Harry Hayward

Edward H. Goodsell

HARRY HAYWARD.

Life, Crimes, Dying Confession and Execution of the Celebrated Minneapolis Criminal; other Interesting Chapters on the Greatest Psychological Problem of the Century.

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Hampton County Jail
12 oc A.M. Dec 11, 1895

To the Public

I have this night made to my cousin Edward Goodell a full and final statement of my life touching particularly upon the crime for which I am to be executed. This statement made in the presence of J. H. Mannix and Richard Mabry I desire to be truthful in all particulars so far as I am able to remember & hereby authorize Mr Goodell to publish this statement in any form which he may choose

Very Respectfully
Henry P. Hayward

AUTHOR'S NOTE.

The author has endeavored to treat his interesting subject in a dignified manner. If any justification were needed for the publication of this volume it might be found in the undisputed fact that Harry Hayward is the most interesting psychological study of the age.

The preceding page bears a fac-simile of Hayward's last handwriting. The card was penned exactly two honrs before the execution. The condemned man was reminded that the world would scrutinize this specimen of his chirography, with the idea of determining whether he was nervous over his impending fate. After finishing the card Hayward said: "I guess people can tel from that I am not nervous, even if I am so near death."

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INTRODUCTION.

The execution of Harry Hayward completed so far as the processes of the courts are concerned the quarrel of society with the criminal, and had he been an ordinary assassin, one in whom sudden passion ignited the fatal spark, or one of the lowerorder of society like the Barretts, whose capital crimes were reached by graded steps from pocket picking, it would be well to close the discussion with the sheriff's return of death. But it is because Hayward's career cannot be referred to any conventional measure of criminality that society for its own protection must study farther the peculiar mental and moral person with whose horrid deeds it found itself suddenly and unexpectedly confronted.

Thus far there has been very little said or written that would throw a competent light on Hayward. There has been a certain amount of discussion, but it has been in the main such conventional reasoning as assumed that he was the product of bad company in his youth. It is more plain after such a debate than before that the reasoning does not cover one corner of the subject, and if society is to shield itself against another Harry Hayward it must bring some more scientific analysis to bear on the subject than the artless prattle of the motto book.

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Nothing is more certain than that Hayward's crimes lie deeper than are popularly supposed. His career brings society face to face with the tremendous problem of moral insanity. It will not conclude anything to say that Hayward knew the difference between right and wrong, and therefore should suffer for his crimes. Granted that he suffered justly—and nobody doubts that he should have received the most effective punishment known to the law—society is still in the dark as to the causes of his crimes and at the mercy of just such another sporadic freak upon the face of civilization. It is worth while then to look into his ancestry as has been done in one section of this volume, to study his own frankly worded confession, to glance at his death scene, with an eye to an understanding of causes of crime where under ordinary study nothing of the kind could be expected.

Hayward is as much a mystery today as he was when he gained ascendency over Blixt, or as he was when he made a laughing stock of his own attorneys. They must have assumed from his bringing up, from his home life, from his educational advantages, from his standing in society and in the general community what every one else assumed, that the presumption of innocence was in his favor. That he wished them to assume that and build their defense on such an assumption is shown by the fact that he never made them any the wiser and even when they were led by their assumptions to ask questions of state witnesses that were decidedly to his disadvantage he did not take them into his confidence. The relations between Hayward and those who were entitled to know his mind have in them the germs of a large homeric

humor or of Titanic insanity. They are sufficint to take him out of the range of ordinary criminals and put him in the category of psychological freaks.

His crimes have been explained on two grounds; first a mania for gambling and second an overwhelming passion for money with which to carry on his nefarious practices. If the inquiry were carried back no farther one might be tempted to say that the world is filled with Harry Haywards and the orthodox dictum that bad company leads down to the very depths would be correct. But unfortunately the evidence that Hayward murdered his victims for money is strongly mingled with evidence that he would have killed for hate if he had not for money and even perhaps through carelessness of human life if not for neither of the others. Such a criminal belongs to an order of things whose character is not to be comprehended at a glance. It moreover shows the law-abiding portion of the community dangers lurking in its very midst that must be studied from an unconventional standpoint if they are to be understood and guarded against.

Harry Hayward's social career in Minneapolis suggests also something in the line of investigation for parents. It is almost incomprehensible, even after the facts are out, that Hayward was received as he was in Minneapolis. It certainly shows that a great deal is done in society on trust.

He was a welcome guest in a good many highly respectable houses and enjoyed affable and friendly relations with parents which were second only to his relations of amity with the younger members of the houses he visited. He was a gambler all this time, but he was received into

the homes of men who would have discharged a clerk for gambling, who moreover would have put detectives on the trail of the clerk to make sure whether he was addicted to cards. But there appears to have been no inquiry concerning the man whose mission merely was to form the minds and associations of their daughters. Can society afford to be so confiding? Hayward at times professed to make a great secret of his gambling transactions; at other times he entrusted large sums of money to young women who presumably knew it was a gambler's fund they received and their mothers do not appear to have heard of it or if they did the rebuke that should follow such knowledge was strangely wanting. This may be safely assumed from the fact that Hayward never lost his social standing until the state interfered with his legal standing. Hayward's social plunge is certainly as humiliating to his set as his crimes are appalling to the community at large.

There is a warning in Hayward's short, profitless career, and there is a lesson in his character. The steadiness of purpose with which he pursued any object which invited his interest, emulated by those who have good purposes in view would certainly give a strong and reliant type of manhood; his philosophy in distress and his lofty demeanor in his extremity, applied to high resolves, would likewise make for the improvement of the race.

"Money was my God!" Hayward made this terrible declaration several times during the last few weeks of his existence. It was, perhaps, not necessary that he should be emphatic and in earnest when he told of the dangerous altar at which he had for more than a dozen years wor-

shiped. There is in the sentence, "Money was my god!" a most profound and impressive sermon—there is more, when coupled with the religious fervor with which this devote of Mammon followed that terrible creed—there is a moral lesson and teaching which certainly should not go unheeded simply because Hayward's unholy record may be forgotten.

Through constant and systematic schooling this human enigma educated himself so that he was prepared almost for anything. He calculated intelligently when he gambled, and the inevitable conclusion was that he would be a loser when he risked his money against another's game. Yet let the result be what it may, that strange mind was prepared for it. There would be no manifestation of surprise and disappointment; no outward, and possibly no inward, expression or feeling of regret or disappointment over the result of the most hazardous speculation. Everything with Hayward, even to human life, was subordinated to the almighty dollar. The man who could restrain himself absolutely after quickly parting with a fortune, could doubtless look complacently upon more terrible things. Is it unreasonable to calculate that the man who could successfully carry out the proposition: "Now, if I happen to lose that $5,000 tonight, I will not allow myself to be in the least disturbed over the occurrence, but will go quietly to my home and not allow myself to lose the least sleep over it!" can do more serious things, and by the same mental process in the direction of getting himself fully prepared for the inevitable, look with complacency and indifference upon an affair which is serious

enough to arouse a community to great wrath and indignation.

Setting aside the possibility or the probability that Hayward was cursed through heredity, and was really possessed of the frightful homicidal mania, is it not possible that the wonderful strangeness of that mind is due in no small degree to the schooling which it received during these years of reckless dissipation? If, after all these things, there cannot be brought forth some important and some very wholesome deductions, then perhaps this little volume will fail in its primary purpose.

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CHAPTER I.

How he came to confess.

Harry Hayward's ante-mortem statement can hardly be called a confession. There was no contrition, no regret, no remorse. Without these elements it is difficult to regard the murderer's last utterances in the nature of a confession. The good priests had tried to make the man appreciate the necessity, or at least the propriety and manliness, of making a final and truthful statement of his life and crimes. Persistent as were the efforts of these kindly and patient men, they accomplished practically nothing.

"You suggest this confession business because you think it may help me in the future and relieve me somewhat of my present burden. In the first place, I do not believe in a future state. I may be mistaken in this idea, but I am with the majority of people today. I do not want any relief of conscience. My conscience is not burdened as you seem to think it is. I have been dealing with my conscience all my life, and I have followed the dictates of that conscience in whatever I have done. My conscience is my religious guide."

These were the words which the murderer uttered in response to the suggestions of his spiritual advisers, or rather the patient men who were ready and willing to

act in that important capacity. When Rev. James M. Cleary called at the county jail, at the solicitation of Hayward, many months before the execution, the prisoner was not only cordial, affable and gentlemanly, but he manifested a desire to become informed in regard to religion. The priest said:

"Harry, it makes no difference whether you care to become a Catholic or not, I will call whenever I can spare the time, and give you such instruction in regard to the Christian religion as I can."

The murderer appeared to appreciate this interest on the part of the priest. When the priest called the second time he brought a number of books of instruction. He had a long and very satisfactory talk with the prisoner. Some one suggested there was no contrition about Hayward, that he was simply fooling with the priest, and had no thought of embracing any religious creed. The priest ridiculed the idea, and expressed the belief that his subject was sincere. Hayward, while not informed in regard to religious matters, had some peculiar notions of his own. He would listen attentively and respectfully, however, to the priest, and for a time it looked very much as if he would die a Roman Catholic. His parents and his brother, Dr. Thaddeus Hayward, were exceedingly pleased when they learned that the murderer was interested in religion. But it was very apparent, after the doomed man had made a number of speeches, such as the one quoted above, that he was absolutely beyond redemption. He had evidently counseled with the priest not to become informed in regard to religion, and be better prepared for the future life, which was soon to be his, but for the sole

purpose of softening the prejudice which he thought was particularly strong among the people who belonged to the church of which the murderer's latest victim was a member. The priest got discouraged after doing all any patient and reasonable and zealous man could possibly do to make the miserable fellow appreciate the awfulness of his position. The priest's visits became less frequent. He did not care to abandon the murderer altogether as long as there was any possibility of success.

The prisoner never showed any remorse. In all the conversations which the writer had with Hayward he never expressed regret for anything which he had done. Neither did he ever express regret over the terrible way in which Miss Ging had met her death. Hayward was a moral idiot—a man totally devoid of all moral sensibility. When he said to the priest who wanted to bring him consolation in his last days on earth that he had no burden on his conscience of which he was aware, he doubtless spoke the truth. He would sit and discuss the probability of his being the principal in a "hanging bee" or "neck-tie party," as he would jocularly refer to his prospective execution, and express wonder as to what his sensations at that last terrible moment would be, and in a short time afterward be in what appeared to be sound and refreshing sleep. In the morning he would awake and tell how well he felt after a night of uninterrupted slumber. That his sleep was sound and refreshing was evidenced by the fact that his appetite was splendid, his disposition as serene as ever, and his avordupois increasing to an extent which made it necessary for him to adopt vigorous physical exercise as a means of counteracting the fattening

effects of idleness, large and regular meals, and sound and regular sleep. Shortly after Hayward was sentenced the writer, who had known the murderer for many years, and to quite a degree had won his confidence, suggested that if the supreme court should refuse a new trial, it would be well for him (the murderer) to make a confession. The manner in which this suggestion was received by Hayward did not encourage repetition. He had not confessed his guilt to anyone that the world then knew anything about. To make such a suggestion was to the murderer's mind assumption that he was guilty of the murder of Catherine Ging. While he would not go into any argument upon the question of guilt or innocence, he did not like this sort of thing upon the part of any one pretending to be his friend. He would not get mad or excited over the matter, for he was too politic and judicious for that, but he would start off upon some other subject in a manner which indicated very clearly that the proposition was distasteful to him. As a general thing this queer and perhaps unfathomable man had his wits with him. He was generally, perhaps always, on guard. He was making no admissions, no confessions—not even favoring his relatives and visiting friends with an intimation which they could possibly regard as acknowledgement of guilt. He was not taking any one into his confidence. He had not been arrested many days before he startled the attorney whom he first called to his rescue with a confession of guilt, not only so far as the Ging murder was concerned, but of other crimes less sensational, but perhaps just as heinous. The revelation was too much for even this experienced lawyer to stand. Mr.

Hale, as an experienced practitioner, fully appreciated his great duty and responsbility in this matter, but the shock was too severe. Here was the man for whose supposed manliness Mr. Hale had had the greatest respect. While acting the double role of Dr. Jeykll and Mr. Hyde this murderer had been a guest at Mr. Hale's home. The experienced attorney had looked upon Harry Hayward as a pleasant, intelligent, ambitious and promising young man. It is perhaps nothing to wonder at that the attorney felt incapable of the task of defending this demon who had just torn the mask from his own face and revealed himself in his true and heinous light. Mr. Hale's refusal to serve as Hayward's attorney was very discouraging and disappointing to the accused. Hayward heard of the terrible public sentiment. He had been informed of the probability of a mob taking charge of the case.

In this moment of greatest discouragement and danger Hayward seemed to have a conscience. He at least had something akin to a conscience. He appreciated, as he does not appear to have appreciated during the fateful year which preceded his execution, the peril of his position. He was fearful of bodily harm at the hands of the mob. Deserted by the man who held the secret of his great crimes, Hayward could see nothing but destruction. He was made nervous by every unusual noise without the Ramsey county jail. He imagined the advance of a wild, infuriated and determined mob from the community which had been shocked by the diabolical crime. In his predicament one good and manly thought came to his mind. He had tried every artifice known to this man of remarkable persistency and cunning to drag his

brother Adry into the murder of Miss Ging. He knew that his brother, who was at that moment in another part of the jail, was thought by many to be implicated in the murder of Catherine Ging. Harry knew the mob would not be a discriminating one. Adry would fare the same fate as the man who planned the murderous conspiracy. Then Harry performed one of the few good acts which perhaps gives some little relief to a life of almost unqualled selfishness and brutality. He indited a few lines to his mother in Minneapolis. He wrote that Adry was innocent, and that if the mob was organized and showed a determination to lynch him and his brother the mother was to make public the character of this very important message, that Adry might be saved. Be it said to the credit of the community there was no mob. The people of the city were stirred over that crime as people are seldom stirred. But they had implicit confidence in the ability of the law and the authorities to determine the facts, and then properly punish the guilty. After Hayward had performed this simple duty toward his brother he sought to cheat the mob which he believed would soon come upon him. In his desperation he resolved upon self-destruction. The bravado which so characterized his year in the Hennepin county jail was not with him the first week of his incarceration. He begged Mr. Hale to bring him a revolver, to bring him poison, bring him anything that would enable him to destroy himself. Of course the attorney refused to accommodate him. The lawyer doubtless wished him dead—a thousand times wished he had never lived. There was a subsidence of public excitement, and Harry soon became himself again. He re-

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covered self-possession, and this condition remained with him to the frightful end, just a year later. After Mr. Hale's withdrawal Hayward had confidence in no man. He said to the writer before he died:

"I told my story to Mr. Hale, and he went back on me. I thought if one attorney would go back on me because I told him the truth, why another would do the same thing. So I just concluded to allow Mr. Erwin and my other attorneys to get along the best they could."

The first time that Hayward mentioned such a thing as making a confession was several months ago—some considerable time before the supreme court had passed upon the application for a new trial. One night he was feeling rather gloomy—that is, gloomy for him. Thomas Hawkins, who had watched the precious prisoner for months, and had secured his friendship, was surprised when Hayward said:

"Tom, if ever I make a confession I will make it to Joe Mannix."

Mr. Hawkins looked at the speaker in surprise. It was the first time in their months of close association that Hayward had said anything which might be accepted as admission of guilt.

"Why, Harry, if you are innocent, as you have been claiming all along, what makes you talk about making a confession," asked Jailer Hawkins.

The cunning fellow appreciated that he had blundered. He was not embarrassed over the inadverent remark. He simply smiled as he explained:

"Oh, I was just fooling."

Subsequent developments showed, however, that he

was not fooling. He meant what he said, but he did not mean to say it so soon in the proceedings. Encouraged by this remark, however anxious the prisoner was to recall it, the writer brought the subject of a confession up several times during the last two months of Hayward's life. There was no disposition to encourage the proposition, however, and when it was finally determined that the prisoner would not take his parents or his spiritual callers into his confidence, it was thought very improbable that he would ever make a statement or confession. There was no time after the sentence was pronounced, excepting perhaps while the proposed jail delivery was contemplated, when Hayward thought he had any chance of escaping death on the scaffold. He was a man who as a gambler had dealt with chances for a dozen years. He had figured to a mathematical nicety the chances of the man who played at hazard, at faro, and at the roulette wheel. He calmly figured on his chances of avoiding the terrible mandate pronounced by Judge Smith. But the result of these calculations was so very slender he did not care to announce it. With each succeeding month the prisoner appreciated his chances grew smaller. A few weeks before his death he said:

"Father is getting up a petition, I understand. He means well, but he might as well save himself the trouble. I am going to be hung. There is no getting out of that. It would be a great deal better for father to take the money which he spends in getting up this petition and buy tickets in the Louisiana lottery with it. He would stand a better chance of drawing the capital prize in a

drawing with 50,000 tickets than he does of having the governor commute my sentence."

Notwithstanding this intelligent understanding of the case, Hayward was not disposed to talk much about a confession. The first time he cared to specially discuss the confession business was on Thanksgiving day. The writer spent about three hours with him that day. Quite a portion of this time was taken up with talk about the propriety of Hayward making a confession. It was suggested that even if the prisoner did not believe in a future state, or if he did not think that to tell about his criminal acts would make the coming execution easier for himself, it was due to his brother Adry and others that the real facts in the case be given to the world. The idea of straightening out matters, and particularly the idea of setting Adry right before the world, seemed to strike the prisoner favorably. Just before leaving the jail the writer said to Hayward:

"Harry, I hope you will give this matter serious thought and consideration. You have but a short time to live, and I hope you will finally conclude to do the most manly act of your life, and make a full and truthful confession."

After a moment's deliberation, Hayward said:

"Well, if I conclude to make a confession, I will have to tell about some things beside this Ging murder."

"I am not surprised at that statement," said the visitor. "There is a common impression that you have been a very active young man."

Hayward was in a rather sober state of mind that Thanksgiving day. He seemed to be more serious than at any other time since going to the Hennepin county

jail. He was almost morose. Still, he maintained that there was a chance for life. He said it was a mighty slim one. He did not care to make a statement until it became apparent to him that there was absolutely no possibility of his escaping the gallows. At one time during that Thanksgiving conversation, he said:

"I guess I will not make any statement. If they want to find out what is in this head of mine they will have to saw it open over at the morgue, and then take out my brain and have the doctors examine it."

The man might have been considered insane, but he displayed his remarkable cunning up to the very last. While realizing that he had, as he said, no better chance than one in fifty thousand, still he did not propose to lessen that chance by making a confession. He was given to superstition, and he did not know what might turn up to favor him. He looked forward to Dec. 7 with very great interest and concern. He seemed to think that if he could get by that day, he might stand some sort of a chance. Dec. 7 had been a terrible day in his history. He had done a number of criminal acts on that day. It had always been a bad and unlucky day for him. On Thanksgiving day Hayward did some speculating as to when he would be executed. He said some people believed the sequel to this excitement would come about 30 days later.

"I rather think the execution will take place about the 20th of next month," said Hayward.

He was rather figuring on a little longer time than the governor gave him. But when the mandate finally came,

and the 11th was fixed upon, the prisoner had no fault to find, no criticism to make, further than to say:

"Well, the governor is hurrying things a little."

The final order from the state capitol rather impressed Hayward, as might reasonably be expected.

Even in the presence of that governor's order, fixing the time when the murderer should pay the penalty of his crime, he acted in a manner which almost completely discouraged those who were trying to convince him that it was time for him to set aside all personal animosities, and spend the remaining few days in preparing for his awful fate.

There was murder in the man's heart up to the very last—at least up to within two weeks of his execution. The feeling of the writer can better be imagined than described when, after discussing the manliness of a final confession, the doomed man introduced a murderous subject. After having said he might conclude to make a confession when it became apparent he stood absolutely no show of escaping the gallows, the doomed man sprung a genuine surprise. Glancing over in the direction of the death watch, evidently with the idea of satisfying himself that the officer was at a respectable distance, and could not overhear the conversation, Hayward acted and spoke as a mad man. His eyes were rested on the stone floor for a moment as he appeared to deliberate as to the wisdom of making a proposition which was all the more terrible when the man's proximity to the deadly instrument of vengeance is considered. The man's face had gone unshaven for quite a time. He looked unkempt,

and not himself so far as personal appearances are concerned. He wore a heavy flannel shirt which helped very much in the disguise. Within two weeks of his death he was reckless. As he contemplated the success of what was perhaps the last murderous proposition of his life his form became erect, and there was color, and flash and nervous vigor in his manner. As he looked square into the eyes of his visitor, peering through the caging, which was made so difficult of optical penetration by the close wire netting, the murderer, with eyes flashing, said:

"If I ask you a favor, will you promise to keep the matter secret—not say a word to anyone about it?"

The question was answered in the affirmative, and Harry said:

"I want to get you to 'do' ——— ———. You can get him killed for a few hundred dollars. I do not suppose you would care to do it yourself."

He was assured that under existing circumstances it would perhaps be inconvenient for his visitor to take the job. The man whom Hayward mentioned in this awful manner and awful hour had published a weekly paper which had devoted a good deal of space to a write-up of "Lucky Harry's" gambling and other escapades a month or more before the Ging murder occurred. This treatment at the hands of an obscure newspaper seemed to stir the condemned man to as high a degree of murderous determination as if it had been the most cruel and atrocious and harmful treatment.

"I do not want this man killed outright," continued Hayward. "I want him done up so badly that he will

be sure to die. Just before he dies, and when he is conscious enough to appreciate what is said to him, I want some one to go up to him and say: 'Hayward did this—Hayward paid for this.' You can get some man to do this work. Maybe you cannot get any one in Minneapolis to do it, but there are any number of men in Chicago who would not hesitate a moment."

While Hayward seemed to be very greatly interested in the proposition to kill his man, he did not press the matter further. When the caller left the jail the condemned man seemed to be thinking of the confession. A few days later he again referred to the proposed confession. He was not yet finally decided as to the propriety of making a statement. He did not know what might turn up, and it would be better, he thought, not to make any statement but be on the safe side, so far as this was concerned. Some of the jail attaches, and particularly Capt. John West, whom Hayward liked, urged the condemned man to make an ante-mortem statement. The extreme caution with which Hayward approached the confession can perhaps be better understood when it is known that it was not until quite late Monday evening, Dec. 9—just 26 hours before he was hung—that he concluded to make a confession. The writer and Hayward's cousin, Edward H. Goodsell, of Chicago, accompanied by Richard A. Mabey, a court stenographer, Sheriff John Holmberg and half a dozen deputies, called upon the condemned man. This call was made about 9:30 o'clock Monday evening. The party found the doomed man in excellent spirits and condition. He had been in bad humor during the greater part of the after-

noon. This was attributed to the fact that the terrible scene of the previous day between himself and his brother Adry was yet fresh in his memory. He was willing to admit on Monday night that the time had come for him to speak if he was going to do it at all. He said one of his attorneys, John Day Smith, had strongly advised him against making any statement or confession. For a time it looked as if the attorney's advice would be followed. Those who sought the confession discussed the matter in a plain, matter-of-fact way. After perhaps half an hour's argument and effort Hayward rather surprised the party by saying, after a moment's silence:

"All right. I am ready to make a statement."

As the murderer rose from his chair he motioned with his hand for the deputies and members of the death watch to station themselves at a respectable distance, where they could not overhear what he was saying, yet be sufficiently close for all reasonable vigilance. Anxious to encourage the prisoner in his commendable purpose, the officers gracefully complied with his request. Then was begun a narrative which it required 12 hours to take. Before launching into his interesting story, Hayward said to the writer:

"Now, you will have to ask me questions. I was never any good at narrative. You saw how poorly I did at the trial, when I would start off of my own accord and try and relate things independent of my attorneys. I was never any good at that."

The almost silent group remained until after 4 o'clock the next morning, yet not half the ground had been covered. It was difficult to get the story in anything like

regular chronological order. There were a number of interruptions, and these were, perhaps naturally enough, calculated to get the condemned man out of humor for anything further. When the first and longest of the three sesions of confession-taking ended Tuesday morning Hayward was quite nervous. He tried to sleep, but he soon arose and told his keepers that he had terrible dreams. He did not sleep that morning at all, neither did he sleep during the day. Tuesday night—his last on earth—he did not sleep at all, of course. So that he really did not sleep any after Sunday night until he went into sleep that knows no waking at 2:05 o'clock Wednesday morning. The bright and bouyant condition of the man at the final hour, when he rushed to the room of execution as a "young trotting horse would go onto the race course," as Hayward had previously declared his purpose of doing, indicated to a degree the possession of a superb physique. The work of taking the confession was resumed about 4 o'clock Tuesday afternoon. This second session lasted two hours. There were quite a number of interruptions. The time for the execution was drawing nigh. The doomed man was occasionally reminded of the fact. It was suggested that if he cared to do justice to the Ging murder he had beter omit some of the less important details about his gambling escapades. But this strange man could hardly discriminate between the sensational and interesting and the tame and uninteresting. His was a mind which placed so very low a value on human life that he would not care to spend as much time going into the details of a murderous plot and sequel as he would spend in telling about the personal

peculiarities of some young woman whom he chanced to meet at a ball or elsewhere.

The final siege with Hayward came Tuesday evening. The condemned man, notwithstanding the fact that his execution was but a few hours away, and also that he had not slept any since Sunday night, was in very satisfactory shape. He really appeared to be getting more tranquil and clear-headed as the time for his execution drew nigh. He talked more coherently and connectedly than at any other time. A Catholic priest called late in the evening. When Hayward was informed of the priest's coming he said:

"Well, you will have to excuse me for a few minutes, while I go over and talk with the priest. They are nice men, and I want to treat them with respect. But they cannot do anything for me."

The time was fleeting and those who were trying to get that story felt there was some doubt about the sheriff permitting a continuation of the confession in the evening. The sheriff, however, was pleased when he heard that his famous prisoner was telling some very thrilling things about his life. The condemned man was urged to skip over the ground as rapidly as possible, for the reason that it was feared that the end would come, and there would be in his ante-mortem statement little or nothing pertaining to the Ging murder. For some reason or other he desired that that crime should go until the very last. The only reason for this pronounced aversion to telling the story of the crime for which he was to be executed, must have been that he thought that even at the eleventh hour something unexpected might transpire, and it would

be better not to have told about the last murder—the crime of which he stood convicted. Late Tuesday afternoon the confession was interrupted by the unexpected, but nevertheless agreeable, appearance of Dr. Hayward. The doctor had been there but half an hour before, and talked about holding an autopsy on his brother's body and brain. When the doctor called this second time he was considerably excited. He called his condemned brother over to a point where his whispered words could not be overheard by those who were taking the confession, and there communicated the fact that he had just read it on one of the newspaper bulletin boards that the superintendent of police had received an anonymous communication stating that its author had murdered Miss Ging. The doctor did not think there was anything in the affair. Harry was even more incredulous, as well he might have been. The doomed man walked back to the three confession-hearers, and said:

"By gosh, there may be some show for me yet. They say some one has come forward and admitted that he killed Miss Ging. I guess there is not much in it, but I think we had better postpone this confession business, just the same."

That settled it until about 10 o'clock that evening. When that hour arrived Hayward was willing to resume his story. He had been informed that neither the governor or anybody else paid any attention whatever to the anonymous letter said to have been received by Supt. Smith. He said, as he took his seat and got his head as close as the iron bars would admit to the heads of those who were taking his story:

"My fate is sealed, and we might as well go ahead with this statement."

Even then he did not want to tackle the Ging murder, for he said he had a good deal of other "stuff" to tell.

The confession ended about midnight—a couple of hours before Hayward was hung. The foregoing rather general description of the conditions and circumstances under which the ante-mortem statement was secured will perhaps serve to show that it was altogether a difficult task—more difficult, indeed, than most people can possibly appreciate. Most of the questions were asked by the writer. Some of these questions in connection with that terrible recital were asked in what might appear as a light and jocular manner. This is by no means an indication that the questioner did not realize the serious character of the work in which he was engaged. There was a feeling of uncertainty throughout the whole time of taking the confession. It was feared that the queer mortal who was giving the information might at any moment take a notion not to say anything more. While relating the facts about some of the murders which he confessed, he would set his hearers to wondering what sort of a demon he was, for at these frightful passages he would indulge in what appeared to be hearty laughter. It was thought that to keep the condemned man in a good and communicative mood it might be better for the members of the party to be undisturbed by any of the terrible things which he related. It was thought that by appearing to treat matters lightly—by making the condemned man think that you regarded such things as house-burnings as very common place affairs, hardly

worthy of mention—he could, perhaps, be induced to spend more time on the murders. This may explain the lack of dignity and solemnity which readers may observe in some of the questions.

Since the publication of the confession a good many persons have questioned the truthfulness of the murderer's narrative so far as it applies to the murders other than the one for which he was executed. This fact suggests a few statements which may be somewhat unusual in a work of this character but which are made with respect and candor. While readers, of course, have a perfect right, if they are so disposed, to question the truthfulness of Hayward's dying story, at least so far as it pertains to those murders about which this community knew nothing, the writer would respectfully suggest that none are as competent to determine as to the truth or falsity of these statements as the persons to whom the story was related. No well meaning person should hope to establish that a miserable soul that has taken flight to the mysterious unknown is stained by more murders than have been clearly established by law. The manner in which the condemned man told his terrible narrative must of necessity serve as perhaps the principal element in guiding the opinion in this matter. The only reason for not believing Hayward when he says, as he did, in a quiet manner, and generally with very much reluctance, that he murdered four persons, is the idea that he was anxious to go down into criminal history as the "Napoleon of crime," as has been said. Hayward was backward and reticent when it came to the murders. His gambling and other escapades he related with a good

deal of pleasure. But he did not care to dwell long upon the murders. It was only after persistent questioning, done as carefully and diplomatically as possible, and after some judicious argument, that the murderer was induced to say as much as he did about the four murders. He was frequently reminded that inasmuch as the statement was to be presented to the world as his last and final confession, he should be very particular to state the truth, and nothing else. However people may question the ability of this strange man to tell the truth, or to do an honorable or manly act, his manner throughout this final recital was such as to convince his hearers of the absolute truth of his statement. His hearers were also satisfied that he appreciated the complete worthlessness of his confession unless it was truthful. Several times in the course of his lengthy narrative, he said:

"If you will hunt around a little you can find corroboration of these statements which I make."

It is a fact that nearly all those Minneapolitans who have followed the Ging case closely have felt all along that this was not Hayward's first serious crime, by any means. It is known that a year ago, a few days after his arrest, he not only admitted to his first attorney, Mr. Hale, the murder of Catherine Ging, but he also told of other murders, particularly the cowardly assassination of the poor consumptive near the Atlantic sea coast. It is also known that he told his brother Adry and his willing and ambitious tool, Blixt, that he had killed a number of persons. To these men he mentioned especially the unfortunate Chinaman in New York. After telling of the murder of the young woman at Pasadena, Cal., the mur-

derer was urged to give the victim's name. He objected, mainly on the ground that in naming his victim he might get another in trouble, and thus be violating a code which he said he had always respected, namely: "honor among thieves." He had hired a man to do away with the unfortunate woman's body some time after the murder. The man had done his bidding for a price and Hayward could not see that any good would come from telling the thing so much in detail as to make it possible for the authorities to apprehend the man who is said to have hidden the body. The murderer was urged to give his Pasadena victim's name, and he finally said:

"I will give it to Ed. after I have told all."

Unfortunately, however, Goodsell neglected to ask for the name, and it is, therefore, unknown.

It is but reasonable, most intelligent people will admit, to assume that a man who could plan and carry out so bold, coldblooded and atrocious a crime as the murder of Miss Ging, having as his accomplice so common an individual as Blixt, is capable of anything in the line of homicide. The other murders to which Hayward confessed are tame and uninteresting as compared with the diabolical murder of Miss Ging, the boldness and clumsiness of which can be appreciated without much reflection, when the main facts in the tragedy are known. Another argument, and a very strong one, too, in favor of the assumption that Hayward murdered more people than Miss Ging, is found in the fact that when he was asked as to whether he had anything to do with the murder of Lena Olson and the other two mysterious murders in the vicinity of Minneapolis, he replied very promptly and very

CATHERINE GING.

emphatically that he knew nothing whatever about those murders and had not been acquainted with any of the three victims. Hayward had read extensively in regard to the Lena Olson murder and was familiar enough with the facts in that case, as far as they have been published, to enable him to relate a very plausible story providing he was disposed to make a great and false showing for the purposes of a sensation.

It will be remembered that there was a story to the effect that Hayward at one time either planned or contemplated the destruction of an entire family. In the course of his last talk the condemned man asked:

"Did you ever hear it said that I intended to kill the entire Bartleson family?"

