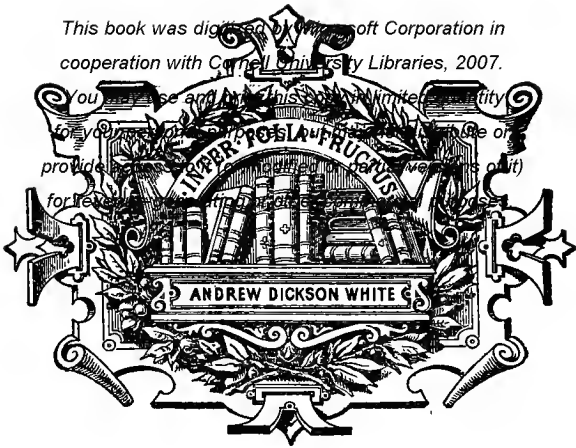


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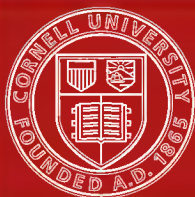
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THE
MOLLY MAGUIRES
OF
PENNSYLVANIA,
OR
IRELAND IN AMERICA;
A
TRUE NARRATIVE,

TOLD BY

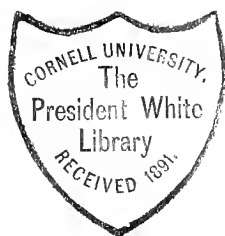
ERNEST W. LUCY, U.S.A.,

EDITED BY

C. E., ENGLAND.

ARTAS PARENTUM PEJOR AVIS TULIT HOS NEQUIORES.—Hor. C. iii. 8.

LONDON :
GEORGE BELL AND SONS, YORK STREET,
COVENT GARDEN.



TO MY READERS.

The facts related in this book were in part communicated by my American friend and correspondent, now in England; in part they are taken from Major Allan Pinkerton's volume (*The Molly Maguires and the Detectives*) and from the *Neue Pitaval*. As to myself, I am not a political partisan, unless it be partisanship to support the cause of Great Britain and of civilisation; for secret murder and lawless outrage are crimes against civil society all the world over. My main purpose is to place before my readers certain striking facts, from which they can draw their own conclusions. These may not always be the same as my own. I only hope they will be always weighed as studiously and as calmly as mine.

C. E.

ERRATA.

- p. 5, line 2 from foot: for "atrocious" read "atrocious."
p. 103, line 7: for "where" read "were."

CONTENTS.

Narrative by Ernest W. Lucy	P. 1
Reply from C. E.	66
Appendix	73
Concluding Words	149

THE MOLLY MAGUIRES.

I.

INTRODUCTORY LETTER.

MY DEAR FRIEND,

When I visited England some years ago for the purpose of studying certain subjects in which I took a strong interest, you were among those to whom I carried letters of introduction. Your kind reception of a stranger from beyond the Atlantic was the first item in the debt of gratitude which I owe you. It was followed up by information and assistance of great value, and a happy community of feeling led us, I may confidently say, to give and receive pleasure mutually from the discussion of several important topics. Among those topics the history of Ireland, the then existing state and the future prospects of that ill-starred country, were to me of the deepest interest. I had read and thought much concerning them, for, on account of the immense influx of Irish immigrants, and their obstinate isolation as a race amongst us, all that relates to them is of serious moment to the welfare of the United States. With the aid of your impartial and judicious advice I made acquaintance with other works of conflicting tendencies, and with new facts, which modified many of the impressions previously received. In your last letter you say that you have seen in a German work a very interesting but cursory account of the troubles created in the State of Pennsylvania by the lawless conduct of the Irish population in some counties there; adding that you are desiring to obtain full particulars of those events. I shall therefore endeavour in a few letters to comprise a narrative which will at least go far to satisfy that desire, though I may not be able to relate with minute exactness all that happened in those terrible years.

II.

THE MOLLY MAGUIRES IN PENNSYLVANIA.

It is a trite saying, that the romance of real life is more romantic than that of fiction. And, if we set aside those fictions, which call in the supernatural to enhance their interest, that saying is not far from the truth. No sensational novels (hardly excepting those of Wilkie Collins) contain incidents more terribly mysterious than many of the facts occurring in the records of human crime and calamity.

Among such facts there are few more notable in later years than the long series of crimes committed in the State of Pennsylvania by the secret association known there as the Molly Maguires, with the circumstances which resulted in its ultimate detection, and in the condign punishment of the chief criminals.

The seat of this association, or rather of that branch of the Ancient Hibernians which gained the special name of Molly Maguires, was the anthracite coal district of Pennsylvania, comprising the counties of Schuylkill, Carbon, Luzerne, with part of Columbia and Northumberland. The number of people is now not far short of 500,000. The mines of the district yield a large quantity of coal, and the laboring population whom they attract to work them live in towns of various sizes, or in hamlets, patches as they are often called, near the several mining works. The principal towns are, in Schuylkill County, Pottsville and Tamaqua; in Carbon, Mauch-Chunk; in Luzerne, Wilkesbarre; in Columbia, Bloomsburg. Smaller towns, but not inconsiderable, are Port-Clinton, Mahanoy-City, Shenandoah, St. Clair and others in Schuylkill. Hamlets are numerous, occupied almost entirely by miners. The country is mountainous and woody, with very little agriculture. In the largest towns the inhabitants are chiefly native Americans, who have banks, manufactories, railway and other offices. Inferior towns contain large masses of immigrant labourers and traders of various nations, Irish, Welsh, Germans, Swedes and others. In some the population is preponderantly Irish. Most of these are Roman Catholics, who have brought with them to the New World the habits and manners, the brogue, the feelings and prejudices, the loves and hatreds of their native island; deadly foes of land-owners and capitalists: despisers of all law and

authority not set up by themselves;* men who hold human life cheap, and are always prepared for any deed of bloodshed or violence, which their angry passions or interested motives prompt, and for any amount of perjury which may avail to save a confederate from the punishment of his guilt. Their religion is to them a very simple matter; to pay their priest his dues, to communicate now and then, confessing and getting absolved; after which they return refreshed to the commission of crimes planned in secret meetings which are opened with prayer. If their crimes are detected, and the gallows becomes their doom, they confess at last, not to the public they have outraged, but to their priest in private, whose absolution they regard as a passport to heaven, when they die with a lie in their mouths. A priest may sometimes dissuade from crime or preach against it; a bishop may excommunicate unlawful societies. Such words and acts have no deterring effect on the Irish population. They are regarded as mere formalities of clerical duty, which may be disobeyed without penal consequences, the confessional being always open, and absolution never refused to the penitent.

You will understand that I am now writing of the Irish male population on this side the Atlantic, and, specially, in the State of Pennsylvania. Its mischievous action is indeed sorely felt in some other States of the Union; but my narrative is confined to the regions watered by the Susquehanna, Schuylkill and Lehigh rivers. How far the character and habits of the Irish of the same classes in Ireland resemble those of their kinsmen who appear in my narrative, I do not venture to decide. That they are united in a common feeling of hatred and hostility against Great Britain is unhappily notorious. The evidence taken here in 1876, with many sad events that have happened since, and all that we now read with sickened feelings in the daily press, make it only too clear that a conspiracy for purposes of treason, murder, and all anti-social crime is seated in both countries, and that funds are levied in both, which, if not avowedly destined for those purposes, are, beyond all doubt, ancillary to the action of their promoters.

* One of them, on landing at New York, is said to have asked, if there was a government in his new country. Being told there was, "then I'm agen it," he cried.

III.

THEIR FIRST APPEARANCE AND EARLIER CRIMES.

The name Molly Maguires, by which the clandestine league of Irishmen was best known in Pennsylvania, is imported from Ireland. It was there adopted by a branch of the Ribbonmen, whose nightly outrages were perpetrated in female disguise.*

But the name which they gave themselves and under which they sought to veil their proceedings in Pennsylvania, was—"The Ancient Order of Hibernians." This purports to be a benevolent Society, and has for its motto, "Friendship, Unity, and true Christian Charity." How it practised the last of these virtues the following pages will show. The constitution and by-laws of this Order are printed in the Appendix, the tenth Article declaring that "No person shall become a member who is not Irish or of Irish descent, a Roman Catholic, and of Roman Catholic parents." It is a secret society, with signs and passwords. Its branches extend throughout the American Union, and in New York especially its numbers are great, and its influence exceedingly powerful. It supplied large sums of money for the defence of those Molly Maguires who were tried for murder and other offences in the State of Pennsylvania.

The Molly Maguires made their first appearance in Pennsylvania about the year 1854. The existence of a secret association for unlawful purposes in the counties of Schuylkill and Carbon became highly probable to the officials there within the few following years. But its action was more apparent when the civil war broke out in 1861. The demand for coal in the United States being much increased by that event, the mining population of the district became larger

* In Trench's "Realities of Irish Life," p. 82, we find this account of its origin. "The tenants kept a watchful eye upon all these preparations, which soon became known through every part of the country, and they took their own measures to frustrate them. To effect this object they established a system of what they called 'Molly Maguires.' These Molly Maguires were generally stout active young men, dressed up in women's clothes, with faces blackened or otherwise disguised; sometimes they wore crape over their countenances, sometimes smeared themselves in the most fantastic manner with burnt cork about their eyes, mouths and cheeks. In this state they used suddenly to surprise the unfortunate grippers, keepers or process-servers, and either duck them in hog-holes, or heat them in the most unmerciful manner, so that the Molly Maguires became the terror of all officials.) At last neither grippers, process-servers, nor keepers could be got for love or money to perform any duty, or to face the danger of these dreaded foes."

year after year, and of these new comers by far the greatest part were Irish Roman Catholics, who naturally supplied recruits to the order of Ancient Hibernians, *alias* the Molly Maguires. It was now notorious that such an Order existed in the coal district. But as its members were bound by an oath to conceal from the uninitiated their own membership, and all they knew of the Society and its affairs, while they were known to each other by secret signs and passwords, varied from time to time, and communicated from a central authority to the local officers and by them (under the slang term "goods") to the other members, no information could be obtained on any of these matters by people in authority. The secrecy of the Molly Maguires seemed for a long time secure and impenetrable. We have now to see what use they made of their powerful situation.

In the summer of 1862 President Lincoln published an Ordinance for the general enlistment of troops in all States of the Union, which remained faithful to the Government established at Washington. The Molly Maguires, fearing probably that their Order would be broken up and its power weakened or overthrown by the effects of this Ordinance, used every effort to hinder its execution, and circulated anonymous threats of violence against all who should enforce it. [Nor did they confine themselves to mere menace. In Carbon County government officers employed in the enlistment were murdered, others assaulted and illused, houses and properties were set on fire, mining proprietors received threatening letters, requiring them to desist from carrying on their works till the enlistment was ended, on pain of death to themselves and their overseers.] None of those who perpetrated these criminal acts were detected, and public authority seemed to be paralysed.

In July, 1863, F. S. W. Langdon, Superintendent of a Colliery, was attacked in the night, mortally injured and found next morning in a dying state near Auden.

