGATING LONG'S CIRCUMSTANTIAL STORIES, AND HIS INTERVIEWS WITH DR. CRONIN—A CHICAGO FUGITIVE CONCERNED—HIS SUSPICIOUS MOVEMENTS—A CHAPTER OF STARTLING COINCIDENTS—LONG ON THE RACK—MAKES DAMAGING ADMISSIONS AND BREAKS DOWN—THE OBJECT TO DISTRACT ATTENTION FROM THE SCENE OF THE CRIME—ANOTHER CONFESSION FROM WOODRUFF.

With the recovery of the body of the murdered physician, and the developments that followed in such rapid succession, attention was attracted anew to the reports that had emanated from Toronto during the week following the disappearance. The circumstantial stories and interviews that had been scattered broadcast from that city over the signature of Charles Long, the ex-Chicago reporter, not only had a tendency to give the case an international aspect, but also to confirm the suspicions of the dead man's friends, that he had fallen a victim to a conspiracy wide in its ramifications, and planned, moreover, by a master mind. The dispatches were false, for the finding of Cronin's body in the Lake View catch-basin admitted of no possible argument to the contrary. It was equally certain that it could not have been a case of mistaken identity—not merely because Long's acquaintance with Dr. Cronin had been of a nature to render a mistake of that kind improbable, but because the detailed character of their conversation, as reported by Long, had been such that Cronin's part in it could not have been taken by any but Cronin himself, or some one of a few men familiar with the inner workings of the Clan-na-Gael or United Brotherhood. For example, a week after the disappearance, and before the finding of the body, Long had concocted in Toronto the story of the troubles in the Clan-na-Gael, with Cronin's charge that nearly \$100,000 of its funds had been misappropriated, while papers elsewhere were still confusing the organization with the Irish Land League and its Detroit treasurer. "No one not a member of the Clan-na-Gael could have gotten up these interviews," Irishmen had said; and they were right. To the general public also, unacquainted with these facts, it seemed incredible that a presumably reputable journalist, with an utter absence of malicious motive, would, of his own free will, and simply for the advantage of the small pecuniary recompense that his labors might bring, so deceive and mislead the numerous and prominent newspapers to which his dispatches were addressed. It was a prostitution of the liberty and license of a correspondent such, perhaps, as had never been paralleled in the newspaper history of the country, while, moreover, it was of a character calculated to wreck, for all time, the journalistic reputation of the man most directly concerned.

[Pg 276]

[Pg 277]

What, then, were Long's motives in giving currency to these dispatches? Whose was the guiding hand that induced him to take so great a risk? The Chicago *Tribune*—one of the papers that had been victimized—took it upon itself to answer these questions. A member of its staff was dispatched to Toronto, with instructions to sift the matter to the bottom. He was fully equal to the task, and within a few hours of his arrival in the city, his investigations had brought to light a startling array of facts.

STARKEY'S SUSPICIOUS MOVEMENTS.

Among the American residents of Toronto at this time was one William J. Starkey. Up to a year before he had been a member of the bar in Chicago. He had been compelled, however, to flee to the hospitable shores of the Dominion and join the army of exiled forgers, embezzlers and others—who preferred the free air of the Dominion to the confined quarters of an American prison—by reason of the discovery of an attempt he had made to bribe a juror in a case in which a street railroad company with which he was identified was the defendant. Starkey knew Cronin well. He had learned his history by acting as chief attorney in the bogus case that had been brought against the physician before a Chicago justice for the express purpose of cross-examining Cronin regarding his past life. From that time on he had been bound, body and soul, as a result of certain transactions, to a prominent Irish-American of Chicago, who was one of the promoters of the case in question. It was developed that for months before the murder, and also afterward, he had been in communication with acknowledged enemies of Dr. Cronin. It was likewise discovered that he had left Toronto on Sunday, May 5th, the day after Cronin's disappearance, without leaving word with anyone, unless in secret, as to his destination. He took train No. 5, at 12:20 P. M., on the Great Western division of the Grand Trunk, which made connection at Hamilton with New York and Detroit, as well as the lake steamers. He reappeared Friday, May 10th, and this was the day that Long's first dispatch, to the effect that Cronin was in Toronto, was sent out. After remaining over until the following Saturday, when the second and detailed interview was sent out, he disappeared again. The day following the finding of the murdered man's body, cipher telegrams passed between Starkey, at 135 Fourth avenue, New York, and D. K. Mason, his business agent, in Toronto, and who, by the way, was an exile in Canada from the warehouse receipt law of Louisville, Kentucky. While in New York, as will appear hereafter, Starkey was seen in company with several well-known opponents of the physician.

[Pg 278]

[Pg 279]

A CHAPTER OF COINCIDENCES.

What was the connection between Starkey and Long in the fictitious telegrams sent out from Toronto announcing that Cronin was in that city. This was the first question to be solved. Inquiry through the ordinary sources of information failed to throw any light on the matter. Starkey was not known to the Toronto detectives or its police officers. None of the local members of the press, save one, had come in contact with him. A few hotel clerks knew him by sight, but even these walking directories, who are generally supposed to have a knowledge of everything under the sun at their fingers' ends, could not tell his place of abode. A few knew him under the alias of Hardy, and that was the extent of their information. Several correspondents, who, upon request from papers in New York, Philadelphia, Chicago, and other cities, had inquired into his relations with Long, reported that the two were not on friendly terms. This information, however, came to them from Long himself, who referred all inquirers to the Toronto *Empire* of February 21, in which issue, he claimed, he had "written up" and "roasted" the Chicago fugitive. Right here was a coincidence of a startling nature. It was on that date that the furniture found in the blood-stained cottage had been purchased.

[Pg 280]

"You must either see that Starkey and I are at outs," said Long to Sergeant Reburn, of the Toronto detective force, "or else that we planned this thing as early as the 21st of February, and prepared this article to throw people off the scent as to our true relations. I leave it to your common sense to determine which is the proper version to take of it."

The article was examined, and the result was surprising. Long had "roasted" Starkey, not by his own name, but under the alias of "A. B. Darlingford." This individual, it was stated, was residing in a fashionable section of Bloor street, and was on intimate terms with a number of the most aristocratic families of the city.

[Pg 281]

No better disguise could have been conceived for the real Starkey, or, as he was generally known, "W. J. Hardy," and who was boarding at the time in an humble house on the northwest corner of Wellington and Johns streets. He had never passed under the name of "Darlingford," nor had he ever lived on Bloor street, while his favorite haunts, instead of being in the aristocratic circles, had been the bar of the Walker House, which was presided over by two young Irishmen, and Kieche's European Hotel, of which another Irishman was the proprietor.

To establish the fact that the relations of Long and Starkey were not only pleasant, but extremely intimate, was to the investigator a task involving but little trouble. It was found that Long had been a frequent visitor at the residence of Starkey, alias Hardy. Several weeks before, R. A. Wade, at one time a Chicago lawyer, had called at the house, and found the two men in conversation. "Billy" Acres, the principal waiter at the Rossin House, declared that Long and Starkey frequently sat together at the table. It was also shown that Starkey and Long had been frequent visitors to a room of another fugitive from Chicago justice, who was temporarily stopping at the before mentioned hotel. On the face of these

[Pg 282]

facts, Long was finally forced to admit that he and Starkey were very well acquainted with each other, although he still insisted that their relations were anything but friendly.

To ascertain the motives and the individuals that had inspired the Toronto reporter to deceive the press of the country with his infamous dispatches regarding the alleged presence of Dr. Cronin in that city, was the point with which the commissioner from Chicago now directed himself. Long lived with his father—president of the Toronto Printing Company, a stockholder in the Empire newspaper, and an ex-member of the Parliament of Ontario—in a handsome residence located in spacious grounds. Here he was called upon. His visitor urged him to remedy the serious mistake he had made by giving to the public the information he possessed regarding the persons who had instigated the writing of the articles, and their reasons for so doing.

"I will never do it," cried Long. "I saw Cronin. The interviews proved that. Every member of the Clan-na-gael in Chicago knows that I could have known nothing about Cronin's threatened disclosures of treason among its members, or of the theft of \$85,000 from its funds. I must have talked with Cronin to have known that."

The visitor suggested that he might rather have talked with William J. Starkey, and Long, pale and trembling, sank back into his chair. He recovered his composure in a moment and went on to say that Starkey and he were enemies. Then the visitor confronted him with remorseless facts. He told him that he had frequently been seen in company with Starkey, both at the latter's residence and at the Rossin House; that he had met Starkey at McConkey's restaurant on King Street on the day he claimed to have seen Cronin, that being the day on which he sent off his first dispatch; that he and Starkey were together for a long time on the following day, when the lengthy interview with Cronin was sent out; that he had told the Toronto detectives that Cronin was at Starkey's house, and that he had given the latter's name as a witness and as one who had known Cronin in Chicago, to the fact that the dispatches were truthful.

[Pg 283]

"*Starkey told me that Cronin was at his house,*" exclaimed Long, who by this time was in a condition, bordering on the hysterical.

"Why didn't you bring Cronin out to your house?" the visitor asked.

"Why should I?" replied Long. He had evidently forgotten that two weeks before he had assured Detective Reburn that Cronin had visited his residence. Two days afterward, when confronted with Reburn, he repeated his original statement.

"Cronin *was* at my house," he said.

[Pg 284]

"Why didn't you say so in your dispatches? Why did you tell another story the other morning?" asked the visitor.

"I did not telegraph everything that passed between Cronin and myself, nor did I tell you everything the other day."

"Who saw Cronin at your house?"

"My wife."

"Did the servants?"

"Well, they wouldn't remember him."

"Did you present him to your father and mother?"

"They were away."

It was apparent by this time, even apart from the fact that the body had been discovered and the circumstances demonstrated that it was in the catch-basin at the time Long's dispatches were filed, that his carefully prepared story would not hold water.

Still the visitor persisted, and literally compelled the reporter to drive him to the different points at which he claimed to have seen Cronin, and over the route he followed him the first day. Long took him to the Yong Street Arcade, thence to the Union Depot, thence up to King and Ontario streets; thence to Adalaide and Toronto streets, where Cronin was alleged to have taken a hack, and Long had taken another and followed him. Pressed to give the name of the hackman, his number or his description, Long said that he was in such a hurry that he paid no attention to any of these details. He was reminded that Alexander Craig, clerk at the Rossin House, had declared that no such guests as he, Long, had described were ever at the hotel, that no one had turned up to say that Long and Cronin had been seen in conversation, that the hackman had faded into air, and that Starkey remained the only bulwark of the story.

[Pg 285]

"Make a clean breast of it," he was urged. "Tell the public the truth regarding the circumstances under which your stories were originated."

"I will never retreat," was Long's reply. "I would drag no one else through the mire of calumny I am now going through."

"How do you happen to know so much about Cronin's St. Louis record?" he was asked.

"I was in St. Louis a little over a year ago and made inquiries about him."

"What prompted you to do that?"

Long declined to answer, but said that he had a copy of the pamphlet entitled, "Is It A Conspiracy?"

This was important, because it was known that a number of copies had been sent to Starkey, whose name figured in the pamphlet as one of Cronin's enemies.

[Pg 286]

Numerous Toronto Irishmen who were consulted expressed the opinion (some of them to Long's face) that they believed his dispatches had been manufactured out of whole cloth. A final effort was made to induce Long to clear up the mystery surrounding the murder, by disclosing how he was prompted to send the dispatches, and a suggestion was made that, upon the existing facts, he stood in danger of being indicted by the Chicago authorities. This, however, failed of its purpose, and, failing to induce the reporter to unbosom himself in the cause of justice, the matter was dropped.

Further investigations into the movements of William J. Starkey were next made. It was found that the fugitive and a prominent Irish-American from Chicago, had met in Windsor about eight months before, when the Irish-American had paid over to Starkey \$8,000 in cash, which had been obtained for him from a Chicago corporation which was under obligations to him. About the middle of February Starkey received a visit from a man from Chicago who was possessed of brains of a high order, and after his return to Chicago a regular correspondence ensued between this individual and Starkey, which ceased only with the latter's departure from Toronto to New York. This occurred on the Sunday morning, following the Saturday night on which Dr. Cronin left his home forever. Up to two weeks before this time Starkey's financial condition had been very bad. Then he suddenly became "flush," and was enabled to invest several thousand dollars through D. K. Mason, member of the great fugitive colony, who, as has before been mentioned, had for five years found it desirable to make his home in Toronto as the result of some little irregularities in warehouse receipts which had transpired in Louisville, his old home. Where Starkey had gone on Sunday, May 4th, was a mystery. From the statement of the train dispatcher at the Union Depot, as well as of a business man who had talked with him just prior to the departure of the train, it was certain that he had left on the noon passenger train of the Grand Trunk. He had not purchased a ticket however, and consequently must have paid his fare to the conductor on the train. His wife insisted that he had been absent from Toronto, continuously from this time, but although the intuitive wifely forecast of danger which induced her to make such a statement was entitled to due respect, it was established by a dozen reputable witnesses, among them, some of his oldest friends, that he had been seen in the city on the Friday and Saturday, one week later, when Long had manufactured his telegrams and interviews.

[Pg 287]

[Pg 288]

Four days after this he was met in New York by Richard Powers, of Chicago, ex-president of the Seamen's Union, and a warm friend of Dr. Cronin, who taxed him with being concerned in the manufacture of the bogus dispatches. Starkey not only denied this with some show of feeling, but also declared that he was not acquainted with Long. Strange to say, John F. Beggs, the Chicago lawyer who presided at that time over Camp 20 of the Clan-na-gael, was also in New York at that time. On Thursday, May 23d, the day following the discovery of Cronin's corpse, numerous telegrams, in cipher, passed between Starkey and Mason, the former's address being given as 135 Fourth avenue, New York. The following day Starkey was seen in conversation with certain members of the executive committee of the Clan-na-gael, and in about a week he reappeared in Toronto, vigorously disclaiming all connection with the movements of his friend Long. All the circumstances pointed to the fact that the sole object of the Toronto end of the conspiracy had been to distract attention from the scene of the crime, in order that the search for the body, then decomposing in the catch basin, might be discontinued, and, had it not been for the opportune discovery, this portion of the plot would have been entirely successful. No effort, however, was made by those interested in bringing the murderers to justice, to pursue the inquiries in this direction, owing to the fact, that, however important the information obtained, it would not have been admissible before an American court. The result was that the mystery surrounding the "hidden hand" that directed the movements of Long and Starkey had not been dispelled up to the conclusion of the trial.

[Pg 289]

WOODRUFF'S SECOND CONFESSION.

Another confession was poured by Woodruff into the willing ears of Captain Schaak about this time. In it, the man of many aliases told an entirely different story to that which resulted in his commitment to jail. According to his latest narrative, he was hired to take the wagon to the Carlson cottage, saw Dr. Cronin cross the threshold and pass through the doorway, and waited until the trunk had been brought out and placed in his vehicle. Then he was told to drive along the route so frequently described. It was the intention of the men, Woodruff went on to say, to sink the trunk in the lake, but they became scared at meeting several policemen, and seeing the manhole of the sewer, and which in the darkness looked much larger than it really was, they directed him to stop. Having lifted off the cover of the man-

[Pg 290]

hole, the men were disgusted to find that the trunk was much too large to go into the opening. Accordingly they decided to take the body from the trunk, put it in the catch-basin and take the trunk back to the cottage. The discovery being made that the key was missing, one of the men broke open the trunk, and assisted by the other two, forced the body through the manhole and into the catch-basin. The cover replaced, the trunk was again thrown into the wagon and the horse's head turned toward the cottage. After going a short distance, however, the noise of a wagon was heard coming from the south. One of the men, who was sitting on the trunk, threw it out of the wagon into the ditch, and commanded Woodruff to lash his horse and drive as fast as he could to the west. At Fullerton avenue, the men got out of the wagon, while Woodruff drove to the barn. Concerning his previous confession, he admitted that the statement that there was a woman's body in the trunk was untrue, and added that the names of King and Fairburn were those of old friends, and had come to him on the spur of the moment. Inasmuch, however, as the prisoner, having access to the daily papers, could easily have concocted this story from the published reports and surmises, little stock was taken in his second "confession."

[Pg 291]

CHAPTER XIII.

[Pg 292]

SULLIVAN'S ARREST CREATES A SENSATION—HIS FRIENDS STAND BY HIM—THE NOTED IRISH LEADER IN COURT—EFFORTS TO SECURE HIS RELEASE—JUDGE TULEY GIVES HIM HIS LIBERTY —ARREST OF MARONEY AND MCDONALD IN NEW YORK—THEIR EXTRADITION REFUSED.

Although, from the nature of the testimony before the coroner's jury, and the numerous developments in other directions, the arrest of the ex-president of the Irish National League of America was not entirely unexpected, it nevertheless produced a profound sensation, not only in the United States, but also across the Atlantic. By many of his friends and acquaintances in Ireland, the news was at first received with incredulity, and afterward, when confirmation had been flashed over the wires, with expressions of astonishment and denunciation of the course of the authorities. Men like Charles Stewart Parnell and Michael Davitt were not slow or conservative of words in giving utterance to the opinion that a serious mistake had been made; that Sullivan was an honest man, a patriot, a true worker in the cause of Irish liberty, and altogether a man whom it would be impossible to convict of identity with a conspiracy to assassinate one of his enemies. Meanwhile the Chicago friends of the accused lawyer were not inactive. Bright and early on the morning following his arrest they were in conference, for the purpose of determining upon the best course to pursue in order that his freedom could be secured. As a result of their deliberations, Counsellor A. S. Trude, one of the leading members of the Chicago bar, appeared before Chancellor Tuley upon the opening of the court, and secured a writ of *habeas corpus*, calling upon Sheriff Matson to produce his prisoner in court at three o'clock in the afternoon. The news spread rapidly. Popular feeling had been re-kindled by the events of the week, and, long before the hour designated, the court room was besieged by a crowd of people anxious to see the distinguished suspect. Sullivan was brought into the court room promptly on time, under escort of the sheriff and a couple of broad-shouldered deputies. Owing to some difficulty in securing a vehicle, and the stoppage of the street cars through an accident, the sheriff and his prisoner had been compelled to walk from the jail to the court room, a distance of nearly one mile, and strange as it may seem, although the route took them through a leading thoroughfare crowded with people coming and going, not one seemed to recognize the official or his companion. No one would have imagined for a moment that the latter had been the occupant of a cell over night. His linen was immaculate, and his attire—a neat fitting Prince Albert suit of black diagonal, with a black cravat tied in a simple knot over the snowy shirt bosom and the turn-down collar—was absolutely faultless. The occasion was one to try the soul of a strong man, but as he looked over the court room and glanced into the faces of many of his bitterest enemies, his expression was stoical, and he shook hands in a cheerful manner with several friends who were in court to show their allegiance to him. As counsel, he had Attorneys Trude, Windes and McArdle—the two latter his law partners—ex-Senator Duncan and Hiram Gilbert. The people were represented by State's Attorney Longenecker and his assistant, Frank Baker, the former occupying his favorite attitude of leaning over the bar of the court while the arguments were in progress.

[Pg 293]

[Pg 294]

It was developed at the outset that the unconditional release of the prisoner was not desired, but that it was simply sought to secure him his liberty upon substantial bail. The proceedings opened with the reading of the petition to which Mr. Sullivan had affixed his signature. In this he declared that the evidence before the coroner's jury, and upon which his arrest was based, had been wholly insufficient to warrant that action; that there was no competent evidence, direct or circumstantial, tending to prove that he was guilty of the murder of Patrick H. Cronin, or an accessory thereto, or had guilty knowledge thereof, or knowledge or thought of conspiracy to accomplish the same; that the verdict was based upon a large amount of incompetent and wholly irrelevant testimony calculated to create

[Pg 295]

prejudice, and that the verdict rendered, so far as it reflected upon the conduct of himself (Sullivan) was the result of passionate prejudice, created by the admission of such evidence. The document concluded with a declaration that the petitioner was not guilty of the crime with which he had been charged by the verdict, and that he had had no connection whatever with the murder of Dr. Cronin.

ARGUING ON THE PETITION.

The arguments were begun by States Attorney Longenecker, who demurred to the application on several technical grounds, dwelling especially on the point that the question as to the guilt or innocence of the accused was a question to be decided in another court. The statement of the accused regarding the insufficiency of the evidence was, he urged, a conclusion which he was incompetent to arrive at.

[Pg 296]

Mr. Gilbert replied for Sullivan, saying that it would be a practical denial of justice to deprive his client of the right to be admitted to bail. Mr. Trude followed with a lengthy address, in the course of which he said that the bill of rights which guaranteed the inalienable rights of citizens, provided that unless there was positive proof or a strong presumption of guilt, the accused should not be held in imprisonment. Mr. Sullivan he said, had made no effort to run away. He had been at home at night and in his office by day, and hence he did not stand on the same footing as a felon who had been brought back from some State to which he had fled. Further argument followed, and it was finally agreed that the court should read over the evidence taken before a coroner's jury, before announcing his decision. Sullivan was thereupon remanded to jail. Here he was held for forty-eight hours, or until three o'clock of the following Friday afternoon. When brought down to the court room for the second time, he looked careworn and anxious, and there was no smile on his face as he greeted his attorneys.



[Pg 297]

SULLIVAN RELEASED ON BAIL.

Judge Tuley plunged into his decision without loss of time. He reviewed the evidence which went to show that Cronin had been in fear of his life, particularly from Sullivan, but held that there was no rule of law which would admit this evidence before a jury. Sullivan, he said, had not been shown to have been connected in any way with the obtaining of the horse and buggy, with the renting of the Carlson cottage, or with any of the other preliminaries of the crime.

It was shown, on the other hand, that Sullivan had resigned from the Clan-na-Gael four years before-hand; and, if Cronin had been murdered in the pursuance of the order of any camp, it was not very clear how Sullivan, not being a member of the organization, could have influenced that action. The judge went on to say that the protest made by Sullivan against Dr. Cronin as one of the committee of six, showed the most bitter and malignant hatred of the dead man, but the very fact that this document was not made public until two or three weeks after the killing of Cronin, seemed to argue that Sullivan was not connected with the crime. It was almost impossible to believe that he would have promulgated that protest two weeks after the murder, had he been connected with the conspiracy. The evidence pointed to Sullivan as a person who might have a revenge to gratify, but it failed to show any direct act toward the gratification of that revenge. There was no doubt but what the coroner's jury believed that Alexander Sullivan was connected with the conspiracy, but it was largely influenced by hearsay evidence. Striking out all but legal evidence, no impartial man could think that it would be possible for any jury to convict the petitioner on what remained, and as a man could not be deprived of his liberty on the ground that more evidence would be produced to show him guilty, it was apparent to him (the Judge) upon mature deliberation, that Sullivan was entitled to bail. Upon the announcement of this decision there was considerable discussion regarding the amount of bail, and in the end a bond of \$20,000 was agreed on by both sides. As bondsmen, there were then presented Fernando Jones, a real estate dealer and one of the oldest residents of Chicago; Daniel Corkery, a coal merchant; James W. Touhy, an extensive dry goods merchant, and Michael W. Kerwin. The state's attorney asked that they should be sworn and their property scheduled. Mr. Jones affirmed that he was worth \$20,000, and as his wealth was in realty, estimated at about \$2,000,000, the affirmation was considered quite as good as an oath. Mr. Kerwin scheduled \$400,000; James W. Touhy, \$175,000, and Daniel Corkery, \$100,000. A bond was quickly signed and Alexander Sullivan was once more a free man. His friends crowded around him and congratulated him on having regained his freedom. There were several minutes of hand-shaking, his countenance the while expressing the satisfaction at the turn affairs had taken, and then, with his friends and counsel, he left the court room. The

[Pg 298]

[Pg 299]

bonds remained in force until November the 8th of the same year, when, no indictment having been returned against him, Mr. Sullivan appeared with his attorney before Judge Baker and demanded that his bondsmen should be released and himself declared discharged from all further connection with the case. The State was at first inclined to resist the application, but on the following day, finding that the law was entirely on Sullivan's side, the objection was withdrawn; the bonds were declared canceled and Alexander Sullivan, by reason of the failure of the grand jury to find sufficient evidence upon which he could be brought to trial, was legally declared innocent of all complicity in the atrocious crime.

[Pg 300]

TWO ARRESTS IN NEW YORK.

On the same day that the coroner's jury returned its verdict, John J. Maroney and Charles McDonald were arrested in New York on suspicion of complicity in the murder. These arrests were made in accordance with instructions issued by the State's Attorney and Chief of Police, of Chicago, in the belief that Maroney was the man Simonds, who had hired the Clark street flat, and that McDonald answered to the description of the man who drove the Dinan rig. Both men had been prominent in the Clan-na-gael, Maroney especially, having been one of the secret workers for the "triangle." It was claimed by Luke Dillon that he had discovered that Maroney was in Chicago under an assumed name from February 20th to March 20th, that he reappeared on the morning of the day that the physician was murdered under an assumed name, and that he left Chicago for good on the following day. A complaint and information against the two men was sworn out by John J. Cronin, the dead man's brother, and upon this requisitions on Governor Hill of New York were issued by Governor Fifer of Illinois, and entrusted to Detective Farrell. In the meantime the prisoners had been arraigned at the toms police court in New York, before Justice Hogan, and remanded until the question of extradition could be argued. This, however, did not meet the approval of their friends, of whom over a hundred were in court, and the same afternoon a writ of habeas corpus was applied for and granted by Judge Andrews of the Supreme Court. The prisoners declared that they had been in New York for weeks before and weeks after the murder of Dr. Cronin, and in this they were corroborated by a large number of people. Detective Farrell reached Albany on the following day, but Governor Hill, upon looking over the requisition, promptly denied the application, on the ground that it was not accompanied by an indictment, and that no proof whatever was presented showing that the accused were guilty of the crime charged against them. Upon receipt of this information, Hatfield, the furniture salesman, Martinson, the expressman, and Throgmorton, the real estate agent, started for New York with a view of identifying the prisoners. Upon their arrival, however, they utterly failed to find in either "suspect" the slightest resemblance to the mysterious Simonds, and on the heels of this Judge Andrews in the Supreme Court, handed down a decision upon the matter of the writ of habeas corpus, ordering that the men be discharged from custody, on the ground that there was not sufficient evidence produced before Justice Hogan, in the police court, to justify their committal to prison.

[Pg 301]

[Pg 302]

CHAPTER XIV.

[Pg 303]

OFFICER COLLIN'S SUSPICIONS—MARTIN BURKE AND HIS RECORD—FORTUNATE DISCOVERY OF THE PHOTOGRAPH OF A CLAN-NA-GAEL GROUP—THE CARLSONS AND OTHERS IDENTIFY BURKE—HIS PECULIAR MOVEMENTS AND HIS FLIGHT—AN INDICTMENT AGAINST HIM—THE CAPTURE IN WINNIPEG, WHILE EN ROUTE TO ENGLAND—STUBBORN FIGHT TO PREVENT HIS EXTRADITION TO AMERICAN SOIL—THE LAW TRIUMPHANT—A MEMORABLE JOURNEY HOME.

There is more truth than poetry in the old saying that it is "always the unexpected that happens." The fleeing criminal is oftentimes in the greatest danger when he imagines himself safe from pursuit. Examine the records of the courts and the detective agencies in scores of the largest cities of this and continental countries, and they will be found replete with sensational narrations of the capture of murderers, forgers, embezzlers—and others charged with offences covered in existing extradition treaties—in distant lands and isolated regions, and among people of strange tongues, where they had fondly hoped that detection or discovery was an impossibility, and that they were safe, for all time to come, from the strong arm of the law that they had violated. So too, a criminal will outwit the keenest of detectives, and nonpluss the most experienced of officers, only through his own lack of caution, to run his neck into the noose in an entirely different direction to that in which he is being sought.

[Pg 304]

And so it was that to a sharp, keen, wide-awake official of the police department of Winnipeg, Manitoba, was due, in no small measure, the capture, at this juncture, of one of the alleged conspirators whose presence was most earnestly desired by the police

authorities of Chicago.

It came about in this way—Officer John Collins, an Irish-American, and an energetic member of the force, had been detailed for special work upon this celebrated case. He was familiar with the proceedings of the Clan-na-Gael. He also knew a man named Martin Burke, who occasionally assumed that of Delaney as an alias. This individual had been looked upon as a tool of the local Clan-na-Gael leaders, voicing their opinions in bar-rooms and at street corners. He had been particularly violent in his denunciation of Dr. Cronin, and at the saloons on the north side of the city that he was in the habit of frequenting, more especially those in the neighborhood of Chicago Avenue and Market Street, he had been heard to frequently say that Cronin "ought to be killed as a British spy." Little was known as to Burke's antecedents. Even his uncle, Phil Corkell, who kept a small grocery store on the north side, professed to know little or nothing about him. All that the police could learn at the time in tracing his record was that he had reached the United States from Ireland some time in 1886. A year later he turned up in Chicago. He had not been long in the city when he joined the Clan-na-Gaels. The notorious Camp 20 was the one he chose to gain admission to the order. Dan Coughlin, John F. Beggs, Mike Whelan and other leading lights of the order at this time dominated the affairs of this particular camp. For some reason or other—certainly not because he was particularly sharp or bright, for his uncle described him as a soft sort of a fellow, without any "gumption"—Burke attracted the favorable attention of Beggs, and the latter, aided materially by Alexander Sullivan, procured him employment in the city sewer department. He was assigned to work at the Chicago Avenue pipe yard, which at that time was a hot bed of Irish Nationalists. Accordingly to all accounts he earned no small proportion of his salary by boasting to his fellow workmen of his influential backers. It was his burden of conversation that Alex. Sullivan, Beggs, Coughlin, and other Clan-na-Gael leaders were his staunch friends. He also boasted that he came from the same part of Ireland, on the borders of Mayo and Sligo, in which Michael Davitt and other eminent Nationalists were reared, and he never tired of narrating his experiences with "moonlighting" expeditions in the west of Ireland. After Le Caron had testified before the Parnell Commission, in London, he varied his conversation, and was eternally denouncing and breathing imprecations upon the "British Spy." Early in 1889 he lost his job in the pipe department. From that time on he had no steady employment.

[Pg 305]

[Pg 306]

At the same time he had plenty of money and spent it freely in the Market Street saloons.

This of itself was sufficient to arouse suspicions, for when he was at work he was always in debt. Occasionally he varied his saloon loafing by taking trips to Lake View.

To his associates he explained that he had a young female acquaintance in that neighborhood, although it was observed and sometimes remarked that these trips were altogether too prolonged for ordinary courtship. Afterwards it was recalled that they were taken about the time the mysterious strangers were occupying the Carlson cottage.

[Pg 307]

BURKE'S PICTURE IDENTIFIED.

It was nothing but natural that, as soon as Dr. Cronin's disappearance had been announced, the bartenders, saloon-keepers, and other intimates of Burke, calling to mind his deep-rooted hatred of the missing man and his apparently endless supply of funds, began to whisper that he must have had something to do with the affair.

"He was surely in it," they said one to another.

These rumors came to the ears of Officer Collins, and the latter lost no time in communicating with Captain Schuettler, who was actively engaged in the case. Schuettler immediately set about getting a photograph of the suspect. Diligent enquiry developed the fact that no single one was in existence.

It was learned, however, that a picture of a group of Clan-na-Gaels was to be found, and that Burke was among them. A few years before, soon after the death of Timothy Crean, a relative of Alexander Sullivan, and at one time a district member of the Clan-na-Gael, a burial lot was purchased in the Mount Olivet Catholic Cemetery, near Washington Heights.

It was intended as the "God's acre" of the Irish Nationalists. Imposing ceremonies marked its dedication, Father M. Dorney, the "stock yards priest," delivering the address upon the occasion. Subsequently a tall obelisk, with the name of Timothy Crean carved in the base with an appropriate inscription, was erected on the lot. It was on the occasion of the unveiling of this obelisk that the Nationalist group was photographed. In the back-ground of the picture, his features showing up clear and distinct among some forty people, was Martin Burke.

[Pg 308]

It was an easy matter for Collins to locate the photographer that had taken the group, and then, finding that the negative had been preserved, to procure a copy of the picture. This much accomplished, however, the next question was, could Burke be identified?

If he could not, all the rumors, and the suspicions, and the labor would go for naught.

Collins took the picture to the Carlsons.

Without acquainting them of his theories or suspicions, or indicating the object that he had in view; he asked them whether they recognized any one of the group. Charley Carlson, the son, was the first one approached. His finger went down on the face of Burke as that of the man who had rented the cottage. His father and mother put on their spectacles, looked the photograph over, and without the slightest hesitation declared—"That is the man." To make assurance doubly sure, Collins went to Hakan Martinson, the expressman. A single glance over the faces in the picture was sufficient. "That is the man" he said, indicating Burke, "that hired me to haul the furniture from that flat on South Clark Street." Further questioning led him to say that he had frequently seen Burke, about the time of the murder, in and around the saloons and the neighborhood of Chicago Avenue and Market street. This was enough for Collins. He was satisfied that he had struck the right lead. All that was necessary now was to get his hands on the man.

[Pg 309]

THE FLIGHT AND CAPTURE.

But the bird had flown. Burke's former haunts knew him no more. Collins had started out exultant in the prospect that the suspect would be behind the bars in a few hours. He went to one place after another, over Burke's old stamping ground, but everyone of whom he enquired shook their heads. He had disappeared as mysteriously as though the earth had opened and swallowed him up. The officer kept on, however, and finally learned enough to satisfy him that his man had skipped to parts unknown. His Clan-na-Gael uniform was found at the Philbin House, where he had resided, and that was all. He had been last seen in the city on the night of the day that Dr. Cronin's body had been buried. In fact he was in the crowd on the north side that viewed the funeral procession. For several days previously he had been particularly well supplied with funds. Where they came from was a mystery, although somebody knew somebody else who had been told by a third party that an individual mysteriously alluded to as "an Irish lawyer" had been seen to give him some bills from a big roll in the course of a hurried consultation.

[Pg 310]

At any rate, he had the money. Then he began to talk vaguely about making a trip to Ireland. Next he skipped.

Officer Collins made his report, and Captain Schuettler, with other officials of the department, took up the threads of his discoveries.

It was learned that immediately prior to leaving town, Burke had gone several times to Lake View to see his mythical girl. He had packed his grip at his uncle's house. A conductor who knew him had seen him on a street car on the night of the funeral. This clue was followed up, and with considerable difficulty Burke was finally traced from the car to the Northwestern depot. Here the investigation struck another snag. None of the scores of employes of the depot, or the train men remembered having seen any man who answered the description given. The conductors and brakemen of the through trains were shown the picture and asked to exercise their memory; but without result. Not one of them could place the suspect. Then the authorities did the only thing that could be done. They notified every town along the road, and a full and complete description of the much wanted individual was scattered broadcast over the entire country and the provinces of Canada.

[Pg 311]

Days and weeks came and went however, no tidings of the fugitive were obtained, and the prospects of locating him and securing his arrest became correspondingly dubious. Late one Sunday night however; a messenger boy rushed breathless into the central Police department with a dispatch enclosed in an envelope, across the face of which the word "Rush" was stamped in large characters. Chief Hubbard had not left the office. He tore open the envelope, and great was his gratification when he read the following message:

WINNIPEG, MAN., JUNE 16, 1889. Martin Burke, alias Delaney, arrested here on suspicion of complicity in the Cronin case. He was boarding the Atlantic express, and had a ticket for Liverpool, England. McRAE.

To this the following response was immediately sent:

CHICAGO, ILL., JUNE 16, 1889. Hold Martin Burke, alias Delaney, by all means. Will send officer immediately.

[Pg 312]

G. W. HUBBARD,
General Superintendent.

HOW BURKE WAS CAPTURED.

It was an inspiration, and a fortunate one, that induced Chief McRae, of the Police Department of Winnipeg, to turn his steps toward the railroad depot on the afternoon of Sunday, June 16th. Just why he did so he was never able to satisfactorily explain even to himself. He had with him, however, that eagle eye and that acuteness of perception which had not only made his name famous in the criminal annals of Manitoba, but also made it a menace and a terror to transgressors of the law. When, some days before, he had received a

request from the police authorities of Chicago to be on the watch for a man named Delaney, he had issued general instructions to members of his force that any individual answering the description should be arrested on sight, while at the same time the principle details were impressed upon his own memory. One of the first persons he encountered upon reaching the depot was a man whose appearance instantly arrested his attention. He was an athletic looking fellow of excellent proportions, about twenty-six years of age and fairly well dressed. His face was red and freckled, his eyes gray and his hair brown. There was a deep scar on the front part of his head on the left side, another over his left eye tending downward, and a third, very deep, on the back of his head, below the rim of his hat. Nearly six feet in height, he looked like a man well able to take care of himself, and the termination which was wrought in every line of his countenance showed that he was possessed with sufficient nerve to assist in carrying out the details of any dark deed. Observing that he was being watched, the man looked furtively around, pulled his slouch cap well down over his eyes and endeavored to hide his features in the shadow of the building. In a few moments he walked to the rear, across the vacant lot, strolled back again and boarded a Canadian Pacific express, which was about to leave for Montreal. The Chief followed and took a seat behind the suspect, but the latter immediately stuck his head out of the window so that McRae could not see his face.

[Pg 313]

Not to be trifled with, however, the latter went out of the car and walked along the platform. When he reached the window he found it closed, and looking through, saw the man on the other side of the car with his head again out of a window. These actions served to confirm his suspicions, and McRae boarded the train. At this moment it began to pull out, and realizing that it was a time for prompt action, he stepped up to the suspect, placed his hand on his shoulder, and told him that he was wanted. The man turned pale and red by turns, but made no reply, and grabbing up his valise, he meekly followed his captor out of the car and on to the platform. Here the Chief asked him several questions, and failing to get satisfactory replies decided to take him to the station. Donald E. McKinnon, one of the most experienced members of the city force, was acting as desk sergeant at the time.

[Pg 314]

"What is your name?" he asked, as the Chief brought in his prisoner.

"W. J. Cooper," was the reply.

McKinnon proceeded to search him. In his pockets he found several small articles, the sum of \$58.20 in cash, a railroad ticket to Montreal, and a steamship ticket from the latter city to a European one. On the back of this the name of W. J. Cooper was written.

"I must caution you now," said Chief McRae, "that anything you admit may be used against you now as evidence, if you should be brought to trial. Now, is that your name written on this ticket?"

"Yes—No," answered the prisoner, after considerable hesitation.

"Well, what is your name?" continued the Chief.

Again more hesitation—"Martin Burke," the prisoner replied, finally.

[Pg 315]

"What other names have you got?"

"Well, I sometimes go by the name of Delaney."

The Chief was now satisfied that the man so badly wanted in Chicago was in his clutches, and he hastened to apprise Superintendent Hubbard by telegraph of the fact. This done, he resumed his examination of the prisoner.

When asked where he came from, he replied "Chicago," but that he had not traveled direct, having first gone to Hancock, Michigan, where he had visited a man named John F. Ryan. This man, he said, had a homestead, although he corrected this latter and said that he kept a store. He went on to say that he had written to Ryan since his arrival in Winnipeg, and that he was on his way to the old country. While making these statements he was extremely nervous and excited, and this caused Chief McRae to remark:

"What have you done that you are so nervous?"

Burke made no reply. He was asked why he had adopted the name of W. J. Cooper, and replied that he did so because he was being watched by two or three men. In Chicago, he said, he had resided at the corner of Erie and Sedgewick streets, and he gave the names of several people in that neighborhood whom he knew, including a saloon keeper. Burke was placed in a cell, and the officers proceeded to examine his valise. In it they found several articles of clothing, including a light colored felt hat, considerably crushed, and with about a three-inch brim. On the sweat band there were ink marks, which had evidently been applied to obliterate some name or ownership mark. There was also a slip of paper, which proved to be a receipt for the sum of five dollars, paid by W. J. Cooper to



MARTIN BURKE

[Pg 316]

Alexander Calder, on account of a ticket to Liverpool.

Inquiries were next made concerning Burke's movements from the time he arrived in the city. It was found that he first put in an appearance on the Thursday prior to his arrest, and put up at the Russell House, a second-class hotel, without registering. On Saturday he appeared at Caldwell's office and inquired the price of a ticket to Queenstown or Liverpool, by way of Montreal. He was told and giving his name as Cooper, he handed out \$5 as a deposit, adding that he would call and pay for the ticket on the following day. He was told that the office was not usually open on Sunday, but that if it was necessary the agent would come down and issue the ticket. From here he went to the telegraph office, where he wired to somebody in Chicago for the sum of \$200. This came later in the day, and was paid to him. Late that night he wrote and mailed several letters, and on the following morning—Sunday—called for his ticket and paid for it.

[Pg 317]

BURKE IN COURT.

A night's imprisonment did not tend toward making the suspect any more communicative. When spoken to on the following morning, he admitted that he had known Dr. Cronin by sight, but said that he had never been personally acquainted with him, and also denied that he had ever been a member of the Clan-na-gael. He manifested considerable bravado, saying that he would claim British protection and refuse to go back with any Chicago officers who might be sent for him. Within a few hours after his arrest, one of the leading counselors of the city, A. B. Campbell, had been retained in his behalf through some mysterious source, and by his advice the suspect became as close mouthed as a clam.

[Pg 318]

On the Wednesday following his arrest, he was arraigned before Police Magistrate Peebles, but upon the production of the dispatches from the Chicago authorities, a remand was granted for two days, without any evidence being offered. This made him very uneasy, and he urged his attorney to procure a writ of habeas corpus. The request would probably have been complied with, had not Chief McRae declared that he would block any such movement by swearing out an information charging Burke with murder. The suspect was anything but satisfied with prison fare, and, at his request he was furnished with meals from a hotel at his own expense and also provided with a comfortable bed. A dispatch late in the day brought the information that the grand jury in Chicago had returned an indictment against him, and, as a natural result, he spent a sleepless night. Officer Collins arrived from Chicago on Thursday, and a single glance at the prisoner was sufficient to tell him that the right man was under arrest. This much settled, Collins, accompanied by Chief McRae, drove to the residence of Judge Bain, one of the judges of the Court of Queen's Bench for the Province of Manitoba and a jurist of extraordinary ability and sagacity, where the following information was sworn out:

[Pg 319]

Canada, Province of Manitoba, County of Selkirk: The information and complaint of John M. Collins, of the City of Chicago, in the State of Illinois, and the United States of America, police officer, taken upon oath before me, the undersigned, one of Her Majesty's Judges of the Court of Queen's Bench for the Province of Manitoba aforesaid, Judge under the Extradition Act at the City of Winnipeg, in said County of Selkirk, this 20th day of June, in the year of our Lord 1889, who says he has just cause to suspect and believe, and does suspect and believe, that Martin Burke, alias W. J. Cooper, late of the said City of Chicago, in the said State of Illinois, did commit the crime of murder within the jurisdiction of the said State of Illinois, one of said United States of America, to wit: That the said Martin Burke, alias W. J. Cooper, on or about the 4th day of May, in the year of our Lord 1889, at the said City of Chicago, did feloniously, willfully, and of malice aforethought, kill and murder one Patrick H. Cronin.

Taken and sworn before me, John F. Bain, Judge of the Court of Queen's Bench, Manitoba.

JOHN M. COLLINS.

Upon this information a warrant was immediately issued and served on Burke in his cell by Sergeant McCharles. He was then taken from the police station to the County Jail, where he was incarcerated as a common prisoner, and H. M. Howell, Queen's Counsel was retained to conduct the case for the State of Illinois.

THE IDENTIFICATION COMPLETE.

The fast express on the following day had among its passengers from Chicago the Expressman Martinsen, and Officer J. M. Broderick. They were taken at once to the jail. Fifty-two men were drawn up in line in the yard of the structure and Burke placed among them. Martinsen passed along the line slowly, beginning at the right. He scarcely stopped in front of Burke as he passed, but he looked back after he had gone a few feet. Then he went

[Pg 320]

back, from left to right, and this time scanned Burke more closely.

"I am pretty well satisfied," he said, but he passed once more along the line, and stopped again in front of the suspect. Then he walked over to the side of Governor Lawlor, the Superintendent of the jail.

"I have got him," he said, to the Crown Attorney and Burke's lawyer.

"What number from your left?" asked the former, "from your left as you face the line." Mortinson stepped out and counted.

"Number 21," he said. Number 21 from that end was Burke. The prisoners were taken back to their cells. The identification was complete. Burke had been picked out of fifty men. What more was needed?

More court proceedings were in order. In Canada the mills of the Gods grind slow, but they grind exceedingly fine. The memorable words which once fell from the lips of General U. S. Grant, "Let no guilty man escape," might be fittingly applied to the judicial system which prevails in the Dominion. Burke was again arraigned, this time before Judge Bain and another adjournment granted to await the arrival of the necessary papers. It was evident that Burke meant to fight extradition to the bitter end; it was equally evident that Judge Bain, although the youngest Judge upon the bench, was the best before whom the case could have been brought. He intended that justice should be done, and he did not propose that legal technicalities should save the prisoner from extradition, if it were proved that he was in any way concerned in the murder of the physician.

[Pg 321]

THE PRESIDENT ACTS.

All this time the authorities in Chicago had not been idle. Assistant States Attorney George Baker was first dispatched to Springfield, the State Capital, where the necessary papers were obtained. From here he hastened to Washington, where a requisition and other documents were properly "vised" by the State Department, and late on the night of June 24th, immediately upon his arrival from Cape May, where he had been taking a brief vacation, the President of the United States, Benjamin Harrison, placed his signature upon the warrant which authorized the Secretary of State, James G. Blaine, to affix the great seal of the United States to the official documents. Without this Presidential warrant, the custodian of the seal in the State Department could not permit even Secretary Blaine to affix it. On the following morning this formality was carried out and the responsibility of the Federal Government in the case came to an end. Burke was again brought before Judge Bain on Thursday, June 27th, and despite the fact that it was known that the extradition documents were on their way, a determined effort was made by Counselor Campbell, with whom another prominent lawyer, W. E. Perdue, had been associated, to secure the discharge of the prisoner.

[Pg 322]

The Court decided to proceed with the case, and Officers Collins and McKinnon were called to testify. When they had told what they knew, a remand was granted for a week. Here it was resumed on July 3d, when Expressman Mortinsen repeated his identification of the prisoner, and Joseph Dillabaugh, a Chicago newspaper man, testified that he had seen the body taken from the Lake View catch basin, and was satisfied that it was that of Dr. Cronin. Additional evidence was given on the following day, Elliott Flower and Andrew Yount, representatives of Chicago newspapers, testifying to the location of the Carlson cottage, the blood stains found in it and other material facts. So the case went on from day to day. The evidence of young Carlson was considered necessary, and he was sent on in hot haste from Chicago. It was not until Wednesday, July 10th, that sufficient facts were before the Court upon which to base a decision. This decision, however, was to the point. It held that all the evidence given was admissible and sufficient for the purposes of extradition. It was sufficient to raise a presumption of guilt, and this was all that was necessary. Judge Bain went over the evidence which had been introduced before him, bringing out each little point, showing wherein it was weak and wherein it was strong, and concluded an able and exhaustive review of the case by remanding the prisoner to jail for extradition.

[Pg 323]

FIGHTING TO THE LAST.

Still Burke did not despair. Under the laws of the Dominion it was open to his counsel to apply for a writ of habeas corpus, in order that the decision of the Court might be reviewed. Nearly three weeks' delay was allowed for this purpose. People wondered that, considering the fact that Burke's available assets at the time of his arrest footed up little more than \$50, he was able to retain two prominent attorneys, whose fees must, even up to this stage of the case, have aggregated more than ten times that amount. They wondered still more, when the announcement was made that the case of the suspect had been taken to a court of last resort, and which comprised Chief Justice Taylor, Judge Kellam and Judge Dubuc. This proceeding was in the form of a petition for a writ of habeas corpus, based largely on technical grounds. Elaborate arguments were heard for several days, and in the meantime

[Pg 324]

ex-Senator William Kennedy, of Wisconsin, arrived from the States as special legal adviser to the suspect. This was additional proof that somebody or other, with plenty of money at command, was behind Martin Burke in the effort to prevent his being taken back to Chicago. Again, however, the law was triumphant; the application for a writ of habeas corpus was denied, and the extradition of the prisoner was ordered for the second time.

CANADIAN JUSTICE TRIUMPHS.

Burke's last chance for a long stay in Canada had now disappeared. Unusual promptness characterized the action of the authorities at Ottawa. Immediately upon the receipt of a telegraphic dispatch from Chief Justice Taylor, to the effect that the appeal had been denied, the warrant of extradition was issued by Sir John Thompson, minister of justice, and mailed to Winnipeg. It arrived at its destination at noon of Saturday, August 3rd, and, having been vided by the Lieutenant-Governor and the Provincial Secretary, was served upon Governor Lawlor. Chief of Police Hubbard had in the meantime arrived from Chicago to superintend the arrangements for the return of the prisoner, and availed himself of the opportunity to highly eulogize Chief McRae for the able manner in which he had worked his part of the case. Day had barely dawned on Monday morning when the Chicago officers were astir. They drove at once to the jail, and the necessary formalities having been complied with, the prisoner was delivered into the custody of Officer Collins, in whose name the warrant had been made out. He was quickly hustled into a covered carriage, Chief Hubbard, Lieutenant Ross and Officer Broderick occupying the opposite seat. A little after six the depot was reached, and the prisoner, who had been handcuffed prior to leaving the jail, was placed in the smoking compartment of the palace sleeping car "Great Falls." Here he was closely guarded by the two police officers, who were well armed, while the Chief and Lieutenant returned to the hotel for breakfast. In a very little while a big crowd had gathered at the depot, but the blinds of the compartment had been carefully pulled down, and the people were compelled to derive what satisfaction they could by gazing at the closed windows. Burke had brought a basket of food and fruit with him from the jail, and through enquiries it was learned that it had been delivered to him the night before, that he had been advised to eat no food which might be offered to him by the officers, as it might be drugged, and that he had also been instructed to have nothing whatever to say to his guards while on the road. These instructions, it was afterward developed, were inspired by a telegram from Chicago, and which had been sent by an unknown man from the Grand Pacific Hotel over the initials "J. G." Shortly before ten o'clock the train pulled out, and Burke had started on what, to him, was destined to be a memorable journey. Chief McRae, representing the Winnipeg, police, Chief Clark of the provincial police, Chief Hossack of the Canadian Pacific detective force, H. McMicken of the St. Paul, Minneapolis & Manitoba road, and James McHale, a United States Government officer, accompanied the party as far as Morris, McHale and Hossack, going as far as Neche on the American side of the line.

[Pg 325]

[Pg 326]

[Pg 327]

BURKE'S JOURNEY TO CHICAGO.

Great crowds had gathered at every station where a stop was made, and it was soon found necessary to lock both doors of the car and keep a guard at each. Chief Hubbard and a porter took charge of the front door and allowed the other passengers to go in and out as they desired, while Lieutenant Ross took charge of the rear door, which was kept locked all the time. A large and demonstrative crowd was encountered at Grafton, the people climbing over each other to secure standing room on the platforms of the car, and shouting loudly that they would kill the prisoner if they could get their hands on him. Lieutenant Ross, however, induced them to go back to the platform, saying that there would be serious trouble if they continued to make threats. At all other stations along the line until Fargo, Dakota, was reached, the same scenes were repeated, except that the feeling did not run so high, and curiosity seemed to be the main motive. Quite a number of strangers succeeded in getting through the front door of the car at Minto, Dakota, but after reaching the section next to the smoking-room, they were confronted by Chief Hubbard, who forced them to leave the car. At Grand Forks the crowd took entire possession of the train, and none of the passengers in the sleeper were able to leave it during the stop. Better order prevailed at Fargo, where the depot police turned out in force and kept the crowd at a respectful distance. The same system was adopted at Moorhead, just across the river, where a stop was made for supper. All this time Burke kept his nerve. He sat near a window with Collins beside him and Broderick opposite. He steadily refused to talk, although Hubbard and Ross took turns at him. To every attempt to draw him into conversation, he had but one reply, and that was that his lawyer had told him not to talk. At times he ate sparingly from the basket with which he had been supplied, but invariably refused the offer of the officers to furnish him with refreshments. When night came he was allowed to lie down on one of the couches of the smoker, but sleep was out of the question, and when a party started to sing in the rear portion of the car immediately adjoining the smoker, Burke, from the inside, joined in the song. There was no crowd at Minneapolis, the guards at the gates keeping every one out. At St. Paul it was the same way. Here Burke was transferred to a special car which had been engaged for the party. He appeared at the door of the sleeper strongly manacled. There

[Pg 328]

were manacles on his wrists and his feet were chained together so that he could step only a few inches at a time, while the chain was so short that he could not descend the steps of the car. Lieutenant Ross noticed this and, taking him in his strong arms carried him to the ground. He managed to walk slowly to the special car and was lifted aboard, and the blinds and curtains were drawn down on either side.

[Pg 329]

The Winnipeg party was joined at this point by Assistant State's Attorney Baker and Carlson and Mortensen, the witnesses. On the front and rear platforms of the car two St. Paul detectives were stationed, and several more occupied the rear end of the first coach ahead. On from this point to Chicago the scenes of the day before were repeated. Every station had its crowd, and everybody was wild to see the prisoner. At Kilborne City, where a company of the State militia on its way to camp was encountered, one of the soldiers climbed up to a window, pushed up the blind, and forced his body half way into the car. He was seen by one of the officers in the inside, however, and a rap on the head induced him to get out a great deal quicker than he had got in. Remarkable anxiety to see the suspect was manifested by women at almost every stopping place, and at times they outnumbered the men, asking innumerable questions, and craning their necks in endeavoring to get but a glimpse of the interior of the car. Between St. Paul and Chicago not a member of the Chicago party went out into the open air. Burke sat on the right-hand side next the window, with either Broderick or Collins constantly by him. The rest of the party were distributed over the car in such a way that there was some one at almost every point.

[Pg 330]

Chicago was reached between nine and ten o'clock on Monday night. The train was stopped at a lonely point in the suburbs, about three miles from the center of the city, much to the chagrin and disgust of an immense crowd that had gathered at the depot. The leg irons were removed from the prisoner, although the handcuffs were left in place. To them an iron chain several feet long was fastened, the other end being held by Officer Collins. The party dropped off the train in the darkness and hastened across the tracks to a carriage in waiting. Half an hour later Martin Burke, handcuffed to two stalwart officers, was ushered to the Chicago Avenue Station, and without being booked or searched was escorted to a cell.

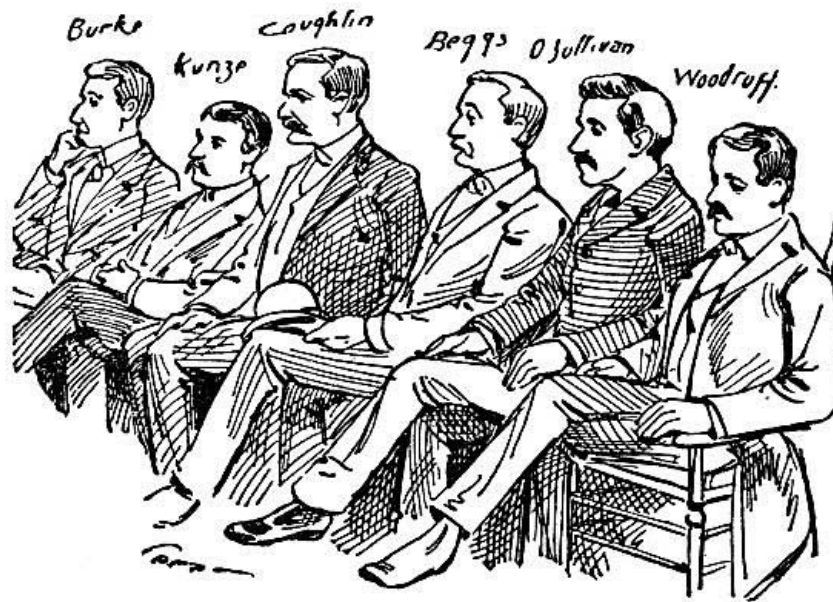
Early on the following morning Senator Kennedy of Wisconsin was on hand at the jail with a demand to see his client. Instructions had been given, however, that no outsider should be allowed to get within talking reach of the prisoner, and the lawyer was so informed. After making several other fruitless efforts to accomplish his purpose, he secured from Judge Baker a writ of habeas corpus, commanding Burke's appearance in court. It was made returnable at 3 o'clock in the afternoon, but at that hour a return was made that the prisoner was in the custody of Officer Collins, as agent of the United States. A new writ was therefore directed against the officer, but before this could be served Burke was transferred to the county jail, where his attorney was allowed to see him. On the following day he was arraigned in court, and, having plead "not guilty," in a low but firm voice, on the charge of having been concerned with others in the murder of Dr. Cronin, he was returned to jail.

[Pg 331]

PREPARING FOR THE TRIAL.

All this time State's Attorney Longenecker and his assistants were actively engaged in preparing for the great trial. Motions to quash the indictments were filed for all the prisoners, while there was a separate application in behalf of O'Sullivan for a change of venue. These matters came up before Judge Horton, on August 5th, and the entire case was transferred to that branch of the Criminal Court presided over by Judge McConnell, while August 26th was fixed as the date for the opening for the trial. On that date the six prisoners were arraigned and applications were made in behalf of Burke, Woodruff, O'Sullivan and Coughlin for separate trials. Elaborate arguments were made on these motions, the prosecution making a vigorous resistance. Judge McConnell took the question under advisement for a couple of days, and then denied the motions as to all the defendants, with the exception of Woodruff, who, on account of the peculiar circumstances that had entered into his side of the case, and his numerous confessions, was held to be entitled to a separate trial.

[Pg 332]



THE SIX PRISONERS IN COURT.

CHAPTER XV.

[Pg 333]

THEORIES REGARDING THE DISAPPEARANCE OF THE MURDERED MAN'S CLOTHING—THE HAND OF PROVIDENCE MANIFESTS ITSELF—FORTUNATE DISCOVERY OF THE LAST BLOODY EVIDENCES OF THE CRIME—DR. CRONIN'S APPAREL IS FOUND—IT HAD BEEN SECRETED, WITH HIS CASE OF SURGICAL INSTRUMENTS, IN A CATCH-BASIN, ADJACENT TO THE ONE IN WHICH THE BODY WAS DISCOVERED—SHOES, JEWELRY AND PURSE MISSING—COMPLETE IDENTIFICATION BY HIS FRIENDS—THE SEARCH CONTINUED—A PIECE OF CARPET FOUND—THE CONSPIRATORS' PLANS THWARTED.

"God moves in a mysterious way;
His wonders to perform."

No stronger exemplification of the truth of the old familiar hymn, which commences with the above lines, and which for generations has been sung, Sabbath after Sabbath, in churches of nearly every denomination throughout the Christian world, had ever before been grafted in the record of a criminal case.

With the arrest and extradition of Martin Burke and his incarceration with the other suspects in the county jail, attention was attracted anew to the question regarding the disposition made of the clothing of the murdered physician, and of the case of surgical instruments which he had taken with him when decoyed from his home. What was supposed, or claimed to be, a thorough search of the sewers and inlets in the neighborhood of the man-hole in which the body was discovered, had been made immediately after the latter event, without, however, bringing anything to the surface which was calculated to shed additional light on the great crime. It was, therefore, nothing but natural that, having in mind the international character of the conspiracy as evidenced by the dispatches from Toronto, regarding the alleged presence of Dr. Cronin in that city, the friends of the murdered man, as well as the prosecuting officials of the county, should arrive at the conclusion that, in a geographical sense, the conspiracy was intended to cover a still wider field. It was upon the failure to find a single trace of the murdered man's apparel, taken in connection with the fact that on the eve of his sudden departure from Chicago, Martin Burke had employed the tinsmith Klahre to seal up a mysterious tin box, and his unwillingness at the time that the contents should be revealed, that laid the ground for the suspicion, which worked itself into a general belief that the tell-tale articles had been shipped across the Atlantic, and that when, in the opinion of the conspirators, the proper time had arrived, they would turn up on the banks of the Seine in Paris, or of the Thames in London, mute evidence of the fact that, as had been claimed, the missing man had actually left Chicago, appeared in Toronto, thence gone to Montreal or some other port, and embarked for England or the Continent, and, further, that, for some cause or other—it mattered not that the world be left in doubt so long as the aims of the conspirators were accomplished—he had consigned himself to a watery grave and left his clothes behind as convincing proof of the fact. But for the discovery of the body, such a programme could, without question, have been carried out in its entirety, and the case would have gone down into history as one of the many mysteries

[Pg 334]

[Pg 335]

for which no tangible explanation was to be found. After the recovery of the body, however, any proceeding of this kind would have been worse than useless. But the question still remained as to the disposal of the clothing which had been stripped from the bleeding and battered body in the Carlson cottage, and it was not until after a lapse of over six months and while the trial of the accused men was in progress, that the question was satisfactorily answered.

[Pg 336]

A STARTLING DISCOVERY.

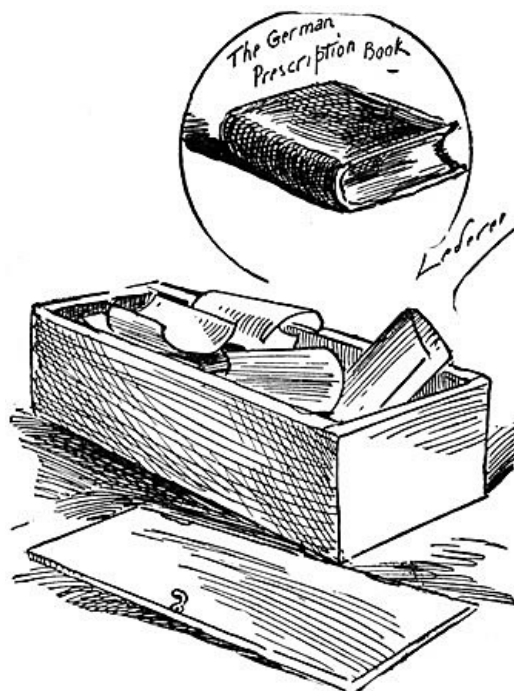
Strangely enough, as in the case of the body, the mystery was solved by employees of the sewer department. On the afternoon of November 8th complaint was made at the Lake View offices that some obstruction existed in the sewer underneath the man-hole at the corner of Evanston and Buena avenues. This point was a mile and a quarter southeast of the catch-basin where the body had been found in May, and about a quarter of a mile from the ditch in which the trunk with its rolls of blood-stained cotton had been thrown. Three men, Michael Gilbert, foreman of the cleaning gang, Michael Reese, and W. W. McMillan, the foreman of the flushing gang, were sent to the place with orders to move the obstruction without delay. The three men raised the cover of the catch-basin and Reese was lowered into it. He had barely reached the bottom when he shouted out that he had found a wooden box that contained something that sounded like iron or tin. He was quickly hauled up, bringing the box with him. It was an oblong affair, about a foot in length, seven or eight inches deep and nearly as broad. In spots it evidenced that it had once been highly varnished and polished. The brass handle in the centre of the cover indicated that it had been carried as a satchel is carried. Gilbert forced open the case while his associates looked on with eager eyes. A single glance at the contents, covered though they were with the filth that had leaked in through the opening, was sufficient, and the three men exclaimed almost with one breath,

[Pg 337]

"THAT IS DR. CRONIN'S BOX."

The contents were an assortment of extension splints with which the Doctor had provided himself in anticipation of having to treat a fractured leg when he had reached Iceman O'Sullivan's house in Lake View.

[Pg 338]



THE BOX AND ITS CONTENTS.

Reese was again lowered into the catch-basin and after a few moments exclaimed that he had made a further find. This time he passed up the broken frame of a satchel, its coverings entirely consumed by the foul waters of the sewer, a second satchel and a bundle of clothes covered with black, slimy refuse. After a hurried consultation the men decided to notify the police, and a call was sent to the Lake View station. Within a few moments the patrol wagon—the same one which had driven Dr. Cronin's naked body to the morgue—was on the scene. Very quickly the instrument box, the leather satchel, the bundle of clothes and the rotted satchel were loaded on a stretcher and carried to the Sheffield avenue station.



THE LOAD ON THE STRETCHER.

Information of the discovery was telephoned to the Central Police Department, and Chief Hubbard responded with an order that the things should be brought down at once. One hour later the filthy packages were spread out on a rubber tarpaulin in the Chief's private office, and the leather satchel, having been washed under the running hydrant, was opened. The first article that was taken out was a book that had swollen to more than twice its natural size. The Chief opened it. On the fly leaf, partially covered with dirt, was the name "Dr. P. H. Cronin," written in the bold hand of the man who had once owned the book. In one of the pockets was a package of business cards in a good state of preservation. They read as follows:

[Pg 339]

DR. P. H. CRONIN, Physician and Surgeon, Chicago.	
Office, 501 Opera House Block,	Residence, 468 and 470 North Clark street.
Office Hours: 11 to 1 p.m., 2 to 5 p.m.	Office Hours: 9 to 11 a.m.; 6 to 7:30 p.m.