An affirmative answer was given and then Hayward was asked the question: "Was there anything in that story, Harry?"

"Well, nothing was done in that direction, so there is no use talking about it. Anyway, these are nice people and I do not want to bring their names into this more than can be helped."

The murderer said it was strange how the murderous impulse came over a man. He said that often when he was out riding with some young lady whom he did not like very well he would feel like reaching over and taking his unsuspecting companion by the throat and strangling her to death.

"At first I would not squeeze very hard, but later I would tighten my grip and then make it tighter and and tighter until I strangled her."

There are some other facts which can properly be men-

tioned in corroboration of Hayward's confession. It was known to an absolute certainty that all the trips which he described were taken. The murderer's parents know about these trips and admit the statements in regard to their son's gambling, etc. Several times during the past year Hayward told his cousin and confidant, Goodsell, that the story of his life would be much more interesting than people had any idea of. He never came out and told his cousin any of the details, as he did in the confession, but he told him enough to justify him in arriving at some frightful conclusions. There was nothing in Hayward's confession which startled Goodsell to any special extent. He seemed to have been prepared for just such a terrible story. The murderer's frank admission that he had on at least two occasions planned Goodsell's murder, and that on more than one occasion did he figure on sending his poor old father out of the world, were related in a manner which left no chance to question the truth of his statements. The writer is very firmly of the opinion that if Hayward had started to make his confession a week or so before the execution, instead of letting it go until about the last day, there would have been secured from him details that would have left no chance for doubt—a collection of crimes and details the most terrible ever related by an American criminal.

The confession which follows is presented just as it was related by the murderer. It may be disconnected and disjointed, but it is a truthful reproduction—with some 500 or 1,000 words left out as a matter of common decency, common humanity and common charity. It is but fair to the publishers to say that the publication of

a certain sensational statement of Hayward's which is included in what has been omitted would be very valuable as furnishing reasonably strong corroboration of the murderer's story. As an index of the man, and as one of the means which the student would have of determining the character and mental peculiarities of the man, it was thought best to present the narrative just as it was taken by the stenographer.

CHAPTER II.

The Confession.

When Harry Hayward, seated in a chair and leaning over forward so that his face rested against the iron bars, appeared as earnest as he ever appeared. In front of him were the three men who were the first, so far as is known, to hear the story of a life of diabolism and crime. The three heads without the bars were closely grouped, that all might hear what those sinful lips cared to divulge. The half dozen lights were burning dimly in that old jail of historic incidents. The tireless, vigilant death watches within the doomed man's cage were situated at either end, with an eye to watch but not an ear to hear. On the outside were stationed a number of deputy sheriffs. Realizing from the close and wrapt attention shown by the prisoner's confidants that the prisoner was finally doing that which the world believed he would never do, the deputies kept at a distance which precluded the possibility of disturbing the confession. It was a remarkable scene—one worthy the genius of an artist. Hayward, as has already been mentioned, suggested that as a matter of expedition he be questioned throughout. He was willing and patient, apparently realizing that he had a very considerable job before him. In answer to the initial question the condemned man said:

Yes, I am ready and anxious to make a statement—to be my final statement and confession. I was born in McCoupin county, Illinois. I came to Minneapolis with my

parents when I was about a year old. We moved back to Illinois, and remained there about a year. At that time I was about 6 years old. Up to that time no peculiar mental conditions were observed in me, so far as I knew about. I am said to have been sane and normal. First I went to a private school kept by Mrs. Lockwood on Sixth avenue north, and stayed there perhaps six months.

Q. Did you do anything devilish there?

A. No.

Q. Behaved yourself like a good boy?

A. Like a good boy.

Q. Where did you go after you left that private school?

A. I went to the public school, the Lincoln school, and Jefferson and high school, following, at different times.

Q. What time did you enter the high school, do you remember?

A. It is impossible to state that. I was about 17 or 18 perhaps when I went there.

Q. Up to the time of entering the high school did you do anything queer, mysterious or funny?

A. No.

Q. Did you ever have any disposition to gamble when you were a good boy up to the time of going to the high school? Did you feel a desire for money getting? Were you speculative? Did you think of horses and cards?

A. Not at that time, but my god always was money.

Q. Did you ever feel so strongly a desire for money getting that you felt you could do tough things to get it?

A. Yes.

Q. Did you try and get money from your father? Did you ever steal much?

A. No, never.

Q. Well, when was your first speculation? When did you start out determined to get money?

A. I guess at the commencing of gambling. I think that aroused the passion.

Q. About when was that as compared with the time you went to the high school? How long were you in the high school?

A. That is when I was 20 years old, the gambling business began with me.

Q. Do you remember the first time you ever entered a gambling house?

A. Yes.

Q. What was your first form of gambling?

A. Straight gambling houses, at Shaw's gambling house, 205 Nicollet. I would go there while I was keeping books for D. W. Vincent, the cigar man right near there. Very seldom at that time did I gamble—a trip once in two weeks to win $2.

Q. What did you play down there, faro?

A. No, I didn't understand how to play faro at that time.

Q. Just the wheel?

A. Played hazard and the wheel, but at that time I would look on at the faro bank and wish I knew how to play it, but was too young and inexperienced and bashful. I didn't have the courage to ask for a chair and sit down at the table.

Q. And there were older people than you there, and you didn't want to shove in, a comparative kid, as you were?

A. Exactly. Somebody might say, "Move over," in a cross way, and in that way would bother me. But I had a burning desire to sit in, and would watch with great interest a game. This is when I was about 20 or so.

Q. Did you steal any of Vincent's money to gamble with, or was it your own money?

A. No, it was my own money.

Q. And didn't steal from your father, but your wages went that way?

A, My wages. I will tell you, only once in two weeks during the time I was at Vincent's was I at a gambling house, perhaps only six times while I was there. I was at Vincent's a year and a half. I didn't start in until near the middle. I never lost anything there. Would win $2 and maybe not go back again. My father and mother did not know about my gambling. I would go alone and sneak up and watch a door a long while, and watch corners, afraid somebody would see me, and then dodge in there. They would come to me and say: "Hayward, I am sorry to see you,"—no, not sorry, but in a laughing way say, "I am surprised to see you here," and so on, and pat you on the shoulder and say, "Well, everybody does." You know that way. I left Vincent and went to the New Orleans cotton centennial exposition. It was in January—1883, I think, is the year, and stayed there six weeks. I went on the money saved from keeping books at Vincent's. I had from three to four hundred and fifty dollars. I didn't have to pay board when I was at home. Before I left Vincent's, during the latter part of the time I was there, I was occasionally gambling—making those two-dollar trips. I was getting the roller skating rink craze. My greatest sport was to go to the Washington roller rink. At that time, as ever since, I enjoyed ladies' company.

Q. What did you do down in New Orleans? Did you go against the lotteries there?

A. No; not to amount to anything. I took in the exposition in regular fashion. I was away from Minneapolis, and wasnt afraid of being detected in going into gambling houses. I had a plan figured out which I felt at that time in my own mind certain would beat the gambling houses, and when I got down there I started to carry that plan out. It was on the "progressing" or doubling up, two lose two. I would always start with two 10-cent checks and put those down; if lost, put down four; if lost, put down eight; if lost, put down 16, and if

lost, 32; never realized in my own mind it was ever possible to lose over 32 at a time; thought in my mind that nobody else was as smart as I was, and I didn't think anybody had ever thought of that scheme; was afraid to play it steadily for fear they would stop me and find out the scheme, and knew that they would lose their money (laughing). That was my firm belief. Everybody has done the same thing. But I knew they couldn't stop me till I got to the limit, so I tried that plan and I lost 32 checks. I at that time was very cool and methodical and deliberate, the same as ever since, and decided to go to the next table, where, if the other party had been beating me or skinning me, they wouldn't know me, and would put down the 64 checks there. You see it would be the same thing. Well, I put down the 64 checks and lost; went over to another table, got my money in a pile and everything, put down $12.80, which would mean 128 checks, and lost there. Went over to the next table, put down $26, that is a little over double the other, and lost that. I was excited then, if I ever was in my life. I didn't say anything, but got up and stepped away from the table and went out with the firm conviction that it was a skin game and I got beat; (laughing) got robbed. G—d, it is funny to look back at those things and what a fellow will think of. Then quit gambling in New Orleans. After this when I thought I had gotten beaten at that time, don't think I had spunk enough to go in any more. Afraid I would lose $26 more, so gave up gambling as a tough proposition in New Orleans. Went over across the river to some friends of mine at Algiers and rode mules over there for amusement. Got thrown off and hurt and stiffened up, but never suffered from it. Algiers is just across the river on the ferry. Paid more attention from that time on while I was in New Orleans, to girls, balls, soda water fountains and seeing the city; went around on street cars, but my main amusement was seeing the girls and attending balls.

HARRY HAYWARD.

The finest time I ever had in my life was at a ball one night in New Orleans, a Portugese or French ball in the French quarter.

To show I was very fickle at that time, as I am and always have been, I saw a girl about 9 o'clock that night, dark complected, dark hair and eyes, which was and always had been my style. I thought she was the prettiest girl in the ball room. I got acquainted with her through a man there, and if I do say it myself, I was from the North, and they are a little bit at a premium—Northerners down there. Well, at 10 o'clock, after going around I spied another girl that I thought was the prettiest girl in the whole room. I was around with her, and pretty soon, about 12 o'clock, I saw another one that beat the other two to pieces. All these girls were Portuguese or Spanish or French. I went on that way continuing all night. I changed four or five times, and the last one would completely eclipse all the former ones. I got acquainted with a girl down there and was in her company, and so on. When I left there and came back to Minneapolis I never corresponded with her, but the next winter I went down and called on her. I knocked at the door and a man came and I asked if she was in. He said "yes," in a kind of peculiar way, and invited me in. The lady came around and introduced me at the same time, saying she was his wife. That was a kind of joke on me. He had married her since, and I didn't know anything about it. Then came back to Minneapolis and fell in a kind of—if I ever did in my life—sort of love then, with a girl here in the city. Thought lots of her, but had no intention of marrying her. I used to have elegant times going to balls and dances. and gambled some at that time at Shaw's and different places. I wasn't working then, wasn't working any at all this next year. I was infatuated with this girl. I didn't want to marry her, but I was having a nice time right along, and it made me mad when she would go with

anybody else, and things that way, you know. I was infatuated, and then would try and plot mean things, you might say. Her folks were trying to keep her in and I was trying to figure to get her out, and I would begin to plan and lay ways to do it. When her father, who lived on Nicollet island, would refuse to let his daughter go with me, I would do something which showed my nerve. I would go to the old man and ask him myself. I would represent that we were going to some ball, some imaginary ball, and when I would get back he would ask about the affair, and who I saw, and I would mention that I saw and talked with people who asked about him or talked about him.

About Nov. 15, 1884, my money was practically all gone, which would naturally make me more indolent and careless. You know how it is, lacking in ambition. My father helped me to some money. I was going on a trip to Chicago; meant to go there, and went there. When I started on this trip perhaps I had $200 or $300. Went to Chicago and met a friend or two. Went around to the gambling houses to show them how I would spend money. I was a little reckless, and ended up in a very few days with perhaps $50 or $75. That would be a big loss from $300, you know. I stayed there perhaps four or five days. Then you might say I was a little desperate. Didn't want to come back and face my father with that little amount of money, and so decided to go to some other place.

Bought a cheap ticket to New Orleans and arrived there on the 3d day of December—the same day, you know, as this killing was. Wanted to go to some place else, didn't know where—ready to launch myself on anything; looked around for tickets and saw that a steamer steerage passage to Vera Cruz, Mexico, was $15 and the steamers left on the 2d and 17th of each month. It was now the 3d of December, so it only allowed me $2 to pay my board and so forth until the 17th, so that wouldn't

do for me. Then I bought a ticket for San Antonio, Tex. I got into San Antonio with from $1.50 to $3 and looked for work. Went around and inquired at a number of houses and told them I was a bookkeeper, thinking at that time it was a wonderful trade, but finding out that it wasn't anything very grand. In doing my hunt for work I passed a board in front of an intelligence office, "Digging potatoes, $1 a day and board." Well, I would walk around that board continuously, saving that for a last resort. (Laughing.) Finally I got to talking with a hack driver. He was a Knights of Labor man, and I had on good clothes and he evidently thought I was somebody. I told him a hard-up tale and from some cause, I don't know what, he volunteered to bring my trunk up from the depot for me for nothing. So he did it and I moved to the hotel and a few days afterwards to the lodging house. Finally he told me to go over and apply at the hotel to wait on the table; he said they wanted waiters there. I was bashful, but I screwed up my courage and went to the head waiter, and at that time I understood a little about "jollying" people, and I took him out. I had a gold watch and chinchilla overcoat, and I took him into a saloon with perhaps the remaining 50 or 75 cents, and treated him to a couple of drinks of whisky. He patted me on the back and said I was the kind of fellow he liked, and told me what to tell the steward. I told the steward I was an experienced waiter and he thought that was a good thing. He asked me where I had waited on table. I "laid out" the Inter Ocean hotel at Mandan, knowing and feeling certain he had never been there, although I had been up there. (Laughing.) Well, he thought he had got a good fellow, so I went in the dining room that evening and the head waiter gave me a table to wait on. Of course, he knew I didn't know anything about it. First came in a man and sat down and I gave him a drink of water and napkin all right. The next was a woman, I think alone.

I waited on her, but with the next I met my doom. (Laughing.) It was a man and woman evidently used to hotels and they ordered this thing and that thing and changed their minds and wanted something else; and I said yes, and went out, and there was nothing in my mind to bring in. (Laughing.) So I made a confession then —my first confession—to the head waiter that I had lost my grip (laughing) and he says, "Never mind, just take that one order at my table," and he went and took the order and put it through and in that way helped me along all right. I stayed at that hotel about a month or two, and didn't have any trouble at the hotel. I had to keep up my bluff, the folks knowing nothing of it. I would write home on St. Louis Southern hotel first-class hotel paper, and while not lying, would give them the impression that I was boarding at the Southern hotel. I did no gambling there. Gambling was practically closed at that time. I gave out that I had left San Antonio to come to Minneapolis, but I got an appointment with a girl there. I went down to see her close to the Rio Grande river—whether it is in Mexico or the United States makes no difference.

Well, got acquainted with another girl down there, a Spanish girl, who had a brother. They lived on a ranch out from the house perhaps half a mile, in a shack, a feeding place, where in "rounding" times hired men would sleep. I was there one day with this girl when her brother came. I had a Colt's revolver at the time. I don't remember the words. He spoke mostly in Spanish. He had a knife. I was very cool at the time thinking the whole thing over. He was a madman, you might say, with the knife in his hand. I talked to him, but he started for me, and I picked up a chair that was there and I pushed him back and held up the chair as a guard, but it didn't seem to do any good. This girl was sitting on a bed, saying, "Kill him! Kill him!" wanting me to kill her own brother; so I very deliberately took out my

revolver and told him to stand back, but it didn't seem to do any good, so I aimed at his shoulder and struck him right under the left shoulder blade. It didn't break his shoulder blade, but went underneath some place. It was more on the edge, you know, and he dropped to the floor, but at the same time he wasn't senseless or anything of that kind. Well, this girl and I kind of sized up the situation and we were all alone and decided to fix things up, and we went to the house. At least she did; she went to the house and brought a hired man. Well, the sum and substance of the whole thing was, we fixed the whole thing up, and shut the whole thing up. He wasn't very badly hurt, anyway, at that time. This girl had money, and the estate wasn't settled, and he was kind of figuring I might get her off and get things mixed up. I never had any further trouble with the brother. I didn't stay there long after the shooting. I went away and quit her and haven't had anything to do with her since.

I will tell you a vision I had of that, before this thing (meaning the Ging murder) happened. I think it wasn't more than three or four weeks before this Ging murder—perhaps Nov. 1st. Coming around from Goosman's livery stable, I saw a vision in the air—I knew it was a vision. This girl stood there plain, and I heard her say in a kind of deathly way: "Well, I know this fellow died after that, three or four years after that time, but I don't think from this shot." But I saw this vision. I saw this shack. I couldn't see him, but it seems as though he was laying on the floor; but I saw her with her face turned toward him, motioning toward me, saying, "Harry," in that way, "Harry, look out, look out!" like that. That was before this Ging murder. Well, it upset me more than anything in my life. It was the first real vision I ever saw. I came home to Minneapolis. This vision was in December, 1893. I was very nervous, and

came home and told about that vision to a young lady I know pretty well.

It worried me, and I was uneasy and nervous, having at that time another plan of murder on my mind. It worried me, and from the time I saw this vision it naturally made me cautious.

I came from Texas after the shooting scrape, straight to Minneapolis. I was feeling all right in every way, but did not have much money. I guess at that time I helped my father in real estate business and collecting. I was always honest and upright with him, and turned in all I collected. He treated me kindly and I had no special trouble with him up to that time, and the same with my mother, except ordinary family scrapes, of no consequence. I always had more or less trouble with Adry, beginning when we were 14, 15 or 16, for he is of a jealous nature, and I couldn't get along with him. I very seldom took him into my confidence. We were not together, like ordinary brothers. We took different paths.

My father's office at that time was at 202 Hennepin avenue. I left this collecting a little while before I was 21 years old. I was not spending much money at that time. Did not gamble much. I don't believe I gambled in those days, nor bought tickets in the Louisiana lottery. I went with girls a good deal. Was mixed up with a pretty girl, and promised to marry her. Went with a good many different girls. Well, I worked for my father four or five or six months, but was uneasy to travel. Had traveled some, to New Orleans, and wanted more. So I got some money together that I had saved up from my business, and went to Denver. Col. From there I bought a ticket to Leadville, in the Rocky mountains. I went out to Leadville, and one day I killed a deer. I got a fellow and went out hunting, and sneaked about a third of a mile onto a couple of horses. We were very careful not to be seen. We had a Winchester rifle, and I shot one of the horses dead at about 125 yards, thinking

it was a deer. I threw in another cartridge very quick, and started to run towards him, thinking the other would run, and I would shoot him, too (laughing). It was through some trees. Then I realized what I had done, and began to think I had better skin out. Three prospectors, digging their place, came out and arrested me, and the sum and substance of it was that one of them went back to town with me, and I paid $80 for the horse.

Well, it broke me. I pawned my watch, and the same watch was in evidence in the Ging murder trial. I pawned it at the Double Grand Hotel at Leadville, with the night clerk. I told him: "If you will give me $18, I will send you $22 inside of a week." Pay him that commission on it. He looked at it, and did it. I was surprised. I don't know how in the world he happened to do it. I think it was worth about $60. Well, then I bought a ticket and came through to Kansas City, and had about a dollar and a quarter in my pocket. I went into a shooting gallery. I always had had up to that time, and have had since, a mania for shooting rifles, and I am undoubtedly a darn good shot. I can beat the fellows that run the galleries. I was gambling—shooting for the price of the shots, with a spotter of the house, a plugger. He kept shooting, until I saw he was a good shot. Still, I thought I could beat him. I detected him when he was about shooting not aiming at the target at all, but aiming at a wooden partition on the side, which struck the bell. That would strike the bell, anyway, and I had to make bullseyes to do it. Well, we were tie, but run it up to a dollar and a quarter finally. I told him to shoot first, and he did, and I lost. I said: "It has got to be that way; there isn't any dictating about it. I know you are plugging, and I will do it that way or quit." So I was shooting eight or ten shots, and when I shot four, it looked as though I was going to beat him. My next shot missed the target completely. Well, having had a good aim, it looked strange to me. So I kept

dark, and the next time I detected the nigger that was running the gallery slipping another cartridge in the end of the barrel, and, naturally, the bullet striking that, would tip it clear over. Well, I took the rifle from him, and kind of scared him. I just said, in a kind of cold-blooded way: "Nigger, come on, I am going to blow your head off" (laughing). Well, I scared him, all right, but I didn't have any trouble there.

Then I came to Minneapolis, with 25 cents in my pocket. My father was still in business on Hennepin avenue, and I went to work for him, collecting and looking after rents and bookkeeping a little. I occasionally gambled soon after I got back. Didn't lose much or win much. Went to parties, and went with girls, and had a good time, and dressed well. I always steered clear of objectionable society, or, if I went with any, hid it.

I always aimed at good society, and never did enjoy myself with tough girls. I worked for my father a little while, and then got uneasy again, and wanted to go traveling. I worked six months and then bought a ticket to Washington territory. At Fargo, or some place near there, a man got on the train, in front of me, and said: "All aboard for Alaska." Well, hearing that, I thought he might know something about the country. So I went in his car, and talked with him, and said: "I heard you speak about Alaska. What do you know about it?" He said he was going, and this whole car full of people—miners—were going. He says: "Perhaps you can come if you want to. Come back in the sleeper." He was the head man of the Alaska Mining Company. I went back and struck him for a job as bookkeeper. He said he couldn't do that, but I could work in the mine, if I wanted to, for $2 and board. I told him I would go along with him, anyway.

Well, I went to Alaska and stayed two weeks. I was always around and I got a claim up there. I haven't got it now. But I dabbled in mining stock and got a

mine—bought it, bought three or four, and I held that. I got tired of Alaska, and was short of money, and came back to Minneapolis. Hadn't been here long when a man came down and offered me 50 per cent more than I paid for my interest, and I got excited and wouldn't sell. I skirmished around and got some money, and went out by way of California. I gambled on the way out at different faro banks, and started in a little hard gambling then. At Cheyenne, Wyo., I beat the faro bank. And at Manitou, I beat it there. I went over to Salt Lake City, and to San Francisco, and then to Alaska. Worked the ore some. Put down a shaft in it. Was offered $4,000 for it. Could have sold once for $6,000. But I hung onto it. It was a wedged-shaped pocket, and fizzled out completely, and I lost the money I put into it. I ran in debt on the mine $200 and over, I think. When it was getting risky, near the bottom, the contractor wanted more money. I had $100, but I kept that, and represented to him, in a kind of Monte Christo way, that I had property back in Minneapolis. I was good. "Go on and put down your holes, at $20 a foot." Well, it fizzled out completely. He asked me for the money, and insisted on it. So I packed up and left. He sent it for collection with a man on the same boat with me to San Francisco. I went to Los Angeles, and it was sent for collection there.

"There was another murder at Pasadena," continued the condemned man.

Q. What was that?

A. Well, I went over there and got acquainted. Well, I knew a girl I met on the train, a darn pretty girl. I had a good time with her, and in Shoko met another girl. She had some money. To cut it short, I killed her; I shot her and buried her. That is all of that. I look at it this way: It wasn't much of an amount; it was $700 and some odd that she had. I got the money. She would naturally holler, and I looked at it that she would

be better if dead. There wouldn't be anybody to holler around, and she didn't have any relations, and I managed it. I didn't go to the boarding house to see a lot of friends and say goodby, for I didn't go back. She was about 20 years old, pretty good looking, and stylish. She was a little on the sporting order. This money was left her by her father.

Q. What was her name?

A. Well, I wouldn't want to tell that. I will tell it to Ed. verbally, and he can put it in. (He never told it.)

Q. Give us a little about the way it was done.

A. Well, it has always been in my head to kill a person and not look at them after they were dead, if you can help it. Not to look in their face, because there is that mind business. That leaves an impression on your mind. See? Now, that is so. That is what makes murderers confess. The conscience bothers them. It is that vision. What drew me to that place was this girl I got acquainted with on the train. Well, I will tell her name. Her name was Carrie Hass, from Pasadena. Maybe she lives there yet, with her folks. She is the one I got acqainted with on the train. I went with her some at Pasadena. I lived at Los Angeles, and got acquainted with this other girl on my own hook. I met her at a public dance, and I took kindly to her, and she took kindly to me. I had only known her a short time before I found out she had this money. She was one of these kind of smart girls that wanted to tell everything she knew. She was boarding around, and she was rather tough. She didn't have any particular friend. She moved about from one boarding house to another, and for that reason I knew it wouldn't be noticed. She had the money in the bank, and I told her to draw it out, and told her I would invest it.

Q. And get married?

A. Not exactly that. She was to run away with me, marry me—well, I didn't tell her I would, but I gave

her the impression I would, and I told her about myself, you know, and naturally didn't put myself to any disadvantage, or show myself up. I was aiming after the money, you know, and took all the ways I could to get it. She seemed to have confidence in me from the start. She liked stylish people and intelligent folks.

Q. Did you and this woman occupy the same apartment?

A. Well, I'll tell you—very little. This is the way I figure on such things: The way you can gain their confidence (meaning women of the kind he met under these circumstances) was to tell them you thought too much of them to insult them. It makes no difference what you may think about their conduct when they are with somebody else, you want to make them think you have great respect for them. That is the way to get their confidence, and their money, if they have any.

Q. Come down to the sequel of the thing. Where did you shoot her? Did you get her off to some lonely, secluded place?

A. Yes, we went out to what they call the Sierra Madre mountains, about six miles from Pasadena. There is a place called the Sierra Madre valley, a little place by the side of the mountain. I could pick the exact spot out where I buried her. I got uneasy about her a few months afterwards. We drove out from Los Angeles to Pasadena, and from there we got a livery rig. She belonged to Pasadena. I went home from Los Angeles to Pasadena, and got a rig and her, and drove out in a buggy to the mountains. It was a lonely place. There are many lonely places around there. It is prairie until you get to the mountains, and then it is dark. This was in the evening. I told her we were going out to drive, but I borrowed that money before the drive. I had got that money, you know, to use for some deal. I had to put up margins for something, as I told her. She understood it was all right, and my money hadn't

come. I talked like that, and got the money. Well, now, most people would have left her then, but you see she knew my name, and could track me, and could come back to Minneapolis, and tell the folks about it, and make trouble. You see, at that time I wasn't very sharp, and when I met her I hadn't figured on all this. I wasn't figuring on this scheme, even.

Q. How long before you went out to this lonely spot did you have the money—a week or two?

A. No, I didn't know her that long altogether. Perhaps it was 10 days altogether. No, I met her first and went to San Diego, and I got slightly acquainted with her during the few days. Went to San Diego and came back in about a month. That is the way it was.

Q. What did you use—a revolver?

A. A revolver. I was stuck on a Colt's revolver, the same as this one I have here—the one that was used in this Ging murder. The same kind, not the same one, but the same kind, a 38 Colt.

Q. Where did you shoot her? How did you do it?

A. Well, I made a fizzle of it. She didn't die very quick. She flopped around. We hitched the horse, and I don't know what we went through the brush for. Perhaps I said: "Come here and look at this," or "What is this over here?" And then I thought of the same plan, and shot her myself in the back of the head, and turned immediately, and didn't look at her, but at the same time could see that she was moving, or understood it that way, anyway, for I sort of looked sideways. Well, I hadn't made preparations, you know, for it—hadn't figured this thing out enough, cold-blooded, like I might later on. So I scraped around with a piece of board, and kind of halfway buried her. Then I guess she was there about a week, then I got a fellow in Los Angeles—that shows a kind of weakness, you know, after you have done a thing successfully and then get afraid it will be discovered—well, anyway, I got him and paid him a hundred dollars.

I didn't tell him anything, but told him he could surmise if he wanted to. Oh, I was very careful in going to him. I sized him up and decided I would strike the man and ask him to do the job. I think you can go into any of these low saloons and inquire around and find such men. I found him in a saloon in Los Angeles. I don't know the street. I remember his name, but that is another case where "honor among thieves" comes in, and I won't mention it. Any man that will help me on any kind of scheme of that kind I wouldn't tell about. He went out and buried her. I took him out to where I killed the woman and told him, and I have even wondered perhaps he didn't remove the body, but I guess he did. I told him to box her up and fix it. I supposed he did it at that time, although I didn't go close enough to really know. I told him to go over and kick around, and she was there. And he took a box and boxed her up. He had to bend her over. He had this kind of felt, and nailed it in the cracks, and drove it perfectly tight, and put this grease on it so it would be water tight, and the smell couldn't get out. I am sure he did, because I know he had the box, and had the stuff and he took the box. I know that. I saw him take the box, and I guess he did it. I understood he was to take her back clear over to Los Angeles, and go out in the bay there. What is the name of the little port? Anyway, he was to dump this thing down and sink it, and whether he did or not I don't know, I had only half buried her with a plank. I never saw much of this fellow before, and never after. I don't think it is a good plan to see faces of that kind. He was a fellow perhaps 30 or 35. A fellow who had been a hard drinker. He never could have honestly testified about it. I don't know and it isn't necessary to know. She never was mentioned in the papers. I never heard a word. I looked at the papers very anxious that week. I had her changed. I was afraid somebody might find her. It was possible, you know. They could have.

HARRY HAYWARD.

I only shot her once, but I had a notion to shoot her again, but didn't want to look at her face, you know. You hear about murderers getting impressions, and I always had an idea that is what it is, and I kind of believe it yet.

CHAPTER III.

Confession Continued.—His First Murder.

The murder of the unfortunate girl at Pasadena was a commonplace affair to Hayward. He did not regard it as worthy of any very extended mention. Since the commission of that crime he had committed very much bolder crimes, and by comparison the Pasadena crime was dull and uninteresting. He proceeded to tell about his first heavy gambling at Los Angeles, but it was when he got to reciting how he burned his father's frame dwelling at the corner of Hennepin avenue and Thirteenth street—kindly and considerately removing all excuse for the slow-going parent not erecting the proposed Ozark flats—that Hayward was in his element. He just reveled in house burnings. It was just sufficiently exciting to interest him. The progress and the glare of the flames he described with enthusiasm. Then he told how he got broke, and as a consequence got desperate. He delighted in telling how he fooled his friend, Elder Stewart, and he made this chapter of his story interesting by informing his friend and cousin, Goodsell, how he had been calculating on his murder. Speaking of his visit to California at the time he murdered the woman at Pasadena, he continued:

While I was down in that part of the country I came darn near getting shot. This is where I came pretty near getting it in the neck, in Ensenada, Deto Dos Santos,

Lower California. That belongs to Mexico. While I was down there having a good time gambling I played the faro bank with Gov. Rison, of California, I have that deck of cards, I guess, in my little black trunk—the same identical pack Gov. Rison played with, and lost on the queen. I had some money of my father. I didn't get it all then. This fellow was just chasing me hard about the mining debt. So I went down in San Diego, and the lawyer was pressing me pretty hot, and I decided I got the money under false pretenses, representing to him I was rich when I had nothing. So I thought I would go to Mexico, where they can't you for things of that kind. So I went down there, and stayed there until I got the money from the folks. I think my father sent me out three or four hundred dollars. This shooting business is what made me leave there. Well, I got too well acquainted with a fellow's wife. Went in bathing and so on with her at the beach. Everybody was there. But he got jealous and warned her, and he wouldn't speak to me. He was an American, but she was a Mexican-Spanish. One day I was down there, and everybody else was in swimming. She said to go down there. She had another married woman with her. She wasn't going out. I said I wasn't either. We got down there, and she proposed to go on down the beach a ways. I cautioned her, saying perhaps her husband would be mad. She said no. So I said, "All right, it is your own funeral," so to speak, and we went and sat down in the sand. Pretty soon her husband came down, and came towards us. It was an open, sandy beach, you know, side of the ocean. He saw us when he got within about one hundred feet of us, or maybe about a block, and turned around and went back to the crowd. Well, I thought he was mad. I was uneasy, and she was uneasy. I proposed to her that we both walk back leisurely to the crowd, as though we both were sitting there. That isn't very bad you know—if it hadn't been me. In the meantime he came out of the crowd.

He had shook this partner of his, and came towards us. Well, this may be cowardice or failure, one or the other, but if there had been a town anywhere on the peninsula I would have run for it, but that being the last town I couldn't run, and so stayed there. So I stood still. He came up in front of us and cursed her up and down. After he got winded I ventured to say, "I am very sorry you feel this way, I don't see anything wrong with this," and tried to bluff him, and he turned and says, "You mind your —— —— business," or something to that effect. Well, I naturally didn't say anything, and sat perfectly still for another stretch of five minutes, while he roasted her. Finally I suggested a common sense plan. I said: "I am sorry you are mad, but perhaps it would be better for us three to get up and walk towards this crowd of people on the beach. The people saw me go up there. Save your good name and not make any scandal." She thought that was good, but he told me to go on about my business. So I got up and went back. Well, after that he went to San Diego, and I was down there with her, and when he got back he heard of it and two or three fellows told me I had better pack up and leave town, it would be better. So I did. There was no shooting, only I came pretty near it.