G. K. Smith, a mining engineer, of Audenried, Carbon County, was suspected by these conspirators of giving the Government useful information during the enlistment of troops. A body of Molly Maguires with blackened faces broke into his house on Nov. 5, 1863, and brutally murdered him in the midst of his family. The particulars of this atrocious crime are thus given by G. W. Ulrich, Mr. Smith's clerk :

“On the night of the murder I had just returned from Mauch Chunk. I got home about 6.30 p.m. I was boarded in Smith’s house. When I went down to supper, I told Smith I thought something serious was going to happen. He asked me why. I replied, ‘because of what George Allen had said about having heard that the night of that day was to be the greatest ever known in Audenried, and because, during the afternoon, several men were noticed prowling around there, going about in different directions, and, on the evening before, there were others in the store for powder.’ Mr. Smith laughed and said: ‘Mr. Ulrich, they wont hurt you or me.’ I stayed at Smith’s house that night, at the request of Mrs. Smith, because her husband was unwell. About five minutes before eight o’clock, hearing a rap at the door, I, upon opening it, found standing there a man whom I thought to be a Welshman, named Evan Jones. Asking him to stay outside until I put the dog away, I shut the door, took the animal by the collar and put him in the parlour where Mrs. Smith was. Then I went back, opened the door, and when I did so a tall man, with a soldier’s overcoat on, stepped in, and the one I took to be Evan Jones followed. As soon as I saw his face I found it was not Evan Jones. The taller person asked if Mr. Smith was in. I at first said ‘no,’ but afterwards told him he was in, ‘and very sick.’ He professed to have a letter for Smith, that a man had given him in Mauch Chunk the same afternoon. I told him if he would give it to me I could hand it to Mr. Smith. He would not do that, as he said he was instructed to deliver it personally. I then left the room and told Mrs. Smith. She went up and saw the sick man, and he replied if the person could not deliver the letter to her, he must wait until the next day. Mrs. Smith and I returned to the room where the two men were sitting. She told them what Smith had said. The man answered: ‘If I can’t deliver it to him I must deliver it to you!’ He quickly put his hand to his back, and the first thing I saw was the butt-end of a Colt’s revolver. Before he got it out altogether it went off, and his clothes caught fire, the ball penetrating the floor on which we were standing. When the revolver was discharged Mrs. Smith cried out: ‘O my God!’ and ran precipitately into the library. Then the tall man caught me around the neck and the smaller man commenced beating me on my head and on the back of my shoulders with a billy. The tall man got his revolver out and put it to the side of my head. I threw up my left hand and the pistol went off, and the powder flew into my eyes and blinded me so that I could not see for some time. By this some fifteen or twenty persons had walked into the room where we were. The majority were disguised in soldiers’ overcoats and in miners’ clothes. They crowded over against the wall, and the tall man tried to shoot me again in the head. Once more I threw up my arm and the pistol ball passed over me. Another man stooped down behind me, on his knees, and put his pistol to my person and shot me in one leg while I was held

by the other. I then broke away from the crowd, with the intention of going up stairs. They followed me too closely, however, and I could not get clear. As I reached the foot of the stairs, Mr. Smith came down and walked into the room where the men were. I went to the hall door and they knocked me down and fired two shots over me with the intention of hitting my body. After this, I turned round to see if I could find anything, and saw Mr. Smith standing by the crowd. A man came up behind him, put a pistol to his head, and fired. He fell dead upon the carpet. After finishing this, they fired three or four shots, and I thought they were shooting Mr. Smith's dead body, but they fired them at Mrs. Smith's sister, who was in the room adjoining. This is all I know, excepting that the others escaped."

Several men were suspected of this crime, and imprisoned at Mauch Chunk; but so daring had the association become, that an armed band entered the town, overpowered the inhabitants, broke open the prison, and released all the persons confined in it.

On August 25, 1865, David Muir, a colliery overseer, was shot in Fraser township, within a hundred yards of his own works, on the public road and in broad daylight. The shots were heard by many, but the murderers were unseen and undiscovered. It was believed that signal fires were lighted on the hills to assist their escape.

On the 10th of January, 1866, Henry H. Dunne, of Pottsville, superintendent of one of the largest mining companies in Schuylkill County, was murdered on the public highway, within two miles of Pottsville, while driving home from one of the collieries. No arrests were made, nor any information obtained tending to discover the perpetrators of this daring cruelty, although the Company engaged the services of several detectives for that purpose.

Another Superintendent, Graham Powell, was murdered about this time in Carbon County, but the exact date is not given.

The Miners' Journal of Pottsville, March 30, 1867, gives the names of fifty persons murdered in Schuylkill County from the 1st of January, 1863; of whom twenty-seven, or more than one half, had fallen by hands unknown; and may safely be set down to the score of the Molly Maguires.

IV.

THEIR OUTRAGES IN FULL CAREER.

For six years after 1867 this career of crime continued unchecked, undetected, unpunished. Mr. Franklin B. Gowen, in his speech hereafter cited, tells of a murderous attack on one Claude White—of Ferguson, who was beaten almost to death—of Patrick Barry, who, living in the house by the tunnel, and attacked by a band of assassins, placed his wife and children in the centre of the house, sheltering them as best he could with mattresses and blankets, and then kept at bay a band of several hundred men till daylight, when they fled, leaving long tracks of blood in proof of his successful courage.

On the 17th of October, 1868, Alexander Rae, a mining superintendent, was shot to death and robbed in the public road near Centralia in Columbia County, while riding in his buggy. Several persons were arrested on strong suspicion, and the evidence of an accomplice was obtained, yet the first man placed on his trial at Bloomsburg, Feb. 2, 1869, by name Thomas Donahue, was acquitted by the jury, and the prosecution of the rest was, in consequence, abandoned. At a later date (1877) three of the murderers were brought to justice.

On the 15th of March, 1869, William H. Littlehales, superintendent of the Glen Carbon Coal Company, was killed upon the public road in Cass township, Schuylkill County, while returning from Pottsville to his home. He was a young man aged 31, clever and accomplished, very popular. This audacious crime excited general horror; public meetings were held, and a high reward offered; but, though many persons witnessed the deed, no evidence could be obtained leading to detect the assassins.

In 1870 a man named Burns was murdered near Pottsville, and nothing was discovered of the perpetrators.

In the early evening of December 2, 1871, was murdered Morgan Powell, assistant superintendent of the Lehigh and Wilkesbarre Coal and Iron Company at Summit Hill, Carbon County. One of three men, who had been seen by several waiting in the street, came behind Mr. Powell, and fired a pistol into his left breast, leaning over his shoulder for the purpose. The wounded man was carried back to the store

near which he had been standing by some of his friends and his son, Charles Powell, the latter then but fourteen years of age, and there remained all night. The next day he was removed to the residence of Morgan Price, where his death occurred in two days. Hardly had the smoke from the murderous pistol mingled with the air of that star-lit winter evening, when the assassins were discovered rapidly making their way from the scene of their savage deed toward the top of Plane No. 1. They were met by Allan John Morton and Lewis Richards, who were hurrying to the spot to learn what had caused the firing. Mr. Morton asked, as they stopped on the rigging-stand, what was the trouble, when one of the three strangers answered: "I guess a man has been shot!" One of this trio was described as a short person, wearing a soldier's overcoat, and the second also as being low in stature, but the third seemed taller, and had on a long black coat. Mr. Morton and his friend passed on, and the murderers started forward, taking the direction in which Mr. Powell had pointed when asked by Morrison which way the attacking party had gone. They paused but a moment, when confronted by Morton and Richards, and appeared to be surprised to see any one there. Mr. Morton thought he might identify the smaller individual should he see him again, as he was only four or five yards from him when he spoke. "I'm shot to death. My lower limbs have no feeling in them." was the exclamation of Mr. Powell when Williamson raised his head. Yet who had killed him no one could tell. They were strangers evidently, but where they had come from was an impenetrable mystery. One Patrick Kildea, however, who was thought to resemble the shorter man, was arrested and tried, but finally acquitted from lack of evidence to convict. Five years later several were brought to justice for this crime.

The murders thus selected for special notice are those of persons holding prominent offices in the district. But the following passage in the speech of Mr. Gowen before the Court assembled for the trial of a murderer in the year 1876, proves on sufficient authority that these cases are but a few samples taken from a long series of similar crimes. He says:

"These coal fields for twenty years, I may say, have been the theatre for the commission of crimes such as our very nature revolts at. This very organization that we are now, for the first time,

exposing to the light of day, has hung like a pall over the people of this county. Before it terror fled cowering to homes which afforded no sanctuary against the vengeance of their pursuers. Behind it stalked darkness and despair, brooding like grim shadows over the desolated hearth and the ruined home; and throughout the length and breadth of this fair land there was heard the voice of wailing and lamentation; 'of Rachel weeping for her children and refusing to be comforted, because they were not.' Nor is it alone those whose names I have mentioned—not alone the prominent, the upright and good artizan, whose remains have been interred with pious care in 'the tombs of his fathers,' but it is the hundreds of unknown victims whose bones lie mouldering over the face of this county. In hidden places and by silent paths, in the dark ravines of the mountains, and in secret ledges of the rocks, who shall say how many bodies of the victims of this Order now await the final trump of God,—and from those lonely sepulchres there will go up to the God who gave them the spirits of these murdered victims, to take their places among the innumerable throng of witnesses at the last day, and to confront with their presence the members of this ghastly tribunal, when their solemn accusation is read from the plain command of the Decalogue, 'Thou shalt not kill.'”

Mr. Gowen would surely not have ventured on such a statement as this in a Court of Justice if he had felt that it was capable of being contradicted. And no report of any speech in defence of prisoners on trial indicates that it ever was contradicted.

It may be observed here that the prime movers in this criminal conspiracy were prompted by several concurring motives, personal, religious and political. By terrorising the mining proprietors and companies of the coal district, and putting out of the way gradually the superintendents and overseers in their employment, they hoped to force themselves into the vacant situations, and while they held lucrative offices for their own part, to choose the labourers from the same order and faith, and so to make Irish Romanism the greatest, and, as far as possible, the exclusive political power in Eastern Pennsylvania. Meanwhile they had to keep in good humour the inferior and younger members, whose hot heads and strong hands they needed for the prompt execution of murderous and outrageous acts. With this view money was often paid for the performance of what in their slang was called “a clean job,” and their private enmities were adopted as public wrongs proper to be avenged by common

action. These enmities were not only personal, but also to a great extent, national. Major Allan Pinkerton says :

“The Molly Maguires were working in opposition to the Welsh, English and German miners. Their hatred of the English, especially, they had imbibed with their mother’s milk.”

Several of the murders recorded were, as will be seen, due to this national antagonism. All the foreign immigrants, except themselves, the Mollies called by the common hostile title of “Modocs,” and frays between them were frequent.

V.

THE PLAN FOR THEIR DETECTION.

It was in October, 1873, that the momentous step was taken, which led to the detection of this wicked conspiracy, and the punishment of its chief members. Mr. Gowen, who, as President of the Philadelphia and Reading Railway Company and of the Philadelphia Coal and Iron Company, had a deep interest in the question, sought an interview with Major Allan Pinkerton, of Chicago, who was head of the Detective Agency, established in that great city. The substance of their conversation is given in Major Pinkerton’s published volume, *The Mollie Maguires and the Detectives*, which will be occasionally quoted in my narrative.

After the opening courtesies, Mr. Gowen explained his business object thus :—

“The coal regions are infested by a desperate class of men, banded together for the worst purposes—called by some the Buckshots, by others the Molly Maguires—and they are doing sad mischief in the country. It is a secret organization, has its meetings in hidden and out-of-the-way places, and ever since my residence in Pottsville and my connexion with the criminal courts as District Attorney in the county of Schuylkill, I have felt sure that its members are guilty of almost all the murders and other deeds of outrage which, for many years, have been committed in the neighbourhood. I wish you to get a hold on this mysterious Order, find out its workings, expose its actions, and see if the laws of the State cannot again succeed in bringing criminals to justice. At present, whenever an assassination is perpetrated, and a trial

follows, a convenient *alibi* steps forward and secures the prisoner's acquittal. Laws thus fail of execution, sheriffs are powerless, and detectives are of as little value as the open police of the cities. Now, if you cannot disperse the murderous crew, or find us grounds upon which to base prosecutions, then I shall believe that my object will never be effected."

Mr. Gowen proceeded to give the following history of the Molly Maguires :—

"As far as we can learn, the society is of foreign birth, transplanted from Ireland to the United States some time within the last twenty years. It existed in the old country considerably earlier. Its members there were known sometimes as Ribbonmen and sometimes as Molly Maguires, but their modes of procedure were the same as those now pursued in the coal regions. Men were then, as now, killed—sometimes in broad daylight, sometimes at night, and invariably by strangers—persons at least unknown to chance spectators, or to the persons attacked. Suspected individuals would be apprehended, but in the end nobody could be found to identify the criminals. The Mollies rule our people with a rod of iron. They do this and make no sign. The voice is unheard, but the work is performed. Even the political action of the commonwealth is moulded by them, and in their particular field they elect or defeat whomsoever they please. They control in a measure the finances of the State. Men without moral principle dictate the principles of parties. In its ultimate results this mischief in Pennsylvania touches the interest of the whole State, nay of the Union itself. Wherever anthracite is used, the grip of this murderous fraternity is felt. Wherever in the United States iron is wrought, from Maine to Georgia, from ocean to ocean, wherever hard coal is used for fuel, there the Molly Maguire wields with deadly effect his two powerful levers secrecy, and combination. Men having their capital locked up in the coal-beds are obedient puppets in his hands. They have for some time seen that they are fast losing hold of that which by right should be their own to command. They think with some show of reason, that their money would have profited them as much had it been thrown to the fishes in the sea, or cast into the flames. Others, wishing to engage in mining operations, and possessing the capital and experience necessary, are driven away. They cannot entrust their hard-earned property to a venture which will be at the mercy of a fierce and sanguinary rabble and its wicked leaders. They seek other and less hazardous uses for their talents and their money. The whole population of the State feels the shock, and it is in due season communicated to the most distant parts in which anthracite is used and ores are reduced or smelted. What we want and everybody wants, is to get within this seemingly impenetrable ring; to show the hidden side of this cruel body, to probe to its core this festering

sore upon the body politic, which is rapidly gnawing into the vitals and sapping the life of the community. Crime must be punishable in the mountains of Pennsylvania, as it is in the agricultural parts, and in all well-regulated countries. We want to work our mines in peace, to run our passenger and freight trains without fear of sudden loss of life and property through the malicious acts of the Molly Maguires; we want people to sleep unthreatened, unmolested, in their beds, undisturbed by dread of midnight prowlers and cowardly assassins; we want the labouring men, of whatever creeds or nationalities, protected in their right to secure sustenance for their wives and little ones, unawed by menaces. We want the miner to go forth cheerfully to the slope or the shaft, for labour in the breast or in the gangway, without the fear that when he parts from his wife at the cottage-gate in the morning, it may be their last farewell on earth, and that by evening his bullet-riddled corpse may be taken back to his home as evidence that he has encountered the murderous agents of those who would compel him to refuse all employment unless the regulations of the Order are complied with. The State cannot achieve these things; she has repeatedly tried and tried in vain. You can do it. I have seen you tested on other occasions and in other matters, and know your ability to conduct such business; we are willing to supply everything within our power to make your task successful."

