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Hell's Emissary
and the
38 DEAD

Crime Classic from
the Files of the Pinkerton's



By ALAN HYND

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FOREWORD

The story, HELL'S EMISSARY AND THE 38 DEAD, which follows, is of the crimes of Albert D. Horsley, alias Harry Orchard, culminating in the murder of ex-Governor Steunenberg of Idaho at Boise, Idaho, December 30, 1905, and of his detection and apprehension by Pinkerton's. It is by the noted crime writer, Alan Hynd, and appeared first in the April, 1941, issue of TRUE DETECTIVE MYSTERIES, a Macfadden publication.



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FROM AN EDITORIAL:

HELENA, MONTANA, Sunday, Oct. 11, 1903

"FAMOUS OUTLAWS OF THE UNITED STATES"

"With the passing of James McParland, General Superintendent of all western agencies of the Pinkerton National Detective Agency, there may be given to the world its first detailed account of western criminals and their crimes. It will represent years of labor, and not is there in all the world a man, but this one capable of writing it.

"MANY YEARS OF STRENUOUS LIFE"

"Although now his hair is white, the hand of time has dealt kindly with him. A ruddy face gives every evidence of health of mind and body, notwithstanding that for the last 43 years he led all that might be called a strenuous life among criminals of the East and West. For more than thirty years he has been west of the Mississippi, and in his hands has been placed and his mind has directed the chase after perpetrators of all the big crimes within this period. Mr. McParland is located at Denver. Seldom is it that he gets in a reminiscent mood or cares to talk of the past. Yet at his tongue's end is the history of every train and bank robber who has operated in the west from the cradle to the grave—or his episode providing he is alive. Days and dates are as familiar to him as the hours of the day. He has made a life's study of the men, and his whole soul is in his work.

"Mr. McParland was born in Armagh Province of Ulster, Ireland. He came to the United States when a young man, and in 1860 entered the employ of Pinkerton's. His first chief was the late Allan Pinkerton, head and founder of the present house, and whose memory Mr. McParland deeply reverences. During the war of the rebellion, McParland was associated with the secret service bureau at the head of which was Major Allan Pinkerton, and later he took charge of the work of breaking up the famous Molly Maguire gang in the anthracite regions of Pennsylvania.¹ In that he excelled so completely that his rise in rank was rapid, and, after taking charge for Pinkerton's of private and government cases in this and South American countries, in a few years he found himself stationed in the west in full charge of every case that came into the Pinkerton Agency from this territory. Here a new life opened to him and his operations began among the most daring criminals in the known world.

"Western train and bank robbers taught the world a new lesson, until they were taught a lesson by the sturdy Irishman, with whose brains and detective instinct they were unable to cope. The result is that bands in the northern, southern and western states and territories have been broken up. Most of the members have found timely graves in out of the way places. Others are spending their days in prison, while a few of the most notorious of whom is Harvey Logan, alias Kid Curry,² are still at large and their occupation cut off, and relentless outlaw catchers ever on their trail.

"Mr. McParland³ is a modest man notwithstanding. With the possible exception of Robert and William Pinkerton, his chiefs, he is better posted on criminals of the high and more dangerous class than any other man in the world."

¹Detective McParland's achievement in the extinction of the Molly Maguires was related by Alan Hynd in a short story entitled, "The Labyrinth of Death," published November 1940, in *The Detective Mysteries Magazine*.

²Harvey Logan, alias Kid Curry, was a member of the notorious "Wild Bunch" gang of bank train robbers, which from its hideout in the Hole-in-the-Wall country of Wyoming, raided surrounding country for hundreds of miles, holding up banks and railroad trains and ruthlessly shooting those who resisted them. On the morning of July 8, 1904, Logan and some companions held up a Denver and Rio Grande Railroad train near Parachute, Colorado, and attempted escape. A posse of ranchmen and cowboys in the district was quickly organized and chase given. Coming up with the robbers near Rifle, Colorado, the posse opened fire and Logan fell from his horse seriously wounded. He was seen then to raise his revolver and send a bullet crashing through his head. He was buried as an "unknown" in the potters field in Glenwood Springs, Colorado. Several days later Pinkerton Detective, Lowell Spence of Chicago, who on previous occasions had seen Logan, accompanied by other law officers, disinterred the body and Detective Spence identified it as that of Harvey Logan.

³James McParland died May 18, 1919.

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"**Y**ou! You in the front row there; you ever killed a man?"

"No, but I'm willin'. How many men you want killed?"

"Maybe fifty, maybe a hundred. Dependin' on how many's in here."

The man on the improvised platform at the foot of the mountain-side on the outskirts of Burke, Idaho, was Paul Corcoran, a giant specialist in mass murder whose gun no longer had space for more notches.

His audience that early morning comprised twelve hundred trimy, hard-faced men. The individual he had singled out hardly fitted into this setting. He was in his late twenties, of medium stature, and had an open, ruddy countenance and laughing, guileless blue eyes. Small wonder, then, that several of the rough characters present appraised him with some surprise when he replied as he did to the important Mr. Corcoran.

"What's your name? How long you been with us?" scowled Corcoran.

"My name's Al Horsley and I've belonged two weeks now. But that's all that got to do with it? Where's the men you want killed?"

A rumble ran through the crowd. This new guy talking to the big boss like that; it wasn't done if you thought anything of your side.

"You look like a spy to me!" barked Corcoran.

The young man with the guileless eyes took a few steps nearer the platform. "Say that again, you big stiff, an' I'll bust your Irish face in! I'm Irish myself."

Corcoran's powerful frame stiffened and his right hand began to move slowly toward his left armpit.

"Hold on, Mr. Corcoran!" shouted some one in the rear. "The boy's all right. He drove the milk route here and he saw us do up eight different people an' he never peeped."

Corcoran's hand halted in its journey shoulderward. "That right?" he snapped at the young man who was to embark on a career of murder that, years later, they still talk about in the back rooms of police stations.

"He ain't kiddin'. Come on now, let's hear about the murder you want done," was the answer.

The scene was the great Coeur d'Alene River mining country. Lawless and forbidding, here was something that might have come right out of an old time Western movie. One branch of the Coeur d'Alene ran through a gloomy territory known as Canyon Creek. The town of Burke, near where these desperate men had flocked together, was one of a string of small mining settlements in a narrow valley with mountains going up so steeply on either side that even in the summer the sunlight was shut off as early as four in the afternoon.

Burke, Gem, Wallace and the other towns had only one street and the river and the railroad tracks took up most of the valley. General stores, saloons and houses of ill-fame were built in niches cut into the mountain sides. Men had been drawn here from all five continents by the lure of the earth's greatest lead and silver deposits. The shafts were going day and night, every day in the week.

Young Al Horsley had come from Ontario. He hadn't been lured by the wealth in the depths of the earth, exactly. He was a fugitive. He had burned a small factory for insurance and, when exposure loomed, he had left his wife who was about to bear him a child and run off with another woman. He had deserted the woman somewhere along the way.

In this baleful land that was a law unto itself, a drink of good whisky had a higher value than a human life. Strife was the order of the hour. The Western Federation of Miners, which embraced thousands of workers who labored in the shafts, was, for the most part, made up of honest, hardworking men, such as the average union man of today. However, a disgruntled minority of the membership was acting upon instructions from certain high officials of the organization, who were actually racketeers out to line their own pockets.

Men like Corcoran, who was Secretary of the Burke branch of the Federation, frequently made such outrageous demands on the mine owners that Federation workers were replaced by non-union men. When that happened, blood was always spilled—and it was going to be spilled on this morning.