I went from there to Los Angeles, and began to gamble there. There is the first high gambling I ever did. That is, I would win a hundred dollars. That was a good deal for me then. I went to El Paso and gambled there. And the only darn fool thing I think I ever did in my life. I sat in the box of a variety theater. I wasn't drunk at all. The girls were monkeying around me, and so on, and I deliberately threw away $40 in quarters and half dollars on the stage. What do you think of that? I expect they were jollying me up, you know, telling me I was a h— of a fellow, and I liked it. (Laughing.)

Well, I came on from there home. I will you, Ed, there is a little pocketbook. Do you remember when I

was in the "sweatbox" at the mayor's office? I had a card telling the dates, marked "Before and After." That accounts for three or four or five years back. Well, you will see a little date in the pocketbook, but the names on the card you must not give any publicity, because they have no connection with anything. They are nice people, and no use in knowing me at all. I came home from El Paso, and brought a dress suit. I remember that distinctly. (Laughing.) That was my first full dress suit. I always did like to tog up pretty well. I went to my father. He roasted me for going around, but he didn't know about the gambling, and I didn't tell him. Didn't tell Adry, and didn't tell my mother. I went on working for father and went with different pretty well known girls. Went to parties and balls. Always with nice girls—most always. If the others, did it quietly. But always for 10 years I led a kind of Dr. Jeykll and Mr. Hyde existence—a two-sided affair. Money was always foremost in my mind, and girls next, and then my disposition to travel.

When I came back from California I got in some house firing. I'll tell you how it is. I have said my brother was in this and so on, but he wasn't. I had it in for him, you know, but now I am going to leave him out—leave him out honestly, I mean. He had nothing to do with anything. Well, I guess I will just make one statement—about one fire. I have a question in my mind whether I had better tell it or not.

Q. Sure, Harry, tell it.

A. Well, I'll tell you. This point will show the strong regard and love I have for my father—not in order to help me, and in no way to benefit me. When they were building those Ozark flats up there, there was a house on the corner, our old house. I heard father talk about building a block there for three or four years. He never would do it, I knew, and he would move the barn up, and so on, and move it around. He is a slow mover, you know, and he wouldn't get around to it. But I took

it into my head that I wanted to see something go on, and help the thing along. (Laughing.) I thought at first I would touch off the barn and then I thought, "H—l, maybe he will go to work and build another one, and leave the house, and that won't do." Then I figured on touching them both off. I figured that they might get to suspicioning the thing, and think that my daddy did it, and I wouldn't have them think that, you know. So one day at noon, or about 2 o'clock in the afternoon, I was up in the office. I had stayed up from dinner, and I laid around. Then I went to the coal stove on the second floor in this house. Then I said, "I will do it some way," and I kind of planned the thing around, and opened the stove door—one of these big coal stoves. I opened that, and I opened the two sides. You know that makes the stove explosive. Don't you see, the stove explodes, and blows these doors open; don't you see; and blows the coal on the floor? Well, there was a kind of box behind it. So I piled up some wood. I didn't bring in any wood, but I got some waste baskets and things to burn easy—got them in a hap-hazard way. And then, of course, I saw the girl was down in the kitchen, and I just went up there and touched her off. You know the fire went just exactly to a turn. Everybody knows when that burned. I didn't know. (Laughing.) I went down stairs, and there was somebody talking to the girl in the kitchen. So I went down and jollied her up, and sat around for a long while, and didn't want anybody to get suspicious, but I didn't smell any smoke.

So I thought, "What is the matter?" Well, I thought I would like a mallard duck. So I had to go down to the meat market and buy a mallard duck for supper. I told her I would go and bring it back myself. So I went down and bought a jolly, good mallard duck, and came up, and I kept looking for smoke, to see if I was going to get excited or not, at the proper time. So I came back, and then I could smell fire. I went in the

alley and got back, and they were still in the kitchen. So then I thought I would go and see the gosh darned thing. So I went in the front room, and it was all right. Then I made a quick sneak upstairs, and could see the smoke in good shape. I opened the door just a little bit, and it was just getting a start and I left the door a little open for air. Then I came down real quick and went on the back porch and then I went from there to Sacre's, across the street. But I wanted to be in at the death, and still wanted it to be natural. I went over to Sacre's, and was talking to Sacre. That was before he was married. His girl was there. I gossiped with them a while and got a chance to get out there all right, you know, because the girl very naturally wouldn't stay there very long. So I went out the front door, and smoke was coming out of the house a little, but it wouldn't do for me to see it, you know. (Laughing.) So I went down Fourteenth street. They were moving a house in front of Oswald's, and I watched that a while, and by G—, the smoke was coming out in good shape. Still I didn't see it, but I saw some one looking at it across the street. So I thought it was a good time, and a street car came along and I got on the street car and was soon down-town and didn't know where the fire was. (Laughing.) I looked at the house a block away. I came along there, and the people were running to the house. Well, h—l, I got awful wild and excited and I ran in the house and went upstairs and busted in this room. It was hot as the devil. I made a big sneak and brought out my mother's trunk, filled with clothes. Mother is kind of methodical and had said if anything should get afire to bring out the trunk. So I went in and it was hot work, too. I knew where it was and I brought out the trunk and brought it down stairs, you know, and then the girl was getting out things before me. I asked her how in the devil this thing happened. (Laughing.) Well, then the fire engines came around. And they were pulling things out and moving

things around and I was walking around trying to block things as much as possible.

I looked to where the insurance papers were kept. I had locked them all up and so they were in good shape. I found everything was all right and I knew what the furniture and things was. I figured the old furniture would be all right to let burn. So I was showing them where the valuable things were. I didn't want them to get into the other room, because they would get out the old furniture. Well, they went in there and there was a big coal stove, but I couldn't scare them very bad, but I blocked things as much as possible. The firemen were there taking dishes out, and I helped take the things off, and would pretend to get excited. After I go the best dishes off—I wasn't a damned bit excited, but made them think I was—I took the tablecloth and there wasn't more than $2 worth of dishes and I doubled them up, and the fireman next to me gave it to me for being so foolish, and said, "Those won't burn." I said, "Of course it will all burn." (Laughing.) You could stand on the floor and look clear to the sky after the fire. This is the first time this has ever gone out of my head to anybody. Christian & Wagner (the insurance agents) will swear when they read this. (Laughing.) Say, you ought to put down that I am laughing.

Q. When you came back from the South you had gambled pretty strong down there, you said?

A. Well, not strong like lately, but $100 and $200.

Q. Now, start in four or five years ago. Can't you ring in something more important than that snide fire?

A. Well, I was kind of figuring on locations. You don't happen to run across chances, you know, where there is any darn exciting things like the killing of this girl, you know, but I will tell you one place where I did come gosh darned near it. I would just as soon mention the name. She is married now, but it will make her shiver, after all, I expect.

Q. Who was it?

A. I guess I will just tell it right out. Her name is Mary C. W———.

Q. Not —— Wells' daughter?

Q. No; but she has got stuff, and so I didn't bring her name into it. I met her at a party, about six years ago, at a boarding house, between Hennepin and Hawthorne, on Thirteenth street. She was a good, nice girl. She had no folks. She had herself an income of $2,000 a year. I don't know what it was from. That is the trouble. She had pretty good sand. She evidently had had some uncle or father that had good sense, and had advised her, and told her to look out for herself, or something of that kind. The only way I could ever get her would have been a case of marrying—would have had to marry her.

Q. You never thought of killing her, did you, for her money?

A. Yes, I did. If I had only known how she had it. I thought of it. I thought if she had had it in cash then, I would talk with her. I couldn't bring the subject right out, but as near as I could get at it, part of it was in some business somebody else was running, and that wouldn't do me any good. The only way I could have gotten that was to be married, and that would knock me out with people I knew. She was visiting Jack Beach's. I used to go out to see her at his house. He will remember it. She encouraged me. I went to dances with her. Do you know Dr. Haviland? He used to go with her a good deal. Do you know an artist that married a St. Louis girl, that lived a while in the St. Louis hotel, and had an office in the Medical block? He used to go there, too. I fussed with her three or four months. I have taken her out riding in a buggy, but I never could see any good reason for doing her, because I couldn't see my way clear to the money.

Q. Do you think she ever suspected anything wrong,

or any disposition on your part to get her money?

A. Well, I can't tell in regard to that, but I used to go out with her at one time. She had little, mean, sneaking ways, and she knew how to "dig" right, you know. She used to make me so damned mad, and I can tell exactly how Durrant killed these two girls out in San Francisco. He did it with a pleasure. Taking this girl out in a buggy—do you know, for a fact, I could hardly keep from just choking that girl to death. Would just have liked to.

Q. Was she of a kind of sneaking disposition?

A. At times she was, yes. But, darn that girl, she don't know how near she got to kicking the bucket. If that girl had had that money in cash, she would have been a goner. I'll tell you, Ed Best, of the First National Bank, went with her. He knows her well. I quit her cold. I was then working for my father, and I wasn't gambling then. I didn't get into the habit of gambling until three or four years ago, now.

Q. What other girl did you fool with?

A. I used to go with other girls, but no other girls that I can mention their names. After the Ozark got started, you know, I will give you a good one. I made my big winning around town you know. Of course, they didn't believe me on the trial, but that is the fact, I did win, you know. That's so; Joe—up to the club on Hennepin avenue, and all around.

The Fourth of July I went down to the Minnehaha racing track, four or five years ago—after the Ozark was started, anyway. I went down with Cole Gilmore, and we played a little there, and he lost and I won. I just happened to be lucky. I came back to Minneapolis that night, and went out and lost part of the larger winning. I didn't hardly know then where the gambling houses were. So I went up in the old Gale house, on First avenue south—Carle Blake's old gambling house. You remember that. I went up there, and lost $40 or $60 that

I had in my pocket. Then I was behind. I had a hundred dollars in cash up in the safe. It was 9 or 10 o'clock. So I walked up to the Oneida block, and up those stairs and got that, and went and lost that.

Then I was on the warpath. The next day I scratched around and got all the money I had—something like $500. Went out, and I guess that was the next day, and got to sporting around the big places, and made a couple of hundred, and I never stayed. I went to another gambling house. I always did have a mania for going to different gambling houses. Gamblers will know this. Go to one and then to another. Sooner beat two houses out of $200 than one out of $400. Just to show you can beat them, you know. Well, I went around to every gambling house, and beat them $50 or $100, and would go out and do it over again. Then I went down to St. Paul, and I beat every gambling house I struck, from the 5th of July until the 2d day of August—every one. And there were four or five sittings a day. Sometimes $10—just a little—until I run it up. Well, I had really $9,000. That is, I had $8,000, and then I dropped $600, and went. If I hadn't made that one loss, I would have had $9,000. But I had $8,000 at one time, and near $9,000. Then I made a trip to Chicago at that same time. One day I dropped $5,000 in different places down there, mainly at faro. Then came back up here, and dubbed around until I was practically busted. But it didn't last only four or five days. Then I turned my attention to Elder Stewart. (Laughing.)

Q. You were working for your father then, were you not?

A. Yes; but then he had found out about this gambling and that I had won so heavy. I didn't get the name of "Lucky Harry" then. That was later. You are a smart fellow if you can win. My mother didn't know of my gambling at that time, but Adry did. I suppose

he thought it was a nice thing as long as I won. He liked money the same as lots of other people.

Q. Tell us about this Stewart business?

A. Well, I wanted to get some money and I thought I would go away somewheres on a trip. I was kind of sick. I was going to South America if I could get there. Well, I went over to Elder Stewart's. I got my mother to go with me to help me out to borrow money. I got a thousand dollars of Elder Stewart, a straight loan on note. Mark you, I wasn't posted then. I wanted to get some more. I had in the neighborhood of a thousand dollars, but still let on as though I was busted. I was playing a safe game. I told them it was wheat, and they kind of kicked on it. It was too bad, but it was a more respectable thing than gambling with cards. So he let me have a thousand dollars, and if I had been half smart then I would have got more, I believe. He said, "I just happened to have this money here, somebody paid it in." God damn it! he had it and marked it. It was marked money. He took it out and paid it to me. I went out and he got some detective to shadow me. He just wanted to see. He thinks to this day that he got the facts, but he didn't. I tell the truth about it; I have no object in lying about it. Well, I went out, and that night I went to 308 Nicollet and I won about eight hundred dollars. Then I went from there down Washington avenue, below Second avenue south, to "Lame Jack's." It was on the upper side of Washington, down about to 117, down near Lally's or Brown Bros.' They were just closing the gambling house for the night, but I got it opened. They opened up a roulette wheel, and I won six or seven hundred dollars, and they got to kicking about Jack opening up a gambling house after they had closed. Well, I felt bully, and Jack knew his business. He kept tantalizing me about shaking dice. I always was suspicious of that. So I made my own proposition. You might make that a point, my being suspicious of everything, because gam-

blers all know I am the most suspicious cuss on earth. So we played dice. "I will shake my own dice," I said. "Well," he says, "all right. So give me the dice and we will shake for twenty dollars a crack." And I would shake dice just as I pleased. I wouldn't holler high or low. If I dropped them here I was playing high, and if I dropped them there I was playing low. And he stood there and took up twenty dollars as fast as I could drop them for four or five hours right along. (Laughing.) I lost about twelve hundred dollars, and beat myself. (Laughing.)

Well, I went to Elder Stewart again the next day. I had this six or seven hundred dollars that I won at 308. I had a thousand dollars when I went home. There was a confidence man here named Traylor. I met him in a room and he told me his name. I guess he must have been at 308. Anyway, I was around a good deal and I had seen him often and spotted him as crooked. He never was playing, but when I would get up to get a drink of water he was looking at the table and not noticing me. But he was around and stayed around in the gambling house looking at the playing. He was kind of funny. Well, when I went out of the gambling house and walked along, he spoke to me. I went along and left him. That was along just after the fire, and I was living there, watching the house, keeping the insurance good, and so on. (Laughing.) Well, I went there and I was tired out. It was daylight when I got there, in the summer time. I went up to bed and left that money in my trousers pocket, an even thousand dollars, and in the other pocket was maybe forty dollars, and by the gods, when I got up, that thousand dollars was gone. Well, that sounds like a pretty slim thing, but I can't help it. I lay it to Traylor. He must have come up there and took that money. But the house was perfectly empty, and somebody might have been in there before. Anyway, the thousand was stolen from me. Stewart swears

to this day that it is poppycock about the money being stolen. I went down there the next day and told him I had lost it, and I told him the truth. But he sent around and found that marked money down below—in the gambling house. I have got no object in lying now, and people have got to believe it. I went around and tried to get some more money of Stewart, and it wouldn't work. I went alone the next morning. I met him at the bottom of the stairway and told him the trouble; told him that I had been robbed. (Laughing.) He took me up in the office, and the sum and substance of it is he didn't believe. I think he told me to come around again. I guess he had looked it up. But it didn't make any difference. I didn't get any more money from him. Never had any more transactions with him.

Q. When did you go to Long Branch?

A. That is what I am stuck on. I was out there living for a while. First, I went out to my brother's, at Lake Calhoun. Then, after that, I felt just about the same as I do now.

Q. How is that?

A. Well, reckless. There was a big wind storm, and I would just as soon launch myself on a cannon ball and go to h—l then. Felt just the same way. Felt if I was going to the bottom of the ocean, why let her go. (Laughing.) That's the way I felt.

Q. Did you ever have any idea of committing suicide?

A. No; never in my life. Oh, I thought about it, but it was always a long ways from me. These financial reverses or losses in gambling houses never made me think seriously of anything like that. They made me desperate and bound to get money in some way, and so I said, if I can't get it from Stewart, I will get it from somebody else.

Goodsell: Did you ever think of doing me up for that two thousand dollars I had?

A. No. I will tell you about that. I will tell you

the truth. I thought of it, but somebody else thought of it, too, and you would have been a goner, sure, if it hadn't been for me. But I didn't want any part of it.

Goodsell: Who thought of that, Harry?

A. Now you know. That don't make any difference. Wait a little bit. There was another woman got in on a $2,000 gambling scrape with me. I gambled for her and she lost her money. That is all there is to it.

Q. That was not Kit?

A. No; this was at that time (referring to the Goodsell episode).

Q. Did she squeal?

A. No; she was afraid to death then for fear I would tell. She kept quiet. Then I borrowed some of her besides in order to get away. Her father let me have some too. So I skinned out again and went direct to the exposition building at the World's Fair. Did you see me when I was on my way down to Washington? Well, they were building the buildings the year before. I went to Washington, D. C. Strayed around there and got on the wrong train, and lost a scalper's ticket and it cost me double fare to try to beat my way to Florida. You know sometimes when you strike a streak of bad luck it lasts. In the firstplace I bribed the baggageman to send my trunk on, and I hired him to ship the trunk on the wrong road without seeing the ticket and besides that I got on the wrong train with the wrong ticket, you know. (Laughing.) Had to pay my fare. Well, I had to pay double fare and it took me twice as long, too. I went down to Tampa, Fla., and stayed around there a while, and went around over to Arcadia. I scared a fellow there pretty near to death. He had been sporting around the cheap houses in Washington and I would go there once in a while. He introduced me to his wife, and I would say "Do you remember the time up to Washington when we were there, you know?" and then he would begin to kick, and I would say, "Oh, yes." (Laughing.) Of course;

he wouldn't have his wife know that, and it stirred him up a little. I shot a rattlesnake in Arcadia six feet long. I came back to Tampa and was pretty close on money then and couldn't gamble. I got some drafts there and had a hard time to get them cashed down there. They are pretty strict about cashing drafts in the East. He asked me who I knew in Minneapolis and I told him. Finally he ventured to cash one. Well, I got on the steamer and stayed there on the dock of Tampa, Bay City. That is where Tampa is, four miles out in the ocean. I stayed there with my valise and trunk, prepared to go to New York, and then I thought, "Shall I go to New York or Havana?" That is just the way I was. So I jumped on the boat and went to Havana. I stopped at Key West and Havana, and got there at the time of the cholera scare. We laid there two or three days in quarantine at Havana. Then went into the city. I was fairly low then but wasn't busted. I had a general good time around with the girls and senoritas. I went to a cock pit and lost $50. The way I was fixed, the loss was heavy. Then went back to the Eletra hotel. That is the best hotel in Tampa, with a nice plaza. There was an Englishman there, one of these kind of stubborn Englishmen, and I got to shaking dice with him and won $400. That was like a godsend to me at that time. He was the only fellow I ever wanted to get away from. He was anxious to hang on. I didn't want to let up and leave him, but I did. I took it from him. I was stopping at the hotel down by the beach, but never went around that hotel again.

Then I went to a bull fight in Havana. Now there is satisfaction, I can say honestly. I saw five bulls killed and seven horses and two men hurt—one man pretty badly hurt. He got gored. The horn struck his heart and threw his horse over backward and right down in a corner was a horse on top of him. Those fellows on horseback have big sticks inside their trousers to keep

them from breaking their leg, but he fell on his body. It didn't kill him, but he was hurt. Sometimes the horses don't get killed, but they get gutted. I have seen the entrails hanging out on the ground for 15 feet—a long streak. Then, in a case like that, they kind of lead them out, and put the entrails in again and sew him up and then bring the horse in again. There is no use talking, I liked to see that. It is the excitement of it that I like to look at, and it is very common. The Americans down there kind of throw up their liver and get sick. I was there two weeks and went on the steamer to New York. There I did some stiff gambling. I dubbed around there. To show you how Dec. 7 is an unlucky day, I looked to be hung Dec. 6, last Friday. When they got over that, I thought there is nothing significant in Dec. 11. Well, Dec. 7 I had been dubbing around in New York. You know I went up to Hartford. You can fix that as you want to. I had a good time and saw the sights, saw the gambling houses and sporting houses. I couldn't see much in it. It is not what it is cracked up to be. I went to a dance, and by the gods, on Merrill street, there when you leave the music hall on Fourteenth street, you have to stand around and find out where to continue the thing down on Bond street, where they take you half a story under the ground to a double door. Well, I gambled around there, and so on. I got out of Havana about the middle of November and got out of New York—anyway, I was around, and took a flying trip down—no, that wasn't the time. I was simply in New York. Then I had $300 or $400 of this Englishman's money and then I never have thought much about going across the water to France. Well, I went up to Daly's clubhouse. I thought I would go close fisted and stay two or three months. I thought I would just go up and win my steamer fare. I was going second-class, very cheap, late in the year. Well, I went up and won my fare, probably $50 and a little more for expenses. Came

out again and went up again and won some more. I thought I would go and see Monte Carlo. I came out to buy my ticket and I was a little late. The steamer left the next morning. This was Dec. 6. The steamer left the next morning, Dec. 7. The steamer Westland. You will find it left Dec. 7. I went down to Bowling Green to the office and this was about 4 o'clock, and that was late, so he says: "There isn't many traveling at this time of the year. You get your ticket at the steamer when it leaves at 7 o'clock in the morning." I went to the boarding house and packed my trunk and sent it to the dock, and told them to have it by the time that steamer sailed. And then I was clear and ready to go to the steamer. Well, I went up to this gambling house after supper.

Then I got the thing up, possibly to $800, you know, and I was figuring this for certain expenses to Paris and Monte Carlo, and then to get back again, and expenses at the hotel. Then, by the gods, I thought I would make a trip around the world. Well, I went on until I won, I guess it was $3,000, all of that, at Daly's clubhouse. I think it is on Thirty-eighth street, just off Broadway, somewhere from Thirty-seventh to Fortieth streets. Well, that was after I had made all arrangements for sailing, and, mind you, I always have a little way of hedging. I took some of the money out, and was kind of careless, to make myself forget. I would have $50 in the trunk sometimes, and would forget it, and find it, and it would be a fine surprise. Well, I went back up there and lost the whole blessed thing (laughing). I went back to the boarding house, and slept bully. I was satisfied then. I was then practically busted. I had a little in my pocket. I never did go busted. That was my pride. Well, they woke me up about 7, to catch that boat. I told them I had changed my mind. Told him some cock-and-bull story about a telegram and so on, for explanation. Well, that settled that. About 10 o'clock I got up and went over to Jersey City, to have my trunk sent

back, and lo and behold! my trunk was gone, and it went over to Antwerp, Belgium, and was gone a month and came back. I stayed there until about two weeks from that time. I was looking for a job. I wasn't going to go back home. I couldn't find anything. Finally I saw an advertisement at some kind of a country place, to tend bar. Well, I didn't care anything about it being in the country. I went over to this hotel, and this country fellow was up there. His name was Eugene Fay, and his place was at Long Branch. He gave me the job, and I went down there. He had two hotels. He put me over there, down by the beach, and I tended bar there. Well, I didn't take in more than a dollar and a half a day. I guess it was more to keep the insurance good. Well, I had the best time in my life. This (meaning his coming execution) might be more devilishness. I was there all alone, and the fellow was struck on me, because I didn't drink. He said: "There is one thing d——d certain, I am going to have some stock left in the spring" (laughing). But he didn't have much. I got onto the trade in a little while. There was a fellow come around there we called "Lobster." He was an Irish or English footman. He could drink more whisky than any 10 men I ever saw in my life. He used to come in behind the bar. He was a great fellow for flattery. Whenever he would say anything nice, flattering, to me, I would pretend to believe it, and give him a drink (laughing). Well, I had two or three fellows around to do all the work, and I traded drinks for clams and such things with this "Lobster." I had a book that tells how to make drinks. I didn't know how to make them. "Lobster," he worked at the hotel, and I got my meals from the other hotel. I had this bartender book, and I would go behind the bar, and nobody would come in, only once in four hours, you know. I could close up at 8 o'clock. if I wanted to. "Lobster" would come in and say: "Harry, won't you give me a drink out of that keg of this sour

wine?" Sometimes he would ask for that, according to the way I felt. If I felt real good, I would give him a drink of the best brandy, and it would be good. I would say: "'Lobster,' you can't drink at all." And make him fill the drinks up, and put his finger around the top, and he was drinking more than the glass full. He was drinking over the top of his finger (laughing). I would say to him: "I will tell you, I will give you something else," and then get out this bartender's book and make up some nice fancy cocktails, and give him that, and call that "sending him to Paris," you know. And that "Lobster" would drink these things, you know, and get glorious.

Q. Did you ever dope him?

A. I didn't know how to dope him, or I would have killed him, if I had had a chance. I stayed there two or three months. I had old "Lobster" one night, drinking mixed drinks, and I thought I had killed him (laughing). But he stood up game to the last, and I couldn't kill him. But, all at once, he dropped like he was shot. But finally I got him over onto the billiard table, and covered him up and fixed him. That was my chief sport, fooling with "Lobster." They had good dances there, and I had good clothes, and I danced pretty well. I didn't get in very good with the women, but I cut quite a swell at one ball there, if I was a bartender.

CHAPTER IV.

The Confession Continues—The Atlantic Coast Murder.

When Hayward got to telling how he despatched the poor consumptive whom he chanced to meet on a train down near Long Branch, he acted as if he had really done his victim a favor. 'The poor devil was getting worse all the time," commented Hayward, "and really I thought I was doing him a favor to put him out of the world. (This feature of the confession recalls vividly that part of the testimony of Adry and Blixt where they tell how Harry used to say to them: "Now, there is nothing terrible in killing a person. Take some of those poor cripples. I would just as soon kill any of them. They are better off dead than alive.") The doomed man found something more to delight his strange soul in this chapter, when he got to telling how recklessly he played in the gambling houses at Asbury Park, how he won large sums and how the curious and the excited followed him from one gaming place to another.

Now, here is something I will tell you. This you can corroborate by W. E. Hale. I scared Hale, without any question. I don't know how to tell this, because I told it to Hale, but I lied a little bit in the circumstances. I have thought of this a thousand times. By G—d, I killed a fellow, and got $2,000 out of it. This was at Long Branch, at this snide bar place, during the time I was fooling with "Lobster," and between the time of the

New York business. You have heard of this Shrewsbury catchup,I think. Well, there is a Shrewsbury river up there. You can pick that up yourself. That is the substance of it. I got acquainted with this party coming on the train down from New York. He was a crank. He was sick, and always talking suicide, and I thought I would help him along. I guess he was a consumptive, going down to the ocean for his health. The object of killing him was the $2,000 that I got in cash. That was quite an object, wasn't it? I had only known him a little while. I don't like to tell his name.

Q. Why?

A. Because, you see, I told Hale. You know I made it a little better. I communicated it to him one day at St. Paul, just after my arrest, and kind of phazed him. I thought I would ease it off a little.

Q. Just tell it the way you want to tell it, right now.

A. I told Hale that fellow asked me if I wouldn't please shoot him, and I don't think Hale believed that. He had the money himself. He told me he had the money, and was going away for his health. He was on the train (laughing). To tell the truth, I don't like to tell about this.

Q. Oh, yes, it is the best part of it, Harry.

A. Well, it is no laughing matter, Ed.

Q. Tell me his name? What is the difference? He is dead.

A. Suppose I meet him Wednesday morning.

Q. Did he take a notion to you?

A. No; but suppose two or three people are traveling and stopping off at a station. I say, "Well, I guess I will stop and get out and go to the hotel." I am going to another hotel and don't know him. I see that we may come to one side of the town.

Q. Tell what you killed him with. Did you shoot him or kill him with a club?

A. Oh, gosh no; I shot him in the woods. I will

tell you a part of that. You may think it is an easy matter to get a fellow buried in the ocean, but it isn't so darned easy, because it is hard to find little boats that you can handle alone and you can't get them out. The tide sticks right out in the ocean and there ain't no good place to bury him in. And the Shrewsbury river is merely knee deep. It is a small river at Long Branch and around there. I will tell you what you do. You leave a blank place and I will go on to something else.

Q. You may forget it.

A. I won't forget it, you needn't be afraid of that.

Q. Give his name, if you remember it.

A. Oh, I remember it.

Q. Give his name, Harry?

A. No, I will tell you another thing. Now, (referring to the shorthand reporter) d—— it, you are a Mason, are you? Well, so was he. He was a Mason.

Q. What was his name?

A. Well, I will tell you. I would tell it, Joe, but owing to a break in the connection, there is somebody else trotting around today who knows of this, with a knowledge that the law would touch. That is, he may be implicated, and it wouldn't be very honorable for him sitting back and knowing what he does and keeping still, because he got paid for keeping still. Now that is the way it is. and that is the reason I don't like to tell you the whole particulars. You can keep that name out on the ground of "honor among thieves."

Q. How long had you known him before you killed him?

A. I didn't know him long at all, just a few hours. He got off at a place and I thought it would be a good place for me to get off. He told me he had a few thousand dollars to travel with.

Q. Where did he live?

A. Well, we will just let it go at that, now. You can check that off. After getting that $2,000 I was tending

bar and skirmishing around between there and New York. About that same time I got money the folks at home sent to me. I will tell you another fellow that got knocked. Those fellows at Long Branch know very well who that is. They said it was lucky I got that money from home because that fellow lost some money in the saloon, but he found it, and they said sure it would have been charged to me, but I had got my money from home. I come doggoned near killing him and getting "Lobster." He is a fellow that used to hang around there, drunk a good deal, and lived up towards the Shrewsbury river. He had money and was drunk and had his pockets full, and I knew he had it. He showed it at the bar, and besides, if I had any conscience about me, my conscience would be eased, because he was one of these sassy and quarrelsome fellows that says, "I paid for this," or "I won't pay for it."

Q. Why didn't you kill him? Wasn't there enough money?

A. Well, the circumstances weren't right for it (laughing). From there I went right, smack, deliberately, straight home, and then I only had a thousand dollars of that money. The Ozark was finished and I went to the block and helped my father. S. C. Cutter was the contractor. He is the same duck that built my scaffold. He was over here one day. It would be a great joke if I got him hung on the scaffold he built for me, but I guess I will juggle off on it myself. I helped father getting it started and renting and showing it. I was up there a great deal of the time around the Ozark and took quite an interest in it. This was in 1892 the Ozark was finished and I was looking around it and going around a good deal nights.

(Here the condemned man recited some interesting experiences with a well known family, formerly living at Seventh street and Nicollet avenue. Hayward, who appeared to be interested in the good-looking daughter,

claims blackmailing was attempted on him.)

I went East again in August, 1893, to Asbury Park. I got to New York on the 23rd or 24th, and that was a little late, and the summer season was not closed. I went down to Asbury, my old stamping ground, and I went to the Fenimore hotel. I gadded around with girls and had a big time. They thought I was a model young man. I didn't drink and didn't go skylarking around much. I didn't gamble then. I had plenty of money and I knew if I gambled I wouldn't have time to have any fun with the girls; but when I got through there, after I had been there a week, I went one afternoon to Daly's clubhouse and won $1,000. But on the last day of September, I think it was the Pennsylvania clubhouse I went to, at the foot of Broadway and Ocean avenue, at Long Branch, and I met Dr. Slater. I remember that to this day. He knew John Flannigan here, and asked me about him, and I won $1,000 at roulette. Out there they pulled money off to you in good shape. They give you $100 bills. From there I went down to Daly's and won between $1,300 and $1,600 and came back to Asbury Park and cut a flash. I got a nice rig and drove down to Long Branch and went to the postoffice, as I had some money coming by express from here. I went back to Asbury Park and didn't have any more time for girls after that. I packed up and went to Philadelphia and went to the race track and won about $70 on horses. Well, I never could win on horses, but then, thinks I, I am lucky, and I came back and there was a string of those gamblers. Well, to cut it short, I lost the whole thing. I had at that time, after getting the money by express, something like $2,700; I had $2,000 in my money belt and $700 in my pocket. I went to the gambling houses and dropped the $700 in no time. I went in the toilet and took out the $2,000 and I went to the first table and won $1,400. I took this money and got my $700 back and over $1,500 more. This is the biggest

gambling I ever had. I went to the next gambling house, and in three gambling houses won $6,000. I laid down down $100 bills; for instance, $400 down there. It might touch any of them, $800 or $1,600. Well, I was playing that way and won $1,000 time and time again in there. Of course, if you had a few losses, you are behind again. In the second house I was a little conceited. People were tagging me around and I just wanted to surprise them. So the first stab I would lay down $300 or $400 or $500 in a bunch, and when I went out all the gamblers went out with me, to see where I was going, and in the next gambling house the fellow stopped the ball on the roulette wheel. It was more than the "limit." I had this wad of money loose in there, and he motioned for the bartender to come over. I had it in my hand. He came over and looked at the pile of money and motioned his head to let her go. He didn't do a thing but strike close enough to win $600 or $700 and I went on and had $6,000. I hadn't fairly got my $2,000 wad unwound. I didn't need it. I had my pocket full. I don't think I had anything less than $10, $20 and $50—was chock full of money. Well, I went down to the ferry. I lost the ferry and went across to Philadelphia, and straightened things all up in good shape and went down to Norfolk, Va. I didn't go to Baltimore at all. And only stayed in Norfolk just a little while. I started to go down to Old Virginia Beach, a summer resort. I didn't know anything about it, but all the girls were fizzling out at Long Branch and I thought I would go down there, but I didn't have any fun there, because they had left there before they had the other place. Then I came back to Long Branch. I think I must have taken a trip to New York from Gloucester, because I didn't have that money then. You see I had something like $8,000 or $10,000 altogether, and I didn't take that to Norfolk with me. I had an awful good wad, and I came back and lost about $5,000 in Gloucester. I went over there with a

firm intention if I got a winning to come out a Jay Gould, but I lost the whole $5,000 in two twists of a lamb's tail. I was playing roulette pretty much all of the time, and you know you don't lose as fast as you do at faro. I would put perhaps $400 on these high numbers. Then I went to New York and gambled later. I lost pretty near all I had there. I didn't gamble at all at Hartford.