To this forcible appeal Major Pinkerton replied as follows:—

"I believe that it can be accomplished: but it is an arduous work. It is no ordinary man that is needed in this matter. He must be an Irishman and a Catholic, as none other can find admission to the Molly Maguires. My detective should become, to all intents and purposes, one of the Order, and continue so while he remains here. He should be hardy, tough, and capable of labouring in season and out of season, to accomplish, unknown to those about him, one great object. Meanwhile I must have a pledge that, whomsoever I may dispatch upon this errand, he shall not through you become known to any person as a detective. This must be strictly avoided. If possible, you should shut your eyes to the fact that I have a man of my Agency working in the mining country. If you can do so consistently, it might as well be given out to everybody interested, that the idea of circumventing the Mollies through detectives, if ever thought of, has been abandoned as hopeless. Take the further precaution that my name, and the names of my agents, do not appear upon any of your books. Keep my reports in your own custody. I must also ask, that no person in my employ—unless the circumstances are greatly changed and I permit it—shall ever be required to appear and give testimony upon the witness stand."

Mr. Gowen replied :—

“To all this I willingly consent. I see how necessary it is. As I said before, we will do anything in our power, within the bounds of reason, to aid you and protect your detectives.”

So they parted.

Major Pinkerton confides to his readers the thoughts which occupied his mind after accepting Mr. Gowen's proposal. Could he find among his staff a man uniting all the conditions requisite for a mission of such delicacy, difficulty and peril? Could he find a Catholic Irishman, who, once initiated into this oath-bound Order, would remain true to his heretic employer? one who could morally and physically make, as it were, a new man of himself, carry his life in his hands, pursue a course of action directed against those who were bound to him by ties of nationality and religion? place himself for months, perhaps for years, in antagonism to the Church which he had been taught from infancy to revere? It was indeed understood, that secret societies fell under the ban of the Church, and that Dr. Wood, Catholic Archbishop of Philadelphia, had excommunicated the Molly Maguires. Still it was known to Major Pinkerton, as he tells us, that the priesthood, if they did not openly countenance that Order, said little against it.) At the same time he says they were unanimous in expressing abhorrence of the violent acts attributed to its members. As to the attitude of the priests, I do not doubt that most of them would dissuade from crime both publicly and privately; but a careful study of history, past and present, forbids me to believe that any would be found willing to assist in detecting Catholic criminals, and delivering them to justice.

VI.

THE MAN FOR THE WORK IS CHOSEN AND SENT.

Major Pinkerton thus describes his chosen agent :—

James McParlan was born in the province of Ulster, County Armagh, Parish of Mullabrack, Ireland, in 1844; consequently at the date mentioned he was in his twenty-ninth year. His father

and mother were living. He had been a member of the detective force for about a year. He came to America in 1867, having previously been employed in chemical works at Gateshead, County Durham, England, and subsequently, in the same capacity, at Wallsend, England. The first place he filled after landing at New York, was that of second clerk in a small grocery house on Ninth Avenue in that city. At a later time he became salesman for a country dealer in drygoods, named Cummings, at Medina, Orleans County, in the same State. His salary was small, and not punctually paid; so after a short experience, he resigned, and moved westward. Reaching Buffalo, he staid there but a few days, and then came to Chicago. After filling different situations, he applied for and obtained employment in Major Pinkerton's force.

Of medium height, a slim but wiry figure, well knit together; a clear hazel eye; hair of an auburn colour, inclining to 'sandy;' a forehead high, full, and well rounded; florid complexion, regular features, with beard and moustache a little darker than his hair, there was no mistaking McParlan's nativity, even had not a slight accent betrayed his Irish origin. He was passably educated, and had beheld and brushed against a considerable portion of the New World during the short time he had been in it. At Chicago he had gained a reputation for honesty, tact and industry in the performance of difficult duties, which made him a great favourite in the office.

McParlan, clad in his ordinary but cleanly citizen's attire, entered the private office of the Agency, and was invited to take a seat. The conference which immediately followed was long and confidential, but particulars need not be given here. Suffice it that in James McParlan was recognized the very person to whom could safely be intrusted the campaign in Pennsylvania. (While he was not left in the dark as to the dangers to be encountered, he made known his desire to assume the part, and said he would experience pleasure in being sent where he could be of use to the country.)

His disguise and journey to the coal district are described as follows :—

When the young man glanced at his figure, as reflected in a mirror, he found it difficult to believe he was really himself and not some wild vagabond who had usurped his place. The transformation was complete. He beheld in the glass a man about his height and proportions, his head covered by an old, dilapidated and dirty slouch hat, with plentiful space for his cutty-pipe in its narrow, faded band; a grayish coat of coarse materials, which had, from appearances, seen service in a coal-bin, and, while never very fine in make or fashion, was considerably the worse about the cuffs and skirts, both being frayed out to raggedness, from rough usage by its former owner. The vest was originally black, but the dye was washed away, and with it had fled the surface of the cloth and

most of the worsted binding in the region of the pockets. The pantaloons, of brown woollen stuff, were whole, but too large for him in the body, and strapped tight at the waist with a leather belt, which, from its yellowish and broken condition, might have been a former bell-thong off some farmer's cow after exposure to wear and weather for a series of years. The bosom of a heavy-gray shirt was seen beneath the waistcoat, and exhibited no vestige of a collar; but a substitute was formed by a red yarn cravat, or knitted comforter, drawn closely around the wearer's neck and tied in a sailor's knot. The under garment had that which ordinary shirts are seldom supplied with—a pocket, at the left inner side, for tobacco. His boots were of the hob-nailed, high-topped style, and in their capacious legs easily rested the bottoms of the pantaloons. With face unshaven for a week or ten days, and hair quite dry and straggling, from want of proper attention, it is probable that McParlan's mother, had she been present, would have refused him recognition. He could only be convinced that he was himself by reference to his voice, which sounded familiar to the ear. In his satchels, ready packed, were supplies of writing paper, envelopes, stamps, &c.; also a suit of clothes a little better than that upon his person, for occasional Sunday wear. Razor and strop he had none. Their absence was no loss, however, as he did not propose shaving his face until circumstances might call for the resumption of his natural character.

On Monday, the 27th of October, 1873, James McParlan, thus attired and accoutred, his heart hopeful for the future, appeared at the Callowhill street depot of the Philadelphia and Reading Railway, and after purchasing a ticket for Port Clinton, depositing his two valises—which bore every outward evidence of having seen much tough usage and extended travel in domestic and foreign parts—on the seat beside himself, in the smoking car of the afternoon train, he set out upon his voyage of discovery to the stronghold of the Molly Maguires. He was James McParlan no longer—but James McKenna—such being his newly assumed name.

Major Pinkerton's volume details minutely, and in a lively style, to suit public taste, the life and adventures of McParlan during his residence of two years and a half among the Molly Maguires, passing as one of their Society under the name of James McKenna. (My purpose is to exhibit the material facts in the history of the Molly Maguires; and these will be found authentically detailed in McParlan's evidence given when in 1876 he appeared as a witness on the trial of John Kehoe and others for a conspiracy to murder William M. Thomas.

McParlan reached Schuylkill County at Port Clinton, 78

miles from Philadelphia; and after examining carefully the localities of the district, their relative positions, and means of access to each other, finally took up his residence in the house of one Cooney at Shenandoah, as the town which gave him the best opportunities of becoming acquainted with the most numerous and most active Molly Maguires, and of observing the plans and movements of the Society. Here he was soon initiated as a member of the Order of Ancient Hibernians in due form by Michael (otherwise Muff) Lawlor, then Body-Master of the Shenandoah division, in the presence of four other members. He was afterwards elected Secretary of the Shenandoah division, and in that capacity was enabled to attend the various division and convention meetings, and so to gain an intimate knowledge of the proceedings of the Society in Pennsylvania. During his whole residence he made daily reports, unless unavoidably prevented, to Superintendent Franklin, of Philadelphia, a confidential officer of the Pinkerton agency. He gave notice of intended crimes as often as he could, with a view to their prevention, sometimes successfully, but not always; for some crimes were committed which he knew of but could not hinder without exciting suspicions ruinous to the prospect of detection and dangerous to his own life.

The lawyers afterwards employed to defend the criminals brought to trial urged as a strong point in the defence, that McKenna (*i.e.* McParlan) fomented mischief, and caused crimes to be perpetrated which led to the arrest and punishment of his companions. But this imputation is false. He (says Major Pinkerton) was always instructed to avoid prompting outrage; and he obeyed his orders faithfully. The truth is, he entered the stronghold of a gang of assassins, and, in spite of his presence, they succeeded in committing some murders. He could not stop them.

VII.

THE CAREER OF CRIME CONTINUED.

In the course of the year 1874 many murders were perpetrated by the confederacy, and often outrages hardly less cruel. Some of these I will now relate:

A strike was going on in November of that year, and want of work made the Mollies active. At Mahanoy city a broil arose between them and the Modocs October 31, in the course of which the Chief Burgess or Mayor, George Major, was mortally wounded. A Molly named Dan Dougherty was reported to have shot him. This person had himself received a severe wound.

The Chief Burgess died on the 3rd of November, and Dougherty was removed to Pottsville, where, on his recovery, he was tried and acquitted.

The strike continued. Disaffection and desertion of works spread over the anthracite region. It was the intention of the Mollies and the Miners' and Labourers' Association that work should entirely cease. To this end those men who desired to labour for the support of their families were notified. If they failed to stop, they were beaten or assassinated, and the hand that executed the deed was known only to the Molly Maguires.

On the eighteenth of November McKenna obtained information that a number of outrages had occurred the preceding Saturday—denominated by the *Miners' Journal*, of Pottsville, as "a horrible day."

In the first instance a man named Pat Padden was discovered in the streets of Carbondale, dead, with two bullet holes in his skull.

Secondly, Michael McNally was mysteriously murdered in the same locality, and found with his throat cut from ear to ear, and body otherwise mutilated.

In another part of the county a man, of name unknown, was found by some farmers, nearly dead, in a painful predicament. It seems he had refused to give heed to the notices of the Mollies. He was one night taken from his home, carried to the mountains, and thence to a deep morass surrounded with high trees and fallen timber. There the inhuman monsters prepared to leave him to die a slow death by starvation. Iron spikes were driven through his coat sleeves, tight to the wrist, the man lying upon his back along a solid pine log, the arms bent backward so as to form the shape of a cross; then his feet were similarly pinned to the log with the strongest nails. Making sure, as they supposed, that there was no possibility of escape, the Mollies deserted

the place, first having put a gag in his mouth, which they thought he would be unable to remove. For nearly three days and two nights their victim remained thus secured, praying, at last, for death to relieve him from the tortures of hunger and thirst and the dreaded attacks of stinging insects and fierce wild animals. Happily he at last succeeded in releasing the gag, the block of wood fell out, and he made the air resound, about noon of the third day, with loud and repeated shouts for aid, which were heard by two German woodmen, who at once sought out the cause of the noise. They soon found the man, relieved him, and gave him, sparingly at first, food from their well-stored lunch pails. Water was also procured, and in a few hours the victim of the Mollies found himself strong enough to be removed. For some weeks he was a raving maniac and could not tell who he was, whence he came, or the cause of his punishment. When his senses returned he possessed no knowledge of the parties who had perpetrated the outrage. He migrated from the coal mines as soon as possible, and said he "would rather starve in a civilized community than fare sumptuously in a place inhabited by brutes in human form."

A mining boss, name not heard, but connected with the Erie Breaker, was set upon, beaten, and left for dead, with one of his arms broken.

One Michael Kenny, not a Molly Maguire, was murdered at Scranton, Luzerne County, and his mangled remains thrown down a steep embankment, where it was supposed they would for ever remain undiscovered, but accident revealed their hiding-place. The assassins were not known.