Corcoran surveyed the mass of seething humanity before him. He could sway a mob, this giant. That's why he had been picked for the job he was doing now. He raised two large upturned palms and got silence instantly.

"Men," he said, "we're going to blow up the Bunker Hill mine at Wardner and knock off everybody in it."

A cheer went up. "We are taking over a Northern Pacific train that comes through here in a little while. I want a dozen men to knock off all members of the crew except the engineer. That is, kill them if they put up a fight. Lemme see hands."

Perhaps half a hundred hands, including Al Horsley's, went up. Corcoran chose a dozen, not including the Ontario fugitive. "Got your masks?" he asked. "Okay, wear 'em."

Corcoran disclosed that he had had a thousand new rifles and several thousand rounds of ammunition shipped to the mining country in piano boxes. These had been secreted in the mountains between Burke and Wardner and would be picked up en route. There were also more than a thousand masks hidden at another point and every miner would be required to wear one.

"When we get there," Corcoran went on, "we will shoot our way into the mouth of Bunker Hill mine. We are also picking up twenty-five fifty-pound boxes of dynamite near Wardner, and I want that taken into the mine and set off so that everybody inside will be blown to pieces."

As was the custom, a vote was taken on Corcoran's plan. Only a few hundred out of the twelve hundred present seemed to favor it, but this minority soon circulated through the rest of the workers and by means of threats, backed up by rifles and six-shooters, they succeeded in making the vote unanimous. Corcoran singled out Horsley. "Your job will be to set off one of the fuses," said the secretary.

Horsley gulped and suddenly his throat felt dry. He glanced about him and noted many stares in his direction. Now he looked at Corcoran again. "Yes, sir," he said.

When the Northern Pacific train pulled into Burke, it was taken without a struggle and not a shot was fired. The twelve hundred men boarded it and it was soon on its way. Everything went according to schedule, stops being made for the dynamite, rifles and masks. Horsley inquired of a fellow traveler if it wouldn't have been possible for some one back in Burke to have telegraphed a warning to all towns ahead. "Impossible," came the reply. "Corcoran cut the wires before we pulled out."

But somehow word had reached Wardner, for the place was like ghost town when the masked men swarmed from the train. Four watchmen were on duty at the mouth of the Bunker Hill property. The leader of the mob asked one of these men how many workmen were inside. "Only twelve," came the reply. Angered, several of the mobsters murdered the watchman on the spot and then about a hundred of them walked in with dynamite. It was carefully

planted where it would do the most harm. The men at work were on a lower shaft and apparently did not know what was going on above them. Not believing the rumor, they had refused to abandon the mine when word had filtered through that trouble was expected.

Horsley carried out his instructions by lighting one of the fuses when a signal was passed on to him. Then, with other fuse lighters he ran for his life. He had reached a point a few hundred feet from the mouth of the Bunker Hill diggings when he heard the first of a series of tremendous blasts. The repercussion knocked him sprawling, and dazed him, but instinctively he got to his feet and kept on running.

Leaving a half million dollars worth of construction work in ruins, and four watchmen and twelve miners dead, the masked mob returned to Burke. The telegraph wires had meanwhile been repaired and word of what had happened was flashed to the outside world.

Within an hour a detachment of United States troops arrived and began rounding up members of the mob. Less than a hundred escaped up the mountainside, and Albert Horsley was among the few. Prior to his departure, he had made arrangements with a friend who lived in Burke to give him a smoke signal whenever it was safe to return.

For three days without food, Horsley hid in the fastness of the mountains above the town. He watched in vain for the smoke signal. He thought of his wife and his baby and of what he had done with a life that might have been an honorable one. He didn't know whether he was a murderer or not, for he had lit but one of fifty fuses. Had the fuse he lighted taken human life? He spent awake nights up there on the mountain trying to decide upon an answer to a question which, his intelligence must have told him, could never be answered to the last day he lived.

He made his way to Butte, Montana, headquarters of the Western Federation of Miners. He inquired there as to the chances of getting another mining job. He was told that if he knew what was going on for him he would make himself scarce, as the Mine Owners' Association had obtained the names of all workmen who had been employed in Burke at the time of the Wardner outrage and blacklisted every one.

Horsley drifted to Utah and California, doing odd jobs. By that time his conscience was bothering him to such an extent, because of the part he had played in the blast that had taken twelve lives, that he was drunk most of the time. He figured he was a human man because several convictions had resulted from the Wardner

blast. The non-criminal workmen who had been unwilling parties to the murderous expedition had turned state's evidence with the result that many of the mob had been sent to prison for long terms. Correctionor, the secretary, was sentenced to seventeen years at hard labor. Now an inveterate gambler, drinker and lover of high life, Horsley decided that the gold fields of Colorado would supply him with the money necessary to indulge his tastes. So, at the age of thirty-six, he landed in Cripple Creek. That vicinity boasted the richest gold strikes in the world.

His first job was running a machine drill in the Trachyte Mine. That was sufficient to put him close to the yellow metal that he craved. He soon learned that dishonest workmen were going in for what was called "high grading." A "high grader" was one who walked out of a mine after a day's work with "something good for the vest pocket," a small piece of almost pure gold. Thus it was that Horsley soon became a high grader. One time he actually had so much of the precious metal concealed on his person when he ended a day's work that a dishonest companion remarked to him: "You better not fall down or you won't be able to get up again."

Horsley had now changed his name to Harry Orchard. In Cripple Creek he met an attractive and wealthy widow, Ida Toney, whose husband had been killed in a mine accident a few years before. Despite the kind of existence he had been leading for several years, Orchard was still attractive to women. They liked the twinkle in his eyes, his ready smile and his Irish wit. He wasn't exactly surprised, then, when, after a short but ardent courtship, Mrs. Toney agreed to marry him. Orchard didn't know or care whether he committed bigamy. He had heard that his wife had not gone through with her divorce action, but he did not know whether she was alive or dead, as several years previously she had moved from the Ontario town where he had left her, to parts unknown.

Orchard was suspected of being a high grader by the operators of the mine where he was working, because of the huge amounts that he consistently lost at Cripple Creek faro tables. Although he was not caught with the goods on him, he was discharged and his name placed on the blacklists of other mines. Unable to find employment, he hit upon the idea of using his wife's money. But the former Mrs. Toney was too smart for him. She wouldn't let him have any. Moreover, after giving him a good tongue-lashing, she told him to get out of her house and never darken the door again.

By this time, Orchard was a bitter, frustrated man. Even while living with his second wife, he had frequented the houses of ill-

fame that dotted Cripple Creek. Now, lacking funds, he was longer welcome in such places.

It was at this time that the Western Federation of Miners, whose members worked many Colorado properties, had trouble at the Vindicator Mine, one of the largest in Cripple Creek. It was the same old story. The rank and file of the workmen were satisfied with their lot, but Charles H. Moyer, President of the Federation, saw a chance for increased dues if pay envelopes were made fat. The result was a strike. The Vindicator operators, defying the Union, placed non-union workmen in the shafts.

Studying this situation, Orchard decided he could turn it to his own advantage. He had long since finished the battle between himself and his conscience, and his conscience had lost. Nothing, not even human life, meant anything to him now. All he wanted was money for booze, gambling and women. Having abstained from liquor for more than a week in order to have a clear head and dressed in a new suit, Orchard approached W. F. Davis, in charge of the Federation in the Cripple Creek territory, and asked to be taken to Headquarters at Butte and given a personal introduction to President Moyer. "What I intend discussing with Moyer and no one else," Orchard told Davis, "will settle the problem of non-union labor at the Vindicator Mine once and for all."

The president was a big, fat man with a double chin and crazy eyes. A keen judge of character, he knew instantly that he was looking upon a cunning man in the person of Harry Orchard.