I went up to Hartford with murder in my mind. There is no doubt about that. But there didn't anything come of it. I met Shutzel, who used to be in the city clerk's office, on the train, and he came to me and said there was a girl had been taken out and killed there. He said that I was there at the time. I didn't have any trouble at Hartford. But I always had a sneaking desire to find out about a girl I used to be struck on when I was a kid 15 years old. Well, sir, I went and looked her up, and went and called on her, but they had gone to the World's Fair. Well, I stayed awhile and she didn't come back. Didn't see her. But she had lots of money and she and I used to be great lovers, without any question, when kids going to school. Well, sometimes, you know, people whom you have seen and had good times with, if they turn up the same spell is still on when you see them again. Supposing I had gone up there and called on her and we were still in love with each other. (Laughing.) Well, we would have had to do away with this fellow (meaning her husband) some way, because she had a husband. But I came back to Minneapolis and was at the World's Fair a couple of times. I had no trouble there. I had a good time with Ed. Goodsell. I gambled some and won some of the time and some of the time I lost. One time I won $2,200. I think my last trip was to Hartford. That is, after my gambling experience when I won between $7,000 and $8,000 and lost $5,000 at Gloucester.

Q. Did you get in with any tough people—people that wanted to do folks—at Chicago, at all?

A. Only Ed. Goodsell, and he never was very tough.

Q. Did Ed. make any proposals to you to do anybody?

A. No. Ed. is kind of thin-skinned. There is no proposals in him. There was nothing sensational in Chicago. Then I got back here and Richard was himself again. I went around with the girls and gambled very extensively.

Q. Now, you have had trouble with Adry, serious trouble, during the time we have passed over, haven't you?

A. Oh, yes. I will tell you about another thing, for the good of the family. This whole thing is bad for the family, in a way. You may state in there, this being a true statement and a dying statement, I don't care to tell any lies. Perhaps my brother may have done some indiscreet things.

Not that he has done anything outside of the law, but family jars and disagreeable things, and so on, that I don't care to say anything about. So I don't care to say anything about him. I give these things thinking that it will not bother my parents very much, because they think that I am innocent—you may as well say insane. They don't think I am a maniac, but they think my mind is constituted wrong, and that I am excusable, and should not be blamed. That is, they don't think I should be running around killing people, but they do not think I ought to suffer this penalty. That is the idea.

Q. Did you always have a feeling as though you wanted to kill people—a desire that way?

A. Oh, no; I'll tell you. I believe it is this way: Everybody likes excitement. It is a good deal in that A fellow goes around this way and that way, like an old sea captain who has been sailing around the world, until there don't seem to be any more excitement. That is kind of the way with me.

Q. The way you feel you would almost do up your

best friend in order to accomplish a certain point, wouldn't you?

A. Yes.

Goodsell: That is the way I have understood you for a long time. That is why I asked you the question, you know. I always hesitated about making my will and everything in your favor, because I knew the minute I would do it something would come up and you would try to get some scheme to get rid of me, and get me out of the way, in spite of the friendship that existed between us.

Harry: Do you want to know when I did have you figured out? I'll tell you. Do you remember, Ed, when I wrote up your will and you wouldn't sign it?

Goodsell: I was onto you.

Harry: I remembered that darned well. You were too gosh darned foxy.

Goodsell: I was talking about making a will. Well, anyway, you were going to get it drawn up.

Harry: And I got that compendium of forms, and wrote it all out, and you wouldn't sign it.

Goodsell: I didn't have any intention of signing it all the way through.

Harry: Why the devil did you say anything about it, then? I was telling father the other day. He said: "Harry, would you kill me?" and I didn't want to deny it, and I told him honestly. I says: "I had kind of sized things up in my mind, and had kind of figured on you like that" (laughing). But I told him no, I wouldn't do it, on account of liking to see him around, you know; and I wanted him around, and my mother the same way.

Q. You didn't do anything about this Lena Olson business, did you?

A. No; that is poppycock.

Q. How about that invalid over in St. Paul? Did you do anything to him?

A. No; I don't think there was any such fellow there.

That was all poppycock. That was newspaper stuff. There was no foundation to start it. It all originated in some fellow's brain. I will tell you how many people went out. There was the fellow down in Texas; there was the California girl; there was this consumptive; and this fellow floating around in the Pacific ocean. This other fellow, I suppose, is in the Atlantic, this consumptive. I will tell you the Chinaman business straight, only I lied to Blixt. The Chinaman story is straight, with the exception that I changed the circumstances of it.

Q. Well, what was the Chinaman business?

A. The Chinaman business was just as Blixt said, to a T. I told my brother that. I was down in Chinatown, because I got doggone near getting hung, because it was exactly as Blixt tells it. They were playing a kind of domino game in this Chinaman's place, in New York city. I went into a game there. I don't know what. It is kind of d——d hard to think up these people when you have hermetically sealed the thing up in your brain. This was around Mulberry street, right there. I don't myself know the names of these streets. I think I went in a laundry, but I know this place was one of those joints strung around all over that part of the city. It was a gambling house, and I went in, and there was lots of people in there. The sum and substance of it was I was into a gambling game, and there was some gambling done, and we got playing and cutting red and black cards. I don't know whether it was 10 cents or 5 cents or 50 cents. I just knocked the Chinaman down and kicked him right in the stomach. I knocked him down with my fist or hand. I kicked him in the belly, and I took the round of a chair—it wasn't as large as that one there, it was a small round. It was a little smaller than this—I mean the leg of this chair. And he was down and he was howling, and I took it in my hand and jabbed the corner in his eye, and his skull was kind of thin and I kind of sided it up to the top of his head and

smashed it down in there, and I got on the chair and sat on it and you know it went through, went down into him.

Well, by the gods, he kicked like h——l, and I got up and skinned out, and the last that I ever remember of seeing or hearing of that was that he was kicking that way. He was in there alone, but when this trouble commenced there were other Chinamen there and saw it, and they skipped. I went out and there was no fire, like I told them. I didn't see the papers immediately after that, although I went back and watched them. It was something that wouldn't be made a note of, anyway. But I believe to this day that the Chinamen in there fixed that darned thing up and covered it up, although I don't know. Well, I tell you, I skinned out of there and left the city. I looked in the papers, but I didn't see anything of it. Well, you can take it two ways, that it might not have killed him, but I am pretty sure he was dead, or that they covered it up. I heard the round of the chair crash down through his skull.

Q. Were you really mad, or simply wanted some fun with him?

A. Oh, no, I was mad to start with. Those things come on a fellow kind of sudden. You feel that you want to jab him once more for luck. That is the way. I want to tell about doing Ed. up. It simply was to get his four hundred dollars. I was going to get it on the right side of the will, so it could be easily done. That came nearer completion than Ed. even thought. That was on the last trip I was down in Chicago, Nov. 5, 1894. That was a kind of gambling speculation. You (Goodsell) were always talking about wills and everything, and making them, and I didn't know that I might catch you and find one in my favor. Ed, that kind of makes you feel vindictive.

Goodsell: No it don't, Harry. It don't surprise me at all. It is no more than I have told you right to your

face, Harry, that if you got a chance to do me up, you would do it. Didn't I tell you that?

Harry: I don't remember. Well, he got it in his head I was looking up a loan for him. I had the d—— time getting that money. I took your letter, and I went to Gale, and had to be pretty darned cautious, because I didn't know but Gale knew something about gambling. He paid the money and I asked him if I should sign your papers down there for him or bring him the other note. He says, "He has sent the other note.". I says, "He sent me the note." I didn't tell him they were over to your place. I told him you sent them to me and I would bring them down and cancel them. Well, it was two thousand dollars, and the scratching on the end of the note looked like twelve hundred dollars. Well, I did it, and he fixed it, and he kept staving me off about the money. I was scared. I thought he was writing to you about it. Still I was telling him everything that was crooked was straight. I was figuring if he was to write to you you would knock me cold when I got the money. I told father not to advise Ed. against getting the loan. Father went to work and wrote a letter, because I knew he was speaking about writing a letter to you, and I came in the office, and I could tell by his actions he was doing something disguised from me. I can pretty near read him to a "T." Then your letter came addressed to him. He got it in his pocket, and I'll be doggoned if I didn't watch around two or three days, and I got it and read it, and it said in there something like "You can depend on it, uncle, that I will keep this and never tell it." Do you remember writing that?

Goodsell: Yes.

Harry: And you did keep it pretty well. I asked you down in Chicago, and I couldn't find it out. Father and I are great cronies, but he didn't think it was right, but he didn't like to have me think he was doing anything against me. Well, I went down to Chicago to get that

$400, and I took Patty Garrity along gambling. I got down there, but conscience failed me, and I couldn't do it. (Laughing.) No, that wasn't it, but things didn't hitch, things didn't work right, and the people down there couldn't find me. Now that is all of that.

Q. How long had it been since you made up your mind to make this statement?

(Here Hayward wanted to relieve himself by reciting some of the details of the famous attempt at jail delivery. A good deal of what the condemned man said in this direction was included in the statement which he made a few weeks prior to his execution. Whenever he got to thinking about the manner in which he was treated by certain men whose names have been made prominent in connection with this alleged scheme to liberate Sheriff Holmberg's most precious prisoner, the latter would become considerably aroused, and he would not care to talk about anything else. He used some very strong and expressive language when dealing with men who, he said, gave him the double-cross. The prisoner was fertile with plans for escape. He said:

Then different schemes were proposed in other ways. I asked one of my supposed friends about this hanging of Adry, about hanging him up to a tree, and forcing him to write a confession, and in fact, I drew up the letters myself; had that confession written out, and put them on small pieces of newspaper, and stuck them on wrapping paper so he could copy them and not be said to have had anything to do with it afterwards. Well, he entered in to it in good faith, and said: It is just the thing; it will clear you for a certainty." Which it would if it had been a success. Don't you think so? This is my last statement, and I have got to tell it as it is. (After devoting several very considerable chapters to certain of his enemies, the condemned man again got down to telling about his own life.)

Q. How many people do you think you have ever

felt like doing away with on account of their money or for other reasons?

A. Oh, it has passed my mind dozens and dozens of times, if there has been anything to gain by it, and it would have been safe; it would have been done numerous times here and elsewhere.

Q. Generally you thought of women, though, didn't you, in that way?

A. Well, yes, I suppose so. Well, there was always more money to be made in that way. It was the money I was after. I will tell you, there are some things I don't care to say anything about. They say I am in love, but there is, or was, one girl I thought an awful lot of. Who that girl is, if she ever reads this book, when she sees these few lines, her mind will tell her who she is.

Goodsell: Do you see spooks, Harry?

A. Yes.

Q. Do you see those people and hear them?

A. Yes.

Q. Does Kate Ging ever show up?

A. No.

Q. But all these other faces have, have they?

A. Oh, no, not any of these that I have told you about; not one of them; just faces I don't know whether they are living. Don't you remember my brother testifying that I told him I knew of the death of three people and one I didn't care to mention, that I wanted to go East and do somebody up there—no, that was Blixt. Well, that was an imaginary girl.

Hayward appeared to be somewhat averse to getting down to the most interesting feature of his story—the Ging murder. He rather preferred to allow that to go until the last. He put it off to a late hour on Tuesday night—his last night on earth—and while he was willing to go into all the details when he did reach that very important chapter, there was more or less commotion in consequence of the preparations for the tragedy that was

only a couple of hours away. The doomed man answered questions in regard to the Ging murder in quite a free and agreeable manner, but the time was altogether too short to do anything like justice to this feature of the confession. He said:

I got acquainted with Kit Ging in the first part of the year 1894, and the latter part of January. Well, the money part of it on these notes, deeds, and so on through, was kind of robbery—gambling. I took her money. You can fix the dates, you will find them all recorded. I just got the money as I could get hold of it, and as I wanted it. Then, about the Hamil mill, there was money out there. She didn't have any more cash, but had a mortgage on that mill. See? Well, I one night hired a rig to go out there, and tried to get my brother Adry to go with me, and he wouldn't have anything to do with it. I had the kerosene and stuff in the buggy. Anyway, after I started, I decided I wouldn't want to go, because I had hired the rig in my own name, and I gave it up. So I just skirmished around that night, driving, and I wanted to go and burn something for practice. I didn't care a darn where it was, or what it was, so we came around till we got to Stewart's house, on Twenty-fourth street and Hennepin. Well, when we came across to Twenty-fourth street in the bushes there. I says: "We have done this long enough." I told him I was going over to the house, for some reason or another. That don't implicate him in a legal way, and I guess I had better leave Adry out. Besides, the fact of it is, I burned the barn building, while he was protesting against it, and it was rumored the next day that a man was seen running from there, but the policeman didn't have time to chase him—he had to run for a fire alarm box. They didn't believe the policeman, but he did see somebody running through there, all right. I ran and jumped down a bank on this side of the building. It is a kind of steep bank, and it was pretty dark, and I went down

head over heels, through ash buckets and everything else down there in the brush. Well, I came out, and got in the buggy, and drove over to my brother's place at Lake Calhoun. Now, make that this way: Went driving with him, and left him at his house; went down to the Twenty-fourth street house, and hitched the team; burned the house; got out and unhitched them, and got in myself, and he don't know anything about it that way. Then, that covers the ground.

The Hamil mill fire was August some time—Aug. 1. This was before that, because we statrted to burn the Hamil mill. I started, myself, to burn the Hamil mill, that same night, but got to thinking about the rig being hired by me. Make it read that I wanted to burn the mill, but Adry wouldn't have it, and we got mad. Stopped right beside of Stewart's house, and I told him (Adry) I was going to burn it, and he wouldn't have it. He said he would run the rig off, run away with it, and make me walk home. So we turned around and I drove him home, and he got out, and I come back and burned the darn thing myself. Well, that settled that affair. The next one was the Hamil mill fire.

Q. Tell what interest you held in that mill, Harry?

A. I had no interest, but she (Miss Ging) had a mortgage on it for $1,200, and, of course, there were two or three years not due, but according to the policy, if it burned it was paid inside of 60 days; usually less. I went and got it insured. The policies had run out, and I examined into it, and they insured it for $1,200.

Q. Did you make any proposition to anybody about burning the Hamil mill?

A. No, I was determined to do that alone. I drove out with my brother that day before the fire to see if he wouldn't cash the mortgage himself, at a discount. She told me I could go out and arrange to get it cashed, so I took him along, that is all. Well, I went in with the miller, and he showed me all over the mill, and every-

thing, and I could see where there were good places to set it going. It was all dry, you know, and it would burn right away. Well, we drove home, and a week or so after that, after I had got the insurance in line, I told Adry about going out with some married woman, and didn't want any tracks left; didn't want any rig charged to me, so I got him to go to Hawkins' livery stable and hire a rig for me. So he did, and let me have it. Well, I drove away out there that night, started at 8 o'clock that night, and drove out there to the Hamil mill, about 17 miles, and hitched the horse. Drove over across through the cornfields and hitched to a fence. I had a quart can of oil. Got the empty can at Hoffiin's drug store. That might be recalled by the clerks down there. I got a quart maple syrup can. They used the syrup in their soda water fountains. I filled it with kerosene, and on the way out, stopped and took a sack along, and filled it with a big bunch of dry wheat or oats, and when I got in the fields I took the sack of wheat and the kerosene can and got over to the mill. The door was pretty tight. I coudn't get in, but on this west side, back side, there was a crack in the floor outside, that I saw. The mill was pretty dry, so I wedged that in there and opened the cork of this quart can of kerosene and poured it all over that straw in the sack. I saturated it with it, and then I touched it off. Well, I had so darn much kerosene, and being outside, it lit up that whole prairie. You could see the flames as plain as daylight, and I was skinning over fences, you know, and I have got a mark on me right here, a scar, that was caused by a wire fence that night, a barb wire fence, that I ran into. I tore the trousers all round here clear through my underclothes, but I got up there again, and got that horse, and I turned him and went across that field of corn, and when I run—you know it was a little bit high ground, the shadow of this horse and myself reached three blocks ahead, you know, it showed so plain. I didn't see a darn

critter, but it was late. I guess it was half-past 12. The mill, when I got to the river, was covered with six by nine feet square of flame. When I kept getting further off, I could see it, and when I got to the Excelsior road I could see the whole sky was afire, so I drove a pretty darn lively gait three or four miles, and I think—as near as I can estimate it—in 15 minutes it was burned down complete.

Q. Did you get your insurance money?

A. Yes, $1,200. Miss Ging got it some time after that. I didn't get it all. I thought she must have been a little suspicious, because she would hide it. She didn't tell me. I would ask her once in a while, and she didn't tell me. Finally she told me she had loaned it out again on some more property. Finally she got that mortgage cashed from Jones & Sons of $985. Well, she got that money and some more with it. I guess I got twelve or thirteen hundred dollars from her.

Q. What did you tell her you were going to do with it—speculate?

A. Yes.

Q. Did you ask anybody else?

A. They didn't get every bit of testimony, there was more. You couldn't find that other man.

Q. How much money do you think you got from Kit Ging altogether that you didn't return? How much do you owe her today, $2,000 or $3,000?

A. Yes, but we gambled together, you know, and part of it was lost.

Q. Do you mean regular straight gambling?

A. Yes.

Q. Wasn't you playing at faro?

A. Yes, and some of them were straight games and some were not. I think I got from her altogether more than they seem to think she had. They figured out about $2,000, I think. I think I got about $2,800 and something.

Q. Up to the time that you saw this hack driver and talked with your brother, do you think Kit suspected at all?

A. Oh, no; although she suspected that I was trying to do her more or less. You know she was afraid, suspicious, and she was the hardest girl I ever tried to get around that way, especially money matters. She was watchful and suspicious all the time. In fact, I would be pretty near making my point, that is, where it would be with anybody else, when you would have to stop and try her again and get her in another mood. But she always wanted to make money.

Q. Didn't you think of going out in a boat with her?

A. Well, that was mentioned. All these talks about doing it in certain ways and accidents in rigs, are true, but there never was—they were just ideas, that is all, and I told Adry of them. I don't know about Blixt. I thought of a lot of methods, including the carriage ride and falling out, and throwing her against the curbstone, and out in a boat. I thought of going to Minnetonka. We went to Excelsior once, but didn't ride in a boat. I didn't think of doing her then, because things weren't in shape at that time. That was a long time before this.

Q. When did you talk to her about green goods?

A. Well, I never talked to her particularly but the green goods came in on the large loan, the $7,000 loan. She was suspicious, and I had to change my plans every once in a while. She wouldn't stick to the same thing. She wouldn't sign a note for nothing. She wanted some value. Well, I took this green goods, the $5,000, about an even $5,000 counterfeit, and $2,000 good. That was the money they saw in the block, it was on the table. The elevator boy testified to it, and Blixt saw it, and she saw it and went in and counted it.

She didn't know it was counterfeit. It was good old counterfeit money. Well, she went in and counted it. It was no scheme, as the state laid it out. She could just

as well have sat down at the table and been welcome, and about the $10 short being a scheme, that was all a lie. She counted it and went out, as they testified.

Q. Thinking she had $7,000.

A. She didn't take it. You see that was a part of the danger of the thing. She lied to me continually, and I didn't dare let her know it. I had to use my best judgment. I watched her pretty close till she had the counterfeit money counted out, and I had two other envelopes just exactly the same as these others filled with paper cut to fit just like money. Well, in that room she counted it, you know, and got through. I picked it up and said: "I will seal this up for you, you must not touch this money. Keep this for the diamonds." Well, I sealed it up and took her attention away and I just slipped the counterfeit money under a paper, and here was this envelope, and she saw me put it in, and I threw it down, and when she got through with the other I did the same thing. I substitued paper and also marked the edges, marked the envelopes, so she could not have opened it without my knowing it.

CHAPTER V.

The Confession Continued—The Brothers' Reconciliation.

While the condemned man was telling of the mystery with which he surrounded deals in which he got Miss Ging involved, Adry Hayward was let through the big iron door below. He was coming to bid the brother against whom he had testified in so damaging fashion a final farewell. The doomed man went on with demoniac rage when Adry called only two days before, but Adry thought his final duty to call, whatever sort of reception he might receive. It was a good thing he had come. It was the time of the beautiful and complete reconciliation between the two brothers. Adry, as he wended his way up to the second tier of cells, was flushed and excited. He evidently did not anticipate an agreeable reception. He came nerved for the worst. He was happily disappointed. When Harry heard of Adry's approach, he said: "Let him come. I will be glad to see him." Even in the presence of these words, and the assuring smile that lighted that remarkable face as Harry peered through the wire netting to catch a glance of Adry as he approached from below, those who sat with the murderer feared that he would repeat the frightful conduct of Sunday. But happily it was not so. Harry was in the best of humor. When the brother discovered this surprising condition he was delighted beyond measure. He breathed freer, and he was quite at ease as he sat

almost immediately in front of Harry, with the bars between them. Harry bowed pleasantly—one of Harry Hayward's characteristic bows—and said:

"Adry, I am glad to see you."

"I am glad to see you," replied Adry, as he wiped his moistened eye.

The condemned man said:

"I was telling Adry that one night I tried to get you to go out to the Hamil mill, and you wouldn't go."

Adry—I went with you once, you know.

A. That was in the daytime. We drove around, and I told them that I wanted to burn something, as a sample, and you wouldn't have it, so I got mad and drove you home, and I came back down to the building, hitched the horse to the tree, and went over there myself, and burned the house, and the next day you accused me of it, although you couldn't prove it, and I denied I burned it, although I knew you thought so.

Adry—Do you understand why I told?

Harry—Why you told it? Why, of course, you got excited and got afraid. I don't blame you for that; that is all right. Every man that hasn't got his constitution would do it. I am satisfied you did well. Well, I explained to them about the Hamil mill, that I wanted to go out with a married woman and didn't want any rig charged to me, and you kindly went for me and got the horse "Frank," and loaned it to me, and I drove out there alone. Well, you accused me of that, of course, but you didn't know it. You know we drove out in the daytime, once, when we were looking over it.

Adry—That is when you were in the wagon?

A. That is right. Well, I went out at night, afterwards, and hitched to a wire fence, and went over and burned the mill, and unhitched the horse and drove home on the Minnetonka road, and went out to your house and you took the rig back. You didn't know it, but it is

possible I would have put it onto you, as you hired the horse.

Adry—Yes, I understand that.

Harry—Then the hold-up. I lied about that. It was a genuine, square hold-up. It wasn't prearranged at all. I didn't know anything about it.

Adry—Why did you intimate to me that you engineered it? Was it to get up my courage? Don't you remember you told me you engineered the robbery?

Harry—Oh, that was a bluff. Well, that was a genuine hold-up, without any question. Adry had nothing to do with it, and nobody else, that I know anything about. Then there was Adry's fire at Calhoun. You never dreamed I burned that place, myself, did you?

Adry—I don't believe you did.

Harry—I didn't burn it myself, but I paid a man to burn it, all right. I did that to help you. I burned that, Adry, and paid $65 for burning the house. It was a dead easy thing.

Adry—What was your object?

Harry—Well, I knew you were hard up.

Adry—I wasn't especially hard up then.

Harry—And another thing, it was to help Thad, too.

Adry—I knew you were particular about Thad's insurance, but I wouldn't say nothing about it.

Mannix—Was there any other burnings, Harry?

A. No, unless that old King house, that old Spruce place fire. Well, I don't think you know anything about it, Adry. When Adry got burned out, when he was married—well, I guess that fire was genuine. I don't know nothing about it. It undoubtedly caught from the furnace.

Mannix—Before Adry goes, let me ask you this, Harry. He is visiting you for the last time, and it is a very important visit, all around; just as sad as it can be—worse than we can appreciate, but you both have got to keep your nerve and your courage. He has had trouble.

He is a young man yet, and has got a life before him, and he has got a family.

A. Yes.

Q. You are not leaving a family, Harry?

A. Yes? How do you know? (Laughing).

Q. I guess the girl won't come around again. Now, you have had your misunderstandings, like a great many brothers, unfortunate misunderstandings and heartrending troubles, and all that.

A. Yes.

Q. Now, do you want to say, in the presence of Adry and your cousin Ed, and us two here, in this, your last talk of any special importance, Harry, that Adry, notwithstanding what the world may think of him today, after all this trouble, is absolutely free from guilty connection with any of the criminal acts you have mentioned?

A. That is true; that is, where the law touches him.

Adry—I have done you a good many wrongs, probably; but I forgive you everything.

Harry—I don't think, Adry, you understand human nature as well as I do. Father knows that I have been four times the devil that you have, but it don't make any difference. You know you go at him different from what I do. You don't go in that coaxing way. You go in a bluff, and it sets his vindictiveness up. Father is getting old, and he is one person that I certainly liked, if there is anybody on earth, and you want to try, Adry, and not bother him at all. You know that?

Adry—I don't expect to bother him, Harry, at all. I will do all I can for him if he gives me the chance to, in every way.

Harry—Well, that is the proper way.

Adry—I know naturally how they feel. I don't know whether they will overcome it or not.

Harry—I have kept them against you.

Adry—I suppose so, but I can't blame you. You are influenced in seeing these things through, Harry.

Harry—That is it, exactly. It helped my case by keeping them down on you.

Adry—It would be harder to keep mother down on me than it would father, at that time.

Harry—Well, I did it, but it has got to a point now that there is no object doing it any further. There is nothing to be gained any more. You see, I am like the fellow that told all the lies possible, and I guess I can turn around and tell the truth now. (Laughing).

Adry—Do you remember, Harry, any other times, or did you offer me anything if I would hire a rig and take it back for you?

Harry—Well, I wanted to know if you would do different things that I had figured on doing, and didn't want any tracks left.

Adry—Was it devilment to see if I would do this, or did you really want a rig? You didn't want to place me in trouble, did you?

Harry—Oh, no. I wanted to see if you could be relied upon.

Mannix—Start in with Blixt.

Harry—That is what will make the strange part of the book. Is there such a thing as hypnotism? I have hypnotized Blixt and also Kate Ging. I started with Blixt by taking a pile of money out of my pocket. I don't mean to get him into an epileptic state, but talked money, and drew his attention, and when you can branch him from one thing to another, from a newspaper to a hammer, for instance, move him every time, you have got him; and you can go on and talk later on about killing people. Say, "Why, it is nothing; just like killing mice." Well, it makes an impression on him, and he believes it, and I labored systematically with Blixt in that way, with money, dwelling upon the importance of having the stuff and getting it easy. I would say: "Well,

there was nothing in killing people; kill a rat just as well. What is the difference—they are dead?" and Blixt would say, "Certainly, it don't make any difference." I was trying Blixt. I was trying to haunt him. I said, "Supposing she comes back dead and gets in the elevator and shook her hand?" Blixt says, "H—l, I will ride over fifty of them—an elevator full of them." He felt that way, too, at the time being. Most of this talk was in the basement. I didn't pay any attention to him until a month before in this line. I saw that he was a good subject, because you can help it along by flattery. He was very susceptible to flattery, and I knew that money would bring him. He seemed to like to talk on the subject, and was glad to have me come down to the basement.

Q. He didn't tell his wife about this, do you think?

A. No. I always cautioned him against it.

Q. What was the first break you made to Blixt?

A. I took him easy. Before I went on to killing people I took him on to fires and burning, and I told him: "Blixt, it isn't necessary for you to know all about it, but that barn across the street I want to get burned."

Q. He didn't take to it kindly at first?

A. No, he was afraid. I said: "Blixt, you will probably wonder why I don't do it. Well, if you and I are going to do business together, you have got to do something to show what is in you." "Well," he says, "I will fire the d—n barn." He was at that point where he would burn it.

Q. You offered him money to burn it?

A. No, I didn't offer him anything. Still, I gave him $10. He was going to show me what he could do, and he went over and touched her off.

Q. Then you thought you had him under your power?

A. Yes, I had him doubly then, beside being able to control him that way, I had him on the "scare" theory, afraid of implicating himself in that, but I told him I had that witnessed by a gang. I said: "You see, there was

a gang, and if you ever escape from that gang alive," I told him, "you will never escape Stillwater." See? I emphasized things with him more, and motioned to him and talked to him. That was the way.

Q. You didn't lay your hands on him at all?

A. No.

Q. You wouldn't pat him and rub him and do the mesmeric act?

A. No, merely look in his eyes. I was down by the boilers with him night after night, sometimes as late as half past 9 or 10 or 11 o'clock, lots of times.

Q. How long had you been laboring with him before you saw he was willing to listen to you when you talked of killing and getting money?

A. I didn't have to labor with him at all. Now, Blixt himself naturally is a meek, mild mannered man, his own natural self; but he is of that state of mind that strong will power can talk these things into him and lead him up to it, and he will do anything pretty near to the extent of going out with a Winchester rifle and killing about everybody in Hennepin county—pretty near as strong as that, I believe.

But the nitro glycerine theory and killing his wife, there is nothing in that at all. He asked me for whisky to brace him up, and I got it, and then another fellow that has not been mentioned, and isn't known, bought two bottles One bottle I left on the water closet tank in our flat on the fourth floor and the other bottle went to Blixt. My idea was if anything failed me my bottle of whisky was right where I put it. I had two instead of one. It was bought in the same identical place as the other—Lally's.

Q. They didn't mention two, did they, in the testimony?

A. No; because I never bought but one. The other was given me.

Q. How long before the murder, Harry, did you think

Blixt was a tool and you could use him for that purpose? A week, or so?

A. Oh, yes; I realized it three weeks before, although I had not broached it to him. I broached it to him by asking him what he thought of that girl on the top floor. I had him impressed till he thought I was the Omnipotent, and anything I would say went. That was the idea. Well, he would stop and look at me and want to know what I thought of her. Well, I would say, "She ought to be put out in the graveyard," and he says, "That is just where she ought to be"—say it with the same earnestness that I would say it.

Q. How soon after that did you ask him to go and do it?

A. Well, I proposed different ways, thinking two heads were better than one. I talked it over with him, and that is the same reason why I talked with Adry. I never expected him to get into it, but thinking if he saw any flaws in the plan he would keep still and tell me and check me up. That was my idea. And I talked to Blixt, thinking he could see some clear, easy way, but he never had a head for any schemes. He was simply a tool.

Adry—Was it a fact that I ever was with Miss Ging anywhere?

Harry—No; you never were. I know that.

Adry—Coffee John swears I was. He tells it around town I was there.

Harry—Well, you know he is an awful good friend of mine. I will say here, to the best of my belief, Adry didn't know her. Some of the people wanted to testify, and they kept their rope ready for money.

Q. Well, how far is this from the murder, a week or two?

A. Yes, a week or two or more. I kept going down every night and kept getting better every night, but I decided when Blixt was away from me I couldn't control

him. I wasn't sure of him. So I thought I would do it myself. Well, I went out the Tuesday night before just to let her hire the rig for me. She went and hired the rig herself and took it back. This was stated at the trial. This was Tuesday before the murder, and on Saturday went down, but as luck would have it, it didn't do any good. I couldn't find any good place, so I drove down town with her and hitched on the corner of Fourth street and Hennepin. Then I walked down to the Zepher saloon, and that is where these two people saw me picking up their oranges, and then I went back and got in the rig with her and we drove back then.