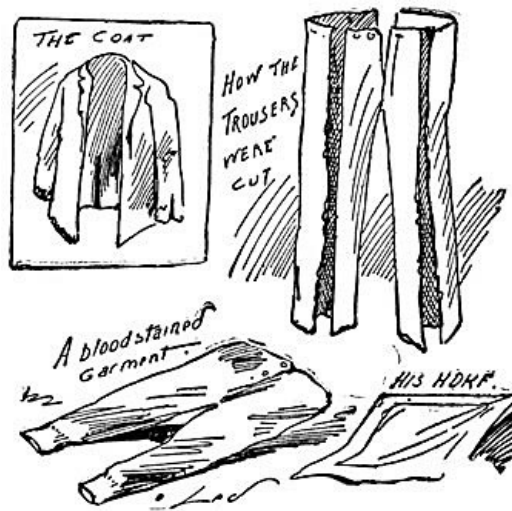
Nothing more than this was needed to prove that the articles were really those that had once belonged to the physician, and the Chief gave orders that the dirty mass should be taken to the Chicago avenue station and thoroughly cleaned. By this time, however, the developments of the day had reached State's Attorney Longenecker, who was conducting the trial in the Court House, about half a-mile away, and by his instructions the order was countermanded, and the things were taken to his private office. Mrs. Conklin was sent for, and upon her arrival the bundle of clothes was unrolled. Lieut. Schuettler separated the different pieces, handling the revolting articles as coolly as an ordinary man would a towel, while Mrs. Conklin looked on endeavoring to be more cool and collected than any one else in the little group. The first thing held up was a light spring overcoat of a fashionable pattern. It had been slit up the back by a keen edged knife, and the sleeves were torn clean up to the collar.

[Pg 340]

IDENTIFYING THE CLOTHING.

Mrs. Conklin's eyes filled with tears, and for a moment it was thought that she would swoon. Quickly recovering herself, however, she said quietly:

"It is Dr. Cronin's coat."



SOME OF DR. CRONIN'S CLOTHES.

The next garment taken from the foul smelling pile was an ordinary coat of black diagonal cloth, answering perfectly to the description of the one which Mrs. Conklin had said Dr. Cronin wore when he was driven away. This, too, was almost cut to pieces. Mrs. Conklin bowed her head to indicate that she recognized it. Next the vest was produced, then the trousers, then the drawers, then two white shirts and a collar, and finally the physician's under vest and his big military slouch hat. Every article, except the latter, had been cut up very neatly, as though a very sharp knife or pair of scissors had been used. The few men present grated their teeth and set their jaws firm at these evidences of the bloody butchery, while Attorney W. J. Hynes, bringing his fist down on the table, exclaimed in passionate tones:

[Pg 341]

"The fiends must have cut the clothes from the body after they had finished their murderous work."



TWO VIEWS OF DR. CRONIN'S HAT.

Nearly all of the garments were stained with blood. There was blood on both sleeves of the cut-away coat, blood on the vest and blood on the trousers. One of the white shirts was literally soaked with it, while the other was slightly stained. There was blood on the undershirt and on the drawers, which were made of fine wool, and even upon the rim of the hat. Six months' immersion in the slime of a sewer, where they had been exposed to the influences of repeated storms, had not been enough to eradicate the evidence of the terrible

[Pg 342]

deed which had been committed in the little cottage.

A MURDERER'S SHIRT.



DR. CRONIN'S POCKET INSTRUMENT CASE.

But there were no cuts or rips in the second white shirt, and the conclusion was quickly formed that it had belonged to one of the murderers, who, fearing detection, must have discarded it before leaving the cottage and starting on the long and lonely trip with the body in the trunk through the streets of Lake View. It was closely examined for a mark that would lead to the identification of its owner, but not so much as an initial could be found. On one of the cuffs of the undershirt was a large blue enameled button, of which, so said Mrs. Conklin, Dr. Cronin had been very fond. The second button and cuff were missing. The physician's neck-tie was next held up, but the pin, one which he had worn for very many years, was gone. A button bearing the insignia of the "Royal Arcanum," of

[Pg 343]

which Dr. Cronin had been a very active member for several years, was found in the lapel of the cut-away coat. The pockets were searched for the gold watch and chain which the physician had carried, and the well filled purse that he had taken out on the fatal night. Neither were found.

"The watch and chain are gone, also the doctor's purse," said George Ingham. "Now will these fellows claim that they murdered Dr. Cronin through patriotic motives. Some people will be uncharitable enough to believe that they intended to commit robbery."



The clothes were temporarily laid aside at this point and the contents of the leather satchel were over-hauled. Mrs. Conklin at once identified it by several marks, as one the physician had carried for several years. From its recesses the doctor's prescription book was first produced, then his call book, and then a street guide that Mrs. Conklin had purchased over two years before. After this came still another book with a list of drugs and medicines, and explanations of their uses. All the pages were badly soiled. A tiny knife was fished out from the bottom of the satchel. It was a pretty toy, one which Dr. Cronin had received as a present from a little girl. Tears started to Mrs. Conklin's eyes.

[Pg 344]

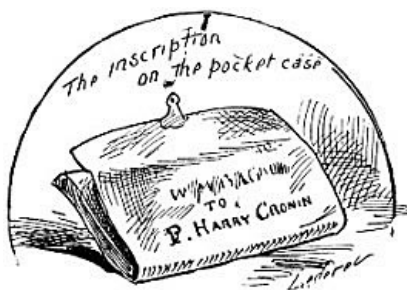
"Let me have that," she said, and she reached for the knife.

It was silently passed over.

A tiny thermometer, such as surgeons carry to test the temperature of patients was now brought out, and then in rapid succession a roll of plasters, a small pocket instrument case, a handkerchief, a double stethoscope, a lot of minor surgical instruments, including a keen bladed scalpel and a box of hypodermic syringes. This latter attracted considerable attention, on account of its beauty. It had been a present from W. M. Bagnall, one of the most intimate friends of the physician, and on it he had placed this inscription:

PRESENTED BY
WILLIAM M. BAGNALL
TO
DR. P. HARRY CRONIN.

[Pg 345]



BAGNALL'S PRESENT TO THE DOCTOR.

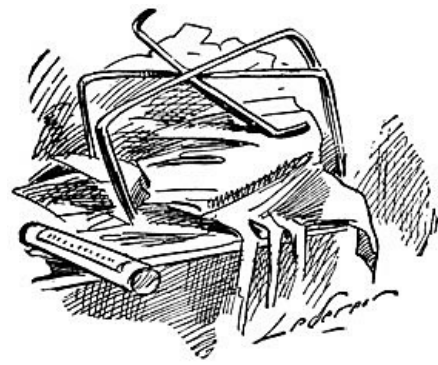
All of this, however, except the last line, had been erased. There were two letters and a postal card in the satchel, each bearing the down-town address of the physician, together with a comb and a piece of paper, so saturated with blood that it was difficult to tell whether or not it had contained writing. The wooden box contained several silver extension splints, which are used in case of fractured limbs. The other valise, the cover of which had been eaten away, was apparently about eighteen inches long, quite large enough to have contained a bundle of clothes. When found by Reese, the overcoat and trousers were clinging to the ribs of it, which was taken as evidence that it had contained the whole bundle when it was dumped into the sewer. Salesman Hatfield, when

sent for, said unhesitatingly that he had no doubt but that the valise was the one he had sold to the man Simonds, and which had been taken from the Clark street flat to the Carlson cottage. The hat was also recognized by the tradesman of whom the physician had been a regular customer.

[Pg 346]

The excitement which prevailed in the city when the news of the find became known almost equaled that of the day on which the body was found, while the friends of the physician were exultant and congratulated each other upon the unexpected aid that the prosecution had received. Rumors of what the day had brought forth had

found their way into the court room a little while prior to the adjournment of the afternoon session, and created a profound impression; the lawyers for the defense were astounded, while the agitation of all of the prisoners, excepting Beggs, was apparent to every observer. Only the ex-Senior Guardian of Camp 20 maintained a cool demeanor.



REMAINS OF THE MURDERERS' VALISE

A PIECE OF CARPET FOUND.

On the following day, acting under instructions of the Chief of Police, a dozen picked men from the Central detail commenced a thorough search of the Lake View sewers. They were assisted by several experienced sewer men. Long pike poles were secured and the hunt began, but the task was by no means an easy one, many of the sewers being too small for the smallest man to crawl through.

[Pg 347]



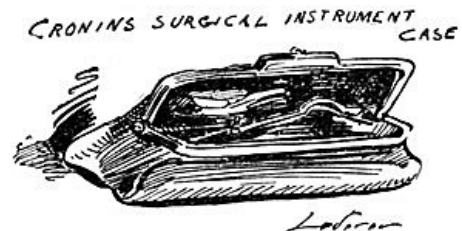
THE SILVER HYPODERMIC SYRINGE CASE.

Starting at Evanston avenue the gang worked slowly to the lake, but for several hours nothing was found to reward their efforts. It was not until late in the day that a find was made by Officer Lorch. Equipped with a rubber suit and one of the pike poles, he had been lowered into the man-hole at the corner of Evanston and Graceland avenues, one block south of the man-hole in which the clothes and surgical instruments had been thrown, and two blocks south of the street where the trunk was found. Worming himself into the twenty inch sewer he went through the filthy main for a distance of twelve or fifteen feet, pushing the pike pole ahead of him. His persistence was finally rewarded by the bringing to light of a muddy, slimy piece of carpet about twenty inches square, and which looked as if it had been hastily torn from a longer strip. When brought to the surface and rinsed under a hydrant it was found to be a cheap quality of an ordinary ingrain of a modest

[Pg 348]

dark pattern, resembling just such a carpet as that which the man Simonds had purchased at Revells.

Its many months of contact with the water and slime of the sewer, however, had destroyed all traces of the color and pattern, and hence it was impossible to positively identify it as a portion of the carpet laid down in the Carlson cottage, but in view of the locality in which it was found, and its proximity to the place where the clothes and trunk were secreted, there was but little doubt but that it was a portion of the blood-stained carpet which the murderers had taken up from the floor of the cottage. The search was continued in the hope that the boots, hose, watch and chain, and purse, which were still missing, might be found in the depths of the sewer, but despite the most energetic efforts it was not rewarded by success.



THE CONSPIRATOR'S PLANS THWARTED.

It was a very easy task to find an explanation of the presence of the bloody remains of the tragedy in the particular catch-basin in which they were found. As originally planned, the conspiracy probably contemplated the sinking of the body and the other evidences of the crime in the deep waters of the lake. After being accosted by Officer Way of Edgewater, however, the murderers must have become alarmed at meeting so many policemen, and had turned around as if to go back to Chicago. Meanwhile the blood soaked carpet which had been ripped from the floor of the cottage had been torn into strips by the men in the wagon.

[Pg 349]

The expedient of disposing of the body by throwing it into the 59th street catch basin, which was only half a mile from Edgewater, was a desperate one; but it was necessary in order to avoid detection. This done, the murderers started south for the distance of a mile, and having found it impossible to jam the trunk into a man-hole, had thrown it over the fence.

The clothes, carpet, satchels, and other evidence of guilt



THE ENGLISH PRESCRIPTION BOOK.

Gardiner in the third. Schaack said that he believed the blood in the trunk had come from a 'stiff' taken from some cemetery, and we worked on that theory. As a consequence the sewers were never examined in that particular neighborhood."

had been distributed along Evanston avenue for the distance of another half mile, but yet so concealed as to have made it next to impossible for the police, with the facilities at their disposal, to find anything but the trunk. This at least was the explanation of some of the officers, although it was directly antagonized by other officials identified with the force. For instance, Capt. Schuettler, on the day of the finding of the carpet, declared that the sewers in this particular locality had never been searched.

[Pg 350]

"I went out but once to search those sewers," he said, "just after the trunk was found. The then detective, Dan Coughlin, and I rode in one buggy, Captain Schaack and Michael Whalen in the next, Detectives Lorch and

CHAPTER XVI.

SPECIAL GRAND JURY SUMMONED—PERSONNEL OF ITS MEMBERS—JUDGE SHEPARD'S VIGOROUS CHARGE—THE TESTIMONY TAKEN—SEVENTEEN DAYS' INVESTIGATION RESULTS IN THE INDICTMENT OF SEVEN MEN—FULL TEXT OF THE INDICTMENT.

Sheriff Matson, tall and commanding, appeared in that branch of the Criminal Court presided over by Judge Shepard, at ten o'clock on the morning of June 12, at the head of such a procession of prominent business men as is seldom seen in the precincts of a court room, save on occasions that stir the entire community. For the third time during his term of office as sheriff—once in the Anarchist case, then in the celebrated "hoodler" trial, and again on this occasion, the Sheriff had been ordered to summon a special venire of grand jurors. That he had taken pains to get good material, and at the same time avoid selecting any of those that had served on either of the two former occasions, was apparent when he presented the twenty-three men to the Court. Their names were called out as follows:

D. B. Dewey,	Isaac Jackson,
H. P. Kellogg,	H. S. Peck,
D. A. Peirce,	W. J. Quan,
W. K. Forsythe,	John O'Neill,
John H. Clough,	Louis Hasbrook,
J. McGregor Adams,	Henry Greenebaum,
Jacob Gross,	C. Gilbert Wheeler,
Francis B. Peabody,	J. C. W. Rhode,
W. H. Beebe,	A. P. Johnson,
A. G. Lundberg,	George W. Waite,
John F. Wollensack,	Henry A. Knott,

W. D. Kerfoot.

[Pg 352]

JUDGE SHEPARD'S PLAIN WORDS.

The Judge looked approvingly over the double row of intelligent faces before him, and appointed John H. Clough as foreman. The customary oath usually administered in cases of special grand juries, where some of those summoned may be disposed to avoid service, was omitted, and the regular grand jury oath was clinched with the statement, "so help you God." After this the excuses of half a dozen of those who considered themselves entitled to exemption came too late. Commencing his charge by reading the section of the statute defining the duties of grand jurors, and fixing the punishment for disclosing grand jury proceedings, Judge Shepard went on to say:

"The prime matter which will come before you will be the murder of the late Dr. Cronin. This appalling murder demands a most rigorous investigation. Dr. Cronin, an American citizen, has been struck down and killed under circumstances so horribly indicative of conspiracy, premeditated design and malice, as to warrant the most searching inquiry. Fortunately the power of a grand jury is fully equal to the emergency.

"Men who can tell of facts and circumstances that will lead you to the

[Pg 353]

discovery of the guilty parties can be made to tell. It is just as much perjury to falsely deny knowledge of a fact as to affirm its existence. Nothing short of a refusal to testify before you on the ground that his testimony will tend to criminate himself will excuse any witness, and he cannot falsely employ that personal privilege as a protection for another without subjecting himself to the pains and penalties of perjury.

"It is not the policy of the law that it is better that one or any number of guilty men should escape rather than that an innocent person should suffer; the law has no policy in such matters except that every guilty man shall be punished. With all the information already in the possession of the law officers of the county at hand, it will be a blot on the commonwealth, a severe blow to the administration of justice, and a frightful menace to the safety of the individual citizen, if every man engaged in this shocking crime, or having guilty knowledge of it, shall not be discovered.

"The whole power of the county is at your disposal. Employ your resources, use the power invested in you without fear or favor, and the result cannot be uncertain. You will now retire to the jury room and make your own arrangements for the transaction of the business for which you have been called together."

At the conclusion of this address the grand jury retired, in charge of Bailiff Hamilton. An organization was quickly effected, and soon the twenty-three men were at work, with the assistance of State's Attorney Longenecker and his assistant, Jampolis. Acting Captain Schuettler was also called in, and from these officials the body received an outline of the case, very much from the same material which came before the coroner's jury, with the exception that the State's Attorney had prepared a connected narrative that, step by step, was to be corroborated by witnesses. At each of the stairways leading to the floor where the grand jury quarters were located bailiffs were stationed, and none but grand jurors and witnesses were permitted to pass.

[Pg 354]

THE GRAND JURY'S INQUIRY.

Beginning with the testimony of Mrs. Conklin, the liveryman Dinan, the furniture salesmen, and the agents of the Clark street flat, the Grand Jury traced the movements of the murderers, step by step. Daniel Brown, the police officer attached to the Stanton avenue station, and who had preferred the charges of treason against Dr. Cronin in a camp of the Clan-na-gael, was subjected to an exhaustive examination. He was kept on the stand for nearly two hours, and was not permitted to refuse to answer questions, or to avoid answering by saying that he did not recollect, or that he had forgotten. He was closely questioned concerning his connection with the order and his reasons for preferring the charge against the physician.

[Pg 355]



OFFICER BROWN.

Another witness was Thomas G. Windes, the law partner of Alexander Sullivan, and at that time a Master in Chancery of the Circuit Court. He told the jury that he knew absolutely nothing about the check for \$99,000, drawn in favor of Windes & Co., and which had been deposited in the Traders' Bank to the credit of Alexander Sullivan. In fact he had never even seen the check.

When questioned by the State's Attorney, he said without hesitation, that he had seen Detective Coughlin at the office of Alexander Sullivan at least six or seven times at different periods preceding the murder, and that they seemed to be quite intimate.

Corroborative testimony was given by Henry Brown, a clerk in Sullivan's office. On the fifth day of the investigation an indictment was found against Martin Burke, in order that the record upon which his extradition from Winnipeg was sought should be complete. The speculations of Alexander Sullivan on the Board of Trade, his relations with the Clan-na-gael, and the alleged misappropriation of funds, were investigated at length. Incidentally, Frank B. Johnson, confidential clerk of John T. Lester & Co., told of a speculation which he had engineered for Sullivan in 1882. In that year Sullivan, upon a "tip" from Johnson, purchased 200 shares of Chicago, Burlington & Quincy railroad stock, putting up several thousand dollars as margin. The transaction lasted for some time, and in the end Sullivan's gains amounted to \$50,000, out of which he made Johnson a present of \$5,000. This, while interesting, was not material to the purpose of the investigation. Rev. Father Dorney was another witness, but, although closely questioned, he told nothing of importance. The indictment against Burke was returned into Judge Shepherd's court, on June 19th. There were two counts, one charging him with the murder of Dr. Cronin by means and weapons to the jury unknown, and abetted and aided by persons unknown, while the other charged him, under the name of Burke, otherwise known as Martin Delaney, otherwise known as Frank Williams, with conspiring with certain other unknown persons to murder the physician. The names of fifty witnesses were on the back of the indictment. Mortimer F. Scanlan told a lengthy story regarding the enmity toward Dr. Cronin that existed in Chicago, and which

[Pg 356]

was fomented by a faction of the camp to which Coughlin belonged. He also said that the physician carried important papers regarding the alleged embezzlement of Clan-na-gael funds, either in his inside pocket or in his instrument case, about the time of his death.

[Pg 357]

PAT COONEY UNDER SUSPICION.

Just about this time the police began an active search for a man named Pat Cooney, better known to his associates by the sobriquet of "the Fox," and who answered in every particular to the description given of the man Simonds, who had purchased the furniture from the Revells and had rented the flat on Clark street. He was a bricklayer by trade, and had come from the west of Ireland, somewhere in the same region from which Burke hailed. Some time prior to the murder he had been a boon friend and companion of Coughlin and Burke, and had been frequently heard to denounce Dr. Cronin as a British spy. He commenced to drink steadily during the week following the physician's disappearance, and although not working, had an abundance of money. The police authorities were satisfied that Cooney was the man they wanted, but a thorough search of the city resulted in the discovery that he had left for parts unknown. Detectives were sent to several points where men answering to his description had been shadowed by the authorities, but their labors were without result. A man supposed to be "The Fox" was arrested at Frankfort, Indiana, on June 23d, but proved to be an entirely different individual. The search was continued for months, and finally it was concluded that Cooney had left the country.

[Pg 358]

THE TRIAL IN CAMP 20.

Startling information was brought to the attention of the Grand Jury, at its session on June 24th, which established to the satisfaction of the prosecuting officials, that there was an "inner circle" in the notorious Camp Number 20 of the Clan-na-gael, and that a trial of Dr. Cronin was ordered by this inner circle within two months of his death. For a year or more the physician had been denounced in this camp as a British spy, by Coughlin, O'Sullivan, Cooney, Burke and others of that ilk. Members of other camps, who were friendly to the "triangle," helped to spread the story in some quarters by innuendo, and in others by direct assertion, testifying before the Parnell commission, in London, in the spring of 1889. Le Caron had said that there were in the United States three other spies like unto himself, but at the instance of the Court their names were suppressed. Hardly, however, had this evidence been cabled across the water, than it began to be hinted about in Chicago that Dr. Cronin was one of the three referred to. It was also falsely asserted that Le Caron had testified that Dr. Cronin was his friend, and a man eminent in his profession. This, for the purposes of the "inner circle," was proof positive that Cronin was a British spy. Le Caron's testimony was given during the first week in February. About the third week of that month it was alleged that Alexander Sullivan had received advices from abroad, to be re-directed to Patrick Egan, at Lincoln, Nebraska, setting at rest all doubt as to the fact that there was at least one spy in the United States. The rumor that these advices existed had its effect. Charges, so it was claimed, were preferred against Dr. Cronin for giving secrets to the enemy, for seeking to obtain information prejudicial to the cause in order to sell it to England, and for general betrayal of the secrets of the order. In accordance with the rules of the organization, these charges should have been lodged with a member of the executive. A member friendly to the inner circle was induced to order a trial. This trial was directed to be held in Camp 20, because the person preferring the charges belonged to that camp. Under the rules of the order this process was irregular, as the charges should have been heard in Cronin's own camp. His enemies, however cared nothing for law. What they wanted was vengeance. John F. Beggs, a well-known lawyer, and president of the Irish-American Club, was Senior Guardian of Camp 20. He selected a trial committee. It held several meetings, the last about the middle of February. At this meeting the death of the physician must have been decreed.

[Pg 359]

[Pg 360]

This was the story in outline as it reached the State's Attorney. Lawyer Beggs, who had already been several times summoned before the Grand Jury, was again recalled. His answers were evasive and unsatisfactory, although he denied that any committee had been appointed, that any secret trial had taken place, or that, so far as his knowledge went, Dr. Cronin had been condemned to death as the result of any action of that particular camp. Many admissions, were wrung from him when he was confronted with the facts, but his entire demeanor was so uncertain, and he made so many contradictory and inconsistent statements, that the members of the Grand Jury were convinced that he possessed a guilty knowledge of the murder, or of the circumstances which resulted in the perpetration of the crime. The result was that, at the conclusion of his examination, he was placed under arrest and incarcerated with the other suspects in the county jail.



[Pg 361]

SEVEN SUSPECTS INDICTED.

Enough testimony had now been heard to enable the Grand Jury to act intelligently, and the inquiry was closed. One entire day was devoted to the sifting of the evidence as it related to each individual who had been mentioned in connection with the crime, and at five o'clock of the afternoon of Saturday, June 29th, seventeen days from the inauguration of the inquiry, the jurors again filed into Judge Shepherd's court.

"Have you any report to make Mr. Foreman?" asked the Judge.

"We have, your honor," promptly answered Mr. John H. Clough, and stepping forward he handed a bulky document to Clerk Lee, who, in turn, handed it to Judge Shepherd. The Court glanced over the contents and then inquired:

"Have you any further business to transact, gentlemen?"

"I think we have finished what we had to do," answered Mr. Clough.

"Then," said the Court, "you may be excused from further service."

[Pg 362]

And thus was dismissed one of the most important Grand Juries ever empaneled in Cook County or in the State of Illinois. For three weeks it had been constantly engaged in probing into the mystery, and in that period it had examined over 200 witnesses, a number unprecedented in a criminal case. That its labors had been attended with good results, and that it had performed its duty with fidelity and faithfulness, was demonstrated by the document that had been entrusted to the Court. It was an indictment charging the following persons with the murder of Dr. P. H. Cronin:

JOHN F. BEGGS, Lawyer and Senior Guardian of Camp No. 20. DANIEL COUGHLIN, Ex-detective. PATRICK O'SULLIVAN, Iceman. MARTIN BURKE, Laborer. F. J. WOODRUFF, alias Black, the horse thief. JOHN KUNZE, Laborer. PATRICK COONEY, alias "The Fox."
--

The full text of the indictment was as follows:

The grand jurors aforesaid, chosen, selected, and sworn, in and for the County of Cook in the State of Illinois, in the name and by the authority of the people of the State of Illinois, upon their oaths aforesaid, do present that one Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, one John F. Beggs, one Daniel Coughlin, one Patrick O'Sullivan, one Frank J. Woodruff, otherwise called Frank J. Black, one Patrick Cooney, one John Kunze, and divers other persons, a more particular description of which is to the said jurors unknown, late of the County of Cook, March 1, in the year of our Lord 1889, in said County of Cook in the State of Illinois aforesaid, did unlawfully, feloniously, fraudulently, and deceitfully conspire and agree together with the fraudulent and malicious intent then and there, feloniously, wrongfully, and wickedly, and with malice aforethought, to kill and murder one Patrick Henry Cronin, in the peace of the people of the State of Illinois then and there being, and the jurors aforesaid, upon their oaths aforesaid do further present that the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, said John Kunze, and the said divers persons whose names are to the said jurors unknown, in execution of the said last mentioned premises and in pursuance of the said conspiracy, combination, and agreement between and amongst them as aforesaid, afterwards—to wit: May 4, in the year of our Lord 1889, in said County of Cook, in the State of Illinois aforesaid, in and upon the said Patrick Henry Cronin, in the peace of the people of the said State of Illinois, then and there being unlawfully, willfully, feloniously, and of their malice aforethought, did make an assault, and that they, the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, said John Kunze, and said divers other persons, with certain means, weapons, and instruments, a more particular description of which is to the said jurors unknown, unlawfully, willfully, feloniously, and of their malice aforethought, did strike, penetrate, and wound the body, limbs, head, and face of him, the said Patrick Henry Cronin, with the means, weapons, and instruments aforesaid, and upon divers parts of the head, face, limbs, and body of him, the said Patrick Henry Cronin, did inflict divers mortal wounds, bruises, lacerations, and contusions, of which said mortal wounds, bruises,

[Pg 363]

lacerations, and contusions he, the said Patrick Henry Cronin, then and there instantly died.

CHARGED WITH MURDER.

And so the jurors aforesaid, upon their oaths aforesaid, do say that the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, said John Kunze, and said divers other persons, him, the said Patrick Henry Cronin, then and there in manner and form aforesaid, unlawfully, willfully, feloniously, and of their malice aforethought, did kill and murder, contrary to the statute and against the peace and dignity of the same people of the State of Illinois.

[Pg 364]

The grand jurors aforesaid chosen, selected, and sworn in in the name of and by the authority of the State of Illinois, and through the County of Cook in the State of Illinois, upon their oaths aforesaid, do further present that one Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, one John F. Beggs, one Daniel Coughlin, one Patrick O'Sullivan, one Frank J. Woodruff, otherwise called Frank J. Black, one Patrick Cooney, and one John Kunze, late of the County of Cook, May 4, in the year of our Lord 1889, in said County of Cook, in the State of Illinois aforesaid, in and upon one Patrick Henry Cronin, in the peace of the people of the State of Illinois then and there being, unlawfully, willfully, feloniously and of their malice aforethought, did make an assault, and that they, the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, said John Kunze, with certain means, instruments, and weapons, a more particular description of which is to the said jurors unknown, unlawfully, willfully, feloniously, and of their malice aforethought, did then and there strike, penetrate, and wound the body, limbs, head, and face of him, the said Patrick Henry Cronin, then and there giving to him, the said Patrick Henry Cronin, with the means, weapons and instruments, aforesaid in and upon divers parts of the head, face, limbs and body of him, the said Patrick Henry Cronin, divers mortal wounds, bruises, lacerations, and contusions, of which said mortal wounds, bruises, lacerations, and contusions he, the said Patrick Henry Cronin, then and there instantly died. And so the jurors aforesaid upon their oaths aforesaid do say that the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, and said John Kunze, him, the said Patrick Henry Cronin, then and there, in manner and form aforesaid, unlawfully, willfully, feloniously, and of their malice aforethought, did kill and murder, contrary to the statute and against the peace and dignity of the same people of the State of Illinois.

[Pg 365]

The grand jurors aforesaid, chosen, selected, and sworn in and for the County of Cook, in the State of Illinois, in the name and by the authority of the State of Illinois, upon their oaths aforesaid, do further present that one Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams; one John F. Beggs, one Daniel Coughlin, one Patrick O'Sullivan, one Frank J. Woodruff, otherwise called Frank J. Black, one Patrick Cooney, and one John Kunze, late of the County of Cook, May 4, in the year of our Lord 1889, in said County of Cook, in the State of Illinois aforesaid, in and upon one Patrick Henry Cronin, in the peace of the people of the State of Illinois, then and there being, unlawfully, willfully, feloniously and of their malice aforethought, did make an assault; and the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, and said John Kunze, with certain blunt instruments, a more particular description of which is to the said jurors unknown, which they, the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank Woodruff, otherwise called Frank J. Black said Patrick Cooney, and said John Kunze, in both of the hands of each of them, the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney and said John Kunze, then and there, had and held the said Patrick Henry Cronin, in and upon the head, face, and body of him, the said Patrick Henry Cronin, then and there unlawfully, willfully, feloniously, and of their malice aforethought, did push, shove, strike, thrust, and penetrate, giving to the said Patrick Henry Cronin then and there, with the said blunt instruments aforesaid, in and upon the

head, face, and body of him, the said Patrick Henry Cronin, divers mortal wounds, contusions, and lacerations, each of the length of two inches and of the depth of one inch, of which said mortal wounds, contusions, and lacerations the said Patrick Henry Cronin then and there instantly died. And so the jurors aforesaid upon their oaths aforesaid do say that the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, and said John Kunze, him, the said Patrick Henry Cronin, then and there in manner and form aforesaid, unlawfully, willfully, feloniously, and of their malice aforethought, did kill and murder, contrary to the statute and against the peace and dignity of the said people of the State of Illinois.

[Pg 366]

The grand jurors aforesaid, chosen, selected, and sworn in and for the County of Cook, in the State of Illinois, in the name and by the authority of the people of the State of Illinois, upon their oaths aforesaid do further present that one Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, one John F. Beggs, one Daniel Coughlin, one Patrick O'Sullivan, one Frank J. Woodruff, otherwise called Frank J. Black, one Patrick Cooney, and one John Kunze, late of the County of Cook, May 4, in the year of our Lord 1889, in the said County of Cook, in the State of Illinois aforesaid, in and upon one Patrick Henry Cronin in the peace of the people of the State of Illinois, then and there being, unlawfully, willfully, feloniously, and of their malice aforethought, did make an assault, and the said Martin Burke, otherwise called Martin Delaney otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, and said John Kunze, with certain sharp instruments, a more particular description of which is to the said jurors unknown, which they, the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, and said John Kunze, in both of the hands of each of them the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, and said John Kunze, then and there had and held the said Patrick Henry Cronin, in and upon the face, head, and body of him, the said Patrick Henry Cronin, then and there willfully, unlawfully, feloniously, and of their malice aforethought did push, shove, strike, thrust, and penetrate, giving to the said Patrick Henry Cronin then and there with the said sharp instruments as aforesaid in and upon the head, face, and body of him, the said Patrick Henry Cronin, divers mortal wounds, contusions, and lacerations, each of the length of two inches and of the depth of one inch, of which said mortal wounds, contusions and lacerations the said Patrick Henry Cronin then and there instantly died. And so the jurors aforesaid, upon their oaths aforesaid, do say that the said Martin Burke, otherwise called Martin Delaney, otherwise called Frank Williams, said John F. Beggs, said Daniel Coughlin, said Patrick O'Sullivan, said Frank J. Woodruff, otherwise called Frank J. Black, said Patrick Cooney, and said John Kunze, him, the said Patrick Henry Cronin, then and there in manner aforesaid, unlawfully, feloniously, and of their malice aforethought, did kill and murder.

[Pg 367]

KUNZE'S SUPPOSED PART IN THE CRIME.

Considerable surprise was occasioned by the appearance of the name of John Kunze in the indictment. Nobody had supposed that a German was connected with the conspiracy, while it was regarded as remarkable that the police should have been able to keep the fact that there was another suspect so complete a secret. Now, however, the facts came out. Kunze had come from Germany a few years before, representing that he was the heir to a large estate in Luxemburg, and had worked at various places and at anything he could get to do. For some reason or other he was taken under the protecting wing of Dan Coughlin, of whom he came to be regarded as a protegee. The two men were together almost daily, and could scarcely have been on more intimate terms. Before the Grand Jury, Mertes, the milkman, had identified Kunze's picture as that of one of the two men whom he had seen drive up in a buggy to the Carlson cottage between eight and nine o'clock on the night of the murder.

[Pg 368]



JOHN KUNZE.

"He was the man who staid in the buggy and held the horse while the other man ran up the steps and entered the door," were the milkman's own words.

In addition to this, a young man named James had positively identified the German as one of the tenants of the flat on Clark street, saying that he had seen him, coming and going, and at the windows, for nearly a month. More than this, he had seen him washing his feet before the window. The Grand Jury had considered this evidence as conclusive. Kunze was arrested in Chicago on July 1st, and slept that night, with his fellow suspects, five in number, in a cell in "Murderers' row."

CHAPTER XVII.

[Pg 369]

PUBLIC ABHORRENCE AT THE CRIME—A GREAT OUT-POURING OF THE PEOPLE—COSMOPOLITAN ASSEMBLAGE AT CENTRAL MUSIC HALL—A JUDGE'S VIGOROUS SPEECH—CONGRESSMEN DENOUNCE THE CRIME—THE RIVAL DEMONSTRATIONS AT CHELTENHAM BEACH AND OGDEN'S GROVE.

Greater honors could scarcely have been accorded the departed statesman, patriot or warrior than were paid by the citizens of Chicago to the memory of the man who had been removed from their midst by means and methods so foul and dastardly.

Three thousand men and women—young people just budding into manhood and womanhood, old folks with whitened locks and faltering step—crowded the spacious Central Music Hall and its approaches on the night of June 28, to express their detestation of the crime that had stained the fair fame of the Garden City, to denounce the criminals and to demand of those responsible for the execution of the law that no effort be spared to bring the guilty to justice. It was one of the most cosmopolitan assemblages that had ever been gathered under a roof in Chicago. There were native Americans, British Americans and Irish Americans, Swedes and Italians, Frenchmen and Germans. Members of the colored race were scattered here and there through the vast audience, and even the Chinese colony had its representatives in a couple of distinguished looking Celestials, who, with characteristic modesty, occupied seats away back in the rear.

[Pg 370]

THE PROMINENT CITIZENS PRESENT.

Equally striking and significant was the array of citizens that occupied the stage. Back of W. H. Dyrenfurth, President of the Personal Rights League, under the auspices of which the gathering had been called, and who officiated as temporary chairman, sat men of such national and local celebrity as Judge Prendergast, W. P. Rend, Robert Lindblom, of the Board of Trade, Congressmen George G. Adams and Frank Lawler, Alderman John Dalton and Representative Charles G. Dixon, the prominent labor leader. In one of the boxes sat Herman Raster, the noted editor of the *Staats Zeitung*, in another United States Commissioner Phil. A. Hoyne. To the right and left could be seen scores of men of high social and official position, side by side with divines of the Catholic, Protestant, Methodist, Baptist, Presbyterian and other denominations. Few of these could claim any personal acquaintance with the murdered man, many more had known him scarce by name or even looked upon him in the flesh, but one and all were animated by the same motives—those of respect to his memory and a deep-rooted determination that the foul crime should and must be avenged.

[Pg 371]

The decorations of the stage were modest and tasteful. Upon the rear wall, under the organ loft, were draped two large American flags; numerous baskets of flowers and plants tending to form an artistic background; a large banner, bearing the emblematic figure of the Goddess of Liberty, was suspended from the organ, and supported on one side by a banner, with a figure of Columbia, holding the stars and stripes in one hand, the other resting upon the national shield, with the American eagle hovering at her feet. To the front of all, and upon which the greatest interest centered, was a life-sized portrait of the victim of his enemies, draped in mourning, and surmounted by miniature American and Irish flags. Col. W. P. Rend, in the absence of Mayor Cregier, was the presiding officer of the occasion, and presented letters, regretting their inability to attend, from Right Rev. Bishop Cheney, and United States Senators Charles H. Farwell and Shelby M. Cullom, who had promised to be in attendance. Otto's beautiful chorus, "Gehet" (The Prayer), having been rendered by a volunteer combined Swiss and German chorus, a number of vigorous and remarkable speeches were made. Congressman Frank Lawler spoke in this strain:

[Pg 372]

"A BLOT ON CHICAGO'S NAME."

"I am thankful for the privilege of giving my views upon what I consider to be one of the most revolting and cowardly crimes ever committed in this or any other community. Any person having the heart of an American cannot but feel that the murder of Dr. Cronin is a blot upon the good name of this great city,

which can only be wiped out by the arrest and swift punishment of the instigators and their hirelings.

"The vast concourse that turned out to pay their respect to the memory of Dr. Cronin when that sad and solemn demonstration conveyed his remains to their last resting-place, gave an unanswerable testimony to him who lived a Christian and patriotic life, and it should convey to his enemies in no uncertain language the fact that the people of Chicago knew Dr. Cronin to be an Irish-American gentleman, faithful to his native as he was true to his adopted country. This should be accepted by his traducers, and they had better understand that the people of Chicago are slow to anger, but when once aroused, they are just enough to vindicate him who gave up his life while answering the call of distress—a martyr to truth, honesty and charity. Dr. Cronin's traducers had better beware, for Justice is jealous, and may lift the sword when she finds that those who are not with her are against her.

"Thank God, we are unanimous in this opinion. I am proud of the action of the Irish-American societies condemning the murder of Dr. Cronin. Let us continue to act so that justice shall be dealt out to every guilty person, no matter what his position may be. Let us not condemn communities or peoples because bad men have shielded their crimes behind their good name and well-earned reputation in war and in peace. Let us not forget the people that did their share at Bull Run, Antietam, Gettysburg, Winchester and in the Shenandoah Valley, because a few assassins who belong to no race, curse our civilization with their crimes. Let us not condemn the race that gives us a Corcoran, a Meagher, a Smith, a Mulligan, a Shields and a Sheridan, because that race is now bowed down with the burden of a Coughlin, a Burke or a Sullivan, but let us pledge our united fortunes, and, if it needs be, our lives, to the vindication of law and order, no matter who may be guilty."

[Pg 373]

JUDGE PRENDERGAST'S VIGOROUS SPEECH.

Still more vigorous was the speech of Judge Richard Prendergast, one of the leading Irish-Americans of the city; and who, although comparatively a young man, was recognized as a brilliant ornament to the judicial bench. His clear cut sentences awakened a responsive chord in the hearts of his hearers, and at times during his speech the applause was deafening. Among other things he said:

"Those who take part on the side of justice and against this conspiracy, should be prepared to meet opposition and find spies on all sides. I have no doubt that right in this meeting there are tools and spies upon words and deeds. I believe there are members of this great conspiracy in this hall to-night. Don't imagine that your public meeting, guarded by tickets, will exclude spies and assassins in thought, if not in deed. Even the organized power of the State will have all it can do to keep them and their influences from the jury box. This is strong language, but it is called for by the occasion. At this time, no man who is asked to express himself on the great topic of this foul murder can afford to be silent. Sometimes persons are silent on the ground of expediency, but on this occasion no man who is worthy of the name can be anything else but an open, avowed enemy of this great conspiracy. It is time to discuss secret societies, whether they are good or bad, when the murderers of Dr. Cronin are at hand.

"Was Dr. Cronin a spy?" demanded the eloquent speaker, and from the vast audience there came the reply, with a roar. "No."

[Pg 374]

"Was he known to be such before Le Caron testified?" again demanded the judge, and again the thousands answered "No," while a cheer went up that shook the building.

"This man carried his life in his hands, and did it for years," resumed the speaker. "The talk of his being a spy is sheer nonsense; it matters not who makes the statement, whether directly or by insinuation, he lies in his throat. A spy could not have arrayed himself for years in hostility to all the sources of disaster that has fallen upon the Irish cause. But that is simply the Irish phase of the question, and as Americans every citizen must rise high enough to declare that in view of American law, spy or no spy, no man had a right to decree or to do his murder. A peculiar feature of this conspiracy is that it had for its purpose not only the destruction of Dr. Cronin's life, but the destruction of his character—that it was for a twofold purpose, malice and cowardice; hatred of him because of what he was, and cowardice so as to cover up the evidences of crime.

"Here," went on the speaker, after he had alluded at length to the stories that had emanated from Toronto, Montreal, and other places, as demonstrating the

underspread motive of the conspiracy. "Here, where Dr. Cronin spent so many years of his life, we can safely affirm, as this meeting does affirm, that, tested by his career and by every fact and circumstance brought to light, Dr. Cronin was an unselfish, a public-spirited, an honorable and an honest man, and those who hated him and lured him to his death did so because of that character of his, which could neither be bent nor broken, severed nor turned aside by threats against his life, by attacks against his life, by plots against his life that he had discovered, or by the easier methods of bribery that must have been within the power of those who organized those plots. In the presence of a society whose object is the maintenance of the right of the individual to think, to speak and to act as his conscience directs, regardless of any adverse powers. Impressed by the spirit of such a meeting, I can not refrain from giving expression to the sentiments I feel. I do so for another purpose, and it is this:

"That the miscreants who planned and effected this foul murder will know, or rather they will understand, how the public knows how I regard them. They have known it for years. This is a time when no man who ever had anything to do with the Irish movements especially, can afford to be silent and do justice to himself. I do so with the distinct consciousness that the man who attacks this conspiracy invites its hatred. I believe I have had its hatred for some time. If speaking as I have done does not invite its hatred, I invite it now. No man who shakes hands with a criminal, or his allies or sympathizers, can be relied upon as a faithful conservator of justice. Let no man having political ambition be deluded with the thought that subserviency will aid him. Treason to American institutions and to the cause of justice, at this time, will damn forever the man that the public believes guilty, and he does not have to be tried by a jury or any other bar than enlightened public opinion."

[Pg 375]

But no more graphic a tribute to the characteristics and memory of the murdered man could have come from tongue or pen than came from Colonel Rend, and his auditors hung breathless upon his words:

"He was a man endowed with many of the choicest gifts and graces of nature. In person he was a perfect model of physical manhood. In intellect he possessed talents of a high order. His natural abilities enabled him to overcome the stern circumstances of an early life of poverty and discouragement. By his own unaided efforts, and from the savings of intelligent and careful economy, he gained a collegiate education. He then studied for the medical profession. Afterward he filled the chair of a professor in the college where he received his diploma. He became an accomplished linguist in several modern languages, and could speak German and French as fluently as his native tongue. To these attainments he added the charming accomplishment of a fine musical education. But above all, he trained and educated to an admirable degree the higher moral sentiments of his spiritual being. His soul shone out with all the brightness of the noonday sun. He loved right and justice. He hated wrong and injustice. He despised cunning, deception and falsehood in every form. He unmasked and denounced hypocrisy, especially where he saw hypocrisy used as a cloak to cover schemes of spurious patriotism. He was fearless in facing and defying danger where honor or principle was involved. He was an honest man, and a true man in every fiber of his nature. He cherished with fond remembrance, and loved with all the ardor of his warm Irish nature, the land of his fathers and of his birth. He pleaded and labored in the sacred cause of the promotion of Ireland's rights and liberties. Indeed, were it not for his fond devotion to Ireland, he would still be alive and in our midst. He became a martyr to Ireland's sacred cause. For his adopted country he had a love and affection even more ardent and intense. He respected and obeyed our laws. He honored our flag. He revered our institutions. Except to his God, he gave his highest allegiance to this, our common country. In fine, he was a model citizen in the highest sense. This man has been murdered under circumstances most revolting. Why? What offense did he commit? What wrong had he done to any person or any cause? I answer, none. He simply dared to do right. For this he became a marked man. For this his terrible doom was sealed. For this he was lured by tigers in human shape to a cruel and inhuman death."

[Pg 376]

The sentiments of the commercial classes were voiced by Robert Lindblom, one of the most prominent members of the Board of Trade, who delivered a masterly address. In his peroration he said:

"We have come here to emphasize our rights as men, and as American citizens, and to protest against these rights being domineered by foreign influences and conspiracies. We have also come here for one other purpose, and that is to protest against any influences of church, nationality or societies being interposed between the great criminals guilty of the assassination of Dr. Cronin and even-handed justice, and to demand in the name of the civilization

that this gory spot upon its robes shall be covered by the mantle of stern justice.

"We are not there to sit in judgment on the Irish people, but rather to ask them to sit in judgment on their petty leaders, and in impeaching these I do not reflect upon that great Irish leader, Parnell, than whom there are few purer characters in modern history. Is the fame of Ireland so great that it can afford to condone murder? Are the Irish servant girls to have no protection against those who play upon their sensibilities as a matter of business.

"When the history of this epoch is being written this bloody assassination will appall the historian. Shall he write that Ireland's sons and daughters were so jealous of their honor that they hurled the traitor to it from his false position, or shall he write that Irish prejudices were so strong that even gory blood did not look bloody red?"

Several other addresses were made. C. G. Dixon, a prominent labor leader, spoke for the working classes, Dr. G. Frank Lydston for the medical profession, Louis Nettelhorst, a member of the Board of Education, for the youth of the city, and Frank Adams, Member of Congress, touched upon the crime in its national aspect. The singing society rendered Frech's exquisite song, "Suess und Ruhig ist der Schlummer," and an original poem, entitled, "Cronin, the Martyr," was read by H. E. Bartholomew. After this the resolutions prepared by the Personal Rights League were presented. They read in this wise:

[Pg 377]

We, as citizens of the United States, residents of the cosmopolitan city of Chicago, in mass meeting assembled to do honor to the memory of a fellow-citizen, Dr. P. H. Cronin, who, because he advocated that which seemed right to him, we believe to have been the victim of a conspiracy concocted for basest purposes, and appalled by the monstrous cruelty of his murder, we declare:

1. That from the facts so far made public, it seems the assassination of Dr. P. H. Cronin was instigated by most foul and criminal malice.
2. Every citizen has a right to life, liberty and property guaranteed by the laws of the land, and it is utterly foreign to the spirit of our people, as well as to the laws, that any man be deprived of either except by due process of law.
3. That we hold no nationality or organization responsible for the crime nor for the causes which led to it.
4. That we honor and respect love for native land, but condemn perversion of that noble sentiment to personal ends.
5. That we hope no lawful means will be neglected to bring to justice the instigators and perpetrators of this atrocious crime; and that we resent as a public outrage any attempt to clog the wheels of justice or to use undue influence to shield the guilty. Public officers must feel that their highest duty is to the people.
6. We call upon the public prosecutors to see to it that no innocent man is condemned, and that no guilty man escapes. Therefore, be it

[Pg 378]

Resolved, That we encourage all lawful efforts to bring to justice, which shall not discriminate, and to adequate punishment, the instigators and perpetrators of this murder.

Resolved, That it is the sense of this meeting that the Citizens' Association be invited to co-operate with and assist in every lawful manner the authorities in bringing to justice the murderers of Dr. P. H. Cronin.

When the vote on the resolutions was called, every man, woman and child in the audience rose to their feet, and with the singing of the "Star Spangled Banner," in which all joined, one of the most remarkable gatherings in the history of Chicago came to an end.

THE GATHERING AT CHELTENHAM BEACH.

Not less significant, as indicating the condition of public sentiment and the interest maintained in the crime three months after the physician had been "removed," were the demonstrations of August 16th. For years it had been the practice of the various Irish organizations of the city to unite in a patriotic demonstration in one of the large groves adjacent to the city, the proceeds, which invariably aggregated many thousands of dollars, being contributed to the treasury of the Irish National League, and thus eventually finding their way across the Atlantic for the support of the movement with which Parnell and his colleagues were identified. The murder of Dr. Cronin, however, had rended asunder the Irish element in Chicago, and, as a result, there were two factions, one composed of friends of the murdered man, and the other of adherents of the "triangle." In this condition of affairs a "union" demonstration was, perforce, out of the question, and while the former faction determined to celebrate at Cheltenham Beach, and apply the proceeds to the fund for the

[Pg 379]

detention and prosecution of the assassins, their opponents preferred to gather at Ogden's Grove, the meeting-place in former years, and to make the same disposition of the receipts as of old. According to the best estimates, from 13,000 to 15,000 people participated in the "Cronin" demonstration, and between five and seven thousand that of the other element. At Cheltenham Beach speeches denouncing the murder and demanding retribution were made by Congressman M. A. Foran, of Cleveland, Ohio, and Frank Lawler, of Chicago; John Devoy, the well-known Irish leader of New York, and Rev. Father Toomey.

Said Congressman Foran:

"Dr. Cronin went forth that fatal night as a brave man to answer a call for help. Instead of being called on a mission of mercy, he was called forth to be foully and brutally murdered. I will not use even the word assassination. He was called up to some cottage on the outskirts of this city. He went in there filled with the hope that he would be able to carry succor and relief to some suffering mortal. He is scarcely inside the door before he is stricken down—murdered, and the next we hear of him his bruised and mutilated body is discovered in a foul and stinking sewer in this city. It is almost beyond human comprehension to believe that men could be so depraved, so low, so lost to all sense of justice and humanity, so much like devils as to do this foul and heinous thing. But yet it was done; and then, not satisfied with having murdered the man himself, not satisfied with having destroyed his body, the malignity of these murderers is so great that they must murder his reputation and his honor. If devils were brought up from hell they could conceive of no fouler, no more damnable deed than that!"

[Pg 380]

The speech of Father Toomey aroused the thousands of people to a pitch of almost uncontrollable excitement, especially when he said:

"The hanging of the actual murderers will not reach the root of the crime. That will only be reached when the man with fertile brain and inventive genius who engineered the crime while his pockets were filled with the money plundered from the Irish people shall be brought to justice. [Cheers and cries of "Sullivan! Sullivan!"]

"It is to this arch traitor that you want to look, and it is to him and his henchmen that you must look. You must look to men who can spend money like water, men who have no vocation or calling which will bring them in the sums which they spend. It is men who can spend \$25,000, \$50,000, or \$75,000 a year, and who murder men to cover it up. [Tremendous cheers and cries of "Sullivan! Sullivan!" and "That's the talk!"] These are the men that you want to see dance upon nothing [wild cheers and cries of "That's the talk! Hang him! Hang him!"] rather than the men who have been deceived and duped into committing crime for which doubtless to-day they are sorry.

"Dr. Cronin's memory is secure with us; and if there are traitors in the Irish ranks in America you will find them amongst the men who have plundered your treasuries; you will find them amongst the men who have done murder to cover embezzlement. [Cheers and cries of "Sullivan, Sullivan!" and the "Triangle!"]

"When you find men who start rumors that Dr. Cronin's friends are traitors to Ireland, if you put your hand on them you will find men who were not far removed from him who caused the deed to be done. [Cries of "Good, good!"] You will find one of the many specious and quiet agents who did quick and serviceable work from various offices in Chicago to the telegraph which carried the word to Canada that Dr. Cronin was seen there, when he was actually in the sewer in Chicago, and you find a man close to the crime. And if he had not been found the day that he was found you would have heard of him next by some means on a steamer on the ocean; and by and by you would have heard of him in Paris [great sensation and nodding of numerous heads] and then you would have found the body in the River Thames. [Cries of "Hear, hear," and "You're right there."]

[Pg 381]

"It is well to be severe and just, but it is well to be careful that in being severe and just the laws of the land in which we live are not set aside by us, and that we do not set ourselves up individually as judges and arbitrators of the lives of men. We live in a nation that will tolerate no such work, be the nationality what it may. [Cheers.] Because Dr. Cronin saw fit to ask for an accounting for moneys disposed of illegally, unjustly and wrongfully; moneys given from the sweat and blood, from the heart's core of the Irish-Americans for their country's cause, there was but one course. They had not the money to give back, and because he would not cease at the bidding of the traitors murder was resorted to to cover up robbery. [Cheers.] For Dr. Cronin's honor and his loyalty to Ireland I myself would vouch with my life. [Tremendous cheers.] Let it be your care to allow no one to utter the slander that Dr. Cronin was not loyal to Ireland. Let it be your care to resent the lie that Dr. Cronin still lives in the body. He does live in spirit. He still lives in the hearts of the men of his

DENOUNCED AT OGDEN'S GROVE.

John F. Finerty presided over the meeting at Ogden's Grove, and Rev. G. W. Pepper, of Louisville; Judge J. W. Fitzgerald, of Cincinnati; Senator Grady, of New York; and O'Neill Ryan, of St. Louis, were among the speakers. The mention of Alexander Sullivan's name by Senator Grady was the signal for a scene of considerable enthusiasm. The speeches were devoted to the condition of the Irish race and the progress of the work of Parnell and his lieutenants for the liberation of their country from English rule. The only reference to the tragedy that was at that moment being denounced at the other end of the city occurred in an address, which was read and adopted, and was in these words:

[Pg 382]

"We would deem it, under other circumstances, quite unnecessary to emphasize before the American people the unwavering devotion of Irish-American citizens to the government of the United States, but a tragedy was recently enacted in our midst, the victim of which was one of our own race, that has been made the occasion of venting upon us as a people, and upon our societies as a body, the spleen and venom of persons who, claiming to be superloyal to the republic, have not the claim to honest loyalty which we, as a race, hold upon this continent. The Heights of Abraham, red with the blood of Montgomery; the waves of Champlain, brilliant with the victory of McDonough; the plains of Chalmette, still radiant with the martial fire of Jackson; the convent of Cherubusco, still ringing with the war shout of Shields; the sunken road of Antietam, that beheld the green flag of Meagher's Irish brigade rise and fall by the side of the stars and stripes, as color-bearer after color-bearer went down under the withering breath of the rebel front of flame; the valley of Cedar Creek, in which the heroic figure of Phil Sheridan lives as immortally as that of Napoleon at Marengo; the square of the Haymarket, in this our own city, where the Irish officers of the law stood like a wall of iron between the people and anarchy—all these examples and many more could we summon to the bar of public opinion if it were, indeed, necessary to convince the American people that every man born in Ireland is in spirit, if not in fact, an American.

"It has been asserted by those instrumental in covering us with defamation that we wish to screen the murderers of Dr. Cronin. We meet here to-day, among other reasons, for the purpose of vehemently denouncing his atrocious murder in our capacity as American citizens; but we hold that, as Irish-Americans, we have no more right to be held responsible for that foul atrocity than has any other element of our body politic for crimes committed by persons to whom they are kindred. We devoutly hope that the officers authorized by law will succeed in bringing to justice the assassins of Dr. Cronin.

[Pg 383]

"We repudiate, both as American citizens and as Irish-Americans, the claim made by the enemies of our race, that the Irish element has any desire, or any purpose, to make the soil of America the theatre of acts of vengeance because of feuds, factions or disagreements growing out of political differences or personal heart-burnings."

CHAPTER XVIII.

[Pg 384]

IN COURT AT LAST—THE STATE'S ATTORNEY POINTS OUT THE ACCUSED, MAN BY MAN—A FORMIDABLE ARRAY OF LEGAL TALENT—OBJECTIONS TO LUTHER LAFLIN MILLS AND HIS ASSOCIATES OVER-RULED BY THE COURT—WEEKS CONSUMED IN THE WEARISOME TASK OF SECURING A JURY—SCENES AND INCIDENTS.

"THE STATE IS READY."

"May it please the Court and gentlemen of the jury: We are here to try the charge of murder lodged against Burke, who sits back behind that man there, with his hand up to his left ear; Patrick O'Sullivan, who sits in the bend of the table there; Daniel Coughlin, who sits behind Mr. Ames, his attorney, and Beggs; one Patrick Cooney, who is indicted jointly with them, and Frank J. Woodruff, who is not on trial in this case. John Kunze sits there behind the

table, and John F. Beggs sits there with Coughlin. These men are all charged in this indictment with the murder of Dr. Patrick H. Cronin. It is alleged that they murdered him the night of the 4th of May, 1889, in this town."

Thus State's Attorney Joel M. Longenecker addressed Judge McConnell on the morning of Friday, August 30th. Less than four months had elapsed from the day that the physician was lured to his death; but the mystery surrounding the tragedy, at one time believed impenetrable, had been solved to the satisfaction of the officers of the law, and five of the accused were confronted with the bar of justice to answer for their participation in the crime. The court room was crowded to suffocation, although admission was restricted to members of the bar, jurors, representatives of the press, and others having orders from the Sheriff or State's Attorney. Outside the court room a great crowd of people of both sexes and all conditions of life clamored loudly but vainly to be admitted, and the officers on duty were compelled to draw their clubs in order that comparative quiet might prevail. The five prisoners, all neatly dressed and clean shaven, and looking fairly at ease, occupied positions as indicated in the remarks of the State's Attorney. They were well represented by counsel. Counselors Forrest and Judge Wing looked after the interests of Coughlin; Messrs. Donahue and David were there in behalf of O'Sullivan, the iceman, and Kunze; and Senator Kennedy of Wisconsin, with Messrs. Foote and Foster, were on hand for Martin Burke. At the same table with the State's Attorney sat Hon. Luther Laflin Mills, George C. Ingham and William J. Hynes. The three eminent counsel in question had been retained to assist in the prosecution, but the announcement of the fact was the signal for a vigorous protest from Attorney Forrest, who claimed that they had been employed by private parties. The protest, however, was promptly overruled, and the first ten men of the special venire took their seats in the jury box. Their names were William E. Cribben, A. P. Richardson, A. P. Hall, L. Brackenhoff, W. L. Bigley, A. W. Roth, F. E. Wheeler, R. F. Ridden, William Newman, Emery L. Lillibridge, George M. Fish and J. W. Bridger. They had hardly been sworn, however, when Lawyer Donahoe, on behalf of Kunze, again objected to the participation of Mills, Ingham and Hynes. He claimed that they had been engaged by private parties to appear in the case, that they had received money, or the promise of money from such parties, who were solely actuated by a desire to secure the conviction of the defendants, and that Attorney Hynes in particular was actuated, however, by a personal ill-will toward one of the defendants. The counsel offered to prove these allegations by calling the three lawyers in question to the stand; but the objection was again overruled, and, without further opposition, the State's Attorney proceeded with the examination of the talesmen. This proved to be a task of the most wearisome character, continuing throughout the month of September and on to the commencement of the fourth week of October. Five out of every six men that were called had formed opinions based upon what they had read in the public press, or upon what they had been told; that made it impossible for them to try the case fairly and on its merits. Many were opposed on principle to secret societies; others were particularly antagonistic to the Clan-na-Gael. It was evident from the start that the counsel for the defense intended to avail themselves of every possible technicality, and the questions propounded to the talesmen on the first day were so broad in nature that Judge McConnell was compelled to interfere. At the next session of the court a list of questions was submitted, which, so it was argued by Mr. Forrest, should be asked of every man in the interest of the defendants. The questions were as follows:

Have you now, or have you ever had, an opinion that during the year 1889 a secret committee was appointed by Camp 20 of the so called Clan-na-Gael Society, or some officer of said camp, to try the deceased, Dr. Cronin, for any supposed offenses?

Have you formed any opinion as to whether or not the alleged murder of Dr. Cronin was in pursuance of the action or finding of a secret committee, appointed by said Camp 20, or its officers, or any of them, to try said Cronin for any supposed offense?

Have you formed any opinion as to whether or not Dr. Cronin was killed in the Carlson cottage?

Have you an opinion as to whether or not a trunk was used in removing the supposed remains of Dr. Cronin from the Carlson cottage to a catch-basin.

Have you formed an opinion as to whether the tenant or tenants of the Carlson cottage had anything to do with said murder?

Have you formed an opinion as to whether or not Dr. Cronin was taken to the Carlson cottage by the horse and buggy engaged by Daniel Coughlin from Dinan, the liveryman?

Have you formed an opinion as to whether or not Daniel Coughlin knew when he engaged the horse and buggy from Dinan that the horse and buggy was to be used to take Dr. Cronin to the Carlson cottage to be murdered?

Have you formed an opinion as to whether or not Patrick O'Sullivan made a contract with Dr. Cronin for professional services. If you have formed such an opinion, I wish to ask you also, have you formed an opinion as to whether or not Patrick O'Sullivan made such a contract for the purpose of using said

[Pg 385]

[Pg 386]

[Pg 387]

[Pg 388]

contract as a scheme to entice Cronin away to be murdered?

Have you an opinion as to whether or not Martin Burke, one of the defendants, was the tenant of said cottage?

Have you an opinion that the Clan-na-Gael Society is in any way to blame for the death of Dr. Cronin? If you have such an opinion, state further whether or not you entertain an opinion that any particular camp of the Clan-na-Gael had to do with the murder of Dr. Cronin, and further state if you have an opinion that the defendants, or any of them, are members of said camp?

We desire to further inquire, in instances where jurors state they hold opinions upon the above topics, as to the sources of said opinions, and further as to whether these opinions have been expressed or otherwise.

One entire day was occupied by the defense in arguments and quotations from legal authorities tending to demonstrate their right to submit these questions, but after considering the matter over night, the court decided to narrow them down to the following points:

1. Have you formed an opinion as to whether or not the alleged murder of Dr. Cronin was in pursuance of the action or finding of a secret committee appointed by Camp 20 of the so-called Clan-na-Gael society, or its officers, or any of them, to try Dr. Cronin for any supposed offense?
2. Have you formed an opinion as to whether or not Dr. Cronin was taken to the Carlson cottage by the horse and buggy engaged by Daniel Coughlin from Dinan, the liveryman?
3. Have you formed an opinion as to whether or not Martin Burke, one of the defendants, was a tenant of the Carlson cottage?
4. Have you formed an opinion as to whether or not Dr. Cronin was killed in pursuance of a conspiracy?
5. Have you formed an opinion as to whether or not any of these defendants was concerned in said conspiracy, or was a member of said conspiracy?

[Pg 389]

This matter disposed of to the satisfaction of all concerned, the effort to secure twelve acceptable men was resumed. Day after day went by, however, and little progress was made. Both the city and the country were drawn on for material. Some of the venirees were composed of the finest looking men that had ever tramped into the dingy court room. There were heavy manufacturers, business men of standing and influence, and wealthy farmers from the suburbs. One man after another expressed his belief that the prisoners were guilty, and the five men became gloomy and morose when confronted with the substantial proof of the terrible prejudice which existed against them. For a long while it looked as though there were not twelve American business men of independent means in Chicago who had not already formed a positive opinion, and one which could not be removed by any evidence, as to the guilt of the prisoners. The number of talesmen that passed through the mill each day ranged from twenty to thirty. A large proportion were excused from cause, while the others were peremptorily challenged by the State or the defense. Freeman Gross, a capitalist; was the first man who enjoyed any prospect of being a juror, and his selection was the net result of seven day's labor and an expenditure by the State of over \$2,000. After however, he had been passed by both sides, matters were brought to the attention of the State's Attorney which warranted him in using a peremptory challenge upon the solitary occupant of the jury box and the second week opened with seven venirees exhausted and the first selection still to be made. A bold move was made by Attorney Forrest on a side issue at this stage of the case. Failing to obtain an order of the Court which would enable him to secure possession of the blood-stained specimens from the Carlson Cottage, and which were held by the prosecuting authorities; in order that a microscopic examination might be made by experts in behalf of the defense, the lawyer, with three other men, invaded the Carlson cottage, disarmed old man Carlson and Lindgren, his son-in-law, who were in the place and who presented revolvers at their heads; and, with a jack-knife, cut several pieces out of the floor where the blood spots were thickest, and also out of the base-board just beneath the spot on the wall paper where the blood had splashed when the physician was leveled by a blow upon his head. No cognizance of these proceedings, however, were taken by the court, but on the following day an order was issued permitting certain experts to examine the specimens held by the State in the presence of other witnesses. By the end of the second week fifty-one of the one hundred peremptory challenges credited to the prisoners had been exhausted, and still the first of the jurors was not within sight. Up to this time 327 venireemen had been examined. Of these nearly 90 per cent. had already made up their minds; 8 per cent. were violently antagonistic to the Clan-na-Gael; 2 per cent. were opposed to secret societies of all kinds, and one per cent. were conscientiously opposed to capital punishment. On the latter question the point was raised as to whether a man who had conscientious scruples against the death penalty, where the evidence was purely circumstantial, was qualified to sit as a juror in a murder case in Illinois. It was at first ruled by Judge McConnell that such a venireman was qualified, but, after elaborate arguments by the prosecution and the citing of innumerable authorities, the Court decided to withdraw from its position. When the

[Pg 390]

[Pg 391]

nineteenth venire was issued on September 19th, four men, Messrs. Pearson, Culver, Hall and Dix had been practically accepted by both sides. But this slow progress was not agreeable to little Kunze, and, becoming excited, he arose and asked permission to address the court. His counsel tried to get him to sit down, but the young German insisted upon being heard.

[Pg 392]



O'SULLIVAN AND KUNZE,
FROM PHOTOGRAPH
TAKEN DURING THE TRIAL.

"Shudge," he cried, waving his hand toward the bench, "I must speak mit you meinselb."

"Your attorney will speak in your behalf," said the court.

"Nein! Nein!" exclaimed Kunze. "Mein attorney no speeg for me; I like mit mein own interest to talk mit you. Last Saturday Shudge Longenecker told I looze notings by being in chail, und I vas guilty not, und I looze notings by dat. But mein healt I looze by der chail, und dat is somedings; but it will maag me vell und I proof meineselef guilty not at all. Ein doctor no man can heal und he don'd know the woondt; und I vant der chudge to tell me vat I am chail in for to-day anyhow?"

[Pg 393]

Kunze, much excited, sat down amid the laughter of his colleagues.

"I have your matter under consideration," said the court in kindly tones, and the prisoner subsided.