The visitor didn't beat around the bush. "How much would be worth to you," he asked Moyer, "for me to blow up the Vindicator Mine and everybody in it?"

"Five thousand dollars," was the answer. "How do you propose doing it?"

"That is strictly up to me," said Orchard.

Moyer chuckled. "Very well, but I insist that you outline your plans to Mr. Pettibone."

George A. Pettibone was the chemical expert of the Federation in addition to being an official of the organization. He had devised many ways of cheating the law by means of using common substances. For example, he always insisted that an individual who committed sabotage on property where the Union had had trouble either soak his shoes in turpentine when departing from the scene of a crime or sprinkle turpentine behind him. This, Mr. Pettibone had found out from experience, was infallible in throwing bloodhounds off a scent.

Pettibone approved Orchard's plan, although he made a suggestion or two. Thus, the scheme finally decided upon was this: Orchard, who had at one time been employed in the Vindicator shafts and who knew his way around the property, was to sneak past the guards at night. Carrying dynamite—a fifty-pound box at a time—he was to secrete it in spots where it wouldn't be likely to be discovered.

Then he was to plant a revolver at a point where, when the gun was fired, it would strike a large cap that would set off the first box of explosive. The various boxes—about a score in all—were to be connected, one with another, by a series of fuses, so that they would all go off in rapid succession.

A wire, fastened to the trigger of the gun, was to be stretched along the edge of a dim passageway for several hundred feet, being attached at the other end to the bottom of a door. After the arrangement was complete, when this door was opened the wire would become taut and pull the trigger of the gun.

Orchard devoted himself to his objective for more than a fortnight. Sometimes he came very close to being discovered by guards around the property, but always he managed either to place a box of dynamite, or make a clean getaway, to await another opportunity. He reported progress each day to Pettibone, and the latter would rub his hands and smile approval.

"Orchard," Pettibone said one day, "when you are through with this, I'm going to have you try something new on a railroad depot that Mr. Moyer is thinking of having blown up some night when the platform is full of people." The speaker went to a cabinet and came back with a small bottle containing a glass stopper. He poured a few drops of the bottle's contents on the floor, and the wood instantly took fire.

"An invention of my own," said Pettibone proudly. "I call it Grecian Fluid. You'd be surprised if you knew what simple ingredients it contains. The trick is to get them together in the proper proportion. Whenever the air strikes this stuff, instant fire results."

At length Orchard reported that his death-dealing device was complete at the mine; he, Pettibone and Moyer sat back to await results. They well knew that the moment any one entered the door to which the wire was fastened no one in the mine would come out alive. A day passed. Nothing happened. Another day, and still nothing happened.

At the end of a week, Moyer was in high dudgeon. He asked Orchard what the idea was of taking up all his time for a plan that had come to naught. The other said he couldn't understand what

had happened. "I'll tell you what I'll do, Mr. Moyer," he said. "I'll go over there tonight and check up on things. I don't think dynamite has been discovered. It may be that nobody has used that door yet. You see, I had to work in a seldom used part of the property in order to get things done."

When Harry Orchard arrived in Cripple Creek, he learned that he had been right in his surmise that nobody had used the door. That is, nobody had used it until an hour before Orchard arrived. Then, apparently some one had—for the Vindicator Mine was in ruins, and twenty-two bodies were known to be in the debris.

Mr. Pettibone resided in Denver, which was convenient for what certain Federation officials next had in mind. This was the assassination of Colorado's governor, James H. Peabody. The Chief Executive, while sympathetic with unionism, was deadly opposed to men like Moyer who, the Governor and other upright men well knew, were exploiting the rank and file of the workmen. Consequently the Governor had sent the state militia into troubled areas and afforded protection to the mine owners from the gangsters who masqueraded under the label of unionism.

Orchard was assigned to study the Governor's movements. He soon learned that it was Peabody's habit to walk from the Executive Mansion to the State Capitol each morning about nine o'clock. When Orchard passed this information on to Pettibone, the chemical expert rubbed his hands and said: "I have just the thing. A sidewalk bomb."

That very night, the two plotters picked out a spot between the Capitol and the Executive Mansion, dug away some dirt and placed an infernal device underneath the cement walk. Orchard asked how it was to be set off. "This is where my Grecian Fluid comes in," said Pettibone. He placed a small bottle of the liquid on its side over the bomb fuse. To the glass stopper he attached a wire, several hundred feet in length. Then he replaced the earth and stretched the wire across the street to a vacant lot high with weeds.

"All you have to do now," he told Orchard, "is to wait here until you see old Peabody coming along the street. Then jerk the wire ten seconds before he reaches the spot we've fixed up. It will take so long for the fuse to reach the powder after the cork is jerked out of the bottle and the fluid spills."

Orchard said he wasn't a very good judge of time and would not know how to decide exactly the duration of ten seconds. Not that, but he said that sometimes the Governor walked fast and sometimes slowly, depending upon how much of a hurry he was in.

Pettibone, who liked to fancy himself as dwelling on Olympus

heights, was irritated at this quibbling over a detail. He called Orchard stupid and said he supposed he would have to be present in the vacant lot himself and tell Orchard just when to pull the wire.

It is known that the argument between the two grew so heated that they finally agreed on only one thing—to go to the Denver residence of Big Bill Haywood, a power in the Federation, and let him settle the matter as to just how the Governor should be assassinated. This was Haywood's first extended meeting with Orchard and the union official, who had, of course, known of his "work," recognized in him a valuable explosion specialist. Of compelling and persuasive personality, Haywood soon brought Orchard and Pettison around to friendly terms and advised that the former handle the assassination alone in order that the latter could devote his entire time to his own peculiar talents.

Two days later Orchard was in the vacant lot across the street from where the infernal device was planted under the sidewalk, his hand on the wire that would jerk the cork out of the acid bottle. His heart began to pound when he saw Governor Peabody approaching the fatal spot. As the Chief Executive reached the street intersection, an acquaintance hailed him, and the two stood talking for a few minutes. Then, still continuing their conversation, the Governor and his friend crossed to the other side away from the planted bomb.

The next morning, Peabody again altered his route. Big Bill Haywood got suspicious that the Governor had been tipped off to the plot. It was at this time that spies working for Haywood in the State House disclosed that a detective, Lyte Gregory, who had done considerable sleuthing on behalf of Colorado mine owners, had arrived in town a few days before the bomb had been planted under the sidewalk.

Orchard was taken to the State House to get a look at Gregory, who spent considerable time there, and he identified him as the man who had engaged the Governor in conversation the first day the death trap was to have been sprung. This enraged Orchard, for the taking of human life meant money to him. He wasn't interested in any "cause." All he wanted was the wherewithal to indulge his taste for high life.

He asked Haywood if he were willing to put a price on Detective Gregory's head. The answer was yes, and the price five hundred dollars. Two nights later Orchard followed the investigator from a saloon on Santa Fé Street, near Tenth Street South, where Gregory had hung out to pick up information. Five minutes later the detective was instantly killed by a shotgun. The Governor became so alarmed at the detective's murder that he henceforth went about with body-

guards. Orchard removed the death trap from under the sidewalk.

While Orchard was squandering his "reward" in Denver's light district, Haywood and Pettibone were preparing a "lesson" in the town of Independence, a few miles from Colorado Springs where the Federation, because of the nefarious activities of a minority of its members, was in ill odor. The railroad station at this town had a long wooden platform with several feet of space between it and the ground below. During several successive nights, following the departure of the 2:30 A. M. train when the station was deserted Orchard and Pettibone arranged an extensive dynamite labyrinth under the platform.