But before going down there I had the T rail in the buggy. I thought I would go out, you know, and run over the corner of a curbstone somewhere. I would go out there on some bluff, you know, and say, "What is this out here?" Something on that order, and hit her one quick stroke, perhaps on the side of the head; just one stroke, you know, and then carry it off and perhaps throw the cushion out; or perhaps pull the buggy over and make them think she had jumped out and it struck her. Well, I went out and couldn't find any suitable place. I had been driving the morning before, but couldn't find any suitable place, so I wanted to use this T rail and I had that in the buggy. The first night was simply a bluff to look over the ground. We drove around the Lake of the Isles and around there somewhere. On Saturday I had the T rail, it was in the basement, as Blixt said. It was bought for the furnace, only Blixt either lied about it intentionally or didn't know himself. It was in the corner, and he got it through my directions about 5 o'clock on Saturday. Then I stopped the buggy when I saw there was no use running over her, and I threw that T rail out, and when it struck made a little metallic ring. She wanted to know what that was. I told her it was a kind of whiffle tree. I told her it was simply a road mark to show I had been along here. You

see that puts the mysterious on the thing, and the more complicated it was the more interested she was in it. Well, that T rail was thrown out as you go from Hennepin on this Kenwood boulevard. You know where the corner of Bassett's lumber yard is, nearest to Hennepin? Well, if you can place that in your mind, 150 feet on the right hand side of that is a red house. Between that house and the lumber yard is perhaps an acre of ground fenced in with wooden boards with the front partially torn down. If that has not been removed, you will find it there. I will locate that. It is a square of ground below level between the red house and the near corner of Bassett's lumber yard. That T rail ought to be just inside of the fence partially broken down, one-third of the distance between the lumber pile and the red brick house, and I wouldn't be surprised if it was laying there to this day, although, of course, I can't find out. It may have been removed, but still I would go and make a good search. That was 7 or 8 o'clock Saturday evening.

Q. Did you intend to do her that night?

A. Well, I did, but I couldn't get the places right. It wouldn't work. I couldn't find a good place; too many people around, and in the country there are no iron corners to the streets or curbs. So I brought her home, and these handkerchiefs, I took them off, so there could be no marks in case I got excited. I told Blixt to check me up when he came back. I had two revolvers with me, a little one and a big one; a 38 Colt's and 41 Remington.

Q. Did you have any idea of using them that night, at all? Was there any time when you felt an impulse to use them?

A. Oh, yes. There is where I tell you I can understand about the San Francisco murderer, Durrant. I could have taken her by the throat, you know, and choked her with some sort of satisfaction in it many a time and just laugh at it.

Q. Did you feel like choking her that night, Harry?
A. Yes; I did continually for weeks.
Q. Did you think of driving out further to some lonely place?
A. Well, I thought of going out that way, yes; but it is a pretty hard thing to do. Now, I could have started at 11 o'clock at night, perhaps in a snow storm, and nobody on earth would have seen us, but they would say, "Where was Hayward at that time?" I might say I was asleep, but I have got to have evidence to prove it, and somebody might see me come in; so I figured it a better plan to have it done where witnesses could see me at the time. So here I was with a respectable girl, and the day before I was down to another respectable house, nice people you know, who would be considered too much above such things as that. I would go to Blixt and say, "Blixt, the girl is to be killed tomorrow night, Sunday." I would come down Monday and he would get white and scared. When I was with him he was all right. On Monday I came down and he was white. Well, I talked around with him a little while, and I says, "Blixt, you know I told you yesterday"—I said it in a positive way, you know—"was the day. Well," I say, "it has got to be done tonight." Said it in a very emphatic way; no chance for a doubt or asking a question. He said: "Well, bring me some whisky," kind of scared. Well, I brought him whisky, you know—darned good whisky. It was no nitro glycerine.
Q. What did you tell her she was going out there for that night?
A. The last I saw her was 11 o'clock, just as I testified to. That torn note business is somebody else; I don't know anything about that, that West Hotel note business, that torn note. At 11 o'clock Monday I saw her for the last time. I said, "Now, Kit, you be at a certain point. Don't ask me any questions. It is better

not to know." You see that puts mystery on it, so she was there with the horse.

Q. What time did she get there to the best of your recollection?

A. Not three minutes either way from 20 minutes of 8, because I wasn't there over a minute putting Blixt in and made a quick walk, and was at the house three minutes of 8.

Q. You found Kit there in a buggy and the horse moving around?

A. The horse was moving up and down. She came up, and I told her about green goods. She didn't know it, but I did know quite considerable about green goods. I had her swear by everything holy not to divulge any secrets pertaining to this green goods business, as the thing was managed by big government officials and big bugs in the city, and half of the money in circulation in the United States was counterfeit, but it could not be detected by banks. That was my play to her to show her how much there was in it and how safe it was.

Q. What was she going to do about it; buy some of these green goods?

A. She didn't have any money to buy green goods with.

Q. How did you make it plausible then?

A. Well, it was another mysterious drive. On Saturday night I drove to a certain house, and I told her, "There is the house, Kit. Do you see, that curtain is just that way? Well, it don't make any difference, but that is the signal." I drove back and forth, up and down and said: "You see the curtain is just the same." Then I looked at my watch closely and said: "I see, it don't come off tonight; I see that." She was holding the horse, and, the whole thing being shrouded in mystery, just captivated her. I saw her that Monday morning at about 11 o'clock. At night she met me on the boulevard, and Blixt was standing on the corner below when I cut across.

He was behind me, not more than a hundred feet. When I crossed over the road she saw me cross and came right up to me. Blixt was not behind more than 50 feet, and I was very excited. I whispered to her and said, "The curtains are drawn." I said, "We shall make the stake," she not knowing how it was done, but it was all mystery and everything depending on me. I said, "This is the night we will make the stake." I said, "I have got to work with other people, you see." I told her that I had got to go with other people. I said: "I have never told you, but here is Blixt, the engineer." I said: "We have to keep him in disguise, but the man is rich. Blixt is rich, and is just working there for a disguise. Anything he says is all right, but I can't stop long to ask any question. He will take you out and I will meet you out there."

Q. At what point were you going to meet her?

A. No point. She says, "Where?" Lake Calhoun wasn't mentioned. "Why," says she, "where are you going?" I said, "Don't ask any questions. Don't talk in this manner, because it would make a witness in a case of trouble," and it put a mystery on the whole thing. So she turned around and goes down with the firm intention, you know, of minding my oath and keeping still and saying nothing. Well, she comes up to Blixt, and she was a sure goner under my instructions to Blixt. I turned then and went to the theater and forgot her. I didn't think of it, but enjoyed the "A Trip to Chinatown." Still I knew she was a goner.

Q. You felt it?

A. Why, I knew it. Blixt got in that rig and had hell fire behind him. He looked determined.

Q. You felt he was a sure man?

A. I knew it. It was all in the world I could do to keep him from doing it there. He was determined to shoot the horse, dump the buggy over and cut the entrails out of the horse, and let people think a crazy man had done this job. They can't understand it. I said,

"Blixt, it is best to hang onto the horse until the last minute, so he took my advice on that.

Adry—Did you ever give me any bills, or did you take them out of father's safe?

Harry—I took them out of father's safe.

Q. You went home with the lady you were with from the theater in the regular way?

A. Yes, and then I went to the Ozark. Everything was according to the testimony. I went to my room and went down stairs first in the basement. Everything is true according to the testimony, and Adry's testimony about the revolver cleaning and everything, that is all true, though you told me that night. Is it a fact you did see a light in my bathroom?

Adry—I did.

Harry—Then Blixt must have been bloody and went in there to wash.

Adry—It was there about five or seven minutes.

Harry—Well, Blixt must have had blood on his hands and was washing. I went down there and saw Blixt. They first told me they heard there was a runaway accident and the woman died on the way. Well, I didn't feel good over that, for I thought she must have told something, see? It was a rumor, and I didn't know but she might be still alive. Then I went down to the basement, and Mrs. Blixt was running the sewing machine. I just saw her carelessly in there and went to the water meter as an excuse. I said, "Do you listen nights and never hear the water trickling about 1 o'clock? It shouldn't trickle then. If it does, there is a leak and ought to be attended to." Well, I got around to the rear end of the bed, so Mrs. Blixt couldn't see me, apparently looking at the water meter, and looked into Blixt's eye. I nodded to him and he nodded back, and I could see by his face that it was very certain that the thing was complete. I knew that and then I was satisfied. I didn't ask him any particulars, and didn't talk at all.

HARRY HAYWARD.

Q. What was the object of this murder, Harry?

A. The object of the murder was money and hatred. I could coke her. I used to go up there sometimes to the Syndicate, and went to working my points, gaining my points just in misery, but I had to do it in order to work her.

Q. But it was hatred?

A. Hatred, and the insurance, that is it; and the tough times. I had got her money. She was so slow and stingy and deceiving, always deceiving me and suspicious. Well, of course, it was right to be suspicious. Of course, a fellow like me, the soul of honor, don't like to be suspicious, Joe, (laughing) and it made me mad, but I got it. Well, this murder was on my mind, sitting by the side of her, perhaps holding her hands; not much spooning, because I didn't have much heart for that, you know; as little as could be. When she sat down with me, time and again, four or five different times, somebody had told her something, and she would put her finger on me this way—it comes back to me now—and say, "Harry, here is where the hangman's knot goes," putting her finger under the left ear. Thinks I, "Great God, if she only knew what was in my mind, it would be more real." I have often wondered why there was suspicion in her mind. You see, it was to see how I would take it, and she wouldn't tell me about her money.

Q. Blixt's testimony, then, was substantially correct, possibly with some slight detail?

A. Yes. I am giving him the benefit of this thing, and letting the thing out straight. Blixt was hypnotized. The truth of the thing is, Blixt wanted to show his bravery and wanted to be a big fellow. Blixt ought to get one or two years in the state's prison, but you see this has not established by scientific principles. Blixt, when he told about his hypnotism, told the truth, but it wouldn't go. It wouldn't be believed, but it is true, nevertheless. He told the facts of the thing, and this nitro glycerine and

threats to kill his wife is put in as a defense, you know, instead of hypnotism. Well, we ought to have a jury of people that understood those things, and I think he would have been acquitted.

Q. Do you think, then, a life sentence too much for him?

A. Yes, I really think that.

Q. Honestly?

A. I honestly and truly do.

Q. Would you have been disappointed unpleasantly if he had got the same dose you have got, Harry?

A. Well, I will tell you this; I can't realize another man. I haven't got that sympathetic feeling. I don't give a d—n what they do with him. What I mean is, the way I look at it, if they could get at the truth of this thing, Blixt would be out in a little while.

Q. You think he would be all right after he got out if he was not mesmerized again?

A. He might be subject to the same thing again. You know I tried all the devilish ways on earth to get over with Blixt and talk with him here in the county jail, and try to get him to look around and have him talk to me.

Q. Did you try to mesmerize him on the stand?

A. Yes, but I couldn't do it. He wouldn't look me in the eye. But, Joe, if I ever could have got him in a passive condition in this jail some time, and we were together, I would have had him, and I know it.

Q. Mrs. Blixt told the truth, did she, Harry?

A. Yes, she is honest and true. She told the truth.

Q. And also Miss Ireland?

A. She told the truth. She aimed to tell the truth.

Q. When you were arrested, how did you stand up under the sweat box racket?

A. It never phased me.

Q. Did you think then they were going to fasten the crime on you?

A. No, because I thought I had the key in my hands—

the key to the situation. I thought it was through me. I knew it was all suspicion, and I had it cut and dried, and expected it, and I told the tale, the identical tale that was told on the stand, and can tell it again the same way.

Q. Were you surprised when Blixt gave up?

A. Yes, I was. I will tell you what fooled Blixt. I thing the men lied to him. If I could have gotten to him—if I had known—if Adry had told me about old Stewart, I could have cornered the thing off then; I would simply have told Blixt that nobody knew anything about that except me. Well, you see that fooled Blixt. When he heard some of these fine points, he knew somebody on the inside track must have told them. He found out that Adry was telling things about him, and he didn't know Adry, so he jumped at the conclusion that Adry and I, two brothers, had put up a job to hang him. See? That fooled him.

Q. Did you think the jig was up when Blixt made his statement?

A. Yes, I did, down at St. Paul, when Hale came down. I felt like I was knocked out.

Q. Did you tell Hale that?

A. I bluffed him off a couple of trips. He came down and says, "What about this? Adry has made a confession," and says, "Blaxt has, too." I said, "Who is Blaxt?" He meant Blixt. Then I got a communicative streak on, and told him about one or two of these other murders, but I didn't go into details with him very much.

Q. You slept these nights under suspicion and got through all right? You showed your nerve at home and slept all right?

A. Yes, because I thought I had the key to the situation. I thought it was in my head, and they couldn't get it out.

Q. When you went over to look at the remains, were you in a trance?

A. That was a complete act. I knew I was going

there to the morgue. I wanted to go, I would just as soon. I lied about that, and finally two or three different times I expressed a fear. I thought I would make a point on that, and they jumped at that, and that thing is just as I explained.

Q. When you looked at her, was you thinking of her?

A. No. You see, my belief is that the person you kill, you must not look at them. Don't look at their countenance or their face, or you will form an impression on your mind. So I didn't do it. I looked at her and thought of something else, you see, clearly foreign of her.

Q. You rubbed her head and face there?

A. I rubbed her hair and patted her cheek, but I wasn't thinking of her at all. I was thinking of something else. In fact, I was figuring in my own mind what shall I say? What shall I do to make the best appearance there? Well, I couldn't cry, and I thought if I break down it will be a sign of guilt. I could have leaned over and felt terrible about her, but I just had my hand on the edge of the slab and kind of steadied it, and I looked a long while, and looked up and pointed to her and says, "You folks think I am guilty, but God knows I am not." Do you remember that?

Q. Very well.

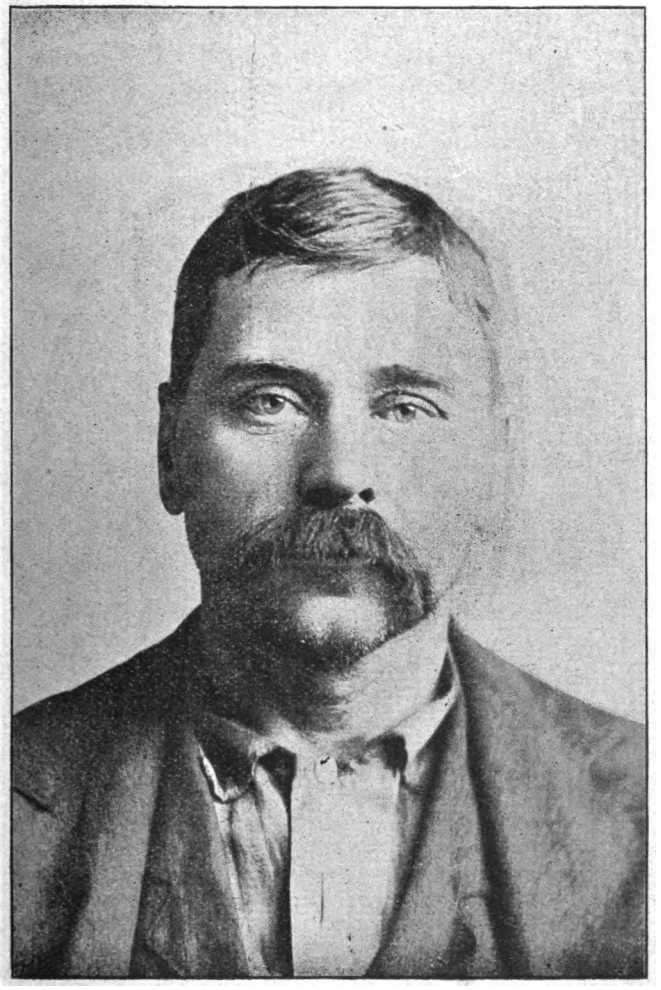
A. Well, didn't that create a little bit of impression in my favor? I thought it did. Then I went over to the city hall.

Q. You wanted to go away with the remains. Do you remember suggesting that to me at the city hall corner?

A. Yes. It wasn't to run away, though. It was simply for effect. I have got that damned meanness in me, Joe, that I would have gone on with that body and got acquainted with her sister and done the same thing with her. You see, it would have been easy, as I had the key note to it.

Q. I said, "Harry, the place for you is to stay right

HARRY HAYWARD.



CLAUS A. BLIXT.

here and find out who did it," and you said you didn't know but that was right.

A. Yes. Well, you know, I didn't pay much attention to who did it, because I didn't think they were going to find out.

Q. What would you have done if you went away with the body?

A. I would have gone and done what naturally you would do with a corpse there, feel bad.

Q. Your nerve has been good all the time?

A. Yes.

Q. When did you kind of feel things were dead against you?

A. I tried to get my lawyers to do this. I had lots of confidence in dead people. I thought they might put a confession on them, or something like that. See? It could have been done. I could have done it. If I had been outside I would have done it right, but I can't get away. I didn't tell my lawyers the truth about this case.

Q. Kit Ging was a good girl, wasn't she?

A. Well, I will tell you about that. She was. That is the point where I gained a prestige by showing her respect.

Q. How much of this have you told your mother?

A. Oh, I just simply told her, you know, that the thing is practically true as the state laid it out. She wanted to know about the messenger at the West Hotel, and I told her there was nothing to that. You might state that the Jenks and Wilson testimony is a complete lie. Jenks made it 25 or 20 minutes after that, and that was 25 or 20 minutes too early for me, and Blixt got his time mixed. I gave him the revolver and whisky in the morning instead of night. I gave him the tin box to bury on Saturday instead of Monday, and he bunched those things all down together. When I came home at a quarter of 7 with Waterman, and came out of there, dressed, about eight minutes to 7, Blixt was in the hall,

and I suppose he was excited with the whisky, and got his time mixed. But Blixt waited from ten or five minutes of 7 until 12 or 13 minutes of 8. About 55 minutes Blixt was about, sauntering around by the Ozark block, and standing on the corner, I guess, dazed. That is where he got his time out of kilter. My father has been everything possible to me. My mother has been as kind and motherly and sympathetic as a mother could be. The doctor has been kind and visited me often, and tried to be close and brotherly with me.

Q. And all your relations, with the exception of the brother with whom you had the unfortunate trouble, were all right to you?

A. Yes.

Q. And that brother was under such circumstances that he was justified and he wasn't to blame.

A. Exactly. And Ed Goodsell has been a good friend. My attorneys did the best they could under the circumstances. The county attorney did his part as an impartial public officer, and I have no feeling against the jury; they were men sworn to do their duty, and did it as they thought right.

Q. As a general thing the testimony of the state was honest and properly secured?

A. No; that of Jenks and Wilson wasn't.

Q. With the exception of that, the other stories were practically correct?

A. Exactly; practically correct. Of course, Jenks was doctored.

Q. With the exception of the treacherous conduct of the three men you named ealier today, the men around here have treated you properly and honestly and in a manly fashion?

A. Yes, sir, and you might say I have now told the truth, the whole truth, and nothing but the truth, so help me God—if there is a God; but I will tell you this: Although I believe there is no God, and stand prepared to

meet anything that comes after death square in the face, I think that if there is a God he certainly will not blame me for these things, as I have honestly followed the dictates of my conscience.

Q. This statement that you have made to us is true so far as you can determine?

A. It is true and it is my dying statement.

Q. And if you omitted to mention some of the particulars and details, it was simply to protect good, innocent people?

A. Yes, and to respect the code, "honor among thieves." In this counterfeit money business, I do know lots about counterfeit money. I have handled it for years, and made a success of it, but cannot divulge that. That is the code of "honor among thieves."

Q. The ruling passion with you has been money?

A. That is it.

Q. Don't you attribute to a great extent your trouble to that unfortunate mania, and your love for gambling?

A. Well, I suppose that is it, but don't put me on record as sorry. The idea is I have made my bed, and I am willing to lie in it without a kick, and to quote these lines which have been of much satisfaction to me, from Dryden:

Happy the man, and happy he alone,
He who can call today his own;
He who sincere within can say,
"Tomorrow do thy worst, for I have lived today."

You see that fits this scaffold here.

Come fair, or foul, or rain, or shine,
The joys I have possessed, in spite of fate, are mine.
Not heaven itself over the past hath power,
But what has been, has been, and I have had my hour.

CHAPTER VI.

A Year in the Hennepin County Jail.

The remarkable conduct of Harry Hayward during the terrible year immediately preceding his execution has very naturally attracted the attention of the world. People who kept themselves familiar with the day's doings of this singular man stand in wonderment as they indulge in retrospective mental portrayal of what is unquestionably the most unique and interesting character in modern criminal history. The nerve, the courage, the indifference, the bravado, or whatever the prisoner's conduct may be termed, was uniform from the first day he entered the Hennepin county jail until the day of his doom. He was a prisoner of the county for nearly a year. When the doors of his final abode were locked on him the first time he was to all appearances entirely free from worry or unhappy apprehension as to the future. Men experienced in the keeping of criminals marveled at the now famous prisoner's cool demeanor. As time passed and the shadow of the gallows became more definite, this almost inhuman and unnatural conduct continued. Hayward had not been in the county jail a month before newspapers and visitors spoke of the man's great nerve.

HARRY HAYWARD.

"They say I have great nerve," remarked the prisoner to the writer one day. "I do not think I have more nerve than the average man. I never schooled my nerve, as some people suggest. Perhaps it is rather an absence of nerve or nerve system."

Later the man who laughed in the presence of a terrible indictment, in talking about his gambling experiences and methods, said:

"Whenever I entered a gambling house I would say to myself: 'Now I am going against another man's game, and the chances are that I will lose. If I happen to lose this thousand dollars, or whatever sum I had, I will not give it a second thought afterwards.'"

Hayward's interesting but perhaps fatal gambling experiences covered a good many years' time. His initial effort, according to his confession, was in Frank Shaw's once famous gambling house on lower Nicollet avenue. His first experience with the roulette wheel was perhaps the most unfortunate incident of his early life. He won $2 and was delighted over what he was pleased to term his "good luck." His very ordinary dealings at the wheel and the faro and hazard tables during the first six months or year of his gambling career did not require any more nerve than the average man possesses. But the games fascinated him. The fascination became stronger with each succeeding visit to the tiger's lair. The speculation which at first was regarded as considerable soon became commonplace. There was a process of mental or nerve schooling. The man who at first perhaps got somewhat excited over the winning or losing a few dollars had so drilled himself that after six months

or a year he could be entirely philosophical over very considerable adversities and not appear to be especially delighted over the winning of great sums. There seems to have been a complete control of all the feelings and emotions and sensibilities. The schooling was a complete "success." The young fellow who became agitated over the possibilities of losing the first two dollars which he laid down on the roulette wheel soon developed into the man who could stand over the faro table and risk a thousand dollars on one play, and losing his bet, control himself so perfectly and so completely as to make it utterly impossible for the interested and somewhat excited spectators about him—men who had seen bold and hazardous gambling—to detect in that strange and remarkable face any sign of surprise or disappointment or any other emotion. The man who saw a small fortune go from him in a few seconds stands over the table coolly and deliberately picking his teeth. The fellow might have been able to accomplish some great mental feats with himself. If he could take his mind entirely from the play and put it upon some other less exciting pastime, then it is not strange that the startled onlookers who tried to study that face which was a puzzle to physiogomists could not detect any facial indications of the real feelings which must of necessity have existed to some degree, at least where loss followed a big and hazardous play. The murderer stated in his confession that when the officers took him into the presence of his dead victim he had so manipulated his mind as to make it possible for him to look down upon the pale, lifeless form, and yet maintain an expressionless face. To how great an extent

this sort of mental training or drilling is responsible for the murderer's strange mental condition, and for the terrible crimes which have marked one of the strangest of lives, can be but a matter of conjecture.

This phase of the affair is interesting in the extreme. It is possible that while the original construction was terribly deficient, the remarkable phenomenon which came later can be attributed in no small degree to this constant effort of Hayward's to be in a condition to accept the inevitable and especially to be able to refrain from showing any feeling of regret or disappointment. This ability to conceal the real feeling, and to submit gracefully to the inevitable, came so prominently to the surface during the man's last year as to make him a most interesting study. It was seldom indeed during that twelve months' confinement that Hayward was not on guard so far as appearing to be in a contented and happy state of mind. That his marvelous conduct in the county jail was due to some peculiar mental process or training is made all the more reasonable and likely from the fact that at certain times during the fateful year the prisoner was in anything but a pleased and satisfied frame of mind. If this queer piece of humanity was so constituted as to be entirely without human feelings and sensibilities—knowing no such thing as fear or remorse—then there would probably be no change from that mental condition of ease and indifference. But the man whom the world thinks never quaked during all that year of sensational doings and reversals at one time at least seemed to have a realizing sense of his condition and danger. It is one of the many interesting things

connected with the remarkable case that has not yet been given to the public that this supposedly indifferent man was so wrought up over his position that he wanted to commit suicide. Such an idea of self-destruction is so inconsistent with Hayward's complacent conduct while in the local jail that some people may view the statement with incredulity. It will be remembered that immediately after Hayward's arrest, or rather immediately after Blixt's awful confession, there was considerable talk about mob violence. Hayward has been quietly taken to the Ramsey county jail. There he learned of Blixt's weakening and the confession which followed. W. E. Hale, Hayward's first attorney, was astounded at the story told by Blixt. He hurried to St. Paul and demanded of his client to know the real facts in the case. He was so persistent and determined, and he finally succeeded. The lawyer's feelings can better be imagined than described. He had known the murderer for many years, and had respected him. That he should now discover that his friend and client was the principal conspirator in one of the most cold-blooded murders of the age was certainly enough to astound him and make him think that perhaps it was all a cruel dream. The attorney soon afterward told his client that he could not possibly defend him. He also told him there was talk of lynching in Minneapolis. Talk about the mob alarmed Hayward as he has not been alarmed since. He begged the attorney to bring him a revolver that he might kill himself and thereby cheat the mob. Of course Mr. Hale refused to accommodate Hayward in this direction, and the murderer petitioned the attorney to bring him poison. This was

also refused, very properly. It is said by one who is very familiar with what transpired between Mr. Hale and Hayward during those terrible days that the attorney, while of course not wanting to be instrumental in bringing about the self-destruction of the murderer, suggested that if he really wanted to commit suicide he might accomplish it with the clothes in his cell. A few days later the excitement was considerably abated. There was no further talk of mob violence. Hayward recovered himself. He remained himself from that time up to the very moment of his execution. The only time that he really lost control of himself was on the Sunday before his execution, when he sent for his brother Adry, and then behaved like a demon.

During the weeks intervening between the arrest and the trial Hayward had many visitors. He was in the best of spirits so far as could be determined. He pretended the greatest confidence in his ability to establish his innocence. He talked freely about the trial that was soon to begin and which would decide his fate. During the trial the murderer conducted himself in a manner which was well nigh incomprehensible. He did not show the least embarrassment. Even during the sensational and conclusive testimony of Blixt, and the equally important and sensational testimony of Adry, the murderer remained unmoved and undisturbed. Possibly at that critical time there was a tremendous agitation within which was not reflected in facial expression. During the long and interesting weeks of that remarkable trial the writer spent at least one evening a week with the murderer. Hayward was then kept in the larger

apartment on the north side of the jail—the very room in which he was executed. He would discuss the day's trial proceedings, passing judgment upon the testimony of witnesses and making comments as to the effect which this, that or the other witness had upon the jury. During these long talks, which were generally extended to midnight, there was no time when the murderer showed remorse. He had no kindly, pathetic sentiment to express. He would occasionally allude to the dead woman, but not in a manner which would indicate any regret that she had met so horrible a fate. He claimed that his lawyers believed that Miss Ging was not a moral woman and had advised that if the accused could show this conclusion to have been correct it might prove a very powerful aid to the defense. It was thought that possibly some of the jurors might have less disposition to convict if it were established that the murdered woman was not of good moral character. One of the comparatively few manly things to which the murderer gave utterance during the year of his confinement escaped his lips when his attorneys, in their desperation, spoke of bringing the murdered woman's character into the case. The proposition met with prompt and emphatic opposition on the part of the murderer. Rising to the full height of his splendid physical manhood, a flash of earnestness in his eyes and his right hand raised, he said in a very emphatic manner:

"No; I cannot say anything against the character of Kit Ging. If I was to hang, and to say anything of that kind against the dead woman would save me, I would not say it."

Hayward was so pronounced on this point that the question was never brought up again. He alluded a good many times in his conversations to the fact that Miss Ging was mixed up with him in his gambling speculations, as well as in his green goods enterprises. He stoutly maintained that through his influence and instrumentality she had a love for money-making and speculation, yet in respect to her virtue "the girl was all right," as he said. The prisoner read the papers very carefully, paying particular attention to the opinions and comments as to the character and effect of testimony. He was especially interested in the newspaper illustrations. A very clever and very truthful illustration, representing Hayward as Dr. Jekyll and Mr. Hyde, caught the murderer's eye and fancy. He laughed heartily when he first saw the pictures that represented him in the double and widely different roles which he afterward said in his confession he had led all through the last ten or a dozen years of his life. While never for a moment admitting his guilt, or admitting the likelihood of his being found guilty, he was nevertheless very much interested in the subject of hangings. He would rather talk about hangings than about almost anything else. A description of the execution of the Barrett boys seemed to delight him very much. This story seemed to lose none of its charms simply because the execution occurred on the very spot where the murderer sat when listening to the recital.

While Hayward goes into history as a man without a heart or a conscience—a conclusion which is perhaps justified by his life record—he always appeared to appreciate little favors. He was polite, affable and courte-

ous. These qualities became very apparent to those of his friends and acquaintances who favored him with a social call during his year's incarceration. During the earlier months of his imprisonment, and especially during the long and exciting trial, the murderer was always delighted when the officer in charge announced the coming of some friend. As a general thing he would urge his visitors to prolong their stay, and do it with as much meaning as the average host would urge his guest to tarry. During the trial Harry was always anxious to keep posted in regard to public sentiment. He appeared to have a mortal dread of public wrath. The jury might declare him guilty, the learned judge pronounce the death penalty, and the sheriff prepare the deadly instrument, but in all this there was not the terror that Harry seemed to have for the howling populace. If there was anything that particularly impressed him it was the perhaps unseemly demonstration on the day Judge Smith pronounced sentence. The ugly utterances of the crowd surrounding the court house and jail on that day put Hayward in a sober and reflective state of mind at least for several hours. The recital by Blixt and Adry Hayward of terrible and convincing proofs did not seem to arouse Harry as he appeared to be aroused over the unfriendly demonstration which he often heard while en route from the jail to the court house.

It must not be understood from what is stated here, however, that there was nothing in the trial which disturbed Harry Hayward. He was rather prepared for the straightforward and conclusive utterances of Blixt, but he was not altogether prepared for the very strong

testimony presented by his brother. He had informed his attorneys that Adry was generally hot-headed and impulsive, and that if Mr. Erwin through severe and savage cross-examination could rattle Adry the latter would show a disposition and temper which would materially lessen the value of his testimony, and perhaps make him a bungling and unsatisfactory witness for the state. It will be remembered that Mr. Erwin very particularly noted this suggestion of his client and proceeded to act in pursuance of it in that vigorous and determined style which has characterized this great practitioner's record as a criminal lawyer. The manner in which Mr. Erwin sailed into the brother whom frightfully unfortunate circumstances had forced into testifying against a brother, is no doubt well remembered by all who were present. The attorney seemed to go into a mad frenzy over the spectacle of finding a "Reddy" Barrett in the Hayward family. However Mr. Erwin might privately feel that the circumstances justified Adry's course, he wrought himself up over this spectacle for the purpose of being better able to serve his unholy client. The lawyer's sharp questioning, cutting sarcasm and strong invective were all of no avail so far as affecting Adry was concerned. The witness remained firm and absolutely undisturbed. As in the case of Blixt the more persistent and searching the cross-examination the stronger was the cause of the state. Mr. Erwin was simply paralyzed at the result. It was a complete, genuine and painful surprise to him when he found Adry as firm as a rock in the presence of that savage onslaught. It was just as great and perhaps more painful surprise

to Harry. The brother who had often displayed temper and got mad over comparatively small things, had simply calculated he had a very severe role to perform when he got on the stand in front of one of the strongest cross-examiners in the country, but he had mentally prepared himself for the ordeal. He seemd to appreciate that it was very necessary that he should maintain his equilibrium while on the witness stand. This very great surprise came nearly knocking Harry out completely. Spectators who were present while Adry was testifying, and who, appreciating the terribly damaging character of that testimony, watched closely for some expression in the strange face of the accused which might show the disappointment with which he met and the injury which he must have felt that brother's testimony would do his case, could detect nothing to indicate the terrible feeling within. That there was disappointment was very apparent when the writer called at the county jail that same evening. It was the idea of this visitor to so time his calls as to be able to determine, if such a thing were possible, just how the more striking and damaging evidence effected the murderer. On the evening of Adry's damaging arraignment Harry was nearer his senses than at any other time during that famous trial. His manner rather than his words indicated that he looked with alarm upon those unbrotherly utterances on the witness stand.

"Adry's testimony was pretty strong," remarked the murderer soon after the converastion drifted to the trial. "Mr. Erwin could not do much with him."