New tactics were attempted by the defense in the fourth week. It was broadly hinted by Mr. Forrest that the right sort of men were being neglected by the bailiffs and a demand was made that all future venires, instead of being special, should be drawn in the regular way. In support of this demand he said, among other things:

"We are very much dissatisfied with the class of jurors obtained thus far; they do not come from the body of the county. We are getting a class jury from the smallest class in the county. We have had five Englishmen to one Irishman. According to the school census of 1884 there were 114,000 Irish persons and only 20,000 English in this city. If the jurors were taken from the box these nationalities would come in due proportion. Yesterday there were seven English and Scotch veniremen. Now we look upon the English as a class as a most reputable portion of the community, but it so happens that if there should be a strong prejudice against the defendants, we might expect to find it right there. I believe the non-church going community in this county exceeds the church-going people; and I am satisfied also that the members of the Catholic church exceed in number all the persons in the so-called evangelical churches. Yet of those we have had here, twenty to one were Baptists, Presbyterians and Methodists. We do not say that we should have a Catholic jury, but we claim we should have a jury drawn from the body of the county by lot. Another thing: The mechanics, the laboring men, exceed the mercantile class. The salesman class depends more on the daily papers for intellectual food than any other class in the community. My experience of mechanics is that they do less newspaper reading, but devote themselves to works on history, philosophy and political economy. They are better posted to-day than any other class. All the evils resulting from the present system would disappear were the jurors drawn by lot from the box, which is the fairest method of obtaining jurors."

[Pg 394]

Mr. Mills replied at some length. He said:

"I will not deign to answer the insinuations and animadversions made by the distinguished counsel, directed or intended against the integrity and fidelity to the law of the gentlemen of the prosecution or the sheriff of Cook County. Your honor, in the interruption made, expressed an answer to such insinuations and animadversions. Counsel has talked much of classes, lines of men, divisions of the community. He has talked of the employer class and the laboring class; he has even brought into this discussion the element of religion as suggesting classes of men. I submit that there are no classes recognized by the law of this State. What statute recognizes a distinction between the laborer and the man who hires him? What statute draws a line between the salesman and the head of a business? At no time has the State made a special demand for any class of men. We stand to day with the regular panel exhausted and in need of a jury, and we appeal to the statute to help us out."

"We will continue as we have been going on," said Judge McConnell after the arguments had been concluded; "the court has been diligent and cautious and intends to see that nothing but a fair and impartial jury is impaneled in this case."

HOT WORDS FROM LAWYERS.

The monotony of the proceedings was interrupted on Saturday, September 28th, by the first sensational scene of the trial. It originated during the examination by Mr. Donahoe of John W. Johnson, a special venireman, who had testified that he had no prejudices against the Irishmen or the Clan-na-Gael.

[Pg 395]

"Have you any opinion," queried Mr. Donahoe, "outside of what you read in the newspapers, that Dr. Cronin was murdered?"

"He was certainly murdered—the papers said so."

"Have you any opinion as to who is responsible for his death?"

"I don't know anything about it."

"Did you read of the arrest of O'Sullivan and Coughlin?"

"Yes, sir."

"You believe they were arrested, don't you?"

"Yes, they certainly were arrested."

"This is bully-ragging," Judge Longenecker remarked to the court.

"I can not suffer this examination to be continued," said Judge McConnell.

"We are surprised at his answers," exclaimed Lawyer Forrest, "because of certain things we have been informed about."

"Put your questions in that way," said Mr. Hynes, "and disclose your informant."

"Oh, no," said Forrest, mockingly, "that will enable the scheme to be carried out."

The lawyers for the prosecution sprang to their feet to protest against the insinuation. With flashing eyes, Mr. Hynes exclaimed:

"I would like to call the attention of the court to the language of Mr. Forrest."

"Stop, gentlemen," said the court in an appealing voice.

"The language I used," cried Forrest, in a tone of defiance, "can be repeated."

"Nothing but the dignity of the court and the courtesy we owe to it prevent me from denouncing that remark as in the character of mendacity," ejaculated Mr. Hynes. "I do not do it because the courtesy of the occasion prevents it. The counsel owes it to the administration of justice to disclose the reason for his remarks."

"Sit down and have patience," shouted Forrest in mocking tones. "You will get it in time."

"In the absence of that explanation," continued Mr. Hynes, "I denounce counsel's statement as a deliberate invention and a wilful slander upon the administration of justice in this case. [Sensation.]

[Pg 396]

"Well, it is so denounced," said Mr. Forrest.

"I did not hear the latter part of counsel's remark," observed the court, referring to the words which roused the ire of Mr. Hynes.

"He said it was a scheme of ours," said Judge Longenecker.

"Oh, I made the remark," cried Forrest flippantly.

"Then, it was improper," responded the court, with a slight frown on his face.

"There is no scheme on the part of the prosecution," Mr. Hynes explained, "except to watch the schemes of the defense."

"I am surprised to see the gentleman so agitated," put in Forrest.

"I am agitated, sir," said Mr. Hynes to the court, "because I am sensitive in my honor, and the gentleman is not." [Sensation.]

Counsel on both sides were standing and gesticulating as if they wished to prolong this interesting colloquy.

"Take your seats, gentlemen," said the court, slowly. The lawyers meekly sat down. "The language employed by Mr. Forrest," continued Judge McConnell, "was highly improper. I don't care to visit the offence with any greater severity than condemnation."

Mr. Johnson was peremptorily challenged in behalf of Kunze, and the scene was over.

An entire month had now been consumed in the effort to fill the jury box, but only four men had been passed. Still, but twenty peremptory challenges remained to the defense on October 1st, and it was consequently certain that this stage of the case was nearing its end. All of the challenges yet to be used were to the credit of Beggs; those of the other prisoners having been exhausted. The second quartette of jurors, Messrs Walker, Allison, Corke and North, were secured on October 8th. During the next few days a number of special veniremen, whose answers to the questions propounded indicated that they were unbiased, were tendered by the State to the defense, but one and all proved unacceptable to Mr. Forrest and his associates. There was a startling interruption to the trial at this point, which is dealt with in the next chapter, and which necessitated a suspension of the proceedings in court for several days. Finally, late on the evening of October 22d, the last man of the third quartette of jurors was selected, and Messrs. Marlor, Bontecou, Bryan and Clarke took their seats with their colleagues in the box. All known records in the history of criminal jurisprudence, so far as time was concerned, had been beaten in the selection of this jury. The search for talesmen had lasted forty-five days. The number of veniremen that had been summoned was 1091, of which 927 had been excused by counsel for cause. In addition to the special veniremen there were twenty-four on the regular panel disposed of. One hundred and seventy-five peremptory challenges had been used, of which ninety-seven were credited to the defense, and at the time the last juror was accepted, there remained to the defendant Beggs but three peremptories and to the State twenty-two. The jury in the Anarchist case, notwithstanding that the seven defendants had 140 peremptory challenges between them, was procured in twenty-seven days, while the jury that tried the celebrated county "boodle" case, when the defendants had 240 peremptories, was made up in just eighteen days. The twelve jurymen chosen had cost the State in fees alone to the veniremen summoned nearly \$5,000. Six of them, Messrs. Culver, Hall, Dix, Walker, Corke and Bontecou had been tendered by the defense to the State while the prosecuting lawyers were the first to be satisfied with Pearson, Allison, North, Marlor, Bryan and Clarke.

[Pg 397]

[Pg 398]

CHAPTER XIX.

[Pg 399]

STARTLING INTERRUPTION TO THE TRIAL—VILLAINOUS ATTEMPT TO FRUSTRATE THE ENDS OF JUSTICE—BOLD EFFORTS TO BRIBE THE SPECIAL VENIRESMEN IN THE INTEREST OF THE PRISONERS—A "HUNG" JURY WANTED—FORTUNATE DISCOVERY OF THE PLOT—THE "WHEELS WITHIN WHEELS" OF THE CONSPIRACY—PROMPT ACTION OF THE PROSECUTING AUTHORITIES—SPEEDY ARREST AND INDICTMENT OF THE GUILTY PARTIES—CRIME ADDED TO CRIME.

The thirty-seventh day of the trial—or rather of the effort to secure a jury—was productive of startling developments that temporarily suspended the further progress of the case. At the morning session there had been a wrangle between the State's Attorney and Counsellor Forrest concerning an application by the former for an order upon the prosecution to furnish the addresses of a number of female witnesses whose names were upon the back of the indictment. Judge Longenecker, who did not happen to be in a compliant mood, resisted the application, declaring that no law was in existence by which he was compelled to make public property of the location of those upon whom the State relied for evidence which was to make out its case. It was broadly hinted that the information was required for purposes that could scarcely be classed as legitimate, and there were suggestions that if the order was issued some of the witnesses in question might stand in need of protection. Despite these arguments, however, the presiding Judge took the other view of the matter and the defense gained its point. For the balance of the session the weary grind of examining the special veniremen went on, but without result, and when the time for the usual recess arrived not an additional man of the many examined had been accepted by either side.

[Pg 400]

SENSATIONAL TURN IN THE CASE.

Promptly at the regular hour for resuming the proceedings, Judge McConnell put in an appearance. For the first time since the opening day of the trial, however, the counsel for the State were absent. Considerable time passed, and still they failed to put in an appearance. At this juncture a messenger arrived in hot haste, with an intimation that the Judge's presence was urgently requested in another part of the building. He returned in a few moments, accompanied by the State's Attorney. There was a solemn look on both faces, and a whisper immediately went around the court that a sensation was upon the tapis. The Judge had hardly taken his seat when Mr. Longenecker, addressing him, said: "In view of some matters of which I have advised your Honor, I shall have to ask the Court to adjourn for the present in order to enable us to complete an

[Pg 401]

investigation we are making."

"I am disposed to think," was the ready response of the Court "from what I know of the matter, that the request is a reasonable one. The court stands adjourned until one o'clock to-morrow afternoon."

A buzz of surprise went through the crowded room. Longenecker hurried away, while counsel for the defense looked at each other with surprise. The prisoners excitedly asked each other and the spectators: "What's in the wind? What does this mean." No one could answer.

For the next twelve hours there were scenes about the Criminal Court building which for mystery and suppressed excitement had never before been approached in the criminal history of Chicago.



[Pg 402]

THE JUDGE HEARS OF
THE JURY BRIBING PLOT.

A JURY-BRIBING PLOT.

Hardly had the Court adjourned when the State's Attorney commenced the investigation which, as he had declared a few moments before, demanded his presence. The outer door of his office was locked from the inside, while a stalwart officer stood on guard. In a room across the hall a half dozen officers were stationed to prevent the approach of strangers. Assembled in the office were Judge Longenecker, Luther Laflin Mills, Messrs. Hynes, Ingham and Kickham Scanlan, Assistant State's Attorneys Neeley, Elliott, Baker and Glennon, Chief of Police Hubbard and Captain Schuettler. At one time and another a score of detectives hurried from one room to another, receiving instructions, going away in pairs and returning with some man or another who would disappear behind the doors to emerge no more. It was four o'clock in the morning before the investigation was suspended. Three hours later it was resumed. At ten o'clock a special grand jury was called by Judge Horton. It assembled at twelve. Ex-Mayor John A. Roche was appointed chairman. The body retired to its room and for nearly twelve hours was engaged in an inquiry on the star-chamber order. More than a score of witnesses were examined, and, just as the clocks of the city were chiming the hour of midnight, the members of the Grand Jury entered the Court and returned indictments against six individuals for conspiring to thwart the ends of justice by endeavoring to bribe jurors in the Cronin case. These individuals were Thomas Kavanaugh, steam-fitter; Alexander L. Hanks, court bailiff; Mark L. Soloman, court bailiff; Fred W. Smith, hardware agent; Jeremiah O'Donnell, gauger; Joseph Konen, fruit dealer.

[Pg 403]

The mystery that enveloped the proceedings of the previous day was now dispelled. The tentacles of the devil fish had reached into the court of justice. The desperation of the mysterious power behind the five men who were on trial for their lives for the murder of the Irish physician had reached a climax. From the moment that the prisoners had first faced Judge McConnell, their attorneys had waged a stubborn and a bitter war against the veniremen passed by the State. Eight jurors had, however, been selected. The peremptory challenges of O'Sullivan, Burke, Coughlin and Kunze had been exhausted, and Beggs alone of all the prisoners possessed the right of exercising the power of peremptory dismissal. All this time the mighty and unseen power behind the prisoners and behind the lawyers was hard at work. It had never been still from the time that the doom of the physician had been sealed. Its machinery had ground him to death and been then torn down, built up again, and set in motion to conceal the gory corpse. The shafting encircled the entire boundary within which a juror could be drawn, and the leviathan proportions of the murderous machine could not be measured until a cog had dropped out here and there and been carried to the office of the State's Attorney. The machine had assisted in the escape of Cooney. It had tried its best to get Martin Burke far beyond the reach of the clutches of the law. It had inspired the police officers of the State to ignore their duty. It was probably, at that very time, instructing possible witnesses in the art of perjury. It had gone farther and had actually attempted to suborn by bribes the men who had been summoned as jurors in the trial in progress.

[Pg 404]

The facts, as narrated first to the State's Attorney and later to the Grand Jury, admitted of no controversy. George Tschappatt, a German, who for ten years had been employed as foreman of an extensive lard manufactory, had been one of the veniremen approached. His wife was a friend of Mark L. Soloman, a bailiff of the Criminal Court. He was summoned as a venireman on Monday, and was present at the court room Tuesday, but was not examined. On Wednesday morning Soloman encountered him in the ante-room awaiting his turn to be called. Approaching him with extended hand, he said:

[Pg 405]

"Hello, Tschappatt, what are you doing here?" And then slapping him on the shoulder continued: "Have you been summoned as a venireman?"

Mr. Tschappatt replied that he had, and was anxious to be excused, as he could not spare the time to sit on the case.

"Come outside and have a drink," resumed Soloman. Taking Tschappatt by the arm they adjourned to a neighboring saloon. While they stood at the bar sipping a glass of beer, Soloman said:

"Tschappatt, you must have a pretty hard time of it to get along and support a family. How would you like to enter a scheme where you could make a thousand dollars?"

Tschappatt innocently replied that he was in on it. "How is the money to be made?" he asked.

Leading Tschappatt over to one corner of the saloon, the bailiff revealed the scheme.

"I'll tell you what I want you to do," he said. "Get on the jury, if you possibly can, and there's a thousand dollars in it for you if you stick out for an acquittal."

Tschappatt immediately tore himself away from the bailiff's grasp, and replied emphatically that he would have nothing to do with it.

"You ought to know me well enough, Soloman," he said, "to know that no amount of money could bribe me to defeat the ends of justice. If the prisoners on trial are guilty of what they are charged with, I say hang them, and everybody else who is connected with the conspiracy. No, sir; you can't bribe me, and you ought to know that."

[Pg 406]

With this the venireman attempted to get away from the bailiff, but Soloman held on to him with a vise-like grasp.

"Don't be a fool, Tschappatt," said Soloman, "you're a poor man, and ought to know that a thousand dollars is not to be picked up every day. Now, listen to me, and I'll show you how you can make it and nobody will ever be the wiser. If you properly answer the questions put to you by the lawyers you will in all probability be passed and sworn in as a juror. Now, I'll see that you get the money—leave that to me. Of course the money won't be given to you, but your wife will get it, so it will be all the same. On a certain day that you will appoint she will appear in court wearing a certain dress that you will designate. By that you will know that she has received the money, and if she doesn't wear that dress you will know the reverse. But don't let that trouble you. She'll get the money."

"Soloman," said Tschappatt, "what kind of a man do you take me for? You first ask me to sell myself and then you want to drag my wife into it. I have a good mind to knock you down. You deserve it."

"Well, there's no use getting hot about it," said Soloman. "I thought I was doing you a good turn, and only that we have known each other for years I would not have put a thousand dollars in your way. But you can do just as you please about it—accept it or reject it. If I were you, however, I would consider the proposition. It will be many a long day before you get a chance again to make a cool thousand."

Tschappatt replied that he would not entertain the matter for a moment, "and if I had known this was the reason," he said, "that you called me out I would not have come."

They then returned to the criminal court building, Soloman still talking about the proposition.

Tschappatt rejoined the other veniremen who were waiting in the ante-room, but did not utter a word of what had passed between him and the bailiff. At noon time, when the court took a recess until 2 o'clock, Tschappatt went back to the place where he was employed and worked hard to catch up for the time he had lost. He returned to the criminal court a few minutes before 2 o'clock. Soloman was waiting for him at the foot of the stairs.

"Where have you been for the past two hours?" was the greeting from the bailiff. "I have been looking all over for you. Did you consider that proposition I made you?"

[Pg 407]

Tschappatt told him that he had not, and tried to brush him to one side so he could go up-stairs into the ante-room. Soloman stopped him, and then offered him \$5,000 if he would get on the jury and stand out for acquittal. This is the language he used:

"We have got to have you on that jury, and you can't get out of it. Think of it—\$5,000 for a few days' work. Are you a fool that you won't accept it?"

"I gave you my answer this morning, Soloman, and I make you the same reply now. I will not accept. All the money in Chicago could not induce me to do as

you want me. Now, let me pass on up-stairs?"

"Don't say anything about this," was the bailiff's injunction, and he followed Tschappatt up into the court-room.

The five bailiffs, one of whom was Soloman, went over to the jail and brought the prisoners into court. Soloman sat in a chair behind Kunze.

About the middle of the afternoon Tschappatt was brought in from the ante-room and took his seat in the jury-box. In answer to the questions from the attorneys he said he had formed opinions regarding the case, and did not think he could give the prisoners a fair trial. He had visited the Carlson cottage, he said, and talked with some one there about the case. The court excused him for cause.

During the examination of Tschappatt Soloman kept his eyes on him continually and was greatly agitated, evidently fearing that he would tell the court about being approached. When he left the box, however, he took his secret with him.

As good fortune would have it, on leaving the court room Tschappatt encountered his employer, Benjamin V. Page, to whom he told this story. By the latter it was communicated to Mr. Mills, and the prosecuting officials, with the consent of the court, immediately commenced the investigation already alluded to. Soloman was sent for and at first emphatically denied the accusation that had been made against him. Confronted with the honest German, however, he was forced to admit his guilt, and make a full statement of his connection with the conspiracy. From his pocket he produced a slip of paper on which was a list of names and addresses of jurors whom it was thought could be influenced by money, and a comparison showed that it contained the names of several men who were on the special venire, and at that time waiting to be examined. This list, Soloman said, was given to him by Hanks, one of his fellow-bailiffs. Upon being interrogated this individual was also compelled to admit his connection with the affair.

[Pg 408]

WHEELS WITHIN WHEELS.

With these statements as a foundation, still more important developments were brought to the surface without much difficulty. It was found that Fred. W. Smith, a manufacturer's agent, had offered several citizens the sum of \$2,000 each to get on the Cronin jury. Hanks had made an offer to Joseph Konen, a fruit dealer, of \$1,000 if he could succeed in passing the lawyers and would render a verdict for the defense. Another man had been offered \$1,000 with the same object by Jeremiah O'Donnell, who a few weeks before had received an appointment in the internal revenue as gauger for the Calumet District, and the latter in turn had been approached by Thomas Kavanaugh, a member of a plumbing firm. Hanks appeared to have been one of the big cogs in the machine, so much so that he had advanced \$1,000 to Soloman for his services as a briber. Behind Hanks was Kavanaugh, who was an active member of the Clan-na-Gael. Both were spokes in the big wheel of the machine which had been buzzing so silently and as they imagined, so successfully. Within a few hours after the indictments had been returned, the men named therein had been arrested and incarcerated in jail. The investigation was continued upon the following day and further facts were brought to light which warranted the presentation of the matter to the regular Grand Jury for the October term. This body, after spending two hours in the examination of witnesses, returned additional indictments against Smith, Hanks and Soloman, together with an indictment against John Graham, confidential clerk to A. S. Trude, a prominent member of the bar. The indictment of Graham was based on evidence tending to show that he had originally employed the parties that had endeavored to corrupt the special veniremen. According to the story told by Bailiff Hanks to the Grand Jury, Graham had offered to pay \$2,000 each for two or more men, saying that money was no object. He had also employed the bailiff to keep up the drooping spirits of certain of the prisoners by delivering to them verbal messages of cheer from their friends on the outside, Graham paying handsomely for this service. He was arrested, but immediately released on bail, and bondsmen were found for all of the men concerned in the attempted bribery. Judge Longenecker, and the attorneys assisting him, however, were convinced that they had yet to reach the fountain-head of the directing conspiracy, and their next move was the arrest of Henry N. Stoltenberg, the confidential clerk and stenographer in the office of Alexander Sullivan. At the same time the residence of the latter was once more placed under surveillance. After being detained over night, the clerk was taken before the Grand Jury. His answers to the questions propounded were regarded as of considerable importance, more especially his admission that he had received letters from a prominent Irishman in Toronto, and which had been addressed to him under cover to a second party. He was then released. Alexander Sullivan's law partner, Thomas G. Windes, and E. J. McArdle, a young Irish lawyer were also examined, but both declared that they knew nothing whatever regarding the matter under investigation.

[Pg 409]

[Pg 410]

It was evident by this time that sufficient had been accomplished to frustrate the purposes of the conspiracy, and, as the resumption of the search for jurors was imperatively ordered

[Pg 411]

by the court, the effort to discover the wheels within wheels of the jury-bribing plot was abandoned for the time being. Enough had been discovered to prove that the men behind the prisoners were prepared to go to any lengths to prevent a conviction. As Luther Laflin Mills remarked, in that earnest and impressive manner which characterized all his utterances:

"The plot was the most damnable and hellish that has ever been concocted to defeat the ends of justice. It can not be exaggerated. It extends all over the country, and its ramifications are so numerous and far-reaching that it seems almost incredible that we have made such progress in marking them out. It is without parallel in the history of legal jurisprudence in this miserable effort to defile the laws of Illinois. When all the facts are known, as they are sure to be sooner or later, the whole civilized world will be shocked, as it was when the news of the conspiracy that ended in Dr. Cronin's death was sent out. The public is entitled to know all the facts, because it ought to know the obstacles that the officers of the prosecution have had to encounter from the 4th of May up to the present time. We have sought earnestly and honestly to prevent a miscarriage of justice in this case, and thanks to the brave young man who was proof against bribery and his courageous employer who reported the facts to us, we have broken up a conspiracy that would have set at naught the labor of months."

[Pg 412]

[Pg 413]



[Larger Image](#)

SCENE IN THE COURT ROOM DURING THE MEMORABLE TRIAL.

[Pg 414]

CHAPTER XX.

A JURY SECURED AT LAST—NAMES AND SKETCHES OF THE TWELVE MEN SELECTED TO DETERMINE THE GUILT OF THE ACCUSED—THE TRIAL UNDER WAY—OPENING SPEECHES FOR THE STATE—SCENES IN THE COURT ROOM.

Hundreds, if not thousands of people besieged the entrances to the Criminal Court building at an early hour on the morning of Friday, October 25th. It was the opening day of the great trial. Men and women were wedged together in a compact mass. They were packed solid on the iron steps leading down from the entrance onto the sidewalk, and out in the road to the other side of the street. Special instructions had been given to the bailiffs to maintain order, as well as to eject all suspicious persons. They made a bold fight for awhile, but when the doors had been opened they were overwhelmed by numbers. Within a few minutes every seat in the court room was occupied, and hundreds were fighting for places to stand. The crowd below pressed upward and it began to look as though the building would be taken by storm. Reinforced in numbers, however, the bailiffs made another rally against the crowd, and finally succeeded in closing the doors. Only those presenting special orders were admitted for the rest of the day.

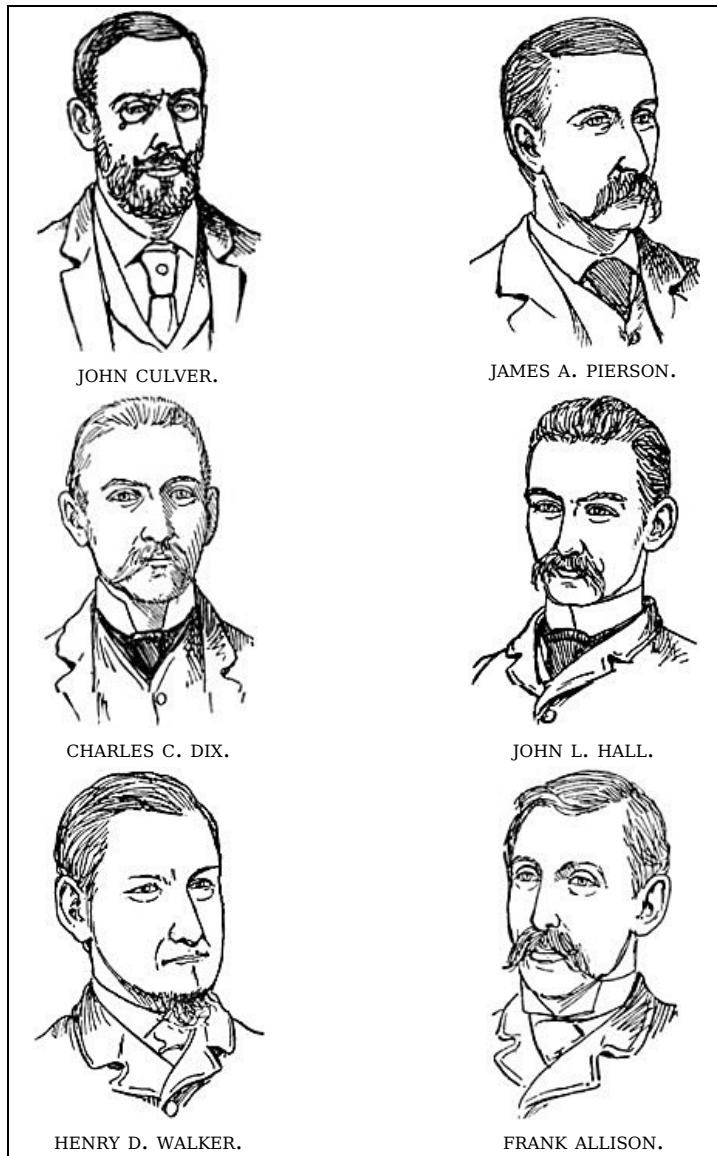
[Pg 415]

THE SCENE IN COURT.

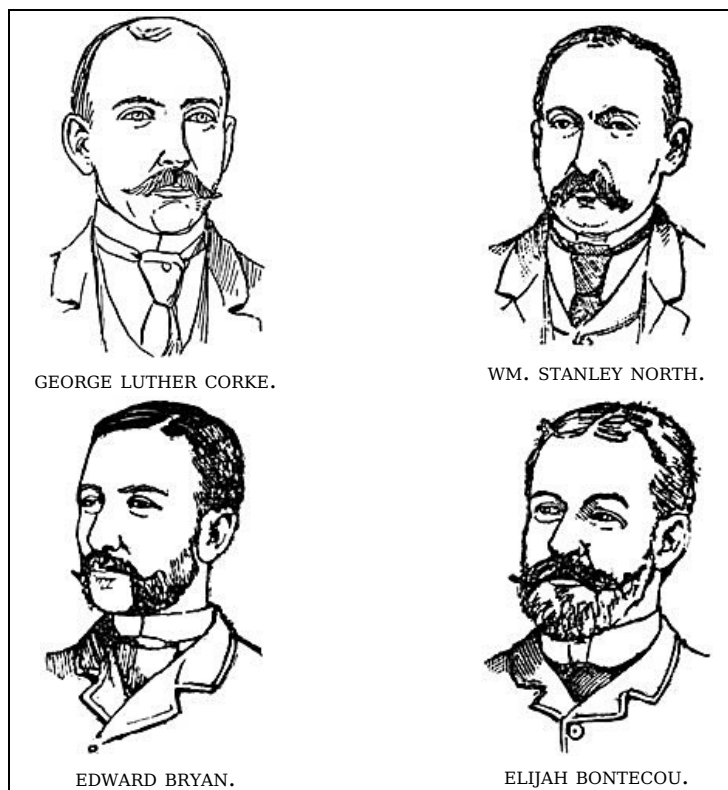
The clock in the court room was striking ten when the prisoners filed in through the door communicating with the iron corridor that led to the jail. Ex-Senior Warden Beggs led the procession. Behind him came Coughlin, O'Sullivan, Burke and Kunze, in the order named. A big bailiff walked shoulder to shoulder with each prisoner. For a moment the five men who were about to be placed on trial for their lives appeared paralyzed as they contemplated the

immense throng that had gathered to gaze at them, and to listen to the opening address in behalf of the State. Beggs was as white as a sheet, Burke's face crimsoned, while the faces of the other prisoners turned pale and red by turn. Close after them came the attorneys for the defense, then those for the prosecution, then Judge McConnell, and lastly the jurors.

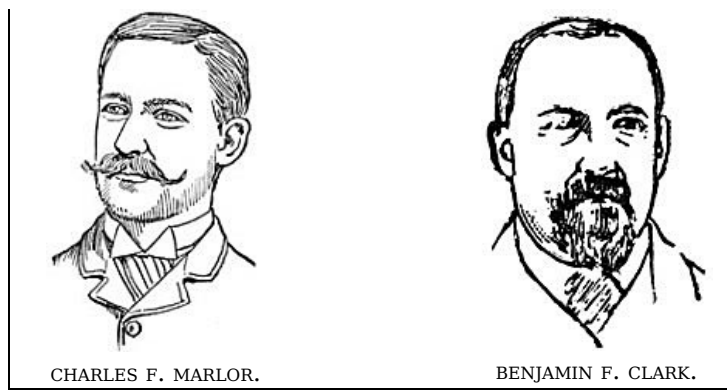
[Pg 416]



THE JURY.



[Pg 417]



THE JURY.

Each of the twelve good men and true rose in his place and answered as his name was called. This was the roster:

John Culver, age 43; born in Illinois; father, American; mother, Scotch; married; real estate business; Methodist Episcopal. [Pg 418]

James A. Pierson, 54; born in New York State; parents, American; married; farmer; no religion.

Charles C. Dix, 33; born in Chicago; American parents; bachelor; insurance business; Episcopalian.

John L. Hall, 29; born in Illinois; American parents; married; architectural draughtsman; Methodist Episcopal.

Henry D. Walker, 58; born in Massachusetts; American parents; married; upholsterer; Protestant.

Frank Allison, 39; born in New York State; American parents; machinist; no religion.

George Luther Corke, 30; born in Illinois; parents, English; married; druggist; Methodist.

William Stanley North, 33; born in Cleveland, Ohio; American parents; married; manufacturer; Presbyterian.

Edward S. Bryan, 40; born in New Jersey; American parents; married; law book salesman; Congregationalist.

Elijah Bontecou, 35; born in Troy, N. Y.; American parents; married; salesman; Protestant.

Charles F. Marlor, 30; born in New York; parents, American; married; clerk; Episcopalian. [Pg 419]

Benjamin F. Clark, 53; American by birth and parentage; married; real estate dealer; Methodist.

LONGENECKER'S MASTERLY EFFORT.

Breathless silence prevailed. Judge McConnell inclined his head. The gavel fell. State's Attorney Longenecker, with his hands thrust deep into the pockets of his trousers, was on his feet in an instant. Without any preliminaries, he plunged direct into his opening address. The effects of the months of hard work he had devoted to the case were plainly apparent. His face was pale and his voice weak, but he braced himself for his task, and without any attempt at oratory, but in a plain, succinct manner which indicated that he had thoroughly mastered his subject, he gave to the jury in the short space of two hours a complete and admirable statement of the evidence that had been collected and would be submitted to the body. Commencing with a review of the conception and progress of the Clan-na-Gael, he traced the movements of the organization and the extent of the active interest in its affairs that had been manifested by the murdered man. The motive for the crime, he declared, was the bold warfare which Dr. Cronin had waged against his enemies and especially against the deadly and malicious plottings of the triangle. The speaker became thoroughly aroused as he dealt with this branch of his subject, and with his right hand sweeping the air, he lashed the triangle in the most vigorous English. Mr. Forrest objected that the famous and omnipotent triumvirate had nothing to do with the case, but the objection was overruled. The State's Attorney went on to declare that the plotting against Dr. Cronin began about the first of the year. It was in Camp 20 that the conspiracy had been hatched, and of this Camp Beggs, Coughlin, Cooney, Burke and O'Sullivan were members. Here it was that the fate of the victim was sealed, and the commission of the crime intrusted to reliable hands. In vivid language the speaker proceeded to show the lizard-like deliberation with which the plotters had gone about their work; how they had purchased the furniture and trunk, rented the cottage, lured the physician from his residence; beaten out his life; robbed the corpse of every article of identification; save the "agnus dei" which was fastened around the neck; [Pg 420]

thrust it into the trunk; borne it to Edgewater; and there dumped it into the catch basin. The prisoners scowled and the jury listened with looks of intense interest as the State's Attorney, although almost exhausted by his effort, continued with his vivid recital. The evidence which would be presented against each one of the prisoners was briefly mapped out, and the speaker grew more earnest than ever as he went on to tell how the hidden hand that directed the murder had sought to malign the dead. The word had been passed to the rank and file that Dr. Cronin was a spy and that he would soon appear across the water as another Le Caron. It was possible that the actual murderers were led to their work by this belief. It was certain at least that a dastardly attempt had been made by the hidden hand to spread the spy theory after the doctor had disappeared. Men had been told to do such acts as would leave the public to believe that the physician was still alive, and so successful had they been that only by a mere accident was it that their plans were crushed forever. And so the speaker went on with his straightforward narrative of the conspiracy and its sequel and finally closed a powerful address with a brief peroration in which he admonished the jurors to do their duty without fear or favor. Among other things, the State's Attorney said, in the course of his address:

[Pg 421]

THE LAW IN THE CASE.

"Gentlemen of the jury, you have been selected with great care to try this case. You have been questioned perhaps more than you thought proper, yet we thought it our duty to be very inquisitive with reference to your past histories, so that we might, in trying this very important case, feel that we had twelve men who would render a fair and impartial verdict. You all stand before this court and before this community with characters that are written, and if, after hearing the evidence in this case, you render a truthful verdict, whether that verdict be to unlock the prison doors and set at liberty these men, or whether it be to inflict the highest punishment for the crime with which they are charged, you can go out into the world with a passport of duty done which will be an honor to you through all the future of your lives. Each of you has said under your oaths that you would try this case upon the law and the evidence—that you would render a verdict based exclusively upon the law and the evidence; that you would not be controlled by public opinion; that you would not be governed by anything other than the evidence in the case; no matter how much regard you may have for public opinion, no matter how much we may feel that oftentimes public opinion is right, yet you as jurors are sworn to try this case on the evidence and the law, and to render a verdict based upon it exclusively. You answered that you would try this case fairly and impartially. Fair and impartial verdicts mean verdicts not only fair to one side, but to both sides of a case on trial. Too often jurors and courts and even prosecutors, in their anxiety to be fair toward men on trial, step over the line of duty, and criminals go unpunished and the law becomes a farce. While I want you to give these men a fair and impartial trial; while we desire that you give them the benefit of everything the law in its wise provisions enables you to give, in your anxiety to be fair don't step over the line of duty and do an injustice to the people of this great State. You have said that before you would convict any man on trial in this case you would want the people to prove that he is guilty beyond a doubt—a reasonable doubt; that you would require the State to make out the case from the witness stand; and that you would respect the provisions of the law that says every man is presumed to be innocent until proven guilty; that you would not convict any man unless you were satisfied of his guilt from the evidence. But, let me say, the presumption of innocence is not evidence in the case, and when you hear of that presumption all the way through this case understand that it is not evidence.

[Pg 422]

"While the law presumes every man innocent until proven guilty, yet it is not such a presumption as to rebut evidence. Presumption simply stands up before you and says: Before you can convict this man he must be proven guilty. And as the evidence is given to you step by step the presumption stands as a guard between innocence and the evidence that is being given, until at last, when your mind is satisfied, when your judgment has come to the conclusion that the men are guilty, the presumption is wiped out, and you are no longer to presume the man innocent.

[Pg 423]

"When you stated that you would not convict these men except they were proved guilty beyond a reasonable doubt, it simply meant this—that, after hearing the evidence, if you are satisfied of the truth of the charge; if you are satisfied, as jurymen sworn to do your duty, that the men on trial are guilty, then you have no right to go digging around for doubts; you have no right to hunt around for an excuse to refrain from doing that which the law makes it your duty to do. A reasonable doubt means a doubt that is reasonable. I mention these facts because the learned counsel for the defense, which was proper and right, were anxious to impress on your minds that before you could

convict anybody you must believe them guilty beyond a reasonable doubt. You have taken an oath in this case and are sworn to try it upon the law and the evidence. The oath taken is that you will well and truly try this case and the verdict render according to the law and the evidence. That means that there is an issue to be tried. The men at the bar are charged with the crime of murder on the one hand; that on the 4th of May, in this county and State, they did maliciously, wickedly and feloniously kill and murder Dr. Cronin. That is the charge made in the indictment. On the other hand, these prisoners at the bar say they are not guilty. That issue is what you are sworn to try. It is as to whether these men on trial killed and murdered Dr. Cronin. What is murder? may be asked. Murder is the unlawful killing of a human being with malice aforethought, either expressed or implied. Before you can convict these men it becomes the duty of the people to prove every material allegation in the indictment. What are the material allegations in the indictment? First, that Dr. Cronin was killed; next, that he was killed in this county and State; next, that these defendants killed him without provocation or excuse. These are the material issues to be proven in this ease.

"If you believe from the evidence that he was murdered and that these men killed him, as charged in the indictment, then the question is settled. Then you have the law as to murder to govern you, and you are the judges of the law and the evidence; and if you find that these defendants killed him, and that he was murdered, then the statute fixes the punishment, or leaves it to you to fix the punishment. That is the law in the case, except what you may get from his honor on the bench. I apprehend that the learned counsel for the defense will not contest the fact, if it is proven that Dr. Cronin was killed, as we have charged—that he was stricken to death, as we can prove—I don't apprehend that they will contend then it was any other homicide than that of murder. So you will have that question to settle. If we prove that Dr. Cronin was killed as we allege he was killed, there will be no question as to whether it was murder or manslaughter; it will be admitted by the learned counsel for the defense that it was murder or nothing.

[Pg 424]

THE EVIDENCE MAINLY CIRCUMSTANTIAL.

"Now, gentlemen, this is the issue that you are to try. His honor from the bench has pronounced every one of you a qualified juror in the case; and as now we approach the evidence, I desire to call your attention to something that was talked of a great deal while we were selecting this jury. You have by this time learned that most of the evidence of the case will be that of a circumstantial character. There are two kinds of evidence, as you have learned—circumstantial and direct evidence—and yet, after all, nearly all evidence is circumstantial. You may not have read it, but any lawyer at the bar will remember reading of the incidents or illustrations by Wharton and other writers, in which they say that nearly all evidence is circumstantial. Even if you are looking at a man holding a pistol, and see him fire it at another, and see the man drop—that is all circumstantial. You see the man holding the pistol; you hear the report; you see the other man drop, and you are satisfied that he is shot, and yet you don't see what killed him. The bullet is found in his brain; you saw the man pointing the pistol, and these are the circumstances of that case, although you saw the acts that brought about the circumstances which led you to believe he was killed by the bullet. That is one way of illustrating circumstantial evidence." Here the State's attorney gave another illustration on the same line, and proceeded: "That is circumstantial evidence. Circumstances are truths. Nearly every case that comes into court rests almost exclusively upon circumstantial evidence. Of course, there is direct evidence making up the circumstances, but after all, the crime itself, the act itself, is proved by the circumstances in the case.

"So that, while we must rely upon the circumstances in this case, yet we propose to show to you evidence enough to convince your minds thoroughly upon the question of the guilt of these accused. We shall prove this by circumstances just as much as if there had been an eye-witness of the scene. You stated, gentlemen, as I said before, that you would not convict unless your minds were satisfied beyond a reasonable doubt, from the evidence, of the guilt of these defendants. You stated further that if you were satisfied beyond a reasonable doubt—every man of you satisfied—that the crime was of such a character as to deserve the highest penalty you would then have no conscientious scruples against capital punishment—that you were not opposed to capital punishment. It does not matter whether your minds are satisfied by circumstantial evidence or direct evidence as to the guilt of the men on trial—you stand pledged on your oaths to execute the law as you believed it ought to be executed in the case.

[Pg 425]

"On the night of May 4th, soon after seven o'clock, was the last time that Dr. Cronin was ever seen alive, except by the men who assassinated and beat out his life. Until the 22d day of May his body was not seen by his friends or any one except those who thrust it into the catch-basin in Lake View.

"We claim in this case that the murder of Dr. Cronin—as we shall prove it was a murder—was brought about by a conspiracy. These men are charged with having murdered Dr. Cronin. The evidence that we shall introduce will show a conspiracy to murder Dr. Cronin, and we shall show that the conspiracy was formed and carried into execution, and having been carried into execution, terminated in the killing of Cronin, and that these men are liable for the murder."

From this point Judge Longenecker went through in detail the entire record of the case as it affected the defendants collectively and as individuals and then continued:

"I believe I have gone over the main points of the evidence. Of course, there will be evidence here and there showing conclusively that this conspiracy was well planned, and showing conclusively to your minds before you are ready to render your verdict that these defendants are guilty. I said that this was a conspiracy. Any one who looks at the evidence can see very readily that the acts committed of themselves are conclusive that the murder was the result of a conspiracy. When Dr. Cronin's body was found the head was cut in a dozen places—from behind and on the temple—showing that they had killed him by giving him lick after lick until his life was beaten out. All that will be described by the doctors; the condition of the body shows that the blows were dealt from behind.

[Pg 426]

"Now, a conspiracy is made up of certain acts by individuals, either together or separate, and every act that was done by either of these parties necessary to carry out the object of the conspiracy binds the others who were in the conspiracy. For instance, if a conspiracy existed, then the act of Coughlin in hiring the horse was the act of Burke, the act of Sullivan, or the act of Beggs, or any other person who engaged in that conspiracy. The renting of the cottage by Burke under the name of Williams was the same as if they had all gone there and rented it. The going over to P. O'Sullivan's to tell him they had rented the cottage was the going over of all those interested in the conspiracy, and so in making the contract with Dr. Cronin. If O'Sullivan made a contract and those other parties were in the conspiracy, and that was a part of the conspiracy, then they all entered into that contract as a part of the work to be done. Every act that was done by either of those parties before the commission of the crime is the act of all, if you believe there was a conspiracy to kill Dr. Cronin.

ALL ARE GUILTY.

"Another thing I wish to call attention to, and that is that the accessory is the same as the principal. It does not matter whether either of these parties struck the deadly blow; it does not matter whether they were a thousand miles away from the cottage—if it was a conspiracy and they were accessories to the crime, then they are principals to the crime just as much as if they helped to strike the deadly blow. For instance, three men may enter into a conspiracy, knowing that you have \$1,000 in your house. You may live between Thirtieth and Thirty-first streets, on State. The three men go to rob your house. One stands at Thirtieth street and the other at Thirty-first street, and the other goes in and robs you of your money. All of these three men have committed burglary. The men who stood on the street corners are just as guilty as the man who went inside for the purpose of stealing your money.

"When you take this evidence into consideration, when you take the fact that this man Coughlin hired the horse, and another fact that after Dinan had gone to the station and Coughlin said: "Don't say anything about me engaging the horse and buggy; you may get me into trouble, because Cronin and I were not friends": when you consider that he claimed that the man for whom the horse and buggy were hired was named Smith; that he was sent out to hunt Smith and saw Smith and let him go; when you consider the hiring of the flat at 117 Clark street, the buying of the furniture and the trunk and the strap, the renting of the cottage, the contract between the doctor and this man O'Sullivan; the statement that a sister was to be there to occupy the cottage; the driving of the doctor from his home under the supposition that he was going to minister to the wants of an injured man; the appointment of a secret committee at the instance of Dan Coughlin; the fact that the senior guardian said that the committee reported to him and not to the camp; the statements that Dr. Cronin was a spy—the grouping together of all these things makes the conspirators as guilty as if the murder was the act of one man.

[Pg 427]

AN APPEAL FOR JUSTICE.

"And, gentlemen, if, after hearing this evidence, you are satisfied that Dr. Cronin was murdered; if you are satisfied from the evidence that this thing has been deliberated upon from the 8th day of February, or from the 19th of April, when they rented the flat on Clark street, and all those deliberations to take away the life of this man Cronin; the appointment of a secret committee; the attempt to make it appear that the society was trying this man as a disguise to those who might not approve of such work; all these things, if they are proved to you; if it appears in evidence that this great deliberation was had, that this great conspiracy was concocted as we claim, that this man's life was taken away, as we shall prove—if all this satisfies your minds, then your duty will be plain, then you can give the correct answer to the question as to whether you have conscientious scruples against the death penalty. Gentlemen, we will present this evidence as rapidly as possible, but I trust you will be patient with us in this case. It is a matter that concerns the people as well as the defendants. We will present it as rapidly as we can, consistent with doing our duty; and when you have heard this evidence, if you are not satisfied that Dr. Cronin was murdered; if you are not satisfied that these men, whether present at the killing of the doctor, or whether only present in the conspiracy; if you are not satisfied that they are guilty of the charge, then, of course, turn them loose. But if this evidence shows this deep laid conspiracy; shows its premeditation; shows the coolness with which they planned it; if it convinces your minds beyond a reasonable doubt that they are guilty, then your duty is claimed to inflict upon them the highest penalty of the law."

[Pg 428]

[Pg 429]



John Kunze. John F. Beggs. Daniel Coughlin. Patrick O'Sullivan. Martin Burke.

THE FIVE DEFENDANTS IN COURT.

CHAPTER XXI.

[Pg 430]

EVIDENCE FOR THE STATE—THE STORY OF THE CRIME RE-TOLD—A LONG LINE OF WITNESSES—
SENSATIONAL DISCLOSURES AND MISSING LINKS SUPPLIED—A MASTERLY GROUPING OF THE
TESTIMONY AGAINST THE PRISONERS.

Just as soon as the State's Attorney had resumed his seat, and the announcement had been made that the defense would postpone its reply until the end of the trial, the task of examining the witnesses was commenced. Report had it that the defense would contend that the body dragged from the catch basin had not been satisfactorily identified as that of Dr. Cronin's, and so the prosecution at once set out to prove the corpus *delicti*. A large array of witnesses, including ex-Captain Francisco Villiers, James Boland, Mrs. Conklin, James P. Holland, a reporter; H. F. Wisch, the barber; Stephen Conley, who had identified the body by the front teeth; Maurice Morris, by the Agnus Dei; and Joseph O'Byrne, by the broken finger of the right hand, were examined on this point and gave conclusive testimony. The story of the discovery of the body was next retold, and the medical men who had examined the corpse testified regarding its condition and the marks of violence which appeared upon the head and other portions of the body. There was a dramatic scene on the second day at the

[Pg 431]

conclusion of the examination of Dr. D. G. Moore, who had assisted in the autopsy. It was developed in the course of the cross-examination that he had, but a few hours before, read the newspaper reports of Dr. Egbert's testimony of the previous day upon the same points. Thereupon Mr. Forrest demanded that the entire testimony be stricken from the record.

A DRAMATIC SCENE.

Judge McConnell, to the amazement of nearly everybody in the room, sustained the motion. A dramatic scene followed, and suppressed exclamations of surprise burst from the audience. Mr. Forrest, with a triumphant smile, walked hurriedly past his associates and sipped a glass of water. For an instant the public prosecutors were dumbfounded. Mr. Hynes was the first to contest the ruling. His face was crimson with excitement as he drew his massive form above the table at which he was sitting and in a loud voice declared that if such an unprecedented ruling were followed, the trial might just as well stop then and there. Raising his arm so that his clinched fist was on a level with the bar of the court, Mr. Hynes challenged Judge McConnell to show authorities to sustain such a ruling. Beside the big lawyer was Luther Laflin Mills, pale with emotion. Almost before Mr. Hynes had finished his thundering attack, the clear, resonant voice of Mr. Mills arose above the noise of the street and the mumbling of the auditors. He, too, declared that it was time to stop the case if the testimony of the rest of the State's witnesses was to be excluded for the reason that they had read the testimony of witnesses who had preceded them on the stand. State's Attorney Longenecker nervously watched the fight being waged by his associates. Hurrying down the center aisle were Mr. Ingham and Mr. Scanlan, who were on their way to the State's Attorney's office for authorities. Judge McConnell sat in his chair with his head in his hand. Before him were Mr. Hynes and Mr. Mills, the first red and valiant in attack, the other almost startling in his pallor. The prisoners leaned forward and watched the struggle with intense interest. The prosecutors had scarcely resumed their seats to watch the effect of their first volley, when Mr. Forrest arose and intimated that Dr. Moore had been called at the eleventh hour to patch up the holes in the testimony of Assistant County Physician Egbert. This was a taunt that brought Mr. Hynes and Mr. Mills to their feet again and called forth a censure from the court. Judge McConnell, speaking in a low voice, then said that if such a ruling was enforced in its spirit there would be no reason for continuing the case, but he did not contemplate such a course. Mr. Hynes, seeing that the court was retreating, now leaped to his feet, and with a burst of rhetoric that came very near provoking applause in the benches declared that with such a ruling as that delivered from the bench, the testimony of honorable men who would appear for the State, and who could not be influenced by newspaper reports would be excluded, while the testimony of perjurers who would swear that they had not read the newspaper accounts of the trial would go on record. As the big lawyer sat down, Mr. Ingham and Mr. Scanlan returned with law books piled high upon their arms. But the battle was now over, and the prosecution had won. With much deliberation and a gratuitous encomium on the press for its enterprise and influence, Judge McConnell reversed his previous decision, and ruled that the testimony of witnesses who had read the newspaper reports of the testimony of other witnesses was competent, and that it must be admitted.

[Pg 432]

[Pg 433]

Liveryman Dinan, who was put on the stand after this episode, repeated his former statements regarding the hiring of the white horse and buggy by Coughlin, and added, as something new, that, after he had unbosomed himself to Captain Schaack, the detective, meeting him on the street, had remarked to him: "I'd hate to trust you with anything; you're a clear case of weakener."

[Pg 434]

INSIDE OF CAMP TWENTY.

The inside history of the now famous Camp 20 was next taken up, and numerous witnesses were called to testify regarding its inner workings. Among them were Junior Warden Michael J. Kelley, Recording Secretary John F. O'Connor, Andrew Foy, Patrick J. Ford and Stephen Colleran.

By these witnesses it was sought to show that over two months before the murder of the physician a secret committee had been appointed by Senior Guardian Beggs, on the motion of Coughlin, to investigate the charge that Dr. Cronin had read, in another camp, a circular antagonistic to the triangle, and that this committee had been ordered to report to the Senior Guardian alone.

This was the story as it had been related to Grand Jury, but on the stand most of the witnesses resorted to all manner of strategy to hamper the prosecution, and even the most inconsequential details of the doings of the camp had to be wrung from them. Colleran admitted, on being closely pressed, that he had seen Coughlin and Burke together in the central part of the city about the time that the plot to murder Dr. Cronin was reaching its maturity, and he also gave conclusive evidence regarding the intimacy of Cooney "The Fox," with Coughlin and Burke.

[Pg 435]

No inclination to suppress the facts, however, was manifested by Thomas F. O'Connor, when he took the stand. This intrepid Irishman, who had been a member of the Clan-na-Gael for twenty-four years, was a captain in the organization, as well as a Fenian captain, and who had, moreover, distinguished himself as a staunch supporter of Dr. Cronin in the latter's merciless war upon the triangle, told his story without reserve. He said that at the meeting of Camp 20, on February 8th, Andrew Foy, in a speech, had declared that if there were yet four British spies in the Clan-na-Gael organization, as Le Caron had sworn before the Parnell Commission in London, the order ought to be destroyed at once. To this the witness, arising and facing Senior Guardian Beggs, replied that the camps should look to the triangle for traitors, as he was possessed of positive information that Le Caron was the agent of that body. A scene of wild confusion ensued, a score of members leaping to their feet and demanding the source of Captain O'Connor's information. This he refused to give unless it was insisted upon by Beggs. While the uproar was at its height, a motion was made by Coughlin that a secret committee be appointed to investigate the source of O'Connor's information, which was generally understood to be Dr. Cronin's camp. There was no doubt but that this committee was appointed, for another witness, Dennis O'Connor, who had been in the Clan-na-Gael order for twenty-one years, testified that at a meeting on May 3d, he had heard somebody ask the Senior Guardian if "that secret committee had reported," although he could not recollect the reply. This deficiency of memory was supplied by the next witness, Financial Secretary Patrick Henry Nolan, who had heard Beggs reply that the committee would report to him alone.

[Pg 436]

Nolan had also met Burke and Cooney at a saloon on the day following the murder and noticed that both were well supplied with funds. There was a straining of necks in the Court room when the name of Patrick McGarry was called, and the athletic opponent of the triangle stalked past the jurors and up the steps leading to the witness stand. He was asked what he had said in Camp 20 when he made his bitter attack on the triangle and turning his honest face toward the jurors below, he replied:

"I referred to the unity that ought so exist among members of the organization and the members of the Irish race altogether, and the other gentleman had referred to it also. It was about the time that Le Caron had testified before the forgery commission in England and had referred to spies getting into the organization, and the other gentleman had referred to Irishmen coming to this country and the coming American citizens ought to educate their children, educate them first in the principles of American constitution, also educate them to have a love for their forefathers' home, as there was nothing in the Irish race—nothing in Irish history—that Irishmen ought to be ashamed of in America. I said it was all very well to talk of unity and I wanted to see unity among the Irish people, but there could not be unity while members of this organization would meet in back alleys and in dark corners and villify and abuse the man who had the courage to stand out and take traitorism and robbery by the throat and strangle it. I said I was raising children and educating children, and as long as God allowed me to be over them I would educate them first as Americans and also educate them that if ever there should come an opportunity to strike a blow for Ireland's freedom they should do so. I said they could not be too particular about getting members in the organization, and that I had been investigating Le Caron's record, and I said there were men in this organization that were worse than Le Caron. I said that the man who gave Le Caron his credentials to go into the convention was a greater scoundrel than ever Le Caron could pretend to be. I said I had found out that Le Caron's camp did not exist in two years, did not have a meeting in two years, that the junior guardian given in the directory had not been in the town of Braidwood for over two years. I stated they must have known that such a camp did not exist only on paper. That was about the substance of my remarks."

[Pg 437]

A roar of applause, which the bailiffs vainly endeavored to suppress, came from the audience, as McGarry concluded.

"Did John F. Beggs make a speech in reply to yours" asked the State's Attorney.

"Yes" was the reply. "Beggs said that the visiting members should not be coming in there violating the hospitality of that camp, and that it would have to be stopped. He said that it was not right; that it was cowardly. I wanted to interrupt him, but the presiding officer, the chairman at the time, would not let me. I wanted to interrupt him when he used the word cowardly. He said they came in there attacking Alexander Sullivan, and it was cowardly to attack any one behind his back. Why did they not say so to his face if they had anything to say? He said Alexander Sullivan had strong friends in the camp, and he slapped his breast, and said, "I am one of them." That was about all that passed. I wanted to get the floor to reply to him, and I did get the floor afterward. I said the gentleman had said it was cowardly. I wanted him to understand that I was no coward; that I would tell Alexander Sullivan, either there or anywhere else, what my opinion of him was, and every man who knew

[Pg 438]

me knew what that was. I said, 'Why did you mention Alexander Sullivan's name? I have not mentioned it. I have not heard it mentioned here till the senior guardian of this camp mentioned it here.' I stated and I repeated that the man who gave Le Caron his credentials was a greater scoundrel than ever Le Caron pretended to be. That was all I said, and I should not have mentioned his name only it was brought out. I should say, that when Beggs said that Alexander Sullivan had stout friends in this camp and that he was one of them, he also said that he (Beggs) was for union and unity among the Irish people if it took war to make it."

The witness went on to tell how, when he heard that Dr. Cronin was missing, he had gone to O'Sullivan's house, and, in the presence of several witnesses, told him that his association with the mystery looked suspicious. One of the men suggested that perhaps the Ancient Order of Deputies had made away with the missing man, but McGarry replied that the crime was much nearer home, and that it would be found that his own race had killed him. When the reference was made to the Deputies, McGarry, suddenly turning his head, had seen O'Sullivan make a grimace as a sort of admonition to the other man to say nothing more. In concluding his testimony the witness told how Dr. Cronin, some time before his death, had been called to attend the supposed victim of a serious accident. He went up a flight of stairs, but upon entering the room, did not like the appearance of the man in the bed and with the remark, "My God, did you bring me here to murder me," went down the stairs several steps at a time.

[Pg 439]

THE BLOODY TRUNK PRODUCED.

Additional evidence was submitted to prove that neither Coughlin nor Beggs had entertained any kindly feeling toward the physician in his lifetime, but that on the contrary, they hated him with all the intensity of their strong natures. It was shown, for instance, that in saloons on the North Side of the city, not only Beggs and Coughlin, but also O'Sullivan, had repeatedly denounced Dr. Cronin in the most vituperative language, and that Coughlin in particular had remarked little more than a month before the murder that, "a prominent North Side Catholic would be done up if he could not keep his mouth shut." The attempt was made on cross-examination to show that the man to whom this language had reference, was John F. Finerty, the noted Irish orator and editor, but on this question the witnesses disagreed. As a matter of fact Mr. Finerty lived on the south side of the city. From this point the purchase of the furniture and trunk for the Clark Street flat, and which was afterward removed to the Carlson cottage, was taken up. Hatfield, the salesman, repeated the testimony which he had given before the coroner's jury. The trunk itself, with the stains of Dr. Cronin's blood plainly visible on the outside was offered in evidence. So was the batting saturated with the life blood of the physician, and which was found in its interior when it was first discovered in the Lake View ditch. Cross-examination of the salesman failed to shake his opinion that the goods found in the cottage were those he had sold to the much-wanted "Simonds." Branching off, the prosecution took up the threats that had been made against the physician at different times prior to his murder, and "Major" Sampson, an individual not unknown in the criminal history of Chicago, told how he had been approached by Coughlin, who had asked him to meet Dr. Cronin some night and give him an "infernal good licking." Coughlin had also suggested that he might take another man with him in order that the job might be the more complete. Instead of complying with the request however, Sampson had gone to Dr. Cronin and acquainted him with the fact that he was in peril. The renting of the cottage was gone into detail. Mrs. Carlson told her story, and when she had finished, Mr. Mills turning his face toward the line of prisoners, asked the witness if she could recognize in the great audience before her, the face of Frank Williams. The silence was oppressive as the woman's eyes rested upon the prisoners.

[Pg 440]

[Pg 441]

THRILLING SCENES IN COURT.

"Do you see the man?" asked Mr. Mills, in an emphatic tone.

"Yes sir," replied the witness.

"Where is he?"

Mrs. Carlson leveled the index finger of her gloved hand at Burke. The latter chewed viciously at his tobacco and his eyes rolled wildly. The other prisoners did not dare to look at their companion. The witness went on to tell why it was certain that she had made no mistake in her identification. She knew Burke by his restless eyes, by his mouth, by the general contour of his face. Burke turned pale as the terrible ordeal proceeded. Dramatic in the extreme was the identification of Burke by old man Carlson. When asked to pick out Frank Williams from the hundred of faces that were turned toward him, he glanced about earnestly, but did not utter a word. The request was repeated, and again the old man scanned the audience without discovering the face. Burke, his countenance rigid with determination, sat with his frightened eyes riveted upon the witness. Carlson was asked to

[Pg 442]

leave his chair and walk among the people below him. Taking his soft hat in his hand, he walked slowly past the jurors and the lawyers. His eyes were fastened upon the prisoners. He began with Beggs. Then his gaze passed from Coughlin to O'Sullivan and thence to Burke. The two men were but a few feet apart. With a grunt of satisfaction Carlson shook his old hat at the pale-faced prisoner.

"Is he the Frank Williams you saw?" asked Mr. Mills.

"Yes, sir," was the emphatic reply, and the painful silence which had prevailed in the courtroom was broken by a prolonged buzz.

It was Coughlin's turn to turn pale when John C. Garrity was placed upon the stand. This witness told how on one occasion Coughlin had asked him if Sampson could be got to do a piece of work. When asked what it was, he replied that he wanted to have a certain fellow "slugged." Garrity asked what he wanted done to him, and Coughlin replied that he wanted a man to get a club and break his nose and knock his teeth out or disfigure him for life. Mortensen, the expressman, forged another link in the evidence by positively identifying Burke as the man who had hired him to cart the furniture to the cottage. When the witness pointed directly at Burke, the latter showed more anger than at any time during the trial. His face was flushed, his jaws set, and he glared savagely at the Swede. Edward Spelman, of Peoria, Illinois, the district officer of the Clan-na-gael, was another witness, but his memory was exceedingly treacherous. In fact, he could not remember any of the circumstances to which he had testified before the Grand Jury, and it turned out that, in the interval, he had visited the office of, and conferred with, Alexander Sullivan. The only fact of importance to which he testified was that he had seen Coughlin and Kunze together in Peoria, and that they appeared to be very intimate. The witness admitted that the following correspondence had passed between himself and Beggs:

[Pg 443]

"CHICAGO, Feb. 16, 1889.

"MY DEAR SIR AND BROTHER: I am directed to call your attention to the following subjects: First, it is charged that the S. G. of the Columbus Club (Dr. Cronin's camp) at a recent meeting read to the assembled members the proceedings of the Trial Committee. Second, I am directed to enter the protest of Camp No. 20 against the D.'s in Chicago electing or initiating men until their names are presented to D. No. 20 and the other D.'s for their consideration. The old rule by communication has become a dead letter since the formation of the Central Council, and I am informed that said council has not held a legal meeting since its formation. Good discipline calls for an investigation of the foregoing, which I feel you will attend to. Fraternally yours,

[Pg 444]

"Don't forget our reunion February, 22."

"J. F. BEGGS, S. G., D. 20."

"PEORIA, ILL., Feb. 17, 1889.

"FRIEND BEGGS: Yours of yesterday to hand and contents carefully noted. Will you kindly refer me to that section of our law where I am empowered to inflict a penalty on an S. G. for disclosing the proceedings of a Trial Committee? Under the constitution I called the S. G. and J. G. together [meaning Senior Guardian and Junior Guardian] for the purpose of forming a council. If they fail to perform their duty I would like to know how I can remedy the evil you complain of. While I admit that no person should be admitted in Chicago unless his proposition should come before the council or the D.'s in your city, on accepting the position of the D. O. [District Officer], I felt that I should be able in my own way to effect a reconciliation of our people in Chicago. But I must confess to you that I am greatly disappointed. My position is this: That if any person who is a member should violate the law, he should be tried as provided by our constitution. What is the fact? Members who know a wrong go around the street and go from one D. to another and talk about such an offense. Then they report, and the D. O. is a figure head. I will take no notice of any complaint unless made to me, and if I have authority under our laws, you may depend I will be on hand. I thank you for your kindness, and discipline is our only safeguard. If you see where I can act, I am at your command. My term of office will expire at this month, and God knows I am glad. I am disgusted with the conduct of men who think they should lead the Irish people. But I think it is dangerous for decent men to associate with such scamps. Thank God, proxies no longer prevail.

"Fraternally yours,

D. O. 16."

"CHICAGO, Feb. 18, 1889.

"DEAR SIR AND BROTHER: Yours of the 17th received. I have not the constitution before me, and therefore can not point out the section that would cover the

matter complained of; nor am I prepared to say that the act mentioned was a violation of any written law; but that it was very unwise, and such conduct as is prejudicial to the good of the order, no man in his right senses will deny. It is just such acts that keep us continually in hot water. Why, in God's name, if men are sincere, will they insist upon opening old sores? The majority of our men believe the parties charged to be innocent of any criminal wrong, and to have the charges made continually that they are guilty, creates a bitterness and ill feeling, and the man or men who continue to bring the charges are not the friends of Irish unity. What earthly good is done in continuing the old fight. What is the reason for it? I confess I can give no answer. If we are true men, as we profess, we will rather conciliate than keep up a war which can only lead to further disunion. The rank and file are sincere. They want peace, and the time is not far distant when they will have it, even if it has to come to war. I am anxious for a better understanding among our people, and will do anything in my power to obtain unity. The matter I wrote of, I would let pass if I could, but I was ordered to notice it. Personally I think it better not to notice such things, but I am only one. The men who are the power will in time realize the motives of those who are continually breeding disorder in their ranks, and a day of punishment will come. I am very much discouraged at the present outlook, but hope no trouble will result. Fraternally yours,
J.
F. BEGGS."

[Pg 445]

Of testimony against O'Sullivan, there was an abundance. Justice Mahoney told of being present when the contract for professional services was made between the iceman and the physician, and Mrs. Addie J. Farrar testified that the iceman had said to her, after the disappearance, that Dr. Cronin was a British spy, and that if he had given away any of the secrets of the secret organization he ought to have been killed. Editor R. T. Stanton, of the *Lake View Record*, showed that the particular card of O'Sullivan's that had been used to entice Dr. Cronin from his home had been printed for and delivered to the iceman two days before the murder. The first evidence connecting Kunze with the murderers, or their different places of rendezvous, was given by Willie James, a sixteen-year old stenographer, who swore that he had seen Kunze wash his feet at the window of the Clark street flat in the month of March, while Mertes, the milkman, positively identified the little German as the man who had driven a big broad-shouldered man to the Carlson cottage on the night of the murder, and likewise identified Coughlin as the man he had seen run up the steps of the slaughter-house and disappear behind the front door. Kunze rocked to and fro with fury during this testimony, and glared wickedly at the witness. Coughlin's gaze never left his accuser, but his face flushed and his deep set eyes blazed.