The arrangement was similar to that which had snuffed out twenty-two lives in the mine at Cripple Creek, only Pettibone used Grecian Fluid instead of a revolver was to be the means of setting off the blast. A short piece of wire was run out from below the platform after the work underneath was completed and all that would now be necessary would be to attach a longer wire to the short piece just before the explosion was to take place.

When everything was in readiness, Orchard went to the station half-past one on a cloudy night, attached several hundred feet of thin, strong wire to the leading piece, and then stretched it to its full length, so that holding the end he was some distance from the platform. Shortly after two o'clock, as usual, individuals began to gather at the depot to board the coming train. When the engine whistle sounded in the distance, there were more than twenty persons on the platform. Orchard jerked the wire and in a few seconds there was a detonation that could be heard miles away.

The criminal fled, making his way back to Denver by private conveyance. When he reached that city he saw by the papers that by the explosion he had murdered thirteen persons and blinded or otherwise maimed for life eight others. He went to see Haywood to collect so much per head and found his host in high spirits.

"You've never done a better job, Harry," said Haywood. "This one's even better than the Cripple Creek blast because it will throw such terror into the people at Independence, they'll let us in on the mines there again."

Orchard was to have been paid one hundred dollars for each person murdered but Haywood tried to chisel him down to a flat price of one thousand dollars, on the ground that it was as easy to kill a dozen people as one. A compromise was reached whereby Orchard received twelve hundred and fifty dollars.

Pettibone had meanwhile invented something new. It was what he called his "Wallet Bomb." It was to be self-operating and

signed to afford a maximum of safety to the person who planted it, inasmuch as that individual would not need even to be in the same town when the contrivance exploded. It was a dynamite contraption that would be set off by the pulling of a wire planted in the ground or under a sidewalk, and one end of the wire was to be attached to a wallet. "Everybody picks up a wallet," Pettibone explained to Orchard and Haywood. "So all we have to do is to plant it in a spot where we are sure the person we want will see it before any one else does, and then we've got him."

The two plotters were enthusiastic over the latest Pettibone accomplishment. Haywood said that the wallet bomb would be ideal to use against Chief Justice Goddard of the Colorado Supreme Court, and Supreme Court Justice Gabbart, both of whom had rendered decisions unfavorable to the Western Federation of Miners.

The jurists lived in Denver, and Orchard, knowing the price on each man's head was five hundred dollars, began trailing them.

Judge Gabbart, he found, resided on the outskirts of the city in a quiet section. If a wallet were planted in front of the Judge's home about nine o'clock in the morning, when he customarily left for the State House, the plotters reasoned that he would be sure to pick it up. Under cover of night, Pettibone and Orchard planted an infernal device directly in front of the jurist's house; the only thing remaining to be done being to attach the wallet to the wire which, when it became taut as the wallet was picked up, would set off the death blast.

The morning of the chosen day dawned muggy. Orchard lurked in the vicinity, waiting for nine o'clock. The quiet street was deserted, as there were no houses within several hundred yards of the judge's residence. At a few minutes before nine Orchard passed the place, satisfied himself that he was unobserved, then leaned down and fastened the wallet to the wire.

He walked quickly to a vantage point almost three blocks away and waited to see what would happen. Nine o'clock arrived, and no sign of the Judge. Then, from around a corner came a man whom Orchard didn't recognize. He was afraid this person might be a detective, but apparently he wasn't, for he passed Orchard and continued walking up the street in the direction of the Gabbart home.

Orchard didn't know what to do. He didn't wish this man to pick up the wallet, for there would be no money paid over for the killing of an innocent bystander. Not only that, but such an accident would make the proposed victim suspicious and therefore harder to get.

On the other hand, Orchard didn't want to run ahead and prevent this man from picking up the wallet. So he just had to stand

there watching the stranger getting closer and closer to certain death, hoping something would happen to save him from the trap.

The man was now almost at the Judge's house. Orchard couldn't bear to look, not because he had any compassion in his heart but because he saw the vision of five hundred dollars go a-glimmering. In a few seconds a terrific explosion assailed his eardrums. He looked down the street and saw that the worst had happened. He found out later that the unfortunate man had been Merritt W. Walley, a prominent Denver business man.

Big Bill Haywood was incensed because the plot had gone awry. He upbraided Orchard roundly, pointing out that he wanted every blast to count. The latter argued that he thought he had done a very credible job so far, committing as he had a total of thirty-seven murders. The figures had never been lumped for Haywood before and he was impressed. He smiled, shook hands, and is known to have said: "No hard feelings. And now I have a job for you in San Francisco."

The killer's new mission was to slay Fred Bradley, who had been the manager of the Bunker Hill mine on the occasion of Orchard's first dealings with murder. The intended victim was now the head of a mine owners' association in the Golden State which was fighting the gangster faction of the Federation. At the moment, Bradley was principally occupied in raising a huge fund to drive the infamous organization out of California and Haywood wanted his taken care of before the fund got too large.

Bradley lived on the top floor of a three-story building containing six flats at Leavenworth and Washington Streets in San Francisco. Orchard, going under another assumed name, succeeded in getting a room a quarter of a block distant which, with the aid of binoculars, afforded a good view into the living quarters of the prospective victim.

In this way, he learned that the mine owners' representative ate breakfast promptly at nine o'clock each morning in a room that looked out in the rear of the building. Reconnoitering the neighborhood, he found that there was a vacant structure behind the one where Bradley lived, the roof of which was only slightly higher than the breakfast room of the intended victim. This roof, which was easily reached by an outside fire escape, extended to a point only twenty feet away from the Bradley flat. Orchard concluded that it would be a simple matter to stand at this point and send a shotgun charge through the window of the breakfast room.

Orchard was up on the roof with a shotgun the first morning after he had decided how best to commit this murder. But, for the

first time since the surveillance began, the mine official didn't appear. Orchard wondered why. A short while later he saw some workmen in the room. They were painters. Mr. Bradley was now having his breakfast in another part of his flat, where an outside gun-shot charge couldn't be directed at him.

Orchard, as revealed by the archives of Pinkerton's National Detective Agency, decided to shoot Bradley some night when he returned home. But this would be difficult, as there was usually considerable activity going on about the front entrance. Thus it wouldn't be possible for Orchard to tarry very close to the building without running risk of detection. On the other hand, he learned that if he stood any appreciable distance from the entrance he couldn't distinguish any one going in or out as the neighborhood was quite dark at night.

The Bradley family had a pretty servant girl who frequented the back room of a near-by saloon at night. Orchard made it his business to get acquainted with her. In fact, he soon added her to his long list of conquests. He now had little difficulty in learning pertinent facts about her employer, and one particularly interested the killer: Mr. Bradley was very fond of candy and frequently was the recipient of gifts of confectionery from various of his business associates.

Orchard lost no time in sending the mine official a box of poisoned chocolates in which was a card bearing the name of a close friend. After doing this, he took time off from his "work" to sample the pleasures of the Barbary Coast, confident that Bradley was as good as dead and marveling at how easy the job had been.

For a fortnight he kept a close eye on the newspapers but saw no word of Mr. Bradley's death, or even illness. He sought out the servant girl again. He drew from her the story of what had happened. Mr. Bradley had had a supply of candy on hand and had not yet sampled the box supposedly sent by his friend. He had, however, written a note of thanks to the sender and had received a reply that no such gift had been forwarded. He had become suspicious and had taken the chocolates to a chemist for analysis. The report was that the candy was poisoned and Bradley had turned the matter over to the police for investigation.