The men at Carbondale were nearly all Irish and Welsh, the former mostly Mollies, and there were no members of the Sheet Irons supposed to be in the neighbourhood.

The miners still refused any reduction from the basis on which they were labouring when the strike was inaugurated. Some were working, but all expected to suspend by the beginning of the new year.

An event which made the detective's very blood boil, and still one in which he could not interfere, furnishes the cap chief of this array of horrors. It occurred at Fowler's Patch, east of Shenandoah, a little later in the month, and the actors in it were members of McKenna's own division. They were

out on a spree until four in the morning, when they went to the house of a poor old woman named Downey, who kept a shebeen shop, roused her from her sleep, and, after drinking, robbed her of her money—which was but a small sum—and then forced her to join them in finishing their orgies. They were finally all very drunk, and Kelly took a pail and proceeded to fill it from the landlady's whisky barrel, which sat in a corner across two large rocks, and the woman interfered. Kelly, at this, had his fiercest passions aroused, and, fired by the liquor, was ready for anything. The woman still resisting, he raised her in his arms, being a muscular and powerful man, carried her bodily to the almost red-hot stove and threw her upon it, face downward, and was holding her there, despite her frantic struggles and loud cries, to be roasted and burned to death, when Hayes came to the rescue, struck Kelly under the ear, knocked him down; and liberated the badly injured old woman. Her hands and face were shriveled, broiled in deep large patches, and there is no doubt that had she not been taken off the stove by Hayes, she would have been killed. As it was, she had to remain in bed, and for weeks was not able to sit up. Still no arrests were made.

VIII.

CRIMES PLANNED UNDER THE DETECTIVE'S EYE.

In April, 1875, the National Detective Agency placed a police force in Schuylkill County to protect the mines. This force was commanded by a shrewd and determined officer, Captain Linden, acquainted with McParlan, and acting in concert with him, so far as it was safe to do so. Their communications were conducted with the most careful secrecy, and many artful devices were employed to elude suspicion, nor did any arise before February, 1876.

The most influential Molly Maguire in Schuylkill County was one John Kehoe, a thriving publican of Girardville. In this year he was elected High Constable of that borough, and naturally made use of his position to favour his fellow-conspirators and injure the Modocs in every way that he could.

I now proceed to relate a series of crimes projected and partly committed by the Mollies, but happily resulting in their own detection and destruction.

Among the Modocs of Shenandoah was a brave young Welshman, named Gomer James, who had often been engaged in frays with the Mollies, and had incurred their deadly hatred. They were resolved to take his life, and formed various plots for that purpose, which on several occasions were only frustrated by lucky accidents. As the conversation of the Irish turned so often on this subject, with complete unanimity and inveteracy, McKenna was compelled to feign the utmost sympathy with their hostile feelings, and a willingness to promote and share their murderous plans. He managed however to convey to James a notice of his danger, which induced the young man to absent himself for a time from the neighbourhood. Unhappily his daring temper led him ere long to return, by which act of rashness he lost his life before any step could be taken to save it.

In my last letter I mentioned to you that a fray between the Mollies and Modocs which occurred at Mahanoy City in October, 1874, the Chief Burgess there, George Major, was killed by a shot from an unknown hand, that suspicion fell on a Molly named Dougherty, who was himself wounded in the fray, and that on his recovery, Dougherty was tried and acquitted at Pottsville. The brothers of the deceased seem to have been assured of his guilt, and, having been fired at, he went in fear of his life, and laid a complaint before John Kehoe, the County Delegate of the Ancient Hibernians. Accordingly, for this question among others, that person summoned a convention to meet on the 1st of June, 1875, at the Emerald House, kept by Michael Clark, in Mahanoy City. There at half-past ten in the forenoon seated around a large table, were John Kehoe, County Delegate of Schuylkill Chris. Donnelly, of Mt. Laffee, County treasurer; Wm. Gavin, of Big Mine Run, County secretary; John Donahue *alias* "Yellow Jack," Bodymaster of Tuscarora; Dennis F. Canning, County delegate of Northumberland, residing at Locust Gap; Wm. Gomerly, Bodymaster of St. Nicholas; James Roarity, Bodymaster of Coaldale; Mike O'Brien, Bodymaster at Mahanoy City, with his secretary, Francis McHugh, and James McKenna, representing Shenandoah division. In the bar below there were other Mollies, and

with them James Kerrigan, Bodymaster of Tamaqua division. Kehoe sat in the place of authority, made the opening prayer, and organized the meeting. He then delivered a brief speech, saying that he supposed all were acquainted with the object of the convention, and without further explanation, appointed a committee of two to bring Dan Dougherty before the meeting. This was done, and Dan came in. He was a well-favoured young Irishman, with dark hair and moustache, eyes of the same colour, nose straight, face rather full, and cheeks red and healthful, despite the wounds he had received from Major, and the dread he appeared to be in of the relatives of the deceased Chief Burgess, and of Bully Bill. Dougherty was a miner by occupation, dressed well, and had the reputation of being ordinarily a sober man. Of about medium height and weight, his physique did honour to his twenty-four years. What followed I take from Major Pinkerton.

"Dan, show us your coat," said Kehoe.

Dougherty obeyed, and, removing the garment, exhibited bullet holes perforating the cloth in two or three places.

"Who do ye think did it?" queried the County Delegate.

"I belave it was Jesse Major, but I couldn't swear to him on the book."

"Didn't the police try to catch him?"

"No! An' there was an officer not four yards from the man at the time. I ax'd him why. 'Sure, and I'd be shot down in me tracks if I raised a hand,' said he, an' he went off about his business as if nothin' had happened."

This caused a buzz, evidently of anger, to pass around the table.

"What men do ye think are at the head of all the late troubles in this city?" asked Kehoe, who had remained standing from the time that Dougherty entered the apartment.

"The which? Who is it? Faith, an I can think of no one exceptin' Jesse and James Major, an' Bully Bill. If the toes of these three were turned up, there'd be peaceable times in Mahanoy."

"That'll do," said Kehoe. "You may retire."

Dougherty cast a searching glance around the board, seemed satisfied, put on his coat, and left the chamber.

For a moment after the closing of the door silence reigned in the inquisition-room, and the inquisitors said not a word.

Chris. Donnelly was the first to speak :

"These things are getting altogether too bad. Last night the train coming from Pottsville, by way of Tamaqua, was searched by

Jesse and Wm. Major, and a number of others, all armed, and the company allowed it without a word. I suppose it is because the Majors hire a big vein. I think we must put a stop to such goings on."

Kehoe resumed his seat, placed his elbows on the table, rested his hatchet-face on his two hands, and awaited developments.

"For one," resumed Donnelly, who had not left his chair while speaking, "I'll get two good men, an' go myself, and have the Majors' business at once attended to."

Here Jack Donahue—"Yellow Jack"—stood on his feet, and remarked :

"We, of this side the mountain, are thankful to ye of the part beyant the mountain; but we can attend to the affair at present. You, Donnelly, nade not move just yet. Afther Sunday, if we need you, I'll send word by a man to Pottsville, an' tell you what's to be done."

Kehoe, after some more talk, appointed Mike O'Brien and James McKenna a committee to see what should be done with Wm. M. Thomas.

The detective brazened it out, and expressed a willingness to attend to his duty, at the same time suggesting that counsel from older heads would be in order. O'Brien tacitly deferred management of this portion of the business to McKenna, which was satisfactory to the agent, as it ran through his mind that, if permitted to hold the helm all through, Bill Thomas would not be in any especial danger of losing his life.

"I'm in favour of shootin' Bully Bill, bowldly right on the strate, in open daylight," exclaimed Kehoe.

O'Brien hinted that such a course would be sure to get the boys into a scrape, and added :

"Bill can best be taken on the road home to Shoemaker's Patch. Then he can be dropped, an' the men make sure their escape."

"Yes, that is the best plan," here put in Dennis Canning, the Northumberland delegate, who had previously said little. He was a gentlemanly-looking person, showing nothing in his face to indicate a sanguinary disposition. Yet he took part in the cold-blooded proceedings of the convention without a chill passing over him, and seemed as much interested in the murder of Thomas as the others.

"Let it be so, then," resumed the King of all the Mollies, in Schuylkill, and he lifted his bearded chin from his thin hands, and looked sharply over at McKenna.

"To you an' your division, Jim McKenna, I lave the picking out of four or five good men, safe to be intrusted with such a difficult

matther. Jist notify the division to come together an' select 'em, an' have 'em eome over an' report to Mike O'Brien, here, who will find 'em a boardin'-place, payin' for their kapin' out of the county fund. Let them not be later than Saturday afternoon. If they ean't make their point on Bully Bill in three days, you relave them and sind over fresh fellows, an' kape it up until the work be done. O'Brien will appoint those to lead the Shenandoah boys up to Bill, an' ingineer the business through. Fail they must not. If they do, let them beware the power of the Order. If Shenandoah ean't succeed, Roarity must sind men, an' all the rest in turn, until the Modocs cry enough."

The Shenandoah Secretary made known his acceptance of the charge, and said he would see the division notified and convened.

Canning inquired if any men were wanted from his part of the State, but Donnelly replied :

"No, the job is a small one, and we ean attend to it ourselves."

At first, and before the convention was called to order, the presenee of the young man, Frank McHugh, had been objected to, but O'Brien said he was his Secretary, and insisted he should remain. Subsequently McHugh, a tall, very juvenile personage, with sandy hair and blue eyes—a mere boy in point of faet—was dircteted to act as Secretary, and fabricate a record of proceedings which would show to outsiders, should chance reveal the faet of a meeting being held, transaaction of business on some entirely different matter than the murder of Thomas and the Majors.

Then, all having been arranged, the Mollies adjourned to dinner, of which they partook in Clark's dining-room below.

Kehoe enjoyed his food, and remarked to McKenna, in a low voice, "I think the reign of the Modocs is eomin' to an end, and Irishmen will soon have law in Mahanoy City as in other parts of the State."

IX.

ATTEMPTED MURDER OF W. M. THOMAS.

McKenna consequently found himself chosen to be one of four Mollies, for the murder of W. M. Thomas *alias* Bully Bill. He contrived, however, after reaching Mahanoy City, to convince his comrades, or rather to get them convinced, that the enterprise was too dangerous at that time, owing to the number of soldiers in the city, and so it was deferred for

another opportunity, and the delegates returned to Shenandoah. This was on the fifth of June. Immediately afterwards, McKenna sickened of intermittent fever, and was under the care of a man nurse named Carey. During this illness he found that the attack on Thomas was to be renewed, and that his place was to be supplied by Gibbons, another Molly. As his nurse refused to leave him, he was prevented from writing any warning notice.

When McKenna saw the four on their return next morning, the following account was given :—

Tom Hurley was the first to talk of the murder. In answer to McKenna's query, he said, in substance :

“ Oh, Bully Bill's safe enough for the coroner by this time. When we got to Mahanoy City we went direct to Mike O'Brien's house, as told by Frank McAndrew, an' Mike took us to Mrs. Costello's, where he got us some whisky and somethin' to eat, and a bottle of the raal stuff to take wid us, an' about daylight, with his directions, we started for the Patch, where Thomas lived. We went and sat by the drift-mouth, an' watehed Thomas' house until he came out and went up to the colliery stable, the big doors of which were sprung wide open. After he had been in awhile, an' talked wid the stable boss, an' the boss had left, we jist walked slowly up to the place. I stepped into the side door of the stable, through the blacksmith's shop, an' Gibbons in the other, an' blazed away at him, as he stood, wid one hand on a horse's mane. The fellow was game to the last. He had no weapon, but he jist threw his black hat in my face, an' then, after bein' hit three or four times, ran behind the horses. I fired again, an' he was worse hit, an' rather staggered. After that, Gibbons and Doyle sent him three or four, an' he fell, so did wan of the horses, an' then John Morris, he came up, put in his pistol, and fired the last shot. Bully Bill never said wan word afther that, but lay quiet like, partly under the horse that was down. I have an idea that Bill Thomas won't shoot any more of us in this world. He's surely done for.”

The conversation was continued by the other men. John Morris said that Doyle put in his shots like a man, but Gibbons turned as pale as a sheet of paper. In turn Hurley and Doyle asserted that John Morris had shaken so with fear, when aiming at Thomas, that he shot and severely injured a second dumb beast. Each one made his statement, but the several relations were to the same general effect, that Thomas had been killed that morning at the colliery stable in Shoemaker's Patch. Thomas, however, though sorely wounded, was not killed. He lived to give evidence against the criminals.