[Pg 446]

SURPRISES FOR THE DEFENSE.

From a medical point of view, the testimony of Microscopists Tolman and Belfield, and Chemist Haines, of the Rush Medical College was exceedingly interesting. Stains from the floor of the Carlson cottage, the hair found clinging to the trunk purchased by Simonds, the hair cut from the head of the murdered man, the single thread of hair discovered on cake of soap in the kitchen of the cottage, and fresh and dried blood from the trunk itself, were the articles on which the experts had experimented. The chemist had been requested to determine whether the reddish stains were those of blood, while the task of determining the probable origin of the blood and the relation of one hair to the other was assigned to the microscopists. The evidence of all three experts was conclusive. Chemist Haines had subjected the stained chips from the floor of the cottage to four experiments, three of a chemical nature and the fourth with a microscope, and the result furnished indubitable proof that the stains were those of blood, while Microscopist Tolman, by other tests, was equally well satisfied that the blood had come from a human body. Additional tests had been made on a strand of hair found on the cake of soap, and which was lighter in color in some portions than in others, while Dr. Cronin's hair was brown. The fact that the single strand appeared light in color to the naked eye seemed to indicate that it could not have come from Dr. Cronin's head, but it was demonstrated by the experts that hairs placed on soap or other alkaline substances became bleached in a manner similar to the color of the single strand. This evidence was of vital importance as it linked the hair found in the trunk with the hair cut from Dr. Cronin's head, and went far toward proving that one of the murderers had washed his hands with the soap after the diabolical work in the parlor had been done.

[Pg 447]

[Pg 448]

A surprise was in store for the defense at this juncture of the trial, in the form of several witnesses whose identity and testimony had not before been made public. One of these, William Niemann, who kept a saloon a block and a half south of the Carlson cottage, swore that on the night of May 4th, between ten and eleven o'clock, O'Sullivan, the iceman, with two companions, one of whom strongly resembled Coughlin and the other Kunze, visited his place and drank several glasses of wine. O'Sullivan paid the bill, and the three men engaged in an earnest conversation that lasted some time, although they spoke so low that the drift of what they were saying could not be learned by the saloon-keeper. This evidence demolished the claim that O'Sullivan was in bed all night on the night of the murder, and although Niemann was rigidly cross-examined he held to his story without the slightest variation.

HEARD HIS DEATH CRY.

But it remained for a poor washerwoman, who was searching for her drunken husband, to furnish the final link in the chain and discover the crowning evidence against some of the men who were on trial. She testified on November 12th, and her story was one of the most dramatic and sensational of the trial. Paulina Hoertel was her name, and she was a little German woman, poorly but neatly dressed, with a thin, pinched face, but with considerably more intelligence than is usually found among people in her station of life. She wept bitterly at times while telling her story. For several years, owing to the drunken habits of her husband, her life had been full of trouble. At one time he visited a saloon near the Carlson cottage with nearly five hundred dollars in his pockets, fell into a drunken stupor, and remained in the place four days and nights. When his wife, after considerable searching, finally discovered his whereabouts, the saloon-keeper first attempted to shoot her, and then secured her arrest on a charge of disorderly conduct.

[Pg 449]

From a long recital of her domestic misery, Mrs. Hoertel went on to tell, how on the night of the murder she had started out to find her husband, who, as usual, was away from home. After going some distance her heart failed her, and she started to return. As she entered North Ashland avenue from Cornelia street, she saw a white horse attached to a top-buggy, coming toward her at a lively pace from the direction of the city. There were two men in the vehicle, and the horse was brought to a full stop immediately in front of the Carlson cottage. A tall man, with a black satchel or box in his left hand, jumped from the vehicle, and, after reaching out his arm toward the buggy as if to take something, crossed over the sidewalk toward the steps. Mrs. Hoertel was at this time on the same side of the street and walking in the direction of the cottage. As soon as the man had gotten out of the vehicle, his companion lashed the white horse into a gallop, and started back toward the town. The tall man walked briskly up the long flight of stairs, and, upon reaching the threshold of the cottage, the door was opened by somebody within. A bright light was burning in the front room of the building, and when the door was opened its reflection was seen on the steps. Mrs. Hoertel reached the front of the cottage just as the door closed. An instant later she heard some one cry in a loud voice, "Oh, God!" Then there was a noise that sounded like a blow, followed by a heavy fall, and again the now frightened woman heard the exclamation, "Jesus!"

[Pg 450]

The woman stood still for an instant. The light was still shining through the slats of the tightly-drawn blinds, but all was as still as the grave, and, thinking that the sounds which she had heard were only those of an ordinary quarrel, she resumed the journey toward her home. A block distant, between the Carlson cottage and the little building in the rear where the Carlsons lived, she saw in the starlight the outlines of a man who was evidently on watch. Upon reaching her home she could not open the doors, her husband having changed the locks in her absence, and she was compelled to sit all night on her door-step. It was not until three days later that she was able to obtain access to her home.

[Pg 451]

Told through an interpreter, for the woman's efforts to make her broken English understood failed almost from the start, this story created a painful impression in the court-room. Every one within hearing recognized its vital interest. The white horse that had carried the physician away from his house had been traced to the door of the Carlson cottage, and the exclamation, "Oh, God!" must have been wrung from the Doctor the instant he entered the door and saw that a trap had been set for him. But it was too late to retreat, and, with a last cry of "Jesus," he had fallen beneath the blow of one of his assassins, with the name of his Saviour upon his lips.

"I heard the far-away cry of Jesus," was the way in which the interpreter made a literal translation of the statement, and every eye was turned on the prisoners. Burke's mouth opened, his face turned scarlet and his eyes rolled wildly around the court-room. Coughlin's jaws were set tightly, and he glared savagely at the witness. Beggs, O'Sullivan and Kunze, however, sat like stoics, and did not move a muscle or change a shade in color. Judge Wing, who was chosen to cross-examine the witness, occupied over an hour in an effort to confuse her as to dates and assail her as to character, but the replies were prompt and unanswerable, and when she left the stand not a word of her story had been shaken.

[Pg 452]

THE STATE RESTS ITS CASE.

By this time the State had almost exhausted its list of witnesses. John E. McKennon, of the police department of Winnipeg, told about the arrest of Burke at that place, and Henry Plainskef testified that on the morning after Dr. Cronin's murder, Burke and another man whom he recognized from a photograph as Cooney, entered a store on Clark street and purchased a cheap white shirt and two collars. Burke, he said, kept his coat buttoned closely about his throat, and acted in a suspicious manner. Gus Klahre testified that on May 6th Burke had brought to him to be soldered a galvanized iron box fourteen by twenty-six inches, and weighing about forty pounds. He was very particular that the contents of the box should not be seen, and while the work was being done, talked freely about Dr. Cronin's disappearance, saying that he was a British spy and deserved to be

[Pg 453]



COONEY, "THE FOX."

killed. The clothing, instrument case and other articles found in the Lake View sewer were exhibited to the jury and identified by several witnesses. As a finale to its case, the State endeavored to introduce the inside history of the Clan-na-gael, with a view of showing Coughlin's bitter hatred for Dr. Cronin, and ex-Police Officer Daniel Brown was called to testify on this point. Strenuous objections, however, were offered by the defense, and argument on the question extended over an entire afternoon. The State's Attorney insisted upon his right to show that four years before, Alexander Sullivan, who was on the Executive Committee at that time, and was charged with the fraudulent appropriation of funds, prosecuted Cronin, that Coughlin was on the trial committee, that Dr. Cronin was tried for reading a circular that reflected on Sullivan's character, and that notwithstanding this, four years later,

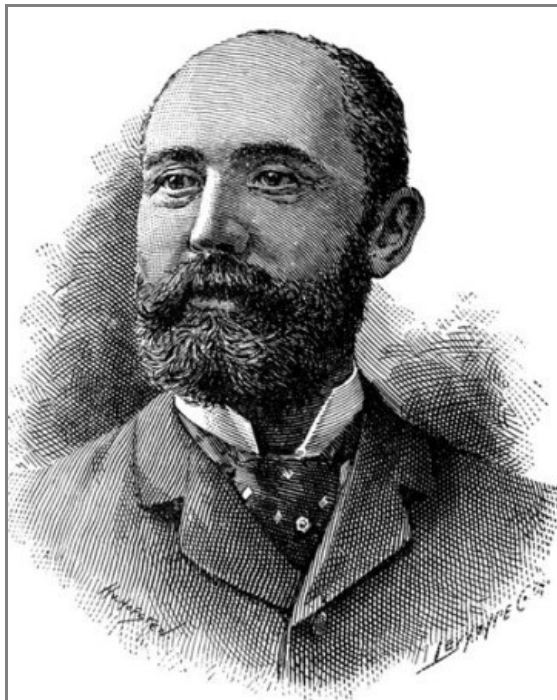
Beggs stood up in his camp and defended Sullivan. To this Mr. Forrest responded that the defense had no vindication to offer for the triangle, nor any attack to make on it. They did ask, however, that Coughlin and his fellow-prisoners be tried for their own sins, and not for those of Alexander Sullivan. So far as counsel for the defendants were concerned they were willing to say "to perdition with Alexander Sullivan." They were not responsible for his acts, they did not appear there to apologize for him, but they did protest most solemnly as American citizens against the names of their clients being connected with that of Sullivan, and against the prejudice that existed against the latter being visited on the defenseless heads of the poor men who were on trial for their lives.

[Pg 454]

At the conclusion of the arguments, the evidence was ruled out by the court. The case for the State was practically closed on November 13th, and an adjournment was taken until the 16th, when one more witness was called for the prosecution. This was James Clancey, a staff correspondent for the New York Herald. His testimony was to the effect that he had called upon iceman O'Sullivan twice upon the day when Dr. Cronin's body was discovered and urged him to go and identify it. The iceman, however, had refused to do so, being greatly agitated and making several contradictory statements which to the witness, seemed additional evidence of guilt. On cross-examination it was developed that Mr. Clancey had been a worker in the cause of Irish liberty in years gone by, that he had been sentenced to penal servitude for life, for attempting to shoot two policemen who were about to arrest him for alleged participation in revolutionary schemes, and that he had been pardoned at the expiration of ten years through the intervention of several members of Parliament. When Mr. Clancey left the stand at noon on Saturday of November 16th, the formal announcement was made:

[Pg 455]

"We rest the case for the State."



JUDGE S. P. M'CONNELL.

[Pg 456]

Only the usual recess for lunch intervened between the closing of the case for the State and the opening of that for the defense. Mr. Forrest led off with some forty motions to exclude the testimony of as many witnesses who had been called by the prosecution, but each motion was overruled, and the usual exception taken. The first witness for the defense, Frederick J. Squibb, a stenographer, was examined with a view of showing that the evidence of several of the preceding witnesses differed materially from that which they had given at the coroner's inquest. Ex-Police Captain Michael J. Schaack, testified that Mrs. Conklin had absolutely failed to identify the white horse and buggy, and his testimony was corroborated in some parts by Lieutenant of Police P. G. Koch. The story of Neimann, the saloon-keeper, that O'Sullivan, Coughlin and Kunze were in his place drinking sherry wine late on the night of the murder was impeached by Jeremiah and James Hyland, cousins, both of whom swore that they visited O'Sullivan at his house on the night of Sunday, May 5th, took supper with him, remained several hours and then went over in a body to Neimann's saloon. The two men were placed alongside of Coughlin and Kunze for purposes of comparison, but few, if any, points of resemblance were to be seen between them. An alibi for Coughlin was the next thing in order, and ex-Detective Michael Whalen laid the foundation for it by swearing that he saw his brother detective at the Chicago avenue station from half-past seven until midnight on the night of the murder.

[Pg 458]

John Stift, a police officer, corroborated Whalen, but on cross-examination he destroyed the entire value of his testimony by stating that on the morning of May 5th he was put to work by Captain Schaack on the disappearance of the physician, while, as a matter of record the disappearance was not reported to the police until nearly twelve hours later in the day. Peter Koch was called in behalf of Kunze, with a view of showing that the association of the little German with Coughlin was due to the fact that both were working on a distillery explosion case. On the following day William Mulcahey, one of O'Sullivan's employes, testified that the iceman had told him of the contract with Dr. Cronin, and also declared that he was out delivering ice with O'Sullivan until after six o'clock on the night of the murder, that they all had supper together and that he and O'Sullivan slept together that night, both retiring late. Mulcahey positively swore that the iceman did not leave the house during the night. His testimony was corroborated by Thomas Whalen, O'Sullivan's cousin, who had lived with him for six years, and by James Knight, James Menahan and Patrick Brennan, all of whom were employed by O'Sullivan at the time of the murder. Robert Boyington, a carpenter, who boarded at the O'Sullivan residence, told the same story. Miss Kate McCormick, sister of Mrs. Thomas Whalen, as well as the latter, were examined on the same line, and both insisted, despite the sharpest kind of cross-examination, that the iceman did not leave the house on the fatal night. The alibi for Martin Burke was started by Mat. Danahy, who testified that the defendant was at his house from six to nine o'clock on the night of May 4th, and that he shook dice with him for a long time. He added that Burke and Cooney came to his saloon on the following morning (Sunday), and remained until late in the evening, during which time they engaged in several games of "cut-throat" euchre.

[Pg 459]

[Pg 460]

Other witnesses testified regarding seeing Burke in the saloon. Ex-Congressman John F. Finerty, M. J. Keane, John Dwyer and Matthew Brady all gave evidence to the effect that there was no inner circle in the Clan-na-Gael. Justice David J. Lyon testified that on the 22d of February in company with Beggs he called on Benjamin Harrison, at that time the President elect of the United States, at the latter's residence in Indianapolis, in reference to the procurement of an appointment for a friend to the office of sub-treasurer at Chicago. Witnesses were also called with a view of showing that the committee appointed by Beggs was a perfectly innocent one, and had no relation whatever to Dr. Cronin. An alibi for Dinan's white horse was furnished by Louis Budenbender, who had been brought all the way from Hoboken, N. J., to testify. His story was, that he was standing nearly opposite the Conklin residence on the night of May 4th, that he saw the buggy drive up and Dr. Cronin driven away; and that, having since seen Dinan's white horse, he was certain that it was not the same animal. The horse in the buggy according to Budenbender was a dark speckled gray with white legs and very different in appearance to Dinan's nag. Prof. Marshall D. Ewell, Dr. Harold H. Moyer and Prof. Lester Curtis were called to rebut the expert testimony for the State. Mrs. Hoertel was also recalled in behalf of the defense, with a view of showing that she had made a mistake in the dates upon which she had seen the men enter the Carlson cottage, and August S. Saltzman, a German, was positive that it was after the 8th of May when the two locks were changed on the doors of the Hoertel residence. Additional expert testimony was given by Dr. Edmond Andrews, who said that the wounds on the body of Dr. Cronin when it was found, were not necessarily fatal. Police Officer Stift, on being recalled, admitted that he had made a mistake in his previous testimony, and that it was on Monday instead of on Sunday that the orders concerning the search for the missing physician had been issued.

[Pg 461]

The case for the defense was practically closed on November 25th. Four additional witnesses were introduced, to support the previous testimony to the effect that O'Sullivan was at home on the night of the murder, and Mertes, the milkman was recalled with a view of showing that the version of what he saw on the night of May 4th in front of the Carlson

cottage, as given on the stand, was materially different from the story he had told officers Rohan and Crowe two days after the body was found. In behalf of Kunze, J. W. Fralick, a master painter, swore that the defendant worked for him under the name of John Krogel, from April 20th to June 20th, and that on May 4th he was doing work for him in a house on 16th Street until after half past five o'clock in the evening. No evidence was submitted however, tending to show Kunze's whereabouts after that hour. Several witnesses were called to impeach the statement of old man Carlson, that when Burke rented the cottage on March 20th he went directly over to O'Sullivan's house and reported his success to the iceman. According to their statements, O'Sullivan was engaged that day in unloading several car-loads of ice at the freight depot of the Chicago & Northwestern Railway some miles away.

[Pg 462]

THE STATE ON REBUTTAL.

The rebuttal evidence for the prosecution was now in order. Dr. Patrick Curran was called for the purpose of showing that James Lyman, a veteran member of Camp 20, had publicly stated that Dr. Cronin's death had been ordered by the executive, but the defense protested so emphatically against the admission of this testimony that Judge McConnell, after mature deliberation, decided that it was not admissible. Bailey Dawson, the veteran Chicago politician, whom Beggs claimed to have met in the rotunda of the Grand Pacific Hotel on the night of May 4th, was put on the stand and swore he was a patient in the Emergency Hospital on that date, and that he did not reach the Grand Pacific Hotel until May 11th, when he was introduced to Beggs by a mutual friend. This testimony was corroborated by Col. A. C. Babcock. The story told by the Hylands was torn to pieces by A. B. Anderson, a liveryman, from whose evidence appeared that on the night they claimed to have visited Niemann's saloon in company with O'Sullivan, the place was crowded with patrons. Niemann also stated that so far as he could remember, he had never seen the Hylands in his place. Numerous witnesses swore that Salzman, who had been introduced by the defense to impeach Mrs. Hoertel, had a bad reputation for truth and veracity, was utterly unworthy of belief, and had no regard whatever for the sanctity of the oath. Numerous other witnesses were introduced to disprove various statements that were made in behalf of the prisoners.

[Pg 463]

CRONIN'S KNIVES FOUND.

One more sensation was to be added to the many startling developments of the trial, in its last stages. There was no session of court on November 27th, in order that the attorneys for the State might be afforded an opportunity to arrange the order of their arguments, and, as the following day, Thursday, was the day of National Thanksgiving, the case went over until

[Pg 464]



FLYNN.

Friday morning, November 29th. On the afternoon of Thursday, Barney Flynn, a detective in the employ of the city, and connected with the Chicago Avenue Station, went to Chief Hubbard with a remarkable story. Flynn was the man who arrested Coughlin, after the latter had concluded his interview with Chief of Police Hubbard. He took him to the armory police station and searched him in the presence of Captain Bartram. Among the other things he found in Coughlin's pockets were two pocket-knives and a revolver. These Flynn carried with him to the central station and placed in his box for safe keeping, and, when, a few months later, he was transferred to the Chicago Avenue Station, he placed them in a vault which he rented in the Fidelity Bank. There they had remained undisturbed ever since. When Chief

[Pg 465]

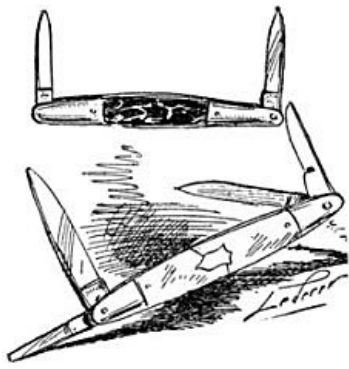
Hubbard heard this story, he ordered the knives to be produced without delay. The attorneys for the State were advised of the facts, and T. T. Conklin, who was sent for, unhesitatingly declared that both knives had been the property of Dr. Cronin. Flynn was placed upon the stand after the noon recess on the following day and told his story.

Mr. Conklin followed the detective, and the knives were handed to him by Judge Longenecker. He glanced at the larger one, which was medium sized and with a pearl handle, and unhesitatingly declared that he himself had given it to Dr. Cronin about a year before. "I ought to know it," said the witness, emphatically, "for I carried it myself for nearly two years."

The smaller knife, a little bone handled affair, of rather a peculiar shape, was also identified by Mr. Conklin, as one he had found on the street about nine months before. He had carried it home and placed it on the mantle, where Dr. Cronin had found it and appropriated it to his own uses. Both of these knives the physician had been in the habit of carrying in the right-hand pocket of his vest.

The cross-examination by Mr. Forrest was extremely light, the witness being simply asked whether the knives were not of a very ordinary pattern. The witness admitted that he would not swear they were the identical knives that Dr. Cronin had carried, because there were

[Pg 466]



THE KNIVES.

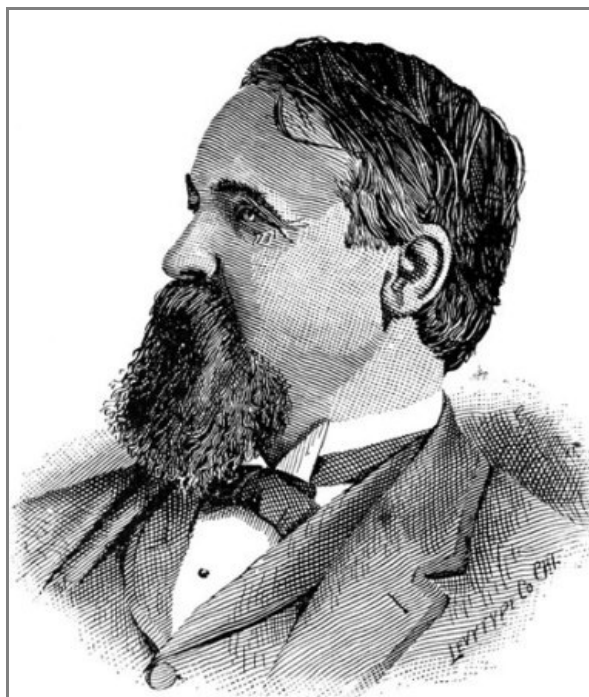
many like them in the market, but he was positive that they resembled them as closely as they could do even to the number of the blades. On re-examination by the State's Attorney, Conklin said that no such knives were found at his house after Dr. Cronin had disappeared. Prior to this, at the morning session of court, Barnard F. Carberry, a bright looking young fellow, gave evidence concerning a visit he had made to Matt Danahy's saloon on the evening of May 4th, which appeared to put an end to the last vestige of Martin Burke's alibi. Lawyer Forrest was then given another inning, and introduced a long string of witnesses to counteract the evidence which the State had submitted on rebuttal.

Owing to the fact that the discovery of the knives had taken the defense somewhat by surprise, it was permitted to sandwich its rebuttal testimony in between the speeches. On December 2d August Loewenstein, a brother of Jacob Loewenstein, Coughlin's former partner in the detective business, testified that he had sold a pair of pants to Coughlin on the 27th of April, one week before the disappearance of Dr. Cronin. The garment had to be altered, and while Coughlin was waiting for them, he took out of the pockets of the old ones some keys and two knives which he laid upon a chair. Witness particularly recollected these knives because he had asked Coughlin to give him one of them, and he was positive that the two knives which had been identified by Mr. Conklin were the same he had seen in Coughlin's possession. Jacob Loewenstein also swore, with emphasis, that he had seen Coughlin's knives on scores of occasions when he was traveling beats with him, and was more than positive that those which had been placed in evidence were the identical ones his partner had owned for a long period. One of them in particular he could tell by the way it was ground, from the color of the handle and the general appearance. The point, he said, showed it had been ground on the sandstone at the station, and, as a matter of fact, he had seen Coughlin grind it that way when he was standing by and talking to him. This evidence was not materially shaken on cross-examination.

[Pg 467]

State's Attorney Longenecker opened his address on Friday, November 29th, and spoke for four hours. He resumed on Saturday, November 30th, and finally finished at three o'clock on the same day. Judge Wing then commenced his appeal for Daniel Coughlin, speaking two hours on Saturday, six hours on Monday, December 2d, and about one hour on Tuesday, December 3d. George Ingham followed on behalf of the State, speaking continuously through the day until five o'clock, when he closed. Daniel Donahoe, on behalf of O'Sullivan and Kunze, spoke from ten A. M. to five P. M. on Wednesday, December 4th. Mr. W. J. Hynes, who was Dr. Cronin's intimate friend during his lifetime, occupied the whole of Thursday, December 5th, and a portion of Friday, December 6th, with a royal tribute to the memory of the murdered patriot, and a grouping of the facts of the conspiracy. Mr. Foster, on behalf of Beggs, and Mr. Forrest, for the other defendants, followed in their turn. Luther Laflin Mills had been selected to make the closing address, but a sudden attack of illness, which confined him to his room, necessitated a change in the programme, and State's Attorney Longenecker, on Dec. 13, brought the speech-making portion of the trial to a close.

[Pg 468]



[Pg 469]

J. M. LONGENECKER, STATE'S ATTORNEY.

CHAPTER XXIII.

[Pg 470]

OPENING FOR THE STATE.—THE EVIDENCE REVIEWED—A MASTERLY ARGUMENT BY STATE'S ATTORNEY LONGENECKER—TRACING THE PLOT FROM ITS INCEPTION TO THE MURDER—AN APPEAL FOR JUSTICE—ARGUMENTS FOR THE DEFENSE—DONAHOE, WING, FOSTER AND FORREST MAKE THEIR FINAL PLEAS FOR THE PRISONERS, AND INGHAM, HYNES AND LONGENECKER CLOSE FOR THE STATE.

State's Attorney Longenecker was on his feet the moment the witness had left the stand. It was apparent that the State was determined to push the remainder of the proceedings with all possible speed. The prisoners looked anxious; the vast audience expectant.

"You may proceed," said Judge McConnell, and clearing his throat, the State's Attorney commenced a memorable address.

He spoke as follows:

"If the Court please, Gentlemen of the Jury, I want to talk to you about this case, about the evidence which you have been hearing from the witnesses. I shall not attempt to talk to any one except you twelve men, because you are now interested in the case and it is your duty to come to a correct conclusion. The responsibility rests upon you after we have done our work. I have no doubt that you twelve men are competent to render such a verdict in this case as will meet the demands of the law. I have no doubt that you are prepared on this evidence to render such a verdict as the evidence warrants you in rendering. Now, I say to you this, that I shall confine myself to the evidence in the case. My associates will attend to the arguments and make the speeches. I want now to express my feeling of gratitude to you for your patience during the hearing of the evidence. It is due to you, gentlemen; it is a sacrifice that you, I hope, will never be called upon to make again. To be taken from your homes and be shut up for weeks and months is no little sacrifice. You have had reason, perhaps, to complain of us; you have had reason to complain because of the slowness of the case; and yet, after all, we felt it our duty to do what we have done. We felt that we could not in any way shorten the proceedings and yet do justice to the case. I hope that none of you will harbor any feeling against any one in this case on account of delays.

[Pg 471]

"Again, gentlemen, you are twelve men here listening from day to day to the evidence; this case has strung out from day to day and from week to week, until it has become a great case. It has become a noted case to you—a case that you will never forget. It has grown as the days have passed by. Very often jurors, courts and lawyers, when a case grows and there is evidence piling up, forget that it requires some evidence to reach a conclusion, more of it than if it was a small case. Do not be led into this error of determining what you shall do. The evidence of conspiracy is the same for a small offense as it is for a great offense. The evidence of conspiracy to obtain dollars and cents from you or me or any one else must be just as strong, although it only takes two hours to try the case, as if you are trying men for murder. What I am trying to have you understand is this: that because it has been so long and has grown so large, you must not think that it requires more evidence on that account. If the evidence convinces you of the guilt of these men, then it matters not whether there are five men or ten men on trial or only one man. The evidence necessary to convince you beyond a doubt of the guilt of the men on trial should be just as strong as if there were twenty men on trial. The law is always just. It is made to protect the innocent as well as punish the guilty.

"After you have heard the arguments from counsel on both sides, having heard the evidence and instructions of the Court, you will go into your room and make up your verdict and bear in mind that the law itself is just; if the law compels you to inflict a penalty here that you do not like to inflict, remember that you are not to blame and the law is not to blame; it is the men who have violated the law. What I say to you in this case is from a feeling that we wish to get at the truth; what I say will be said with a view of getting at a truthful verdict and nothing else. I have no feeling against these men on trial personally. Why should I stand up here and ask you to convict Martin Burke, Daniel Coughlin, Patrick O'Sullivan, John F. Beggs and John Kunze unless I believe the evidence justified me in asking you to do it? If I should at this moment ask you twelve men to convict them upon anything else but the evidence, I would not be fit to fill the position that I now occupy. We do not desire that these men shall be 'guessed' guilty. We do not desire that they shall be convicted upon doubtful evidence. We do not desire that they shall be

[Pg 472]

convicted upon anything except the law and the evidence in the case; but if you do believe that that law and that evidence satisfies your mind of their guilt, then we do demand at your hands that your verdict shall be in accordance with the law and the evidence, and nothing short of a truthful verdict under the law and the evidence will meet the demands of this case, whether the verdict be to acquit the defendants or whether it be to convict the defendants; with that verdict the people represented by myself and my associates must be content."

REVIEWING THE EVIDENCE.

"Now, gentlemen, as I said, we want to talk about the evidence in the case. I will do it as hastily as possible, bearing in mind at the same time that it is necessary that it be presented to you in such a way as you will see the chain that has been forged from day to day in this case, and so that you may be enabled from this evidence to come to a correct conclusion. I shall not attempt to go over all the evidence, that is all the details, because I apprehend that you men have watched this evidence as closely as I have; but what I intend to say to you regarding the evidence will be such as I think should be mentioned to enable you to come to a correct conclusion, and I will leave pieces of evidence here and there to be remembered by yourselves.

"Again, gentlemen, if I should misstate this evidence, I hope that the attorneys for the defense will call my attention to it; and I hope it will not be charged that I am trying to take any unfair advantage of these men who are upon trial for their lives. As I said to you in my opening of this case, we contend that the murder of Patrick Henry Cronin was brought about by a conspiracy. We claim that it was acted upon and executed. And that these men on trial are parties to the conspiracy, together with others who are not on trial. That is our position. We further claim that it was a cold-blooded conspiracy; a conspiracy that is without parallel, coldly and deliberately planned; a conspiracy that, as we understand it from the evidence, would chill the blood in the warmest heart; a conspiracy that is most terrible in its effects. If such a conspiracy as this has existed, as we know it has existed, and if the murder has been the result of such a conspiracy as this, then it follows that it must have been planned for weeks and weeks before its execution; and if that be true, then, gentlemen, you must notice the line of evidence in the case in order to come to a correct conclusion. A conspiracy always originates somewhere; one man can not conspire, two men may conspire; oftener three men conspire, and it is easier to commit a crime where two men are engaged in working it out in different ways, engaged in bringing about in different ways the same results, than where the same object is aimed to be accomplished by one man. Now, it is not necessary, as the Court will instruct you, that we prove that the parties got together and talked the matter over and arranged it; that is not necessary; the law does not require that; we don't need to prove that they ever came together. If that was so it would be very seldom that a prosecutor could obtain a conviction in a conspiracy case. Remember this is a charge of murder, brought about by a conspiracy, and we claim that this evidence shows conclusively that a conspiracy was concocted by these defendants on trial. Let us see where we go to start in. Where do we learn of this conspiracy first?"

[Pg 473]

CAMP 20'S MYSTERIOUS MEETINGS.

"You remember that there is a Camp 20 in this city. It is proven here that the Clan-na-Gael organization has a camp called Camp 20, also named Columbia Club; that they met in North Side Turner Hall, and that before the date of which I now intend to speak there had been a division in this organization, and that the two factions had united, after which the numbers had been changed, so that this Camp 96 had become Camp 20. I will also ask you to remember that before this reunion of these two organizations, or these two factions of the organization, a trial committee was appointed to try the ex-executive body of this organization; that this ex-executive was to be tried by a committee to be selected at a convention that met in this city last year in the month of June. You will remember that Dr. P. H. Cronin was one of the members appointed on that trial committee, and that after that trial committee had acted, the two factions were united and the camps were renumbered. I speak of that, and I want you to bear it in mind, that Dr. Cronin was on that committee, and that it was shown that there were three men called trianplers who were being tried by the committee of which Dr. Cronin was a member. Now we will stop there, and go to this Camp 20, on the 8th day of February. You go into that camp. We call the secretary here, John F. O'Connor, and he testifies that on that

occasion, the night of the 8th of February, one Andrew Foy made a speech. O'Connor can not remember what Foy said, but he tells you that there were resolutions passed, and that he does recollect that Thomas F. O'Connor made a speech there. He tells you that Thomas F. O'Connor had charged that a certain report of the trial committee, this trial committee to which I have already called your attention, and of which Dr. Cronin was a member, was read in another camp. Secretary O'Connor tells you that Thomas F. O'Connor said he had heard the report of that trial committee read. That is about all that this man could remember, except that some one jumped up and demanded to know how it was that some camps had got the reports of this trial committee before others. He did not pretend to know what Foy had said in his speech, but he did recollect that some resolution was passed in regard to the matter.

"We next called Andrew J. Foy. Andrew J. Foy testifies here that he did make a speech; that he did say that he understood there were parties getting into the camp who were other Le Carons; that there were other Le Carons in this country; that there were spies in this country and in the organization. He admits that in his testimony, and he further said that they ought to be more careful in admitting members into the organization and not to admit parties of this kind into the organization. Then it was that Thomas F. O'Connor made his speech and said they had better look after the ex-executive if they wanted to find out the traitors who had been squandering the funds of the order and sending honest, patriotic men to English prisons. And thereupon you are told four or five men jumped to their feet and a motion or suggestion was made to have a secret committee appointed. What for? [State's Attorney Longenecker paused when he asked this question and for a moment gazed silently and earnestly into the jurors' faces.] What for?" he repeated. "Not to get a report of the trial committee, not to find out what it was that was contained in this report, but to see why this report was made in this other camp and who it was had made it. We called Michael J. Kelly, another member of that organization, a junior guardian in Camp 20, and what does he say? You must remember that these three witnesses were not what might be called willing witnesses. These three witnesses that were first called here upon the stand were unwilling witnesses for the people; but we called them. We called Michael Kelly to the stand, and he remembers that a speech was made by Foy, and he remembered that Thomas F. O'Connor made a speech, and that Le Caron's name perhaps was mentioned, but he does not remember much about it. He does tell you, however, that Thomas F. O'Connor stated that he had heard Dr. Cronin read that report in his, Dr. Cronin's, camp. That is about all we got out of him. We then called to the stand Anthony J. Ford, who was very fair in the witness stand, and he goes on and tells you that Andrew Foy made a speech, but he does not remember very much about Foy's speech. He also remembers that Thomas F. O'Connor made a speech in reply to that, and he tells you here in reference to that matter. We called Stephen Colleran here, a friend of Burke's, and he remembered and tells you that he heard some remarks made by Andrew Foy, and he also heard the speech made by Thomas O'Connor, and he recollects that three or four talked of the appointment of a committee to investigate the matter alluded to in O'Connor's speech, but whether it was a secret committee or not he does not remember."

[Pg 474]

PURPOSE OF THE SECRET COMMITTEE.

"You will bear that in mind in regard to Colleran, because I shall not go into details with his evidence on this particular point, as he touches another line of evidence in the case. Then Denis O'Connor was called here, who says that he has belonged to the order for fifteen or sixteen years, and he testifies that it was charged in Camp 20, at that meeting to which I have referred, that Dr. Cronin had read a report of the trial committee; he says Foy had made a speech, that Captain O'Connor had replied to him in another speech, and that he understood that a committee was appointed. What for?" again exclaimed the State's Attorney, with considerable emphasis. "To go up to visit Dr. Cronin's camp, he says, for the purpose of ascertaining why he read this report in his, Dr. Cronin's, camp. That we find in the record, gentlemen, there is no dispute on that point. You will remember that these men swear to that fact, men who were not willing witnesses for the prosecution; they swear that they understood it was to investigate Dr. Cronin and his camp as to why he in that camp had read a report of that committee before which the charges had been tried before the ex-executive body. That is from the mouth of Denis O'Connor. But he tells you that he did not understand it to be a secret committee, but we called other witnesses on this same point."

[Pg 475]

Mr. Foster at this point broke in with an interruption. He called the State's Attorney's attention to the fact that the record will show that Denis O'Connor

had not said that the committee had been appointed to investigate why the report had been read, but to find out if a minority report had been read there, and, if so, what it was.

State's Attorney Longenecker asserted that he was correct in his statement of the evidence. Mr. Foster, no doubt, on cross-examination had made a speech to Denis O'Connor, and asked him if that was not so, and Denis said yes; but he had stated directly the testimony of the witness on direct examination. "After Denis O'Connor testified," continued State's Attorney Longenecker, "we called to the stand Henry Owen O'Connor. He testifies that he was there, and heard a discussion between Captain O'Connor and Foy, and he tells you that there was something said about a committee, and that he offered an amendment thereto. We have the resolution read here before you by the secretary. Henry Owen O'Connor says, however, that he left soon after, and he did not know that a committee had been appointed until afterward. I shall speak of the evidence of this witness in relation to another matter, and to other meetings, later on. I shall now read to you the evidence of the next witness whom we called in the case, Thomas F. O'Connor."

The State's Attorney then read the evidence of Thomas F. O'Connor, as already published, relating to a speech made by Andrew Foy in Camp 20 on the night of February 6, and his reply thereto, in which he had made the now famous assertion that he had heard the report of the Buffalo trial committee, and that he knew that the ex-executive had squandered the funds of the organization and sent its members to prison, and finally Coughlin's motion to appoint a secret committee to investigate the reading of the report in Cronin's camp.

THE MEETING OF FEB. 8.

The State's Attorney, resuming, said: "The next man we called to the stand was John Collins. He, too, tells you that he remembers Foy's speech and O'Connor's speech, and that a secret committee was ordered appointed. On that point, gentlemen, we have ten witnesses, all of whom have testified in regard to the call for the appointment of a secret committee on the night of Feb. 8. That was the night when this conspiracy began. Remember that Foy had made his speech claiming that there were spies in the order, and charging that there were other Le Carons in the country. Following that O'Connor had made his speech on the other side, the two factions had met. Thomas O'Connor had stated that the ex-executive body had squandered the funds, that they had put patriotic men behind prison bars, and that the camp had better give their attention to the executive body than to any statements regarding spies or Le Carons in the country. Denis O'Connor, Kelly, Ford and others all agree in telling you that it was in Dr. Cronin's camp, or in reference to Dr. Cronin's camp, that these remarks had been made."

[Pg 476]

The State's Attorney then called the attention of the jurors to the resolution passed on that occasion, and which had been read by the secretary from the witness-stand. He also called attention to the amendment proposed by Henry F. O'Connor to that resolution. The motion called for an imperative demand for action by the district officer, and the amendment was that the district officer's attention be called to it and asking for instructions. The State's Attorney, continuing, said, he would wish to direct the attention of the jury to the evidence bearing upon the utterances of Patrick O'Sullivan, a member of the Lake View camp.

They had it on the testimony of A. J. Ford that Patrick O'Sullivan had charged that in Lake View they were taking in deputies. He had charged that they had taken in men who belonged to what was called the Union Order of Deputies, and in statements made that night in Camp 20 to the same effect. Mr. Ford and others had given Patrick O'Sullivan as authority on that subject. It was in evidence here that Dr. Cronin had organized a camp in Lake View, to which this man, O'Sullivan, also belonged, and in the organization of which he had taken part; there was no evidence here that any other camp was organized in Lake View except the Washington Literary Society, and this was the camp, Cronin's camp, into which Patrick O'Sullivan had charged that members of the United Order of Deputies were being admitted. It was upon this statement of O'Sullivan's that Ford's speech was founded, and that he made this statement that he feared the organization would be broken up.

Mr. Longenecker then alluded to and read the resolution passed on this subject.

"Now," continued the State's Attorney, "Captain O'Connor has taken the stand here—and the defense did not dare to cross-examine Captain O'Connor upon

that proposition—and swore that the motion to appoint a secret committee was made by Daniel Coughlin. The defense did not dare to put a witness upon the stand to swear that that motion was made by any other person than Daniel Coughlin, and that statement stands here uncontradicted. He swears that Daniel Coughlin arose and moved that a secret committee be appointed. Now, in all organizations where a committee is moved, the mover is made chairman of the committee. If any of you ever belonged to an organization, and if you ever do belong to an organization, you will know that when a motion is made for the appointment of a committee, if the man in the chair understands parliamentary rules, he makes the mover for a committee chairman of the committee. Bear that in mind. In this case Captain O'Connor says that Dan Coughlin moved that this secret committee be appointed and that Thomas Murphy, who did not dare take the stand, seconded that motion. Thomas Murphy, you will remember, gentlemen, is the treasurer of the organization. Daniel Coughlin moved, and it was seconded, that a committee of two or three be appointed by the senior guardian to investigate this statement of Captain F. O'Connor. Why was this investigating committee appointed? Denis O'Connor and others tell you that it was known at the time that Dr. Cronin was the man who had read the report of that trial committee. They all knew that Cronin had acted as a member of that committee, they knew he had a separate report, the minority report; that he had condemned this executive body; that he had charged the funds of the organization had been squandered; then, for what purpose, I ask again, was the appointment of this committee proposed?"

[Pg 477]

The State's Attorney again impressed upon the jury the fact that Daniel Coughlin had for years been a personal enemy of Dr. Cronin, the man whom it was proposed to investigate, and that this same Coughlin, who so hated Cronin, was the man who had called for the appointment of a secret committee to find out just what it was admitted they all knew at the time. It had been claimed by counsel for the defense, and it no doubt would be claimed that this committee was not appointed to try Dr. Cronin.

THE MURDER OF DR. CRONIN.

"Of course they were not appointed to try him, gentlemen," exclaimed Mr. Longenecker, vehemently, "and they never did try him, for they never gave him a chance for his life. We don't contend they even went through the formality of a trial, but that this committee was appointed; that it acted; and that the result of its action was the removal of Dr. Cronin, we have no doubt. Now gentlemen," continued the State's Attorney, "the learned counsel who has more exceptions, and 'I object,' and 'wait a minute' in the record than he has evidence of the innocence of his clients, said that I was very tenacious about dates. I am. He called your attention to the fact that I had stated in my opening speech that dates would cut a figure in this case. They will. This was on the 8th day of February that this committee was ordered, and this, mark you, on the motion of a man who was an enemy of Dr. Cronin. The records, as shown by Patrick Henry O'Connor, show that Martin Burke was there, Patrick Cooney was there, John F. Beggs was there, and all these defendants on trial except P. O'Sullivan and Kunze. The record shows that. And now, before I forget it, remember, because I don't want to neglect defendant Kunze in this case, remember that if a conspiracy has been organized to do a certain thing—if there is a conspiracy to do a certain crime—whoever shall have joined that conspiracy has become a party to it, and they are bound by the acts committed prior to their joining the conspiracy and are involved in it as much going in the last hour as if they went in the first hour."

[Pg 478]

HISTORY OF THE CONSPIRACY.

"Now on this occasion, on the 8th day of February, we have Martin Burke, Daniel Coughlin, John F. Beggs, all present at this meeting, and on this night also Martin Burke was appointed a committee of one, as shown by the secretary's books, to pass upon the qualifications of Danahy's bartender (who swears to an alibi for Burke) for admission into the order. They were getting in their friends then. This was on the 8th of February. On the 16th of February John F. Beggs, senior guardian of this camp, wrote a letter to Spelman, the district officer, and on the 17th of February Spelman, the district officer, answers that letter, in which he says he knows of no authority under the constitution that authorizes him to inflict a penalty on a member who has committed the offense referred to by Beggs. Recollect, gentlemen, they talk about penalties; that he knows nothing in the constitution by which he is authorized to inflict a penalty. From these letters it will be seen that Mr.

Senior Guardian Beggs had directed Spelman's attention to Dr. Cronin's camp, showing that he knew that it was in Cronin's camp that this minority report had been read, and to 'investigate' which the secret committee had been proposed by Coughlin. On the 18th of February John F. Beggs writes (and I will read you the letter) that he does not know of any 'written' law of the organization which authorizes the infliction of a penalty. On the 19th day of February Mr. Simonds appears and rents a flat and furniture is bought, and on the 20th the carpet is nailed down in the room on Clark street. 'Dates will cut a figure in this case.' This was all done in the month of February. On the night of the 22d of February this man (Coughlin), who moved to appoint that secret committee, already beginning his work as chairman of the committee, tells Henry Owen O'Connor that they have another Le Caron, and he says he has got it from good authority that it was Dr. Cronin who was the spy among them, and Mr. O'Connor would not hear any more and left him."

At this point Mr. Longenecker's attention was called by associate counsel for the defense to the fact that the words of Coughlin alluded to occurred on March 1 and not on February 22, and he made the necessary correction.

THE BEGGS-SPELMAN LETTERS.

"Now," continued Mr. Longenecker, "let us see whether there is anything else shown by these letters that passed between Beggs and Spelman. In the first place let us ask ourselves what was there to write about to Spelman if the object of the whole 'investigation' arising out of Thomas O'Connor's speech was to find out 'why' Cronin had read that minority report. There was no need to make any fuss about that. But suppose they wanted to create the belief that there was in the organization a man who was a spy or traitor, and that they wanted an excuse for killing him—that would be a very different matter."

The State's Attorney then proceeded to read to the jury the first letter written by Beggs to Spelman, dated Feb. 16. In this letter Beggs says: "It is charged that the senior guardian of Columbus Camp, at a recent meeting, to the assembled brothers read the proceedings of the trial of the executive at Buffalo." Mr. Longenecker compared this passage of Beggs' letter with the motion of Henry Owen O'Connor, carried by Camp 20, directing the senior guardian to notify the district officer "of the report going around regarding reports of the trial committee being read in one of the camps of this city."

[Pg 479]

"That motion was carried by the camp," said Mr. Longenecker, "but it seems that Mr. Beggs had found out what camp that report had been read in and all about it before he wrote as directed to Mr. Spelman."

Having alluded passingly to the passage in Beggs' letter protesting against the initiation of members into camps before their names were presented to Camp 20 and the central officers for ratification, which he said was in line with O'Sullivan's charge that U. O. D. men were being admitted to Cronin's camp, Mr. Longenecker took up Spelman's reply to this letter of Beggs. In this letter, which was dated Feb. 17, Spelman asked Beggs to refer him to that section of the law by which he was empowered to inflict a penalty on a senior guardian for disclosing the proceedings of a trial committee.

In this letter also Mr. Beggs refers to "certain men who want to lead in Irish affairs" as "scamps," and says he "is disgusted with their conduct." The reply of Beggs to this letter, dated February 18, was then read. In this Beggs says he knows of no "written law" under which a penalty could be inflicted for the offense alluded to in his first letter. "No man in his right senses," he declared, "would deny that such conduct was prejudicial to the good of the order." Mr. Beggs in this letter also deplores the "opening of the old sore," and says that as the majority of the members believed "the parties charged to be innocent," created ill feeling and blasted the hopes of the friends of Irish unity. Beggs also said he would not notice the matter alluded to, as he thought it better not to notice such matters, only he was ordered to do so by the vote of the camp. "But I am only one man," said Beggs, "but the men who are in power will in time realize the motives of those who are continually breeding disorder in the ranks. I am very much discouraged at the present outlook, but hope no trouble will result in the meantime."

Mr. Longenecker asked significantly what Beggs was talking about in this latter portion of his letter. A comparison of his utterances with the evidence of Thomas F. and Henry Owen O'Connor showed that Beggs was referring to Cronin, and to the report which he had read in his own camp, charging the ex-executives with being thieves and robbers and with putting Irishmen behind English prison bars. What did Spelman mean when he said he had hoped for a reunion and for better results? To whom did Beggs refer when he spoke of

"these men who are continually breeding disorder in the ranks?" It was evident that they were talking about Cronin.

"On the 22d of February," continued the State's Attorney, "when Patrick McGarry made the same charge that this ex-executive was composed of thieves and robbers, at the reunion meeting John F. Beggs stood up and said he would not submit to any such charges being made in his camp, and he slapped his breast and thanked God that he was a friend of Alexander Sullivan's.

[Pg 480]

"On the 19th of February, Throckmorton said the man named Simonds came there and inquired and rented the flat at 117 Clark street. Now we have a meeting on February 22d. You recollect what Patrick McGarry stated at that meeting, and, for the purpose of showing you just what he did say, I would like to read from the record, but, after glancing through the papers on the table, I fear I have neglected to bring it from my office."

Judge Longenecker had now spoken for over four hours, and a recess was ordered until ten o'clock on the following morning (November 30), and at that hour the State's Attorney resumed his speech, as follows:

"If the Court please, and Gentlemen, Mr. Foster was right in regard to my statement about Spelman. It had reference to the circular letter which he said was not addressed originally to Beggs, and that evidence had nothing to do with this case.

"On yesterday evening I wanted to call your attention to what was said and done on the meeting of the 22d of February—this reunion. You remember that Mr. Beggs spoke of it in his letter to Spelman; not to forget their reunion. At that meeting speeches were made by different parties, and among them Patrick McGarry made a speech, and John F. Beggs, the senior guardian of Camp 20, answered that speech. You may not remember just what was said on that occasion. I will now read just what Patrick McGarry said about it."

Judge Longenecker proceeded to read from a typewritten manuscript the testimony of Patrick McGarry as to what occurred at the meeting of Camp 20 on Feb. 22.

"'Four gentlemen had spoken,' Mr. McGarry testified, and referred to the unity that ought to exist in the organization. It was about the time that Le Caron had testified before the Parnell commission in England and the other gentlemen had referred to spies getting into the organization. On the 8th day of February, on the occasion of moving the appointment of the committee, Foy talked about spies in the organization. Mr. McGarry spoke of how Irishmen coming to this country and becoming American citizens ought to educate their children. That was good talk. How they should educate them first in the principles of American institutions; that was good. How they should educate them also to have love for their mothers and fathers and forefathers' homes; that there was nothing in the Irish race and nothing in Irish history that Irishmen should be ashamed of in America; that is true."

[Pg 481]

The State's Attorney proceeded to recite the testimony of McGarry, as before published, in regard to the speech that he had made at this celebrated reunion meeting at Camp 20.

"I said I agreed in my remarks with what all three gentlemen had said. I said it was all very well to talk of unity, and I wanted to see unity among Irish people; that there could not be unity while the members of this organization would meet on dark streets and back alleys to villify and abuse a man who had the courage to stand up and attack the treachery and robbery of the triangle. I said that I was educating children, and as long as God allowed me to be over them, I would educate them first in American principles, and I also wanted to educate them that, if they got an opportunity to strike a blow for Ireland's freedom, they would do so. I told them that I had been investigating Le Caron's record, and I said there were men in this organization that were worse than Le Caron. I said that the man who gave Le Caron his credentials to go into the convention was a greater scoundrel than ever Le Caron could pretend to be. I said that I had found out that Le Caron's camp did not exist for two years, and they did not have a meeting, and the junior guardian, as given in the directory down in Braidwood, had been for a year at Spring Valley, and I said that they must have known that such a camp could not exist only on paper."

Judge Longenecker went on to review the testimony of McGarry in reference to this famous meeting, and next called the attention of the jury to the conduct of John F. Beggs, the senior guardian of Camp 20, on that occasion.

VIOLATIONS OF CAMP RULES.

"Now remember," he said, "that Alexander Sullivan's name had not been mentioned; the triangle had not been mentioned, and John F. Beggs said that visiting members were coming in there and violating the hospitality of the camp, and that would have to be stopped—that it was cowardly," and, says McGarry: "I wanted to interrupt him, but the presiding officer and chairman at that time would not let me interrupt him." When he used the word coward, he said that they came in there talking about Alexander Sullivan, and it was cowardly, and he said that they talked about a man behind his back; "why don't they say it to his face?" He said that Alexander Sullivan had strong friends in that camp, and he slapped his breast and said that he "was one of them." That was Beggs' speech on the 22d of February—this same senior guardian, who was called upon to appoint a secret committee to investigate why Dr. Cronin had read a minority report in his camp charging Alexander Sullivan and the rest of the triangle with squandering the funds. On this occasion it was admitted that Alexander Sullivan was not a member of the organization, but he was and had been a member of the executive body—a member of the triangle—and Beggs having mentioned his name in his speech, McGarry had charged this corruption, and then it was that this man Beggs said he would not submit to it, and that it was cowardly for them to talk about it. He said that Alexander Sullivan had strong friends in that camp, and he slapped his breast and said: "I am one of them," "I wanted to get the floor to reply to him," said McGarry; "I said the gentleman had said it was cowardly, and I wanted him to understand that I was no coward; that I would tell Alexander Sullivan either there or on any other ground what my opinion of him was, and that every man who knew me knew what Pat was. I said, Why did you mention Alexander Sullivan's name? I have not mentioned it; I have not heard it mentioned here until the senior guardian of this camp mentioned it. I have said, and I repeat, that the man who gave Le Caron his credentials is a greater scoundrel than Le Caron could ever pretend to be. I said I did not mention his name until it was brought out, and then John F. Beggs said that Alexander Sullivan had strong friends in the camp, and he was one of them, and that he was for union and unity among Irish people if it took war to bring it about."

[Pg 482]

"Now this occurred on the 22d of February. The senior guardian was then defending the triangle. Dr. Cronin had been charging the triangle with misappropriation of the funds—and what else? He had been charging them with worse than murder. He had been charging that they not only robbed the treasury, but that they had sent innocent men to English prisons; that they had sent men behind the bars in order to protect their own thievery. He had charged upon this triangle, as Thomas O'Connor stated in his speech, in his minority report which he had read to his camp, the scoundrelism of these men; and here we find this senior guardian"—and the State's Attorney turned round and pointed to Beggs—"on the 22d of February defending them and saying that they had friends and he was glad to say that he was one of them. Now, gentlemen, remember that this was on the 22d day of February, two days after the carpet had been nailed down in the flat at 117 Clark street; five days after the notorious letter that the senior guardian had written Spelman to find out something that he knew all about—writing to this district member to investigate a matter that he knew all about."

THE CONNECTION WITH THE MURDER.

"What else? We find that on the following meeting on the 1st of March—it is in evidence here by Henry Owen O'Connor—that as he was leaving the hall, Daniel Coughlin, the chairman of the committee, followed him into the ante room, and said to Henry Owen O'Connor, 'there are other Le Carons here among us.' He knew how Henry Owen O'Connor's heart went out to Ireland. He knew how patriotism burned in his heart; he knew that Henry Owen O'Connor was loyal to his people. He thought by prejudicing him in that direction he would surround their action with another friend. What does he do? He says 'it is rumored around that there is another Le Caron, and we have got it pretty straight that it is Dr. Cronin.' This was on the 1st day of March, on Friday night.

"Singular, is it not? Here on the 8th day of February, the date on which the motion was made for that committee—on the 16th of February the senior guardian writing about it and on the 17th writing about it; on the 19th renting the flat; on the 20th nailing the carpet down, and on the 22d defending the triangle, and on the 1st of March this man, who is on trial now for his life, says that Dr. Cronin is a spy. Why was this done? Why should he tell that he was a spy? Following along on the same line it was uttered on February 8 that there

[Pg 483]

were spies in the camp; on the 22d they talked about spies, and now it was whispered into the ears of Henry Owen O'Connor that this man, Cronin, was a spy. They knew how the Irish people despised a man who was pointed out as a spy, therefore, he began his work of prejudicing the minds of those Irishmen who were in earnest in reference to the freedom of Ireland, and tells O'Connor that Cronin was a spy, but Henry Owen O'Connor turned on his heel and would not have it and said: 'I don't believe it,' and walked away. Now, what do we find? We find this: That a conspiracy began in Camp 20 on the 8th of February. Following that, as I stated, were the remarks made by this man Coughlin, and remarks by Beggs. Now, we go on to another meeting in this camp. Was that committee appointed? I stated on yesterday that we did not contend that it was a trial committee. We never have contended that it was wanted for the purpose of trying Dr. Cronin or any one else; no such statement has been made, but that there was a request for a secret committee, is undisputed.

"Now was it appointed? We find that either on the 3d of May or on the 10th—that does not matter—one of the witnesses, I think Henry Owen O'Connor, states that it was on the 3d of May, soon after he came home from the East, there was a meeting. On cross-examination by Mr. Foster, his attention was called to the matter that he was investigating as a committee-man in regard to auditing the books, and by that he thinks probably it might have been the 10th—the following meeting. That does not matter; but Nolan, the other secretary, the one who keeps the names and numbers of the different members and their accounts—the financial secretary—states that it was on the night of the 3d. Here are two undisputed witnesses uncontradicted by any man in Camp 20; not a man that dare lift up his hand to God and say that these men have sworn falsely. Here they come into court and make a statement that is undisputed. Was the committee appointed?

"On the night of the 3d or the 10th—I do not care which night it was—some one in the crowd asked the senior guardian if the secret or private committee had reported. The senior guardian, with his hand uplifted, said: 'That committee reports to me alone.' That was John F. Beggs! 'Has that committee reported?' 'That committee reports to the senior guardian alone.'

THE PLOT TO MURDER CRONIN.

"Had he reference to the trial committee? Why, no. They contended they had been urging for that committee's report; would he have made such a remark as that if it had reference to the trial committee that tried the triangle? No, gentlemen, it had reference to this secret committee that had been appointed by John F. Beggs; and to show you that he had appointed it, on the 29th day of April, over on the South Side of this city, as is testified to by his friend Spelman, the district officer—on the 29th day of April what did he say? He said, 'That matter has all been amicably settled.' How settled? At the hour he spoke the cottage had been rented; at the hour he spoke the arrangements had been made; at the hour he spoke the sentence had been fixed; at the hour he spoke it had been 'amicably' settled—that was on the 29th day of April. Is there anything in the camp that shows it was amicably settled? Has there been a man to come here to say they visited Dr. Cronin's camp to investigate why he read this report! Has there been a man that dare come to the front and say that any investigation had been made—that anything had been done? No. Then, why was it that this man, Beggs, said that it had been amicably settled? Because the committee had agreed that certain things had to be done, and that they would be done, and therefore there was no occasion for any further investigation. That is why he told Spelman on the 29th of April that this matter had been amicably settled. It had been.

"Following that, when he says, 'That committee reports to me alone,' it is no wonder he made that remark, knowing in his heart what had been done; knowing the results that were to follow, no wonder he said 'That committee reports to the senior guardian alone.'

"Now, if he made that remark—that it was to report to him alone—where is the man that will assert that there was no committee appointed? We do not contend that there was a committee appointed as provided by the constitution in a legitimate way in their order. There is no such contention here; but that they assumed to appoint a committee; that they did appoint a committee, and that that committee was a committee of three. We contend that that was done for the purpose of covering up the deeds of these men that followed the appointment of the committee. You remember. There is nothing said about the appointing the committee to try Dr. Cronin—nothing is said about the appointing the committee to do anything except to find out how it was that this

was done. If it had been intended to do anything in an honorable way—in a way that they must, to be honorable to themselves and the society, and appointed that committee as Denis O'Connor said, to go up and find out about the matter and report back—then it might be considered as of nothing. But they didn't do it. Tell me that it was 'amicably settled!' What had they done in the camp? What report had been made? What steps had been taken to investigate the matter? No one knows except the senior guardian and his committee just what was said or done."

THE LAW OF CONSPIRACY.

"Now, gentlemen, I shall not bother you by reading much law at this time. As I stated, I want to go over the evidence, but at this point I want to call your attention, before entering upon the other evidence, to the Spies case. I will only read from the syllabus, and leave the case for others who may wish to refer to it, either on the side of the people or on the side of the defense. I want to call your attention to the law of conspiracy as laid down in that case." [Here Judge Longenecker read a long extract bearing on the point that where two or more persons combine to do an illegal act, they are all guilty, whether they are all present at the consummation of the crime or not.] He then proceeded: "That is all I desire to read you upon the law of conspiracy. We have talked about Camp 20 and actions of this order, and we now come up to another part of the case. You will remember that Throckmorton, of the real estate agency of Marshall & Knight, on Clark Street, told you that a man by the name of Simonds appeared there on the 18th of March and inquired in reference to a flat. He wanted to rent two rooms on the upper floor of 117 Clark street. The agent told him they had two rooms on the floor below, and he said he didn't want them—that he preferred to have those on the upper floor, fronting on Clark street. You will remember that he stated that they could not rent two rooms in that flat and he would have to rent the entire flat, and the man said he would see Mr. Marshall concerning it. Next day, the 19th, the man appeared again at the office, and Throckmorton saw Mr. Marshall, who would not rent two rooms and said he would have to take the entire flat. The fellow said all right, and paid them \$40 for the top flat, which, as you will remember, was in the neighborhood of Dr. Cronin's office, just opposite the Chicago Opera House building. You will further remember that Throckmorton testified that the man pulled the money out of his pocket in a careless way and paid \$40. I don't know whether he understood why he wanted the front rooms at that time, but he paid a month's rent and signed a lease. Mr. Marshall corroborates that statement."

[Pg 485]

THE PURCHASE OF THE FURNITURE.

"On the same day this man, J. B. Simonds, appeared at Revell's store. Now, it does not matter whether we have shown that he was a member of Camp 20 or any thing about it. It does not matter whether we know who he is, but it is part of the means used in this case, and for that reason it was admitted in evidence. He said to Hatfield, the salesman, that he wanted some of the cheapest furniture he could get. He was taken to the department where the cheapest furniture is kept. He was quick and firm in his selections. When he was shown a cheap bedstead he said, 'That is all right; I will take that.' When he was showed cheap chairs, he said, 'I will take them.' When Hatfield showed him other pieces of furniture, he said promptly, 'I will take them.' Then he said he wanted a cheap trunk, the largest in the store. They went to the trunk department and they picked out a packing trunk of the largest size. He said he wanted a common valise and a strap for the trunk. These articles were all produced and he went away. That must have been before the signing of the lease for the flat, because he comes back the next day and tells them to deliver the goods. He picked out the commonest furniture, stating that it was only for temporary use. The next day he went back and paid for the furniture and it was moved to 176 Clark street.

[Pg 486]

"Now, gentlemen, have you any doubt about that furniture going to that number? None of you can have a doubt on that question. When he went back to Revell's he said he wanted a larger sized strap; that the strap he got was too small, too light, and Mr. Hatfield said he would get him a larger strap, which he did and charged him 50 cents for it. Mr. Allen, who moved the furniture, said he took a bed; a bureau, a washstand, a mattress, a bowl, and pitcher, the trunk (the valise and strap were inside the trunk) and all the articles that this man Simonds had purchased, to 117 South Clark street. The shipping clerk Neahr, who packed the goods testified that the goods taken

over there were the same as those bought by Simonds. This was followed by the evidence of McHale, the carpet layer, who said he laid the carpet in the front room of 117 Clark street; that Simonds appeared there and was very easy about the matter, not caring just how the carpet was laid, and he had the carpet laid in the front room. It is not for us to say what the objecting was in renting the flat at 117 Clark street; it is true that that number was selected; it is true that this furniture was purchased; it is true that the trunk was purchased and went with this furniture. Now we find that the only living person identified as occupying the room, in which this furniture was placed and the carpet laid, is the man Kunze. He was seen there with another man taller than himself. They were seen there frequently during the time the flat was occupied by this man Simonds, and Kunze was the man who was identified as being in that flat at the time. That is testified to by James, testified here in a manner that must convince you that he was telling the truth, because, in his evidence, he was not over-anxious about anything else. When the learned counsel for the defense asked him if he had ever been mistaken about men he had seen on the street, James said he might have been, that such a thing could happen, but he was not mistaken as to Kunze being the man who was in the flat. That evidence was before you, and that is the first time Kunze appears in this case, with the exception, perhaps, of his trip with Coughlin down to Peoria, which was in relation to another matter, and was only shown for the purpose of letting the jury know the intimacy that existed between Coughlin, the chairman of the committee and this man who was seen in the flat. He is just the kind of character, just the kind of man that Daniel Coughlin would have selected to occupy that room.

"This flat is occupied. We have shown that the furniture was moved in there, that the trunk was moved in, that the valise and all the articles purchased at Revell's were moved into that flat, and stayed there until the night of the 20th. You will remember that Collector Goldman, who collects the rents for this real estate firm, went to collect the rent for the flats on the morning of the 20th of March. He didn't find any one in, but he peeped through the letter hole and saw the carpet and furniture still there and went away. But when he returned the next morning, the 21st of March, the flat was vacant. And if you remember the other evidence, you will find that they moved in the evening. Now, why was that flat rented? Why was this furniture purchased? Is there any explanation on earth except that it was purchased and moved in for the very purpose for which it was used thereafter? Why they selected that flat at 117 South Clark street is not for us to answer. Why they should have moved the furniture in there first is problematic, except it was for the purpose of losing the identity and stopping the tracing of the property from where it was first purchased. That might have been the object. It is not necessary we should account for the reason of their having moved this furniture into that flat, but it is one piece of evidence in this case that follows along the line of the conspiracy.

[Pg 487]

THE MEETINGS IN CAMP 20.

"You will remember that on the 8th there was a meeting. On the 15th they had another meeting in Camp 20, and after that meeting I have no doubt—and I have a right to talk in this way; it is only my opinion; it is an inference drawn from the evidence—after that meeting, I have no doubt that Dan Coughlin, the chairman of that committee, sat down and talked to John F. Beggs and considered that they had better notify the district member; that they had better fix up something to cover up matters in case anything came out afterward in reference to the affair. So that on the 16th, the day after their meeting up here—because they meet every Friday night—Dan Coughlin and John F. Beggs and other committeemen talked the matter over, and they decided they had better write to the district officer, Mr. Spelman, and tell him they wanted to find out something about Dr. Cronin's camp, for when Beggs writes his letter, he gives the number of the Columbia Club, and says the report was read in that camp. Well, they think they had better write to this district officer, and ask him to tell them something about what they shall do, and inquire of him about a matter they knew all about. You remember how the answer of Mr. Spelman came back, that he knew nothing in the constitution that gave him power to inflict a penalty. They had already, then, passed upon this man. This committee had already set their heads together and concluded it was necessary to inflict a penalty, and that is the reason why this Peoria man wrote that he knew nothing in the constitution that required him, or that gave him power to inflict a penalty on the senior guardian for having read the report of the trial committee in his camp. This was not written in all seriousness; it was written as a covering for what had happened in Camp 20.