Cursing his luck, Orchard decided to kill Bradley at any cost. Women and the gambling dens of the Barbary Coast had once again reduced his funds to the vanishing point and Haywood had informed him by coded letter that not another cent would be forthcoming until Bradley was dead.

Posing as a salesman, Orchard went from door to door in the apartment house. In this way he became acquainted with the layout of the place. Just outside of the Bradley apartment there was a niche in the wall that would be ideal for secreting a bomb. The criminal made a small but powerful infernal device in his room and late one night he sneaked into the apartment building and planted it outside of his victim's premises. He attached a wire to the knob of the door, realizing that Bradley would be the first one out in the morning.

The contrivance was planted at about 2 a.m. After that, Orchard went to an all-night saloon and got drunk. He staggered to his room a quarter of a block from where Bradley lived shortly after daybreak and went to sleep. A few minutes after nine he was startled out of his drunken slumber by a detonation in the neighborhood. It took him a moment or two to realize what the noise meant. He rushed to his window and saw people running toward the apartment house. He dressed hastily and proceeded there himself. When he arrived, Bradley was being carried to an ambulance. Orchard heard some one say that the man had been blinded. He went away muttering to himself, angered that Bradley was still alive and wondering how much, if anything, he could get out of Big Bill Haywood for a job of this kind.

Proceeding to Denver, Orchard found Haywood in high spirits. "Harry," the union official said, "that was a particularly fine job on the Coast. It couldn't have been better."

"You mean you're not mad because he didn't die?"

Haywood grunted. "He's better blind and deaf and scarred. He'll be a living, breathing example to those—mine owners who are trying to buck us."

"Then I get the five hundred?"

"Yes—and a hundred dollars bonus for blinding him."

It might be stated here that Haywood's enthusiasm was fortunately misplaced, for Mr. Bradley was destined to regain his hearing and eyesight and continue his useful life. Another peculiar feature of the San Francisco blast might be of interest to the reader. The traces of the infernal machine disappeared during the explosion, becoming mixed with other debris. Bradley's wife recalled that several days she had smelled gas. So had other tenants. On this basis, the gas company was sued by the Bradleys for negligence and an award of \$10,000 was decreed.

During Orchard's sojourn in San Francisco, Pettibone had devised still another lethal device. This was a plaster of Paris bomb. It was constructed of dynamite inside of a plaster of Paris ball. Several nails had been placed in the plaster of Paris while that substance

he was in the process of hardening. The head ends of the nails jutt-
ed above the surface of the ball while the pointed ends were placed
within a fraction of an inch of the caps inside which, if touched,
would set off the dynamite. All that had to be done to cause an ex-
plosion was to toss this ball at whatever was to be blown up. No
matter how it landed, the head of at least one of the nails would
come in contact with whatever was struck and the nail would be
driven inward, pressing a cap.

Pettibone took Orchard out to Denver's Riverside Cemetery and
threw the plaster of Paris balls against cottonwood trees, blasting the
trees to pieces. One feature of Pettibone's newest handiwork was
that the explosion was highly concentrated and that a person stand-
ing a hundred feet from it, about the distance one of the contrivances
could easily be thrown, would stand no danger of injury.

"These will be very good for throwing through windows at
night," Pettibone explained as he enthusiastically fired one of the
white round things at a tombstone. This particular blast caused so
much noise that a cemetery employee put in a call for the police.
Pettibone was still marveling at his own inventive ability and tossing
the bombs in all directions when Orchard saw some bluecoats ap-
proaching in the distance. The two men barely escaped.

Haywood still wanted Governor Peabody and Supreme Court
Justices Goddard and Gabbart put out of the way. Big Bill nursed
hatreds for years and he wouldn't give up, no matter what the ob-
stacles, when he set out to attain an objective. As a matter of fact,
Peabody was now no longer the Governor; having been beaten for
re-election, he had retired to his private residence in Canon City.
Haywood had ruled out use of the wallet bomb because of the danger
of needlessly arousing public sentiment if accidents developed, as in
the case of Citizen Walley. Nor did he want any members of the
families of either jurist or the former Governor killed. "I want those
men wiped out singly," were his exact words.

For a month, Harry Orchard roamed the streets of Denver with
several plaster of Paris bombs in his coat pockets, awaiting the op-
portunity to toss one where it would get either Justice Goddard or
Justice Gabbart. This was highly dangerous to Orchard himself, for
if he tripped or was jostled in a crowd he and those around him
would have been blown to bits. Not that he would have cared about
the others, but he loved life and planned to return to San Francisco,
there to continue indulgence of his taste for night life.

One Sunday morning Orchard's heart began to pound. He saw
Justice Gabbart leaving his home in the quiet, semi-deserted out-
skirts, apparently going for a walk alone. Here at last would be his

opportunity to collect quickly the five hundred dollars he badly needed. Gabbart turned into a thoroughfare that would be ideal for Orchard's purpose. When the Judge had walked a few steps, a man bounded out of a house and hailed him.

"Going for a walk, Judge?" Orchard heard this acquaintance shout. Gabbart nodded. "Mind if I join you?" came the next question.

"Not at all," was the answer. Presently the two men were walking side by side and that ended Orchard's opportunity for that day.

More time passed and still the man who had committed thirty-seven murders couldn't seem to pull off the thirty-eighth. Disgusted he decided to concentrate on former Governor Peabody. Knowing that he couldn't hang around a small place like Canon City, where Peabody resided, without some sort of an excuse, he went to an agent of the Mutual Life Insurance Company and, equipped with a plentiful supply of spurious references arranged for by Big Bill Haywood, he succeeded in getting a job as a salesman. In order that his front would have some genuineness in the event that he was ever questioned, he applied himself diligently over a period of weeks to study of the life insurance business.

Now going under the name of John Dempsey, he set out to sell insurance in the small Colorado towns. He did not go to Canon City first, for in the light of events that he hoped would later take place he wanted to do nothing that would be too obvious. He found insurance salesmanship remarkably lucrative and in some places actually made as much as \$500 weekly in commissions. The Mutual people were delighted and began to regard this new salesman Dempsey, as one of their best.

Orchard wavered about this time as to whether he would continue his career of professional murderer. He was making more of the business of life insurance than in that of certain death. But as weeks went on he found that legitimate work, no matter what remuneration, did not supply to his psychopathic nature the excitement that it now demanded and which only the committing of murder could give it.

So he landed in Canon City, home town of Peabody, went to the residence of the ex-official and tried to sell him some insurance. He found the ex-Governor kindly but cautious and desirous of going into the proposition very thoroughly before making a decision. During their conversation, Orchard became acquainted with the layout of the home and the habits of the prospective victim. He planned to throw one of Pettibone's plaster of Paris bombs into the Peabody library some night. He had no sooner arrived at this decision

workmen descended on the former Governor's home and began to make extensive repairs, disrupting the routine of the household and making the activities of the occupants unpredictable.

Orchard knew he couldn't stay in Canon City the length of time that would be consumed while the extensive repairs to the Peabody residence went on, without running the risk of drawing suspicion to himself. He had been in town for more than a fortnight already and that was sufficient time for an alert salesman to cover the territory.

Orchard began to wonder if he were slipping. A curious pride that he took in his nefarious work was pricked. He had failed to get the two Supreme Court Justices in Denver and now he would have to report failure to Big Bill Haywood on the Canon City mission. Singularly enough, it is known that he had one dominating fear and that was that Haywood would appoint some one to take his place as killer-in-chief of the Western Federation of Miners.

He didn't tell Haywood he was returning to Denver. He planned to face Big Bill only after he had succeeded in killing one or both of the Denver jurists. He was desperate, like a horse player who has lost on several races, then plunges deeply in an effort to recoup his losses in a single operation. Orchard took up where he had left off before the unsuccessful visit to Canon City. He began trailing Goddard and Gabbart between their homes and their chambers in the State House.