Captain Linden visiting Shoemaker's Patch, when informed of the attempt upon the life of Wm. M. Thomas, met the injured man, ornamented with plasters and bolstered up in bed, loudly proclaiming he was quite well enough to resume his daily work, and that he should do so on the morrow, despite the advance of an army of surgeons and nurses. Considering that he had received four serious gunshot wounds, one disabling the fingers of his right hand, two in the neck, and one penetrating the chest, Linden thought this rather rash talk, and endeavoured to curb him. It was no use. The madcap said he would kill anybody who tried to prevent his going out the next day. And, in defiance of all the laws of surgery, he did walk to the stables the second morning after the shooting. One of the bullets, hitting him in the neck, had passed through muscular fibre and cuticle, missing by only half an inch the inner jugular vein and carotid artery, and, should the coats of any of these large blood-courses slough away, his death would be certain and speedy. Without awaiting this crisis, and with the first plasters still on the hurts, the reckless man resumed his job in the stables. Fortunately the injuries continued healthy, rapidly healed, and in a few weeks Thomas was just as strong as ever.

Linden sought to learn all the particulars of the assault, concealing the knowledge he had already received, and therefore questioned Thomas closely. In answer to the question:

“Do you know any of your assailants?”

Thomas said “No, but I shall know some of them if ever I see them again. A feller generally recollects the faces of them what pulls a pistol and shoves it inter his face. Leastways, I do. There was but four of 'em, I'm sure of that. I saw 'em before they got nigh the stable, as they were sitting near the drift-mouth, but thought nothing of it. It was no new thing to find men there, and even strangers. I had been talkin' a bit with the stable boss, when I again saw the fellows, this time coming toward the stable. Still I had no suspicion of their purpose. The next thing I recollect was a youngster sticking a bright seven-shooter in my face. I went fur him, and seized the pistol with my hand. It was discharged as I caught it. I let go, and shied my hat in his face, and just afterward another of the party came up and fired at me. After that two more came and followed suit, when I thought it time to get shelter, so I went behind a horse, and they fired and hit the horse, and he fell, and I went down with one leg sorter under him, an' they looked in an' saw me, as they thought,

dying—but I'll let them know I'm good for the lives of some of them yet,—an' left the place. It was about half-past six in the morning—just nigh sun-up, an' I could see them as plain as I can see you. Of course I'd know the first one that shot, and I believe I'd recognise the rest."

Linden tried to convince the wounded man that it was as much as his life was worth to venture out until the result of his hurts could be definitely ascertained, but made no impression upon the stubborn fellow. Seeing that this would not succeed, the officer tried another tack, and found Bill ready and willing to second his efforts in hunting up and arresting the would-be assassins.

"Now, Thomas, if you will not obey me, or your friends and the physician, I do hope you will bear in mind what I say in another direction."

"What is it?" asked he, sullenly.

"I want a promise that, if any one asks who shot you, the answer shall be, 'I don't know.'"

"Neither do I—so that'll be no lie."

"Well, if people inquire what the four men were like, say for the present, that there was so much smoke you could not distinguish their faces or figures."

"I'll do it, Captain," responded Bill, with an oath and a groan. "I'll do it; but what is it for? That's what I want to know."

"I'll tell you. If these Mollies hear that you cannot recall their appearance—in fact, would not know them if they were to come before you—they will be emboldened to remain in the neighbourhood. In the meantime I can be on the look-out, and you may rest assured, if I once lay hands on them, they'll be put in a safe place, where you can come and identify them. I have your description of the parties, and do not think I will be long in running them down, if I have your word."

"Yes, Captain! I'll promise to be straight out in the business, if you think it'll help in bringing them to jail. I do hope to see the day when the scoundrels will suffer for the deed."

"They will be arrested, you may be sure, when found."

Once more impressing upon Thomas' mind the necessity for silence and caution, Linden left the house and the same day returned to Shenandoah.

Wm. M. Thomas was of Welsh descent, and his real name was Willmad Frank, but he was generally known as Wm. M. Thomas, or "Bully Bill." Why people persisted in

calling him by the latter coarse title, he told Linden, he had no knowledge. He did not particularly delight in the *alias*, yet it was quite appropriate, in slang parlance, being founded upon his daring and reckless personal character. His father's name was Frank. That should have been his own, but he was everywhere called Thomas.

When the Mollies heard that Bill was not dead, after all, they were enraged. It was not policy for them to vent their wrathful feelings in the presence of strangers, but in their own circle they were loud in their denunciations of Hurley, Gibbons, Doyle, and Morris, as foolish bunglers, who had not the nerve to face "Bully Bill."

X.

MURDER OF B. F. YOST, AT TAMAQUA.

It was now arranged that Gomer James should be shot on the fifth of July, when a night pic-nic was to be held in the neighbourhood of Shenandoah. This plan, however, as well as a designed assassination of the two Majors, McKenna contrived to baffle, by the aid of Captain Linden.

But on that same Monday, the fifth of July, a cruel murder was perpetrated in the City of Tamaqua.

The police, at that time, consisted of only two men, Benjamin F. Yost and Barney McCarron, the former a German, the latter of Irish descent, and they were expected, in addition to regular patrol service, to light and extinguish the gas lamps in the principal streets. Yost had experienced considerable trouble with the Mollies, at the head of whom was one James Kerrigan, the Bodymaster; he had arrested the latter for drunkenness on several occasions. McCarron came in for his share of ill-will, but, from his German parentage, Yost was peculiarly disliked. Several times had he been threatened with violence, but, being a fearless man, an old soldier, and veteran of many battles, the policeman laughed at danger, and went on in the performance of his duty. McCarron was also menaced.

Soon after midnight of the 5th McCarron and Yost, passing Carroll's saloon, noted that the place was still open, and went into an hotel, where they met and drank with Kerrigan, a small, round-faced little Irishman, and a miner, but then out of employment. Subsequently they moved to the westward, on Broad Street, extinguishing the lamps in their way. Soon their task was almost done, and before two o'clock in the morning, the policeman turned toward Yost's residence, near the corner of Broad and Lehigh Streets, to take refreshments. They had not put out all the lamps, but it was customary to have some refreshment before ending the last half of the patrol, during which the city would be in utter darkness, unless the moon shone, which it did not. On this occasion they opened Yost's front gate, passed to a rear door, used a latch key, went into the house, and found a simple repast ready for them, Mrs. Yost having long since retired. Having satisfied their appetites and taken some repose, they went back to the street, prepared to turn off more lights. Hearing the noise below, Mrs. Yost was awakened, arose, the night being warm, and sat by an open front window, sending a loving word and look to her husband, as he and his companion advanced to perform their duty. It was a few minutes after two o'clock when she saw Yost go toward the lamp at the corner, place the ladder against its iron post, lightly ascend two steps, extending his arm to shut off the gas. But his hand never reached the base of the lamp. The woman beheld two rapidly succeeding and alarming flashes of light, instantly followed by two loud reports, and her husband fell, his face still turned toward her, lighted up by the rays slanting down from the still blazing gas jet. That was all her eyes saw. That was enough. She ran madly down the stairs, thinly clad as she was, and into the street, through the front door, beyond the gate, and met the wounded man, staggering and weak with loss of blood, clinging to the fence, and looking toward his once happy home.

She ran very fast, but before it was possible to reach him he came down upon the pavement, blood spurted from his mouth, and he was, for a few minutes, unconscious.

"My God, Ben, what is it?"

The wounded policeman threw his arms forward to her and said, faintly: "Sis, give me a kiss; I'm shot, and I have to die."

Meantime where was Barney McCarron ?

Not hearing Yost's familiar footsteps, McCarron looked backward over his shoulder, at the very second of time that Mrs. Yost was gazing in the same direction. He heard the two pistol shots, saw the quick following flashes, and knew that Yost was hit, as he dropped heavily to the earth. Two dark figures had left the shadow cast by trees near the fence, walked to within a few yards of the policemen, discharged their weapons and started on a brisk run toward the cemetery. McCarron immediately set out in pursuit. Gaining somewhat upon the assassins, when near a clump of bushes, he fired two shots after them, and the men paused long enough to return the fire without effect, and in a second resumed their retreat. He could merely see, as they stood in the lamp-light, that one was a large man and the other somewhat smaller. It was useless to go further alone. Hastening at once to his wounded comrade, he aided some neighbours to convey him into the house that they had so recently left. There Yost was placed on a sofa and a surgeon sent for, who declared that no human skill could avail anything. The end must come.

Mrs. Yost heard the sentence, and burst into passionate weeping, clasping the fast-paling face of her dying husband in her two hands, and kissing his livid lips as if her caresses might renew his short lease of life.

“Do you understand?” said the surgeon. “You are sure to leave us in a very short time—possibly in one moment. Tell me, before it is too late, all you know of your murderers.” He could only say he believed them to be Irish.

At a little past nine o'clock on the morning of the 6th of June, 1875, seven hours subsequent to receiving his wound, Benj. F. Yost breathed his last breath on earth, and one of the most cruel murders of all the great number perpetrated by the Molly Maguires was completed. It was even then implicitly believed to have been the work of the order, as, outside its blood-stained ring, Yost had not an enemy. The fact, also commonly believed, that the assassins were strangers in the borough, or at least not residents in it, gave colour to this supposition.

B. F. Yost was 33 years of age, and universally respected in Tamàqua, his widow being not the only one that shed bitter tears over his untimely taking off. Hundreds of men

and women in the city, who knew his brave, frank, and honest heart, and remembered the warm, firm grasp of his strong hand, felt that they could mingle their tears with those of the wife left wholly bereaved and desolate by the bullet of the cowardly assassin. Some of these thought that erime had now gone its length, and it was time its course was ended.

MeParlan now resolved to make every possible effort to ascertain Yost's murderers, and to get evidence enough to convict them. He went to Tamaqua, and availing himself of his position as a known and trusted member of the Society, he gradually learnt the names of the planners and perpetrators, gaining materials sufficient to ensure conviction. The persons implicated were Alexander Campbell of Storm Hill, James Kerrigan and James Carroll of Tamaqua, James Roarity of Coaldale, James Boyle and Hugh McGeehan of Summit Hill, the last-named being the man who fired the fatal shot. MeParlan afterwards had an account of the erime from his own mouth :—

“Ye see, we came to do the job in this way. Kerrigan an' Campbell, they had a trade between them, an' I an' Boyle was to go along, so was Roarity, who started on ahead. Kerrigan agreed to get the pistols for us. When we—Boyle and I—got over to Campbell's, we heard a messenger had been there before us, comin' from Roarity's house, wid a word sayin' as how Roarity's wife was taken sick, an' for him to go straight for the doctor; Roarity did so, but sent forward his pistol to represent him, to Carroll's house, where we were told to meet. When we reached Carroll's, sure an' Roarity's black pistol wor the only serviceable weapon in the whole company, an' Jim Carroll, he gave us a little, old, breech-loading single-barrel affair, which was of no account. I took the big shooter, an' gave the other to Boyle, after Kerrigan had been out to try an' borrow another, an' returned empty-handed. An' I told Boyle, if he wakened, upon gettin' up to Yost, an' stirred a foot in retrate, I'd shoot him down too. Kerrigan then went up Broad Street an' put us in our plaeces, near the fence, in the shadow of some trees, an' after that went down town, saw the policemen together, and took a sip o' whisky wid Yost—more'n I'd ha' done in such a case—when he jist come back to us by a winding route, sayin' all wor right, an' the men would be up by midnight, or a little later. They had to put out two lamps near by. One would be taken by Yost to ouden, and the other by McCarron. It wor nearly two o'clock when they came, both together, which wor very different from our expectations. But they eame. Kerrigan wanted to be there, armed wid two rocks in his hands, to bate out Yost's

brains, in case the pistols failed, but I ordered him away, and made him stand fifty yards off, rightly thinkin' he wor too noticeeable, from his small size, an' if any one saw him he would be known an' remembered. Then the thing wor done: Roarity's pistol did it! It's all nonsense to say McCarron did not give chase, fur he did, an' fired two shots at us, which I returned, an' then we ran away, Kerrigan, the rat, along wid us! But I made him lave when we came out at Breslin's White Bear tavern, an' I would have been much better plazed had he remained away an' left us to find our route by ourselves."

XI.

MURDERS OF GWYTHYR AND GOMER JAMES.