RENTING THE CARLSON COTTAGE.

"This was on the 16th. On the 17th comes back this letter from Spelman. On the 18th Beggs writes this other letter, in which he says the time is coming when the men who are creating disturbances in the Irish organization will find there is a day of punishment. He had it on his mind he had been conferring with this committee. On the 18th Mr. Simonds was talking of renting the flat, and when Beggs wrote this letter in reply to Spelman, stating that the time is coming when those men who are creating this disturbance would learn there is a day of punishment, then it was they began active operations. On the 19th the furniture was purchased and placed in the flat, so there is no other theory on earth than that it was the work of this committee, whoever they may be. Well, it does not stop there. On the 20th of March we find that a man by the name of Frank Williams appears on the scene. He introduces himself on the afternoon of the 20th, and I was somewhat surprised that my brother Donahoe spent a whole half-day trying to show that P. O'Sullivan was an hour's ride from home at noon that day. This all occurred on the afternoon of the 20th, and the object of that proof was to show that this man, Martin Burke, alias Williams, alias Cooper and Delaney, didn't walk over the plot and talk to P. O'Sullivan after he rented the cottage. It was to show that P. O'Sullivan was not at home about that time on the 20th, and I was somewhat surprised that the learned counsel wasted time on it. Charles Carlson said it was in the afternoon when this man Williams came to rent the cottage. He knew positively that it was after one o'clock, but the exact time he could not state. That is not disputed by any one. So it is no use quibbling over that alibi; there is nothing of an alibi about it. It is all as plain as it can be that the renting took place on the afternoon of the 20th. But, anyway, this man, Frank Williams, who is loaded down with names, comes and rents the cottage. The testimony of Jonas Carlson shows that he had a sign 'For Rent' on his cottage; and you must remember that it is just 102 feet from the steps of O'Sullivan's house to the entrance of Mr. Carlson's back gate, and it is only 166 feet to the corner of the front cottage, in which this murder was committed.

[Pg 488]

"There was the sign 'For Rent' on that Carlson cottage; there was Patrick O'Sullivan, a member of Camp 20, a man who had been saying that Dr. Cronin was taking deputies into the camp, to say that the cottage was to rent. He knew that the old folks went to bed at an early hour; he knew the habits of these poor old people. Patrick O'Sullivan knew there were but two houses on the entire block on that side of the street; he knew there were not half a dozen houses within a radius of three or four blocks. Now, Martin Burke, who belonged to the same camp, and was present at the time the committee was ordered to be appointed—Martin Burke, under the name of Frank Williams, appears on the scene and wants to rent the cottage. He told Jonas Carlson that his sister intended to keep house for him and his brother. Now, remember that every time anything was said about the flat or the cottage the party was to come from the East. Simonds said his brother was coming from the East to have his eyes treated, and he wanted to be near the center of the city for that purpose. This man, Frank Williams, who turned out to be none other than Martin Burke, a brother in Camp 20, appears and says his sister is coming from the East. Martin was not so lavish with his money as Simonds was, because when the old man wanted \$12 a month he wanted him to take \$11. Martin wanted to save all he could out of the pile; but this man Simonds, who had the bulk of the money, pulls it out in rolls when he was going to pay for anything. Simonds carried his money just as the triangler would carry it, who had been robbing the Irish cause for years, but Martin Burke, who had been working in the ditches, thought if he could save a dollar out of the \$12 he would do it. But Mr. Carlson refused to lower the rent and he paid the \$12. Then he said his sister was coming from the East to keep house for them. You can have no doubt that the cottage was rented by a man named Frank Williams. Mr. Carlson and his wife, and Charles Carlson and his wife, who were present, said that he rented the cottage. Charles wrote out the receipt and signed it for his father and gave it to Frank Williams. Here are three persons who swore that Frank Williams rented the cottage. And here is a significant incident for you to remember. They started out with assumed names. Martin Burke appears as Frank Williams. If he were renting the cottage for a lawful purpose, if he wished it for no other purpose than to occupy it in a legitimate way, to have his sister come and keep house for him, there would be no occasion for his renting it under the name of Frank Williams. That is conceded. So, then, he must have rented this cottage for some other purpose. It was not because he wanted to keep from paying the rent, because he paid it in advance. That was not the cause; he did not want to lose his identity in order to keep from paying the rent. It was for an unlawful purpose that he went there to rent the cottage. The learned counsel on the

[Pg 489]

other side can not dispute that proposition. The old gentleman said Williams went out after receiving the receipt and talked to O'Sullivan. Now, O'Sullivan did not live a half a mile or three-quarters of a mile away. You must not think that O'Sullivan lived at one end of the town and Carlson at the other end. His place is just across the lot from the Carlsons. The old gentleman testified that Burke went out of the front gate and walked to where O'Sullivan was standing at his barn and said, 'The cottage is rented.' The old gentleman said he didn't understand what else was said. You remember how hard it was for him to express himself in the English language, and yet counsel undertook to impeach that old man by proving what he said at the coroner's inquest. There is no dispute that he said then he could not hear what Burke said there. There is no use denying that. He said practically the same thing here. He said he heard Martin Burke say to O'Sullivan that the cottage was rented, but he could not hear what else was said. Now, that is about the same thing. You must have noticed how hard it was to understand Carlson when he testified in the English language. Mrs. Carlson said she didn't know where Burke went, but that the young man talked to her husband, who asked him some questions as to where he was working. The old gentleman is the only one who saw him go outside and heard him say this to Patrick O'Sullivan.

"It was quite natural, was it not? Here was Martin Burke, a brother in the camp, Martin Burke who had met O'Sullivan before, going cross-lot to speak to O'Sullivan. How did Martin Burke know this cottage was for rent? How did he know there was a vacant cottage out there near Patrick O'Sullivan? Who was it brought it to his ears, unless it was Daniel Coughlin or Patrick O'Sullivan? And you will remember that one of the witnesses testified that all through the month of March telephoning was going on between O'Sullivan and Coughlin. Coughlin knew all about Lake View because——"

[Pg 490]

Messrs. Forrest and Donahue here interrupted with vigorous objections, claiming that this evidence was ruled out. The Court decided in their favor, and remarked that the telephoning was in April.

Judge Longenecker corrected himself accordingly, and continued: "But Dan Coughlin was up in Lake View in March; Dan Coughlin knew the whole ground there. Patrick O'Sullivan lived within a stone's throw of the cottage. The card was on for rent. A motion was made in the camp of which Coughlin, O'Sullivan and Burke were members; a flat had been rented, furniture purchased and placed in it. How did this man Williams know that this cottage was for rent? How did he know where to go to rent that cottage unless some one of those parties had talked to him, either Dan Coughlin or Patrick O'Sullivan? Those three witnesses swear that Frank Williams rented it, and do you think that Williams was anybody else except this man Burke? When the old gentleman was called to identify him he walked down in front of him and said: 'That is the man.' Mrs. Carlson said: 'That is the man.' Charles Carlson says, 'That is the man.' Mrs. Joanna Carlson said: 'That is the man.' There are four witnesses that swore that Martin Burke rented the cottage. I don't suppose the defendant's attorneys will dispute that proposition.

"I want to know why Martin Burke rented that cottage. What explanation is there to give for its being rented? If Martin Burke rented it intending that his sister should keep house for himself and his brother, why didn't they keep house? If Martin Burke was working at the stock yards and even went to Joliet to work; if he worked for the city in the sewers, why did he go out to Lake View to get a house? Well, if we can not find a reason for this by following the evidence, we will give you a pretty good reason for his not occupying it. My judgment is that he ought to be compelled to live there for all the days of his life. He ought to be required to wallow in the blood that there was drawn from the veins of Dr. Cronin!

"Why didn't he occupy this cottage? We find by this man Mortensen, a Swede who was driving an express wagon and stood on the corner of Chicago avenue and Market street, in the neighborhood of Dan Coughlin's station—this man Mortensen says he was standing there about 5 o'clock in the evening when a man, whom he identifies as Martin Burke, came up and wanted him to move some furniture. Burke had again to 'jew' the man in reference to dollars and cents. He said: 'You can do it for \$1.50.' Mortensen wanted \$2, but finally he agreed to do it for \$1.50. He told the expressman to report at 117 Clark street and he would be on hand. Mortensen drove up to the number given him and found Burke standing at the door. There are the two men we first see at 117 South Clark street—Kunze, the little German, and Burke, the Irishman. Kunze had been sleeping there."

[Pg 491]

KUNZE MAKES AN OBJECTION.

"I never did," shouted Kunze, rising to his feet and shaking his fist at the State's Attorney.

"Burke was moving the furniture with another man," continued Judge Longenecker.

"That is a lie," broke in Kunze again. The little German seemed very much excited, and it required all the power of Mr. Donahoe to soothe him.

"There is no attempt to prove," proceeded the State's Attorney, "that Kunze helped to move the furniture; nobody would believe that he would lift anything; but this man Burke was there to move his sister's furniture, and another man with a moustache was there to help him. They would not let the expressman go up-stairs to help them. What did they carry down from that flat? Did any one else move from there that day? No, because if they had it would have been in evidence here. No desks were moved out. No lawyers were shifting because they could not pay their rent; no doctors were moving out because they could not collect their bills; but Martin Burke was moving his furniture to put into the cottage in which his sister was to keep house for himself and brother. They carried down a bedstead, a mattress, a washstand, a trunk. Mortensen didn't see the valise and the strap, because you will remember that Allen said the valise and strap were inside the trunk. Mortensen didn't see the lamp, but he saw all the other articles which this man, Simonds, bought—this man who thought so much of Burke and his sister as to buy household furniture for them. The furniture was put on the wagon, and they told Mortensen to drive to a point in Lake View, and they would go by the cable. Mortensen went and waited for them at the place designated. They were late in arriving, and said the cable had broken down as usual. They drove up in a buggy, and told him to follow them. They drove to the Carlson cottage, and the furniture was carried in there—a trunk, a bureau, a washstand, washbowl and pitcher—all the articles that were bought at Revell's. The other man is not here on trial; it does not matter who he may be. It is not for you to stop to inquire about those we have not got. To take care of the one we have is all that we are after now.

"You can have no doubt that Martin Burke moved this furniture. Mortensen saw him two or three times afterward; saw him on Chicago avenue, always walking on the south side of the street leading to the station, where Coughlin drew his pay for organizing a conspiracy against citizens of Chicago. It runs on now to the 24th of March, and what do we find? March 20 the cottage was rented; March 20 this man Burke moved the furniture in, which was identified by Mr. Hatfield. Something had to be done to get Dr. Cronin out there. 'We have got the cottage,' said the chairman of the committee. 'Yes, I have rented it,' says Burke. 'Yes, it is near me,' says O'Sullivan. I am reasoning now from evidence. I have a right to talk that way. Well, on the 24th of March Dan Coughlin was in Mahoney's saloon on Chicago avenue, and was seen by Quinn and Riley talking to P. O'Sullivan near the screen. They were engaged in a whispered conversation and afterward came up into the crowd. Recollect that before that Patrick O'Sullivan had been charging that Dr. Cronin had been taking deputies into the organization. Recollect that he had charged in open camp that Cronin had been taking in deputies, and a discussion arose there between Patrick O'Sullivan and Dan Coughlin about deputies. Then it was that this man Coughlin said 'if a North Side Catholic doesn't keep his mouth shut he will soon be put out of the way,' or something to that effect. That was testified to by Quinn and Riley, and is undisputed. This man Coughlin, whose mind was full of murder, being chairman of this committee about Cronin, and about the object of which he was talking to O'Sullivan, they having been discussing the question of how to get Cronin to the cottage, it was in his mind, and he broke out without thinking what he was saying, without thinking that the words would come back at him in future months. He says: 'A North Side Catholic, if he doesn't keep his mouth shut, will be done away with.' Who was he referring to? Dr. Cronin had charged that the triangle had almost ruined their organization. Dr. Cronin had charged that the man who was the friend of Coughlin was a thief and a robber. Dr. Cronin had charged that this man had thrust innocent men into prison in order to cover up his stealing. Why was Dan Coughlin thinking then of this subject? Because he and this man were discussing how they could induce Dr. Cronin to go to the Carlson cottage; because they were then planning as to how they could get him there after Martin Burke had rented the place; this I believe to be the true state of his mind at that time. I believe they talked it over in that way just as much as if I had heard it from their very lips."

[Pg 492]

ENTICING CRONIN TO HIS DEATH.

"This is not all, gentlemen. Something had to be done to get Dr. Cronin out to Lake View. Dan Coughlin, the schemer and originator, had put O'Sullivan into a notion of doing something that he had never thought of before. Nothing had then occurred to show that O'Sullivan would have trouble with his icemen—nothing to lead him to believe that there might be accidents and damage suits, and that he would be in need of a physician. But the idea struck him. Dan Coughlin had talked with him on the 24th. On the 29th there was a literary society organized in Lake View, and Dr. Cronin was brought up to organize it. They wanted to get him familiar with the country. They wanted to get him used to driving in that locality. What did he do? This man, O'Sullivan, who was as cold as the ice on his wagons, goes to the meeting with a friend and helps to organize this Clan-na-Gael camp in Lake View. They took in Justice Mahoney, who was a candidate for office. Whenever a man gets running for office he joins nearly everything, and Mahoney thought it was necessary for him to join this literary society. Dr. Cronin made a speech, and it was such a good one that Mahoney said the thing ought to be open to all the world. My idea is that if Irishmen should be free, it should be done open and above board. If there is any reason for establishing a republican form of government in Ireland, let your speech be open and not in secret.

"When Mahoney went in there he belonged to the United Workmen. That is a good order. I used to belong to it myself, but I got dropped for non-payment of dues. Mahoney used to know Dr. Cronin as the examining physician of his lodge. He used to send men to him to be examined, and that made Dr. Cronin and himself good friends. Now, when Mahoney made a speech, Dr. Cronin lauded him to the skies, stating what a good thing it was to have that man in the society—that it was quite an advantage to the order to have him. Patrick O'Sullivan, with his cold, icy heart, took it all in. The idea struck him at once, 'Here are Mahoney and Dr. Cronin, great friends,' and afterward he said to Mahoney: 'Do you know Cronin well?' Mahoney said 'Yes.' 'Is he a good doctor?' asked O'Sullivan. 'Yes.' 'Will you go down and introduce me to him?' continued the iceman: 'I want to make a contract with him to treat my men.' And Mahoney said he'd do so.

[Pg 493]

"Why did that wretch want to employ Dr. Cronin? Why was it he wanted all at once to have Dr. Cronin attend to his men, when by his own admission he had never had occasion within the last five years for a doctor to treat one of his men. By his own admission he never had an accident during all his ice seasons, except when a piece of ice once fell on a little girl, but he never had a charge or a damage suit against him in regard to it. This was on the 29th of March. Do you think I am stretching it too far when I conclude that he and Coughlin had talked the matter over and considered what inducements they could make to get the Doctor out there? Could you, as sensible men, come to any other conclusion than that this man, on the pay roll of the city, was then telling O'Sullivan, 'You must get some scheme by which Cronin will be brought to the cottage or you will never kill him there?' Why didn't O'Sullivan step up to the Doctor that night and make his contract? Simply because he wanted to get the Doctor off his guard. He knew that Dr. Cronin would at once begin to figure the matter out. He would say, Dan Coughlin and P. O'Sullivan are great friends, but if Mahoney is there he would be all right and he would never suspect a thing."

JUSTICE MAHONEY'S PART IN THE PLOT.

"Mahoney said they didn't go down the next day. Then the election came on, and Dan Coughlin, having been in the habit of running the election, I suppose, so far as the Clan-na-Gael part is concerned, was busy. Patrick O'Sullivan, being something of a politician himself in his neighborhood, had also to attend the election. The rent was paid for a month any way, so they ran along until the 19th of April. If you figure that out, you will find it was soon after another meeting of the Clan-na-Gael Camp—soon after the committee had a chance to get together. You will find that on the 18th O'Sullivan left word with Mahoney that he would like him to go down with him to see Dr. Cronin. Mahoney, acting in good faith, met him, and they went down to Dr. Cronin's office. Now, we have the object. We have one of the members of Camp 20 renting the cottage; we have another member of Camp 20 going to make a contract with the Doctor. He goes to the office and tells the Doctor he would like to employ him to attend to his men during the ice season. You remember what the contract was. They talked about it and figured on the price, which was finally agreed as \$50 for the ice season, or seven months. The Doctor asked O'Sullivan if he had had any accidents and O'Sullivan said no, but he didn't know what might occur—that the horses might run off and hurt somebody. Mahoney testified to this. Here is a significant fact. It was on the 19th of April that this contract was

[Pg 494]

made. Now remember that on that day Patrick O'Sullivan handed the Doctor some cards, saying, 'I may be out of town and my card will be presented to you.' This is significant when we get to another branch of this evidence. Now, he reports again to the chairman of the committee that 'the contract is made; Cronin is thrown off his guard; Mahoney went with me.' Now, to show you that he was watching what he was doing, Frank Murray tells us that on the morning of the 5th of May O'Sullivan told him that he happened to be down town and met Mahoney, and that he wanted Mahoney to go with him to make this contract. It was an accidental meeting, he said. The committee had had a chance to meet and consult again in the meantime. The furniture was bought; it was moved into the cottage; the contract with the Doctor was made; they had it all arranged, and when Spelman comes to the city on the 29th of April the senior guardian says, 'It is all amicably settled.'

ALL ARRANGEMENTS COMPLETED.

"But something else must be done. On the 20th of April, the day after the contract was made, Frank Williams appears again on the scene. Mrs. Johanna Carlson testified that he came there and paid the rent, and then she and her son requested permission to enter the cottage and get a lounge and an old trunk left there by the former occupant of the premises. Charles Carlson went into the cottage with Martin Burke. He saw the carpet on the floor and the bed with its pillows. He didn't notice everything particularly, of course, but Williams showed him around and helped him out with the lounge and trunk. He paid the rent again and Mrs. Carlson wanted to know why they didn't move in. He said his sister was sick in the hospital and that as soon as she got well they would move in. That paid the rent up to the 20th of May. Soon after that—the same day or the day after—Mrs. Carlson, who was worrying, as an old lady would, about the property, which was their only dependence, talked to her husband about the matter. The old gentleman went over to see O'Sullivan. Now why should he go over to see O'Sullivan? The defense put a witness on the stand to prove that the old man went over to see O'Sullivan. Why should old man Carlson, who scarcely knew O'Sullivan, walk over to him to inquire about his tenant? Because he had seen Martin Burke walk over there and heard him say the cottage was rented. Jonas Carlson went there and said: 'How about those tenants? Why don't they move in? Do you know them?' O'Sullivan said, 'I know one of them. Is your rent due?' 'No,' said the old man. 'Well,' replied O'Sullivan, 'you will get your rent—that is all right.' Does not that of itself convince you, gentlemen, that what the old gentleman swore to as to Martin Burke going to O'Sullivan was his reason for going to speak to O'Sullivan on this occasion? Is not that convincing of itself that the old man told the truth when he said he saw Martin Burke walk out there and tell O'Sullivan the cottage was rented? But I don't care whether you believe the statement that the old man heard the words or not. The fact is nevertheless true that Martin Burke did go over to this man O'Sullivan, because if he had not, the old man would never have thought about going to O'Sullivan to ask about moving in.

[Pg 495]

"After making this contract, O'Sullivan goes home and sits down to the dinner table, and the first thing he says is: 'If there is any sickness in the family I have a doctor hired,' and he tells Mrs. Whalen and all the icemen that 'I have a doctor hired. Any time you want a doctor send for him.' His contract with the Doctor was not that he should treat sick people, or treat Mrs. Whalen, Tom Whalen and their children, and everybody in the neighborhood. The contract was not for that purpose. It was for treating injuries to his icemen. Yet he goes home and wants them to understand it right away in the house. But that is not all. He had given the Doctor a card. Something must be done. This man, Coughlin, who was on the detective force for years, and who was signing the pay-roll every month—this man gave him to understand that something else must be done. Then O'Sullivan goes to work and has a new card printed in April. He gets them just before the 4th of May. It is a different card from the one he gave Dr. Cronin. He had no idea that the new card would ever land on the mantelpiece of the house where Dr. Cronin resided; he had no idea that card would ever again face him. He did not expect this, because they try to prove that he got a bunch of new cards for distribution. His idea was this: That if they claimed that the card was presented for the Doctor to go to his house he could say the town was full of those cards. Don't you see? He was getting a new card printed which was to be used in drawing the Doctor out there. But it was never intended to be left in the possession of Dr. Cronin. If it was they supposed the Doctor would stick it in his pocket. O'Sullivan had no idea that any living soul would see that card thereafter. It was for a purpose, anyway.

"Now we have all this arranged; we have the whole thing 'amicably settled;'

that was the way in which it was to be done. We have the cottage rented, the contract with the Doctor; now it is all 'amicably settled'—just how we are going to complete the work; we don't need district officers or outside help; it is all arranged; the work will be completed."

BEGGS' ENMITY TOWARD CRONIN.

"Now we will tell you about other things in this case before we come to the 4th of May. You will remember that in September John F. Beggs was walking down the street with Mr. O'Keefe, and Mr. Flynn, and they were discussing Dr. Cronin. Beggs said Dr. Cronin was not fit to belong to the Irish cause. When you brand an Irishman as not being fit to belong to the Irish cause it means that he is a man to be held in contempt by the Irish people. Beggs gave as a reason that he had taken Dan Coughlin in without ever initiating him, and O'Keefe, said he was going to investigate it. I have no doubt that somebody filled up Beggs in reference to Dr. Cronin. I have no doubt somebody stood behind him telling him what a terrible man he was; that he was always creating disturbances in the order; that somebody talked him up in this matter until he got to be senior guardian.

[Pg 496]

"Up to the 4th of May Dr. Cronin still lived, but all the arrangements were 'amicably settled.' 'The matter I was writing to you has been amicably settled,' wrote Beggs. I want to call your attention to another thing: You remember that about a year ago last September, about the time that Beggs was talking about Cronin not being a good Irishman, about that time Dan Coughlin was trying to get some one to 'slug' Dr. Cronin. Now you must believe that statement. Here were three witnesses. They did not all swear to the same point, but all directed to the same thing that Sampson swore to. You remember that Garrity testified that this man Coughlin told him he would like to see Sampson, as he had some work he wanted Sampson to do—that he wanted him to 'slug' Dr. Cronin. Now, if Garrity is the kind of man that Dan Coughlin's learned attorney would have you believe, and I don't say he is not, Garrity then is the kind of man that Coughlin would talk to about this, is he not? If this man Sampson is in the habit of loafing in Garrity's saloon, Garrity would be the man that Coughlin would go to in order to get a word to Sampson; and in order to get Sampson from running from him, Coughlin told Garrity he wanted to see him. Garrity said he told Sampson. Sampson took this man Lynn with him. The conversation, of course, is not in evidence; it was not competent, but Lynn stands across the street. Sampson didn't know but what maybe this man Coughlin wanted to run him in; he didn't know but what it was a job put up on him. You don't suppose that Coughlin would have sent for a class leader in a Methodist church to do this job, nor would he send for a banker or a lawyer or a doctor to it. But he picked up Sampson. He thought Sampson was void of all respect, and he said: 'Sampson, I want you to slug a man.' It was just before election, and he said: 'You can catch him some night when he is coming to his house, because he is out attending political meetings. I want you to mark him.' He is pretty good at leaving his mark," exclaimed the State's Attorney, "and he wanted Sampson to mark Dr. Cronin. What does that show? It shows an ill feeling, it shows a hatred in this man's heart. That something was moving in Dan Coughlin's heart that caused him to make this proposition to Sampson. The attorneys for the defense will insist that this is absurd, that it is ridiculous and not reasonable. Gentlemen, there it is, there is the evidence undisputed."

[Pg 497]

MAJOR SAMPSON'S PART IN THE SCHEME.

"Now, I don't care what you may think of Sampson. Sampson told you that he played with the shells. He told you he had been in the bridewell, but never in the penitentiary; he told you he had followed gatherings and made money in a crooked way—he as much as said all that. But who was it that was familiar with all this? and where did the learned counsel who cross-examined him for the defense learn the man's record, except from Dan Coughlin? How did they know the history of this man Sampson unless they got it from Coughlin? How did they know what he had done in Michigan? They didn't happen to ask him if he was ever in Hancock, Mich. But they knew all of his doings in Michigan and southern Illinois, when he was following James G. Blaine. If Sampson was a crook, a thief and a robber—if he were the man they would have you believe—Dan Coughlin, in the pay of the city, and not doing his duty in this respect, was not fit to be on the police force. He must have known of this. The attorney could not have dreamed or guessed it, because Sampson says it is so. With all their cross-examination they didn't even impeach him on these questions. Then how about Garrity. Garrity says he was arrested for selling liquor

without a license, but the case was dismissed, and Dan Coughlin had charge of it."

"The evidence is that Captain Schaack had charge of the case," interrupted Forrest. "Coughlin swore out the warrant."

"But the lawyer insisted," responded Judge Longenecker, "that Dan Coughlin was the man who got Garrity's license revoked. If this man was violating the law, and Dan Coughlin swore out the warrant, it was his duty to prosecute; but they bring Loewenstein on the stand and he tells you that Garrity's saloon was a place for thieves and robbers. If that is so, then what is the duty of those police officers; what was their duty as men put on the force to look after the interests of this city? It was their duty to forever shut up the doors of this saloon—forever blot it out of existence, this robbers' roost, and not to come here and try to break down the evidence we gathered from the very men who were the associates of Dan Coughlin."

"Now there is more in that, gentlemen, than you can think of. When you couple it with Dan Coughlin's expression to Dinan, 'Don't say anything because I have had trouble with Dr. Cronin—because they know I am his enemy,' it is very significant. Why did they know it? He had told Garrity he wanted to see Sampson; he told Sampson he wanted him to slug Dr. Cronin, and he had whispered into the ears of O'Connor that Cronin was a spy. He had charged in a North Side saloon that a prominent North Side Catholic would soon be destroyed. On every corner he had raised his hand against Dr. Cronin. In the lodge he moved to appoint this secret committee to investigate Dr. Cronin, and when you couple it all together it is a good piece of evidence in this case, as tending to show the direction in which Daniel Coughlin was moving at the time he uttered the words."

[Pg 498]

TRUE TO THE IRISH CAUSE.

"Now, gentlemen, I want to say, before I pass on to the 4th of May, and I think it is due from me, as a public prosecutor, to say this: You have seen from day to day that we have called on the stand unwilling witnesses from Camp 20, and I want to say this, that the best patriots in the Irish cause to-day are the men we got on the stand to tell you the truth in reference to this case—Thomas O'Connor, and Henry Owen O'Connor, Patrick Dolan and Patrick McGarry. They are the best patriots that have appeared on the face of the globe. Here are men that stood up in this court-room and dared to tell the truth of what had happened in Camp 20, and I feel that it is due upon this occasion to say that the Irish cause never had better patriots than these men who came afterward and testified to the truth and to tell you where this hellish conspiracy originated. They have the nerve to come and tell us where it began, in order that the law might be vindicated; in order that the death of Patrick Henry Cronin might be avenged. I say this because it is due to them. Their evidence is undisputed. It has not been contradicted; they came out with clean hands."

"As to Sampson, I do not care what the attorney may say in regard to him. As to Garrity, I think both of them deserve credit for coming forward and telling the truth in this case. It is not often that you can get men, who are hounded to death by officers, who would lead the community to believe that they are the worst creatures on earth—it is not often that you can get them on the stand. They stood there for an hour with the counsel, prompted by the man who knows all about them, to question and put question after question as to their character."

The State's Attorney, at this point, asked the Court for an adjournment, and intimated that he would not take more than an hour further to conclude his address. Some suggestion as to an adjournment until half-past one was modestly made, but on the State's Attorney's assurance the Court adjourned proceedings until two o'clock.

THE FATAL 4TH OF MAY.

On the assembling of court at 2 o'clock, State's Attorney Longenecker resumed his address to the jury:

"If the Court please, and Gentlemen, as I stated in my opening of yesterday, I do not desire to do anything but talk about the evidence. On the 4th of May Dan Coughlin, one of the defendants here, appeared at Patrick Dinan's livery stable. It was customary for the Chicago Avenue Station to hire horses

whenever they desired them at Mr. Dinan's stable, which is just north of the Chicago Avenue Station on Clark street, so that it was not an unusual thing for Dan Coughlin to go there or for any officer to call for a horse and buggy, and it was not customary for Mr. Dinan to inquire what they desired with the horse and buggy. You remember Patrick Dinan's testimony in regard to this. Coughlin said he had a friend who wanted a horse and buggy and would call for it about 7 o'clock that evening, showing that Dan Coughlin was an actor in reference to this horse and buggy that was obtained from Dinan. He told Patrick Dinan that his friend would call at 7 o'clock, and at 7 o'clock a man came. Napier Moreland, who was a buggy washer and worked in the stable, testifies that at just about 7 o'clock a man appeared there and called for the horse and buggy that Detective Coughlin had engaged. Dinan was out in the barn. Just then Dinan came back and the stranger got under the gaslight that was in the buggy part of the stable and asked for the horse that Dan Coughlin had engaged for him. Dinan ordered the horse called the gray horse and sometimes the white, to be hitched to the buggy. There was a blacksmith named Jones, there getting a horse, and the stranger did not want the white horse, but wanted the other rig. Mr. Dinan told him he could not have that; he did not know where it was going and he knew what this horse was going to do, and Moreland got the old gray horse. You remember that Dinan said that it had not been out of the stable for quite a while and had not been driven. This was a little after 7 o'clock. He wanted side curtains and Dinan told him it was a warm evening and he did not need side curtains and it would take too long to put on side curtains. The man, grumbling, got into the buggy and they put on the hitching strap to it, and Dinan tells you that this man had a low-crowned, narrow-rimmed slouch hat. That he did not see his eyes, because he pulled his hat over his forehead, but his face looked as if it had not been shaven, and he had a black or a brown mustache. He gives his height as 5 feet and 7 inches, and said that he had a dirty, faded looking overcoat. Moreland testifies to the same thing; that the man had on a low-crowned, narrow-rimmed slouch hat, and that his face looked dirty, and he describes him about the same that Dinan does.

[Pg 499]

"How did the horse start when he turned out? It went directly north. Dinan swore that he was anxious to see the horse drive off, and he watched the man drive north on Clark street. Then he was going north. Mrs. Conklin tells you that a man came there a little after seven o'clock and came to the door and rang the bell, and that Sarah McNearney and Agnes McNearney were there at the office. You remember the description of the house; there were two flats, and Dr. Cronin occupied one front room and Mr. and Mrs. Conklin used the other front room for living purposes. She states that when this man came to the door she admitted him into the room. He says he is in a hurry and wants the Doctor, and the Doctor says, 'very well; I will be there in a minute.' You remember now that the McNearney girl, who was sitting outside, says that he had on a slouch hat with a narrow brim and his face had not been shaven for some time. He had a very keen eye—his eye was so piercing that she could not look at him, and he had a restless manner. He said there was an accident to one of P. O'Sullivan's men; that he had been run over by an ice wagon, and the Doctor said: 'Why didn't you get a doctor near?' 'Doctor,' he said, 'here is O'Sullivan's card,' and Dr. Cronin took it and laid it on the mantel in his own room, and then wrote out a prescription for Sarah McNearney. Mrs. Conklin described the man, the same as the McNearney girls, saying that he had a low-crowned, narrow-brimmed hat, and that his face was dirty as if it had not been shaven."

[Pg 500]

THE MAN WHO DROVE THE WHITE HORSE.

"They all agree upon this low-crowned hat with the narrow brim and the condition of the man's face. The Doctor gathered up the cotton and splints and a little satchel in which he had his instruments. The man said: 'I have a horse and buggy here for you.' That attracted her attention to the window, and she looked out and stood by the south bay window, and looked down at the horse that was standing in front of the saloon, and she saw that the horse had an uneasy appearance, and, in describing the facts, she said that his knees were in motion. You remember she describes how he was standing there. Now, Dinan gave just the same description as to his appearance—that he looked as if he wanted to go but he was not much of a goer. Frank Scanlon was standing there, and he wanted to see the Doctor about an arrangement regarding a paper that the Doctor was publishing at that time, and gives the same description. Now, here are five or six witnesses that describe this man, three or four at the Doctor's office, and two at the livery stable.

"Now suppose the horse was not identified at all; suppose it was a bay horse

or a brown horse or any other kind of a horse than a white horse or a gray horse, and suppose these two men had come that gave the same description of the man that appeared at Dinan's livery stable, and other witnesses identified him as the man that started away with the Doctor to treat one of O'Sullivan's men—keep that circumstance in mind—that Patrick O'Sullivan and Dan Coughlin were seen together on the night of the 24th of March, when Patrick O'Sullivan was to make this contract, that they both belonged to the same order, and that the contract was made and O'Sullivan says: 'My card will be presented to you if I am out of town.' Take that circumstance and what have you got? You have men who identified the horse that Dan Coughlin hired; you have that man driving north on Clark street in the direction of the Carlson cottage; you have that man presenting Patrick O'Sullivan's card and demanding the attention of the Doctor under the contract that Patrick O'Sullivan had with the Doctor, and you have them driving in the direction of the Carlson cottage. But that is not all the evidence we have on that point. Suppose that this is an ordinary horse that can not be identified, yet Mrs. Conklin tells you that that horse is a horse, that she remembers it not simply because it was a white horse and because it came from Dinan's livery stable, but she describes it from its uneasy motion; she remembers its legs and its knees. She says it has big knees, and Captain Schaack says it has big knees. And Mrs. Conklin, looking out of the window on that fatal night saw those knees. Why does she say that? The last time she saw Dr. Cronin alive he was sitting behind that horse that had knees that were wobbly. No wonder she remembers that horse, because she saw it in the same uneasy appearance that it had the night that Dr. Cronin was driven away. She identifies the horse from the knees and from the uneasy appearance, quite as much as if it was white or gray."

[Pg 501]

The State's Attorney then reviewed Captain Schaack's testimony as to how he had driven the horse around in front of Mrs. Conklin's house and as to the question of identification, and repeated his arguments that it was not the position in which the horse stood, but its peculiar, uneasy motion that enabled her to identify it. He considered that the identification of the horse by Mrs. Conklin was a fact that could not be disputed. The undertaker who arranged for Cronin's funeral and Mr. Scanlon had also observed the same horse, and he considered the identification complete.

THE IDENTIFICATION OF THE HORSE.

"They bring a man from New Jersey who stood here across the street, and the only reason why he says it is the same horse is because the horse that drove Cronin away was a gray horse, and this horse of Dinan's is a white horse. Did this man who traveled all the way from New Jersey tell you what kind of knees the horse had? Did he tell you there was anything wrong with the horse that drove Dr. Cronin away? No; but he says, looking from under an electric light on the opposite side of the street, he could see that that was a gray horse with dark legs, and therefore it was not the horse that drove Dr. Cronin away. On the question of identifying the horse, here are two witnesses where they could have a good view of the horse, swear positively that that was the horse. It is true that they brought the other man who looked across the street with nothing to attract his attention to the horse as much as the man, but Mrs. Conklin could not help looking to the parties getting into the buggy.

"But lay that aside; lay aside the evidence of the identification of the horse; when you gather up this chain from the 8th day of February—with the renting of the flat; with the writing of the letters; with the renting of the cottage; with the removal of the furniture; with the fact that Coughlin hired the horse and that his man was there at 7 o'clock on his own time—within five minutes of the time—that he appears there with P. O'Sullivan's card in his hand—what more evidence do you want to satisfy you that the horse that drove Dr. Cronin to his death was any other than the one that Daniel Coughlin hired of Dinan?

"On the 4th of May we find that about eight o'clock, or a little after, at the Carlson cottage, a gray horse is seen coming up Ashland avenue—the gray horse that was hired by Daniel Coughlin, and that started from Dinan's livery stable northward at twenty minutes after seven o'clock. Immediately after eight o'clock the gray horse was seen coming from the north on Ashland avenue, driven by a man whom the party could not describe. Remember that Dr. Cronin started with a satchel and with his box of splints, and with a roll of cotton; that he carried them on his lap, and that he wore a slouch hat with a low crown, and a brown overcoat; and that this horse and buggy that the man had seen coming north he observed that the horse was gray. He saw the buggy turned round and a tall man get out and reach in and take something out, as if it were a dark satchel, and go up the steps into the cottage, and the man in a

[Pg 502]

brown coat with a high-crowned hat went into the cottage. The buggy then drove south. It was a white horse that drew it away. Here we have the white horse from Dinan's stable, seeming to start for the Carlson cottage, and here we have the white horse taking Dr. Cronin away in the buggy, and a man getting out of the buggy and going up the steps into the cottage. It looks as if Providence, working in a mysterious way, designed that there should be some one to see the last steps taken by this poor man as he rushed up the steps full of life and full of hope, going in there to relieve suffering humanity. This witness heard cries from within—heard strokes and cries as if there was a fight—and passed on. Do you have any doubt now but that Dr. Cronin was driven to the Carlson cottage? Can you as twelve men making up your minds upon the evidence have any doubt but that it was Dr. Cronin who was driven into that cottage? If not there, tell me where he was driven to."

THE MURDER IN THE COTTAGE.

"Well, we have him entering into the cottage. At 8 o'clock a wagon was seen coming from the south and a little man was driving and a tall man was with him, and they drove up to this cottage. This was after the work was done. This was after the deadly blows were dealt. They came driving up, and the big man got out. That was Daniel Coughlin and Kunze—the man who drove him there was Kunze—who slapped him on the back on the 12th of April and said, 'That is my friend.' He is the man who drove him there. He drove off with a horse with a brown face. Again at 10 o'clock Daniel Coughlin and Kunze are seen in a saloon on Lincoln avenue—Nieman's saloon—walking in there to drown the last bit of feeling they had in wine. The little German said he would take beer, and O'Sullivan said, 'Take wine,' O'Sullivan's idea was to take wine upon that occasion, and O'Sullivan and Coughlin went into the room whispering to each other and began making up their minds as to what they should do with the body and counseling together, while the little German was at the other end of the room. This was at eleven o'clock, within two blocks of the Carlson cottage. Remember that at four o'clock on that day, within three or four doors of Ashland avenue, on Lincoln avenue, this man Kettner, the man who knew Coughlin and who passed the time of day to him, says Daniel Coughlin was with another man on that street. No doubt he was showing this man the route and telling him how to drive. No doubt this chairman of the committee was then instructing him how to operate when he was seen at four o'clock in the afternoon in company with this stranger. At eight or nine o'clock he was seen with Kunze driving to the cottage, and he was afterward seen in Nieman's saloon with Kunze. Shortly after that these two men were seen by Mr. Wardell, who had been down to a neighboring saloon, on his way home a little before eleven o'clock, and he says one was a tall man and another was a small man. He says they walked into the cottage together. Nieman says that after they were in his saloon he washed his glasses and locked up at eleven o'clock, and Wardell says he saw these men walking along together—one about the size of Coughlin and one of O'Sullivan.

[Pg 503]

DISPOSING OF THE BODY.

"At 11 o'clock the committee of three with the chairman sitting on the trunk came driving along eastward on Fullerton avenue, and at half past 11, a block north of Fullerton avenue, the three men were seen with what seemed to be a carpenter's chest, by Officer Smith, going north. They were seen by Way, the private watchman, in the morning of that fatal night; they were seen to get off the wagon; they were seen to look about the lake, and when this was discovered they said, 'Where is the Lake Shore Drive?' showing that they had either missed their way or missed their connection in some way or else they were getting ready to dispose of their tool chest or trunk. Follow that back. On their return the wagon was there, but no trunk and no tool chest, and Officer Smith said to the other officer, 'Why, that is the same wagon I saw going north about 12 o'clock, and here they come back on Evanston avenue.' Here comes back the committee of three. They came to return their sealed verdicts. Their work had been accomplished; they thought that everything was sealed from the outside world. Have you any doubt as to what was in that trunk? Have you any doubt as to who guided that wagon and directed its course? If you have any doubts, tell me who did it. Here is the evidence piling up pile upon pile. Well, the night went on. Mr. and Mrs. Conklin slept; the sun rose in the east on the 5th of May. Dr. Cronin did not appear. Frank Scanlon, the last friend that saw the Doctor when he rode away, mentioned that the Doctor said when he was asked when he would come back, 'God knows when I will get back.' God did not tell him when he would come back, but God above stands ready

to-day to direct this prosecution aright, and to say that the men who destroyed the life of that man shall be punished for this terrible crime."

DR. CRONIN IS FIRST MISSED.

"On that Sabbath day no Doctor returns. Dr. Cronin, who had gone to administer to suffering humanity; Dr. Cronin, who had been full of hope and ready at all times to stand by and help humanity, was not returning to his home. Mr. Conklin, who picked up the card from the mantel board, read upon it, 'P. O'Sullivan's ice house.' He started for O'Sullivan's residence and asked, 'Did you send for Dr. Cronin?' 'Why, no.' What would you have thought at that time? What would you have thought if you had been a brother in the camp with Dr. Cronin? Would you have stood there as a stone? 'No,' thought Mr. Conklin, 'this is something wrong,' and he started out to see what had occurred. Sitting there within 160 feet of where the deadly blows were struck, sitting there where the wounds were made, sitting there where the man called for God and Jesus, he never lifted a finger or undertook to unravel the mystery; and yet do you believe him innocent under this evidence? Mr. Conklin, who thought something was wrong, went to Captain Schaack and showed him this circular that Dr. Cronin had published in reference to the conspiracy, and begged him to help him hunt for the Doctor, and the Captain, like a great many others who did not understand Irish troubles at the time, thought there was nothing in it at that time. He told him he would look after it, but Mr. Conklin, not satisfied with that, goes to Mr. Murray, of the Pinkerton agency, and gets Frank Murray to go out and talk with this man privately about the contract—why he had made the contract. Well, he did not know but that there would be some accidents—his men might get drunk and run over somebody—and his contract was made for that purpose, and he referred to McGinnis' establishment. Finally Frank Murray induced him to get into a buggy and go with him. Frank Murray says that when he talked about the contract, this man, who had deliberately planned for the life of Dr. Cronin, told him that he happened to meet Justice Mahoney down town when he made the contract.

[Pg 504]

"It went on; people were looking in every direction; some thought that Dr. Cronin, was alive, and others that he was dead. The community was divided upon the question. Now, I say that Daniel Coughlin—this man signing the pay rolls of the city and drawing his salary for protecting the innocent—this man who ought to have raised his club in defense of the injured—Daniel Coughlin was hunting for the body that was found in the trunk, on the morning of the 5th of May. At about 7 o'clock, you recollect, this Thiele and two others, who were out on that Sabbath morning, found the trunk, a common trunk with a common lock, unlocked with a common key, and thrown off there, I suppose, by common hands; full of common blood; full of blood—the bottom besmeared with blood, the cotton sticking to the sides and bottom as if a hog had been stuck; as if it had been running over with blood. This trunk was brought to the station, and this man Coughlin—this cold-blooded wretch—starts out—"

"We except," said Mr. Donahoe, rising to his feet.

COUGHLIN SEARCHES FOR THE BODY.

"I submit from the evidence," said Judge Longenecker, "if this evidence does not make it out, I have no right to say so, but if this evidence nails him to that cross, in this case, he is a cold-blooded and heartless wretch. Assuming from the evidence that his hands are red with the blood of Dr. Cronin, we charge that it was a cold-blooded affair. He goes out and almost stands on the catch basin where the body lay—hunting for the body that was in the trunk. On the morning of the 6th, when the newspapers—for which my friend Donahoe has such contempt—published the fact that a white horse had driven Dr. Cronin away, the chief of police, when this was brought to his attention, gave notice to the entire force to see who had hired a white horse on the 4th of May. A policeman appears at Dinan's stable and asked if he had a white horse out, and he said 'yes,' and he goes to Chicago Avenue Station and sees Captain Schaack, and when he goes there he also sees Daniel Coughlin. Coughlin wants to know what is the trouble, and asks him to say nothing about it, 'because,' he says, 'it is understood I am an enemy of Dr. Cronin, and Cronin is missing.' That was what occurred on the 6th day of May. This was the first utterance of Coughlin in reference to the white horse or to there being any charge that he was responsible for it. He knew then that Mrs. Conklin and Frank Scanlon had identified the horse, and he knew, without having to bring a witness from New Jersey, that the horse that drove Dr. Cronin away was the

[Pg 505]

horse that his friend got from this stable.

"You remember now that Coughlin was sent to find the man. Dinan did not stop there; he sent word to Schaack and Schaack sent to the chief, and Schaack had his orders from the chief to send Coughlin to find out who hired the white horse at that time. This was on May 6. Then, if you remember, the evidence shows that they were out hunting for the object that had evidently been in that trunk, and did not find it until the 22d day of May."

THE FINDING OF THE BODY.

"On the 22d day of May some men who were looking after the health of the community, cleaning catch basins in Lake View, lifted the lid of one of the basins and saw the body of a man. That body was taken out and brought to the morgue in Lake View, and identified as that of Dr. Cronin. Up to this time the word had gone out. Coughlin supposed it was all right. P. O'Sullivan was on his ice wagon again and handling ice. It was the right kind of business for him to be in. Up to this time Burke was visiting his friend in Joliet, and at work in a ditch, telling him that he had been working at the stock yards. Up to the finding of this body they all thought 'there is no danger now; our verdict is sealed and it is returned to him alone [pointing in the direction of Beggs]. No one has a right to know except the senior guardian; we are in no danger. Dan Coughlin signed his pay rolls all the same; Patrick O'Sullivan handled his ice; Burke worked in the ditch, and this body was found. It was found just half a mile from where that committee of three were seen at Edgewater—a mile south of Evanston avenue, where they had the tool chest or trunk seen by Officer Way. One-half mile south in a catch-basin was found the body of Dr. Cronin. The wagon was seen to be empty just three-quarters of a mile from where the body was found and the bloody trunk was found in the bushes. In the catch-basin there was cotton. In the trunk there was cotton—when Dr. Cronin left home he had in his arms cotton—and further on just a quarter of a mile we find that Dr. Cronin's clothes were in a sewer.

"Recollect that when they were last seen with this trunk it was at Edgewater, at 1 o'clock. The clothes were found just north of Buena avenue in the sewer with a satchel, and it turns out now that the satchel in all its measurements and appearance and quality and size is identical with that which Simonds bought, and that Burke moved into the Carlson Cottage. Now, will you tell me, going over the ground, and seeing that satchel and the trunk on the road and the clothes in the sewer—with the evidence of the cries in the cottage—the card of O'Sullivan taking him there, will you tell me that you have any doubt as to where this crime was committed or that Dr. Cronin was killed in that cottage?

[Pg 506]

"You can not hesitate upon that question. Then who did it? Go right back to the beginning; follow it up with all that we have told you in reference to these men and can you come to any other conclusion than that these men are guilty?"

THE DISCOVERY OF THE COTTAGE.

"But the cottage was not discovered on the day the body was discovered. On the night of the 22d of May Captain Schuettler tells you that he put a guard there, and next morning he, with Captain Wing, visited this Carlson cottage, which is almost under the doorsteps of this defendant, O'Sullivan, within ten seconds' walk. They examined and they found what was said to be blood and the floor painted over. On the Sunday morning, the 5th—the morning after Wardell saw these two men enter the cottage, he saw spots of blood on the wall. They found the carpet gone, the trunk gone, the trunk strap not there, but the furniture was there. The pillows were without cases, the bureau was standing out from the wall and there was the chair with its arm broken and evidence of the crime having been committed there.

"In the cottage was found the key, and the learned counsel says he will show you something about that key. We shall show all there is about that key. We never pretended that it was anything but a common key. It is a common key to unlock a common lock. You remember that evidence, the lock was hanging onto the hasp, showing that they had not a key to unlock it. It does not matter whether it was a common lock or a common key or not. The key that unfastened that lock had blood upon it and it was found in the Carlson cottage, with paint upon it, or what seemed to be paint, of the same color as the paint that was upon the floor. Do you want anything else in reference to that key

and lock? That was found in that cottage and that key unlocked the lock; and that lock was on that trunk that Simonds purchased at Revell's, and which was found on Evanston road within three-quarters of a mile of the place where the body was found, and within a quarter of a mile of the place where the clothes were found that were worn by Dr. Cronin on the night he left home.

"What other evidence do you want to show that that trunk came out of that cottage? In that trunk was found hair. I will not exhibit it; other counsel in the case may; but there was hair there and there was a man came here, who has got bald on the hair question, and says he can not tell human hair from dog's hair. Why a man should waste the better part of his life looking at hair and then can not tell one kind of hair from another is more than I can understand. Why he should go over the country lecturing about hair and giving instructions about hair, and then, coming here to give testimony, to say that he doesn't know anything about hair, is more than I can comprehend."

This sally of the State's Attorney seemed to amuse some of the audience, and the Judge again threatened to clear the court-room if any more levity was indulged in.

[Pg 507]

Judge Longenecker proceeded to ridicule the testimony of the expert on the question of hair and blood corpuscles. "You, gentlemen, are the judges of the evidence as to whether that was human hair and human blood, and you are to take and determine whether that body that was in the trunk, whether the blood and the hair that were in that trunk were human hair and human blood. These men called to the stand as experts give their opinions as experts. The evidence shows that it was blood; we prove that by chemistry; we called to the stand Professor Haynes, and he says that it was human blood. Now, Gentlemen, do you believe there was a dog killed in that cottage? Do you believe there was an ox killed in that cottage? Do you believe there was a guinea pig killed in that cottage? Do you believe it was a guinea pig's blood that was on that cake of soap or in the trunk or in the cottage? If you do, very well, but the evidence all tends to show that it was human blood, and not only that it was human blood, but that it was the blood of Dr. Cronin that was found in the cottage and in the trunk. The evidence tends to show and must convince you that it was the hair and the blood of Dr. Cronin that was in the cottage and in the trunk.

"Why do I say this? Because the evidence in this case must convince you that there was a conspiracy to take his life; that he was driven to this cottage; that he was seen alive entering this cottage; that he was last seen there; and within a half mile the trunk with that hair and that blood. That it was the hair and the blood of Dr. Cronin, I think can not be disputed.

"But, gentlemen, why was this floor painted, if there was an ox killed there, or if a dog were killed in there, or if a guinea pig were killed there? If these blood corpuscles which they talk about in this case were the corpuscles of an ox, or any other animal, why did this man who rented the cottage desire to paint the floor to conceal the blood of a dog—to cover it up? I shall not take up your time to argue that proposition—that it was anything else than the blood of Dr. Cronin."

THE EXISTENCE OF AN INNER CIRCLE.

"Well, we find Martin Burke when the body is discovered. He takes a leave of absence. Now, remember what Martin Burke did in this matter, and what Kunze did in this matter, and what Coughlin did and what Beggs did. First, we find Beggs, a week after the murder, telling O'Burne and Maurice Morris that 'Cronin was all right. He will turn up all right; we are in the inner circle.' Now, the learned gentlemen brought men here to show that there are no inner circles. Men who belong to inner circles do not advertise that fact to the world. We speak of inner circles; there are inner circles in politics, in churches and in different classes of business. When there are men to do and perform certain things they are called an inner circle, I have no doubt now. Beggs had only reference to the fact that he was on the inside and understood what he was talking about; that he knew that Dr. Cronin's death would never be discovered, and he felt secure in saying 'He is all right; we are in the inner circle.' That is about the amount of it. I believe he met him on the street in front of the Chicago Opera House, and you remember that this was just after the disappearance of Cronin and before the discovery of the body. Kunze was seen in the saloon by Cameron about the 10th or 12th of April with Dan Coughlin. Now, if it was that he was with Dan Coughlin for the purpose they claim, and that he wanted to get something from Kunze, then it certainly was not the 1st of April. They proved that Coughlin was after certain papers, and that Kunze slapped him on the shoulder and said he was his friend and would

[Pg 508]

do anything for him. He was seen by Washburne on the 15th or 20th of April, riding in a buggy. Kunze knew Coughlin and Coughlin knew Kunze. It was necessary to paint the floor on the 12th of May, before the cottage was discovered. On Saturday night, not when Kunze was at work—not when it was necessary for Kunze to be at work for his employer—the two men went into the real estate office; the thunders were roaring and the lightning was flashing; an officer sees these men; he says to them, 'You are late out.' A light was seen in the cottage, and when the officer came back the light was out. I have no doubt now but that Kunze was the man who put the artist's touch upon the blood of Dr. Cronin, and the officer discovering these men there, with the lightning flashing and the thunders roaring. I have no doubt that Kunze bungled the job on the 12th of May, and after they had discovered that they could not rent that cottage any longer—after the old woman had said she would not take pay for the cottage any longer. Kunze goes to the South Side and gives the name of Kizer; boards under that name, and works under another name. Now, take the evidence: seen in the flat washing his feet; seen on the 4th; seen on the 10th and 12th with Dan Coughlin drinking in a saloon, and seen with O'Sullivan in the middle of April riding, and seen by Mertes going to the cottage on the 4th of May, and saying to a man under the assumed name of Petrowsky that he had an occupied house in Lake View; and he might go there and have lots of fun, and following that, that his friend excused himself and did not go. That is Kunze. P. O'Sullivan talks to Mr. Carlson, and says to him: 'Is the cottage rented?' Then he talks about deputies and taking them into the brotherhood, and his card is presented while he is out of town. Then Coughlin, with his threats, with his desire to have Cronin slugged; Coughlin's motion for the secret committee; Coughlin whispering that Cronin is a spy; Coughlin's charge to Dinan, 'Don't say anything about it, for Cronin and I are enemies;' Coughlin telling the chief of police, when asked about the man for whom he hired the horse and buggy, that it was Smith—all this is sufficient. The chief asked: 'Where did you know Smith?' and Coughlin answered 'John Ryan, of Hancock, sent him to me.' When in Winnipeg Burke was asked to whom he wrote, and he said: 'John Ryan, of Hancock, Mich.—my friend.' Coughlin said to the chief: 'John Ryan, of Hancock, Mich., sent him to me.'"

[Pg 509]

THE GREAT CONSPIRACY.

"See the connection; see the arrangements! Take Coughlin's statement that the white horse and buggy was hired for a man named Smith. He was so anxious, so careful to tell Dinan not to say anything about it, because it might get him into trouble; yet he pretended to tell Captain Schaack, as proved by Whalen, that he saw Smith and didn't bring him in when he had instructions to find him. He told Dinan that he had worn out the leather of his shoes hunting for Smith, and yet when he sees this man, who is drawing all the trouble upon him, he didn't even bring him to the station. Away with the Smith story!

"Martin Burke, as soon as the body is discovered, is found in Winnipeg. We find him there under an assumed name, on his way to Europe. He is brought back under the laws of extradition on this charge of murder. For days and weeks before he could be removed he put the courts to the trouble of investigating as to whether he should return or not. Martin Burke flies away from Camp 20. Martin Burke leaves his friend Coughlin, his friend O'Sullivan. He goes away from his camp off to Winnipeg. He said he had been in Hancock, Mich., working for Ryan. If Burke rented the Carlson cottage for a lawful purpose, why should he go to Winnipeg and thence to the old country? Why should he flee the State of Illinois? It is because Martin Burke moved the furniture into the Carlson cottage for an unlawful purpose; it is because Martin Burke was in the cottage and dealt the blows that put out the life of Dr. Cronin; it is because his hands were red with the blood of a human being.

"Colleran testified that Martin Burke and Coughlin were together outside of the lodge. Colleran tells you that he met him on the Sunday night after the discovery of the body, and that he said he had been working in the stock-yards, when in fact he had been in Joliet."

"That was before the discovery of the body," interrupted Mr. Forrest.

"You are right," said the State's Attorney; "it was just before the discovery of the body. Well, Burke disappears. There may be something that I have omitted in this matter. As I said, the clothing was found in the sewer—Dr. Cronin's coat, his vest, his pants. Dr. Cronin's box of splints; Dr. Cronin's satchel and instruments, his cards—all were found in this sewer on the line that that wagon was driven on that fatal night. That is beyond question.

"Now, gentlemen, I have gone over the evidence as rapidly as I could, and yet

at the same time kept it in connection as I understand it. There may be a great many things, and there are, that I have omitted; but my intention has been to keep your minds directed to the chain of circumstances. And if you want to get at this case, if you want to boil it down, if you want to write the history of the case, you are to write:

"'I contracted for medical services'—Patrick O'Sullivan. 'I contracted for the cottage.'—Martin Burke. 'I contracted for the horse and buggy for my friend.'—Daniel Coughlin. Then draw your line and write 'Committee of Three.' Write again: 'I contracted for your life.'—Patrick O'Sullivan. 'I contracted for the horse and buggy to drive you to death?'—Dan Coughlin. 'I rented the cottage in which to strike out your life.'—Martin Burke. Write again: 'The committee reports to this senior guardian alone.'"

[Pg 510]

JUDGE LONGNECKER CLOSES.

"Gentlemen, I have finished. I hope you will pardon me for having detained you so long. I know how anxious you are, while you may be ever so willing to sit here for weeks and months if necessary, yet you can not help but be anxious to be with your families. Yet, as a duty you owe to the public, as a duty you owe the defendants, as a duty to society, you must be patient until you hear what the others have to say in this important case. For three long months my associates have held up my hands; they have been with me night and day. They have encouraged me. It was necessary to have assistance in this case; able counsel as they are, it requires it. No one knows unless he has had the experience what it is to be left with a case of this character on his hands. No one knows unless he has had the experience, what is it to get at the bottom of a conspiracy of this character. Therefore, I have felt the necessity of these men who have sat by me for the last three months, and I want you, no matter what may be said, to feel that the people of the State of Illinois have as much right to demand the best talent the city affords, as due to men that come up out of the sewers. While these men are able, men of ability, men of standing, men of reputation, understand that this was a terrible crime; understand that this was a terrible conspiracy; understand that the very men, the officers of the law, who ought to have held up my hands, were divided against me; understand that in this case men drawing their salaries from the police department of our city stood in league with the men who struck out the life of Dr. Cronin. And while I compliment, not as a compliment, but as well deserved on their part, these associates of mine for their ability, don't understand that I under-estimate Judge Wing and Mr. Forrest and Mr. Donahoe and Mr. Foster. On the other side sit as good talent as was ever brought into a court-room. I say it without flattery, that if these men hang for the murder, they could have asked for no better men to have defended them than the gentlemen on my left. Coming out of the sewer, coming out of the chilly ice wagon, coming from the pay-rolls of the city, coming from the bar room, coming from the paint brush—these men have held his Honor and yourselves for over three long months; and if your verdict shall be that they hang on the scaffold they can not claim that they have had no time to call upon the holy Trinity.

"Gentlemen, when you come to consider your verdict, when you come to make up your minds, when, as I believe you will do, you undertake to render a truthful verdict on the law and the evidence, I want you to remember the facts in the case. I want you to look at this mountain of evidence that we have been building up and up before you until it has risen high, until it stands out with its mountain peaks illuminated by the sunshine of truth, until all who are not blind may see that these men are the murderers of Dr. Cronin. These mountain peaks stand prominently forth. This contract of O'Sullivan's, this hiring of the buggy, this renting of the cottage, this running to Canada; all these point to the fact that these men are the guilty ones. It stands up like a mountain built of truth, as solid as the granite hills against which the Coughlin, the Burke, the O'Sullivan, the Beggs, the Kunze alibis can not prevail.

[Pg 511]

"I leave the matter now in your hands. I have had this case on my hands for months and months. I feel now that the responsibility rests with you. I put it in your hands, believing confidently and expecting that you will do what your best judgment dictates. When you come to consider your verdict, think of the 4th day of May; think of that man gathering his little valise and instruments; think of him bringing to his bosom the cotton to relieve suffering; think of the splints in the box; think of his rushing out to the buggy; think of his crowded seat; think of him moving north to relieve suffering humanity. See him enter as a gentleman into the cottage; hear his cries of God and Jesus when, without giving him time to utter the other Trinity name, he was felled to the floor. Think of his wounds in his head; think of the grave in which he was placed;

think of all these in making up your penalty, and may it be such a verdict as when His Honor pronounces judgment on it, that he, having an eye to God, may say: 'May the Lord have mercy on your souls.'"

Judge Longenecker received the congratulations of his colleagues for the able manner in which he had presented his case, and the Court inquired if Judge Wing wished to proceed at once. Judge Wing said he was ready to proceed if the Court desired he should go on.

AN APPEAL FOR COUGHLIN.

Judge Wing's address to the jury on behalf of Daniel Coughlin was an able effort, lasting over two days. He took the ground that there was absolutely no evidence whatever against his client, and quoted numerous cases in the criminal records of New York, Chicago and other cities to demonstrate the fact that circumstantial evidence was totally unreliable, and that it would be monstrous if a man's guilt or innocence were to be based upon a previous conviction. He urged that prejudice should not effect the verdict, and that the jury should not be biased against his client simply because he was a member of the Clan-na-Gael. The whole case, he said, was circumstantial, was interwoven with doubts, contradictions and possibilities, so as to be practically of no strength whatever when taken in a mass. Counsel reviewed the testimony of other witnesses for the State as it affected Coughlin, casting doubt on the evidence of Mertes, the milkman, scoring Major Sampson, and insisting there was no absolute proof that it was Dinan's white horse that drove the Physician to his death. Speaking of Sampson, he asked the members of the jury if they were going to act upon the word of a thief. Could they look the prisoner's wife in the face and say to her, "I sent your husband to prison upon the words of Major Sampson?" Could they go to his children and say to them, "I have made you, by my verdict the children of a felon. I have put eternal griefs upon you upon the words of a man who goes about the country with public speakers, seeking sporting privileges, and working 'Grangers' with the 'shell game?'" As to the knife episode, he said, that never since crime was committed by man had anyone heard of a guilty man keeping souvenirs of his crime, or preserving such evidences of his guilt. Never in the history of the world had such a thing occurred. The speaker went into the Camp 20 phase of the evidence, insisting there was an absolute lack of proof that any conspiracy had existed. He touched upon the telephone messages that passed between Coughlin and O'Sullivan, saying it was impossible that murderers or men plotting murder would trust a message to a fellow-conspirator through a telephone.

[Pg 512]



[Pg 513]

R. M. WING, ONE OF COUNSEL FOR DEFENSE.

He elaborated on the necessity of absolute proof of the cause of death, arguing

that no one but a physician could definitely determine the cause of death, and unless it was shown beyond a doubt that the death of Dr. Cronin was caused as shown in the indictment, it was the duty of the jury to find the prisoners innocent. One of the most vital points in the case, the cause of the death of Dr. Cronin, remained unproved, and until this was settled, and settled beyond a doubt, the charge could not hold good and the defendants could not be convicted. Judge Wing dissected the evidence of the medical experts at length, ridiculing them mercilessly, casting doubt upon the theory of the State, that the blood found in the Carlson cottage was that of a human being. He concluded his address in these words:

"Gentlemen, I have tried to discuss this case fairly and conscientiously. We are about to part, and I beg you, in conclusion, not to go off upon any prejudice, or upon any passion or upon any suspicion. I beg of you to give these men a fair show. I believe you will do that. I beg of you to remember that a certain conclusion can only be reached after you have traveled on sure and certain ground. Do what you think is right under the law, gentlemen, and I do not doubt you will."

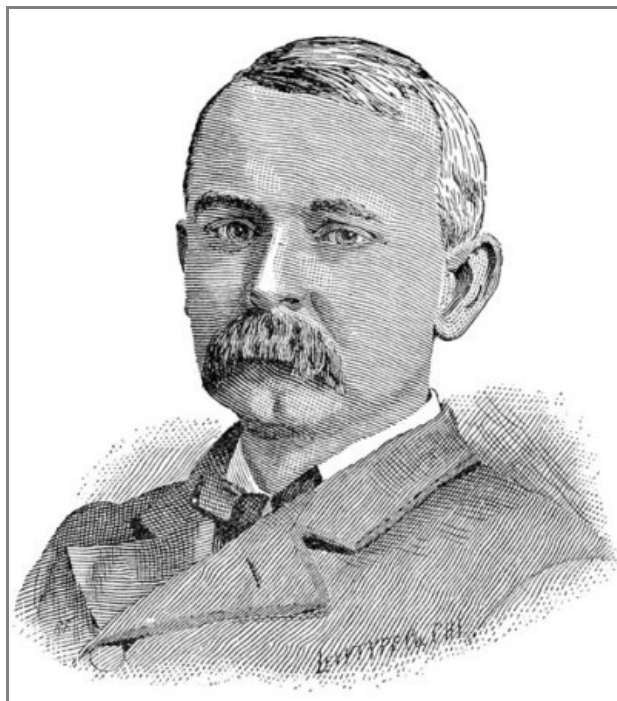
COUNSELOR INGHAM'S SPEECH.