Fate seemed to be smiling on the Judges. Invariably, they were accompanied by some one. When they were alone, they happened to be in populous districts where Orchard could hardly throw one of the plaster of Paris contrivances without either killing others besides the victim or running the risk of capture himself.

He went about the streets for several weeks, in various stages of intoxication, and cursing his luck. One night a brilliant moonlight silhouetted Chief Justice Goddard in a half-deserted section near his home. At last Orchard had his chance. He reached into his pocket for one of the round bombs and let it fly. Instead of going straight for its target, the thing went to one side and not very far and tore a savage hole in the street.

Justice Goddard, a safe distance away, began to run toward his home. Orchard threw another bomb at the Judge but it fell more than a hundred feet short. Now he began to run after the jurist. He threw a third bomb, again being considerably shy of the target. Just as the Judge was turning into his home, Orchard, greatly excited, drew back his right arm to throw the fourth and final bomb. As he did so, the thing slipped out of his hands and flew high into the air behind him. Instinctively, he ran a few paces forward, so that a

large tree stood between him and the blast that went off the moment he got there. The result was that by a miracle he escaped injury.

Orchard was drowning his sorrows in one of his favorite saloons the next day when he walked Pettibone. "I thought I'd find you here," said the "inventor."

Orchard looked up stupidly. "Why?" he asked.

Pettibone smiled. "Big Bill knew nobody but you could have tossed those things last night."

Orchard wanted to know if Haywood was angry. "On the contrary," said Pettibone. "He's glad you're back; he has a very important job for you."

The newest mission was the assassination of Big Frank Steunenberg, the fighting but lovable former Governor of Idaho who had while in office, bitterly battled the gangsters in control of the Federation. Haywood had learned that Steunenberg, who had retired to a sheep ranch on the outskirts of Caldwell, had become an active adviser of Frank Godding, Idaho Chief Executive, at the time, and was persuading the Governor to deal harshly with the Federation. It was Haywood's idea that if Steunenberg were put out of the way Godding would become so frightened that he would relax his fight against the union and let the organization have things its own way.

By this time, Haywood was helping communism to get a foothold in the United States and had, with Moyer, the President of the Federation, formed the Independent Workers of the World, later to become widely known—or infamous, if you will—as the I. W. O. The organizations with which Haywood and Moyer were affiliated and which were frowned upon by upright and legitimate unions were being tapped, by way of dues, for sometimes as much as \$50,000 a week.

Big Bill Haywood was thus becoming one of the wealthiest men in the country. The golden flow was edging his way in such torrential fashion that he himself couldn't measure it. It can be understood, then, how an individual of this ilk felt about a man such as Frank Steunenberg, or any one else who stood for law and decency and who had the courage to throw a monkey-wrench into the racket machinery.

When Harry Orchard landed in Caldwell and registered at the Commercial Hotel under the name of Thomas Hogan, he had taken on a new front to cover his real purpose. He was a sheep man, anxious to buy animals with which to stock a ranch in Oregon. He had no time in "casing" the Steunenberg home, a huge rambling frame structure with a white fence around it. He turned over in his mind several methods for killing the former Governor. Thinking particularly

one of Pettibone's plaster of Paris contrivances might do, he decided against this when he noticed that everyone in Caldwell seemed to know what everyone else was doing.

It would be necessary, therefore, for him to be in the presence of others who could, if necessary, establish an alibi to the effect that he was with them at the moment that the former Governor met death. This presented another problem. If he were going to lay a trap, he would have to make certain that no one else walked into it, for if an "accident" happened, the chances of getting Steunenberg afterward would be slim.

He thought of putting a time bomb under Steunenberg's seat in a railroad train, as the former Governor, in his role of sheep rancher, was constantly taking trains to various parts of the state. But after Orchard trailed Steunenberg on several such trips, he decided against this, for he noticed that an alert ticket seller at the Caldwell station saw all who took trains from there. He figured that if Steunenberg were killed on a train, the deduction of the authorities would be that the crime was the handiwork of some one who had gotten on at Caldwell. This would mean that Orchard would have to undergo questioning, if located; and if not located, that he would be clearly suspected. He prided himself on the fact that he had not so far been publicly connected with any crime—and he didn't want to spoil his record now.

He had landed in Caldwell in September. A month passed and he had not yet devised a way of carrying out his mission. Haywood summoned him to Denver to ask what the trouble was, and was impatient at the delay, even when Orchard gave him details of the obstacles.

"I want that big fellow bumped off," Haywood is known to have said. "I'll give you exactly until the last day of this year to do it. Steunenberg can't be on the same earth as me when 1906 comes in."

The day of December 30th arrived and Big Frank Steunenberg was still on the earth, very much alive. He was making frequent trips into Boise, consulting with Governor Godding. The newspapers carried stories about these visits and, in Denver, Haywood's impatience turned to fury. There were other dynamiters working for the I. W. W. and these men were often sent to Caldwell to ask Orchard the reason for the delay.

Late in the afternoon of December 30th, after a heavy snowstorm had blanketed the countryside, Orchard saw Steunenberg go into the Saratoga Hotel in Caldwell where he joined some friends in the parlor. Orchard slipped in for a drink and, from the conversation he overheard, he concluded that the ex-Governor was prepared to

stay until late that night. Orchard went to his room at the Commercial Hotel, got a dynamite contrivance that had long been in readiness, sneaked out the back way, and went on foot to the Steunenberg home.

He planted the bomb near a front gate that the proposed victim would be obliged to pass through upon his return, and covered it with snow. Then he stretched a piece of fishing line from the detonator to the gate so that when the latter was pulled open, the line would become taut and set the blast off instantly. Working in the gloom of a murky, early winter evening, Orchard was certain that he was unobserved, and after his work had been hastily performed, he rushed back toward the hotel on foot. It was his idea to make himself conspicuous around the hostelry upon arrival so that no suspicion could possibly attach itself to him when the Governor was blown to pieces hours later.

Orchard had walked only a few hundred feet from the residence when whom did he see under the rays of a street lamp but Steunenberg himself. Apparently the former Governor had changed his plans about remaining in the Saratoga Hotel until late. Hiding behind a tree Orchard waited until the big man passed, then began running at full speed toward town, which was more than a mile away. He hadn't been running very long before he heard a blast. His eyes wide, his heart pounding, and breathing hard, he plunged madly onward, slackening his pace only when he neared the light center of Caldwell. When he walked into the bar of the Commercial Hotel, and ordered a drink, the bartender noticed that he was breathing hard and dripping with perspiration. "You look awful hot for a cold night like this, Mr. Hogan," the bartender remarked.

"Hogan" shot a dark glance at the man, said nothing, downed his drink and asked for another. The man behind the mahogany was curious. "What's the matter, Mr. Hogan," he asked, "seen a ghost?" Orchard was so unnerved at this remark, made just as he was lifting the glass to his lips, that his hand trembled and he spilled some of the whisky on his clothing. Silently, nervously he reached into his pocket, paid his bill, and went up to his room.

If this man had been the personification of cold-blooded calculation when committing thirty-seven former murders, he certainly was anything but that now, following his thirty-eighth. He sat on his bed, every nerve in his body jumping. After a few minutes' rest instead of his breathing returning to normal it was more laborious than ever.