While Harry did not say so at the time it is now understood among a certain few that Harry was so com-

pletely disappointed in Adry's testimony, and in the inability of the defense to shake that testimony, that he thought it would be just as well to end the trial right there. He saw the thing was going against him at a rate which made further fight ridiculous. But the fellow's attorneys did not take at all kindly to the suggestion. They had launched almost blindly into a desperately hopeles case. They were very seriously handicapped from the murderer's attitude toward them. His disposition not to communicate with them as freely and confidentially as clients are expected to communicate with their attorneys was of course very discouraging. The attorneys remembered this, but in spite of it all they fought the battle through to a disastrous finish.

Hayward also liked to discuss the jurors. He alluded a couple of times, in perhaps a delicate and discreet sort of a way, to the fact that there were quite a number of Masons on the jury. Whether he believed the ridiculous statement or not, he said it had often been stated that no Mason was ever hung. This was one of the delusions with which the fellow kept himself so thoroughly braced during that trial as to make it impossible for the visitor to note any special concern upon the prisoner's part, even at some of the more startling stages of the proceeding. Then, too, in discussing the probabilities he would give way to his gambling mathematics and reason that it was a good bet that no twelve men could agree upon so important a matter as sending a man to the gallows, when there were so many complications as there were to this case, and where there were a number of chances for honest jurors to differ. He would

mention that he spent a good deal of time trying to catch the eyes of the jurors, just as if he thought the good men and true were as negative and passive as he found his miserable tool Blixt. He was evidently trying to accomplish some feat in the mesmeric or hypnotic line.

The trial had not been in progress very long before the murderer could draw a correct diagram of the twelve jurymen, giving their names and relative positions. Before the state had concluded its case Harry claimed that at least three of the jurors were with him in his struggle for life. His calculations in this respect, however, were subject to revision with each succeeding day. He was making all sorts of speculations and guesses. At one time during the trial he said he was absolutely certain of being acquitted, but a few days later he expressed the opinion that at least one member of the jury "had it in for him," and that it looked very much like a disagreement. Whenever, during the first week or two of the trial, his caller would suggest that perhaps the jury would disagree, Hayward would appear to be somewhat displeased. He would say:

"Please don't mention such a thing as disagreement. That would mean a second trial. Let me see: Before we could get through with another trial it would take a year or so. O Lord (occasionally Hayward would forget himself and talk as if he believed in a Divine being) I would rather be hung than spend a year in this jail."

But he spent just a year in the "Hennepin county bastile," as he used to mention it at the head of his letters from the jail, and was hung beside. There was not much meaning to these queer statements. The writer

belives that this was all for effect on his own mind. He saw the grim shadow of the gallows in the distance. He wanted to be mentally prepared for the inevitable, however tough that might be. He was beginning early to become reconciled to his impending fate. He was hypnotizing himself, as it were. He wanted to get himself to believing that there were a good many things worse than being hung—one of them being, as he said, a year in the Hennepin county jail. He never liked to be alone. He was not afraid of spooks, or anything of that sort, but he had a lot of pet theories that he wanted to discuss with friends and acquaintances who were given the privilege of visiting him. He did not keep himself down to one line of argument or reasoning. In his talk he was rambling and inconsistent. One evening he remarked:

"After this trial is over I guess I will leave Minneapolis—not on account of this (meaning the murder and trial) but because of the disgrace which comes from people knowing about my gambling. That is something I wanted to keep down."

A few evenings later he said that when the trial was finished, and he was liberated, as he said he expected to be, he would go rabbit hunting. It was suggested that after that judicial ordeal he would be in need of rest.

"Rest!" exclaimed Hayward. "What more in the way of rest does a fellow want than to sit around here in this way?"

The prisoner often spoke pleasantly of the jury. He seemed to realize the twelve men had a hard and unpleasant task. "If they happen to find me guilty," said

Harry, "they need not think I will haunt them. They are simply doing their sworn duty as they understand it."

Hayward asked as to the formal manner in which the verdict of the jury is announced. He desired to know whether he would know the verdict as soon as the crowd without. He was solicitous as to that crowd. He was evidently more afraid of the people than of the law. When informed that he would be in court when the verdict was announced he expressed pleasure, and asked:

"When the clerk glances at the verdict, and just before he reads it, do you think there will be any expression on his face by which a fellow can tell as to what the verdict is?"

The world knows how prompt was that righteous verdict. It came very much sooner than the murderer expected. He had calculated the jury would be out a few hours, at least. He thought that even if the twelve men were agreed from the start they would pretend to deliberate a few hours, "just for decency's sake," if nothing else. There was a slight nervousness when the prisoner was taken over to hear the verdict. He appreciated fully what so expeditious work meant. The characteristic smile lighted his face as the finding was announced. As he passed through that great crowd on the street, returning from the court room to the jail, he looked somewhat concerned. The verdict caused him to be a little serious. He greeted the writer a few minutes later with the question:

"Do you remember how I figured that jury out—so many for conviction and so many for acquittal?"

He was answered in the affirmative and then he said:

"Well, I was fooling you all the time, and was trying to fool myself. I never believed a word of it."

The murderer never looked for sympathy. As a general thing he was not curious to know what his caller thought upon the question of his guilt or innocence. He would not feel indignant if a man was known to believe him guilty, and to have expressed the hope that he would be hung. One day the condemned man asked the writer how people were talking on the outside.

"As a general thing people believe the jury did the right thing, Harry, and expect to see you hung. I just left a party of four young men, personal acquaintances of yours, and they all expressed the hope that you would be executed."

"Good! Good!" exclaimed Harry, laughing that Satanic laugh which became so familiar. "Please tender those gentlemen my kindliest regards. I have no feeling against anybody for thinking I should be hung. That is their business."

The quiet of Hayward's life in jail for the period intervening the death sentence and the execution was varied by a couple of attempts at jail-breaking, and these and other particularly interesting matters are given the importance of special chapters in this volume. While the famous prisoner was generally very agreeable and gentlemanly, he was so very busy and ingenious a spirit that the jail attaches breathed much freer when he left the jail under the direction of the undertaker. The way in which he mangaed to keep himself posted in regard to the other prisoners in the jail was something astonishing. The fellow's faculty in this direction certainly astonished

Capt. John West, who had a great deal to do with him during the last few months of his life. "I never saw anything like it in my life," said the captain, who has dealt with criminals for more than 20 years. "It is almost beyond belief the things that man would plan and think of. He was by far the most energetic man in some ways I ever saw. Here I was going around among the prisoners, and yet I will candidly admit that it kept me at my wits' ends to keep as well posted upon these prisoners as Harry was. He would spot a man as soon as he entered the jail to serve time, and in a moment he would conclude as to whether he could use him or not. This jail will never have the likes of Harry Hayward again. He was simply and truly a marvel."

ADRY A. HAYWARD.

CHAPTER VII.

Fooling His Spiritual Adviser.

Harry Hayward's most conspicuous characteristic, perhaps, was his egotism. It was of very towering proportions. The strange fellow seemed to think himself capable of fooling everybody. He demonstrated time and again he was no respecter of persons. An accurate description of his conduct towards the priest who was willing to advise with him upon spiritual matters would prove very interesting. The cunning which the murderer displayed in a hundred different ways came out very conspicuously in his treatment of the Rev. J. M. Cleary. Hayward was very much more disposed to argue with the priest and try and convince him of his innocence, than he was disposed to become confidential with the man who was willing to serve as his spiritual adviser during the last days of his terrible life. Hayward manifested the greatest indifference whenever it was suggested he might find comfort and consolation from the visits of a minister of the gospel. He generally ridiculed such a suggestion. As long as there was any possible chance for life he was absolutely indifferent in regard to religion. When the fateful words of the law's awful decree fell from Judge

Smith's lips the condemned man seemed to have a realizing sense of the situation. Whether it was the death sentence or the perhaps unseemly demonstration of the great crowd about the jail which impressed Hayward the most, is not known. Perhaps it was the combination. Anyway, he appeared in a sober and thoughtful mood. The writer called upon the doomed man shortly after the death sentence was pronounced. It was suggested to the prisoner that the chances were decidedly against him, and that perhaps it would be well for him to get into a "serious state of mind." The prisoner could hardly appreciate what was meant. He had never bothered with being serious. After it was explained that perhaps a minister of the gospel could furnish him with consolation in his last days, he said: "I am not going to swallow the Bible." A little later in the day, however, he remarked that perhaps it would be a good thing to have a minister call. The names of two well known Minneapolis divines, Rev. M. D. Shutter, of the Church of the Redeemer, and Rev. H. M. Simmons, of the First Unitarian Church—both of whom personally knew Hayward—were suggested. After a moment's reflection, Hayward said:

"No, those are two very pleasant gentlemen, but they are not the right men for a job of this kind."

The prisoner then asked about Father Cleary. That priest personally responded to an invitation to call upon Hayward. The priest was received with the greatest courtesy and consideration—judging from appearances. Hayward was to all appearances pleased with his distinguished caller. "Father Cleary catches me," remarked Hayward several days after the priest's initial visit. But

the priest did not catch the distinguished prisoner. Hayward appeared so delighted with his spiritual caller that most people about the jail concluded he would die a Roman Catholic. There was one official, however, who was ever suspicious of Hayward. That official said: "I may be mistaken, but I honestly believe Father Cleary is being fooled by that fellow. Harry is not after religion. He is after the priest's influence. Harry's victim was a Catholic, and he thinks the tremendous feeling, which he imagines exists to a particularly strong degree among Catholics, may to an extent be satisfied by taking the priest into his confidence. I may be mistaken, but these are my ideas."

The suspicion was thoroughly well founded as subsequent events proved. The priest would not listen to the suggestion that his subject was insincere. His visits had not reached a dozen in number, however, before he began to suspect his subject's honesty. The priest finally made up his mind to get down to serious business, and he so informed Hayward.

"You seem to think I am guilty, Father Cleary," and the murderer looked the priest squarely in the eye. He spoke in loud and emphatic tone. "I want to say, my dear sir, that if ever a man, accused of serious crime was innocent, I am innocent of the murder of Kit Ging."

The prisoner's earnest manner and emphatic utterances astounded the priest—a man of extensive and varied experience in the world. Could it be possible, in view of the overwhelming evidence to the contrary, that this man was really innocent?

"None know better than my attorneys that I am inno-

cent," continued Hayward, as he observed some bewilderment in the priest's face. "I wish you would call on Mr. Erwin, Mr. Smith, or go to Mr. Hale, my first attorney, and ask him about it."

"As your spiritual adviser, Harry, I have no dealings with any one but yourself."

However, Harry insisted that in order to satisfy himself in this matter the priest call upon Mr. Hale. The priest was in a quandary. He appreciated how delicate a matter it was to seek information of Hayward's attorney, or the man who served in that capacity for a week or two. Still, it was very proper the priest know the facts in the case, so that he might proceed intelligently. He finally concluded to call upon Mr. Hale. The priest had spoken but a few words when Mr. Hale said:

"I can see through it all now, Father Cleary. The other day Harry sent for me to go and see him as soon as possible. When I got to him he said: 'Mr. Hale, what if some one would go to you saying that I sent them to find out what you knew about this affair, what would you do, what would you say?' I replied that I would do nothing, and that I would say nothing. This pleased Harry, and he said: 'That is just what I want.'"

The condemned man was attempting to fool the priest —the man who, in the presence of important business affairs, was kind enough to call perhaps once a week, that he might give the doomed man some little comfort in his last days on earth. The priest, after a few more visits to the jail, concluded there was absolutely no chance of accomplishing anything with the prisoner. Father Cleary's last visit was a week or more before the execu-

tion. The night of the execution the prisoner, in speaking of priests and ministers, said to the writer: "I like these men, and want to show them respectful consideration, but I do not care for religion. As a general thing men in this sort of a predicament get religious because they think it will brace them up for the final ordeal. I do not need it. I am perfectly contented."

And the miserable fellow looked as if he was telling the truth, strange as was his declaration.

CHAPTER VIII.

That Famous Mad Scene.

Medical experts and others interested in Hayward's case, notably his brother, Dr. Thaddeus Hayward, have stoutly maintained that he was actually insane. His sudden fits of passion, manifested at many times in his career, strengthened their theory very much, and his cold-blooded cannibal talk, in which he indulged a great deal during the closing weeks of his life, was another strong indication.

If he ever was a maniac he was one on the Sunday preceding his execution. His terrible meeting with Adry, the brother who had testified against him at the trial, and for whom he had many times expressed an unbounded hate, occurred that afternoon, and it was the most dramatic scene of all. It will never be forgotten by the four persons who witnessed it. Capt. West, the jailor, Deputy Sheriff Gordon Bright, Turnkey Andrew Sandberg and the writer.

Adry and Harry had not met since the trial, seven months before, and the elder brother had been in retirement, trying to live down the odium of his slight connection with the tragedy of the Excelsior road. Decoyed by a message promising forgiveness, Adry came to the

jail that afternoon to see his brother for the last time, and bridge the chasm between them. The interview was a terrible one. Fierce as a caged tiger, the man behind the netted grating assailed his brother with words of vindictive hate, fairly seething in their fury, and then paced his cell with shouts of gleeful laughter at the triumph of his deception.

"This," Harry exclaimed, "is my forgiveness to my brother."

It was one of his grim jokes, a joke such as Mephistopheles played on Faust. Harry had that morning promised his father and mother, as a balm to their aching hearts, that he would send for his brother and be reconciled to him. Acting apparently from contriteness, from thought induced by the solemn shadow of the gallows, he penned this note:

Dear Brother Adry: My days are numbered, and I hope and trust that you will grant this my last request. I would like to have you come and see me as soon as you receive this. I wish to forgive you for any injury I have fancied you have done me, and hope you will extend a like forgiveness. Your loving brother,

HARRY.

"I want you to take this, Allison," he said to Deputy John Allison, who was present then. "I don't want to trust this to any messenger boy."

Allison took the note, as directed, to the house of Adry's father-in-law, and found Adry at his dinner. The elder brother hesitated, fearing the decoy, but feeling it a solemn duty, went immediately to the jail with the officer.

Capt. West opened the great iron gate and Adry passed down the corridor. As he approached, Harry rose to meet him.

"Well, Harry, I have come."

"How are you, Adry?" returned Harry, with a peculiar smile.

Adry drew up a chair and sat down. Harry sat by his little table, and the two brothers leaned over till nothing but the wire netting separated them. Harry spoke to the two guards, Bright and Sandberg, who withdrew to a little distance, and the interview began. The first part of it was in such low tones that not even the guards could hear it, and is only known from what Adry told of it afterward.

"I know you are not to blame," Harry began. "I am ready to forgive you, and I want to be forgiven. I know you had to do it to save youreslf, and I can't blame you for doing that."

Suddenly his manner changed. Crouching over the table with a glitter in his eye and a sneering smile, he hissed:

"I will be with you, Adry, as long as you live. I will haunt you to your last day. Every night you will see me, just like this," and he clenched his hands and threw them over his head, staring fixedly at Adry.

Adry had drawn back his head from the grating, and was drumming nervously on the back of his chair.

With his eyes fixed on Adry, he went on: "You will see me, as I used to look at home. You will see me every night, just as I look now. You will see me—a corpse, with the rope around my neck. The Hayward

family will follow you to the grave. They will make life a living hell for you. This is my forgiveness, Adry. How do you like it?

"Ah, this is just what I wanted," he cried, raising himself to his full height, and throwing back the big fur overcoat which Deputy Bright had loaned him to please his fancy.

"That was a nice decoy letter I sent you. It worked, too. Ah, this is glorious. If I could have your brains, I would stick them on an iron, and roast them in the fire. I would clench them in my hands, and tear them in pieces."

"See, Bright," he cried, with a gesture worthy of a McCullough, "this is my forgiveness to my brother. This is my forgiveness. Oh, this is glorious, glorious. How I fooled him!" And he strode up and down the corridor with maniac glee, waving his arms and fairly shrieking with laughter, far different from the heavy, forced laugh with which he used to greet his every-day jokes.

"Well, Harry," said Adry, rising, "I am glad you enjoy it. I expected this, but I felt that it was my duty to come, and I will come again whenever you send for me. I am sorry for you, and I forgive you," and the older brother extended his open hand with the words.

"I have him here, and curse him to his face! Oh, this is glorious! This is my forgiveness to my brother!" and again Harry burst into shouts of laughter, pacing up and down the corridor and waving his arms in an ecstasy of enjoyment.

Jailer West now hurried up the stairs, to put an end to the tragic colloquy. Adry met him at the head of the

stairway, and they stood talking for a moment, while Harry paced the corridor in gleeful triumph.

"God bless you, Harry, good-bye," called Adry.

Harry stopped, threw himself to his full height, and in a loud voice, speaking with great deliberation, as if he would sear every word into his brother's soul, said:

"Adry, look here. I wish I had your brain in my hands, like a sponge. That is the way I forgive you. Look at me. Just this way I will haunt you, and you will see me every night, all the rest of your life."

Adry turned to go, and as he started down the stairs, called again, "Good-bye, Harry."

"Good-bye," shouted Harry after him, and in words distinct and terrible, breathing intensity of malice, he bade what seemed his last farewell.

"Good-bye, Adry, I will meet you at the gates of hell."

Adry and Capt. West silently left the jail. A dozen other prisoners, who had glued themselves to the bars of the big cell room below, drinking in every word of the terrible dialogue, returned to their idle bunks. But Harry Hayward could not rest. He strode up and down, telling Gordon Bright in exultant tones how he had fooled Adry into coming to hear his curse.

The fury finally spent itself, and never returned. On the eve of his execution he again sent for Adry, who was true to his word and came again. They forgave, and parted as friends and brothers.

CHAPTER IX.

A Consummate Piece of Acting.

The consummate villain who for a score of years had so cleverly played the difficult and exacting dual role of Dr. Jekyll and Mr. Hyde selected the last Sunday of his earthly existence for his crowning effort in this direction. That thrilling piece of work is described by an eye witness in the preceding chapter of this volume. But really, the affair could not be described as it appeared to and impressed the few dumb-founded auditors. The great work of a Booth could be described, but to truly and accurately depict the scene between the brothers is beyond the limits of word portrayal. The savage invective, the terrible tone of delivery, the frightful facial expressions, the emphasizing gesticulations, the vigorous movements of that superb frame, together with occasional outbursts of demoniac glee, were quite sufficient to unnerve the experienced officers who were present, and who at the conclusion of the act stood horror-stricken and exclaimed: "It is terrible! It is horrible!" Seldom if ever in the history of American crime has such an occurrence as this been described. With a vivid recollection of that event, it is perhaps not surprising that most people were skeptical when informed there was a genuine reconciliation between Harry and Adry two nights later.

But the famous "mad scene," as the world understands it, was simply a piece of remarkably clever acting. This criminal of almost unlimited resources for hellish plotting reserved his greatest act for the final one in his strange life drama of many acts. Every effort to avoid the law's extreme mandate had failed. A dozen physicians had petitioned the governor for commutation of sentence, basing their appeal for clemency upon the conviction that Hayward was insane. While the murderer had all along indignantly rejected the proposition that he was insane, in his eleventh hour desperation he was apparently willing to try the insanity dodge as a last resort. Those who witnessed the mad scene wondered as to the nature of the whispered conversation that passed between the brothers just before Harry began his ferocious tirade. The whole thing is now explained by Adry. The murderer thought it was barely possible the governor might be influenced by such a performance. The condemned man doubtless had very little hope in this direction, however.

"The world will believe me a mad man, and the disgrace of my crimes upon the family will not be so great."

These are the murderer's own words of explanation for his conduct that Sunday afternoon. Several days after the execution Adry Hayward said to the writer:

"The world has not got the right idea in regard to Harry's conduct toward me the Sunday before the execution. I am fully and thoroughly convinced Harry did not mean a word of what he said. When I responded to his note, and went to the jail, he greeted me pleasantly. As I reached a point outside the cage opposite where Harry stood, he put his face close to the bars, and in tones so low that the deputies could not hear, he said:

" 'Adry, I am going to give you perfect h—— today. I am going to do it for effect. Whatever I do, whatever I say, I want you to understand I do not mean anything by it so far as you are concerned. I know your position, Adry. I know it better than any other man in the world knows it. I have really compelled you to do what you have done. You had to protect yourself. I would have done the same as you have done. I have no feeling against you—none whatever. Do not say a word to anyone about this being acting. I want the world to think I am insane. That will make the disgrace to the family not so great.'

"Before I had time to say a word in reply," continued Adry. "Harry began his terrible speech. I was satisfied from his manner at the start, and from the earnest way in which he told me he had nothing against me, that he meant it. But he got so frightfully worked up and excited that sometimes in the course of his talk I almost believed he meant it. When I went down stairs, and turned and said: 'Good-bye, brother,' I could see in Harry's looks that he felt disturbed and was afraid I would not remember what he said when he whispered to me. When brother Thad called an hour later Harry told him what he had done. He said to Thad that he did not mean a word of it. Harry asked the doctor to write me a note, or see me personally, and say that he (Harry) wanted to see me again before he died, that he might again tell me he meant nothing of what he said Sunday afternoon. Thad wrote me a note that evening. That note I have now. In it the doctor tells how anxious

Harry was to have me get the right impression. I had no hestitancy about going to see Harry the night of the execution. I feel he fully forgave me. The last words Harry said to me were:

" 'Remember, Adry, I did not mean one word I said Sunday. I fully forgive you.' "

That is the simple story of the "mad scene." The incident is exceedingly valuable as an aid to those who care to make a study of Hayward, who is probably the most interesting psychological problem of the century.

CHAPTER X.

Before the Execution.

Harry Hayward's last day on earth was signally free from heroics. He had fully recovered from the melodramatic humor of the previous Sunday when he anathemized his brother in the language of insanity. Avoiding familiarity as well as hauteur he greeted pleasantly his attendants. Nothing in his demeanor suggested that his hours were numbered, that he was before another sunrise to pass suddenly from the hotbloodedness of youth to the cold rigidity of death. He had many visitors during the day and received all with quiet courtesy. He spoke cheerfully to all who were permitted to come near him and avoided that heartless levity of manner which characterized his conduct during the trial. He was serious but not gloomy and assured those with whom he spoke that he never felt better in his life. He was, he said, perfectly ready to meet death and assured all his friends that he would go to the scaffold with as light a step as a race horse entering the course. Of what was to come after death he spoke frankly, saying he did not know whether a man dying went up against a gate or a stone wall. "I might," he said, "be baptized and believe,

but I prefer not to lie. The fact of death itself does not trouble me. You see it is as if one took a sudden plunge in cold water. Thinking of it makes it hard, but the plunge once made it is all right."

The prisoner's last day on earth was an exceptionally busy one. He had many callers, besides which he spent more than eight hours of the day making his final statement. His brother Thaddeus was a frequent visitor and remained in the jail office until he heard that all was over. County Attorney Nye saw the condemned man and talked with him for several minutes. They had not seen each other since the closing scenes of the trial when the county attorney delivered that powerful invective which was the beginning of the end with Hayward. The condemned man greeted his prosecutor cordially and remarked that he held no ill will against the county attorney. "You only did your sworn duty," he said to Mr. Nye, and added with a significant smile, "and you did it well."

"I sometimes abused you all," he went on, "but I want to say that I am sorry for every harsh word I have spoken. I am especially sorry for what occurred between me and my brother Adry."

Hayward spent several hours in the afternoon dictating on his statement and then had a respite until the evening shades fell upon the prison and the lighting of a single gas jet in his corridor told him that his light too was dim and would soon flicker out.

In the evening his receptions began again, though his callers were mostly officials, attorneys and the faithful confessors who had not finished with him. In the early part of the evening he sat between his guards in his

"shroud," as he called the suit he just donned and talked and laughed loudly. Once he complained of a headache and this turned the conversation to brain troubles.

"My brother Thad maintains," he said, "that there is something wrong with my upper story."

This led him on to a very crude disquisition on the parts and functions of the brain, which showed that he had a grasp of scientific ideas, but a very poor vocabulary for their expression.

At 9:30 Hayward turned again to his confession and an hour after his brother Adry came. There was a peaceful interview between them, ending in a reconciliation and forgiveness on both sides. Hayward took a pen and wrote in a firm hand a pass for two to the execution. He offered to include Adry in it, but he hastily declined and saying his last adieus to his brother quitted the jail. The farewells were very informal, as the murderer was separated from the outside not only by an iron cell, but by a double lining of wire netting through which it would have been impossible to push a tooth pick.

It was understood that the execution would take place as soon as possible after midnight and events began to tread rapidly upon each other in the close quarters of the prisoner. His statement, which had dragged out longer than was anticipated, had to be brought to a close. It was wound up at midnight and the prisoner then turned to his supper with zest. When Hayward had finished his statement one of his confessors said to him:

"This statement that you have made to us is true to the best of your recollection?"

"It is true and it is my dying statement. If I have

omitted anything it is on account of honor among thieves."

"The ruling passion with you has been love of money and gambling?"

"Yes, I suppose that is true, but do not put me on record as being sorry. The idea is this, I have made my bed and I am willing to lie in it without a kick and to quote these lines, which have been of much satisfaction to me, from Dryden—

Hayward then started in to quote a few lines of verse, broke off in the middle with the remark, "I ought to be able to go through with that easily," went back and quoted as follows:

"Happy the man and happy he alone—
He who can call today his own;
He who sincere within can say
Tomorrow do thy worst for I have lived today."

"You see that fits this scaffold here," remarked the doomed man, with evident satisfaction.

"Come fair or foul or rain or shine
The joys I have possessed, in spite of fate, are mine,
Not heaven itself over the past hath power,
But what hath been hath been and I have had my hour."

With these words from a class of literature with which he was scarcely expected to have any acquaintance, Hayward dismissed his confessors and turned to his supper. He spent an hour at the table and then began to dress for his execution, calmly flicking the dust from his patent leather shoes while the sheriff read him the death warrant.

What had been had been and he had had his hour!

CHAPTER XI.

Execution Most Extraordinary.

It is not the purpose of this article to rehang Harry Hayward. The public has had enough of his dismal taking off and there is but one excuse for reverting to it and that is in connection with the thoughts of those who in this volume have attempted to delineate his character.

His actions on that night when he took leave of life form an all important episode in his career and it is questionable whether any one who did not see him die can give the public any very close analysis of his character.

During his trial and after his conviction there seemed always something wanting in Hayward, something of a colossal carelessness overclouded his interest in his future.

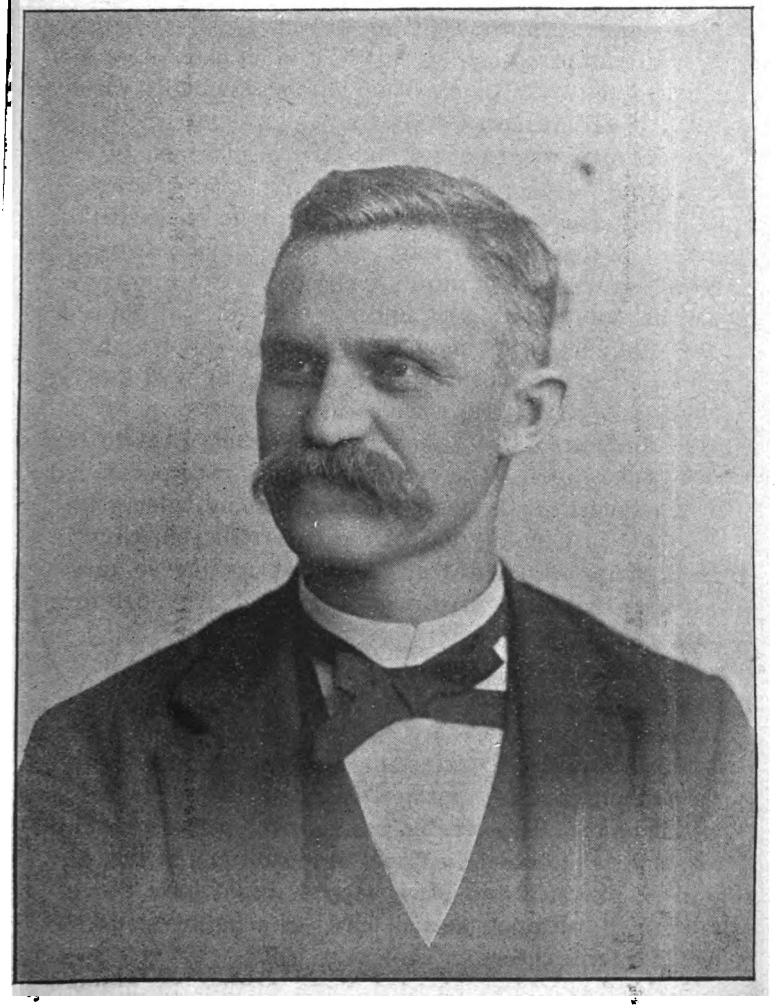
During the trial he appeared the least interested in the proceedings. He sat quietly and patiently listening to the evidence, but never manifested a great deal of interest in it and did not change color or betray excitement when the most damaging evidence was given against him. When he was remanded to the jail his demeanor was still the same, and aside from his plots for jail breaking,

which were more the effect of restless physical energy than faith in their practicability, his demeanor was still the same—that of indifference. On the night of his execution his character began to be understood, and when he marched into the gallows room and stood upon the trap with a smile of condescension upon his face his character was suddenly revealed.

He appeared then and there an egotist of such colossal vanity that it is difficult to conceive of him and a stoic of such training that his nerve was well nigh perfect. The words that he spoke might have been spoken by a man who had keyed himself up by a frightful effort, but the horrible coolness and villainous diablerie of his smile could never have been assumed. He was cool to the core. Those nearest to him are certain that he never trembled, that he did not hesitate nor hang back—on the other hand he raced the deputy sheriffs to the gallows, and when they showed some little human feeling he twitted them of their nervousness.

The night of the execution gave the key to the Hayward character. The seeming want in him which had never before been understood stood out suddenly with awful vividness. The trembling spectators were in the presence of a being without a soul. The handful of spectators who witnessed the passing of Harry Hayward were undoubtedly treated to as remarkable a performance as was ever put on any stage. It was not a death scene in the ordinary sense of the word. There was no formality, no solemn marching, no prayers, no groaning of spirit, nothing to suggest the terrible and mysterious change we call death.

HARRY HAYWARD.



COUNTY ATTORNEY NYE.

The law's' deliberate victim was awaited by a crowd of half-hearted spectators huddled in a bare, cheerless cage lighted by a single lamp of the headlight variety which glared fiercely down upon the spot where the doomed man was to stand and take his farewell of this world, leaving the rest of the dungeon in smoky darkness. Evidently Hayward was to have the lime lights to the last. The center of the stage was his without a struggle. The room was bare of furniture except for two iron cages, yawning empty until the audience arrived, and between them the gallows looming darkly red against the dingy walls. The space between the cages hardly held the instrument of death, and when the spectators began to arrive the officers ordered them to betake themselves to the tops of the cages. The curiosity seekers were persuaded after a time to make the perilous ascent by ladders and when perched on the top of the iron stalls blinking in the brooding darkness they resembled nothing so much as a flock of vultures croaking above a field of impending human slaughter.

No doubt every man present had his idea of what a legal taking off would be like. Some had witnessed such scenes before and had their memories to fall back upon. Some were in the vulture business for the first time, and had nothing but imagination to guide them. It made no difference. The veteran was as incompetent to paint the scene as the novice. Could any one suppose that the prisoner pinioned and black capped would have the effrontery to call upon the jail birds of a lighter stripe to give him three cheers on his way to hell?

Could the coldest blooded there picture to himself

Hayward standing on the threshold of the death chamber pleasantly nodding to those nearest him and bidding all a very good evening?

Hangings are supposed to go with solemn marchings. Hayward ambled to the scaffold like a boy chasing his top; death is usually accompanied by prayers for the soul of the departing; Hayward, having none, dispensed with this luxury; criminals are usually either sniveling hypocrites or loud penitents; whining their innocence or shouting their guilt. Hayward declared his guilt in a business-like statement and dismissed the subject. He had no sorrow to express for the load of ignominy he had hurled upon the trembling shoulders of his father nor for the social ostracism he had brought upon his brothers. His misspent life did not worry him nor did the face of his victim rise to remind him that he owed it to the world to express at least contrition for the evil he had done her.

When called upon by the sheriff to defend himself Hayward's statement was remarkable for what it did not contain. It was about a dog that he had promised to carry to the scaffold, a detective he had agreed to bow to and a barber he had promised tickets for the hanging. The last thing he did before leaving his cell forever was to write a pass for "the execution," and the last thing he did on earth was to make sure that all those who had been promised favors of this kind got them. Methodical madness characterized him. Brutal absence of feeling shone through his words though they were uttered in a pleasant and even honeyed tone. Hayward seemed to be on good terms with himself, and his coolness soon reacted on the spectators. The vultures who had trembled when

he first came into the room began to prick up their ears. The show was after all not so terrible. Hayward was making death easy for them if not for himself. Curiosity overcame fear and necks were stretched and faces expressed open-mouthed curiosity. As the murderer's rambling talk proceeded it began to be evident that the whole tragedy would be reduced to farce unless something were done to restore order in Hayward's eccentric brain. The remarks addressed to him from one in the crowd below evidently had some effect in straightening up Hayward. He became less flippant and wound up his rambling remarks with the simple prayer taught him by his attorney.