Mr. Geo. W. Ingham, in behalf of the State, followed Mr. Donahoe with a forcible review of the evidence, and which was listened to with intense interest by every one within reach of his voice. He prefaced his remarks by saying that the sanctity of human life in America was in the keeping of the juries of America. The law provided that a man guilty of murder should be punished, but it provided no method for its own enforcement, save that which was invested in twelve men. To that number of men it was entrusted. The jury came from the body of the county, and so it was that peace and good order of every community was in the keeping of its own citizens. In every criminal case the jury held in one hand the rights of the prisoners, and, to a certain extent, it held in the other hand the good name and the peace of the community in which it lived. This was a responsibility already great, but which increased in direct proportion to the enormity of the offense under consideration. Yet no responsibility could be greater than that of the twelve men before him. Only a few months before, Patrick Henry Cronin, a citizen of the State of Illinois, a resident of the great metropolis, living in fancied security and within the very shadow of the court-house in which they were now sitting, was lured from his home upon a mission of murder. Fired by professional zeal, moved by the instincts of humanity which his choice of a profession indicated, he rushed to the assistance of a suffering man. Suspecting nothing, he went out, armed, as it were, with the very instruments of his skill and profession, and then rushed into the slaughter-house prepared for his reception and death.

Then, as if the white face of death itself was not sufficient to satiate human hatred, his body was subjected to the indignity and ignominy of burial in a filthy sewer. This man, to whom sacred burial in consecrated ground was a right to which he always looked forward, was thrown into a sewer. The crime was singular in its brutality, but its brutality was not its startling feature. Why was Dr. Cronin slain? Because he was condemned to die. Condemned for what? For no offense within the laws of the State of Illinois. Condemned and executed by whom? By a tribunal that was unlawfully constituted, a tribunal that was at the same time, accuser, witness, judge and executioner. It was a tribunal which within itself in the light of day, which existed upon a territory of the State to whom its members hold allegiance, a tribunal which was treasonable to the laws of the State, the juries were called upon to execute and to the laws of the State whose protection it had a right to claim. Who could have dreamed that such a thing was possible in the State of Illinois? Who could say that six months from that day he could not be repeated in the State of Illinois. Only the twelve men who were trying the case. That was their responsibility, for their oath in the case was to well and truly try and true deliverance make between the people of the State of Illinois and the defendants, to well and truly try them upon the law and upon the evidence.

[Pg 514]

[Pg 515]



GEORGE C. INGHAM, ONE OF COUNSEL FOR PROSECUTION.

From this introduction, Mr. Ingham branched off into an elaborate dissertation of the law regarding murder and the power of circumstantial evidence. Numerous authorities on circumstantial evidence were cited from. Counsel dwelt upon Coughlin's hatred of Cronin, upon the purchase of the furniture and upon the peculiar actions of the defense. Stress was laid upon the fact, that no evidence had been produced with a view of showing that it was not Martin Burke that rented the Carlson cottage, and that he engaged the expressman to move the furniture from the Clark street flat to Lake View. The general outline of the plot as disclosed by the evidence was considered, and the conclusion drawn, that the right men were on trial. Continuing, Mr. Ingham said:

"Now, I want to call your attention to one fact, that not one attempt has been made at defense. The counsel for the defense have done the best they could. I know the counsel for the defense well. I know Forrest, and have known him for years, and have tried cases with and against him. I know he would go far and near and would remove heaven and earth, were it possible, to save his clients. I know that he believes thoroughly and heartily in the maxim of old Lord Brougham, that a lawyer should know but one man in the world, and that man his client. I have known Daniel Donahoe for years, and I know his ability. I have not known Judge Wing for so long a time, but from what I have seen of him and know of him I know him to be a skillful lawyer. His address to you, gentlemen of the jury, proves his ability, and I say to you unhesitatingly, that these men, after doing everything in their power to aid their clients, have utterly and signally failed. I ask you to remember that not one particle of evidence has been introduced by the defense either to dispose or disprove the evidence I have stated to you. Not one particle of evidence has been admitted to be proved and to be denied here, except the single statement that Burke was at the cottage on the night of the murder. There is evidence, however, which more than outweighs all the alibis they can bring here.

"The saloon-keeper came upon the stand here and plainly and clearly told you that on the night of the 4th of May, about half-past 10 o'clock, three men entered his saloon. He tells you he is positive one of them was Patrick O'Sullivan. He knows him, buys ice of him, and has no earthly reason to give evidence to injure him unless it was true. He says also that the other was a taller man, and in his opinion he believes that man was Coughlin; further, there was a little man who spoke with a German accent, and that man he says he is sure was Kunze. Now, you will remember he had only bought that saloon a few days before, and he can hardly be mistaken in the night, because he tells you he knows it was on the Saturday night, because on the night following, the Sunday night, he had an opening, and, like other Germans, he never had less than fifteen to twenty-five men at his bar. What object could he have in testifying against Patrick O'Sullivan, Coughlin and Kunze, and saying they were the men who drank wine and took cigars at his bar? Is he corroborated? Let us see. The saloon-keeper is admittedly as honest a man as there is in Chicago. No attempt has been made to impeach his evidence, and I ask you to

consider whether or not he is corroborated. Let me draw your attention to the evidence given by the German gardener named Wardell. They left the saloon about 11 o'clock or a quarter after, the saloon-keeper says, and you will remember that Wardell says he left a saloon near by about twenty minutes after, and just at that time he happened to raise his eyes and saw in front of him two men, whom he describes, and believes to be O'Sullivan and Coughlin, and he saw them walk down to and enter the Carlson cottage. Where was the third man? Do you remember that about a half hour after that time, about half a mile south of the Carlson cottage, a wagon was seen with a trunk in it? The two men who went into the Carlson cottage went in there to help carry out the trunk containing Cronin's body and the clothes, while the third man went down and got the wagon that was to take the body and the clothes away.

[Pg 516]

"Now, how is that met? We are told that the saloon-keeper is mistaken, that this man never saw O'Sullivan and Coughlin and Kunze, but that on the Sunday night Patrick O'Sullivan went there to that very saloon with the two Hylands, and that they had two glasses of wine and a cigar each. Gentlemen, you will remember that the saloon-keeper, who is a German, distinctly said that the smaller man asked for beer and spoke with a German accent. The younger Hyland never spoke with a German accent in his life. Which do you propose to believe—Neiman, the saloon-keeper, who has no earthly interest whatever in giving false testimony against O'Sullivan or the friends of Patrick O'Sullivan? These two strangers who go to see him for the first time are compelled to stay and take dinner, and are then taken out to the saloon and each given two glasses of wine and a cigar at the expense of O'Sullivan. Remember, gentlemen, he had never seen these two Hylands before that Sunday afternoon. The truth is, that when they say those three men were in that saloon, the two Hylands and O'Sullivan, they admit unconsciously the fact that three men were there, as the saloon-keeper testified; they admit that O'Sullivan was there and the thing is narrowed down to a simple question of veracity between the saloon-keeper on the one hand and the Hylands on the other. There is much more reason, vastly more reason, I submit, why the evidence of the saloon-keeper, who knew O'Sullivan perfectly, should be believed in preference to that of the two Hylands, who are ready to swear anything to help their friend out of a scrape. Now, what else is disputed?

"An attempt is also made to dispute that portion of the evidence tending to show that O'Sullivan was at the Carlson cottage. How is it done? Again they resort to an alibi. As I said to you in the opening of this case, and I will now repeat, that if O'Sullivan was at home and in bed at the time the murder was committed, and you are satisfied from the evidence that he was engaged in that conspiracy, he is just as guilty as if he struck the fatal blow himself. Against the testimony of Neiman, who saw him there with Coughlin and Kunze in that saloon, and of Wardell, who saw him and Coughlin enter the Carlson cottage after they left the saloon, they produce the evidence of Mulcahey, a man who became connected with O'Sullivan under the most suspicious circumstances. That man testified that he came to Chicago a perfect stranger; that he went to O'Sullivan—went to his house on the 31st of April—was instantly taken in and kept and boarded there, slept in the same bed with O'Sullivan, rolled around the street in the ice wagon and slept with him on the night of the murder. He swears also that he was with O'Sullivan when old Carlson claimed to have heard the conversation between O'Sullivan and Burke; he swears also that he heard Coughlin and O'Sullivan arrange that O'Sullivan was to keep his eye upon Kunze and report if he saw him in Lake View. In short, gentlemen, he was a very convenient sort of witness. What was he doing there all the month? He was not working for O'Sullivan, yet he slept in the same bed with him—a perfect stranger, and, strange as it may appear, he only went into the employ of O'Sullivan a few days before the murder. I undertake to say, gentlemen, that his testimony is false, that O'Sullivan was not in bed, that on the contrary he and Burke and Coughlin were engaged in the murder at the Carlson cottage. Who is there that corroborates his testimony? The two women, a cousin of O'Sullivan's by marriage and his sister. Tom Whelan was too sound a sleeper to know whether O'Sullivan was in bed or was up or out, and they ask you to believe that sort of an alibi against the evidence you have on the part of the prosecution."

KUNZE'S PART IN THE MURDER.

"What is the evidence against Kunze? He was the friend, the tool of Coughlin. It is in evidence that he had been engaged with Dan Coughlin in working up the distillery case. How much of a detective he is I do not know, but I don't suppose he is a very great one. If I were to guess at it I should say he was a detective's stool pigeon.

"He had been engaged with Coughlin for months. Mertes swears that he saw

him drive their horse with a white face up to the cottage the night of the murder, and you will remember that he picked him out from a number of men. Mertes is a countryman of Kunze's, and he would not be likely to testify against his own countryman unless truth compelled him to do so. He tells you that Kunze drove a horse and buggy up to that Carlson cottage at 8:30 o'clock on the night of the murder, and, more than that, it is in evidence that Kunze was perfectly at home in the rooms at 117 Clark street, and was seen by a very intelligent witness sitting in front of the window washing his feet. Now, what was he doing at 117 South Clark street, if he was not engaged in that conspiracy? The men who engaged that flat at 117 Clark street, those conspirators, were not going to trust their lives to men they did not know; and the truth is that he was the tool of Coughlin. More than that, it is in evidence that he said he expected to be arrested on the Cronin business. Why? Why? I repeat."

"Because I was told so," suddenly cried Kunze, springing to his feet.

"This man is defended by able lawyers," retorted Mr. Ingham, "and on their heads is the responsibility of his defense."

"God knows I am innocent of the murder of Dr. Cronin," cried Kunze, again springing to his feet, and there was a scene of excitement for a few minutes. Finally his counsel forced him to his seat, and induced him to remain quiet.

"Why did he say he expected to be arrested on the Cronin business? I repeat," continued Mr. Ingham. "It was because he felt he was connected with that business. Coughlin knew him, Coughlin had worked with him, and Coughlin knew that in this case their lives were safe in his hands. It is in evidence that shortly after the murder he was with Patrick O'Sullivan drinking, and you will remember a conversation which was detailed by a saloon-keeper, and which occurred shortly before the murder, wherein Patrick O'Sullivan made a bargain to sell to Kunze the bay horse with a white face. Why was that horse sold to Kunze, this little painter who was working around the country, this man who was in the employ of the detective and trusted by Coughlin? Will you, gentlemen of the jury, tell me why O'Sullivan, who lived at the rear of the Carlson cottage, and whose stable almost abutted on the cottage, was selling this poor painter a horse?"

WHOM THE EVIDENCE POINTS TO.

"I have gone over the salient features of the evidence, and I say unhesitatingly that there is evidence which points directly to Coughlin; it points directly to Patrick O'Sullivan, and it points directly to Burke, unerringly to those three as having a direct connection with the murder of Dr. Cronin. Are those isolated men, scattered over the city, having no bond of harmony? On the contrary, the evidence is that four of those men on trial were bound together by a bond. Judge Wing said the murder in this case was different from an ordinary case. He said truly. The motive was not robbery; it was not personal hate, but it was hatred, political hatred in its nature, growing out of a political conspiracy. That conspiracy originated in Camp 20, and it is in evidence that Beggs, Coughlin, O'Sullivan and Burke are members of that camp. There you have the start of it. In the course of circumstances, Sullivan made the contract which was to lure the doctor to destruction; Coughlin told the chief of police and told Thomas O'Connor that his enmity toward Cronin grew out of secret society matter and was of long standing. Simonds buys the furniture, Burke hires the house—the Carlson Cottage—and the full arrangements are made for the butchery of their victim. It is also in evidence that Coughlin wanted Sampson to slug the Doctor, and up to that time he had not got to the pitch when he wanted him killed, but you will see how it grew. The evidence shows he denounced him as a spy, and on the Monday morning after the murder, when he admitted his enmity to the Doctor, the Doctor's body was lying in the catch-basin.

"How about Patrick O'Sullivan? We find after the murder he goes to see Mrs. O'Farrer, and she says to him it is an awful murder. He replied 'Yes.' She then asked why did they kill him. Now, mark his reply. He says: 'They say he was a spy and gave away the secrets of the order to which he belonged, and if he did he should be killed.' Here you have the conspirators of Camp 20 at work.

"Where did the trouble begin? Recollect that O'Sullivan says to Mrs. O'Farrer when he was at her house that, 'They say Cronin gave away the secrets of the order to which he belonged.' It is in evidence in this case that the only secrets that Cronin ever gave away were about embezzlement of the money and the sending of their brethren to English prisons. You know also that it is in evidence in this case that the very first hostility toward Cronin was made apparent in Camp 20 of the Clan-na-Gael organization. There was constant

turmoil and trouble in the Clan-na-Gael organization because of the embezzlements and the wrong doing of the triangle. It is in evidence also that Dr. Cronin charged at the trial of that triangle that they had embezzled over \$100,000 of the funds of the organization besides sending patriotic Irishmen into British prisons. Whether that be true or false we have not been permitted to show. So far as this case is concerned it is immaterial whether true or false. You are an American jury; this is an American court; these defendants are here under indictment, and you are called upon to administer American law; and whether Dr. Cronin may have been a spy or an honest man and a patriot cuts no figure whatever in this case. One thing, however, I can say. When that sewer gave up its dead, it opened up the sunlight of heaven on these charges. 'Cronin was killed,' says O'Sullivan: 'he was killed because he gave away the secrets of his order,' and I repeat the only secrets he could have given away were the embezzlement of the funds and the imprisonment of their brothers. His mouth was closed and his charges were forever stopped by his death. That swollen and distorted body, those mute lips, prove the truth of his charges more clearly than any court or jury could possibly do, and if these charges were not true there would have been no motive for them to put him out of the way. Thomas O'Connor tells you he was present at a meeting of Camp 20 when a man, Foy, arose, and said they had better look out for spies, and there were other Le Carons among them. He says that he made a speech to that effect, I may not give you the exact details, and O'Connor said in reply that they had better look out for the men who were embezzling the funds of the organization and sending their brothers to English prisons. A storm arose. The records of that meeting show three things: They show, first, a resolution to the effect that hereafter no member should be initiated whose name had not been submitted to all the camps. They show, secondly, that a demand was proposed to be made on the executive for information in regard to the Buffalo trial, that is the trial of the triangle; and thirdly, that that was amended or changed so as to read that information should be asked from the district member.

"That record also shows the appointment, or passage of a resolution for the appointment of a secret committee of three by the senior guardian to investigate rumors afloat regarding the trial committee. What were they? O'Connor has told you that the charges were what he made, and he and others say that the camp where these charges were made was known as Dr. Cronin's camp. Denis O'Connor and others say they knew to whom Thomas O'Connor referred. To investigate the matter of these rumors then meant to investigate the men who put these rumors afloat. That man was killed, foully slain, and his body thrown into the sewer. Now Beggs wrote to the district member. Beggs asked the district member to investigate certain charges. The first resolution of the meeting required him to do that. The district member said he knew of no portion of the constitution which was violated by an act of that kind, and he knew of no section of the constitution which would enable him to inflict a penalty. That letter of Beggs' when you study it, means this: 'I do not want to do this, I would rather have nothing to do with it, but I have been compelled to notice it, and these old quarrels must stop.' And you will notice it is full of forebodings of dangers to come.

"Again, subsequently, you will remember that Beggs replied at a subsequent meeting that the committee—the secret committee which he had appointed—must report to him alone. Then the practical part of the business began with the appointment of that committee. It was Beggs' duty to appoint that committee. Beggs did appoint that committee. Beggs was an enemy of Cronin, as were the others. Beggs denounced him as did the others. Beggs said after his death, 'O, he will turn up; he is all right.' The others said the same thing. They covered his body with the filth of the sewer and his memory with the epithet of traitor. I said in an American court, before an American jury, it made no difference whether the charges which Coughlin made were true or false, it made no difference whether he was a traitor or a patriot, but the truth of history demands that the name of Cronin shall be vindicated, and it is vindicated more strongly than it could be by mortal lips when you remember that that vindication comes from the slime of the sewer on his body and the production of his clothes, also from another sewer. They murdered him because they feared his charges; they called him a spy in order to nerve their dupes to kill him, and they slew him. Gentlemen of the jury, I have now said all in this case that I intend to say. It is needless for me to say more, as I shall be followed by others of great ability. I simply ask you to do this. Your duty is unpleasant, and the duties you have already undergone have been onerous and burdensome.

"It is unpleasant for a man to sit on the trial of a fellow-man on a charge involving his life and liberty, but it is your business to do that in this case. As long as human nature is constituted in such a way as it is, law will be necessary to make some men walk straight. Crimes, murders, thefts and arsons can only be prevented by the enforcement of the law. The law, as I said,

can only be enforced by the jury. On the call of Providence you are here now, and your duty is before you. Recollect, gentlemen, that while your duty is serious and burdensome, it is also of vast importance. Remember, gentlemen, that your duty is just as important and as necessary, and the necessity for courage and determination to carry out that duty is as great as it would be upon the battlefield or in any other walk of life. Deal with these men justly, execute the law, satisfy your own consciences, and the rest of us will be satisfied."

COUNSELOR DONAHOE TALKS.

Mr. Ingham was followed by Mr. Donahoe, who spoke in behalf of O'Sullivan and Kunze. He prefaced his argument with the remark that there was no duty in the life of a lawyer that afforded him more pleasure than to defend the innocent; and that, therefore, he began to plead for the lives of his two clients with a heart as light as that of a newly-made bride, caressed with her husband's love. It was the apparent desire of the public prosecutor to disgrace every witness, who appeared to testify to any fact or circumstance, tending to show the innocence of the accused, but this course would never deter him from exercising the best ability that God had given him, in procuring for his clients every legal right known to the law and the country. He urged the jury to banish all prejudice, and to adopt reasonable judgment in considering the legal evidence of the case and the laws of the country, and urged that if they did so, his two clients would soon be breathing the free air of heaven. The counsel drew attention to the fact, that he had been especially assigned to the defense of Kunze by the Court, the prisoner having sworn that he did not have a dollar, and also said that until the opening of the present case he had had no connection with O'Sullivan or any of his friends. There was nothing to prove, the counsel went on to argue, that Kunze was in any way connected with the crime. The young man who claimed to have seen him wash his feet at the window of the Clark street flat, as well as the saloon-keeper, whose place he was alleged to have visited on the night of May the 4th, might easily have been mistaken. It was, in brief, a case of mistaken identity. Mr. Donahoe argued at length, with a view of showing that the testimony regarding the identification was at all times questionable, and should be received with a great degree of caution, and quoted numerous authorities to illustrate the fact that his theory was correct. Proof of criminal intent, he said, was absolutely necessary, and that that was proof absolutely lacking. Mr. Donahoe concluded his speech in these words:

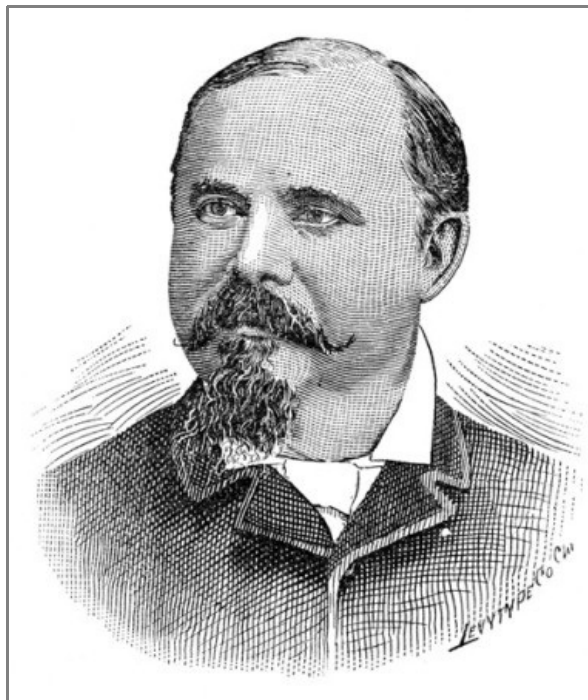
"Gentlemen, I am about to say the last words for my clients. Their welfare is in your hands. I am satisfied that if you banish from your mind everything but the law and the evidence, in this case, you will unlock the prison door and let them go about their business, earning their bread by the sweat of their brows. Something was said in this case, some discussion in your presence about Alexander Sullivan. There is no proof that my clients know Alexander Sullivan. If there should exist in your minds, or if there has been injected into your minds, prejudice against that man, for God's sake don't use that against my clients, two young men whom the evidence in this case proves to be innocent. Yet the law does not say that they require to show their innocence; the law requires that the prosecution shall show their guilt. I have at heart the welfare of Kunze, although he never gave me a dollar, as much as I have the welfare of my client, O'Sullivan, who has retained me in this case. Banish all prejudice and suspicion from your minds; apply your reason and judgment and consciences to the law and the evidence in this case, and I am sure, then, that these young men will be acquitted, as they ought to be. Remember that in your hands rests the lives of these men. Remember that one day you will be called upon to give an account for every act and deed done in this life. Let nothing that you shall do in this case against my clients be such as shall be charged against you when you appear before that tribunal of the Most High, and when you are asked 'How have you dealt with your fellow-men?' don't have to say that when dealing with your fellows you had bloody hearts. Merciful! The more merciful a man is, the more godlike he is! But, gentlemen of the jury, do not misunderstand me. Do not think that I am asking for mercy for my clients. Oh, no; not at all; not at all. I ask that you carefully weigh this evidence, consider the law, be governed by the legal evidence and the law, and that is all that I ask you to do. I believe that if you banish everything from your minds but the law and the evidence in this case, that the God that gave you a head to think and a heart to feel for your fellow-men, the God that gave you an existence, will never permit you to strangle my clients. Oh, no, unless you are ready to guess them into eternity, you can't convict them on this proof. I tried this case fairly. I have treated every witness fairly, I have been respectful to the Court,

and I have been respectful to you. These two young men's welfare, their lives, are confided to your hands. For God's sake, for their sake, for your sake, make no mistake. Gentlemen, I thank you."

HYNES' GREAT EFFORT.

The announcement that Mr. W. J. Hynes would commence his argument at the opening of court, upon the day following the conclusion of Mr. Donahoe's address, had the effect of attracting an immense throng to the Temple of Justice. Hundreds were admitted, while thousands were unable to gain entrance to the court-room. Judge McConnell took his seat on the bench at ten o'clock, and Mr. Hynes immediately commenced his address. He said that in what he had to say he would endeavor to be fair. He knew the importance of the great proceeding of the character under consideration. He knew that, no matter how guilty men might be, under the civilization of a century, punishment was to be visited only under due process of law. For three months or more the public time had been occupied in hearing the accusations, trying the accused, considering the evidence, listening to the arguments, through that protection of the law for which lives have been sacrificed and rivers of blood have been spilled, to secure to those charged with crime the protection of the law. That protection of the law had been thrown around the men on trial to see that they should have a fair hearing, and that the jury should render a fair verdict. All evidence that was not competent had been excluded, and, wherever a question of doubt had arisen, His Honor, the judge, exercising his natural instincts of mercy, had solved that doubt for the benefit of the accused. Hearsay evidence had been excluded; the defendants had been confronted by the witnesses who testified against them, and all these forms of law, of civilization and justice had been extended in the trial of men accused of charging a man behind his back, of killing him behind his back, of killing him first and accusing him afterward. Even such men as these, however, were entitled to all the protection of courts of law, and to all the safeguards which the law threw around them, because no human life could be taken, no human liberty or freedom could be abridged by a day or an hour, until the court of justice, the accusation against the accused had been judicially ascertained and determined by twelve fair-minded men beyond a reasonable doubt.

[Pg 521]



[Pg 522]

W. J. HYNES. ONE OF COUNSEL FOR PROSECUTION.

With this introduction, the learned counsel proceeded to review the case from the day of the disappearance of Dr. Cronin. He declared that the dispatches received at Chicago, from Canada, shortly after the disappearance of the physician, and to the effect that he was alive and in the flesh in the dominion, demonstrated beyond a doubt that the defense was organized before the crime was committed. It demonstrated, moreover, the existence of a wide-spread conspiracy, the conspiracy of intelligence and brains, as well as of experience

in handling the telegraph and the press. John F. Beggs had said that Cronin was not dead and would turn up all right, and if the scheme of disposing of Dr. Cronin's body on the night of May 4th had not been fraught with some misadventure, some miscarriage of judgment, the public, not understanding the motive which underlied the occasion, would probably have believed that what Beggs said was correct. If all the marks of the crime had been obliterated, if the body had not been found, if it had been disposed of, the murderers, and those behind the murderers would have continued to charge that Dr. Patrick H. Cronin was a British spy, and that his disappearance was to be accounted for upon the hypothesis that he had gone to England to testify against Parnell. This would have been the claim. It was to confirm the impression made upon the minds of some of the "dupes" of the triangle, that the disappearance, as well as all traces of the crime were to be wiped out, so that the story would be accepted that Cronin was a spy, and a traitor to the cause to which he had always allied himself and which he had sworn to defend, and that he had violated his oath and crossed the broad Atlantic in order to testify against his own country and in behalf of England.

The speaker proceeded to dissect the evidence at length. He paid particular attention to the testimony of the medical witnesses for the State, urging that it was entitled to full credence, and that the prosecution received all the aid of science that was possible. Continuing, Mr. Hynes said:

THE DEFENSE OF THE PRISONERS.

"Now what sort of a defense—because I propose to deal with that first—what kind of a defense is made by these five prisoners? A defense that is not a defense is worse than no defense at all. A defense that utterly fails, as this defense in my judgment has utterly failed, leaves the case of the prisoners stronger against them than it was when the State rested. You expect some defense when an accusation of this kind is brought against men. You are looking for explanations. You are hoping, like merciful men, that every circumstance and every word will find an explanation consistent with innocence, and when the defense fails to meet the accusation and to furnish an explanation, then it is disastrous to the defendants. The only defense that is set up here is the common defense that is set up for the commonest criminal—the favorite defense of an alibi. I am not here to abuse all the witnesses that appeared to prove alibis for these defendants. I remember that on the evening of the 4th of May Mrs. Whalen and Miss McCormick say they went out of the house and were out until after 10 o'clock. I do know that Miss McCormick said they went out about the time the boys were getting ready to go away to the saloon. These boys that went to the saloon fix the hour of supper all the way from 7 to half-past 8 o'clock, fluctuating between 7 and half-past 8 o'clock; that is the value of an alibi. In fixing the time, the human mind does not go back, unless there is something special about it—unless there is something at the time of the act to associate the time with the act. That makes them a part of each other and relating to each other at the time of the act; not by mere recollection afterward.

"All these witnesses testify that Patrick O'Sullivan got home on the evening of the 4th of May between half-past 5 and 6 o'clock. We had the statement of Mr. O'Sullivan himself, made to Captain Schaack—and he ought to know better than they—that he got home at half-past 7 o'clock, a difference of an hour and a half or nearly two hours in Patrick O'Sullivan's own statement when he talked with Captain Schaack. He said he arrived home at half-past 7, and that he was not out of his house that evening after he got home. They all say he got home about half-past 5 or 6 o'clock—every witness here. Who knows best, and what is the value of recollection as to the hour when the thing occurred? They all, with the exception of Mulcahey, swear that he was not out of his house after that time—after supper; that he sat down for a time in the house and then went to bed with Mulcahey. He, himself, feeling that he had been seen out of the house that night, at least back in the alley near the Carlson cottage, sent for Captain Schaack while he was still a prisoner in the jail, and said he wanted to make a correction of his former statement. He was out of the house that night, he said, but only out to the alley in the rear of his barn."

"That is not the testimony," said Mr. Donahoe.

"That is the testimony," insisted Mr. Hynes, "and I will refer to it."

"No," rejoined Mr. Donahoe, "he said he went to the rear of the barn. I have got the testimony here."

"I have got the testimony, too," said Mr. Hynes, "and I will read it. He said he went to the rear of the shed in the alley. Let me call your attention also to the fact that Mulcahey, his room-mate, does admit that he was out of the house that night about 8 o'clock or half-past 8—out in the yard. Mulcahey fixes the supper at about half-past 7 o'clock; so that he has him out in the yard about 8 or half-past 8 that night, and not another soul in the house knew he was out of the house. All of them swore that he did not leave the house. Do I say that they perjured themselves? No; not all of them."

"Do I understand you to say," interrupted Mr. Donahoe, "that Mulcahey swore he was out of the house?"

"Mulcahey swears," replied Mr. Hynes, "that he was out at 8 or half-past 8 in the yard."

"He did not swear to it in this court," said Mr. Donahoe.

"He swore to it in this court," retorted Mr. Hynes, "and I will read you his testimony. It is perfectly proper, gentlemen," continued Mr. Hynes, addressing the jury, "for Mr. Donahoe to challenge my statements. I invite him to do it—first, to correct myself if I am in error, and, secondly, to show that I am right if I make a statement of that kind. Here is Captain Schaack's statement. Captain Schaack says: 'There is one thing I forgot; in conversation with O'Sullivan I asked him where he was on the 4th of May. He said he was on the ice wagon all day. I asked him what time he came home in the evening, and he said 7 or 7:30. He had his supper and went to bed about 8 or 8:30, and about 9:30 some men came home, and he got up and let them in and went to bed again. I asked him if he was positive that he was not away from his house, and he said he was positive he was not; that he was in the house all the evening. After he was in the jail he sent for me and I came down to see him in the jail. He told me he had forgot to tell me he was out of the house that night in the rear of the shed.'"

Here Mr. Donahoe objected, saying that nothing was said about O'Sullivan's being in the alley. Mr. Hynes said that if he was beyond the shed he was of necessity in the alley. A short dispute followed, in which some testimony was read, which was finally won by Mr. Hynes, who then continued:

"There is no more point about his being on one side of the shed than on the other; the point lies in the value of the alibi. They put young Knight on the stand and there is nothing that better illustrates the value of an alibi than his testimony. They put on Menahan and they both swore that the two Hylands came there on Sunday afternoon about 5 o'clock. Knight swears that O'Sullivan was in the house from a point of time between 4 and 5 o'clock on the afternoon of Sunday, May 5, and that when the Hylands came in he shook hands with them, and he was not out of the house from that time until he went out at 10 o'clock that night, when it is conceded that O'Sullivan was down at Mrs. Conklin's at that time, and did not get home until half-past 7 or 8. And yet they could put Knight on the stand—honestly swearing, because there was no proof that he was swearing falsely—honestly swearing and insisting, under Judge Longenecker's cross-examination, that O'Sullivan was not out of the house from 4 or 5 o'clock until 10 o'clock that Sunday night. But everybody knows he was out. He was with Detective Murray down at Mrs. Conklin's. Everybody concedes that he did not get home until half-past 7 or 8 o'clock.

[Pg 524]

WORTHLESSNESS OF THE ALIBI.

"Now, there is the value of an alibi. Knight says that the two Hylands got there between 4 and 5 o'clock on Sunday afternoon, and were in the house and did not leave until about 10 o'clock. The tall Hyland said nothing about their leaving O'Sullivan's house in the afternoon. Recess came, and I wondered where the memories were put together, and the fact was recalled that it had already appeared in the evidence that O'Sullivan was down at the Conklin's house at those hours. When the Smaller Hyland went on the stand in the afternoon he said they went there between 4 and 5 o'clock. He said O'Sullivan was not at home and they went off to a ball game and did not return until about 7:30 in the evening. Others of O'Sullivan's household testified to the same state of facts. Knight swears that the Hylands never left the house that Sunday afternoon—that they were there all those hours and he was in the parlor talking to them. Menahan swears that the Hylands came there about 5 o'clock, and that he did not believe he was out of the house except a few minutes when he was only around the yard. Every time he went back to the house the Hylands were there, and he said he knew they did not leave the house except to step out of the door for a moment. But were they at O'Sullivan's that afternoon? There is the value of their alibi. Would not the alibi for the Hylands be just as good as their alibi for Saturday night? Would

not their alibi for that Sunday afternoon when O'Sullivan was down at Mr. Conklin's with Detective Murray, be just as good as the alibi for Saturday night? An alibi defense! But there is nothing tells better upon the alibi than O'Sullivan's own testimony. Those people swear he was home, covering the time when old man Carlson testified that voices were heard in the Carlson cottage at 7 o'clock. Mr. Carlson said he saw Martin Burke come out of the door at 5 o'clock on Saturday afternoon and spoke to him, and Burke said: 'I guess it is not too early to fix up,' and old Jonas said: 'I guess not.' Burke went in, and he came out again at 7 o'clock, and old man Carlson heard the voices of some men inside the cottage. And it was old Jonas who testified that Patrick O'Sullivan admitted to Captain Schaack that he got home about 7 or half-past 7 o'clock that evening. He did not get home before that, and he (O'Sullivan) took his supper and went to bed.

"Now the others swear that he was home from half-past 5 or before 6 o'clock up to supper time, and was not out of the house once, except, as stated by Mulcahey, when he went into the yard at half-past 7 or 8 o'clock. O'Sullivan says himself he was out. I don't care whether you put it as far as the shed, or the rear of the shed, as Captain Schaack put it in his direct examination. The fact that he was out and away from the house shows the value of the alibi! I don't claim that O'Sullivan was in the house when Dr. Cronin entered. If he was he was not immediately in view, because the word sent to the doctor was that O'Sullivan was out of town, and his card was presented, on which the Doctor would go and attend to the business; it would not answer the purpose that O'Sullivan should appear in the room the moment the Doctor entered. At least he was not in the immediate view of the Doctor when he entered the room, because his presence would have excited the Doctor's suspicion. The Doctor certainly did not see him in that room, if he was there, until after the door was closed behind him and after the first blow was struck that Mrs. Hoertel heard.

THE VALUE OF HUMAN MEMORY.

"Now, gentlemen, such is the value of human memory. These witnesses said they were there up to O'Sullivan's time of departure, and he was at home at supper. You see their anxiety to be able to account for O'Sullivan's whereabouts, and to be able to fix the time that would answer his purpose. When Tom Whalen was put on the stand I think I cross-examined him myself as to the hour in which he was in the habit of getting home. 'Oh,' he said, 'at various hours,' but it was finally narrowed down to the fact that he got home about 6:30. He had to go about a mile and a half to his home, and he said that he generally got there about 7. Then as soon as he saw that I was endeavoring to pin him down to an earlier hour, taking the hour he quitted work as a gauger, he said he would sometimes loaf around the barn and talk ten or fifteen minutes with the men. He said also that they generally waited supper for him after he got home. That shows that supper was late. It appeared that the ladies went out after supper. They say they went out on their own suggestion. Probably they did. They were absent. I am glad they were absent, but if they had not been they probably would have said they had seen O'Sullivan that evening. O'Sullivan would say to them, 'Don't you remember that I was here?' and they would not deny it, but would believe it, and in their anxiety to help and save him they would believe it surely and swear to it. That is all I wish to say about those ladies. It was necessary to get supper late. Mrs. Hoertel had seen a man standing between the two houses inside the fence about 8 o'clock—probably five or ten minutes past 8 o'clock. She saw a man standing between the Carlson cottage and the little cottage in which the Carlsons lived. He was standing on the sidewalk inside the fence—in other words, close to the back door of the Carlson cottage; when she got on Roscoe street she saw the man there. The question arises, was not that Patrick O'Sullivan? and so supper is belated, and we have an attempt to show that he was not out of the house. Mulcahey says that he was out of the yard between 8 and 8:30 o'clock. I don't know anything about Mulcahey's conduct or whereabouts that evening except what he told us. He was O'Sullivan's bed-fellow, and his bed-fellow from the first night that he arrived from those regions in Pennsylvania that have become celebrated for crimes of this nature."

"I object and except to those remarks," cried Mr. Donahoe, angrily.

"You know the Molly Maguires in Pennsylvania," continued Mr. Hynes, "down in that notorious valley."

"I don't think," remarked Judge McConnell, in a mildly expostulating tone, "that we ought to refer to that, or draw any inference from it."

"I think," responded Mr. Hynes, "I have a right to speak about the locality from where a party comes, but I bow to your honor's suggestion in the matter. At any rate, gentlemen of the jury, I can argue from dates. He arrived here on the 3d of April, but on your honor's suggestion I withdraw anything of that kind and wish the jury not to consider it. It is not a thing I should refer to, according to his honor's suggestion, and I don't want you to consider it, but consider this, that Mulcahey was the first to arrive on the scene here. Knight came afterward; Brennan came afterward; I don't know when Boyington began to appear there, but three men came to O'Sullivan's after Mulcahey arrived. He was not working for O'Sullivan but he was taken right into O'Sullivan's own room. Mulcahey says he was out about 8 or half past 8 o'clock. He does not say he was out himself; I don't know whether he was or not, but he says O'Sullivan was out in the yard about that time. It was dark at eight o'clock on the 4th of May; that is, I mean it was night, and as dark as it can be with the stars shining and a quarter moon. The moon went down about 11 o'clock that night. It was off in the southwest, nearly south at that hour. It was shining in on the south side of the Carlson cottage. There was a man there. They didn't know whether they had been seen or recognized or not. They didn't know whether more than one man was seen or not. At any rate, there is a confession that at that time Patrick O'Sullivan was out of the house."

The speaker went on to consider the testimony of Nieman, the saloon-keeper, and said that it was proven beyond a doubt that Coughlin, O'Sullivan and Kunze were in the saloon late on the night of May 4th. There was no earthly doubt about it. If there were, he would ask that the defendants be acquitted. All the facts and all the evidence tended to show that the saloon-keeper was accurate in his dates and correct in his statements, and there could be no mistake about it. The counsel went over Kunze's connection with Coughlin, Coughlin's alibi so far as it related to the night of the murder, the peculiar circumstances surrounding the curious Smith, the identity of Burke with the man that rented the Carlson cottage, and the connection of Kunze as a tool of Coughlin with the conspiracy, and urged that every circumstance pointed conclusively to the guilt of these defendants. The identification of Coughlin by Mertes, the milkman, was beyond peradventure, while the telephone messages that had passed between Coughlin and O'Sullivan showed the extent in which they had been in commadeation. Numerous exceptions to the statement of the speaker were made by Counselor Donahoe and other attorneys for the prisoners, but the speaker proceeded without paying apparent attention to these interruptions. The alibi provided for Burke was shown to be unreliable, and the charges against the triangle, the row in Camp 20 and the appointment of a secret committee to try the physician were dissected at length. The evidence of witnesses regarding the memorable meetings of that body, taken in connection with Beggs' mysterious actions and his correspondence with Spellman, of Peoria, showed beyond a shadow of a doubt that the conspiracy to accomplish the ends of the opponents of Dr. Cronin had existed.

[Pg 526]

Mr. Hynes proceeded to contend that "the trunk was bought and the valise was bought, the scheme was designed of stripping the clothes from the body for the purpose of hiding the corpse and of raising the cry to satisfy those to whom Dr. Cronin had been denounced as a spy that he had taken his leave and gone away to the other side of the water to give up his information and deliver himself and all that he knew into the hands of the British government. If his name was once successfully connected with the word 'spy,' if plausible proof were adduced that he was a spy for the British government, these lies, accusations against the triangle, would be as idle as the wind. His fate would have been regarded as no more than just by Irishmen devoted to a cause which they believed to have been betrayed. It was the interest of the reputation of the men who were attacked on a charge upon which he had collected evidence; it was the interest of the suppression of the conclusion he had arrived at; it was the interest of the men who were exposed by the honest investigation and courageous report; it was the interest of these men that Dr. Cronin should not be understood to be murdered in this country, because to be murdered here was to confess the truth of his charges. If those charges were untrue, if they were without foundation, if there was anything wanting in the evidence of them, gentlemen of the jury, there would be no occasion for killing him. No man was ever killed that way for a mere personal hatred. He must have the evidence of these men's robberies and wrong-doings to prove his assertions, and it was in the interest of their reputation, in order that they might continue to plunder and rob, and impose themselves upon a sacred cause, that his reputation was to be attacked and his memory branded as that of a spy killed upon British soil. The evidence in this case, gentlemen of the jury, that immediately after the disappearance of Dr. Cronin we had the assurance from John F. Beggs that he was all right and would turn up. Then we had Mike Whalen, who testifies that the dispatches showed he was seen here and there and elsewhere—that he had run away, that he had gone away—

where? Gone off to report to the British government in London. That was the suggestion. It was not sufficient. It was not sufficient that he should be killed, that his life should be stricken out by a foul and cowardly murder without trial and without warning, behind his back, that his sins should be visited upon him, but his reputation must be stamped to death, his standing among Irishmen must be assailed as a man utterly and entirely fallen and disgraced and his character generally arraigned and pilloried as that of a spy and a renegade in the interests of those men in whose interests he was killed."

HOT SHOT FOR THE PRISONERS.

Mr. Hynes resumed his address at the opening of court on the following day. He denounced the prisoners as members of a band of blood-thirsty conspirators, and dealing with the case against Beggs, urged that the whole of the testimony showed conclusively that he was identified with the crime. The alibi for the white horse was considered at length; the speaker taking the ground that the identification of Dinan's animal by Mrs. Conklin and John T. Scanlan, Jr., was conclusive. Continuing Mr. Hynes said:

"I call your attention to the fact that not from the opening to the close of Mr. Donahoe's speech was one word said in condemnation of the murder of Dr. Cronin—not one adjective used to describe it, not one sentiment of dissent or dissatisfaction, disapprobation or condemnation of that crime, that stands out as the blackest and reddest of modern times. 'I do not know whether Dr. Cronin was a spy or not,' says the representative of P. O'Sullivan, addressing this jury, 'and I don't care.'"

[Pg 527]

"That is right," interrupted Mr. Donahoe, "I don't care anything about it."

"No, sir," said Mr. Hynes, in an impassioned tone, turning around and facing the attorney for O'Sullivan, "but as an officer of the court, as a law-abiding citizen, as a member of this human family, as a Christian gentleman, I hope, and as a man with the common instincts of mankind—in mercy's name, in decency's name, in humanity's name, find somewhere within the possibilities of your character an impulse to denounce a murder so infamous as this, if you dare to do it with your client's retainer in your hands."

"Not one word of condemnation, gentlemen," continued Mr. Hynes to the jury; "not one word of defense in the memory of that brave, courageous, honest man, whose only fault—a fatal fault—was his honest courage, when these cowardly fiends assembled in their numbers in that room, with a dim light, and after the door was closed behind his back, his heart throbbing with sympathy for anticipated suffering, with anxiety for the relief of human pain; scarcely had the door closed upon his back, when these cowardly murderers fell upon him from behind, and, like the miscreants they were, beat out his life."

"Oh, gentlemen, what savagery and brutality is palmed off for patriotism! Many and many a hot and rash act has brought calamity and suffering and shame to the face of the Irish people, but in all their history in the past, and in all the history that they can make in the future, this will stand out as the one conspicuous monument of shame, casting its dark shadow upon the reputation and character of an honorable and generous race—a race who, as a rule, sympathize with the suffering, sympathize with the weak, and are rarely, if ever, cowardly. But that honorable and courageous sentiment, when it is perverted, and when it is violated, the higher the height of generosity from which it fails, the more calamitous the break and the greater the destruction that it causes."

Speaking of the discovery of the body and its condition, the orator said: "The 'Agnus Dei,' the emblem of his faith and his religion, was around his neck. I suppose that these men thought that they were prompted by a religious sentiment, when they saved from touch and left upon his remains the 'Agnus Dei,' the symbol of his faith. I suppose these men think that there is a religious sentiment in that. A sentiment that can beat out the life and violate the ten commandments, and the divine decree issued from the mountain, 'Thou shalt not kill,' and still leaves a religious emblem around the neck, is but superstition; it is not faith; it is not religion; it is not morality. And, gentlemen, do not think that it represents the conscience of the Catholic. It does indicate one thing; that the men who killed Dr. Cronin, stripped him of his clothes, and put him in the catch-basin, had some respect for that emblem. That is all that it indicates, and it simply helps to identify the men who committed the murder. They would not desecrate it upon his neck by tearing it from his dead body; they would give him that advantage after they had killed him, as they thought. But they could bury that emblem, that they thought sacred in a sewer."

Mr. Hynes concluded his speech in this form:

"Oh, there is no conspiracy behind! There is no citadel of crime, your Honor," suddenly turning around and addressing the Court, "of which these men are simply the outworks! There is no dark nest of criminals behind these to be uncovered, and uncovered only in the face of dire results of the awful crime that they have committed!

"And committed for what? What was the motive? Judge Wing appealed to you, and Mr. Donahoe talked to you as if a prejudice of race or religion had any place in this trial. Did it ever occur to any man connected with the prosecution or the defense that any question of that kind could enter into the breasts of this jury? Do you think that Judge Wing or Mr. Donahoe has any apprehensions of that kind—that these men should be punished because they are Irishmen, or because he says they are Catholics? They may be Catholic in name. I do not know whether they are Irishmen. Burke, it appears, was born in Ireland, and Donahoe made a point when an inquiry was made of Colleran, as to what county he was born in, and it appears he was born in the County of Mayo. Why was that inquiry made? Because Colleran was from Mayo, and it was simply to show that they were neighbors and came from places within a few miles of each other. Simply to show to the jury that we had to go to his friend to get whatever information we could, and to show the earnestness of that friendship. In that Mr. Donahoe discovers an attempt to appeal to the prejudices of this jury against the County Mayo man.

[Pg 528]

"Gentlemen, Judge Wing solemnly submitted to you a proposition that he did not know how you might feel as to the right or duty of an Irishman, separated from the land of his birth, taking an interest in the affairs of that land after he has become a citizen of the United States. I am not here to criticise an Irishman's right to do that; so far as I have anything to say on that subject it would be for me to defend it, because our country, first, last, and all the time, is for the right of humanity the world over, and where humanity is suffering, and where liberty is trampled in the dust, there I think is to be found the cause of the true devotee of freedom. It is a natural thing that an Irishman, born in Ireland, or even the son of a man born in Ireland, should take an interest in that land and in its struggle for national recognition and for self-government. There are very few American citizens who do not sympathize with that effort. I justify every legitimate and honorable endeavor of every Irishman to better the condition of his native land, but let it be done as Washington did it; let it be done as Emmet attempted to do it—in honorable, open, manly and legitimate endeavor to establish self-government, and not by making war upon defenseless men and women and attacking the lives of non-combatants.

"For the past nine or ten years, when these acts have been charged on the triangle, and when these lawless, fruitless and destructive acts of the Irish cause have been charged against the triangle——

"I except to these remarks," said Mr. Donahoe. "There is no evidence to that."

"I suppose that the speech of Tom O'Connor," said Mr. Hynes, "that these men had been sent to English prisons, is not considered in evidence by the gentleman."

"There had been conversation of that kind," remarked the Court, and the objection of Mr. Donahoe being overruled, Mr. Donahoe took an exception.

"I apprehend," continued Mr. Hynes, "there has not been a rational, thinking and intelligent Irishman who has not recognized the fact that every one of these acts was embarrassing if not destructive to the cause of Ireland; that every one of them simply met as an echo a new penal act or an act of coercion on the part of the English government, and crippled the hands and silenced the voices, even, of the true champions of Ireland making their fight under Mr. Parnell. Anything of that kind, I am willing to join with Mr. Foster in saying was a perversion of the purposes of the organization to which these gentlemen belonged; a perversion of its intent; a departure from its policy and its methods; and, as I said last night, invented by them, not for the cause of Ireland or to serve its ends, but simply as a means to excuse and cover up the disappearance of money that had been stolen.

"Some allusion has been made by Mr. Donahoe to myself. I do not propose to refer to it, except in one respect. What possible personal motive could I have, except the motive that every citizen should be actuated by, and that should control the conduct of every lawyer engaged in the prosecution of a great case like this? Should I fail in my duty when invited into this case by the State's Attorney to assist him in its prosecution? Was the fact that I first saw the light of day in the same land that Martin Burke did, going to embarrass my conduct or to hinder me in the performance of my duty in any respect? A scandal to my profession, and a shame and reproach to my people, would I indeed be, if for

one moment I forgot my simple function of an American lawyer, in an American court, before an American jury, pleading for the vindication of American law. If these men, unfortunately situated as they are to-day, have been personal enemies, I do not know them. I certainly have no personal feeling; I contemplate them only with pain and with regret and with shame. I never saw one of them before the commission of this crime, except John F. Beggs, and I assure you that although I had seen John F. Beggs, and had spoken with him and had a very slight acquaintance with him, I did not know that the man indicted under that name was the prisoner at the bar, until the first day that I came into court here. Whatever relation I had with him was not of an unkind character; so that I come to the trial of this case free from the impulse of personal motive—having no anxiety except an anxiety for the punishment of crime, the vindication of the law, the maintenance of its majesty, the sanctity of human life, and the punishment of the foulest crime that has blotted the calendar of this State, or of any other State of this American Union.

[Pg 529]

"Now, you have listened to me with patience; I thank you for your attention through the desultory speech that it was necessary for me to make after the exhaustive and able manner in which the people's case had been presented to you by the two distinguished gentlemen who preceded me, Judge Longenecker and Mr. Ingham. In leaving you, gentlemen of the jury, and this case and my associates in it, I trust I leave it without any trace of personal feeling toward anybody—counsel or anybody else in this case. If, in the sharp fight of a lawsuit—of a trial like this—under the spur of combat at times, I have said or done anything that has wounded the feelings or hurt the sensibilities of any man, no matter who, I am sorry for it. I want you to take this case. It is a great case and a serious case. There never was a greater nor more serious duty devolved upon any twelve men on God's earth. It is as sacred and as important as the duty of the soldiers who went out to fight for the flag and maintain the unity of the States and the sovereignty of the Constitution. I commit it to you with all its awful solemnity; with all its awful responsibilities, feeling confident that in the breast of every one of these twelve men beats the heart of an honorable, honest, a patriotic and a law-abiding man; that your verdict will be the verdict of your conscience—a verdict that your consciences and judgments will approve and that the Court will ratify, that God will sanctify, that will vindicate the law and commit the guilty to a just punishment."

FOSTER'S PLEA FOR BEGGS.

At the conclusion of Mr. Hynes' argument, Mr. Foster, who appeared specially in behalf of John F. Beggs, claimed the attention of the Court. Among other things he said:

"Dr. Cronin was murdered. A more dastardly and heinous murder, a more atrocious and cold-blooded murder, in my judgment was never perpetrated. Are the gentlemen for the State satisfied with that? In this connection allow me to urge you to pause and consider. You remember what it is to which I refer. Whatever you may see of error on the part of counsel, in the name of heaven don't charge it on the head of his client. Don't charge the forgetfulness; don't charge the investigation; don't charge the bad judgment of the lawyer upon the head of the client he is attempting to represent. The man who does not say that the murderer or murderers of Dr. Cronin ought to be punished is a man whose friendship I don't prize, and whose citizenship, in my judgment, we can get along better without than with. Those are my sentiments; that is my belief; but in the name of God, gentlemen, must an innocent man suffer because of a crime which we concede as being perpetrated in our midst? Are the minds of men to be inflamed, are men to lose their reason by visiting vengeance on a man who is charged of the diabolical crime of the murder which is being investigated here?"

"These are the questions to which I direct your attention to some extent. Because a man has espoused a cause, because a man is identified with a clan which may not meet your approval or may not meet mine, that is no reason, no excuse under heaven, why his life should be destroyed. And I thank my friend, Judge Longenecker, for the statement which he made at the very threshold of this case as to what the issue involved really was. In his opening he used this language in reference to the Clan-na-Gael Society: 'Remember that we are not called upon to try the Clan-na-Gael organization; we are not here to prosecute that organization or to defend it. If that organization has no right to exist, then it is the duty of the government under which it exists to take hold of it. It is not the duty of those trying the criminal case to settle that question. As I said, no matter what our feelings may be in regard to this, no matter what our ideas

[Pg 530]

may be about an organization formed to make war with a country at peace with ours, we are not called to try that question, and you are not sworn to try that issue.' Gentlemen, every word of that is true."

Mr. Foster then went on to comment upon the questions relating to prejudice on the part of the jurors put during their examination. He said that those questions were proper and wise, because it was needful to ascertain if they entertained any religious or radical prejudice. Then he said: "John F. Beggs must be convicted of the murder of Patrick H. Cronin, or he must be discharged. There is no question here as to whether he is a Protestant or as to whether he is a Catholic. There is no question here as to whether he is a Clan-na-Gael or whether he is not. He is a murderer and must be punished for murder or he must be discharged by your verdict. The issue is simple—easy to understand. No intricate pleadings are needed in this case; no intricate issues are involved. The plain and simple question is, did John F. Beggs kill Dr. Cronin? Not necessarily with his own hand, but was he a part and parcel of a conspiracy to destroy the life of Patrick H. Cronin? Freed of all rubbish, that question is left to your consideration and no other. There are some things, gentlemen, of which I complain in this case, and I believe I have a right to complain of them. The law in its wisdom has provided means for the punishment of crime. One of the most important offices in the State of Illinois, one of the most remunerative offices is the office of State's Attorney of Cook county. Why is that office sought for? Because it is honorable, because it is remunerative, and the lawyers are few who would not gladly assume the responsibilities of the office of public prosecutor. The law not only provides for a public prosecutor, but it provides for five assistants. Mr. Foster then referred to the importance of having a competent and trustworthy man for this office, and then remarked that it was singular that the State's Attorney with his five assistants could not attend to the business of the county." At this juncture he made it evident that he was opposed to the appointment of Mr. Hynes to assist the prosecution, for he said:

"No sooner was there an arrest made on account of the murder of Dr. Cronin than war was declared in the opposing camps of the Clan-na-Gael in Chicago. It was war to the knife, and the knife to the hilt, which has been kept up incessantly from that time to this. What was the first thing to do? Employ a good lawyer. Not satisfied with the provisions of the statute to which I have referred—not satisfied with the ability of my learned friend, Judge Longenecker, and all his assistants, they looked for another man. They cast about for a man of extraordinary ability to come to the rescue and hang the lot of opposing Clan-na-Gaels, and as they cast about for the man, he, who of all others is a power before a jury, the man who first attracts their attention is the man who last addressed you—a man whose home is in the courts—a man who only lives to address juries, and by addressing juries and courts—a man who can win cases before juries regardless of the facts by the power of his ingenuity and his eloquence. That is the man they want; that is the man they will have, who, in addition to the power I have referred to, is a partisan in the conflict, an Irishman and a Clan-na-Gael of the opposing faction. What other man among the two thousand lawyers at the Chicago bar except William J. Hynes, is the man to whom their attention is called?"

Having commented on the able arguments of Mr. Ingham and Mr. Hynes, Mr. Foster said:

"All I desire that you should do, gentlemen, is this: After the arguments are finished, when the silvery-tongued orator is done and you retire to deliberate upon and consider your verdict, sit down and wait until your blood is cool, sit down and wait until calm judgment and cool discretion take the place of frenzied emotion, before you act, and by your action commit a deed which shall haunt you to your grave.

"Only a century ago Ireland blossomed as a rose. From the center to the circumference of that beautiful isle the smoke-stacks opened their black mouths toward the sky. Throughout the length and breadth of the land the fires glittered and gleamed upon the forges of industry, and everywhere the buzz of the spindle and the clatter of the loom were heard. Among the illustrious names which history gives us we find among them some of the grandest statesmen, some of the most eloquent orators and most learned scholars that ever lived upon this earth, either in times modern or ancient, were the sons of the Emerald Isle. But how have the mighty fallen! Armed forces have invaded the territory; the jury and the courts have been superseded by the drumhead court-martial; coats of tar and feathers have been resorted to; men, women and little children have been publicly whipped; the parliament has been stolen away; the smoke-stacks are cold and crumbled, and fires are out on the forges and in the furnaces, and the spindle and the loom are still."

Counsel read selections from the address of John F. Beggs to President Harrison at Indianapolis at the time he visited that city with the Irish national committee, and also President Harrison's reply to the address of the organization, and then said: "Do you question for a moment the loyalty of the Irish people in America, and would you condemn them for their loyalty to their mother country? It is not charged in this case that the Clan-na-Gaels are dynamiters. If it had been my brother Hynes is the only one connected with this case who could give you reliable and full information on that subject, because he is a dynamiter. It may possibly have been that some men would think that by throwing a little dynamite into England it would set Englishmen thinking favorably of the project of that old statesman, Gladstone, to give to the Green Isle liberty to govern herself. Or perhaps it might have been regarded as a matter of retaliation for the suffering and indignity which the sons and daughters of the Green Isle had encountered for years. I do not know anything about it and therefore shall not refer to it.

"Now, gentlemen, I have got an unpleasant duty to perform. I realize the fact that when we step upon the narrow walks of the city of the dead we are treading upon sacred ground. He who speaks of a soul departed in any other than words of commendation had better weigh well the purport of his language. Human charity is ever willing to bury with the bodies of men all the evil which they do, and remember only their virtues. That is commendable. That is right. Yet, gentlemen, I say I have a painful duty to perform because of certain expressions made by my client during the life of the man whose soul is now in eternity, and in order that I may protect his life I feel that I am justified even in censuring the conduct of the man during life, who has passed into eternity. The man who supposes or has supposed that Dr. Cronin, while here on earth, was an angel in disguise, is very much mistaken. Now, is that hard to say of a man who is dead? I hope you do not misconstrue the purpose for which I have stated it, or the object I have in view, but because my client has given his opinion while Dr. Cronin was alive. I have a right to give it so long as my client is alive in order that he may live, and that my language may be understood and justified in every regard. Whether or not this is an illegal organization, whether or not the dynamite policy existed as stated by Judge Longenecker in his opening argument, whether or not the purposes of the organization are to send dynamite to England and there to destroy human life and the lives of men and women and of children, as my friend says, I know not, but if that was the object of the organization the most active member and the promoter of the society and the purposes of the organization was Dr. Patrick H. Cronin.

"To that statement I emphatically object," said Judge Longenecker. "We wanted to prove the reverse of that, and that Dr. Cronin was expelled because he bitterly opposed the dynamite doctrine, and we were not allowed to do it. It is not right to make such an assertion against a dead man, and, for one, I will not sit here and listen to it. So far from Dr. Cronin ever taking a dynamite policy, so far from his being an active member in furthering such a purpose, we wished to prove that he wrote a circular bitterly opposing the dynamite policy, for which he was expelled from his camp. It is not right, it is not manly to charge upon a dead man something that is entirely without foundation and opposed to the truth."

"I claim that I have the right to argue that he was an active member in that project," retorted Mr. Foster, "because the gentleman shows that he organized camp after camp in this city and organized them on one basis."

"And that basis was diametrically opposed to any dynamite policy and also opposed to the triangle, which dictated that policy," said Judge Longenecker. "If Cronin were here and could defend himself it would be a different matter."

[Pg 532]

"I do not know of any testimony from which you can argue that there was any dynamite policy, Mr. Foster," said the court. "I certainly do not know of any such testimony, and therefore I do not think I can permit you to proceed on that ground."

"It is in testimony that the dynamite policy of the organization was approved, because they were all reunited," said Mr. Foster. "I know what Hynes has said and I claim the right to reply to him unless the gentleman for the prosecution particularly desires to interrupt me. He does not disturb me at all but simply interrupts me."

"I shall interrupt you just as long as you unjustly attack a dead man who can not defend himself," said Judge Longenecker.

"There is evidence in this case, gentlemen, to the effect that Cronin, in lifetime, did organize certain societies, and what that evidence is I will read by and by. If I go beyond that evidence at all, and state what I can not prove, I shall suffer by it, because if I depart from the facts as you know them to be,

any remarks I may make will have no effect whatever upon you. I do say this, that if it were not a dynamite policy, and the question was not whether it was wrong to send dynamite to England, that it was wrong to steal a hundred thousand dollars to keep in this country which ought to have been spent in England, and sent there for the destruction of the lives of men, women and children. Dr. Cronin protested against that. Now, in the case of John F. Beggs, from the commencement of this trial down to the present time, there has been no objection taken before you. Where has been the concealment of a fact? Where has there been any objection against testimony? Where has there been an exception to the ruling of the court? Now, I am not complaining because the learned lawyer objected and excepted, but I say on behalf of my client that his life and connection in this case in its ramifications has been an open book before you. They called him before the coroner, and for hours he testified and was examined by the coroner as prompted by my learned friend. He was called before the grand jury and examined by the State's Attorney and his assistants by the hour as to every fact within his knowledge, as to every circumstance as to his whereabouts, and everything their ingenuity could suggest. That was the reason why I called my friend, Judge Longenecker, to the witness stand. I wanted to show you, gentlemen, and I wanted you to know that this man had been examined twice with reference to all the circumstances surrounding him in this historic Camp 20. That examination had been taken by a stenographer in shorthand in both places, and not a single statement that John F. Beggs made on either of these occasions has been disputed, and the gentlemen know it.

"I was impressed with the idea of my client's innocence the first time I ever talked with him, and I am more than ever satisfied of it at the present time. Where did they get those letters which he wrote to Spelman and received from Spelman? Did he not send for the chief of police, and tell them where he would find them in his office, and yet the prosecution in this case makes those very letters the foundation on which this jury is asked to take him out and strangle him and destroy his life. The first thing that my client is supposed to have said or done in connection with this case, as alleged by a witness, that he said Dr. Cronin ought not to be put on the trial committee to try Alexander Sullivan. It is in evidence that Dr. Cronin made all the charges of embezzlement of the funds, and the sending of the brothers to the English prison, on which the triangle was to be tried, and would you, gentlemen, like to be tried by a man you knew to be your enemy, whether it might be for your life, your liberty or your property? You must remember, gentlemen, that these facts complained of by Dr. Cronin took place two years before Beggs was a member of the Clan-na-Gael, and he spoke as he felt, and if the foundation on which he based his remarks was true then his deduction was true, and you, gentlemen, know that having made the charges of embezzlement and of worse than murder against Alexander Sullivan and the triangle, he was perfectly justified in saying that the Doctor was not a proper man to sit on the investigating committee. It is charged by one witness that Beggs is alleged to have said that Dr. Cronin was not a fit man to belong to any Irish society. Why? Because Coughlin had told him, and offered to make an affidavit to the effect, that Dr. Cronin had admitted him to the secrets of the organization without initiating him. It is claimed that Dr. Cronin was expelled from Columbia Camp. Suppose he were, was he justified because he knew all passwords and the grip and the ritual of the organization in starting hostile organizations without any authority? It is in proof here that one of his first acts after his expulsion was to start a hostile camp with the same number and a name calculated to mislead, for while he was expelled from Columbia Club, No. 98, he organized Columbus Club, No. 96.

[Pg 533]

"How often do you hear the expression that a man is not fit to belong to a church, or is not fit to belong to a political body? Some of you gentlemen of the jury are Masons, others Odd Fellows, and what would you think of a Mason, if in the judgment of the lodge he was deemed a fit subject for expulsion, and who, after being expelled and put out of the organization, went right across the street and started a lodge of his own? He would have the password, he would have the ritual. He would have all the necessary forms and ceremonies and grips to enable him to start such a lodge, and what would you say of such a man, especially if he named the new lodge the same name as you gave yours? Counsel then referred to the trial by the Presbyterian church of Professor Swing, and his subsequent expulsion therefrom; to the trial of Professor Thomas by the Methodist Church, and his expulsion therefrom for heresy; charges which a few years before would have insured the burning of those two men, then passed on to consider the disagreement in the Episcopal Church which resulted in the formation of the Reformed Episcopal Church, and inquired if the jury ever dreamed of men being put on their trial in any of those churches for saying that Dr. Swing was not fit to be in the Presbyterian Church, or that Dr. Thomas was not fit to be in the Methodist Church.

"And yet," continued Mr. Foster, "the expressions they used were the same as John F. Beggs is testified here to have used, and on account of which they ask you to destroy his life. Beggs' statement of his opinion giving the reasons upon which he made it, was harmless, yet the gentlemen stand here and argue by the hour, and ask you to find that Beggs was an enemy of Cronin because of these expressions. Now, gentlemen, the evidence of John F. Finerty is that Cronin was at that convention that appointed that trial committee to investigate the old executive, commonly designated by the name of the triangle. This is a point upon which we had some dispute to-day, and I refer to it simply to show that I was correct in my statement on that point. But the gentlemen have already conceded that they were wrong and I was right. Now I say that these were harmless expressions, and they are the only expressions which have been shown in evidence, or of which any evidence existed. I say existed, because if they ever existed anywhere they would have been proven in evidence. That was all that Beggs ever said against Cronin from the day of the beginning of the world down to the present time. That was all. All that he ever said was the statement that he ought not to have been on the trial committee which met at Buffalo, and from the statements made to him, naming the man who made them, that he (Cronin) had no business belonging to any Irish societies. They say that he claimed friendship for Alexander Sullivan—I shall refer to that hereafter—but did he ever denounce Cronin? Never! Never! All the members of the organization have been arrested, and brought to the State's attorney's office and discharged, or brought here and sworn as witnesses, and not one of them can say he ever heard a word—that he ever saw John F. Beggs rise in his place and utter one word of denunciation against the murdered Dr. Cronin.

"Gentlemen of the Jury, Beggs was right when he made that statement. If you are going to hang him for that I may as well stop here and now. Take him inside the narrow limits of the jail and hang him, and let this farce end at once, and with it end the institution which we term our glorious courts of justice."