He couldn't understand what had come over him. The whole panorama of his life, from the moment he had given short weight

the Ontario cheese factory to the instant he had heard the blast that he knew had blown former Governor Steunenberg to bits, unreeled in his mind like a motion picture of his own dark destiny. He closed his eyes and turned his head in a frantic effort to avoid seeing the events that passed before his tortured mind's eye but Conscience was in the projection booth and there was no escape. He thought he had licked his conscience long before, but now he knew he was wrong. Suddenly his thoughts turned to the girl he had known in his childhood and later married, then deserted. He wondered if she were dead or alive.

There was a knock on the door and he sprang to his feet. Did they know? His mouth moved and he heard himself saying "Who is it?" but the words seemed to come from far away. A bellboy opened the door Orchard had forgotten to lock. "The bartender says he thought you were ill, Mr. Hogan. Is there anything we can get you?"

He said no, he would be all right. The boy, with a curious expression on his face, backed out of the room. Orchard kept telling himself that he would have to pull himself together, that it wouldn't be long now before the baleful news came in from the outskirts. Just then he heard shouts in the street below. He went to a window and raised it; he heard citizens calling out to one another that Big Frank, as 'most everyone in Caldwell affectionately called Steunenberg, had been blown to death by a bomb.

Orchard slammed the window shut. But the sound of shouts still came up from the street. Now he unlocked his suitcase. There were only two incriminating things in it—a small glass bottle of Pettibone's Grecian Fluid and about a hundred feet of fishing line, the balance of which had been tied to a white gate on the outskirts. He took this cord, rolled it into a ball, and went to the bathroom; there he put it into the toilet bowl, and flushed it away. Now he took the glass stopper out of the bottle of Grecian Fluid and, placing the cork in his left jacket pocket, he poured the contents of the bottle down the drain of the wash basin, making certain that none of it touched the porcelain part. He placed the empty bottle in his right jacket pocket and came out into the room again to look around and see if he had overlooked anything.

Some of the nervousness had left him and, after a long draught from a whisky bottle, he began to feel more like himself. He was sitting on the edge of the bed, figuring out what to do next, when a loud report like a pistol shot startled him. He actually leaped from the bed a foot into the air and his feet landed on the floor with a heavy thump that he knew must have been heard below. The pistol-

like report had come not only from within the room, but from his person.

Cautiously, his right hand crept under his overcoat, which he had not yet taken off, and explored the pocket of his jacket. The side of the garment was in shreds and it suddenly dawned on him what had happened. He had carried in his jacket pocket a giant cap to serve for detonation purposes if necessary. He had put into that same pocket the corkless bottle that had contained the Grecian Fluid and the mouth of the container, still damp with the lethal compound, had touched the cap and set it off.

Standing there trembling from head to foot, he stiffened as he heard three sharp raps on the door. Again he heard his own voice asking: "Who is it?" It was the manager of the hotel. "Big Frank Steunenber, our former Governor, has been murdered, Mr. Hogan," he said, entering. "Sorry, but the Sheriff has instructed me to inform all guests that they cannot leave the premises until they have given an account of their activities."

It was late at night that Sheriff Casper Nichols of Caldwell, Sheriff S. L. Hodgkin of Boise, and a young lawyer named William E. Borah, who frequently assisted Idaho prosecutors in big cases, got around to questioning Thomas Hogan as a matter of routine. The two Sheriffs, serious but pleasant, approached the hotel guest in the bar-room and suggested that they go to his quarters where they would have more privacy. Orchard had had sufficient drinks so that he was no longer nervous, but cunning. He replied that he would be pleased to go with the gentlemen to his room, as he had nothing to hide.

He looked past the two Sheriffs as he made this remark and he saw that the young attorney, Borah, was looking at him with a burning, level gaze that was one day to be well-known in the chamber of the United States Senate. On the way up to the room, Borah kept staring at Orchard's right trousers pocket into which he had stuck his hand before the officials came to question him. There was something about the young lawyer's glances that unnerved him.

When the four men reached the room Orchard motioned to the visitors to sit down. He himself sat on the bed, his right hand still in his trousers pocket. The questions of the two Sheriffs seemed routine enough. They were mere inquiries as to where Mr. Hogan had come from, how long he had been in town, and where he had been at the hour of the explosion. His answer to this last question was that he had been in the bar-room. He didn't mind the two Sheriffs but he was becoming increasingly unnerved by the tall lawyer with the fine head of hair and that level gaze. When the Sheriffs were

through with their questions, Borah asked: "Are you left-handed, Mr. Hogan?"

"Why, yes," Orchard stammered.

Borah walked over to a writing desk, dipped a pen in ink, then handed it and a sheet of paper to Orchard and said: "Just write your name, please."

The latter took the pen and began to stall. Then he said: "To tell you the truth, I'm right-handed."

"All-right," said Borah, "let's see that right hand. What's wrong with it, anyway?"

The member was badly cut. Orchard had done that when he had reached into his torn pocket and his hand had come in contact with pieces of the bottle that had been shattered when the cap exploded. Borah, his face immobile but his gaze as burning as ever, inquired as to the cause of the cuts. Orchard said he had broken a glass in the bathroom. "Where are the pieces?" the attorney asked.

"Thrown out," was the answer. "I did this yesterday."

"Those cuts look fresh to me, Mr. Hogan," said Borah. Now he turned to the Sheriffs. "Gentlemen," he said "I think we may examine this room to advantage."

The wastebasket produced broken glass of a thickness that indicated it had been part of a bottle, not a drinking receptacle. Sheriff Nichols sniffed at a piece. It had an acrid odor. He let Borah smell it. "Acid," said the lawyer.

The three visitors went into the bathroom. They saw what appeared to be the end of a piece of black string in the bowl. They reached down for it and pulled out about a hundred feet of fishing line. The line had not been completely flushed away but had caught in the plumbing. There was an odor in the bathroom similar to that emanating from the glass debris in the wastebasket.

Like bloodhounds, Borah and the two Sheriffs sniffed around to get at the source of the smell. It was Hodgin, the Boise official, who finally leaned down and sniffed the drain of the wash basin. "It's coming from down here," he said. "We'll get a plumber and remove this pipe and find out what's what. If any acid has been poured down here, we'll probably find some of it still in the elbow of the pipe because I don't think any water has been run through here since his stuff has been poured down, judging from the strength of the smell."

It was Borah who noticed that the jacket "Hogan" was wearing didn't match his trousers and vest. He went to the clothes closet and found the garment that did. He showed the tatters to the Sheriffs. "I think Mr. Hogan here," he said, "has had a little accident with

some sort of an explosive and in view of what has happened I believe that he should be detained."

"What do you mean by that?" snapped Orchard.

"I mean that I think you murdered Mr. Steunenbergh, the man who has been like a father to me and that you and any one else who knows anything about this should be hanged." Borah didn't raise his voice, but tears came to his eyes.

The next morning a piece of fishing line was found near the scene of the blast. It matched perfectly with that taken from Hogan's room. A few hours after this discovery a little man with a large gray mustache, ruddy countenance and kindly but penetrating eyes that peered from behind silver-rimmed glasses, arrived in Boise. He went to the jail there where "Hogan" had been taken for safekeeping because a mob had been gathering in Caldwell during the night, bent on vengeance against the man who was suspected of having killed the town's most beloved citizen.

The visitor to Boise introduced himself to Sheriff Hodgins as James McParland, an operative of Pinkerton's National Detective Agency, who had run down the leaders of the infamous Molly Maguire gang in the Pennsylvania coal fields and who had for some months now been carrying on a quiet investigation on behalf of mine owners who had been having trouble with the Federation. It so happened that Mr. McParland had no prejudice against lawful union activities, but had strong feeling against gangsters who exploited organized labor.