During McParlan's visit to Tamaqua two crimes were committed. The first was at Girardville, Saturday, August 14th, where Hoary, at the head of a gang of ruffians, struck and maltreated Mr. Sheisler. Justice Gwyther was sitting in the room at the time, and to him Sheisler applied for a warrant. Wendel put Hoary and party out, and then let the Justice and the complainant out by the back way. They went to the office, and he had begun to write out a warrant for Hoary's arrest, when that fellow and his gang entered the office, threatening to kill both the Justice and the plaintiff if the warrant should be issued. They were got out and the door locked. The warrant was prepared, and the Squire stepped out to look for Hoary. He was standing near his own door at the corner, when he saw a man a few yards off with a levelled gun. His daughter saw the same man, and cried out, "For God's sake, don't shoot father." Almost immediately the gun was fired, the contents taking effect in the breast of the Justice, and in a short while causing death. The assassin fled and escaped. A man named Thos. Love was arrested on suspicion, but he proved an *alibi* and was released. Subsequently it was ascertained that the assassin was Wm. Love, who is missing.

At Shenandoah a cool and premeditated murder was committed the same night. The motive of this assassination is to be sought in the past. In 1873 a Welshman, named Tom

Jones, was assaulted, knocked down and beaten by one Edward Cosgrove, in Shenandoah. Jones' friends ran to his rescue, and among them a young fellow called Gomer James, a Welsh miner. In the trouble which followed, Cosgrove was shot and killed. James was accused of his murder, arrested and tried. The testimony at the trial was not sufficient to convict him, and he was acquitted. His escape incensed Cosgrove's friends, who believed James guilty, and threats were uttered to take his life. Saturday, Aug. 14, the Rescue Hook and Ladder Company of Shenandoah held a picnic, which, being well attended, continued far into the night. Gomer James, somewhere about eleven o'clock, was inside a bar at this pic-nic, waiting upon its patrons, when a number of men came up. They asked for beer, and while James was drawing it he was shot and killed. In the darkness and confusion the assassin escaped.

McKenna had not been long in Shenandoah when he learned through Muff Lawlor that there was little doubt who had done for the young Welshman. Mike Carey, who was present, with Lawlor, McAndrew, Morris, and other Mollies, said in an impressive whisper :

"Hurley reached forward over the counter and fired, the bullet striking Gomer James full in his heart, an' he fell. Before any one could go to his assistance he wor dead. I saw the thing done myself."

It seems that the Shenandoah division was in session at the time of the assassination—eleven o'clock at night of the fourteenth—when Carey rushed in before the members, and announced, "Tom Hurley has shot Gomer James." He was quickly stopped by McAndrew, and subsequently reprimanded for his thoughtlessness in making such a statement before all the members. But it was doubtless true that Tom Hurley had done the deed.

Hurley claimed five hundred dollars for this "clean job," and it was adjudged to him by John Kehoe, but probably he never received the blood-money.

*Long - clearing - money paid out of the
for murder - Colman - no*

XII.

MURDER OF SANGER AND UREN.

The next deed of blood was committed at Raven-run, near Ashland, on Wednesday, the 1st of September, 1875, more than a fortnight after the murders of Gwyther and Gomer James. The victims were a mining boss named Thomas Sanger, and a miner in the same works, W. Uren. The cowardly murderers were five in number, the two McDonnells, Michael Doyle, Charles McAllister, and Thomas Munley. The details may be omitted here, as they appear at full in Mr. Gowen's speech on the trial of Munley for that crime, quoted in the Appendix. Major Pinkerton says of the two murdered men :

“ A fraternal feeling had existed between the two men murdered on the 1st of September at Raven-run, Wm. Uren having been a native of the parish of Germoe, Cornwall, England, but a short distance from Sanger's birthplace. He entered the Greatwork tin mines at the early age of ten years, with his father, and remained until about nineteen, when he bade his relatives adieu and sailed for this country, landing at New York in the fall of 1872. After working nearly a year at Dover, New Jersey, he removed to Schuylkill County, and was employed by the Messrs. Heaton as a coal miner. While in England Uren was a regular attendant at church and Sabbath-school. In Pennsylvania he kept up the same course, early enlisting as teacher in a Sunday-school, which place he held at the time of his death. Uren, with other bosses and miners, including Sanger, was coffin-noticed by the Mollics as early as 1874, and in consequence Sanger invited the young man to board at his house. They soon formed an intimate and enduring friendship. The winter of 1875 and following summer, to the day of the assassination, passing peaceably and without any apparent attempt to carry out the threats of the organization, as far as he and Sanger were concerned, Uren began to believe all danger gone or blown over. They thought nothing would actually be done. Thus had it always been : no sooner did a threatened man come to the understanding that his life was perfectly safe, than, in this very peculiar country, and with this very peculiar class of people, he was, as too many cases proved, in the exact position to prepare for leaving this world, for the fiends incarnate causing all the trouble in the coal region were abundantly capable of waiting for any length of time, keeping their wrath warm and pouring it, at any unsuspected moment, upon the devoted heads of their victims. Therefore Uren, when set upon, was no better prepared to defend himself against the power of his enemies than his friend Sanger. There was nothing

that either could possibly do but to stand up like men before the deadly pistols and be shot erucly down.

“A more sorrowful seenc than that enaeted around the couch of the dying Uren was never witnessed. His fellow-countryman, Sanger, was already gone. It was not long before he followed. The funclal of the two men, like their murder, was a double one, and both were buried in the same grave. The parents of Wm. Uren are yet living in England, with four sisters and five brothers. They receive no more assistanee from their dutiful son and brother. They know their main help on this side of the Atlantie has been cut off by the bullet of the assassin.”

At Lawlor's house in Shenandoah McParlan learned all the details of this horrid expedition by Friday O'Donnell and his crew. They regained the outskirts of Shenandoah at about eight o'clock the morning of the murder, and the crowd, consisting of Mike Doyle, Friday and Charles O'Donnell, Thos. Munley, and Chas. McAllister, entered the house, one by one, and each was made quickly comfortable.

Chas. McAllister lived with the O'Donnells at Wiggan's Patch, and was married to their sister.

The entire company were covered with dust and perspiration, and declared themselves very thirsty. They certainly drank a great quantity of water for men whose usual beverage was something stronger, and seemed recently to have travelled far and fast. Friday O'Donnell made no secret of the scene all were freshly from, and boasted that they had made a clean sweep of it, and, while it was the intention only to take off Sanger, they had killed another man, supposed to be a miner. He did not know but they had hurt others.

Chas. McAllister exhibited to McKenna a navy revolver, and said that Chas. O'Donnell carried one of the same size; Doyle wore the Smith and Wesson he had previously shown, and Friday O'Donnell had two pistols. In Lawlor's back kitchen, that morning, they talked over the murder for an hour, saying they had all traded clothing before the shooting, and, after finishing, swapped back again. Each murderer took part in the dialogue, and related, in his own way, the share he had taken in the assassination.

XIII.

RETALIATION BEGINS. MURDER OF J. P. JONES, AND CAPTURE
OF THE ASSASSINS.

Vigilance Committees now began to be formed, and to threaten reprisals. McKenna had become a noted character among the Mollies, and Linden let him know that he stood in great risk. Yet he would not desert his post until he had procured testimony full enough to bring the criminals to justice.

One of these Committees, in masks, forced an entrance into the house of the O'Donnells at Wiggan's Patch, dragged Charles O'Donnell into the street, and shot him to death. A woman, Mrs. McAllister, his sister, lost her life in the affray by a chance shot. Thus the work of reprisal was begun, and McKenna's life was endangered on two sides; for ere long he fell under the suspicion of John Kehoe and the other Mollies, who conspired, as will be seen, to kill him.

John P. Jones was added to the long list of victims on September 3rd, 1875.

He left his house, which was in Lansford, and contained his wife and seven children, at about seven o'clock in the morning, bound for the breaker where he was employed, carrying his dinner-pail in his hand, and following the pipe-line toward the old railway embankment, which he had been often urged not to take, as many were aware that his life was not safe. Instead of heeding advice, he put his revolver in his pocket and went off cheerfully to what proved his last journey.

The assassins, James Kerrigan, Mike Doyle and Edward Kelly, were waiting for him. He saw them not, but continued his walk. Kerrigan, as usual, was standing at a little distance unarmed. Jones left his home by a rear door and moved down the pipe-line. When the murderers reached the top of the path, he was some yards from the same position. He heard their footsteps and turned aside, patiently waiting for the others to pass. They halted, when close to him, and then Doyle and Kelly drew their pistols and fired on Jones. Each discharged one shot. Their victim made a spasmodic blow at his assailants with the tin dinner-pail, when Doyle fired again. Turning off toward the bushes, Jones raised his hands and cried out, "I'm shot, I'm shot." In a moment

he fell forward upon his face. After this Doyle fired two more bullets into his already riddled body. His heart beat no more. While Doyle was finishing the savage job, his companions were running away across the mountains. The reports of the pistols brought many workmen to the spot, and Jones' corpse was immediately taken to his home. Several persons had seen the assassins retreating over the hill, and one man was so near them as to be frightened, thinking his turn to be shot would come next. *public outcry*

The citizens of Tamaqua were not long in ignorance of the incidents at the killing of Jones, and the excitement, which before had risen to a high pitch, reached the verge of general madness. People procured arms and went upon the streets in numbers. Men, women, and boys were aroused, and everybody appeared intent upon arresting or killing somebody. The Molly Maguires alone kept quiet. Finally it was discovered by some one who had been quietly following the little miner since the killing of Yost, that James Kerrigan was away from his home. Silently and doggedly a few persons kept watch over his house. Early in the forenoon he returned, remained but a short time, and was shortly afterwards seen to start out with a small bundle in his hand, and, projecting from one pocket, a flask of liquor. Cautiously the men kept on his trail, and tracked him until he reached a spring where Doyle and Kelly were waiting. He had no more than time to give them refreshments, when the three Mollies, warned by a signal from Carroll, who walked along, making himself conspicuous upon the railway track, started to run. But the people confronted and soon captured them. They had no arms about their persons, and when examined at the jail only some cartridges were found in their pockets. A little later, however, some officers, making a search, unearthed three pistols and a heavy club, secreted under the trees in the leaves near the spring. The sheriff, the next day, escorted Kerrigan, Kelly, and Doyle to Mauch Chunk, where they were committed to prison to await trial, the crime having been committed in Carbon County.

The arrest of these criminals filled with consternation the hearts of the Molly Maguires. Another blow followed. Classified and carefully arranged lists of all the Mollies, or members of the Ancient Order of Hibernians, in Luzerne, Northumberland, Columbia, Carbon, and Schuylkill Counties,

their residence, occupation, standing in the society, and crimes they had been connected with, were now printed and circulated throughout the United States, by publication in the principal newspapers. Fresh detectives were sent to the support of those already on the ground, unknown to the others, and every available adjunct, that ingenuity could devise and money and influence supply, was set at work to accomplish the defeat of the combination.

Meanwhile the order, not inactive, was no longer forcibly aggressive, but moving purely in self-defence. Money was raised for the legal expenses of the prisoners. Evidence was hunted up to falsify the truth and swear them clear. But on the track of the concocters was the stealthy step of one whom they knew but as yet suspected not, and to whom they had intrusted their most secret transactions. Hurley, Morris, Monaghan, Sweeney, Campbell, Fisher, and many more, were engaged day and night in collecting funds to defend the cases of Kelly, Doyle, and Kerrigan. The members of Shenandoah Division were assessed two dollars each by McAndrew, which were promptly paid.

Hugh McGeehan, at this time, gave out that he had been fired upon at night, while going from his saloon to the spring for a pail of water, and had a narrow escape from death, the bullet striking him in the fleshy part of the shoulder. There were several in the attacking party, one of whom McGeehan said he knew, but was wise enough not to name. Besides the real injury inflicted on McGeehan, several bullets passed through and cut holes in his coat, showing that, however hurried the aim of the attacking party, it was tolerably well taken amid the darkness.

The publication of the list of Mollies convinced the society that they had a traitor in their midst. Each man fell to suspecting his neighbour. No one except a member, they argued, could have given the papers such full information. The question uppermost in all minds was, "Who is the man?" That he was well posted, with sources of intelligence not open to ordinary members of the body, was evident to all. After serious discussion, during which every point was covered, it was settled that the journals had been supplied with the names by some person residing in Schuylkill County. Soon suspicion began to be directed to Muff Lawlor, who was known to be so particularly kind to Linden, in whose society,

for his own purposes, he had frequently placed himself. McKenna, the actual culprit, without saying a word, was freely acquitted. Had he not quarrelled with Linden months before? Had he not separated himself from Lawlor?

Visiting Alex. Campbell at Summit Hill he found that McGeehan had received a threatening notice. It bore the Mauch Chunk postmark, and informed Hugh that, as he had not given policeman Yost, of Tamaqua, a chance for his life, he and Boyle, accomplices in that cruel assassination, with Campbell, Roarity, Carroll, and Mulhall, who were all known, would have about an equal chance for theirs. Their fate was sealed. This document frightened the Summit Hill Mollies. Campbell hardly knew what to do about it. Were some of the boys in jail too open-mouthed, or was the work of the first spying traitor yet going on? The men who had so long murdered in the dark hated this mystery. The weapon turned upon them made them pale with fear.