Mr. Foster went on to say, that there was not one syllable in the case from beginning to end to show that Beggs was not one of the most consistent friends that Dr. Cronin ever had. No hatred had been proven, no ill will shown. It was simply sought to convict Beggs, because the testimony showed that Burke had gone to his office twice in January and once in February. It was not now, however, that he had ever gone there afterward, or that Beggs had ever associated with him anywhere else. As for the proceedings of Camp 20, it was simply unfortunate for Beggs that he had allowed himself to be elected senior guardian of the camp. But for that he would be walking upon the street and breathing the free air. Had he had a headache on the 8th day of February, if he had a toothache, if he had gone to the theatre with his wife, if any thing in God's world had happened to him, except the chance that took him down to preside for the first time after installation in the office of senior guardian of camp 20, he would have been a free man that day. There was no question about that, with no animosity toward Dr. Cronin, and no ill will, and a clamor and a claim for unity and peace was the offense that he had committed, and nothing more.

[Pg 534]

Mr. Foster concluded his speech on the morning of Saturday, December 7th. He again reviewed the affairs of Camp 20, urging that there was no proof of the existence of a secret committee, and no evidence against Beggs. Stress was laid upon the fact that the ex-senior guardian had set up no alibi, but that he had endeavored to aid the State by every means in his power. In conclusion Mr. Foster said:

"Now, there is another matter, gentlemen, to which I desire to call your attention. I can imagine that an Irishman, with all the hardships of his father in his mind, and all the hardships to which he has been subjected, might feel as if he could take a dagger and plunge it into the heart of a British spy, and then kneel down before his God and ask a blessing of the Divinity upon him. But John F. Beggs never believed that Dr. Cronin was a British spy. John F. Beggs is not deserving of mercy if he stood at the head of that cruel conspiracy to effect Dr. Cronin's murder. No words of commendation, no thought of pity, not one syllable, would I say in his behalf were he guilty of this atrocious and cold-blooded murder, because John F. Beggs is the dupe of no man. He is the tool of no man. He stands forth responsible for his acts, without a mitigating circumstance if he is guilty. Therefore, I say to you, gentlemen, in all candor and sincerity, you must either destroy the life of John F. Beggs or else you must turn him free.

"Are you opposed to the execution of the death penalty? You and each one of you have sworn that you were not. Are you waiting for a murder more atrocious? In the name of heaven when do you expect to hear of one? I am talking sense now. I am appealing to your reason and your judgment. If John F.

Beggs is guilty John F. Beggs must die. Shame to the verdict, shame to the verdict, I say, which, under the circumstances surrounding this case, would say, 'We will not torture our minds and we have not the moral turpitude to hang a man upon this evidence, but, by guessing and imagining and speculating that he might be guilty, we will give him a term in the penitentiary upon general principles and upon speculation.' Shame to such a verdict as that. Humanity can stand no such outrage perpetrated upon her citizens. I said yesterday that the conduct of John F. Beggs had been an open book before you. Why, when the organization of the coroner's jury was effected, one of the members of Camp 20, Captain Thomas O'Connor, rushed to Beggs, as the highest officer in the camp, and said: 'How about the secrets of the organization? I have been subpoenaed as a witness.' What was his reply? Was it concealment? Captain O'Connor, the most prejudiced witness in this case against my client, the man who has more feeling than any other witness against my client, is compelled by truth to say that John F. Beggs said: 'Tell everything you know.'

"Where was the concealment then? When the men who are interested in the prosecution of the murder of Cronin, when the men who have devoted the energies of their lives to the prosecution of these defendants, in the finding out, the spying out and determining of the guilty parties, go to the senior guardian, and say: 'What shall we do when summoned before the officers of the law in regard to the secrets of the society?' they are met with the prompt response: 'Tell everything you know.' No concealment. No covering. No destruction of record. 'Tell everything you know.'

"How was it with Luke Dillon, who came from Philadelphia, interested in the prosecution of this case, going home, whining like a sick child, squealing like a stuck pig, because investigation was going too far, and giving to the public the secrets of the organization. But Beggs says: 'Tell everything you know.'

"Gentlemen, my client has already suffered too much in this case. He is ruined. A young man who has blossomed out in a noble profession is forever ruined. It requires but a charge of this kind, it matters not what your verdict may be, and the stain is fastened upon his skirts and there it must stay forever. He has already suffered too much, I have no peroration to make. I demand your cool, deliberate judgment, and that is all I ask. I make no appeal to your sympathy. On behalf of myself, and on behalf of Beggs, and of my associates, I extend to you thanks for the kind and patient manner in which you have listened to the testimony and listened to my efforts at an argument.

[Pg 535]

"I hope the time is short when he will be able to thank each one of you, to take each one of you by the hand and in person thank you for his deliverance, and then may you be returned to the loved ones at home, and may he be returned to the bosom of his loved wife, for love makes the world so small that all the beauty is in one face, all the music in one voice and all the rapture is in one kiss. Gentlemen, I thank you."

FORREST'S ABLE PLEA ON BEHALF OF HIS CLIENTS.

"If your Honor please, and you, Gentlemen of the Jury, you sit in judgment on the lives of your fellow-citizens. You act, you look, like men who are thoroughly imbued with a sense of your responsibility. You have listened attentively to all the details of the testimony. You have listened with admiration to the discussion of the testimony by the distinguished gentlemen who have preceded me. You can not have failed to note the radical difference between the method of treating the evidence by counsel for the defendant and by counsel for the people. One is wrong, altogether wrong; the other is right, altogether right. The question is an important one. You will hear my discussion on it and the discussion of Brother Mills, and then you will hear the Judge pronounce upon the method of treating the evidence. You will pay no attention to what I say about the law unless it commends itself to your reason, and unless what I shall say is afterward given in principle or substance by the Court. It must be that the method of treating the circumstantial evidence has been pointed out clearly. The books are filled with decisions, and our judges can not be radically different in treating it. In England and America they treat it alike, and therefore, I say the prosecution is altogether wrong, or we are altogether wrong. The gentlemen for the prosecution tell you that the law of circumstantial evidence is represented by the fable of the farmer and the bunch of fagots, which fable was intended by Æsop, and by all reproducers of Æsop, to illustrate, not circumstantial evidence, but the fact that in unity there is strength, or, to use the expression sometimes used in politics or war, 'United we stand, divided we fall.' We claim that that is altogether wrong, and, if I am

right, they are altogether wrong in their method, and, if wrong in their method, my inference, is they dare not apply the legal method. Judge Wing, Mr. Donahoe and myself have applied the analytical method, which is adopted by every scientific man and every searcher after truth. I propose, gentlemen, to consume this afternoon in discussing the question as to which is right in their method of considering the evidence. Mr. Ingham commented upon the rule as laid down by the Supreme Court of Illinois, and then quoted the instruction given by Judge Wing in a case in which he appeared for the prosecution. You are convinced, as jurors, if you are convinced as men, that it is right, when properly understood, but you must not take one piece of this instruction and consider it, when the Supreme Court in passing upon a set of instructions never takes one by itself, but considers one in the light of all the others. So you must consider these instructions in the light of each other."

The counsel proceeded to read at extreme length from "Wells on Circumstantial Evidence," with the view of showing the unreliability of such testimony. Burrill's work on the same subject was also considered.

He next read a decision of the Supreme Court, which, in effect, declares that a verdict of guilty can only be arrived at when there is no reasonable hypothesis consistent with the innocence of the person charged, even though at the same time the only solution of the crime is the theory of the guilt of the defendant. The life and liberty of the citizen can not be sacrificed on the ground that only by regarding him as guilty can the crime be explained. Mr. Forrest then quoted a case showing that where a physical possibility existed of the crime being committed by some other means than that claimed in the theory of the guilt of the defendant, the supposition of his innocence was not to be excluded on the ground of its moral impossibility.

[Pg 536]



[Pg 537]

W. S. FORREST, LEADING COUNSEL FOR THE DEFENSE.

An adjournment was taken at this point until 10 o'clock Monday morning, December 9, when Mr. Forrest resumed his address to the jury.

He began with an apology for his discussion of the question of law on Saturday, stating that he thought it was his duty to do so. Then he went on to argue that witnesses may lie, but facts can not. He took a peculiar line on this point, referring to the tariff discussion, and showing that the Republicans claimed that the tariff is a benefit to the country, and that the Democrats claimed the opposite. "So you see," continued counsel, "much depends upon the disposition you have when you start to look at facts." He then read from "Taylor on the Law of Evidence," citing a case in which Macbeth was quoted to show that the smearing of the daggers was an intentional effort to create circumstantial evidence against the innocent. The decision also referred to Joseph's coat of many hues which was stained by the blood of a kid. All this was done to show the unreliability of circumstantial evidence. Then Mr. Forrest turned his attention to the case on trial, referring to the fact that Klahre had soldered the box that was supposed to contain Dr. Cronin's clothes, which, he remarked, according to the theory of the prosecution, was to have

been shipped to England and received by some accomplice in the crime and afterward published to the world as containing Dr. Cronin's clothes.

"You do not claim that I said that?" asked Judge Longenecker.

"No," replied Mr. Forrest, "but that was your theory and that was the theory of the whole world. It was not only the State's Attorney's theory, gentlemen; it was not only the theory of the press of Chicago; it was the theory of the whole world. The whole world has learned the proof. These clothes were never in that box. You have since seen that the clothes that these gentlemen assure had been sent by Martin Burke to England in that box were never shipped over the sea. The box was never intended for an alleged accomplice. It was never intended to contain the corpse of Dr. Cronin. In spite of all their reasoning and of all the inferences that they drew, by chance a workman in a sewer in the town of Lake View turned up Dr. Cronin's clothes, which, instead of being in England in a tin box, were in a valise buried in a sewer in the town of Lake View.

"In all seriousness I will ask you two questions: suppose the cleaning of that sewer had not occurred until after this trial. Don't you know that in every speech of these distinguished orators they would have urged that Martin Burke was guilty because he sent Dr. Cronin's clothes over the sea? If that argument had been made to me, and these clothes had not been discovered would not I have given it weight? Can not you learn from that fact some lessons? You can learn that these gentlemen for the State are no safer guides than we are. You can learn that circumstantial evidence can lie and mislead, and although the defendant may not be able to disprove what they prove, as they say, it does not follow that the defendants are guilty."

DIFFICULT PART OF THE DEFENSE.

"You see the difficulty that the defense is in when we have to prove a negative. How could we prove that the clothes were not over the sea if accident had not turned them up in the sewer in Lake View? You see the danger of assuming to be true what we can not disprove. You see the unreliability of circumstantial evidence. You see the difficulty we have in proving a negative. Suppose that one of you were on trial, and suppose that the State's Attorney could introduce a witness to swear he saw you burning a deed or will, and suppose in the middle of the trial the deed should be produced in all its entirety, how rejoiced you would be. So rejoiced were we, and so rejoiced was the soul of Martin Burke, so gladdened was my soul, when the clothes were found in the North Town; call it fate, call it blind chance, call it an overruling Providence, call it what you will, it did for Martin Burke what his counsel and all the witnesses in the world could never have done. Suppose that the truth had not been disclosed. Suppose that the clothes had not been found; suppose that the argument had been made by these gentlemen—and what an argument they would have made in the form of a narrative!—describing how the clothes crossed the stormy sea, describing the ship containing this guilty secret. They could have speculated about what was to be done over there, and how it was to be done. Suppose they had done that; suppose that you had believed it; suppose you had drawn the conclusion that they urged you to draw in their opening, and that they would have urged you to draw in their closing. Suppose you had imposed the death penalty on Martin Burke; suppose the death penalty had been executed, and then the proof should have been discovered that the clothes were in the North Town sewer, what justification could you have made to the people of the State of Illinois? What justification could you have made in your prayers to your God? What justification could you have made in the forum of your own consciences to yourselves?

[Pg 538]

"Facts do lie. Now, by an agreement between this court and counsel for the defendant, I am not to speak of the Camp 20 conspiracy; but if that agreement had not been made, may it please your honor, I would not have spoken of the Camp 20 conspiracy, because it is wholly unnecessary. That has been done ably and exhaustively by the distinguished gentleman who represents Mr. Beggs. One thing I want to call your attention to and pass it. These gentleman have said, 'What difference does it make whether that remark of Beggs' that the committee reported to him alone was made May 3 or May 10.' Why, it makes all the difference in the world to all the defendants except Beggs, if you believe it was the appointment of a secret committee to kill Dr. Cronin. It makes all the difference in the world to them, and the gentleman that asked the question well knew it. It was made after May 3, and, therefore, if made, it is evidence against nobody but Beggs. If it was made before May 3, it would be evidence against everybody on trial, if you believe that conspiracy was entered into between them. That is the reason why these witnesses were prevailed on to swear that it was made May 3 instead of May 10. Every one of

them, I believe, swore that it was May 3, but on cross-examination it turns out that it was May 10. O'Connor says that it occurred on a certain night when he was appointed on an auditing committee, and the record shows that that motion was made on May 10 and that was the only time he was there. So you see that somebody had a motive to change that from May 10 to May 3; and the motive was to make it evidence against all instead of evidence against only one."

Mr. Forrest went on to say that it was a remarkable thing in this case that the State had just one witness to every matter of importance. There was just one witness who heard Burke say that Cronin was a British spy and ought to be killed. They had just one other witness who heard Coughlin say it was rumored that Cronin was a spy; then they had just one other witness who heard O'Sullivan say, on the 22d of May, that Cronin was a spy, and is it not remarkable that there should be just one person who heard those gentlemen make such remarks? If they were in the habit of making those remarks, is it not highly probable that they made them more than once, and that they made them to more than one person, yet why was only one produced? It looks as if they were going out into the highways and by ways of the world, searching for witnesses, and had found only one.

ATTACKING THE PROSECUTING WITNESSES.

"Now I shall have something to say with respect to the credibility of the witnesses," he continued, "and shall ask you to draw inferences you may not be inclined to draw. Probably you will ask me why a person should commit perjury in a case where a citizen is on trial for his life. It is difficult to answer, because we do not know anything of the character of the witnesses or their associations, and can not find out what their connection is with other parties. There is also this to be remembered, that men have whimsical ambition. There are witnesses who desire to be distinguished, and who know it is always a great matter to know all about some great crime which has been committed. The man is a hero for the time being. He is a great man, called upon by reporters, written up and petted by the police and other persons. I can not tell what the effect of that would be. They may not intentionally commit perjury, but at the same time they may be lead entirely astray from the facts. Counsel regaled the jury with some of his experience in trying other murder cases by way of explaining what he meant, and said it is unpopular to testify on behalf of the defendant in a case like this. The enemies of my client have their claquers placed about the court, whose duty it is to applaud when anything comes out favorable to the prosecution.

[Pg 539]

"I want to know, if your Honor please, if there is any evidence of any claquers having been placed in this court in this case?" curtly inquired Mr. Ingham.

"I certainly do not know of any such evidence," replied Judge McConnell, "and the remark is a highly improper one."

"Claquers were over there in that corner and very frequently applauded, and that is where the Clan-na-Gaels were congregated," angrily retorted Mr. Forrest.

"There are no claquers in this court, and the counsel well knows it," said Mr. Ingham, sharply.

"I can not have you go into that subject or say any more on that line, Mr. Forrest," said Judge McConnell.

"Very well," said Mr. Forrest, and he then turned around to the jury and informed them that his client on a previous occasion was awarded a new trial by the Supreme Court. Now, I want to call your attention to certain evidence. There is a peculiar combination of men and circumstances against my clients, Daniel Coughlin and Martin Burke. The same remark applies to the other men, but chiefly to those two. For example, it is worth \$100 a week to Patrick Dinan to have it established that his horse took the Doctor away. He told you that. He told you that his horse is in the museum, and if that fact is not established then he will lose \$100 a week. Now, what effect do you suppose that will have upon his zeal in giving evidence? Again, old man Carlson was in very needy circumstances; his boy had not been living with his wife for four years. He had been traveling around the country while his wife was living out as a servant, and it was obviously to their advantage and pecuniary interest that the statement should be established that the murder was committed in that cottage. How that might tend to affect his testimony and lead him to imagine what never took place, you will decide. It is an unfortunate circumstance, and may have made him remember things which never occurred, especially as he is an old man, and the wall between memory and imagination is nearly broken

down, owing to old age. Of course this is peculiarly unfortunate to my client.

"Another circumstance. It is proved that the Clan-na-Gael in the city of Chicago and throughout the United States is divided into two wings. It is proved that a division exists right through the country. One wing of this Clan-na-Gael exists in the prisoner's bar, the other wing sits in the witness seat. How does the wing that sits in the witness seat conduct itself? It involves the entire prosecution, and how does it feel toward my client? What do they say? They say your wing are robbers, betrayed their comrades to the British and sent them to British prisons by telling the British government who they were. One of the witnesses, Captain Thomas O'Connor, told you that he worked every day through May, June, July and August as a detective in this case for not one dollar, and you find there are other persons who gave their money and collected money to aid the prosecution. We have a split in the Clan-na-Gael throughout this entire country, and it is a matter of public notoriety and history that 15,000 Clan-na-Gaels were in the prosecution. Don't you know it is the same old cover of Irish slander? It is the Irish leaders slandering each other, and they will slander each other for all eternity. Now what is the effect of this? On the one side they say your wing is sending out comrades to British prisons, betraying them to the British government, and they are prosecuting them, while they say the patriots whom they laud to the sky are dynamiters who sent dynamite to England to wreck property and lives. Don't you see that stand out plainly and distinctly? And not alone has it permeated the prosecution, but if you believe what Lyman said about it, one of the dynamiters sits right here at the prosecution table. Do you suppose there is much difference between the leaders of the two wings? I do not, generally speaking. One wing charges the other with betraying their comrades and sending them to British prisons. What is the effect of it? Every man who has left Ireland for Ireland's good, because the English police were after him, and every man who came here from Millbank, came here crying, 'Revenge, revenge, revenge.' And yet they say they come here and want an American jury to pass upon an American case, while the motive behind it all is ancient Irish malice, so far as that thing is concerned. What effect has this had upon the witnesses? There is not a witness who has been discovered in this case since the coroner's jury that is not a suspicious witness. Did you notice the peculiarity of the witnesses? I never saw such a body of witnesses and you never did. They have eyes like the eagle; like the owls they can see better and farther by night than by day. Their hearing is as sensitive as that of the deer that roams through our northern forests. Their perceptive faculties are marvelous. Their recollection is beyond conception. They can remember the slightest circumstance. Every one of them, and it is an extraordinary thing and quite unnatural, remembers the slightest circumstance, and each of them does something more remarkable than the defendants about whom they testify. You will remember that it is not some public event which occurred and by which they recollect, but it is evidence of an occurrence which they themselves give, and such evidence and such memories as they have. When in the future writers on memory want to give instances of prodigious feats of memory they will search the record of the Cronin trial and cite the witnesses for the prosecution.

[Pg 540]

"There was that man Pulaski, who testified that he sold Burke a shirt. What an idea! That Burke had only one shirt, and that the witness did what no other man ever did in his life to a man who bought a shirt, asked him to take off his coat to measure him. Burke had an abiding place, and why should he go to that store on Sunday, the 5th of May, and buy a shirt? If anything of the kind ever occurred it was two of those dock loafers who work around the bridge, and who look as if they had only one shirt, and when they make a change of it they buy a new shirt. Now he says this man came in and bought a shirt, and that he told him to step back and try on a nice clean shirt, and if it did not fit to put it right back in the lot. You know as well as I do that when you go and buy a ready-made shirt there is only one question asked you—What is the size of your collar? But that is not all. He remembers another man who was standing across the street, and that this man went into the middle of the street and hailed the other man, and then they had a whispered conversation. Now he tells you that he remembers that the big man wore a 16½ collar and the little man, who subsequently came across the street, wore a 15½ collar. He remembers it exactly, and did not testify before the coroner's inquest. And then they had a photograph which he identifies, but they never introduced it in evidence, and I don't know why, but it looked to me as if a 15½ collar would go only half way round that man's neck.

"Now comes Klahre, and he says what never occurred. That on the morning of Sunday, May 5th, he read in one of the papers that Dr. Cronin was a spy, and had been made away with. As we all know, Mrs. Conklin testified that not one word was said about it until 12 o'clock Sunday, but they had to get it in quick, because Burke was out of town on the 8th and 9th. He says that on Monday

morning Martin Burke came into his place with a box, a tin box, with a rope around it. The expressman brought in the box, which weighed about fifty pounds, and put it down, and we may rightly call this the box trick. Klahre said he was going to cut the rope, when Burke called out: 'Hold on; don't you cut that rope.' It would not do for him to peep into that box, because he might have seen Dr. Cronin's clothes, and then if he had, and it had turned out subsequently that the clothes were found in the sewer, it might have been shown that he told a fib. But he asked Martin Burke one question, 'What do you think of Cronin's disappearance?' He tells you that Burke said, 'He is a British spy, and ought to be killed.' So the great mystery has been solved. He further says that neither he nor Burke said another word in an hour and a half. The first man that came there told Klahre just what he wanted to know, and you will remember that they asked every man they wanted to impeach, 'Didn't you say Cronin was British spy and ought to have been killed?' Now, some one made that to order."

[Pg 541]

DRIVER SWANSON'S STORY.

"Now take Swanson. By the way, do you remember that when Captain Schuettler, the police officer who spoke to nearly every witness since the coroner's inquest, was on the stand, it turned out that every time he struck a witness from Clark street to Lake View the man was either a German or a Swede? You would not expect a German detective to find an American, nor would you expect a German detective to find an Irishman. Why I can not tell you, but that is a fact. Now, Swanson gave his testimony. Two of my witnesses go to a livery stable and get a carriage. The carriage was got to go to Fleming's opening on West Van Buren street, and Fleming was a cousin of William Coughlin. The carriage comes to William Coughlin's saloon, but Coughlin, the very person interested in going to the opening, is the very person, according to his testimony, who did not go. The Swede remembers every street he drove through, every place he stopped, and every cobblestone he drove over, and yet they tell you that although it's a large establishment their men did not wear a uniform or livery until after the 10th of May. The man says he had a tall hat, a cut-away coat, his pantaloons did not come up under his vest, and yet he was seen driving through the streets at 12 o'clock at night."

"O'Sullivan watered his garden on that day, too," dryly remarked the State's Attorney.

"Yes, and if it had been your witness he would have told you what flower it was he watered, what its color was and just how long it had been growing, in every detail," said Mr. Forrest.

The counsel then went on to give some of his college experience where a professor told him the great argument of the truth of the gospels of Matthew, Mark, Luke and John was that each one of them differed in the circumstantial details of each transaction but all agreed in the essentials of every transaction. "That is the argument which can not be answered, whereas if they had agreed in all the details, the argument would be conspiracy, collusion and fraud."

RIDICULING THE PROSECUTING WITNESSES.

Counsel then criticised the testimony given by Carberry, whom he designated as the impecunious and modest man, and who fixes the night of May 4th by his giving a large order to his grocery, and then considered what he was pleased to call the remarkable story given by Dinan and his wife and Moreland regarding the horse and the buggy which it was alleged the Doctor was driven away in. He remarked that the horse left the stable at 7:30, not at 7:20, as had been testified to, and then proceeded to review Mrs. Conklin's identification of the horse and buggy. He ridiculed the testimony of the witnesses who were able to say that there was a dim light in one room of Mrs. Conklin's house and a bright light in the other, and argued that because they all agreed on that point, therefore there was something suspicious about that testimony. "She says she observed more about that horse, with a mosquito screen behind her and an electric light in front of her, than the owner of the horse, who has had it for seven years. Why, if you sent a veterinary surgeon to look at that horse, he could not, after looking over the horse, give you a more exact description of its peculiarities than Mrs. Conklin learned through that screen.

"Now comes the knife transaction. Mr. Flynn appears. Mr. Flynn is a remarkable policeman. See if he did not do a more remarkable thing than Dan Coughlin did. He is ordered to arrest Coughlin, and he takes from his pocket a revolver and two knives—two knives not worth 10 cents, both of them. He

takes the two knives to his desk at the Central Station and locks them up, and then it occurs to him that they will not be safe there and he puts them in the Fidelity deposit vault, when right beneath him on the floor below is the custodian of property taken from prisoners with a vault having a combination lock. Did you ever hear of a policeman taking a revolver and two old knives worth 10 cents to the Fidelity Bank because he was responsible for the property? He never says a word about it until last Monday, and he shows them to Conklin. And, *mirabile dictu!*—he says he carried those knives for two years; one of them he found on the street: he put one on the mantel, and the Doctor carried one of them in his vest and one in his pants. He just knew exactly where the Doctor carried these knives. If you have two knives you do not trouble yourselves about where you carry them; but Conklin knew that the Doctor had one knife in his vest and the other in his pants. Don't you see what remarkable feats they perform?

"Now, Neiman is a saloon-keeper, and a party happens to go to his place. His attention is called to it three months afterward, and he can remember that three people came in to get a glass of wine, and he can tell you that one of the men wore a Prince Albert coat. It never occurred to anybody that Dan Coughlin and Kunze were in that saloon until a week before Neiman testified, and then Dan Coughlin was pointed out to him by a detective. Don't you notice the urgency there was how to get him to express an opinion? Now, if witnesses were urged here, what do you suppose was urged upon them outside? Next comes the man Mertes. Owls can see by night, and he says he saw these men enter the cottage and then tells you all about it. Mrs. Hoertel has a remarkable memory. She is in the habit of going out to find her husband who is drunk, and knew certain saloons that he frequented. It was no unusual thing for her to find her husband, but on this night she knows just what streets she went along and just where she turned the corners. She is searching for her husband, and she goes to a saloon, does not see him there, but she looks at the clock and sees that it was exactly eight o'clock, and she will never forget the circumstance that it was exactly eight o'clock. She has got to remember that it was eight o'clock or she will run afoul of Mertes, and they both remember the same thing. She says she saw him enter the cottage; she hears the blows and hears the cries of 'God!' and 'Jesus!' and hears the dying moan. And yet she never says a word to any body. She is locked out and sits on the steps all night, and she goes to her husband's partner, with whom she is apparently on good terms, and does not tell her story."

EXPERTS ON THE CAUSE OF DEATH.

"Now, we go to their experts on the cause of death. How can they tell the cause of death? I have heard of men giving extraordinary opinions, but their experts can tell you what killed the man, and still they can not find any evidence of it. If the public prosecutor had put in his indictment 'cause of death unknown,' it would not have been necessary for them to say he died from some kind of violence, but the jury is prejudiced against these men because they said the death is due to that particular thing."

Mr. Forrest went on to review the testimony of the experts as to the hair and blood, and ridiculed the testimony of Professor Tolman in regard to his microscopical examinations of what he called lanugo. He said, "don't you see the Clan-na-Gaels at work? Let the two wings of the Clan-na-Gaels alone and they will make a laughing stock of American juries. You and I have got to stand between them. Everything that they introduced respecting the hair was introduced for the purpose of misleading you. The testimony of Tolman was introduced to show by the diameters of hairs that were alike that they were Dr. Cronin's hair, so that you should not be misled. 'A little learning is a dangerous thing.' A great scientist can take an Irish setter and get two locks of hair from him and examine them; the hairs are of the same diameter; can he swear that they came from the same dog or no? The hairs of dogs are alike, and human hair is as much alike as the hair of horses or of sheep is alike. Only think of taking a bit of wool from one sheep and comparing it with the wool of another sheep to see if they came from the same sheep! We are like the animals in structure: our bones are alike, our hearts are alike, our viscera are alike; there is no material difference, and it is just as impossible to tell whether two locks came from the same human head as it is to tell whether wisps of hair came from the same horse's tail."

CAUSE OF DR. CRONIN'S DEATH.

At the opening of the afternoon session, Mr. Forrest began the discussion of the cause of death. "It is said by the learned gentlemen who represent the

people, that our defense on that question is technical, but I deny it, and I will satisfy you that I am right and that it is a substantial defense. They will tell you it shows the weakness of our case. Gentlemen, I am engaged in defending the lives of these men, and I will avail myself of any technicalities and of any and every question in order to perform my duty. I will show you that it is not technical, and for this reason. They can try us again, they can indict us for causing death by hanging, by suffocation, by apoplexy, and also by causes unknown, and you are asked to convict under this indictment to repair the blunder of the State's Attorney. This is a very simple proposition of law. If I charge you with stealing my money I must prove you stole my money, and it will not do to show that you stole my potatoes; but if you are again indicted for stealing my potatoes you can only plead you didn't steal my money. Suppose the body was burned after a man was poisoned, would you be able to prove that he was poisoned? No, but you would have to charge in your indictment that he died from causes unknown. It will not do to simply prove that this man, Dr. Cronin, died from violence; that is not the question. The indictment charges death from wounds on the head, face and body. There is no evidence of any wound on the body, so that is excluded, and you are reduced to the supposition of wounds on the head and face. It is not a technical defense, as I say, because an acquittal on this indictment does not prevent their being tried a half a dozen times under different issues. I will now refer to the testimony of Dr. Egbert. In his examination, which I will read to you, he describes the wounds on the head, but distinctly and emphatically says that he can not say whether the arteries were cut. The counsel for the State very adroitly put their questions as to whether the arteries were involved, and he said they were. He meant that the arteries were in that region. However, Dr. Egbert testifies that the man did not die from hemorrhage. Dr. Perkins next comes on the stand, and tells you that the man died of concussion or contusion of the brain. There was no evidence of it, because the brain was too decomposed, but he knows and is perfectly satisfied that that was the cause of death. Dr. Egbert could not, by any possibility, assign the cause of death, owing to the decomposition which had taken place, nor could he tell whether those wounds were made before or after death. Dr. Perkins says the same thing, and Dr. Moyer says the same. If they do not know, how do you know? Some of you told me your minds were made up, but by the living God you must try us according to the law. The burden of proof is on them and they must prove the cause of death, and how do you know it? Will you guess at it? Do you propose to guess my clients guilty and then hang them?"

TESTIMONY OF THE EXPERTS.

Mr. Forrest read from the testimony of medical men at some length to show that they could not assign the cause of death, and asserted that the State had compelled its witnesses to stretch their consciences and to testify to what were not the facts, because of the State's Attorney's blunder in not putting into the indictment "cause of death unknown."

"Are you reading that testimony of Dr. Perkins correctly?" inquired Mr. Hynes. "You are putting as an answer and reading to the jury as an answer of the Doctor's what in reality was a question of your own."

"Well, possibly I did," responded Mr. Forrest, who went on reading testimony. His misquotation of the testimony in that case, however, induced the State's Counsel to keep a very sharp eye on the evidence he quoted. Mr. Forrest criticised at some length the testimony given by Dr. Perkins, and argued that if it would not be possible to tell whether the victim died from concussion or contusion of the brain without a microscopical examination, it was a remarkable thing that no such examination had been made. It was evident from the testimony that some one was straining his conscience as far as he dared, and it was also in proof that it would have been impossible to have told even by a microscopical examination of the brain whether death resulted from concussion or contusion. However, if it could, they did not do it. Yet the attorneys for the State will ask you to say that this matter is satisfactorily proved; that you know what the cause of death was, no matter whether you do or not, and, notwithstanding all the doctors say, it was impossible to say what was the cause of death. The State says to you, 'We want these men convicted,' but I say to you, 'Do your duty.' The State says to you, 'Violate your oaths and convict them now,' and that doctrine is preached by the public prosecutor in a community where, above all things, the people should be taught respect for the administration of the law. Counsel then passed to an examination of the testimony given by Dr. Moore. He argued that even Dr. Moore could not assign any cause of death, and then made a frantic appeal to the jury, inquiring, 'Are you prejudiced against these men?' If the jury wants an excuse, those doctors say, we will throw you one. They seem to say we know what you

think; we know what you want to do and what you are ready to do, and all that is needed is for us to throw out a suspicion.

DR. MOORE'S TESTIMONY RECALLED.

"Dr. Moore said Dr. Cronin did not die from blood letting, because he died before he could have bled to death," remarked Mr. Hynes. "It is just as well that you should quote that to the jury."

"That doesn't matter," roared Mr. Forrest. "Moore says that he might have died and possibly would have died from concussion or contusion of the brain, but he does not dare say that he did die from it. He throws no more light on the cause of death than did the others. His evidence was the most extraordinary, and the conclusion he arrived at as to why there was contusion of the brain was also most extraordinary, and although it must be a very tiresome proceeding to you, gentlemen, I am compelled to comment upon it and go into it at some length."

Counsel then read copious extracts from the testimony of Dr. Moore, remarking that that doctor reminded him of a celebrated man named Bogardus, who had written a book upon the theory that all disease could be cured by blood-letting and hot water. "He practiced his theory, but by and by his patients began to die, and wherever he went the undertaker followed. His friends complained to him and said: 'You had better give up your theory.' 'Can't give it up,' said the doctor. 'Don't care how many die; I have written a book and have a theory, and must sustain it.' So with the indictment of the State's Attorney. 'I have written an indictment; it is my theory and has got to be sustained, right or wrong, in spite of the law and evidence, and you give me a jury which is excited and I will get some one to swear to something, and that will be enough. My theory must be sustained.' Are you gentleman ready to violate your oaths by sustaining it?"

NO PROOF OF THE CAUSE OF DEATH.

"We have in evidence that the brain was disintegrated. 'I do not find,' said the doctor, 'any indication of brain disease, because the brain was too far disintegrated.' He did find concussion and contusion of the brain, yet there was no evidence of that. If the brain was so far disintegrated that they could not tell one thing, how could they tell the other? Of course he could not tell whether he died of brain disease, yet he could, although there was no evidence, swear that the man died of concussion of the brain. I asked him whether he could discover brain diseases by the naked eye, and he said no, that it would require microscopical examination, and yet he did not make the examination required. Dr. Andrews says you can not possibly tell the cause of death from that post-mortem examination, and that is the position that all the other doctors occupy in the case. I say to you, therefore, that the indictment should have read for causing his death in an unknown way, and then men would not have had to strain their consciences and could have answered the question intelligently. Are we not to have conscience in this matter at all? The law should be executed in this country as it is in England. There is no place in the world where there is so much respect for law as there is there, and there is no place in the world where they so uniformly execute the strict letter of the law, no matter what the consequence may be. The witnesses therefore have disposed of both the internal and external evidences, and the doctors have told you they can not possibly tell you what the cause of death was. Now, if the doctors say they can not, can you? But, says the State's Attorney, you have got to sustain my theory. Now, I ask you gentlemen, as twelve law-abiding men, twelve men who look me straight in the face—you twelve men told me you would try my client according to the law and the evidence—if the Court tells you the cause of death must be proved beyond reasonable doubt, I ask you how on your consciences you can find these prisoners guilty, and even without the testimony of Drs. Andrews and Moyer? The God's truth is that no man can tell the cause of death. No man can tell how he was killed, whether the wounds caused death or whether he died from contusion or concussion of the brain. There is nothing in the evidence about blood letting, and there is nothing about concussion or contusion of the brain, and I ask you to keep to your contracts with the law and with your God, and to follow it, no matter where it leads you. You and I would risk our lives for the defense of Illinois if she were in peril. We are not cowards; we fear neither the hooting of crowds nor bullets while we are doing our duty. You care nothing for the mob, nor do I, and Illinois now says to you, do your duty on your conscience. I demand it of you and you can not give me less. Now, everything that was put in the notes was put in the hypothetical question which we submitted to our medical men,

and Drs. Moyer, Andrews and Curtis tell you distinctly that it is impossible, from the description of the wounds and the notes taken at the post-mortem, to tell what the man died of. They corroborate the other witnesses that the cause of death was uncertain. How much evidence do you want? There is not only a reasonable doubt, but we have proved beyond possibility of doubt that you can not tell the cause of death. Now, gentlemen, your duties are important, and you will be required to carry them out.

"You will remember that early in the case the State's Attorney said dates are important, and they are of vital importance. Dr. Moore closed the evidence as to the cause of death on October 26th, and he and the other physicians all swear that you can not tell whether the wounds were ante or post mortem. Now what do they do? Instead of going to Dr. Fenger or other prominent medical men and asking their opinion, what do they do? They know that if they ask the opinion of eminent medical men they might be told that the boys had made a mistake, and, therefore, they say we represent the people of the State of Illinois; we represent the right wing of the Clan-na-Gael and we will show you a trick. You remember that on October 31st they discovered this witness, Mrs. Hoertel, who testified that the wounds were committed before death. They could not get any one to swear that the doctors were right, but they had got their theory that it took place in the Carlson cottage; they have got their men from Millbank prison, they have the Clan-na-Gael back of them and they say 'We will show you something.' Now, you see why we proved that we did not get that name of Mrs. Hoertel before the 31st of October. Mr. Clan-na-Gael, you may be cunning, but you are tracked into your den at last. I told you to look out for the Clan-na-Gael. Don't you see how important it was? I can not tell you whether those wounds were inflicted before or after death; the doctors can not tell you. The State well knows that it can not get any such evidence from any doctors, and therefore they say we will show you that he was murdered. On October 26th they sent out their German spies, or I will apologize for that and say detectives. Schuettler goes out, and Hoefig goes out, and a lot of others, and they look into the highways, byways and hedges of the city, and finally they find a woman who can swear that she saw the Doctor enter the cottage, heard the blows inflicted, heard him cry, 'Oh, God,' 'Oh, Jesus,' and then heard the dying moans. I believe you can talk about this murder being awful, you can say that we did not denounce the Doctor's murder, but that has been done sufficiently all over the world, and the whole world has fixed the responsibility for it on the head of my client, but I will tell you right here in your court-house, in the name of the law and justice, they would commit a legal murder to sustain a theory and a blunder. The whole thing was made necessary by the original blunder. Dates are of importance.

"Now, gentlemen, that is all I have got to say about the cause of death. Did I not tell you that those witnesses were remarkable witnesses? They turned up just at a good time, and the State's Attorney calls it providence. It seems to me that some men can appeal to God by day and rely upon the devil by night as easily and as unceremoniously as Mansfield can act the double part in 'Dr. Jekyll and Mr. Hyde.'"

"Let us talk common sense. You and I are citizens of Illinois. We are responsible for the good name and honor of Illinois or her shame. We know our families are here, and we are ready to stand up for her and give our lives for her if necessary. We intend to uphold the law, but you can not uphold the law by any such testimony as has been introduced in this case. You laugh at my catch-basin, some of you; I did not know what they wished these catch-basins might be, and you don't know. They never examined into that, and yet it is highly probable that from the condition that body was in, from its position, with the head being down and the feet up, and from the evidence of the men who told you that when they attempted to pull the body up it slipped back, it is physically possible that those very wounds on the scalp might have been made while pulling the body out. If there had been a tin oyster can or anything like that at the bottom of the catch-basin when the body slipped back, it would have made just such wounds, and in that case, or even if they were made by the bricks and hard mortar, the skull would not have been scratched, and the skull was not scratched."

Mr. Forrest then undertook to trace the course of the wagon from the cottage to where the trunk was found, and said the men must have gone over ten miles instead of going about two and a half miles, in order that the wagon must be brought to the Carlson cottage. Unless that could have been established in some way, one link in the chain of evidence would be gone. The State said they wanted to get on paved streets, yet as a matter of fact they went on unpaved streets. After spending some considerable time in going over the route alleged to have been taken by the wagon with the trunk, Mr. Forrest had the trunk brought in and proceeded to point out to the jury the defects in regard to the State's evidence in regard to that trunk. He alleged that all the blood stains

could be made with a half a pint of blood judiciously distributed; that the marks on the lock showed that it had been pried off from the outside, and urged upon the jury that it would have been impossible for the three men to have kicked open the trunk from the rear in order to dump the body into the catch-basin without bending the hasp in front. The key, he insisted, was found by a trunk-maker, and that the whole thing was a fabrication by men who had been employed to get up a plausible story.

THINKS THE EVIDENCE WAS MANUFACTURED.

"And bear in mind, gentleman, that the men who had control of the lock, the Lake View men, were in the house—were in the Carlson cottage before Lorch. Schuettler enters the house, examines it and leaves it; Wing enters there, 'examines' it and leaves it, and then they send Lorch there, and they tell him to look about the cottage. Gentlemen, mark you, they tell him to look, and there right in the middle of the cottage, under some kind of furniture, they find a key. Now he tries to correct himself; he sees it is a most important matter; he tries to correct himself as to dates. Now then, gentlemen, there was a pot of paint in the house, and the paint is daubed on two or three inches thick. There is the paint; a whole pot of it right in the house. The pot of paint in the house of course accounts for the daubing on the floor; that is why it was put there.

"Then we have the trunk question; the key must be lost in order to account for the breaking open of the trunk. But, gentlemen, that trunk might easily have been broken open by simply throwing it down on the sidewalk, without any force at all, and it would have broken open of itself without being kicked open at all. But, gentlemen, for finding the key which fits the lock on the trunk, that, gentlemen, may account for the fact that the top of the trunk was broken off. Mr. Foster alluded to the confused way in which Officer Lorch fixes his dates as to the finding of the key, and to the fact that while Lorch could tell what he was doing on half a dozen days on both sides of May 25th, he could not tell what he was doing on May 25th. Now, as regards the paint upon this key. Just take a look at it, examine both sides of it, and you will see from the even edges of the paint that it was held by one end and the other dipped in. This side is rubbed off a little, you see, but it is evident it was dipped in. Dipped in, gentlemen. Well, did the police do it? I don't know, you don't know. But there is one circumstance that can not fail to strike you forcibly, namely, that the lid was evidently broken off from behind while the hasp and lock remain intact. This is evidence which in itself contradicts the theory of the State that the top of the trunk was torn off in order to get the body out of it. Gentlemen, this is an attempt to counterfeit the truth, but it is hard to counterfeit truth. God Almighty has so made it that it is hard to counterfeit it. You can not sink the truth. You can not cover it up. It is like a buoy in the water. It may be sunk under the surf ace for a short time, but when you come to stir the water by cross-examination, it will surely come to the surface again. It is hard to counterfeit the truth."

[Pg 547]

PERHAPS THE POLICE KILLED CRONIN.

"If Dr. Cronin was killed in there, in that cottage, and his body placed in the trunk, and if his murderers afterward painted that floor, they must have found that key there. They must have known that the key was lost; they must have been desirous of finding it, and if they had painted that floor, and the key was lying there, they must have found it. They would have looked pretty carefully for it and yet, lo and behold! there, right in the middle of the floor, it is found by Officer Lorch. But remember Schuettler had been there, Wing had been there, the whole Carlson family had been there, from the 21st to the 24th of May, three whole days before Lorch found it. Do you think that the Carlson family went around there and never touched any thing? I don't know; I hardly think you do. Now, right in the middle of the floor, under a washstand or some other piece of furniture, the key was found, and of all the men in the world to find it who should it be but an officer who had been a trunkmaker who found it. Lorch, whose business is trunkmaking, was the man who found it. He had worked in a trunk factory, and when he found the key, as he says, he worked for some time in order to get it to fit. Of course a carpenter might have found it, a molder might have found it, a stone mason might have found it; but of all the suspicious circumstances in the world, the most suspicious in connection with the finding of this key was the fact that it was found by a trunkmaker."

DID NOT TRACE THE WAGON.

Mr. Forrest alluded to the fact that nobody from the State had attempted to

trace the wagon from the cottage, and insinuated that the reason that they had left this phase of the case alone was because the route of the wagon described by the witnesses for the State did not correspond with any rational idea of what the route would be of persons driving from the cottage to the place where the body was finally disposed of. Mr. Forrest alluded to the testimony of the expressman Mortensen, and referred sneeringly to his remarkable memory by which he was enabled to remember every article of furniture he hauled to the Carlson cottage from the Clark street flat, although there was nothing in the particular incident to distinguish it from others of its kind. Mortensen had been in the custody of the police, ever since the coroner's inquest, until he took the witness stand. He did not identify the trunk as the one he hauled, but said it was one just like it. He pretended to identify the other articles of furniture. It was plain he was drilled on this point, and, great God! if they drilled the witnesses on minor points, how did they know but they drilled them on more important things! He drew attention to the fact that neither of the Carlsons had said a word about seeing a trunk in the Carlson cottage at the coroner's inquest, but this was before the Clan-na-Gael had taken charge of this case, for when the trial came on, old Carlson was ready to swear that he had gone out expressly one night in April or March to see the trunk, and he peeped in through the window for that purpose, and then he sees the trunk and nothing else. This testimony came just before the mimic from Millbank prison came upon the stand and gave an exhibition of his powers of mimicry in a case in which a man was on trial for his life. "Well, did the judge in the English court say you were a dangerous man?" Mr. Clancy was asked, and he says, "Oh, yes, but it was only because I was a Fenian. That's all; and they tried to arrest me for being a Fenian, and I drew out my revolver and I deliberately tried to murder them (two policemen)." "That's nothing, gentlemen of the jury; this makes him a hero; this is one of the patriots who have been betrayed and sent behind British prison bars; this man who tried to murder two English policemen in the execution of their duty is one of the patriots of Irish patriots. So says your public prosecutor. Well, but the judge said he was a dangerous man, and he served out his fourteen years in Millbank prison. And now he comes here, having become a great mimic, a wonderful actor, and coolly and deliberately tries to mimic the life of poor Pat O'Sullivan away."

[Pg 548]

At this point, on the suggestion of Mr. Forrest, a recess was taken.

Before the jury retired, Juror Culver expressed a desire to take the map of Lake View introduced in evidence along with him. Mr. Forrest said he could have it, but Bailiff Santa interfered and said it could not be done without the sanction of the Court. Mr. Forrest turned to the judge and said as neither the State nor the defense had any objection to the jury having the map he thought it might be allowed. Judge McConnell said the jury could have the map but not at this particular time.

Mr. Forrest resumed his argument on the following day, Tuesday, speaking for five hours. He dwelt at length on the dry subject of blood corpuscles, and insisted that Drs. Belfield, Tolman and Haines had been mistaken in their testimony. The failure of the State to put in evidence the letter sent to the Carlsons from Hammond, Ind., informing them that the cottage was no longer needed by the murderous tenants, was due, so counsel argued, to the fact that it was afraid the defense would prove it was not in Martin Burke's handwriting. He argued at length, with the apparent purpose of convincing the jury, that it was a huge conspiracy planned to strangle his clients; that the witnesses for the State were hired perjurers, and that the lawyers were the tools of a body of men who were seeking to control an organization for political purposes, and concluded his third day's talk by telling with dramatic effect a story about the fate of a pleasure-seeker who innocently, in exploring the base of a huge cliff in Scotland, ran upon the cave of a band of smugglers. The man peered into the cave. The smugglers detected him, and believing he was a spy captured him and sentenced him to death. They tumbled him over the brow of the cliff, and his body was dashed to pieces on the jagged rocks below. A rope was used in the execution, and on this fact the lawyer laid especial stress, but just as he was rounding up his brightest and most luminous period, Judge Longenecker brought him to a dead halt by asking, in a matter-of-fact tone, what the authorities did to the man who cut the rope.

The appeal for the prisoners was closed on the following day (Wednesday, Dec. 11th,) when Mr. Forrest again spoke for five hours. He went over, in detail, the evidence relating to Dinan's horse, ridiculing the testimony of Mrs. Conklin and dwelling on the conversation between Coughlin and Dinan, to show that the former had given the correct version of it, and that therefore there was a presumption in favor of his innocence. There was no evidence that Coughlin had any motive for desiring Cronin's death, and the main testimony against him was that of thieves and keepers of disreputable resorts; nor was

there any proof that Burke was connected with the crime. Concluding the most lengthy speech of the trial, Mr. Forrest said:

FORREST'S PERORATION.

"Now, Gentlemen of the Jury," continued Mr. Forrest, "I want you to find Daniel Coughlin and Martin Burke not guilty. Why? Because there is not established in this case a conspiracy in which it is alleged these men participated. In other words, to save my strength and not to exhaust your patience, there is nothing proved in this case beyond reasonable doubt that will connect them or either of them with the killing of Dr. Cronin. It is not necessary for me to repeat that. Now, then, I ask you to acquit them and when I ask you to acquit them, I ask you simply to do your duty—nothing more. Nothing has been left undone against them that could have been done. The State has had several able lawyers, and they have insulted every witness called for the defense. Every man called for the defense has been called a murderer or a sympathizer with murder. Everything has been done to insult and break down witnesses for the defense. Everything that intimidation in the court-room and out of it could do has been done in behalf of the State; everything that insinuation could do, has been done on the part of the State. The Court has given them the widest range of cross-examination, so there can't be any fault found in that respect. All the evidence which they offered was admitted by the court. We have the State's Attorney's forces, and the entire police force of Chicago. They have talked about the police force betraying them. I saw no evidence of it. Everything that one wing of the Clan-na-Gael could do has been done. In addition to the State's Attorney, they have had other distinguished orators—two of the greatest criminal lawyers of modern times, Luther Laflin Mills and George Ingham, whose business, like mine, is the pleading of criminal law; Mr. Hynes, a great lawyer, a great cross-examiner, one of the most brilliant orators of the Chicago bar, a man whom one of the largest corporations in Chicago relies upon to wring verdicts from juries in most desperate cases. He, too, has done all that he could on behalf of the State. Everything that could be done has been done to prove this charge, so that, gentlemen of the jury, you can say to your neighbors, you can say to your social worlds, you can say to your own consciences that no fault is to be found with the State; everything has been done that could be done, but there was a reasonable doubt as to the guilt of those men, and I found them not guilty for that reason. Remember, the State's Attorney has solemnly told you that the world has confidence in you, that he has confidence in you, that the Judge has confidence in you, and that whatever verdict you render will satisfy him, will satisfy the community, will satisfy the world, because the community has implicit and unlimited confidence in your honor and intelligence. This, gentlemen, I say on behalf of Martin Burke and Daniel Coughlin, in confiding their cases to your hands. No peroration have I, but simply one word will I give. The word I give is 'duty'—duty to Illinois, duty to your God, duty to yourselves. 'To thine own self be true, and it must follow as the day the night thou canst not then be false to any man.'"

[Pg 549]

LONGENECKER'S CLOSING.

"If the Court please and Gentlemen of the Jury, I regret to announce that Mr. Mills is sick and not able to close this case. While I know you, gentlemen of the jury, are disappointed, while I am profoundly disappointed, yet no one is more disappointed than Mr. Mills himself. No one regrets it any more than the gentleman who was to address you himself. I left him yesterday evening at 7 o'clock, and it was determined there and then by his physician that it would not be safe for him to attempt to close this case.

"When I was struggling along here in the city of Chicago years ago, trying to earn an honest living in my profession, Mr. Mills called me into his office and said: 'Longenecker, I would like to have you as one of my assistants in the State's Attorney's office.' I said: 'Very well, I will be very glad to come into your office.' And when this case arose, and I felt the great responsibility that rested upon me as State's Attorney, I thought I would be doing the people a good service in requesting Mr. Mills to close the argument in this case. And at my earnest solicitation he agreed to do so. But it has been willed otherwise, and he is not here to address you.

"Now, I promise you, gentlemen, that I shall not talk to you long. I make that promise to you now. I know how tired you are, having been locked up so long away from your families, and it would be unreasonable, even if I could, to attempt to make a long speech in reference to this case. And if I do not cover

all the points made in the case, if I do not go into details, I think you will all give me indulgence, for I do not want to impose upon your good nature and upon you as jurors any longer.

"We are not in this case for the first time after the opening with the theory of the defense. In most all murder cases, in most all important trials, when the State, or the people represented by the State's Attorney, gives an outline of the prosecution's side, the defendants' attorney arises and gives to the jury their defense. If not at the opening, then after the evidence is closed for the prosecution; then they arise and tell us how they are going to meet this evidence. That was not done. So that it remained until the last. When counsel for the defendants arose to address you in a three days' argument, for the first time, you, as jurymen, and we, as representatives of the people, were notified of the theory of the defense; that is, that there was a great conspiracy on the part of the people; that there was a conspiracy to hang innocent men; a conspiracy to murder under the guise of the law, and the gentleman was so earnest in that statement that he carried it all through his argument to the jury. He argued that proposition with the same force that he did anything else that he talked about in the case. Now gentlemen, if that is your notion of this case, if you believe there is a conspiracy to murder Martin Burke, and those other men on trial, then you ought to acquit, and you ought to recommend to His Honor that the counsel representing the people of this great State should be indicted and tried for murder. If I, as a representative of the people, am guilty of coaching evidence against Martin Burke and those other men on trial, I ought not to have a trial, but ought to be taken by the citizens of your State and hanged without court or jury. Do you believe, gentlemen, that there is a conspiracy here to convict innocent men? Do you believe that these men sitting by my side have crowded me out of my office and concocted a conspiracy against innocent men, and called in a jury of twelve men to assist them? You do not believe that they are guilty of it. If they were guilty of it, do you suppose that they could do it without my knowing it? If they did it without my knowing it or finding it out, then I am unworthy of the position, and should be prosecuted for criminal negligence and convicted. Why, the gentleman tells you that it is done by the other branch of the Clan-na-Gaels, and they are backing the prosecution; that as soon as it gets out of the hands of the Coroner they bring up witness after witness to swear falsehoods before you, and he states it in that way.

[Pg 550]



[Pg 551]

LUTHER LAFLIN MILLS, ONE OF COUNSEL FOR PROSECUTION.

"Every Clan-na-Gael witness that we have called to the stand belonged to the triangle, part of the Clan-na-Gael organization, Camp 96, from which Dr. Cronin left (I put it in that way). The learned counsel for an hour talked about his organizing an opposition camp, calling it 96, the same as old 96; Columbus Club instead of Columbia Club. The whole of that camp stood by the triangle; the very men who came here to testify from the camp were in sympathy with the triangle and believed that they were right until within the last year or so. We go right into their own camp, among their own friends, and we get the

truth from men who believed that Dr. Cronin was not right in making the charges against the triangle, and yet it was fully believed that it was the other faction. It is true that P. McGarry did belong to an opposing camp, but Thomas O'Connor, John F. O'Connor, Henry Owen O'Connor, John Collins—the whole of them, were members of Camp 20, that we produced here as witnesses. Are they in a conspiracy with the other associates, the members of the same camp as John F. Beggs, Daniel Coughlin and Martin Burke? Why, they come as brothers from the same camp so that won't do to charge it in that way. Now, gentlemen, the only reason of that is to show you how far men will go in trying to mislead a jury.

"Do you believe that I could have it in my heart to put a witness on the stand that I did not believe, to swear the life away of these men. If you do, recommend to His Honor that I be prosecuted for the crime. Gentlemen, I would rather have my arms torn from my body than to be guilty of such a crime as that."

Mr. Forrest—"We believe that."

Judge Longenecker—"Yes, you must believe it. And yet one of your lawyers wants you to believe that I was so ignorant, that I was so unworthy of my position, that I was so incompetent as to sit here like a mummy and let these men conspire to have a jury hang innocent men.

"Gentlemen, you don't believe that. You don't believe that that great big-hearted Irishman sitting there (Mr. Hynes), whose heart has always gone out for poor humanity, would be guilty of it. Mr. Foster says that he has known Mr. Ingham, and he knows him to be a truthful man, a man that is worthy of belief, and for that reason he says Ingham said nothing against Beggs, because he was such a straight, truthful man. In that regard that gentleman, that legal light of the bar, charged me with dishonesty, charged that big-hearted Irishman with dishonesty.

"Gentlemen, I may be a little disconnected in my argument before you and if I am, you will pardon me. But I wish to notice Foster's argument for his client. If there is nothing against John F. Beggs, I can not see why he said so much. It was understood, I may say, that Mr. Ingham was not to talk about Camp 20 at all. That is the truth of the matter. He was not to discuss that proposition. I had gone over it, as you recollect, I thought I had tired you out by talking of Camp 20. Mr. Hynes was to take up that, and he did, and went over the same ground as I had, and I still have to repeat myself because of this assumed sincerity on the part of Mr. Foster.

[Pg 552]

"Why this learned counsel should talk a day and a half if there is nothing against his client, I do not know. Do you wonder at it? Why is it that a man, whose services are so valuable, who never had anything but an important case, should talk a day and a half in a case where there is no evidence against his client, and out of the day and a half never talk about his client's case, except for about fifteen minutes, is more than I can understand. Was it because he was trimmed for a speech? Was it because he had to read the Irish history that he had copied into his manuscript? Was it because Foster had to advertise at the expense of his client? or was it because he thought there was something against his client? You know how he spread like the waters of the Platte river; you can look at it and you can say what a mighty river. It is all spread out. It is true it is all spread out, but there is no depth to it.

"We do not take issue with him on the smoke-stacks of Ireland. We do take issue with him in reference to Mr. Hynes, and we have given you our statement in regard to that. We do take issue with him in regard to everything except in regard to the ability on our side. I admit that we have ability here on this side helping me. Why should not the people of the State of Illinois have ability as well as the defendants? He said I had five assistants, and yet these three lawyers had to be called in to help me in this case. Has that anything to do with the case at issue? Since you began this trial three Grand Juries have been impaneled and discharged. Two other courts have been constantly in session. Over 300 cases have been disposed of—I am making a guess of that, averaging it for the actual three months. Three hundred cases have been disposed of; and three Grand Juries have been impaneled and discharged since this case began. Habeas corpuses have been heard; men have been sent to the penitentiary and others to the bridewell and some to the jail. And yet he would have you understand that I had five assistants doing nothing. Now, that is not fair, is it? That is not doing his client any good; that is not in the case. Suppose it was so, what has that got to do with the guilt or innocence of Beggs? No matter whether I had five, six, or a dozen assistants, the question is, What are the facts? Lawyers or no lawyers, that is what you have to deal with.

"Mr. Foster argued for an hour about how the Presbyterians had got away with Swing, and how the Methodists had disposed of Dr. Thomas, and how the

Episcopals had disposed of Dr. Cheney. Didn't he talk a long time about that? What for? Why did he devote his time to talking about that? But suppose that the hot-headed Presbyterians had said, we do not believe that this man ought to be permitted to live? Suppose that they had ordered a committee of investigation, a secret committee to investigate Dr. Swing? Suppose that they had entered into that arrangement, not intending to murder him, but suppose they did, and suppose you can find no other people on earth that had a feeling against Dr. Swing but these men who said he was unworthy to live, and that men said he ought to be killed, and these men had themselves invited him out? Why, the Presbyterians would hang for killing him, for carrying out that conspiracy. Sometimes these conspiracies are brought about by things that ought not to affect the mind of any man. Now, our theory has been in this case that there was a conspiracy, whether it originated at the time of the appointment of the committee, or after its appointment, our theory is that there was a conspiracy to murder Dr. Cronin because they believed he was a spy, and that the men who followed that up had another object in having him murdered, namely, to prevent him from going before the honest Irishmen and showing them how they had been robbed of their funds. That has been our theory. The proof justifies us in making this statement. Did you ever think since this trial—have you heard of anybody having any feeling against Dr. Cronin? You have heard of his belonging to this organization and that. You have heard of his singing in public; you have heard of his being here and there, a man liked. Has there been any evidence of any other person on earth that would be likely to kill Dr. Cronin? None at all. Where do you go, where do you get the starting point in this great conspiracy? Where do you find it? You find it in Camp 20, in Turner Hall? Now, we do not charge that the entire camp was in it. We do not charge that the membership knew of the conspiracy, but we do charge that it started there among these parties.

[Pg 553]

"Foster treats the Beggs-Spellman correspondence as if Beggs was publishing to the world that he was going to commit murder. Not so. Our theory is, and it is the correct one, that these letters were written for the purpose of covering up that which they expected this committee to do. That is our theory. That is why they were written. That is why Mr. Beggs said to me when he was brought face to face with the record that a committee had been appointed, but does he explain? You can see that it is a blind. You can see why he flushed these letters in the face of the people; because it was the work of the conspirators to begin in this line. Nothing had yet been prepared for the disposition of Cronin. Nothing had been arranged, but they must make a sort of an investigation in this way. Talk about reading between the lines? The Lord knows there is enough in the lines without reading between the lines.

"Recollect that the letter in which he says: 'I hope no trouble will result,' is one of the links. Let us get it just right, 'I hope no trouble will result.' On the 18th the flat is rented. And on the 20th they finish laying the carpet. Now jump on to the 22d, the next meeting of Camp 20, where these minutes are approved, and what do you find? On the 22d of February in the line of his letters, in the line that he hopes that no trouble will result, what does he do? Pat McGarry read his speech, in which he said that the man who gave Le Caron his credentials to go into the convention was a greater scoundrel than ever Le Caron could pretend to be."

Mr. Donahoe—"You will concede that every Irishman knew who it was that gave Le Caron his credentials?"

Mr. Longenecker—"I do not know whether they did or not. I presume they did. Beggs said that they had members who were coming in and violating the hospitality of that camp. That would have to be stopped. It was not right. He said that they came in there talking about Alexander Sullivan, and it was cowardly to talk of a man behind his back. Why did they not say so to his face? He said Alexander Sullivan had strong friends in that camp, and he slapped his breast and says, 'I am one of them.'

"Now, gentlemen, that alone does not amount to so much. Beggs' letters alone would not amount to so much. The speech alone—story I mean—the fact of what happened in Camp 20 alone; but when you take into consideration the manner in which he speaks of the letter to Spelman—the speeches he makes and the letter on the 22d, when you bring them all in together, then it does become strong. Now, gentlemen, I am not going to bother you about reading. I am anxious that you should not be misled in reference to Beggs. Because, if Foster is correct—and I know he is—then, if Beggs is guilty, he is awful guilty. A man who is educated, a man who has practiced law, a man who ought to be ready to see that the law is executed, a man who is educated in a profession of this character, is held accountable for his acts in a higher degree than is the man who does not know the law. And for less acts he is more responsible. If this man set the machinery in motion—and his counsel says he is not a dupe—

if he set this terrible conspiracy in motion, then he becomes the worst of the men on trial. And he is just the character who would do just the little which would have more effect than if he stood by in the shoes of Martin Burke or Dan Coughlin. He stands at the head of the conspiracy. He stood there helping to forge the first link in this great conspiracy; and I am anxious, gentlemen, that you do not be misled in reference to John F. Beggs. John F. Beggs made his record on this chain of evidence the same as Martin Burke made his record.

"Well, but Mr. Foster says that Beggs is acquainted with Harrison. He introduced this fact that this second constable introduced him to Bailey Dawson and Mr. Babcock, and that he only introduced him for the purpose of what? Of showing his associations. Is that the reason why he introduced this speech that Beggs had made to President Harrison? Does that show the associations of every man who has shaken the President's hand? Does it give him character? Does it throw open the record? Is it an open book of his character to go and shake the hand of President Harrison? If that is so, President Harrison had better stand and shake the hands of men who are all over this country, and give them characters. If that is opening up the book of a man, if that gives him a reputation and a standing when he is charged for cruel murder, why then Mr. Harrison ought to shake hands with a good many fellows in Chicago. That is not it. He didn't know what might come. Providence had been causing the sewer to give up the silent witness. Providence had been giving up the German woman that heard the last words of the dying man. He don't know what Providence might do before the case ended, so an alibi must be proven for Beggs, and when he finds out that he does not establish an alibi, then he wants you to understand that he was practicing a fraud on you, and simply introduced it for the purpose of showing his associations.

[Pg 554]

"Of course, take a circumstance alone, and it may be weak. But when it stands in relation to another circumstance in the line of the object, then it becomes strengthened. And Mr. Forrest will not find me disputing his propositions of law. Right here let me say that the Court will give you the law; but do not forget that you are to try this case on the facts under the law. He may give you fifty instructions that the law is so and so, and that if the facts are so and so, apply them under that law and that is so and so. He will tell you that if from all the circumstances in the case, you have no reasonable doubt as to the guilt, then you must convict; but, that if you have a reasonable doubt, then you must acquit. It is you after all who become the judges of the case. Do not forget the evidence in the case. The Court does not intend to instruct the evidence out of your mind in giving you a long chain of instructions which it is his duty under the law to give. He does not intend that you shall forget the evidence that is applicable under that law. For instance, he might give you an instruction, and it is possible he will, that before you can find the men guilty, you must believe beyond a reasonable doubt that Dr. Cronin, if killed, was killed in the manner and form as charged in the indictment, and that the cause of death was as charged in the indictment.

"Well, now, that means you are to decide whether he was killed as charged in the indictment, not as testified by any particular doctor on the stand. Why, this counsel undertakes to tell me what my duty is as State's Attorney. This man, who says there was a great conspiracy here; that Ingham and Hynes and Scanlan and the Clan-na-Gael got up a conspiracy here to murder innocent men, and I, W. S. Forrest, have discovered it. This man argues this point, that it was not the cause of death, with the same force and strength that he does any other point in the case, and yet he knows in his soul there is nothing in it. Why, he tells you that I made a blunder in that indictment. Why, gentlemen, if that indictment had charged that this man was killed and that the cause was unknown, with all these wounds on his head, with all this blood in the trunk and in the cottage, wouldn't you have a right to take that into consideration, the blood in the cottage and on the sidewalk and in the trunk, and the condition of him when he was found? If I had drawn such an indictment, he would have a reason to say that. I don't know what effect their argument has had upon you, whether you think you know more about drawing an indictment than I do, or Judge Baker, who has drawn them for years and years, and hence I am going to read to you just what the doctors say on that proposition.