Before Hayward had finished it seemed as if the spectators had forgotten he was a murderer about to die for his crimes, and looked upon him almost as if he were but a stage performer who would soon make his bow, receive his modicum of applause and retire.

The speech finished, the sheriffs were at him in a moment, one binding his arms, another his feet, while a third by a deft movement threw the rope about his neck and hauled away until Hayward began to flush and draw his breath hard. The actual proceedings recalled every spectator sharply to the character of the play. The little curtain raiser was over and the real tragedy was about to be played out.

There is no need to describe the scene further. Hayward died and died as he had lived. And his surroundings were meet for his end. The solemn hush of death was absent. One vulture nearly fell from his perch and in recovering himself clanged against an iron door, mak-

ing a booming report that went to the heart of everybody there. An individual near the door struck a match with a sharp click against the wall, lighted his pipe and walked out. The respect that Hayward had shown for his fellow creatures was shown him in his dying moments.

But there is still something terrible about a violent death. Whether it comes in defiance of human law or through its potent agency it is revolting. When the victim meets death with fortitude the state appears ruthless and savage. When the victim meets death as Hayward did without flinching, in the eyes of those who witness the demise, he triumphs over the law, turning its majesty into meanness and contempt. Sympathy is not the most enduring sentiment of the human heart. Its flame is evanescent, but when it burns it burns brightly and then an execution proves a failure. Secret executions surrounded by the methods of autocracy have been invoked to rob the taking off of a murderer of its sentimental glamor, but in this age of imagination such a law must prove a failure. It does not accomplish secrecy, and if it did it would be more of a failure than it now is. Public sentiment would never brook the taking of human life in the presence only of officialdom. That would savor too strongly of the star chamber and the inquisition to win Nineteenth century applause. In many ways capital punishment seems to defeat itself. Fifty murderers die like heroes to one who parts with life a poltroon. The fifty excite envy in the breasts of those who know better than to yield to such sentiment a certain kind of admiration. The poltroon we pity. There should be nothing heroic about murder or murderers. There should be no

pity for those who show none. The gallows makes martyrs where the penitentiary makes examples. Life-long seclusion, hard labor, meagre fare, iron rules of conduct, long, long tasks for which there is no reward; monotonous labor for which there is no praise—these are the effective punishments of murder. Let the murderer, scourged to his dungeon, live on. Let him breakfast on remorse, dine on despair and spread his restless couch with the phantoms of his lost hopes. Better thus than to hurl him into eternity with a hand as angry and cruel as his own.

CHAPTER XII.

How Hayward Appeared in Society.

Society frequently suffers impositions from scoundrels and blackguards, but if a man is to be gauged by his manners, Harry Hayward was a presentable, well behaved and acceptable figure at most social gatherings. He was neither a fop nor a Beau Brummel, a Lord Chesterfield nor a Sir Walter Raleigh. He did not idiotically admire himself in a looking-glass, though his self-love was evidently great. He was not a creator of fashions and was some times behind the prevailing styles in the cut of his garments. He occasionally looked the true dignity of good breeding and his gallantry, an empty thing in itself, might have been called presumption at times. His intimates regarded him as an ordinary young man, more than ordinarily good looking.

He possessed no obvious eccentricities and apparently no vices. He did not make a habit of drinking or smoking and seldom used any form of profanity or vulgarity even among his most intimate male friends. His gambling escapades were known only to a chosen few and he displayed a wonderful cunning in jealously guarding them from his feminine acquaintances. As a whole he was regarded by most people as a very estimable young man.

HARRY HAYWARD.

He was heartily disliked by nearly all his men acquainces and equally well liked by those of the feminine gender. The reason for that is easily explained. He was an ardent student of woman kind, prided himself on it and boasted of it. He thoroughly understood the small courtesies of life that please and delight a woman. The fine art of manners that soothe and gain confidences, feigning an innocence in order to hide the cunning of a serpent. By assuming frankness he invariably gained the confidences of the fathers and mothers of the young ladies delighting in feminine society and, the veteran of many frivolous flirtations, he looked upon women as a fair prey for his skill. He entered upon many apparently desperate romances, but as fickle as water is changeable, he would quickly desert a pretty face for one prettier.

One cause of his being disliked by his masculine acquaintances of society was his custom of always arriving late and alone at a ball or social function and dancing throughout the evening with other gentlemen's ladies. In short, he was an habitual "stag." But in all probability the greatest reason was his lack of sincerity. It is to be doubted if he ever had one true man friend. His unruffled evenness of temper, his slow, concisive and careful enunciation of speech, coupled with a slight air of a recluse, was not conducive to making confidences and gaining him friends among the male sex.

He was an excellent dancer for so large a man, being very light on his feet and possessing a magnificent physique that was shown to its best advantage in a dress suit. If he had won heavily at the gaming tables, he delighted in showing a few young ladies a large roll of bills, but

gave the impression that the money had been made in wheat or real estate speculations. When calling on warm summer evenings his gambling inclinations would often crop out if there were any young men present. He would offer to bet on the flip of a coin as to who should send down to the caterer's and buy ice cream and cake for the party. That sport was not sufficiently exciting for him unless he could get odds of two or more to one against him.

His conversational abilities were as limited as his education, which had been gained mainly by observation and light reading. His cheerful nature and abundant fund of small talk combined with generous expenditure of money, safely floated him over many shoals that a more intellectual and less fortunate man might have been stranded upon.

CHAPTER XIII.

Hayward's Peculiarities as a Gambler.

The Goddess Chance has had more impassioned wooers than Harry Hayward, though in few instances have her favors been more lavishly bestowed. Hayward at the gaming table was the same cool, calculating man that he was in all of the other relations of life, although his extraordinary selfishness was, perhaps, more apparent when staking large sums of money on the turn of a card than at other times. Many stories of his fabulous winnings have been circulated, but when these have been stripped of all exaggeration enough truth remains to show that Hayward was a remarkable figure in the gambling world. It is estimated that in the ten or twelve years of his gambling life he won in Minneapolis alone sums aggregating between $35,000 and $45,000.

He was not, as has been supposed, a slave to the gambling habit. He was always able to control himself, and the fascination of the game never over-shadowed his selfish reasoning which ever prompted him to get the best of it. He played to win and he found little amusement in the game when his luck could not make the dealer apprehensive of a bank failure.

HARRY HAYWARD.

Vanity was Hayward's besetting sin, and nothing gratified his love of approbation like the envious gaze of a crowd of sports about a faro table. Faro was the only game that Hayward cared anything about. He was indifferent to other forms of gambling, although he occasionally played roulette. But "the wheel" did not offer the same opportunities of fairness in the apportionment of chances that King Faro did, and so it was at "the gambler's game" that Hayward always took his seat. Before attempting a description of Hayward's method of playing, which the uninitiated may think was characterized by a wonderful insight into the mysteries of the game, it should be stated that Hayward was not, in the true sense of the term, a gambler. He had not the true gambler's spirit, for he was ever on the alert for much more than an even thing. As has been stated, his vanity ruled him at all times. To gratify his love of praise he would toss his favorite $100 bills about on the green cloth in reckless fashion, thinking not of them but of the admiration of the crowd that stood about watching his every motion. He hated to lose, and although his phlegmatic temperament did not show it, it hurt him to the quick every time he booked a losing. An incident which is vouched for by one of the best known gamblers in the city, and which occurred during the summer of Hayward's phenomenal winnings, shows how much he could be affected at times by ill luck. The story is best told in the gambler's own words:

"Harry came in late one night when only B—— and I were in the room. He played for two hours with varying success and as it was very late and everybody was tired

out, he decided to quit. He was then $805 ahead of the game. I counted him out the money, mostly in bills of small denomination and when he had finished counting it he dared me to make one turn for the $5. I shuffled the cards reluctantly and made the turn. He lost, swore under his breath and quickly placing a hundred dollar bill on the high card he said, 'Take a dose of that.' I made the turn and he lost again. He was vexed at the loss of the $5 bill and when I drew in the $100 he was beside himself with rage. 'You go on,' he said, in a hoarse defiant whisper. It was a strange scene, only us three in the room and the man who had beaten us so often losing rapidly and showing as much resentment as the rankest sucker that ever lived. B—— sat in the lookout chair and no one spoke but Hayward. His next bets were all $100 ones on the high card and he lost every one of them. He did not take a bet from the moment he laid the $5 bill down until his $805 had been swept back into our drawer. When I took in the last bet I glanced at him for the first time and the look I got of him frightened me almost out of my senses. I glanced up at B—— whose face was the reflex of my own. Hayward sat perfectly motionless. A ghastly pallor had over-spread his face and his eyes, which had no lustre in them, were rolling like a madman's. His lips quivered and it seemed as if his big frame was about to be rent apart. The thought that B—— and I both had when we glanced at each other was, 'Is he going to die on us?' Hayward recovered himself in a few minutes, however, and left the room without saying a word."

This incident shows the key-note of the murderer's

character. He could not be a game sport in private. There must be the accessories of an audience, lime lights and other money in sight to lift his light mind from the bitterness of a big losing. Had a crowd been present he would never have winced under the loss. His manner at the faro table was a study. He ignored everything and everybody but his checks. He never spoke except an occasional necessary word, spoken in a low tone, relative to the play. He bet boldly and without hesitation. He did not even avail himself of the advantages of the game but played with little more judgment than a child. He never waited for "case cards, and very often played against himself. He was not even quick at estimating how much money he had before him, unless the crowd about him was small, and then his calculating mind was busy enough with the financial consequences of his bets. The fact that he usually won made him an interesting figure about gambling houses. All the world loves a winner and the superstitious "pikers" followed Hayward about and worshiped him at a distance. They never got on terms of intimacy with him, however. He was among them but not of them, and never appeared to be conscious of their presence. His business was with the dealer alone. The following incident will serve to illustrate his extreme selfishness. One night in the heyday of his career he quit the game about 2 o'clock in the morning $2,000 winner. A well known business man, who had went broke to the tune of $300, left the table at the same time. He and Hayward knew each other slightly, having played at the same table dozens of times. The hour was late and the business man,

who lived out, wanted to get a carriage to take him home.

"Harry," said he, "you seem to have about all the money, let me have a couple of dollars until next time, I want to go home."

"I haven't got any money to loan," replied Hayward quietly, tucking the big rool of bills in his pocket.

Dozens of similar anecdotes are told concerning his brutal indifference to his fellows, and it is doubtful if any man ever stepped inside a gambling house in Minneapolis who was more cordially detested than Harry T. Hayward.

CHAPTER XIV.

Those Attempts at Jail-Breaking.

Two jail-breaking episodes occurred during the year that Hayward occupied a cell in the county jail. They were both interesting attempts and one of them, at least, was the product of that fertile brain which proved to be so full of plans and plots. It was in March of 1895, shortly after the Hayward trial had drawn to its dramatic ending, that the first episode occurred.

One morning the good people awoke to note in the daily papers that a gang of bona fide counterfeiters had been making and "shoving the queer" in the community. The whole gang was arrested and lodged in the county jail, awaiting trial. Among them were two men who had more than ordinary ability. One of these was Jack Ollinger, who had formerly been a jailor at the very building in which he was confined. The other was George Rice, a smart, shrewd and crafty man.

As they entered the jail, passing through the gate of iron bars, which swung open to receive them, Harry Hayward, from his perch in the upper tier of cells was looking down, an interested spectator. Hayward had been accustomed to deal with men at the gaming table and to

judge of them, both accurately and quickly. This habit stood him in good stead just at this moment, and as he watched them enter he felt satisfied that they were "his men." The intuitive faculty which gamblers depend upon, although it often betrays them, was what Hayward trusted in coming to that decision. Once the men to assist him were selected, the rest of the plot came easy. He was supplied with all that he could wish, including writing materials. The parcels he received furnished him with the string and before long both Rice and Ollinger were enlisted in Hayward's service.

They worked silently and effectively, but one of the jail birds "gave the snap away." Jailor John West and Turnkey Sandberg were apprised of the condition of affairs, and it was determined to search the jail for tools and to ascertain just what had been done. A few of the sheriff's deputies were detailed to assist in the work which was more successful than had even been suspected. Bars were found to have been cut and bolts withdrawn, by means of which it was plain that a wholesale delivery had been attempted. It took but a little time to transfer the prisoners from the cells which had been tampered with to others still intact and the first attempt was quickly and completely foiled. Ollinger was shortly afterward sent to the state penitentiary at Stillwater and Rice was taken to Wisconsin to answer to another charge of forgery, escaping, however, from an official, in whose charge he was, and is now at large.

The second attempt to break jail was much more sensational than the first and was planned with greater shrewdness and cunning as well as being much more elaborate

in detail. Hayward, in his lonely cell in the jail, had nothing to do but scheme. A second time a tool was provided for him by an indulgent Providence. This time it was a young Englishman, with a taste for high living of the baser sort. Drinkwater was his name and he was arrested charged with embezzling about $600 of his employer's money. He was placed in the same cell with Harry and together they seemed to lead a hilarious and congenial existence. At length one day word came to the county attorney:

"Watch Drinkwater, or some day you will find both Hayward and him to be missing!"

In the same mysterious way word was brought to the sheriff. The bearer of the message was Michael Kierce, a sub-janitor around the court house. A council of war was held and Kirece questioned. There could be no doubt but that the warning was genuine and the information correct. To be advised as to all the internal workings of the plot it was necessary to have some one in Harry's confidence.

Who so suitable as Kierce? Who so available?

So thought the sheriff and so thought the county attorney. Kierce was accordingly informed of the plan and fell into it readily enough. He began paying visits to the jail and lingering around Hayward's cell. He attracted the latter's attention. Was he there for a purpose? Hayward began to sound him and Kierce was willing! Before Kierce had been commissioned two weeks to get the information he had agreed to get two men who were to come to the jail at midnight, knock down and disarm the jailor and be ready to co-operate

in an escape. For this work Hayward agreed to pay them $1,000, but to make himself sure he tore the bills in two, gave Kierce half of each bill and kept half himself, to be paid over when the escape should be an accomplished fact.

The freedom from the cell was to be brought to pass by Hayward himself. All that was necessary, he thought, was a key or two. Those secured, he was sure of his liberty. The manner in which the keys were obtained was easy and simple. He had been furnished with candles in his cell, the wax of which was readily molded in his warm hands. Again fortune favored him. He one day discovered the heavy key which threw back the bolt to his cell in a receptacle just outside the gate. To it was attached the key which unlocked the cell room gate.

Softly he reached for the keys, and with not even a clink of warning, he secured an impression of them in the soft wax. That was all that was necessary and in a few days a double key which would open each door was placed in his hand. Kierce was in turn told of this key, and being trusted implicitly by the prisoner, was told where he could get it and try it to see if it would unlock the cell and jail doors. A note was placed in Kierce's hand which read, "Please give Mr. Kierce the package containing my shoes."

"My shoes" was the expression agreed upon to mean "key." Armed with the note Kierce met a lady closely veiled in a cheap restaurant. Nothing was said. The package was placed in Kierce's hands and half an hour later was shown to the sheriff in his private office, as had the torn $100 bills.

The chain of evidence was complete. All that remained was to let the plot mature. Kierce was given full swing to try the keys. It was astonishing how none of the jailors came near at that time. The time was set for the delivery and all plans were laid to entrap the unwary people who were to assist. But alas! a prying newspaper reporter discovered the plot, and before the accomplices could be arrested they had been warned.

Harry was searched that night and the eleven halves of the $100 bills were discovered on his person, in addition to some other money concealed in a belt worn around his waist. When questioned about it, he had little to say, save imprecations against Kierce who had played him false.

Drinkwater had secured his freedom through bail ostensibly furnished by his relatives, but really by Hayward, and has not been seen since that time. The second and last attempt at jail-breaking had been foiled. Other schemes undoubtedly flashed through Hayward's prolific brain, but Hayward never put any of them into practice.

CHAPTER XV.

Did Hayward Possess Hypnotic Powers?

Ever since the craze for hypnotism, mesmerism and other occult powers was revived some decades ago, efforts have been made to enter those new factors into the field of criminal jurisprudence. The success of these efforts has not, as a rule, been such as to encourage renewed attempts along the same lines. The first aim of all criminal law is to fix the responsibility, and the chief tendency of a recognition of hypnotic power as a factor to be counted with by the lawyers and judges would be to make such an unsolvable riddle of the already intricate "responsibility" problem that the subsequent conditions would closely approach a suspension of all law. These inevitable consequences have been foreseen by those in whose hands the distribution of public justice has been trusted, and they have stoutly denied hypnotism and its sister phenomena admission to the court rooms. Yet the public at large, as well as the world of science and of law, cannot deny that there are powers not yet understood and classified that give to one man an inexplicable sway over the minds of some of his fellow-men; powers that are not less dangerous than the swift poison or the leaden

bullet; powers that are to be dreaded the more because their full significance is not comprehended. Seldom have these secret forces played a more conspicuous part than in the Hayward case, in which hypnotism, magnetism and mesmerism were everyday words, although neither prosecution nor defense ventured to base their stratagems upon the claimed use of such powers.

To all students and observers of the modern currents of ideas above referred to, the case was fraught with interest. The chief witness, Blixt, who by his testimony stamped himself a murderer, claimed to have been driven to the desperate deed by a will not his own. Had it been possible for him to do so under the present practices of the courts, he would have built a bulwark of hypnotism round himself, stepping before the shocked community in the light of an unwilling victim, almost more worthy of pity than the murdered woman. This was about the part Blixt tried to play during the trial. As it was, he had to allege the use of strangely concocted drinks that robbed him of his power of resisting the evil influences brought to bear on him.

The confession of the condemned man throws a new light on the whole affair. Boldly Harry claims a power over Blixt's mind and energy which leaves no doubt as to the identity of the actual murderer. According to that confession, the misguided Swede was only what he claimed to be in his own statements, a helpless tool, innocent enough when left to itself, but full of harm when in the hands of a man able and willing to use it. The possibility must not be forgotten, that Harry, always well posted on everything concerning his own case, had

adopted the hypnotic idea, as suggested during the trial, only considering it as a means to embellish his own fantastic figure with another Mephistophelian trait. But something occurred during the trial that tended strongly to countenance the claims of Harry. More than once it was noted by reporters as well as by court officials and casual spectators, that Blixt carefully avoided the scrutinizing looks of Harry. Only once he looked full at his seducer, and then he had been provoked into a momentary frenzy which, for the time being, insured him against all hypnotic influence.

Much in this still somewhat mysterious case becomes clearer, if the confessions of the hanged man are recognized as true statements of actual occurrences. Previously the motives of Blixt seemed so vague, that it was hard to imagine the passions that made a murderer out of him. With Harry behind him, driving him onward with the rod of a desperate will, everything becomes comprehensible. However, it will be necessary to reshape modern conceptions of hypnotism if they shall conform with the facts in the Hayward case. The belief that a man can make a tool out of a fellow-being simply by looking at him intently—or even, as some romancers with a rich imagination have requested us to think, without as much as a look or a touch of the hand—must be discarded. In practical hypnotism the eye certainly plays a star part, but it is powerless and harmless if left without the faithful aid of a persuasive tongue. Practical hypnotism, as demonstrated by Harry Hayward, is not a work of moments, but a slow process, tedious, laborious, leading to distant though certain results. The hypnotized man is

not put to sleep, literally. But one part of his mental faculties is made dormant; and that part is his conscience.

What a picture it is, that of Harry shaping his tool for the contemplated tragedy; hideous, nauseating, yet not without a certain rough magnificence. Toiling with a patience that would have sufficed for the opening of a new continent to civilization and Christianity; descending to the level of a being that nature as well as society had placed away below him; voluntarily exchanging the environments of the drawing room and the club for those of the black boiler room with its furnaces suggestive of punishment; scattering around him the rich resources of his inherent cunning; thus Harry wielded and moulded and turned and hammered until the selected tool showed the desired combination of flexibility and hardness. What a picture for a great painter in oil or in words: Harry, seemingly friendly, open, compassionate, leading as the Jack o' lantern leads the wanderer into the dangers of the morass; Blixt, dull, slow, greedy, flattered, yet suspicious, following with hestitation, but following; and that scene repeated night after night, until the faint echoes of the shot on the Excelsior road explodes the devilish council and sets the hounds of law sniffing on the trails of seducer and seduced.

The conformity of the statements embodied in the various confessions of Blixt and Hayward with regard to the hypnotic element in that drama might not be considered a proof in itself of the existence of such an element, were it not that dozens of impartial citizens, men of strong minds and clear brains, have had an opportunity to experience the strange and mystic powers wield-

ed over the minds of other men by Harry. Names are hardly in place in a story like this. May it suffice to say, that one of the most intelligent clergymen of Minneapolis was so impressed by Harry that after a few visits to the jail he had become almost fully persuaded of the innocence of the prisoner. Subsequently divulged facts have proved almost beyond a doubt that Harry was carrying on the game systematically, just as he had done with Blixt, although for other purposes. Other persons had similar experiences. Against their own inclinations, they felt a sympathy with Harry that made it hard for them to believe in his guilt or in the justice of his sentence. The influence that Harry had over members of the softer sex was as remarkable as it was undeniable. To some extent it might be ascribed to the impression made by his perfect physical manhood, but there was more to be accounted for, and it stands to reason, that for many women Harry played the part of the charming snake.

In this part of the story there is only to be found one relieving trait. Harry could never have made such a success out of his treatment of Blixt, had it not been that within the mind of that tool powers were working that did much to pave the way for those entering from the outside. The fortress might have been impregnable had not a member of the garrison made the first opening in its ramparts. Blixt would probably have been safe had he not imbibed freely of that passion for money, that gold idolatry which is so characteristic of our time and people. What is true of Blixt, is not less so with regard to other victims of Harry.

CHAPTER XVI.

Catherine Ging's Murder.

A woman's face, lying pale and still in a pool of blood, her inanimate form limp and distorted in the sand—this is what the dim starlight revealed to William Erhart on the night of December 3, as he was wending his lonely way homeward along the old Excelsior road, in the outskirts of Minneapolis.

Erhart paused only a moment. She was plainly dead. A moment before he had met a horse and buggy plunging at a reckless rate through the darkness, with no driver visible. It was evident to him that the woman was the victim of a runaway accident. Erhart ran to his home, a few rods away, and summoned his brothers, then hurried to the nearest drug store and telephoned to police headquarters. Half an hour later the body was lying at the county morgue, where the patrol wagon had hastily carried it.

In searching the woman's clothing the word "Ging" was found sewn in a garment, and the body was thus identified as that of Catherine M. Ging, a well-known dressmaker with large patronage among people of wealth and fashion. Not until 11 o'clock, or two hours and a

half after Erhart's gruesome discovery, did a doctor's hand grate against a bullet, lodged almost at the surface of the left eye. Soon a bullet hole was found at the base of the brain, and it was at once apparent that what had been supposed an accident was in reality an atrocious murder. The police at once commenced an active investigation, and detectives were sent to the Ozark flats, the home of the murdered woman. About the same time word was received from Goosman's livery stable that their "buckskin mare" had returned to the stable driverless about 9 o'clock, while the buggy floor and seat were soaked and bespattered with blood. This was evidently the rig which Erhart had met just before finding the body. It was a slender clue, and availed very little, for Erhart had seen no one in the buggy, and Catherine Ging herself had taken the rig for the drive, meeting the driver at the West hotel.

Next morning Minneapolis was electrified at the news. Conjecture was rife, but there was still no one on whom the crime could be fastened. But certain of the police officers had put two and two together, and had fastened suspicion on Harry T. Hayward, the manager of the Ozark flats.

Hayward was very much in evidence on the evening of the murder. As soon as he heard of Catherine Ging's death, and before the doctors discovered the bullet, he exclaimed to a group of friends and newspaper men, "She has been murdered, and murdered for her money. It was not her money," he went on to explain, "but money that I let her have. My $2,000 is gone to h——l!" He told the police officers that he had loaned her $7,000, and

taken in return a $10,000 policy on her life. She had been trying with some one else to "do him up," and now the other man had killed her and defrauded him. The insurance policy aroused suspicion, and at 10 o'clock the morning after the murder Hayward was taken in hand by Mayor Eustis and subjected to a close examination, lasting till 2 o'clock the next morning, when he was permitted to pass the night on a couch in the office of the chief of police.

It was evident that Hayward himself could not have committed the murder, for at the time when Erhart found the body in the road he was at the Grand Opera House witnessing the play, "A Trip to Chinatown." His station in life tended to avert suspicion. The son of an old and respected family, he had moved in the best society, where his handsome presence and debonnair manner made him to a certain extent popular, though there were rumors that he was rather "fast." But in the excitement following the murder, it quickly developed from a hundred sources that Harry had been for years a "high roller" among the gambling fraternity, and an inveterate faro bank fiend. Letters came to light showing that for some time Miss Ging had been a sort of a partner in Hayward's gambling transactions, and had furnished him money to play big games at Chicago during the summer previous. In all this there was nothing to fasten the crime on the suspected man, and the morning after his long term in the "sweat-box" he was released and allowed to go home. That afternoon he attended the funeral of Catherine Ging and that night he slept at home for the last time.

Meanwhile, the authorities had received new light in

the case from L. M. Stewart, the Hayward family lawyer, familiarly known as "Elder" Sterwart. He wrote a note to A. H. Hall, assistant county attorney, telling him of a conversation he had a few days previous with Adry Hayward. Adry had often expressed to him misgivings about Harry, but on this occasion he came with fear and trembling and told a horrible story of a plot to kill Miss Ging, devised by Harry, and to be executed by Claus Blixt, a janitor at the Ozark Flats. Mr. Stewart pooh-hoohed the story, and persuaded Adry that his brother would not be fool enough to commit such a deed.

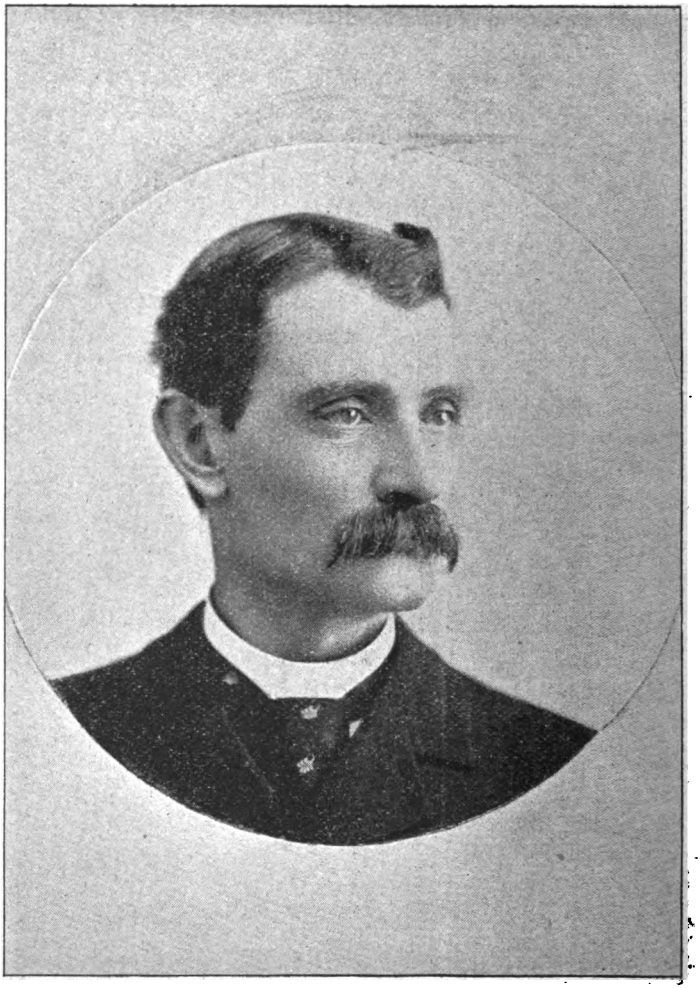
Now, the whole thing came back to him, and he wrote the letter as in duty bound, informing the officers of the law of this important clue. Next day, Thursday, Harry and Adry were placed under arrest; and they spent that night at the Central Police Station, with the charge of murder opposite their names. Adry maintained a firm front and claimed utter ignorance of the whole affair, but the next evening he was taken by the officers to the office of Elder Stewart, and confronted with his old friend; he broke down utterly and confessed the details of the crime, as far as he knew them. That night Blixt was placed under arrest, with one Ole Erickson, who had been in his company and was supposed to have taken care of the bloody clothing. Blixt's wife was also placed in detention.

Blixt and his wife were put through the "sweat-box" process, and on Sunday Blixt broke down and confessed. His first story, which made Hayward the actual murderer, and himself only a sort of accessory, was so plainly untrue that his inquisitors turned again to their work,

and Blixt made a second and complete confession of the crime.

The story which Blixt outlined on that night to Mayor Eustis, A. H. Hall and the detectives, is in all substantial points the same as told by Hayward in his accompanying confession. The Ozark janitor was the tool of Hayward. By threats and promises of money Hayward brought him to the point of committing the deed, and nerved him to it with whisky. Catherine Ging was decoyed into taking the fatal ride by a story about some "green goods" men, whom they were to meet at the outskirts of the town for a "deal." She drove out alone from the West Hotel to the corner of Lyndale avenue and Kenwood boulevard, where she was met by Hayward and Blixt. Promising to "bring the others" and meet her at a lonely out-of-town spot, Hayward put Blixt in the buggy and left the victim to her fate, hurrying down bye streets to keep his theater appointment. Blixt drove until he reached the lonely place on the Excelsior road. There he fired the fatal shot "where Harry told him to," and rolled the lifeless body from the wagon. Crouching back in the seat as he met Erhart, he drove till near the street car line, where he turned horse and buggy adrift, and took the car for down town.

The course of justice was plain from this point on. The grand jury indicted Harry Hayward and Blixt on Dec. 13; they were arraigned and their trial set for Jan. 21. Erickson was exonerated. Adry was released from jail after a time, but at his own request was accompanied night and day by Deputy Sheriff Maish until after the conclusion of the trial.



SHERIFF JOHN HOLMBERG.

CHAPTER XVII.

A Famous Trial.

However public opinion may vary as to the wisdom of the punishment inflicted on Harry Hayward, there can be no doubt that the judicial inquiry into the murder of Catherine Ging was a most notable and gratifying illustration of the triumph of right over wrong.

When, less than two months after his victim's death, the prisoner was brought to face an indictment for murder in the first degree, the conditions were almost ideal for a trial that should be of national interest. The prisoner, supplied with large financial resources, had the ablest and most distinguished criminal advocate in the Northwest, W. W. Erwin, to conduct his defense, while to assist in the search for and preparation of evidence were such well known counsel as John Day Smith, A. T. Sweetser, and Walter Shumaker, together with numerous detectives of experience. The prisoner had the additional advantage that he had submitted without apparent reluctance to a most searching inquisition by the city and county officials and without making any admission of itself incriminating. The most suspicious saying that was traceable to him was the impulsive exclamation when

informed that Miss Ging had been hurt in a runaway: "They've done me up. She has been murdered for her money."

These were but negative, however. The defense had one serious weakness, no basis either of fact or plausibility.

The state on the other hand not only had the confession of the actual murderer implicating Hayward, but this, insufficient in itself, was so corroborated by circumstantial and direct evidence that the jury, like the general public, could not refuse to believe in the truthfulness of the trembling wretch who writhed for parts of three days under the merciless inquisition by Attorney Erwin.

With the "tall pine" as the defendant's counsel, and County Attorney Frank Nye, assisted by Albert Hall, as the public prosecutors, the presentation of evidence was in most experienced and thorough practitioners, while the presence on the bench of Judge Seagrave Smith, the senior judge of the court, proved, as the record of the trial submitted to the supreme court shows, a guarantee of a trial, not only true to the ends of justice, but faithful to the principles of modern law.

Ten days elapsed before the jury was filled, the utmost care being taken on both sides, and 13 jurors were sworn, before the trial proper commenced, the first juror accepted, Ira Newell, being discharged afterwards because of his conscientious scruples against capital punishment. As finally made up, the jury was as follows:

Lindsey Webb, B. H. Timberlake, John Smith, B. T. Dickey, Caleb Philbrick, John Denny, Minneapolis; Chas. Pribble, John Kimball, Champlin; John Dunn, Neil McNeill, Dayton; S. H. Dyer, Excelsior; Michael Eckles, Brooklyn.