Soon afterwards a crowd of men walked up to McGeehan's house in the night and fired seven or eight bullets through its siding, but none touched the murderer of Yost. Muff Lawlor, of Shenandoah, was similarly treated.

That there was a spy among the Mollies all were now agreed, but thus far no thought had arisen that McKenna was the man.

XIV.

KERRIGAN GIVES EVIDENCE AGAINST HIS ACCOMPLICES.

The first indictment of a Molly Maguire in this country, with a chance of conviction, occurred on the 18th of January, 1876, at Mauch Chunk, Carbon County. The parties indicted were Michael J. Doyle, of Mt. Laffee, Schuylkill County, and Edward Kelly, charged with the murder of John P. Jones. The circumstances of the crime have already been detailed. At an earlier date the three murderers, Kelly, Doyle and Kerrigan, had been jointly put on trial, entering the usual plea of "not guilty," and demanding a severance. Doyle was the first put on his trial. The trial was attended by all

the celebrities of the Carbon County bar, surprised that at last there seemed a possibility that a Molly might be convicted. Great efforts were made by counsel to show that not one of the three men charged with the deed could have been present at the killing of Jones, as they really were elsewhere, but their trouble and expense were baffled by the effective work of the detectives. The witnesses so confidently expected were for once abashed and afraid to take the stand. They knew they could not swear to a lie and go unpunished. The old and well tried *alibi* fell prostrate, no more to be revived, let us hope, in the criminal courts of the Commonwealth. Before the end of the cause, James Kerrigan, of Tamaqua, made known to the prosecuting officer that he wished to give State's testimony. After careful consideration he was accepted, placed before the court, and made a confession as follows :—

“ I live in Tamaqua and have been there six or seven years ; am a man of family and work in the mines. I have known Alex. Campbell three or four years ; met him first at Tamaqua last September ; he lived at Storm Hill and kept a tavern, selling whisky and porter. I did not know John Jones, but was acquainted with Michael Doyle and Edward Kelly. On the 1st of September last I had been working at Alaska Colliery in Tamaqua, for Mr. Richards, and was returning home from work in the evening, when I went into the hotel kept by James Carroll, to get a drink. Mr. Lutz of Tamaqua was there, also Doyle and Kelly. I was going out, when Carroll followed me to the porch, asking me if I would take those men, Doyle and Kelly, over to Alex. Campbell's, at Storm Hill. I told him I would have to go to work at 11 o'clock, but after he coaxed me I promised. He then made me acquainted with them, and I went home to wash myself and to get supper, returning at twenty minutes past seven P.M. (I left work at about half-past five P.M. that day.) The colliery was nearly a mile from Carroll's place. When I got back from the house Carroll treated twice and walked with us as far as Freidenburgh's, giving me instructions not to tell any one that might ask where we were going. At the New York depot we met Mr. and Mrs. Griffiths, and I bade them good evening. We then walked on to Storm Hill and found Alex. Campbell there, and his little brother-in-law, a boy of 14, with him. Campbell called me outside, bidding me wait until he had put on his coat, when he would accompany us to McGeehan's at Storm Hill, first treating us at his own bar. He told his little brother-in-law to say, if any one inquired for him in his absence, that he had gone to a wake. As we went into McGeehan's, two or three men were coming out ; one I know is named Aubry. Alex.

Campbell called for drinks and paid for them. Then he began to whisper, up by the bar. The next thing I observed was three revolvers. McGeehan got them, and took the chambers out of two and began to oil them out of a can. After fixing them he gave one to Doyle and one to Kelly. Campbell handed one to me, but I refused and would not take it. He wanted me to go with the others and shoot John Jones, but I said I did not know him and would not go. They then agreed I should stay there that night and they would go with me to get work in the morning, as they wanted to see and recognise the boss.

“McGeehan and Campbell were saying that John Jones had black-listed some men that had been working there, and McGeehan was one of the three, another being named Marshall. Parish gave these men a letter to give to John Jones and Zehner, to be reinstated, but they ordered the men away from the office, saying there was no work for them. Campbell said if Jones was shot Zehner would then run away. McGeehan said: ‘By G—, if he does not cool off, after this, we’ll give him a ball.’ McGeehan said he was black-listed at Judd’s, also, and there were two men there that he wanted put out of the way, B. Marble and John Turner.

“We started from McGeehan’s at seven A.M., and came down to the Catholic church, and on the road to Micky O’Donnel’s tavern, passing Micky at the depot, and went up the railroad to Number Six, where Doyle went into a blacksmith’s shop, and Kelly and I to a house above, where we asked a woman if she sold anything. Doyle afterwards came up, and we got a bowl of milk.

“We then went up to a Mrs. Davis, and finding she sold porter, called for three bottles; she asked Doyle where we came from, and he told her Shenandoah. Then she gave us tea and a good meal. We went out to the slope to look for work, but leaving Doyle and Kelly, I went to McGeehan’s; still they could not see the boss, so came back and met me. They failed again to find Jones, and about six P.M. we all went to Alex. Campbell’s, McGeehan carrying the pistols. As a wagon was passing I wanted to go home on it, as I told them my wife would think me lost, but Campbell would not let me. Campbell treated us, on arriving at his bar, and after supper I again wished to start for home, but Campbell objected, wishing me to go up with the others and shoot Jones at the house, as he would be coming from the post-office about that time. While Doyle and Kelly went, Campbell made me get down on my knees and promise never to tell or speak of the matter, drunk or sober. He then bade me go up and see where they were. I met them this side of Micky O’Donnel’s, and Doyle was sitting on a stone. Kelly said he had been into a house and asked if Jones was at home, and the person said he was not.

“On returning to Campbell’s, this house was described to Alex.,

and he said it was Geo. Hooley's house, not Jones'. We stopped at Campbell's all that night, and they were fooling with the cartridges. Kelly said he would take Campbell's small revolver along in the morning, and shoot Jones as he was going to his work, and not let him off with one ball, but give him three or four. Michael Doyle had the old pistol and the black-jack, and Kelly had the other two. Campbell advised them they need not be a bit afraid, for no one would ever follow them, as Jones was not liked by the Welshmen or any one else. 'You can have this,' said Campbell, handing me a five dollar bill, 'and buy them some whisky and give them enough to pay their way home on the cars.' I gave the bill to my woman when I got to Tamaqua, and she got a pint of whisky of Mrs. Clark, who could not change the bill. I took the liquor out to them at the spring where we were arrested.

"Campbell told Doyle and Kelly to be sure not to be seen at Carroll's in the day-time, but to go in the night and leave the pistols there, and then go home on the cars in the morning. He also told them this the night Carroll came up the railroad. Then Doyle said: 'By G——, they are after us: there is Carroll: and he started to run.

I joined the society in Campbell's cellar, thinking it the A. O. H. A man named Donahue put me through. I did not know it was the Molly Maguires until Barney O'Hare was burned out at Tuscarora. Slattery paid Alex. Campbell to send the men. I was at Campbell's when they started.

"I received no reward from Campbell for showing the men the road, and the five dollar bill which we could not change I have since sent to my wife from the prison by Wallace.

"The order of Molly Maguires is an organization to murder, and the men do not speak of their plans at the public meetings; but the Bodymasters employ men to do the work for them."

After this, Mrs. Kerrigan turned against her husband and said he might hang. She would not raise her hand to save him.

During the trial of Doyle, McKenna, who was in attendance, ostensibly as a spectator, but really to find out all he could, came across a man named Durkin, who told him he was ready, if the Mollies were convicted, to blow up the court-house edifice, killing judges, jury, attorneys, officials, and innocent spectators, having procured a can of nitroglycerine, which he had safely deposited in a shop near at hand. The agent informed the desperado that he was very foolish to concoct such a plot, and would be still more silly should he endeavour to execute it, as he would surely be

captured and strung up by the vigilance committee to the nearest tree. The attempt was never made.

Kerrigan's confession having corroborated in every important particular the stories of the other State's witnesses, on the 1st of the ensuing February the jury returned a verdict of "guilty of murder in the first degree," and on the 22nd the Court sentenced Michael Doyle to death. This was the earliest conviction of a real Molly in Pennsylvania; and the news spread rapidly, far and wide, carrying dismay into the ranks of the organization and shocking the nerves of the leaders everywhere in the State. During the progress of the trial the Mollies had been bold and defiant, and many of their principal men were on the spot, expecting to witness the defendant's release. How deeply they were disappointed McKenna was among the first to hear. He said that the result came upon the order like an earthquake on a quiet village. Everybody was mute from terror.

Edward Kelly was placed at the bar before Judge Dreher on the 29th of March, and, although ably defended, met with a similar fate, a verdict of murder in the first degree having been returned by the jury on the 12th of April following. Death-warrants were issued by the Governor in both cases, fixing the execution of Doyle for the 3rd of May, and that of Kelly for the 4th of the same month. Writs of error in the Supreme Court, however, superseded the warrants.

The cases failed in the Supreme Court, and in May, 1877, Gov. Hartranft signed the death-warrants, the executions to take place on the 21st of June following.

Thomas Hurley now fled from the country.

Kerrigan's turning State's evidence was the most stunning blow the Mollies had thus far received, but they knew not at the time how much heavier were in preparation.

XV.

MCPARLAN RETIRES TO PHILADELPHIA, AND BECOMES A WITNESS.—TRIAL OF T. MUNLEY FOR THE RAVEN-RUN MURDER.—SPEECH OF MR. GOWEN.

In February, 1876, it became known to McParlan that the fact of his being a detective had been betrayed to Kehoe

through some treacherous source, and that his death was planned by that king of the Mollies, who had detailed assassins for the work. During many days of that month he carried his life in his hand, protecting himself with marvellous resolution and wariness. But all his precaution might not have availed, had he not been aided by the friendly advice and attendance of Frank McAndrew, Body-master of the Shenandoah division. The particulars of his escape are of the most exciting interest, but I omit them here, as they will be found in his re-examination on the trial of John Kehoe and others, which began at Pottsville August 8th, 1876. As soon as it became manifest to him that further concealment of his true character was hopeless, he left Shenandoah for Philadelphia, and consented to appear on the witness-stand in future trials, and give evidence for the Commonwealth.

Arrests now began in earnest under the direction and advice of Mr. Franklin and the district attorneys, assisted by McParlan. The first person apprehended was Alexander Campbell, of Storm Hill, Langford, charged with the murder of J. P. Jones. The next were Hugh McGeehan, James Boyle, James Roarity, James Carroll, and Thomas Duffy, for the murder of B. F. Yost, at Tamaqua. Then followed Thomas Munley and Charles McAllister, for the murder of Sanger and Uren at Raven-run. Afterwards John Kehoe and eight others were arrested and committed to prison in Pottsville. (See XVI.) An attempt was made to rescue these prisoners from gaol by a writ of *Habeas corpus*, but Kerrigan's decisive evidence, with that of McParlan, defeated this endeavour. The Yost murderers were convicted and sentenced to be hanged in July, 1876, and Campbell in January, 1877. In June, 1876, Munley was tried separately for the Raven-run murder, and, after a vain attempt to prove an *alibi* for the defence, he was convicted and received sentence of death. It was in this case that the Hon. Franklin B. Gowen, one of the counsel for the prosecution, made a memorable speech, from which I send some extracts. (See these in Appendix.)

XVI.

TRIAL OF JOHN KEHOE AND OTHERS AT POTTSVILLE.

John Kehoe and eight others were tried at Pottsville from the 8th to the 12th of August, 1876, before Judge Walker,

on the charge of conspiracy to kill William M. Thomas. I send you full particulars of this trial on account of its singular importance and interest.

The Council for the Commonwealth were Messrs. Kaercher (district attorney), Gowen, Hughes, Farquhar, and Albright; for the defendants, Messrs. James Ryon, L'Velle, and Garrett.

Mr. Farquhar opened the case for the Commonwealth as follows:—

“With submission to the Court—Gentlemen of the Jury: John Kehoe, Michael O'Brien, Christopher Donnelly, John Donohue, alias Yellow Jack, James Roarity, Dennis F. Canning, Frank McHugh, John Gibbons, John Morris, Thomas Hurley, and Michael Doyle are charged in this indictment with assault and battery with intent to kill William M. Thomas. Of these parties, Thomas Hurley and Michael Doyle are fugitives from justice. The Commonwealth has not been able to arrest them, and you have only been sworn to try the other prisoners whom I have mentioned.