"But recollect that that can be proven the same as any other circumstance. But before going into that, gentlemen, I like to talk when I come to a fact and not leave it for some other time. Mr. Culver, you buy a wad, you buy a pistol, and you buy a bullet. Now Culver may intend to have that pistol to shoot somebody. It was known that you were going to shoot him. Then you are just as guilty for buying the wad, and you the bullet, and you the powder, as he is for doing the shooting, fully so. Now, Martin Burke held the pistol, wad, bullet and all. He hired the cottage, he moved the furniture, he was present when it was ordered. But if he only did all that, just as I say, it must be a criminal

intention. Suppose you said you didn't buy that powder at all, had nothing to do with it. Well, we find out that when you bought the powder that you said you were going to give it to Culver, and Culver was going to shoot Longenecker for talking so long about this case. That would nail you. The same way as the other. Now, of course, just to say that these innocent acts alone of themselves are not criminal, but what may seem to be innocent may be guilty circumstances. That is the point I want to make on that. Same with Martensen. Here is evidence from Martensen, who moved the furniture. Why Martensen tells us, 'I was hired to haul this furniture; that is my business.' He went and hauled it, and said he was the man who hauled it there. Nothing out of the way for him to haul that furniture. That circumstance of itself is innocent, while under certain circumstances it might be guilty."

The State's Attorney then took up the cause-of-death phase of the case. He had not, he said, intended to say much about it, as the Judge, according to law, would tell the jurors that they must determine the cause. But the statement made by Attorney Forrest to the effect that if the jurors returned a verdict of acquittal on the present indictment, the State could try the prisoners again on an indictment stating that the cause of death was unknown, compelled him to refer to it. The statement made by Attorney Forrest was, the speaker cried, absolutely untrue. No law would permit the suspects to be tried again. Moreover, the indictment was strictly in accord with the testimony given by the medical witnesses who had on the stand sworn that death was caused by violence from blows inflicted on the head.

The theory that because the Doctor might have, under certain circumstances, died from a stroke of apoplexy, was no reason why he had died of apoplexy.

"If he died of apoplexy," cried the State's Attorney, "why were his shirt and pantaloons cut to get them off him? Why was he stripped, his body put in one sewer and his clothes in another? The physicians, some of them, admitted that such wounds as found on the Doctor's head might not cause death. Well, a bullet in the bowels of a man might not kill him, but if a man with a bullet wound there was found dead, it would be judged by any man of sense that the man died from the effects of the bullet wound."

The assault upon the testimony of the State by Attorney Forrest came in for extended argument. "It showed how weak is the testimony of the defense," he exclaimed, "it shows how weak it is when this three-day lawyer spends nearly the whole of that time on our evidence and but fifteen minutes on his own. Forrest did quote a little Scripture, so did the devil. Forrest talked about Matthew, Mark, Luke and John, about whom his Sunday-school teacher taught him. He said that they disagreed; and because they disagreed, he tried to argue, that Mrs. Conklin and the young ladies who corroborated her, must have lied because they agreed. The only thing that Matthew, Mark, Luke and John have to do with this case is that they all point to Calvary, and, gentlemen, the evidence in this case points to Calvary [Cronin was buried at Calvary]. It was easy for him to deny the truth of our testimony, and especially that of Mrs. Hoertel, but he didn't attack Mrs. Hoertel's character. Why? Because they knew it was spotless."

"Now, the gentleman says there are other witnesses, and among them Dinan, has an interest in the museum, and all that. Why, Dinan made the statement he made here before the coroner's inquest. The same statement he made here, he made in the presence of Dan Coughlin, and yet this learned lawyer, who spent three days talking about witnesses and not fifteen minutes over his own defense, tells you Dinan swears in this case because he has an interest in keeping the gray horse in the museum. Then, gentlemen, you remember his attitude toward Mrs. Conklin, whose evidence was straight forward, who gave her testimony before the coroner, and who made her statement the very day after Dr. Cronin disappeared. What has he said but that he would have you believe she was sitting there committing willful and deliberate perjury; this woman who felt that Dr. Cronin was gone; who felt he was dead, who charged O'Sullivan with being in the conspiracy before she could induce the officers of the law to believe anything was wrong. He would have you believe, as he said, that she lied while upon the stand, and yet you noticed how she gave her evidence. The same tactics were pursued with Conklin and all the other witnesses. It was asserted that all of it came out after the coroner's inquest. Why look at it. He talked about the horse and well knows that she described and that she mentioned about his knees when before the coroner. Her identification of that horse was like your identification would be of a man who might come into your house to-night and you might see him under a gas jet. If you saw him in the street in daylight the next day you might not know him, but if you ever saw him under a gas jet under the same circumstances you would immediately say, 'There he is.' His stooping position, his eyes, and a dozen other things would strike your memory and make you certain of your

identification.

"So with Mrs. Conklin. When she saw the horse in the same position it was on the evening Dr. Cronin was driven to his death, she immediately said, 'that is the horse.' Why, because she saw the unquiet appearance of the horse and the movement of its legs, and she at once said 'that is the horse.' But it was not necessary for her to be so positive in the identification of the horse. She said it was a white horse and a top buggy without side curtains from the very start, and the moment she saw Dinan's horse and buggy she identified it. Then he tells you that Mertes was fixed by us to see Coughlin driven up to that cottage, and he tells you that without Mertes we could not have proved that Coughlin was ever there. He also tells you that without Mrs. Hoertel and Mertes we could not prove that Cronin was murdered. Well, to a certain extent the great lawyer is right, for without any evidence we could not prove the crime. Now, take Coughlin's conduct in regard to that white horse. Or, before we reach that I would call your attention to the fact that it was known that Dr. Cronin had been driven away from the Conklin residence in a buggy drawn by a white horse, for on the Monday morning, long before it was known that Dr. Cronin was murdered, before any one had charged that there was anything wrong with him except Mrs. Conklin, word was sent out from the police force to see who had a white horse and buggy out on Saturday night, and yet this lawyer would have you, as an honest jury, believe that we were trying to have Mertes swear that he saw Coughlin drive there with a bald-faced brown horse for the purpose of swearing his life away. It is absurd to talk such stuff as that. Yet he would have you believe it. Mertes never mentioned the matter until after the body was found; until after the cottage was discovered and it was advertised as to what horse had driven Cronin away.

"But here is a significant fact to which I wish to direct your attention. Why should Dan Coughlin, on the Monday morning, before any one had charged that Dr. Cronin was murdered, when Captain Schaack said he would turn up all right, when he was not uneasy, when he told Mrs. Conklin to wait until night, when the world and every one almost had accepted the statement that the trunk had contained the body of a woman, on account of the statement made by a certain man, why should Dan Coughlin be so anxious about the horse his friend had driven? No one had told him that any one drove a white horse, and why should he say to Dinan, 'Don't mention it, because Cronin and I were not friends?' Gentlemen, at that time Coughlin knew that Dr. Cronin was murdered, and he knew that the white horse and buggy had carried him to his death. Think of the matter, and remember that it was on the Monday morning before any one had charged that anything had happened to Dr. Cronin that he was so anxious to have the matter concealed. Why was he induced to believe that that horse had taken Dr. Cronin to his death? No one had charged that he had anything to do with it; no one believed the poor woman, and why should Coughlin be so ready to believe it when Captain Schaack did not believe it, when the chief of police did not believe it, when the public prosecutor did not believe it, and when the community were led to believe that Dr. Cronin was alive? I ask you again, why should Dan Coughlin, on the 6th of the month, the second day after the murder, and before anything had been discovered, tell Dinan to keep still.

"This man, Forrest, tells you that because we have only one witness to a fact, therefore, it is put up and is a lie. He goes on to tell you about Matthew, Mark, Luke and John, and that is about all he knows about the Bible. He says Matthew, Mark, Luke and John are not agreed, and he quotes that to show that Mrs. Conklin and the two Miss McNearneys when they gave a description of the man who called for Dr. Cronin lied, because, as he says, they agreed in their description. The trouble with him is they didn't tell the story all alike, but the material part of it they did tell alike. All that leads up to the identification of the man who drove Cronin, the central figure, they do agree upon, and that is true. The same way with Matthew, Mark, Luke and John. While they give it in different language, do not they all point to Calvary, and so it is with this evidence of the Misses McNearney and Mrs. Conklin, and the evidence also of Dinan; it is the evidence of witnesses who tell the truth and it all points you to Calvary. I do not intend to dwell upon all that Forrest has talked to you about. He has talked about the evidence of that wagon, and seems to think a good deal more of sound than he does of sight. He regards sound as being far better than sight, hence I think he will appreciate my speech on this account.

"He says that wagon was driven from away across the railroad crossing onto Fullerton avenue. No one saw it cross the railroad track, and Officer Steib says, the first he saw of it it was east of Ashland avenue. He also says that before he saw it he heard it rumbling over the railroad track, but he does not know whether it was this wagon he heard rumbling or some other. But there is not enough in it for us to stop long to consider whether it crossed the railroad track or not. The fact is the same. They did not see it until it was east of

Ashland avenue, and then they saw it coming back on Ashland avenue. There is no reason why they could not drive around the block if they wanted to, but we do not know what course they took, yet we do know they could have taken that course very easily, and if they had taken a direct course they would have been tracked from the cottage to the place of their destination.

"Forest then says to you: 'It is strange, isn't it, that they drove right down toward the city, where they could be seen by the police force?' It does not seem that the police force hurt them any. They were seen by half a dozen officers and not stopped, and the man who drove the wagon did not seem afraid of police officers, but on the contrary seemed to know just what police officer to strike. They got along to Fullerton avenue, and they knew that it was just the very thing to do to drive along a street where they would not be suspected. Suppose they had driven along Ashland avenue straight to where they went to dispose of the body, they would have been unquestionably tracked. But we are not here to argue why they did or did not do certain things. Those men who murdered Dr. Cronin and thrust his body into the sewer, can probably tell you far better than I can. There is reason for acquitting the men if you believe them guilty, simply because we can not tell exactly the way they drove around or in what direction. The fact is they were seen on Fullerton avenue, going east, about half-past 11 o'clock. At 12 o'clock they were seen going north on Clark street, and at 1 o'clock they were at Evanston avenue and Edgewater, and one man sat on the wagon, facing backward.

"Another point. Some one during the trial, and I think I took that position myself, during the time Forrest was arguing the question of the trunk, said they kicked it open. Now, it does not matter whether they kicked it open or not. Men who could open a sewer could pry that lock open as well as any one else. He wants you to understand that the officer pried it off, but you will remember that those two honest Germans testified that they found the lid separate from the trunk, and that they gathered it up and put it with the trunk. Now, it does not matter whether the lock was broken open or whether the trunk was kicked open. The fact is it was locked; that the trunk was in the wagon and the key was gone. Is it for us to say whether they pried open that trunk or kicked it open from the rear? Our theory is that they kicked it open, and that when they found it would not open wide enough they pulled the lock off. We don't know how it was done. His clients can tell you better perhaps than we can if they had anything to do with it, which we insist they had under the evidence."

"I take an exception to that remark of Judge Longenecker's," said Mr. Forrest.

"Oh, yes," replied the State's Attorney, "take your exception. Forrest also said that the key was found by a trunk-maker, because he found on the stand a man, Officer Lorch, who had worked once as a trunk-maker. Do you believe what Officer Lorch said as to where he found that key, or do you believe that he went and fitted a key to the trunk, then put some paint on it, put it where it was under the washstand, and then came into this court and swore to a lie? If you want to believe Forrest's statement against that of the officer, believe it. But we say that after they had got the trunk into the wagon they found that the trunk was locked and the key gone, but it does not matter. We could theorize as to how that key was missing on the floor, but it is not necessary. It is in evidence that that key was found in the cottage, and it is in evidence that the trunk was locked and had not a key upon it when they went to take out the body. Yet this learned lawyer would have you believe this is a conspiracy on the part of the people, and he says it began after the coroner's inquest. That is his statement. A conspiracy to convict innocent men! Now, look at it. I suppose he would have you believe, and he might just as well go on to charge, that the body of Dr. Cronin was put there by the conspirators on the part of the State, and that the trunk was put where it was by the same conspirators on May 5th, also that the clothes were put in the sewer in a sachel just like the one these men bought at Revell's, and not only that, but that Martin Burke knew he was going to be brought into that conspiracy when he went to Winnipeg. He would also have you believe that Martin Burke knew after the coroner's inquest and before his name was mentioned that there would be a great conspiracy, and that they would try to implicate him, and therefore he would go to Winnipeg. I merely mention those matters, gentlemen, because you will have observed that Mr. Forrest argued them with the same force that he argued every circumstance connected with this case, and you can appreciate the sincerity of his argument. Is it to intimidate the people's representatives, so that they would not dare go further in this hellish conspiracy? Is it for that purpose, or what does he mean by it? If it means that he thinks he can intimidate the representatives of the people in this case, he has struck the wrong blow, because it is our duty to present these matters as we get them, and we shall use our weak endeavors to do our duty.

"Mr. Forrest spoke as earnestly about that and was as much in earnest as he was when he spoke to you of the identification of Burke. He read to you an authority of a case which occurred about three hundred and fifty years ago, where the identification was contested. According to his reasoning, a man might go into your house, shoot your wife before your eyes, and then if you can identify him the moment you see him you are not to be believed. He argues that before you can be believed you must put him in a line of a hundred men, let them walk through a room one by one, and then pick him out. That he argues in the face of undisputed evidence that you saw him kill your wife, yet he would have you believe that you could not rely upon any such evidence as that for identification. The man who could be mistaken in Martin Burke's face, surely must be blind. It is a case of undisputed identification. The case Forrest refers to, is where it has been contested; where three or four witnesses swear that is the man and others swear that it is not the man; where witnesses swear that it is the horse and others swear that it is not the horse; where some witnesses swear that it is so and other witnesses swear that it is not so, but who ever heard of any man, any lawyer, any man, indeed, in his senses undertaking to talk with sincerity and urge upon twelve honest men that where five witnesses come forward and swear to the face of Martin Burke, that he is the man, and are not to be believed. Who ever heard of a second-class lawyer, or even a police court shyster, claiming that that identification was not perfect? Five undisputed witnesses, old man Carlson, Mother Carlson, Charles Carlson, Mrs. Charles Carlson, and Mortensen, five witnesses swear that that is the man who rented the cottage, yet that same learned lawyer is undertaking to mislead you into the belief that that identification is not to be relied upon. It is absurd.

"Well, if he will argue that Martin Burke is not the man who was there on the 4th of May, if he will argue under this evidence that Martin Burke did not rent that cottage, if he will argue that he did not move that furniture there, if he will argue that Martin Burke was not seen on the premises there, and tell me that he is in earnest, and you believe his argument, tell me when and where you would convict a man of crime, if the lawyer takes the position he did in this case. But he says the old man Carlson could not tell it was the 4th of May. How do you know? When that old man got on the stand, Forrest was yelling at the top of his voice, 'How do you know, how do you know?' while the old man yelled at the top of his voice, 'Because I know.' Yet he would have you believe he said 'How do you know?' in such a meek and mild tone that he could not hurt anyone's feelings. He is not sincere when he says that the State's Attorney and Mr. Hynes and Mr. Ingham are engaged in a conspiracy, and when he abuses the witnesses on the stand and charges them with perjury and lying, he knows in his heart that it is not true. He has made insinuations against that big-hearted Irishman sitting there, Mr. Hynes, of bullying witnesses, which he knows is untrue. There is not a man who practices before the bar of Chicago who is more lenient with the witness than is Mr. Hynes, and there is not a man at the bar who will get more out of him than will Mr. Hynes. You, gentlemen, heard his cross-examination of the defendants' experts, and his examination of the witnesses who came to the stand, and I will leave it to you to decide, and not to Forrest, if he abused the witnesses on the stand. For three days this learned counsel for the defense stood before you twelve gentlemen and had no stock in trade; not a word to say in their defense beyond abusing and scandalizing the men who are trying this case, and who are seeing that the people of this great State are not misrepresented. He stood here and maliciously abused Mr. Hynes, whose only effort and desire has been that the guilty men, if they are guilty, shall be punished, and it is my duty as an officer of the State, to explain this matter to you and to hurl back the insinuations at the man who made them.

[Pg 559]

"He told you further that I had made a blunder, but he did not tell you how many blunders he had made. He told you I had made a blunder with the same force that he tells you that Mertes lied when he testified that he saw Coughlin at the Carlson cottage, and when he tells you that, his clients have not been proved guilty, notwithstanding all our witnesses' lies. Suppose what he says about Mertes and his knowing it was May 4th is proved, what difference does it make whether it was on the night of May 4th or not. But he does put this man Kunze and Dan Coughlin together at the Carlson cottage. He puts Coughlin in the cottage and Kunze driving him there, and he and his associates gave you good evidence of their sincerity when they went to the cottage or house where this poor man lives, who can talk but very little of the English language, and told him that the Court had sent them to find out what he knew. Yet when he comes here and gives his evidence on the witness stand they tell him he lied, but they carefully abstained from saying what they did when they went to see him. You will remember how they examined him and put words into his mouth that he did not understand, and then tried to impeach him, but I think you, gentlemen, will admit that it is proved beyond

question that Coughlin went to the cottage; that he had a key to it in his pocket; that he was perfectly at home there, and that Kunze drove him there.

"Then he says old man Carlson did not see Burke there on the night of the 4th. He could not tell you why the old man did not see him, although the old man said distinctly that he did; but this we do know, that the next morning he and his wife were out in front of the cottage and they saw something on the steps which they say looked like preserves, and he said to his wife that he supposed they had been moving in the night before. You will remember that Burke had said to old Carlson that it was about time to move in. Yes; move in. It was a bad day for Burke when he moved in, and it was a bad day for Dr. Cronin when he moved in."

"The witness said it was about time to fix up," said Mr. Forrest.

"Yes. I think he did. It was a pretty bad time to fix up," retorted the State's Attorney. "Fix up is a better word, and a nice fix they made of it. Old man Carlson tells you that the next morning he thought they had moved in. Forrest says you must not believe old Carlson, because he is an old man, and that the story about the wagon tracks he did not tell before the coroner. That is very true, but he says here that there was a wagon track, and it certainly was not necessary for the old man to commit perjury in order to prove that there was a wagon track. A great many things have happened which were not testified to before the coroner's inquest, but Forrest says that none of them are true. He first complains and abuses us when getting a jury because there was so much known of the case and so much published, and yet, because we did not publish the whole thing to the world and before the coroner, he abuses us before the petit jury. You can not please him, and the only way to please him is to give him evidence sufficient to acquit his clients.

"Mr. Forrest brought the trunk in here and exhibited it to you and I have a right to say a few words about that. I also desire to say a few words about the clothes and the necktie, which was cut through at the neck. They cut his pantaloons off, they cut his clothes off and did not take the time to take them off."

"I want to enter an objection to the jury's inspecting the clothes," hastily remarked Mr. Forrest, jumping to his feet.

[Pg 560]

"I don't care about the clothes," replied the State's Attorney. "You exhibited the trunk, and I am going to speak of that, although they are all in evidence. At the same time I desire to call your especial attention to the necktie, which was not unfastened in the front but cut from behind. They had the man on his face, and when they stripped his body of the clothing they cut his necktie. Now, I want to show you this bloody trunk. They never turned up the bottom of this trunk to show you what is there. There is some of the blood which ran through the trunk. Do you see this blood in the trunk? You do not believe that the man in that trunk died from apoplexy do you? You do not believe that he died from poison, do you? You do not believe he died a natural death. Where was the trunk found? It was found within three-quarters of a mile south of where the body was found in a catch-basin, and right by its side, within three or four blocks, were found the clothes of Cronin in the sewer. Remember that the wagon was seen half a mile north of where the body was found with this trunk in it, which was then thought to be a carpenter's chest, and it was seen coming this way empty three blocks east of where the body was found.

"I want to call your attention to this matter because it is important. You will remember that Mr. Ingham mentioned the fact in his statement that when seen they were north of Bryn Mawr avenue, looking for the Lake Shore drive in the sand, whereas, if they had honestly been looking for the Lake Shore drive, they would have found it south. Now then, put these three things together. You know where the body was found and the clothes were found, and between those two points this trunk was found with blood fresh in it that could be stirred by those honest Germans the next morning, with cotton batting saturated with blood, and if you put those things together, you will have reason to believe that it was the same trunk that came from the Carlson cottage. Why? Because the trunk in the Carlson cottage was just such a trunk, and it had been moved, and in the valise was found Cronin's clothes, and that valise was moved from 117 Clark street and was found in the sewer. I am going to make up a chain of evidence in this case, although I am not going all over those outside circumstances, because every circumstance which is proved in the case is not necessary for a conviction; mark that. If you get instructions from the court that there is a necessary circumstance lacking, and if you have a reasonable doubt on that material circumstance, and if there can be no conviction without that circumstance in the case, then you can not convict. But every circumstance in the case that is proved is not a material or necessary circumstance. If such circumstances as are necessary to lead your

minds to believe the guilt of the accused beyond a reasonable doubt are clearly proved, that is all that is necessary for you to be satisfied upon. You need all these little outside circumstances, because they corroborate and make stronger each link in the chain of evidence. You want to remember that every point which leads in the direction of a correct conclusion to your minds should be very clear to you. As to whether they affect the material circumstances is another matter.

"I want you to remember that Burke went to Winnipeg. Forrest says that he never attempted to deceive the officers there or to go under an assumed name, but Officer McKinnon tells you that he first said his name was Cooper, and when the chief of police told him any statement he made would be used in evidence against him, then, for the first time, he said his name was Burke. Again, when Patrick O'Sullivan was requested to come to the police station and he saw a lot of men standing back of the Carlson cottage, he wanted to know what those men were doing in that cottage, clearly showing that he knew what had transpired in the cottage. Another thing I want you to remember is what Beggs said after the murder, when he said to Maurice Morris and another person in the presence of Ward, who did not take the stand, 'Cronin is all right; we know what we are talking about and you do not; you are not in the inner circle.' Whoever said it was the organization or a part of the Clan-na-Gael which formed that inner circle? We did not, but that inner circle was made up of members of the order, men who knew what was going on. Foster says Beggs' remark was advertising the murder, but it was not. It means that he and other members who were interested in the murder of Dr. Cronin were an inner circle; that he knew where Cronin could be found, and that he believed his remains would keep there undiscovered until they could not be identified. You have another link, then, in the chain of evidence, and you have to take every circumstance in the case that leads you up to the chain, and strengthens each link in the chain that was forged by Beggs. Then he answers: 'Why didn't you call Tom Murphy?' We had him before the grand jury, and we examined his books, but the idea of calling Tom Murphy himself when his partner sits here and has sat here from the beginning of the trial as a lawyer for the defendant! As to the money in the camp, Tom Murphy did not have enough money in the funds of the organization to square his own account, let alone spending money for killing Cronin. We did not claim that he did. We do not claim that the camp paid the expenses, but we have the right to take Tom Murphy before the grand jury and investigate the camp in order to discover who were the conspirators.

[Pg 561]

"Now, gentlemen, I do not propose to dwell upon their defense at all. They have no defense. When we started in this case we groped in the valley and you groped in the valley. When you looked for the evidence you found it. If you are looking for an excuse to acquit those defendants, you may acquit them either on the ground that we have not stated the cause of death, or you can acquit them on the ground that you do not believe the evidence. But you are not going to do that; you are too honorable men to do so. The people of the State of Illinois have rights as well as these defendants. I would not ask you to convict the men unless you feel that the evidence justified you in doing so, but their defense, what is it? It is shorter than the defendants can cover themselves by lying upon it, and, as a covering, it is narrower than they can wrap themselves in. There is no defense. Since we were groping in the valley we have piled up a mountain of evidence, until you have the mountain peaks, which stand out so clearly, that all of you can not fail to see them, and there stands the evidence, irresistible, unimpeachable and indisputable. Gentlemen, let us see what we have got.

"Let us start in on this chain. Go into Camp 20 and see what there is there. You find that there was a committee appointed; you find that charges were made about spies; you find there was a circle of brothers banded together. Take in the 22d of February; take in the speech of Beggs; take in the letters of Spelman. There you have got a link. You start out from Camp 20 with that link. You go over to 117 South Clark Street; you go to Revell; you take the buying of the trunk and the buying of the valise and the buying of the furniture; the putting of it into 117 Clark street, and Kunze is in there as a man to throw the public off as to the cause of the occupancy. There you have a second link. The trunk, the valise, the strap and the furniture form a second link. Put that on and follow it up. These two links are undisputed and undenied. There is no dispute as to that second link; you find Martin Burke taking the furniture and putting the trunk and valise into that cottage. There is a third link undisputed; no question about it, unless you want to disbelieve the five witnesses as to the identification of Martin Burke. You go on and you find Patrick O'Sullivan contracting with Cronin, that is the fourth link. There are four links established by evidence and undisputed leading up to the murder of Dr. Cronin. You come to Dan Coughlin; he has the horse and buggy; that is the fifth link. These five links are as solid as the rocks—as solid as iron; five

undisputed links in the chain. You find, further, on Evanston road, the trunk, the body and the clothes. That is another link. There are six links that lead from Camp 20 to the grave of Dr. Cronin. We have the first link made by the Clan-na-Gael brotherhood in Camp 20; to that add Beggs' letters and his statements about the inner circle; to that add that that committee was to report to him alone; to that add everything that Beggs did and said; it is all hanging on that link. We find Burke renting the cottage and saying that his sister is going to keep house with him; we find him disappear; we find him in Winnipeg. That is another link. Then there is the P. O'Sullivan link; you find his printed card was presented to Dr. Cronin, and the man who presents it says, 'O'Sullivan wants you to go to his ice house.' That is an undisputed circumstance. All these circumstances are leading you up to the murder of Dr. Cronin. Take Dan Coughlin's statement to Dinan; take his statement that Smith, from Hancock, Michigan, is the man who drove the rig, the very man that Burke went to see at Hancock, Michigan, and who says John Ryan is his friend.

[Pg 562]

"Look at it! There never was such a chain of circumstances. The chain itself is strong, and yet all those circumstances, those little links, are as strong—so strong that they can not be broken. And yet this lawyer will stand up here for three days and say there is not evidence enough to convict! Now, another thing that goes to add to P. O'Sullivan's link and to show that he was not honest in that contract is the testimony of this man A. J. Ford. He testifies that he made a speech in Camp 20, in which he said that there were men fraternizing with the deputies up in the Washington Literary Society in Lake View, and he gave this man O'Sullivan as his authority. There is another circumstance. Why then did O'Sullivan, if he believed that Cronin was organizing a lodge there—if he believed that that literary society was taking in men opposed to the Irish cause—why did he think Cronin was a friend of his, and why did he go and make a contract with Dr. Cronin? Now, gentlemen, I have laid down these links; you take it in Camp 20, follow it to 117 Clark street, to the cottage, to Dan Coughlin's horse and buggy, to the trunk, the body and the clothes. You come back to Camp 20 and it falls at the feet of John F. Beggs. His lawyer says that John F. Beggs is the dupe of no man. No, gentlemen; but John F. Beggs is just as guilty, if he was in this conspiracy, as Martin Burke, every bit. The learned counsel told you a story here, and it was very apt. He told you that men who had been defrauding the government and doing crooked work took a man who was on their track and put him over the brink of a precipice and swung him back and forth, and he says one of them climbed up and cut the rope, and an innocent man, innocently charged, dropped on the rocks below and was cut to pieces. The men who stood by and laughed while this was being done were just as guilty as the man who cut the rope. John F. Beggs, if he was in this conspiracy, is just as guilty as the men who dealt the blows, every bit. Now, in such a case as that, where an innocent man was swung out over the rocks—where these men who were criminals themselves, swung a man over a cliff down to death—what would you do if you were on a jury to try such men?

"Gentlemen, I am through; I promised you I would hurry up. I do not believe that if I were to talk from now till next June I would change your opinion one way or another. If you are settled to turn these men loose, you will do it; if you believe this evidence is not sufficient to convict them, why of course you will acquit them. But I want to call your attention to your responsibility. Gentlemen, this is a serious matter; it has got down to business. I have been sitting here for weeks, and indisputed evidence that must lead your minds to the conclusion that Dr. Cronin was murdered, evidence that must lead to the conclusion that it was done by a conspiracy; evidence that must convince your minds that it was a cold-blooded murder, that it was planned in secret, that it was done with the coolness of those men who swung the man over the cliff—you must have come to the conclusion that if there ever was a murder case in which the extreme penalty of the law was demanded at your hands by a verdict of that kind, this is one. Remember that you are not here to acquit guilty men; you are not here to convict innocent men. Remember that we are here insisting that this evidence is so overwhelming that you, as honest men, under your oaths, can not resist this volume of proof, and that it ought to convince you beyond a reasonable doubt that all five of these men are guilty of this crime."

Breathless silence prevailed as the State's Attorney concluded his argument. Attention was now directed to Judge McConnell. Every eye in the court-room, including that of the prisoners, was directed toward the bench. Spreading before him a bulky roll of foolscap, his Honor, after requesting the close attention of the jurors, commenced to read the final instructions. These were couched as follows:

"The jury are judges of the law as well as of the facts in this case, and if they can say upon their oaths that they know the law better than the Court itself, they have the right to do so; but, before assuming so solemn a responsibility, they should be sure that they are not acting from caprice or prejudice, that they are not controlled by their will or wishes, but from a deep and confident conviction that the Court is wrong and they are right. Before saying this upon their oaths, it is their duty to reflect whether, from their study and experience, they are better qualified to judge of the law than the Court. If under all circumstances they are prepared to say that the Court is wrong in its exposition of the law, the statute has given them that right.

"In the language of the statute, murder is the unlawful killing of a human being, in the peace of the people, with malice aforethought, either expressed or implied. The unlawful killing may be perpetrated by poisoning, striking, starving, drowning, stabbing, shooting, or by any other of the various forms or means by which human nature may be overcome and death thereby occasioned. Express malice is that deliberate intention unlawfully to take away the life of a fellow-creature, which is manifested by external circumstances capable of proof. Malice shall be implied when no considerable provocation appears, or when all the circumstances of the killing show an abandoned and malignant heart.

"Whoever is guilty of murder, shall suffer the punishment of death or imprisonment in the penitentiary for his natural life, or for a term of not less than fourteen years. If the accused, or any of them, are found guilty by the jury, the jury shall fix the punishment by their verdict.

[Pg 564]

"An accessory is he who stands by and aids, abets, or assists, or who, not being present, aiding, abetting, or assisting, hath advised, encouraged, aided, or abetted the perpetration of the crime. He who thus aids, abets, assists, advises, or encourages, shall be considered as principal and punished accordingly. Every such accessory, when a crime is committed within or without this State by his aid or procurement in this State, may be indicted and convicted at the same time as the principal, or before or after his conviction, and whether the principal is convicted or amenable to justice or not, and punished as principal.

"The manner or cause of death, which is alleged in the indictment, is an essential element of the charge against the defendants, and the law requires the prosecution to establish that averment to your satisfaction, beyond reasonable doubt, as it is laid in the indictment, before a conviction of the defendants, or either of them, can lawfully be had. But whether or not the manner or cause of death was as laid in the indictment may be established by circumstantial evidence, just as any other fact essential to conviction may be.

"The indictment against the defendants is no evidence of their guilt, but is merely a formal charge for the purpose of putting them upon trial. You ought to commence the investigation of this case with a presumption that the defendants, and each of them are innocent of the crime of which they are accused, and you should act upon this presumption throughout your consideration of the evidence. Unless this presumption of innocence shall have been overcome by proof of guilt so strong, credible, and conclusive as to convince your minds, beyond every reasonable doubt, that the defendants are guilty, and unless the evidence is of such a nature as to exclude every reasonable doubt of guilt, then you ought to acquit the defendants.

"But this rule of law, which clothes every person accused of crime with the presumption of innocence, and imposes on the State the burden of establishing his guilt beyond a reasonable doubt, is not intended to aid any one who is in fact guilty of the crime to escape, but is a humane provision of law, intended, so far as human agencies can, to guard against the danger of any innocent person being unjustly punished.

"Circumstantial evidence in criminal cases is the proof of such facts and circumstances connected with or surrounding the commission of the crime charged as tends to show the guilt or innocence of the party charged, and if these facts and circumstances are sufficient to satisfy the jury of the guilt of

the defendants beyond a reasonable doubt, then such evidence is sufficient to authorize the jury in finding the defendants guilty.

"The law exacts a conviction, wherever there is sufficient legal evidence to show the defendants' guilt beyond a reasonable doubt, and circumstantial evidence is legal evidence.

"The following rules should guide you in your use and application of the circumstances introduced in evidence: It is the duty of the jury to enter upon the consideration of each circumstance proven, having in their minds the presumption that the defendants, and each of them, are innocent, and in considering such fact or circumstance, they should apply to it the presumption of innocence, and if such fact or circumstance, when considered in connection with all the evidence in the case, can be explained consistently with the innocence of the accused, it is their duty so to explain it. No circumstance introduced in evidence on this trial can be used by you as a basis for any inference of guilt against the defendants, or either of them, unless such circumstance is first proven to your entire satisfaction, and every circumstance in the case which is not proven to your entire satisfaction should be wholly dismissed from consideration, and must not be permitted to influence you to any extent against the defendants, or either of them. Any circumstance which is essential to a conclusion of guilt against the defendants, or either of them, should be established beyond all reasonable doubt and to a moral certainty before it can be used by the jury against the defendants.

"In order to justify the inference of legal guilt from circumstantial evidence, the existence of the inculpatory facts must be absolutely incompatible with the innocence of the accused, and incapable of explanation upon any other reasonable hypothesis than that of their guilt. If you can reconcile the facts in this case upon any reasonable theory consistent with the innocence of the defendant, John Kunze, it is your duty so to do, and to find said defendant, John Kunze, not guilty. If you can reconcile the facts in this case upon any reasonable theory consistent with the innocence of the defendant, Patrick O'Sullivan, it is your duty so to do, and to find said defendant, Patrick O'Sullivan, not guilty. If you can reconcile the facts in this case upon any reasonable theory consistent with the innocence of the defendant, Martin Burke, it is your duty so to do, and to find said defendant, Martin Burke, not guilty. If you can reconcile the facts in this case upon any reasonable theory consistent with the innocence of the defendant, Daniel Coughlin, it is your duty so to do, and to find said defendant, Daniel Coughlin, not guilty.

[Pg 565]

"It is not sufficient for the jury to find that a resolution was adopted for the appointment of a secret committee in Camp 20 on February 8, 1889, but it must further appear to your satisfaction, beyond all reasonable doubt that such committee was in fact appointed by the defendant Beggs, and that such appointment was in pursuance or in furtherance of a conspiracy to commit the crime set out in the indictment, and you must further be satisfied, beyond all reasonable doubt, that the defendant Beggs had knowledge of the purpose for which said committee was asked, or, if appointed, assented to its purpose subsequently, or you will not be justified in finding a participation in such conspiracy on the part of the defendant Beggs by reason of the facts just recited. That the defendant Beggs was a member of the United Brotherhood and was the presiding officer of Camp 20 are not circumstances standing alone tending to establish his guilt of the crime charged in the indictment in this case. And as there is no evidence in this case that any overt act was committed by the defendant Beggs in the commission of the alleged murder charged in the indictment in this case, therefore, unless it is established that a conspiracy was entered into to commit the murder charged in said indictment, to which conspiracy the said Beggs was a party, he should be acquitted.

"When the testimony of witnesses appears to be fair, is not unreasonable or unnatural, and is consistent with itself, and where the witnesses have not, in any manner, been impeached, then you have no right under the law, to disregard the testimony of such witnesses from mere whim, caprice, or without just cause. It is the duty of the jury to consider the whole of the evidence, and to render a verdict in accordance with the weight of all the evidence in the case, and not act upon a consideration of the evidence for the prosecution or the defense alone. All the evidence must be considered.

"While it is your duty to carefully scrutinize and dispassionately weigh the evidence of all the witnesses in the case, still it is your sworn duty to give proper credit to the evidence of each and all of the witnesses, and, if possible, to reconcile all of the evidence in the case with the presumption that each witness has intended to speak the truth, unless by their manner of testifying on the witness-stand, or by inconsistent statements sworn to, or by the testimony inconsistent with other credible evidence in the cause you are impelled to believe that the testimony of some one or more of the witnesses is

untruthful or unreliable, or unless you are led to believe, from an exhibition of interest, bias or prejudice, that such witness or witnesses have been inclined to exaggerate, color or suppress the truth, or unless they have been impeached in some of the ways known to the law.

"One of the modes of impeaching a witness is by showing that he or she has made statements out of court at variance with his or her statements on the witness-stand; and if the jury believe from the evidence that a witness has made statements at another time and place at variance with his or her evidence in this case, regarding any material matter testified to by him or her, then it is the province of the jury to determine to what extent this fact tends to impeach either his or her memory or his or her credibility, or detract from the weight which ought to be given to his or her testimony. If the jury believe from the evidence that any witness has willfully sworn falsely as to any matter or thing material to the issues in this case, then the jury are at liberty to disregard his or her entire testimony, except in so far as it has been corroborated by other credible evidence, or by the facts and circumstances proven on the trial. Testimony of verbal admissions, statements and conversations, ought to be taken by you with caution, because that sort of testimony is subject to much imperfection and mistake. And when the verbal admission of a person charged with crime is offered in evidence, the whole of the admission must be taken together, as well that part which makes for the accused as that which makes against him; and if part of the statement which is in favor of the defendant is not disproved, and is not apparently improbable or untrue, when consistent with all the other evidence in the case, then such part of the statement is entitled to as much consideration from the jury as any other part of the statement.

[Pg 566]

"Before you can be warranted in using against any one of the defendants any evidence respecting the conduct or conversation of any other defendant, you must believe to a moral certainty, from reliable and credible evidence, not only that the particular defendant whose conduct and conversation the prosecution seek to use against the defendant was a member of an unlawful conspiracy, as charged in the indictment, but that the defendant himself was also an associate and member of such conspiracy. If, after an examination of all the evidence, which examination should be made by you in a spirit free from passion and prejudice, there should exist in your mind any reasonable doubt as to whether or not any defendant was a member of an unlawful conspiracy as charged in the indictment, then and in such case it would be illegal and wrong for you to use against such defendant any evidence respecting the conduct or conversation of any other defendant, even if you should believe that such other defendant was a member of such alleged conspiracy.

"In no view which can be taken of this case will you be warranted in using against one defendant any evidence of the act, conduct or conversation of any other defendant occurring subsequent to the day of the alleged homicide of Dr. Cronin.

"Although you may believe that the defendant Beggs, at a meeting of Camp 20 on May 10th, remarked in substance that that committee was to report to him, and even if you should further believe that such remark possessed some criminal import, yet, in no view that can be taken of this case, will you be justified in using such remark as evidence against any other defendant.

"Although you may fully and confidently believe that one J. B. Simonds, the person who drove Dr. Cronin away from his home on the night of May 4th, and other unknown persons were members of a conspiracy to murder Dr. Cronin as charged in the indictment, and, indeed, that they did murder him, yet you can not and ought not use any evidence respecting the conduct and conversations of such persons, or any of them, against any defendant unless you are first convinced beyond every reasonable doubt, from the evidence, that such defendant was also a member of such conspiracy to murder Dr. Cronin.

"Although you may believe that a conspiracy existed to murder Dr. Cronin, and although you may further believe that he was murdered in pursuance of such conspiracy, yet the fact that a defendant did some act which contributed in some measure in producing the Doctor's death will not justify you in concluding that the defendant doing such act was a member of such conspiracy, unless you further believe, from the evidence, beyond a reasonable doubt, that said defendant, at the time of doing such act, actually knew and intended that the act done by him should be one of a series of acts to be done by others in producing the Doctor's death.

"A conspiracy may be established by circumstantial evidence, the same as any other fact, and such evidence is legal and competent for that purpose; so whether an act which was committed was done by a member of a conspiracy,

may be established by circumstantial evidence, whether the identity of the individual who committed the act be established or not; and also whether the act done was in pursuance and furtherance of a common design, may be ascertained from the same class of evidence; and if the jury believe, from the evidence in this case, beyond a reasonable doubt, that the defendants or any of them, conspired and agreed together, or with others, to kill and murder Patrick Henry Cronin, and that in pursuance and furtherance of that common design and by a member or members of such conspiracy the said Patrick Henry Cronin was killed and murdered in manner and form as charged in the indictment in this case, then such of these defendants, if any, whom the jury believe from the evidence beyond a reasonable doubt were parties to such conspiracy, are guilty of the murder of the said Cronin, whether the identity of the individual doing the killing be established or not, or whether such defendants were present at the time of the killing or not.

[Pg 567]

"Under the charge of conspiracy against any of the defendants to commit murder, it must be proven, beyond every reasonable doubt, that such defendant combined with one or more persons in the common purpose and with the common design to murder the deceased before you will be justified in believing that the conspiracy existed as charged against him. Although you may believe that the defendant Burke rented the Carlson cottage and removed the furniture and other articles mentioned in evidence from 117 South Clark street to the said cottage, and although you may further believe that Dr. Cronin was murdered in the Carlson cottage, you are advised that these acts of the defendant Burke in themselves are insufficient to justify you in concluding that he was a party to the alleged conspiracy, unless it further appears, beyond all reasonable doubt, that such acts of the defendant Burke were deliberately and willfully intended by him to assist in the perpetration of the crime of murder.

"Although you may believe than Dinan's horse and buggy was used on May 4th to take the Doctor to his death, you are advised that the act of the defendant, Coughlin, in engaging such horse and buggy is insufficient to justify you in concluding that he was a party to the alleged conspiracy, unless it further appears beyond all reasonable doubt that such act of the defendant, Coughlin, was deliberately and willfully intended by him to assist in the perpetration of the crime of murder.

"Although you may believe that the contract between O'Sullivan and Dr. Cronin was used on May 4th to decoy the Doctor to his death, you are advised that the act of the defendant, O'Sullivan, in making such contract of itself is insufficient to justify you in concluding that he was a party to the alleged conspiracy, unless it further appears, beyond all reasonable doubt, that such act of the defendant, O'Sullivan, was deliberately and willfully intended by him to assist in the perpetration of the crime of murder, or that he knowingly and corruptly consented to the use of said contract in accomplishing the alleged murder of the deceased.

"In considering the circumstance of the contract made between Patrick O'Sullivan and Dr. Cronin, you are not permitted by the law to take into account or draw any inference from the fact that the witnesses McGarry, Capt. Schaack, Mrs. T. T. Conklin, and others testified that they expressed the opinion to Patrick O'Sullivan in conversing with him that the said contract was unbusiness-like, unusual, strange, and suspicious; such opinions furnish you no warrant for concluding that the object and purpose of Patrick O'Sullivan in making the contract was illegal or criminal.

"While it is necessary, in order to establish a conspiracy, to prove a combination of two or more persons by concerted action to accomplish the criminal or unlawful purpose alleged in the indictment, yet it is not necessary to prove that the parties ever came together and entered into any formal agreement or arrangement between themselves to effect such a purpose; the combination, or common design or object may be regarded as proved, if the jury believe from the evidence, beyond a reasonable doubt, that the parties were knowingly willfully, and actually pursuing in concert the unlawful object stated in the indictment, whether acting separately or together, by common or different means; providing they were leading intentionally to the same unlawful result.

"The evidence in proof of a conspiracy will generally, in the nature of the case, be circumstantial. Though a common design is the nature of the charge, it is not necessary to prove that the defendants came together, and actually agreed in terms to have that design and to pursue it by common means. If it be proved to the satisfaction of the jury beyond a reasonable doubt that the defendants knowingly and intentionally pursued by their acts the same object, one pursuing one part, and another another part of the same, so as to complete it with a view to the attainment of the same object, the jury will be justified in

the conclusion that they are engaged in a conspiracy to effect that object.

"If the jury believe from the evidence, beyond a reasonable doubt, acting in the light of the entire charge of the Court, that the defendants now on trial, or some of them, conspired together, or together and with others who were to the Grand Jury unknown, to kill and murder Patrick Henry Cronin, and that one or more of the conspirators, in pursuance and furtherance of the conspiracy, did kill and murder the said Cronin in manner and form as charged in the indictment, then any or all of the defendants (if any) who so conspired are in law guilty of such murder, although they may not have actually killed the said Cronin, or been present at the time or place of the killing.

[Pg 568]

"The burden of proving everything essential to the establishment of the charge against the defendants, and each of them, lies on the prosecution, and even if it were conceded that somebody murdered Dr. Cronin, yet the defendants are not required nor expected to prove who committed the murder.

"The prosecution is required to prove beyond all reasonable doubt that the defendants, and not somebody else, committed the crime charged in the indictment. It is insufficient to justify you in convicting the defendants, that the evidence disclosed that Patrick H. Cronin was murdered, and that the defendants, or somebody else, murdered him, or that the probabilities are that the defendants and not somebody else murdered him.

"You ought not, and can not legally convict the defendants, or either of them, upon the mere doctrine of chance and probability. Although you may believe that it is highly probable and very likely that the defendants are guilty, and even that it is far more likely and probable that they are guilty than that they are innocent, yet, no amount of suspicion will warrant you in finding a verdict of 'guilty' against the defendants, or any of them.

"To warrant a conviction upon a charge of murder, the evidence must be of such kind and quantity as to convince the jury of the truth of the charge beyond every reasonable doubt, and to a moral certainty. If, therefore, when you, without passion, prejudice, or bias, have fairly and honestly considered the entire evidence on both sides of the case, do not feel morally certain, to the exclusion of every reasonable doubt, of the guilt of the defendants, then it is your duty to acquit them.

"It is the duty of the jury to examine the evidence on both sides of the case without any feeling of resentment or revenge, and if, after such examination, you entertain any reasonable doubt as to whether the deceased was murdered by the defendants as charged in the indictment, or by somebody else, you should acquit the defendants; in other words, if the evidence, after an impartial consideration, leaves your mind in a state of reasonable doubt as to whether any particular defendant is guilty, as charged in the indictment, then such defendant should be acquitted.

"If the evidence in this case fails to show any motive on the part of the defendant to commit the crime charged against him, then this is a circumstance in favor of his innocence, which the jury ought to consider in connection with all the other evidence in the case in arriving at a verdict.

"An individual juror ought not to compromise any well-founded doubt of guilt that he may entertain respecting the defendants or any of them with his fellow-jurors. The jury can agree only to convict or acquit, and you can only properly convict when the guilt of the defendants is so fully and clearly proven to the mind of each individual juror, as to exclude every reasonable doubt of guilt.

"A reasonable doubt is that state of the case which, after the entire comparison and consideration of all the evidence in the case leaves the jurors in that condition that they can not say they have an abiding conviction, to a moral certainty, of the truth of the charge. It is not sufficient to establish a probability, though a strong one, that the fact is more likely to be true than the contrary, but the evidence must establish the truth of the fact to a reasonable and moral certainty; a certainty that convinces and directs the understanding and satisfies the reason and judgment of the juror who is bound to act upon it conscientiously.

"In considering the case, however, the jury are not to go beyond the evidence to hunt up doubts, nor must they entertain such doubts as are merely chimerical or conjectured. A doubt to justify an acquittal must be reasonable, and it must arise from candid and impartial investigation of all the evidence in the case, and unless it is such that were the same kind of doubt interposed in the graver transactions of life, it would cause a reasonable and prudent man to hesitate and pause, it is insufficient to authorize a verdict of not guilty. If, after

[Pg 569]

considering all the evidence, you can say you have an abiding conviction of the truth of the charge, you are satisfied beyond a reasonable doubt.

"The doubt which the juror is allowed to retain in his own mind, and under the influence of which he should frame a verdict of not guilty, must always be a reasonable one. A doubt produced by undue sensibility in the mind of any juror in view of the consequence of his verdict is not a reasonable doubt, and a juror is not allowed to create sources or materials of doubt by resorting to trivial and fanciful suppositions, and remote conjectures as to possible states of facts, differing from that established by the evidence. You are not at liberty to disbelieve as jurors, if, from the evidence, you believe as men; your oath imposes on you no obligation to doubt where no doubt would exist if no oath had been administered.

"In this case the jury may, as in their judgment the evidence warrants, find any or all of the defendants guilty, or any or all of them not guilty; and if in their judgment the evidence warrants, they may, in case they find the defendants, or any of them guilty, fix the same penalty for all the defendants found guilty, or different penalties for the different defendants found guilty.

"And in case they find the defendants, or any of them, guilty of murder, they should fix the penalty either at death or at imprisonment for life in the penitentiary, or at imprisonment in the penitentiary for a term of any number of years not less than fourteen."

THE JURY RETIRES.

The instructions of Judge McConnell were listened to with intense interest by the jurors, the prisoners, and the spectators. After he had concluded he made a verbal statement to the effect that if the jurors had taken any notes during the progress of the case, it would be necessary for them to disregard them in the jury-room. The oath was then administered to the bailiffs who were to take charge of the jury. Each one of them was compelled to solemnly swear by the ever-living God that they would take the jury to some private, convenient place provided by the sheriff, and keep them together, without eat or drink, water excepted, unless ordered by the court; and not to speak to them themselves nor to permit any person or persons to speak to them until they had agreed upon a verdict.

This formality concluded, a discussion arose as to the exhibits which had been offered in evidence going into the jury-room. As to the locks of hair cut from the head of the body found in the catch-basin there was no objection on the part of the counsel for the defendants. Special objection was raised however, to the O'Sullivan card, the articles of clothing found in the sewer, the bloody trunk, the satchel and hat, and the documentary evidence which had been submitted in the course of the case. All the objections on the part of counsel for the defendants to the introduction of these articles to the jury-room were, however, overruled, and at half-past four on the afternoon of Friday, December 13th, the jury retired. It was the prevalent opinion of those who had been in attendance on the trial from its inauguration, that the deliberations of the body would be of short duration. This idea, however, proved to be erroneous. For over six hours the counsel on both sides, the friends of the prosecution, and the adherents of the defense sat around the court-room in momentary expectation that a verdict would be reached.

[Pg 570]

About an hour after the jury had retired, a request was sent into the court-room for the maps, charts and other exhibits which had been introduced in evidence, and it was complied with. At six o'clock one of the bailiffs was dispatched to procure supper for the body. Court was reconvened at nine o'clock, but, no word being received from the jury, a recess was declared until nine o'clock on the following morning. When the day broke, however, the jury was far from an agreement, and although the court remained in continuous session until night, no word was received from the twelve good men and true who held the fate of the five prisoners in the balance. Meanwhile, public excitement had reached a remarkable pitch. Large crowds had assembled outside of the court building anxiously awaiting a deliverance from the jury, and in the public resorts throughout the city the probable outcome of the trial and the fate of the defendants was the one absorbing topic of discussion.

[Pg 571]

No message from the jury was delivered to the court at any time during Saturday, and after remaining in session until nearly midnight, a recess was ordered the following morning. In the meantime a score of ugly rumors gained currency.

It was claimed that the jury stood eleven to one in favor of convicting all of the defendants, and that the one man in question had been "fixed" by the defense. Another rumor had it that the recalcitrant juror had been subjected to personal violence by some of his colleagues who were indignant at the course which he had seen fit to pursue. Saturday night passed, and the dawn of the Sabbath was broken, but still the twelve men had failed to reach a

conclusion upon the evidence presented to them. The rule of court regarding their comfort had been held in abeyance so far as to allow of their being provided with blankets and other necessaries for passing the night, together with bounteous meals from an adjoining restaurant, whenever they felt inclined to refresh the inner man.

[Pg 572]

All through the Sabbath, throngs of people, about equally divided between the friends of the murdered physician and the adherents of the faction to which the prisoners belonged, were congregated about the streets adjacent to the Criminal Court. No word came from the jury-room, however, and Judge McConnell, who put in an appearance at six o'clock in the evening, promptly ordered a recess until ten o'clock Monday morning, as soon as it was definitely ascertained that the jury was not prepared to make any communication.

The delay afforded an opportunity of compiling some interesting statistics in connection with the famous trial. Its practical commencement was on August 30th, when the examination of veniremen for the selection of a jury was inaugurated. The first panel of four jurors was accepted on September 18th, after nearly one hundred men had been examined and had confessed that they were prejudiced against the accused, or had formed an opinion based upon the published reports of the case which could not be removed by evidence. The second panel of four was secured on October 8th, and the third and final panel on October 22d. The presentation of the case for the State occupied from October 24th to November 16th, the type-written transcript of the testimony against the defendants covering nearly 4,000 pages. The defense opened on November 16th and closed on November 30th, having in the meantime examined nearly seventy witnesses.

[Pg 573]

The speeches occupied fourteen and one-half days of which State's Attorney Longenecker consumed one and a half days in his opening address, Judge Wing one and one-half, Mr. Ingham one, Mr. Donahoe one and one-half, Mr. Hynes one and one-half, Mr. Foster one and one-half, Mr. Forrest three, and Mr. Longenecker, in his closing analysis of the case, one and one-half. Taken from its inception to the close, the trial was the most lengthy in the history of American jurisprudence, being only equalled by that of the celebrated Tichborne case in England, which occupied in the aggregate nearly five months. The trial of Daniel Coughlin and his associates commenced on August 26th and ended with the rendering of the verdict on December 16th. In the effort to secure a jury 1,115 special veniremen were examined, of which number 928 were excused for cause, 97 were peremptorily challenged for the defense, 78 by the State and twelve finally chosen.

The expenses of the case were enormous. The fees of the special veniremen and the jury aggregated \$8,000. The salaries of the bailiffs, special officers, and court officials reached \$20,000, not including the cost of maintaining the courts. The fees of the witnesses summoned in behalf of the State reached a total of over \$5,000, while the expenditures on account, of legal assistance to the State's Attorney were fully \$20,000. The accounts of the stenographers and type-writers, ran into another \$10,000, and on the sum total, taken in connection with the fact that the entire business of the courts was delayed during the progress of the trial, a final estimate of \$100,000 as the total cost of the trial to the taxpayers, is not an exorbitant one. The outlay on the part of the defense, as far as could be ascertained, did not probably exceed \$20,000.

[Pg 574]

A VERDICT AT LAST.

It was not until half past two of the afternoon of Monday, Dec. 16th, that the members of the jury, after being locked up over seventy hours, were prepared to render a verdict. Court was opened at ten o'clock in the morning, but there being no sign of any communication from the jury-room, a recess was taken until two o'clock. Shortly before that hour it was learned that a verdict had at last been reached. Extraordinary precautions were at once taken in and about the court room.

The general public was excluded, and only counsel engaged in the case, representatives of the press, and about two score of police officers in plain clothes were admitted. Judge McConnell took his seat on the bench at 2:25, and a moment later the five prisoners were ushered in over the iron bridge leading from the jail.

John F. Beggs, a deathly pallor on his face, and his blue eyes glaring as though protruding from the bleached bones of a skeleton, headed the line. Next to him came Daniel Coughlin, with a nervous, cynical smile upon his face. Then followed O'Sullivan, his jaws set firm, and the fingers of his right hand tugging nervously at his mustache. Close behind him came Martin Burke, with the same look of stolid indifference that he had worn throughout the trial. Kunze, who brought up the line, was apparently the least concerned of the five, smiling and bowing as he passed in to the reporters and court officials.

[Pg 575]

Just as soon as the prisoners had taken their seats and the fifteen deputy sheriffs, three to each man, had filled the space behind their chairs, the jury was brought in. Breathless silence prevailed. Everyone present seemed impressed with the solemnity of the moment. Even Judge McConnell, who had maintained a calm and reserved air throughout the trial, nervously mopped his brow, from which the perspiration threatened to pour in torrents. In response to a question of the clerk Foreman Clarke responded that the jury had agreed upon

a verdict, at the same time handing up a sealed paper to the bench. The painful and oppressive stillness which prevailed was only broken when the voice of the clerk, who had in the meantime unfolded the paper, rang out clear and distinct in tones that penetrated through the iron doors to the corridors beyond. This is what he read:

[Pg 576]

We, the jury, find the defendant, John F. Beggs, not guilty.

We, the jury, find the defendant, John Kunze, guilty of manslaughter as charged in the indictment and fix his punishment at imprisonment in the penitentiary for a term of three years.

We, the jury, find the defendants Daniel Coughlin, Patrick O'Sullivan and Martin Burke, guilty of murder in the manner and form as charged in the indictment and fix the penalty at

imprisonment in the penitentiary for the term of their natural

One prolonged buzz, as though a thousand bated breaths had been loosened, filled the court-room as the clerk resumed his seat. Then there was a wail, a despairing cry. Little Kunze, the comedian of the prisoners, had broken down at last. The hot, scalding tears chased each other down his cheeks as, with clasped hands and a look of unutterable agony upon his face, he ejaculated again and again, "My God! My God! God knows I am innocent! I never was in Lake View that night! Oh! God knows I am innocent, gentlemen!"

Very different were the feelings of John F. Beggs, who occupied the extreme right of the line. No sooner had the last words of the verdict been read than in a single bound he was before the jurors. Shaking each by the hand he thanked them cordially, and then, addressing them as a body, said: "Gentlemen, I thank you. I trust that the future may confirm your judgment upon me, and that you will never regret that you found me not guilty of this terrible charge."

O'Sullivan was the only one of the other three prisoners who gave vent to his feelings in tears. They trickled down his cheeks for a moment, but he brushed them away and soon recovered his self-possession. Coughlin looked defiantly around the court-room but did not betray any emotion, while Martin Burke looked more cool and unconcerned than any man in the room. The formal motion for a new trial was entered and recorded, the iron doors revolved on their hinges, the four prisoners passed to the jail beyond, the great trial was at an end, and with three men condemned to a living death and the fourth incarcerated for a period commensurate with his crime, the murder of the Irish patriot was avenged.

THE END.

Transcriber's Note:

Some illustrations have been moved from the middle of a paragraph to a nearby paragraph break.

The text in the list of illustrations is presented as in the original text, but the links navigate to the page number closest to the illustration's location in this document.

The following misprints have been corrected:

- "portait" corrected to "portrait" (page xii)
- "Identified" corrected to "Identified" (page xiii)
- "forthought" corrected to "forethought" (page 17)
- "confidental" corrected to "confidential" (page 17)
- "physican's" corrected to "physician's" (page 22)
- "Captains" corrected to "Captain" (page 31)
- "the the" corrected to "the" (page 35)
- "microscope" corrected to "microscope" (page 36)
- "pecular" corrected to "peculiar" (page 47)
- "PHYSICAN" corrected to "PHYSICIAN" (page 57)
- "Presdents" corrected to "Presidents" (page 58)
- "exept" corrected to "except" (page 62)
- "orginization" corrected to "organization" (page 70)
- "Main" corrected to "Maine" (page 70)
- "h m" corrected to "him" (page 74)
- "generel" corrected to "general" (page 74)
- "represenative" corrected to "representative" (page 78)
- "purjurer" corrected to "perjurer" (page 81)
- "Nationel" corrected to "National" (page 81)
- "enlaree" corrected to "enlarge" (page 81)

"reprehensibl" corrected to "reprehensible" (page 87)
"informotion" corrected to "information" (page 90)
"sufficint" corrected to "sufficient" (page 91)
"discusson" corrected to "discussion" (page 95)
"business" corrected to "business" (page 100)
"Lomansey" corrected to "Lomasney" (page 100)
"physican's" corrected to "physician's" (page 107)
"the the" corrected to "the" (page 133)
"Catharines" corrected to "Catherines" (page 151)
"imprisioned" corrected to "imprisoned" (page 219)
"PHILADELHHIA" corrected to "PHILADELPHIA" (page 234)
"contradition" corrected to "contradiction" (page 246)
"Coronor" corrected to "Coroner" (page 248)
"Sullivan" corrected to "Sullivan" (page 252)
"villian" corrected to "villain" (page 255)
"mitimus" corrected to "mittimus" (page 270)
"phenominal" corrected to "phenomenal" (page 271)
"stoping" corrected to "stopping" (page 281)
"Clan-na-6ael" corrected to "Clan-na-gael" (page 282)
"witnessess" corrected to "witnesses" (page 287)
"admissable" corrected to "admissible" (page 289)
"Schack" corrected to "Schaak" (page 289)
"arirve" corrected to "arrive" (page 296)
"beheld" corrected to "be held" (page 296)
"homeat" corrected to "home at" (page 296)
"Februray" corrected to "February" (page 300)
"WINNEPEG" corrected to "WINNIPEG" (page 303)
"Winnepeg" corrected to "Winnipeg" (page 304)
"occasionally" corrected to "occasionally" (page 304)
"Winnepeg" corrected to "Winnipeg" (page 312)
"condiserable" corrected to "considerable" (page 317)
"admissibl eand" corrected to "admissible and" (page 323)
missing "the" added (page 327)
extraneous "while" removed (page 329)
"transfered" corrected to "transferred" (page 331)
"employe's" corrected to "employees" (page 336)
"of of" corrected to "of" (page 336)
"BAGNELL" corrected to "BAGNALL" (page 345)
missing "he" added (page 360)
"fradulently" corrected to "fraudulently" (page 363)
"no" corrected to "not" (page 376)
"nationalty" corrected to "nationality" (page 377)
"Lafflin" corrected to "Laflin" (page 385)
"preceedings" corrected to "proceedings" (page 391)
"elasses" corrected to "classes" (page 394)
"distinction" corrected to "distinction" (page 394)
"ean" corrected to "can" (page 395)
missing "to" added (page 407)
"the" corrected to "that" (page 408)
"apointment" corrected to "appointment" (page 408)
"giving" corrected to "given" (page 423)
"and and" corrected to "and" (page 423)
"O'Sullivan" corrected to "O'Sullivan" (page 427)
"stanch" corrected to "staunch" (page 435)
"It" corrected to "If" (page 444)
"no" corrected to "on" (page 453)
"Simons" corrected to "Simonds" (page 485)
"iniflct" corrected to "inflict" (page 487)
"mantlepiece" corrected to "mantelpiece" (page 495)
"Gentleman" corrected to "Gentlemen" (page 498)
"if if" corrected to "if" (page 509)
missing "I" added (page 511)
"responsibly" corrected to "responsibility" (page 513)
"lert" corrected to "left" (page 515)
"patroit" corrected to "patriot" (page 518)
"acount" corrected to "account" (page 520)
"palf" corrected to "half" (page 523)
"abili" corrected to "alibi" (page 524)
"dont" corrected to "don't" (page 525)
"Cughlin" corrected to "Coughlin" (page 526)
"anyth ng" corrected to "anything" (page 526)
"prejudice" corrected to "prejudice" (page 527)
"prejudices" corrected to "prejudices" (page 527)
"a" corrected to "as" (page 533)
"Gods" corrected to "God's" (page 534)

"Inspite" corrected to "In spite" (page 537)
"beeause" corrected to "because" (page 542)
"steets" corrected to "streets" (page 546)
"they" corrected to "that" (page 548)
"whn" corrected to "why" (page 552)
"poople" corrected to "people" (page 552)
"aftet" corrected to "after" (page 557)
"certainty" corrected to "certainty" (page 564)
"predjudice" corrected to "prejudice" (page 565)

*** END OF THE PROJECT GUTENBERG EBOOK THE CRIME OF THE CENTURY; OR, THE
ASSASSINATION OF DR. PATRICK HENRY CRONIN ***

Updated editions will replace the previous one—the old editions will be renamed.

Creating the works from print editions not protected by U.S. copyright law means that no one owns a United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg™ electronic works to protect the PROJECT GUTENBERG™ concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for an eBook, except by following the terms of the trademark license, including paying royalties for use of the Project Gutenberg trademark. If you do not charge anything for copies of this eBook, complying with the trademark license is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. Project Gutenberg eBooks may be modified and printed and given away—you may do practically ANYTHING in the United States with eBooks not protected by U.S. copyright law. Redistribution is subject to the trademark license, especially commercial redistribution.

START: FULL LICENSE

THE FULL PROJECT GUTENBERG LICENSE

PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg™ mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase “Project Gutenberg”), you agree to comply with all the terms of the Full Project Gutenberg™ License available with this file or online at www.gutenberg.org/license.

Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works

1.A. By reading or using any part of this Project Gutenberg™ electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg™ electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg™ electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. “Project Gutenberg” is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg™ electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg™ electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg™ electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation (“the Foundation” or PGLAF), owns a compilation copyright in the collection of Project Gutenberg™ electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg™ mission of promoting free access to electronic works by freely sharing Project Gutenberg™ works in compliance with the terms of this agreement for keeping the

Project Gutenberg™ name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg™ License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg™ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg™ License must appear prominently whenever any copy of a Project Gutenberg™ work (any work on which the phrase “Project Gutenberg” appears, or with which the phrase “Project Gutenberg” is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

1.E.2. If an individual Project Gutenberg™ electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase “Project Gutenberg” associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg™ trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg™ electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg™ License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg™ License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg™.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg™ License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg™ work in a format other than “Plain Vanilla ASCII” or other format used in the official version posted on the official Project Gutenberg™ website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original “Plain Vanilla ASCII” or other form. Any alternate format must include the full Project Gutenberg™ License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg™ works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg™ electronic works provided that:

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg™ works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg™ trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, “Information about donations to

the Project Gutenberg Literary Archive Foundation.”

- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.
- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.
- You comply with all other terms of this agreement for free distribution of Project Gutenberg™ works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg™ electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg™ trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg™ collection. Despite these efforts, Project Gutenberg™ electronic works, and the medium on which they may be stored, may contain “Defects,” such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the “Right of Replacement or Refund” described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you ‘AS-IS’, WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg™ electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg™ electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg™ work, (b) alteration, modification, or additions or deletions to any Project Gutenberg™ work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg™ is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new

computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg™'s goals and ensuring that the Project Gutenberg™ collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg™ and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg™ depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg™ concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg™ eBooks with only a loose network of volunteer support.

Project Gutenberg™ eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg™, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.