The Pinkerton detective told Sheriff Hodgins that he would like to have a talk with the prisoner. This was agreed upon. When he walked into Orchard's cell, McParland smiled warmly—a trait of his which, he had found, had a peculiar psychological effect on men with burdened consciences. The Pinkerton ace was a firm believer in showing kindness to prisoners, his theory being that this, rather than harsh treatment, would make conscience-stricken men open up. Balancing this humanity was a shrewd mind, ceaselessly working on the side of the law, that matched the cunning of any criminal who ever lived.

"Well, Harry," said McParland, "you're in a jam, but I'm here to help you."

Orchard started. "My name's not Harry!"

McParland laughed. "You needn't waste time telling me your name is Hogan, Orchard," the detective said.

Orchard looked away and McParland knew he had drawn first blood. "Yes," the sleuth went on, "I've been investigating the bombings in Denver and those crimes in Cripple Creek and Independence."

You thought you had covered your tracks pretty well, Harry, but you slipped up in a few places. You left a lot of plaster of Paris and such things as detonating caps and small pieces of dynamite in the various hotels that you stopped at in the vicinity of those crimes. It is true enough that you got away before I found those things out. Nevertheless, I had little trouble in getting your description, and also this name of Orchard. I figured I'd find you here when I heard about the Steunenbergs matter."

McParland drew a deep breath, slapped his hands on his knees, and continued: "Now, I think we had better get down to business. I want to discuss with you President Moyer of the Federation, Mr. Haywood and Mr. Pettibone."

McParland pretended to look away, but out of the corner of his eye he saw Orchard staring hard at him. "What do you know about those men?"

The detective turned on his warm, disarming smile. "Plenty," he said. "As a matter of fact, I think that they are to blame for the plight you are in now. If it weren't for men who countenanced such doings as you have done, you might not have done them."

McParland had given Orchard an opening here—a way out. The prisoner fell for it. "Then you don't think I'm such a bad man, after that?" he asked.

"Before I answer that," said the detective, "let me ask you if you know anything about the Bible." Orchard mentioned his early religious training. The detective surprised Orchard by getting up to go. "I just remembered," he said, "I have an important engagement; our little conversation will keep." As he left, the detective reached into his pocket and handed Orchard a small black book. "Read this," he said, "it will help you." The book was a Bible.

For more than two weeks, McParland paid regular visits to the prisoner and the two of them discussed little but religion, crime never being mentioned. Orchard was clinging to the Bible like a drowning man to a straw. One day he asked: "Mr. McParland, can a very bad sinner like me ever enter the Kingdom of Heaven?"

"Your chances would at least be increased if you confessed and repented of your sins," said McParland.

Orchard mentioned the wife he had left years before, and asked the detective if it would be possible to find out if she were dead or alive. "I'll try," said the other.

A week later the Pinkerton sleuth told Orchard that Mrs. Horsley and her daughter, now almost a young lady, had been located in the little town of Wooler, Ontario. "A man from our Agency," he said, "has had a long talk with her. She bears you no ill-will; in fact, she

has been praying for you all these years. She is a fine and noble woman, Harry, and, strange as it may seem, she has always loved you." McParland reached into his pocket and handed the prisoner a letter. "It's from your wife," he said.

The Pinkerton archives disclose that Mrs. Horsley pleaded with her husband in that letter to make a clean breast of everything he had done, even if it meant death. She said she wanted him to do that, not for her, not necessarily for himself—but for the daughter he had never seen. Orchard asked about the girl. "She has the same laughing eyes as you, Harry," said McParland. "Would you like to see her?"

Orchard turned and regarded his countenance in a cracked mirror on the wall of his cell. His skin was unhealthy looking, there were puffs under his eyes and the evil thoughts that had coursed through his mind for years now had marked his face. He held his hand over his eyes and began to weep. "No," he said, "keep them away from here; I wouldn't want them to see me now. I was clean and handsome when I left Ontario."

And now Horsley, or Orchard, said he was ready to tell the whole story. It took days, with McParland guiding him and stenographers working in relays, recording the words. He told certain details that only the perpetrator of the Cripple Creek, Independence and other outrages could possibly have known. Almost as fast as he made a statement, telegraphic word would be flashed out from Boise, and distant Pinkerton offices would check it. The man told the whole truth, sparing neither himself nor anyone else—all because of the child he had never seen, and never was to see. He implicated Haywood, Moyer and Pettibone. What he said in those days as he droned out his story to McParland and what the Pinkerton organization found out before and since have formed the basis of this narrative.

Haywood, Moyer and Pettibone were indicted along with Orchard for the murder of Big Frank Steunenberg. Some fishing line similar to that used in the Caldwell death contrivance was found in the possession of both Haywood and Moyer, who were ardent fishermen. The elbow of the pipe removed from the hotel room gave up a sizeable sample of the Grecian Fluid and a similar concoction of chemicals was seized when police raided Pettibone's home.

Haywood went on trial first. Clarence Darrow was his counsel. Borah assisted the prosecutor. This was a battle of giants.

Borah, standing for law and decency, reached heights of eloquence that carried his name beyond the borders of his native state and started him well on the road to a fame that was to be world-wide.

Darrow—shrewd, master of legal loopholes—gained doubtful fame for himself by pointing out to the jury that a man who had by his own admission committed thirty-eight murders should certainly not be believed. This, coupled with anonymous threats sent to the jurors by the Federation gangsters, resulted in what legal students still regard as one of this country's major miscarriages of justice. Big Bill Haywood was found not guilty.

It is a serious thing to call a man a murderer when he has not been convicted of the cardinal crime, but the newspapers of that day and many publications since have called Haywood just that. Never once did he attempt to contradict. Disgraced, he went to Russia and tried to get an important post with the party that was eager to foment a revolution there. But he was just a hanger-on and he died in disgrace twelve years ago.

Sheriff Harvey Brown of Baker, Oregon, who was to have been one of the principal witnesses against Pettibone, who had transported his explosives for sabotage work on the Pacific Coast, was blown to pieces by a bomb on the eve of Pettibone's trial. The Greecian Fluid, one of the principal pieces of evidence against the "inventor," strangely disappeared just before the proceedings were to begin. It was while the authorities were deciding how best to present the case against this man, wrecked in health and suffering from a guilty conscience, that he died. Moyer, the Federation President, was not so closely linked to the outrages as had been Pettibone and Haywood and, in view of circumstances that were none too bright for a conviction, the charges against him were dropped and he vanished into the unknown.

The wave of revulsion that swept over the country at the Orchard disclosures drove gangsters to cover and removed from unionism a black and unwarranted blemish. Orchard pleaded guilty to the Steunenberg murder and was sentenced to death. The prosecution pressed for commutation of his sentence to life in the Utah State Penitentiary, in view of the information that he had divulged which had smashed the gangster ring. The courts granted this request and Orchard's life was spared. Only one person was grieved by this news, for this individual realized that life rather than death would mean for Harry Orchard long, lonely years of torment and suffering. That person was Harry Orchard himself.

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PINKERTON'S NATIONAL DETECTIVE AGENCY, Inc.

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Investigation of crimes, locating fugitives and witnesses and securing evidence; surveillance of suspects and others. Secret investigating methods are used when necessary.

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WILL *not* knowingly engage on work for one client against the interests of another client.

WILL *not* represent a defendant in a criminal prosecution except with the approval of the public prosecutor. Our service is available in criminal cases only in the interest of public justice.

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WILL *not* investigate lawful activities of labor unions or supply strike guards.

WILL *not* accept rewards or gratuities of any kind, nor permit its employees to do so.

WILL *not* guarantee success nor accept business for a fee contingent upon success. Our reputation for responsibility, reliability and efficiency is our endorsement.

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