Then one by one the state called its five score witnesses, each seeming to bring something of weight to bear on the case until they completed a chain of evidence so convincing that discredit was impossible. Following the preliminary testimony, of the finding of the body of the murdered girl, by witnesses who were most thoroughly cross-examined by the defense with the apparent purpose of finding even one weak point in the state's case, however trivial it might seem, came the surgeons who officiated at the post mortem examination, and here came the first hard fight, the counsel for the defense spending nearly a day in an effort to show that the terrible crushing of the skull could not have been caused by a fall from the buggy, as it was known that Blixt would testify.

Then followed Blixt, and for parts of three days, the unlettered engineer held at bay one of the most ingenious of cross-examiners, but clinging to his story, evidently true in the main in every detail, to the last. Shocking as was the narration of his dreadful deed, the murderer was listened to by some of the largest crowds that attended the trial, illustrating to a high degree the morbid curiosity which sways a large portion of the community.

Dramatically following this came the betrayer of the crime, Adry A. Hayward, against whose testimony came another vigorous contention that he was insane, and should not be allowed to testify. Judge Smith, however, ruled continually against the broad claim, sometimes with such emphasis on the delay it was causing that led to exciting scenes in court, but without error, evidently.

Then the insurance agents and bankers with whom Hayward had talked about insurable interest, death by

violence, and other matters of a suspicious nature, were called in and as the list of witnesses was almost finished the state stumbled upon a hack driver to whom Hayward had talked about driving his rig over a precipice into a lake, and about the power of his conscience, if he had committed a murder.

Last of all came what seemed like a voice from the dead, the testimony of Mrs. Lillian Hazelton, since deceased, to the effect that on the afternoon of Dec. 3d, Catherine Ging had told her she was going out that evening with "Harry."

The defense first exploited the presence of the defendant at the opera house in order to prove an alibi as to the actual murder, and also a number of witnesses to show the whereabouts of Hayward during the afternoon and early evening of the same day to show that Blixt's statements were untrue. However, it was a case where a few minutes' variation did not disprove anything, and Blixt's story in the main was not directly contradicted.

But in the midst of its own case, the defense was misled into placing on the stand M. D. Wilson, a liveryman, who had been reported as saying that a rig containing a couple talking loudly had followed him for a mile or thereabouts on Kenwood parkway. His testimony, however, was that the rig only turned into that street from Lyndale as he passed, and in his best judgment the man in the buggy was Harry Hayward. The defense could not impeach the truthfulness of its own witness and from that on the fight was against fearful odds.

George A. Grindall, a familiar figure around Minneapolis courts for years, told an implausible story about see-

ing a man with gray whiskers get into a buggy with a lady on First avenue north just about the time that Miss Ging was known to have left the West Hotel, and Maggie Wachtler, a stenographer formerly employed by R. R. Odell, the attorney for Blixt, testified that in Blixt's confession, which she took as stenographer, he had said that Adry told him to kill the girl. Both these stories were generally doubted, and indictments for perjury were threatened but never prosecuted.

The defense had distinguished experts on nervous affections to testify that Adry appeared to be insane, but the character of the testimony which they were allowed to give was so general in its character that it affected the case but little.

As a dramatic close to the case of the defense came the testimony of the defendant himself, an ingenious explanation of his tell-tale conversations with the insurance men, which he did not deny, and a graphic history of his gambling exploits much resembling that given in his ante-mortem confession but without any reference to the crimes therein mentioned.

The state's rebuttal was chiefly occupied with the impeachment of the testimony of Grindall and Miss Wachtler, but it did include one new and startling element, the very positive identification of Hayward by Geo. W. Jenks as a man he had seen runnig up Hennepin avenue from the direction of Superior avenue on the night of the murder, a short time after 7 o'clock.

In vain the defense sought to exclude it on the ground that it was too late for them to investigate the incident,

and on the heels of this dramatic incident, the closing arguments were begun.

County Attorney Nye, scarcely recovered from an illness that had kept him from the trial during so important a part as the cross-examination of Hayward, made an eloquent argument for the protection of society by the punishment of such an offender.

Then the senior counsel for the defense closed the case of the defense in an address that occupied eleven hours in actual delivery, parts of three court days. All that ingenuity could devise to explain the suspicious conduct of the defendant, and the most eloquent periods of an advocate known throughout the world by causes he had championed, proved unavailing, however, to save the life of the man who had wronged society so grievously, and after a confinement of seven weeks, the jury on the 7th of March arrived at a verdict of guilty within two hours after leaving the court room.

CHAPTER XVIII.

Lessons From the Ging Murder.

I believe in that noble and divine faculty or attribute in man, called the soul. It is immortal. It is from God. By means of it we see God, we behold Him and feel Him all about us. It is nourished and cultivated by righteousness. It prompts us to walk uprightly, deal justly and love mercy. I cannot believe any one is born absolutely depraved—wholly destitute of soul. It may seem to be entirely absent, under some conditions of birth and education, so that to all outward appearances the man is soulless and conscienceless. Harry T. Hayward was a most phenomenal example of this class of beings. To all appearances he was without a soul. It was at least latent. It did not speak—did not manifest ifself. He knew not love, that universal language of the soul. All humane, sympathetic and tender sensibilities seemed to be absent from his nature. He appeared to be born under a cloud of moral darkness, and his career demonstrated that he loved darkness rather than light. It is impossible to say whether as a criminal he was indebted most to birth or training—whether his depravity was native or acquired. It was doubtless both.

Certain it is that the habits and environments of a lifetime will do much to transform virtue into vice or vice into virtue.

The great lesson of this case is, that man is not man except he have a soul—that the cultivation of this divine attribute in man is not only the duty and high privilege of the individual, but of society as well. It is fortunate for humanity that this case attracted such wide and general attention. The eye of a continent, almost of the world, has been upon it, and the character of Hayward may well enlist the study and contemplation of every thinking mind. Indeed, society is in a measure responsible for such characters. They are in some degree at least the fruit of our civilization. They are the product of a money-loving and money-worshiping age—an age which feeds the intellect and starves the soul—idolizes mind and assassinates conscience. "The love of money is the root of all evil."

Born of wealthy parents, reared in fashionable society, of smooth and polished exterior, having the appearance of refinement, he moved in the best circles, outwardly a gentleman, inwardly a fiend—a moral monstrosity. He was intellectually acute, cunning and active, original and daring in schemes of wickedness. A genius in crime. A romancer in the realm of wickedness. He loved darkness rather than light. He was a moral owl. His vision, which was purely intellectual, loved the night. The sunlight blinded him.

He was a born gambler and cultivated this native talent, until a dollar became more valuable in his eye than a human life. He took others' money for nothing,

till it was easy to take others' lives for money. I have not the slightest doubt he had committed numerous murders before he planned and consummated the cruel and fiendish murder of Catherine Ging. He was a precocious child of crime and his native talent had multiplied and increased in that school of darkness into which he readily entered with great natural advantages and from which he graduated with distinguished ability and complete thoroughness.

After weeks of preparation for the murder of this poor, trusting girl, after he had practiced the most cruel and monstrous deceptions upon her, with professions of love and affection, after he had obtained the insurance policies and after he had placed Blixt in the carriage with her and sent them to the scene of death, he goes to the theater for amusement. He chooses that hour of bloody assassination for pleasure and recreation. In the midst of the multitude, with a thousand eyes to prove his alibi, he watches the shifting scenes upon the stage and cheers and applauds the play. On the morning succeeding the homicide he feigns grief in the presence of her lifeless form, and later brings flowers to the casket and indulges in the hollow and hellish mockery of mourning. In his last confession he says that on his return from the theater, learning in a confused way of the report of the injury, he feared she had not been killed, and that something had intervened to prevent the consummation of his scheme, and that the plot would be at once disclosed; that he was greatly relieved when he learned there had been no failure. These circumstances but illustrate the prodigiously

criminal character of the man. The crime and the circumstances of it correspond with the man. The crime fits the criminal. His conduct was not altogether simulated. It was in a large degree natural. His actions were but a part of the man himself. The criminal and his crime were the growth and development of years. The act was not a freak or paroxysm of crime but the inate and natural product of a soulless, conscienceless demon, fully grown and matured.

If such a darkened and depraved condition in a human being is insanity, Hayward was insane. It certainly was not legal insanity, because no one will claim he could not distinguish between right and wrong, or that he did not comprehend the nature and consequence of his acts. It may be, and no doubt is, a condition of moral insanity. "Whoever reasons towards crime reasons wrong," says a learned judge. Wrong reasoning argues an unhealthy mind. Philosophically speaking, therefore, wrong reasoning and wrong conduct are indicative of moral insanity. This kind of theorizing, however, affords no guide for the practical administration of justice or the wholesome preservation of law and order. Law is a practical science, having for its object the general well being of society. Its safe and salutary edict is that which commends what is right and prohibits what is wrong.

Hayward was clearly responsible, under the law, for his acts. His guilt must be wholly unquestioned. It stands proven to a moral, almost a mathematical, certainty. The law decreed his death. He met it with a disgusting bravado, which the vulgar mind confuses with

heroism. He died for no principle. He did not pretend to be sustained in that final and awful hour by any consciousness or claim of innocence. He had been assured that the execution would be attended with very little physical pain. His mind (not his soul) was fully prepared for what was to come, and he died as callous and as conscienceless as he had lived.

This may seem harsh, but it is more charitable than his own estimate of himself. He expressed no regrets at the last hour, but boldly and flippantly flaunted his iniquity before the world and gloried in his unique and colossal career of crime. Unregenerate, defiant and desperate, this unfortunate, misguided and wicked child of earth, dropped into that final and dark abyss, which only the sunlight of God's mercy can penetrate.

Here I might close; but I have it in my heart to add a further thought. This child of sin was a child of our race—a brother in the great fallible family to which we all belong. He who beholds the end from the beginning and whose infinite intelligence and love may reach the darkest caverns of hell itself, He who knows how imperfectly and unjustly we often judge our fellow men, grants mercy which in our darkness and hatred we refuse.

There may be circumstances of birth and habit surrounding the character and life of Harry Hayward which it is not in our power to comprehend. We are ever incompetent and unjust judges of our fellow men.

We are our brother's keeper. We cannot absolve ourselves from the strong and God-made ties which bind us together in one common, universal family. God is love and His law is the law of love. As society advances to

the supremacy of soul, and its splendid evolution of thought, and stands in the warm and all-pervading light of this great law, fetters will fall from its chafed and wounded limbs and it will move on with new freedom to higher destinies. Justice and mercy, twin angels of heaven, will dispel the darkness. Oppression, cruelty, torture, rack, dungeon and scaffold will disappear under the perfect reign of Him whose seamless robe of love envelopes the globe and warms and comforts the poorest outcast child in all the universe of God.

FRANK M. NYE.

CHAPTER XIX.

A Mental Scientist's Ideas.

Harry T. Hayward was a degenerate. This term can best be defined and explained to the lay reader by giving the reasons on which the conclusion is based. To do this certain terms must be employed, many so-called physical ear-marks described, some of which may apply to individual readers. It may be well to say to my readers that this description applies to one individual, and must not be taken as personal to themselves, nor in any way suggestive. It is well, also, to remember that two per cent of apparently normal individuals have marks of degeneration, but none of these may become degenerate. Among criminal and insane clasess 30 per cent are so marked.

To describe a degenerate it is necessary that he be possessed of several distinct traits or marks, which, taken together or in sequence, make up a complete whole.

The nervous system, which includes the brain, spinal cord and the nerves therefrom, is made up of nerve cells and fibres, which are held in form by tissues, not nerves in structure, together with blood vessels and other vessels, which are connected with the processes of develop-

ment and nutrition. In a perfectly normal individual the nerve tissues predominate; in degenerates, non-nerve tissues are predominate.

The brain is the center for mental processes and is recognized as having a fairly definite shape, outline and divisions. The human brain differs very markedly from the brain of animals, and in comparing the two, if they are found to resemble each other, the human brain is animal in its characteristics, and is, consequently, of a low order in the processes of development. Or, if it is peculiar in outline, irregular in the arrangement of its indentations or fissures, or if there is a multiplicity of convolutions, or the number of fissures is greatly reduced, the brain is said to be abnormal. The brain of Harry Hayward weighed 55 ounces—six ounces more than the average male brain. Yet his brain weight was not out of proportion to his height and body weight.

Closer examination shows it to be a brain which very closely resembles the animal type. The outline, shape and indentations were decidedly irregular. The amount of non-nervous matter was in excess—a condition which was born in the man, and due to a bad line of heredity. The measurements of the head showed a marked deviation from normal. This irregularity also appears in the face, as shown by the prominence of the upper jaw, the difference in the size of the two sides of the face, the development of the nose and the position of the ears. The forehead was sloping, making the skull the so-called "steeple" curve or high middle point.

His past history shows through several generations back a line of ancestors who were insane; some homi-

cidal and possessed of delusions of persecutions and suspicion; others had marked tendencies toward suicide. Some were confined in hospitals and others remained at home, though recognized as insane. This line of heredity crops out in Harry's immediate family, showing that the present family is predisposed by inheritance to the development, under proper surroundings, of some form of mental disease. Other members of the family have shown marked mental peculiarities, which the ordinary observer would simply look upon as family peculiarities, but to the physician who considers the past history, they are more than peculiarities—they are distinctly abnormalities of mind.

Harry's boyhood shows certain marked characteristics. In early life he was recognized by his school fellow as a bully, brutal in his instincts, enjoying the sufferings of others, and delighting in the torture of domestic animals. At all times was visionary and highly imaginative, expressed in peculiar ideas and fears; talked of great deeds, and at other times was depressed and moody. During his early boyhood he joined a surveying party, and his fellows noted peculiarities in the shape of hallucinations and conduct, wholly unnatural—so much so that he was looked upon as peculiar, and at times unsound in mind. At the age of 16 or 18—a time he was growing rapidly—he had a series of convulsions, which means to the physician an interruption or a retardation in the growth of the brain. At such times convulsions are always of serious import, and one of the symptoms that tell of the approach of future mental disease.

Harry led the life of a rover, living on chance, and

always surrounded by temptations of an unhealthy nature. His imagination had full sway, and in place of exerting a restraining influence upon himself, he went from bad to worse, until his mind was filled with schemes of all kinds. He nourished his ideas until many of them seemed to him realities, and in his imagination he planned and executed all sorts of misdeeds. His ambition in life seemed to be plotting for his own personal advancement. His egotism predominated, and he left nothing undone to further his ends. By this time his unhealthy imagination held him under its control, and his reason and judgment were warped and unheeded. He reasoned from one standpoint only—that of personal aggrandizement—and his judgment in matters of right and wrong always decided on the side of wrong. To him this was the right side, because it advanced him in his own estimation. He seemed to have failed to appreciate the ultimate result of his plans and deeds, thus showing his diseased judgment. He seemed without a conscience and felt no more concern in planning or executing a criminal deed in manhood than, when a boy, he deliberately impaled a live cat on the side of a fence. He did not seem to realize the enormity of his acts and the influence they exerted on the community, as everything he did builded and strengthened his personal egotism.

He was certainly devoid of all moral sensibilities. Yet this alone is not sufficient to class him as morally insane. His degeneracy was of an entirely different type, but the moral insensibility, perhaps, predominated; and yet those of you who are familiar with his past life will see that he

was wrong in other of his mental faculties—his judgment, reason and his failure of appreciation.

There is no question but that he had delusions, although he was extremely cunning in concealing them. This is not at all unusual in a certain class of insane, particularly of the type that I have described—the degenerate. They are often able to suppress every appearance of a delusion for an indefinite period, although sometimes evidences of it are painfully manifested.

The question of Harry's responsibility is a very important one, and there will always be differences between the opinions of the lawyer and the opinions of the physician. The law believes that if a person can distinguish the difference between right and wrong, they are responsible. The physician knows that a large number of insane persons who have been confined in hospitals, and who are recognized among laymen as insane, can distinguish the difference between right and wrong. And yet they are recognized as insane. The law, then, does not recognize disease. I do not mean in this to include all criminal classes, even those who have abnormal heads; but I do think that the criminal who has inherited from bad ancestors an unnatural development and an abnormally developed nervous system, which is shown by physical earmarks, by mental peculiarities in boyhood, in youth and young adult life, who subsequently commits a crime and fails to understand, to reason, or to judge properly of the consequences—his crime is the outcome of a diseased or abnormal brain, and he should be confined rather than punished; that, if possible, his diseased condition should be recognized early, and before his criminal propensities

are manifested in criminal acts he should be deprived of his liberty, placed under proper medical and disciplinary supervision, until such time as he may recover, or, if his recovery is not assured, he should then be confined in a hospital for insane criminals, or criminally insane, for the rest of his life.

It is not an easy matter, perhaps, for persons who are not students of mental disease to appreciate the position taken here; but the time will come when such people as are described will be recognized as diseased, and will be properly care for, and the public protected before acts of violence occur. To do this successfully it is necessary that all notoriety should be promptly suppressed.

W. A. JONES, M. D.

CHAPTER XX.

Morals of the "Inquisition."

On Tuesday morning, December 4th, 1894, it became known to the executive of the city that a young woman had been murdered the evening before, and her body found in a lonely spot on the highway in the outskirts of the city. The case seemed to be enveloped in the utmost mystery. The thought uppermost in every mind was, "Who did the dark deed, and would he be caught and punished?"

In ferreting out crime, experience has demonstrated that it is of the utmost importance to strike the right trail while the crime is young, not necessarily to know, but to feel that you are on the right scent. If quickly following the crime, the presence of the criminal can be secured, ere he has had time to school himself, or to adapt his mind and conscience to the new conditions arising from the crime, it becomes only a question of endurance and days until the mystery is solved. Place any criminal in a room with a sharp inquisitor, immediately following the crime, and if he will talk freely, the probabilities are strongly in favor of the speedy unearthing of the mysterious deed.

In most cases it takes weeks and months to get suspicion sufficiently strongly directed towards a person to warrant his arrest, by which time he has acclimated himself to the new order of things, and there is little probability of his ever making self-incriminating statements, or a confession. Again, if the suspect be arrested, the attorney appears in the case, and his mouth is at once closed. It often happens, in the interests of justice and society, that the lawyer appears too early in criminal cases. This compels the state to feel its way in the dark for all the environments of the crime, so essential to form a correct theory. Had Hayward refused to talk, and called counsel, as he finally did on Thursday, how long and tedious the hunt for the thousand details in his business and social relations with Miss Ging, which no one knew but himself. Instance, her interest in his gambling ventures, a secret she had guarded against all the world, and his lips the only source from which it could be obtained.

It was early apparent that some one must have had a mysterious power over this young woman, to persuade her to draw out the money, as was supposed, and to take that fatal ride. His admission of her connection with gambling disclosed unusual influence and a corresponding power over her, made stronger by the secret. It was in this same way, knowledge of a guilty transaction, that he obtained power over Blixt.

Hayward's plan was undoubtedly to act as nearly as possible like an innocent person, use the alleged money transaction as a foil, claiming that some other party, who either through intimacy or by chance, happened to know about the money and the insurance policies, thought to

murder her to get the money, and then that suspicion must necessarily point to Hayward as the only apparent beneficiary of the crime. Voluntarily Hayward goes to police headquarters, and by his apparent frankness and candor he expects to throw off suspicion.

For fifteen hours he submits to a thorough and rigid examination, in which all of the details of his acquaintance with Miss Ging, and his actions for the week or ten ten days preceding the murder, are gone over again and again, and at last taken down by a stenographer.

The investigation had proceeded but a short time when it became apparent that he had a theory, and that theory was to admit fully the suspicious facts that pointed to him, and shield himself behind his alibi. It was quickly evident that the alibi was not a natural one. He was able to give the exact minute at which he arrived at the Bartleson house, three minutes to eight o'clock, and also the time, both by another watch, and by the clock, differing somewhat from his. It was manifestly apparent that he had, immediately upon his arrival at the house, forced the attention and conversation of all members of the family present to the exact time. Then he was able to give, in an unusual degree, the names of the persons whom he met, both on the way to and at the theater. His recollections along these lines were too distinct to be normal.

There are two kinds of alibi, the conscious and the unconscious. It was evident his was the conscious alibi. It is hard to imitate nature, even in trying to appear and act like an innocent person. The little excess in referring to the details of the alibi mark it as a conscious one, and if conscious, why?

It could not be a mere coincidence that at the same time some unknown party was murdering Miss Ging, that Hayward, the beneficiary under the life insurance, should be thinking about the details which were so essential to form his alibi.

The moral atmosphere that surrounded this case was a strong one. All the other parties whom it was thought might know something about its mystery, and who readily submitted to inquiries, were able, in a brief time, to make it apparent that they had no connection with it whatsoever. There was a marked contrast in the moral atmosphere around Hayward and that around the other parties.

It is always important to get off the wrong scent as quickly as possible, and get back to the starting point, and as one by one these were let go, the authorities came back to Hayward each time. The moral conviction, which was gathering force hour by hour, refused to be shaken, even when Hayward, with his hand on the face of the dead, in feigned anguish exclaimed, "You gentlemen believe I am guilty. God knows I am not. Oh, my God, if she could only speak!" It is interesting as showing the reliability of this moral evidence that came from the first fifteen hours contact with Hayward, watching him under close cross-examination, and studying him at the morgue, to note the conclusions of the mind formed therefrom before any positive or legal proof was obtained, as appears from an interview had immediately after such examination, and published in the Evening Journal of Wednesday, the 5th: "I have no doubt that this woman was murdered for money. She was either murdered at

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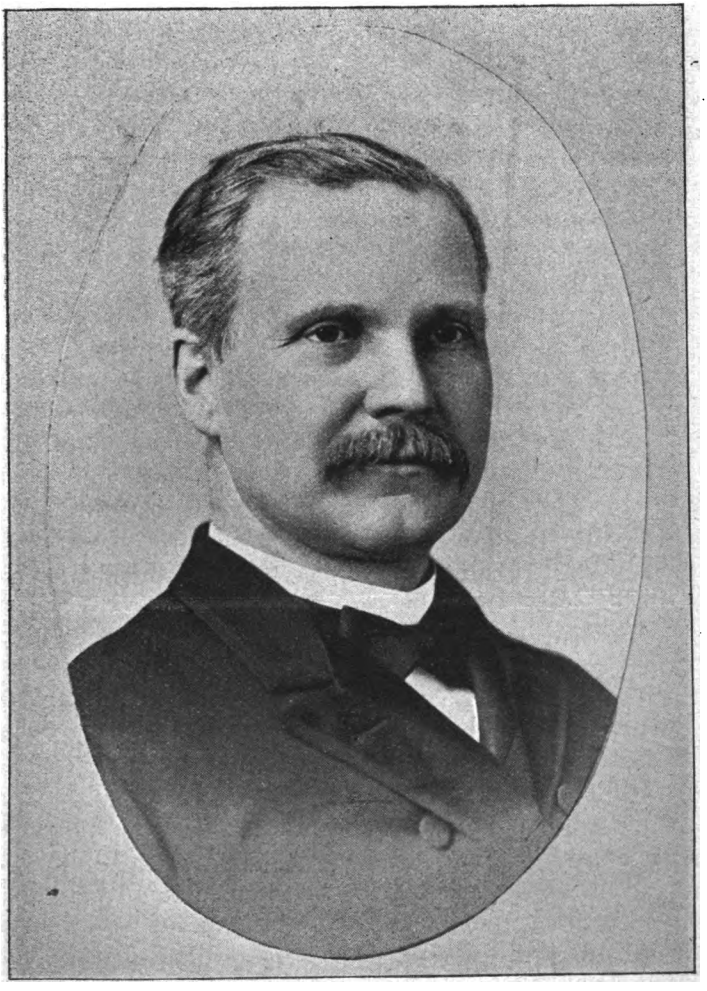

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the instigation of Hayward, or by some unknown man, with Hayward's knowledge. There was either a conspiracy to get possession of the money this girl had, or Miss Ging was infatuated with some bloody-minded scoundrel, who persuaded her to draw this money, and then inveigled her into that lonely ride. Both are probable theories, and at any rate I feel justified in keeping Hayward under surveillance until it is conclusively shown that he is not implicated in it."

While the moral evidence may be strong, it takes legal evidence to arrest and convict, and this can, as a rule, be best secured before arrests are made, and attorneys appear in the case. On Friday evening Blixt was first subjected to an examination. In his case the moral evidence developed rapidly. This may always be expected in those of inferior intelligence, and less hardened and schooled in crime. Almost immediately one could feel that Blixt was implicated. As the examination progressed the internal fires were lighted, and when crowded along into the details of his movements on that fatal night, the perspiration which had quickly gathered on his begrimmed brow, ran in rivers down his face. This is why, I suppose, this process is called the "sweat-box." The power that made the sweat was the guilty knowledge within and not any force from without. There is a detective in every man, whose duty it is to give him away when he violates the great laws of God and man. It is the province of the authorities to co-operate with this detective, and it should always be done before the lawyers get between them and break the connection.

Good common sense is as essential in ferreting out

crime as in everything else. All the world, save the criminals themselves, were interested in finding out and punishing the perpetrators of that foul murder. The motives of the authorities were the best, and the methods employed such that no harm could come to the innocent, while it might make it harder for the guilty to escape. None of the innocent people who came down to the office to explain their whereabouts on that night, or their friends, cried, "Inquisition!" nor did they "sweat" while telling what they knew about it.

The question sometimes arises whether or not, in the rule and conduct of society, established for the protection of innocence, the pendulum does not swing beyond its legitimate bounds, and sometimes become a positive shield and an avenue of escape for the guilty. The larger the probabilities of escape the larger the percentage of crime. The correct policy for society is the one which, while it harms no innocent man, lessens the chances of escape, and reduces the ratio of crime.

WM. H. EUSTIS.

CHAPTER XXI.

Hayward's Moral Delusions.

Harry Hayward's case presents an interesting study for the moralist. It is indeed rare that a man convicted of such a heinous crime as the one for which Hayward was executed and of which he admitted his guilt, goes upon the scaffold apparently so utterly indifferent to his wretched fate, and so unconcerned about the future. Men who have led notoriously wicked lives and who seemed to have been steepd in crime, usually manifest some regret for their misspent life, and some symptom of horror for the dark deeds that have doomed them to the felon's sad fate. Hayward exhibited an indifference not only phenomenal, but apalling. He showed no sign of sorrow for his offenses against all divine and human law, and he gave no evidence of regret that he had brought such grief and shame to his heart-broken parents' declining years.

Yet Hayward was not insane, he rejected with disgust and indignation the theory of his insanity, or that he had not been fully responsible at all times for his conduct. In fact he was particularly vain of the acuteness of his mind, and his adroit reasoning. But this was not the

vanity common among men mentally diseased, who often fancy themselves to be the wisest of philosophers. His was an egotistical conceit, natural, perhaps, to the young man, but which had become stronger as he met, with what seemed to him, flattering success in "fooling the world."

An idiosyncrasy of his character was that he claimed it always gave him special gratification to deceive, and he had reduced lying to a cultivated art. He possessed a certain amount of low, natural cunning, which he skillfully cultivated also, for many years, and which became fully developed in his chosen profession of gambling.

Like all egotists, however, he finally over-reached himself and discovered that he had been playing a most hazardous game in attempting to "fool all the people all the time," but he comforted himself with his gambler's philosophy that he had played his stake and lost, had had his day, had reached his limit, and should "die game."

Yet Hayward, colossal fool though he was, had formulated a philosophy of his own, that seemed to give some satisfaction to his reason.

No one will be surprised to learn that his was a revolting philosophy, and yet there was some consistency about it, providing his premises were right. Of course his premises were all wrong, and the result of his delusive reasoning was all wrong, but from his standpoint he could not see the disaster before him; and had he been able to see it, he knew no means to employ to avoid it.

In his early youth, at least so he asserted, he received no positive religious instruction. Of course he had been taught the difference between right and wrong and had

been encouraged to do the right and avoid the wrong. But no motive was assigned, why he should shun evil and do good. All was vague and shadowy. After he arrived at adult age and felt the responsibilities of manhood, he conceived an inordinate desire for money, the gambling frenzy took possession of him, and he schooled himself in all the arts of self-control, that is, control of his emotions, and unscrupulous deception to gain the end he had in view.

To quiet the stings of conscience, he soon began a careful study of materialism. He was not a well educated man; his range of reading and study had been very limited, he studiously avoided giving any attention to refutations of materialistic theories, for he sought, what he found in the ridicule of religion, encouragement for his disordered and deceitful life. He had succeeded fairly well in quieting his disturbed conscience, by the theories of uncertainty about human accountability to God, and a future life. His excuse for not giving more serious attention to thoughts of religion when under sentence of death, was that his mind was at rest, he felt no certainty about future punishment for sin, no certainty about the existence of God, and why should he disturb his few remaining days with sad reflections upon what was passed or upon serious consideration of an uncertain future. The past could not be undone, the dead were beyond recall, his conscience accused him of no wrong, inasmuch as those whom he had sent out of life had suffered no pain, had sustained no loss; were in fect perhaps better

off in another existence, if another life is known beyond the dark and silent grave.

Hayward was not a keen or close reasoner, he had made a special study of all the objections against religion and carefully ignored any refutation of these, to him, consoling theories. His shallow mind was easily satisfied with the half truths he had learned, and his corrupt heart was gratified with the specious defense of his reckless life, which the alleged uncertainty of the future offered. If there be no God, and if man has a well founded doubt about his existence and consequently about absolute right, justice and an inflexible standard of morality, the selfish interest of man naturally impels him to seek the good of which he is certain and not to take any chances about obtaining the good which may have no existence.

This reflection only forcibly reminds a thinking man of the infamy into which the corrupt heart of one hardened in crime can sink an intelligent being. There can be no morality without law. There can be no law without a law-giver. A law-giver, capable of framing laws for the direction and guidance of reasonable beings, must have some end in view in making his laws, as well as the right and power to enforce them. If the laws of my being, the laws of nature and the written law of human society forbids or enjoins certain actions, these laws must have their root in authority, or I am not bound to obey them. If there be any doubt about the authority and the consequent binding force of the law, I am not in duty held to observe it, for a doubtful law is not binding.

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Individual contempt of the law, or personal doubt of its binding force, does not, of course, exempt a responsible agent from its provisions. But if the doubt be reasonably well founded, if it cannot be removed, the conscience of man is not held to the binding force of a doubtful law. This is sound reasoning, but sound reasoning, like wholesome food or medicine, may often be erroneously applied. This was the leading difficulty with Harry Hayward. He had not properly digested certain elements of truth, and carefully avoided to mingle correctly sound elements together. He had caught up the phrase that a man's conscience is his guide. A man makes no mistake in following the direction of his conscience. His conscience, he asserted, accused him of no crime, gave him no unrest, for he had always held that it was no more of a crime, in itself, to kill a human being than to kill an animal. The human being had no more right to life, he claimed, than had the brute. If man has no soul and there be no God and no future life, and all is ended when the body is cold in death, can anyone claim that Hayward was wrong? "It all depends on how you look at it," he claimed.

His maxim was, that pleasure was the highest good in life, and pain the only evil. The reason of man, as well as his selfish inclinations, suggests to him to strive for the highest, greatest good. Money could purchase pleasure, money could soothe pain, hence Hayward longed for money, with which to gratify pleasure. He claimed it had always given him pleasure to inflict pain upon others, or deceive or mislead them, by his cunning arts. Hence he gratified his desire for pleasure to the extent

of satiety and "had his day." The clutches of the civil law he alone feared, as the power of the civil law was the only power he knew, but he had eluded this so long that he had become foolhardy and reckless concerning it.

The poison of false principles had entered Hayward's brain. The blight of irreligion had withered the good impulses that had once taken root in his heart, and the callous, unrepentant, defiant destroyer of human life was the result. He was abnormal in the sense that every man is abnormal who [redacted] will to the dominion of passion, and resigns the liberty with which God endowed him, to the caprice of pleasure.

His abnormal conduct could in no way have excused him from the full consequences of his criminal career, for he voluntarily "took his chances," as he termed it, in this life, and for the life to come. The wholesome food of sound principles is the only saving antidote for such insidious poison dimmed the light of Hayward's reason. Elevating, religious influences can alone counteract the immoral tendencies, the irreligion fostered in the heart of man. Every man's mind, therefore, should be well nourished with the strengthening food of true principles, and his heart fortified by salutary environment, that he may be safely guarded against the influences that led Hayward to the scaffold, when he fancied that he had "fooled the world."

REV. J. M. CLEARY.

HAYWARD'S LAST PICTURE.