“Before going into the details of this case, it will be necessary for me to explain another matter, so that you may more fully understand the attack which was made upon Mr. Thomas. For a number of years there has existed in this county an organization known as the Ancient Order of Hibernians, also known as the Molly Maguires. It originated not in this country, but in Ireland, where it existed many years ago under the name of Ribbonism. That organization was created for the purpose of resisting the action of the landlords, or preventing them from collecting rents, and if one tenant would take the land from which another had been evicted, for not paying his rent, the Ribbonmen maltreated the person who took such a place. At first they did not kill, but merely beat them, ducked them in ponds, and performed acts of that character. These outrages were committed upon the landlords, bailiffs, and constables who were intrusted with the collection of rents, or making distress for rents, and when the members of the organization committed these outrages they were generally dressed as women, and hence became known as Molly Maguires.

“This organization, founded in the old country, was brought here by persons emigrating from Ireland. In this country the principal directors are the National Delegate and a President, residing in the city of New York. They have a State organization in each of the different States, a county organization in the respective counties, and divisions or lodges. The association was created ostensibly for a beneficial purpose, and it was intended that its objects and purposes should appeal not only to the benevolence, but also to the patriotism of its members. In fact, how-

ever, at least so far as this coal region is concerned, the Society is a band of cutthroats and assassins, who have stopped at nothing for the purpose of carrying out their plans.

“All of these defendants are members of that order. John Kehoe occupied the position known as the county delegate, or the chief man in Schuylkill county. James Roarity was the head of the Coaldale division, or its body-master. Dennis F. Canning was the county delegate of Northumberland County, or chief of that county. Michael O'Brien was the body-master at Mahanoy City, John Morris was a member of the organization, but held no office. Christopher Donnelly was the county treasurer of this county. John Donohue, alias Yellow Jack, was the body-master at Tuscarora. John Gibbons was simply a member of that organization, and Frank McHugh was the secretary of the division at Mahanoy City.

“The body-master means the head of a division. When an application was made, by any of the members, for a murder to be committed, a county convention was called, at which all the officers of the county were entitled to attend; that is, the officers belonging to the division, including the county secretary, county treasurer, and all the division officers. These officers were composed of the body-master, secretary, assistant-secretary, treasurer, and a vice-president or vice body-master, which although seldom exercised was yet provided for in their regulations.

“There was, at one time, in Mahanoy City a disturbance at which one George Major, the chief burgess, was killed. Daniel Dougherty was arrested, indicted, tried and acquitted of that murder. He was a member of the order. He belonged to a division near Mahanoy City. Some time after he was acquitted there was a convention held at Mahanoy City, at which John Kehoe presided. Michael O'Brien, Christopher Donnelly, John Donohue, James Roarity, Dennis F. Canning, and Frank McHugh were present, and also one James McParlan. At that convention a complaint was received from Daniel Dougherty, that, notwithstanding he had been acquitted of the murder of Major, an attempt had been made to assassinate him. The members of the convention sent for Dougherty; he was brought into the room, and he told them that he had been shot at several times, and showed them his coat in which were the holes of the bullets, which he alleged had been fired at him. In the course of his narrative he told the convention that he thought, if Jesse and William Major, and William M. Thomas, who was known as Bully Bill, were put out of the road, he would be allowed to live in peace. He then retired from the room, when a motion was made and it was resolved the three men he had named should be killed. Dennis F. Canning, the county delegate of Northumberland County, said that if it was necessary he would find the men who would put the Majors out of the way. Christopher

Donnelly said that that plan would not answer ; that he lived down near Mt. Laffee, and he thought it was a very light job, and he could get men to commit the crime, and would go with them, if necessary, himself ; and that it would not need any assistance from Northumberland County. Canning said that that was all right, but if they needed any assistance in the commission of the crime he would furnish the men to do it. Kehoe then told Roarity, the body-master of Coaldale, O'Brien, the body-master of the Mahanoy division, and McParlan, who belonged to the Shenandoah division, that the duty of furnishing the men to shoot Bully Bill devolved upon them, and that in his opinion the best plan to commit the murder would be to go in broad daylight in the streets of Mahanoy City and shoot him down on the spot. O'Brien objected to that. He said that in his estimation that was not the proper way to commit the crime ; that the plan he would suggest to carry out this murder would be to obtain men from a distance and bring them to Mahanoy City ; to have a place prepared for them to board with some members of the organization ; to have their board paid out of the county funds of the organization ; and then that they should lie in wait on the railroad between the colliery where Bully Bill worked and his residence, and catch him some time when he was going from the colliery to Mahanoy City, or from Mahanoy City to the colliery, and then shoot him down and kill him. This plan was agreed to, and Kehoe then instructed James McParlan to bring men from the Shenandoah division to do the job. McParlan went home to Sheuandoah City, and there was a meeting called of his division. He told them what he had been instructed to do, and, at that time, John Gibbons, Thomas Hurley, and Michael Doyle agreed to go along with him to do the job. McParlan took them to Mahanoy City and there saw O'Brien, the body-master, and told him there were too many soldiers picketed around there to do their work in safety ; that one of their lives was worth a great deal more than a thousand such as Bully Bill's, and he did not think it was right to risk the danger, as the soldiers might arrest them. At a subsequent meeting of the division, O'Brien communicated to the members, as his own, the statement which McParlan had made to him, and they then agreed not to risk their lives, and decided that they had better go home, as they concluded that they were in danger of being arrested. They went home, and McParlan was taken sick, and, while he was sick, John Morris, who had been up in Luzerne County, returned home, and, in the place of McParlan, he was placed upon the committee to kill Bully Bill.

“The meeting of the organization at which the murder of Bully Bill had been decided upon was held on the 1st of June, 1875, and on the morning of the 28th of June, very early in the morning, these four men, John Gibbons, John Morris, Thomas Hurley, and Michael Doyle, went to the colliery where William M. Thomas was

working, for the purpose of committing the murder. When they reached the colliery they found Mr. Thomas in the stable currying the horses. His business was that of an ostler, and he was at that time inside the stable, feeding the horses and preparing them for their work. These men waited outside for some time, expecting that Thomas would come out, but finding that he did not come out as soon as they expected, or growing impatient, and fearing that a crowd of men would gather around on their way to work, they went inside the stable and commenced firing at their victim. Hurley and Gibbons both fired. Thomas was shot in the neck, I believe, and in the body. Two bullets struck him, but fortunately for these defendants as well as for Mr. Thomas, he was not killed. He sheltered himself from their firing as well as he could, behind the live stock in the stable, and thus saved his life. In the firing at him they killed a horse and a mule, and, I believe, wounded another mule. One of the animals that was shot fell down and Thomas fell with it, sheltered by its body. The noise of the firing together with the shouts of Thomas and another stable boss frightened off these defendants, but not before they believed they had killed him, from seeing him fall and the blood on his person; and, escaping from the scene of outrage, they believed that they would always be safe from detection.

“It was a part of the plan of this organization, whenever they desired to commit murder, to select members who were strangers both to the person who was to be killed and the people of the locality where the crime was to be perpetrated. Those members who were selected were always to be unknown in that particular neighbourhood, so that, if they were observed, they would not be likely to be recognised again, especially if seen only once, and that for a short time.

“But the members of this organization were unaware of one fact. They did not know that in their midst was a detective, placed there for the purpose of finding out who were the authors of these crimes, and, if possible, to prevent them. In the summer of 1873, after a long series of crimes had been committed in this county, it became evident to parties owning large interests in the coal regions, that all these crimes were being committed by an organization, and it was therefore determined that this organization should be exposed. Application was therefore made to Major Allan Pinkerton, the head of the National Detective Agency, in Chicago, and an arrangement was entered into with him, by which he agreed to furnish a detective, who should come into this county for the purpose of becoming a member of the organization, and exposing its secrets and its crimes. James McParlan was the man selected for this duty. He was sent to this county, came here a stranger, and, shortly after his arrival, went from place to place in the county to learn its geography. Starting at the lower end, Port Clinton, and visiting

Auburn, Schuylkill Haven, Tremont, Pinegrove, Tower City, Pottsville, St. Clair, Girardville, Tamaqua, Shenandoah, and Mahanoy City, he became acquainted with the manners and customs of the people. In order to move successfully to carry out the design with which he had been sent here, he represented himself as a fugitive from justice, and, by assuming a criminal character, he readily won the estimation of the class of people whose doings he was to expose, and soon gained their confidence and obtained admission to their Order.

“He was initiated as a member of the Order of Ancient Hibernians at Shenandoah, and two of these defendants, John Gibbons and John Morris, were members of the same division as himself, namely, the division of Shenandoah City.

“In order that he might have access also to the county council, he had himself elected an officer of the division. He was made secretary, and as such became entitled to a seat in their county conventions. In that capacity he attended the convention at Mahanoy, and there met the parties whom I have named, and took part in their proceedings. Through it he got himself appointed a member of the committee to kill William M. Thomas, caused notice to be sent him of the intended attack upon him, and saw that the party whom he took did not commit the crime. He, Mr. McParlan, was prohibited from communicating with anyone except Superintendent Benjamin Franklin, in Philadelphia. Afterwards the National Detective Agency placed another officer, Captain Linden, in this county, and McParlan was permitted to communicate with him verbally, but he was obliged to make a report of his investigations every day, and send it to the agency in Philadelphia, so that they might know what was going on. These reports will be produced here, and if Mr. McParlan tells anything upon this stand that is not true, he can easily be contradicted by his reports which were made at the time. He communicated these facts last summer, and gave the names of all these parties, but there was one thing in the way of their arrest. McParlan came under a pledge that he should never be used as a witness. It was a distinct understanding with him that, while he should expose these criminals, and give all the information he could, he never should be used upon the witness-stand, because if he was, his life would be in constant danger wherever he went, and his influence as a detective would be almost entirely destroyed. Therefore the authorities, although they knew the names of these parties, were not able to arrest them. But, fortunately for this county and for the peace of the community, McParlan was detected by the Molly Maguires. They found out that he was a detective. They discovered who he was, and what he was, and what his business was in this county, and in order to save his life, he was obliged to leave. Then all reason for secrecy was gone. All reason why he should not be a witness was removed;

he consented that he would take the witness-stand, and the very day that he took this stand, these defendants were arrested and placed in jail.

“McParlan will detail to you all the facts as I have related them. William M. Thomas recognised the two men who came into the stable and did the shooting, namely, John Gibbons and Thomas Hurley. He fully recognised them, and swears to their identity. We will show to you that these men were not at work upon the day we have mentioned; we will show to you that these parties were in Mahanoy City at the time that we place them there; and we will show you such corroborative evidence that you cannot fail to believe that all these persons took part in this transaction as I have narrated.

“You will notice we do not allege that John Kehoe, Michael O’Brien, Christopher Donnelly, John Donohue, James Roarity, Dennis F. Canning, or Frank McHugh were present or near when this attack was made upon William M. Thomas. They were not anywhere near, so far as we know, when it occurred; but in the eyes of the law, the Court will tell you, that if they agreed to it, if they counselled it, if they assisted in it, conspired to do it and promoted it, they are just as guilty as the parties who perpetrated the crime. Aye, even more so, for it was their brains that concocted the scheme, and it was the weaker tools who carried it out; and the leaders should be punished. The law holds them equally guilty with the parties who committed the assault itself, and if we prove to you the facts as I have said, the Court will tell you, if you believe the facts, that you should find them guilty in manner and form, all of them, as they stand indicted.”

The first witness, James McParlan, *alias* McKenna, the detective, fully proved the conspiracy to murder charged against the defendants. [A summary of his examination, cross-examination, and re-examination appears in the Appendix.]

The second witness, William M. Thomas, proved the assault and wounds inflicted on him by four men, two of whom he had since identified, viz., Thomas Hurley and John Gibbons.

Francis McHugh, admitted as Commonwealth’s witness, confirmed many parts of McParlan’s evidence.

Ten other witnesses confirmed various particulars sworn to by the three principal witnesses.

Counsel for the defendants spoke chiefly with a view to impeach the character and credibility of the three leading witnesses for the prosecution. Evidence was called in favour of

the characters of Kehoe, Canning, and Donnelly. The cross-examination of these witnesses evinced to an almost ludicrous extent the terror inspired in the coal counties by the Molly Maguire association, so steadily did they all strive to evade giving direct answers to any questions which seemed to discredit that association and its members.

Counsel likewise offered in evidence the Constitution and By-Laws of "The Ancient Order of Hibernians." [See Appendix.]

Messrs. Gowen and Kaercher ably summed up the case for the Commonwealth, replying to the speeches of Mr. Ryon and Mr. L'Velle for the prisoners.

Judge Walker then charged the jury, August 12th, 1876, as follows:—

"Gentlemen of the Jury: John Kehoe, Christopher Donnelly, Dennis F. Canning, Michael O'Brien, Frank McHugh, John Donahue, James Roarity, John Gibbons, and John Morris, nine of the defendants, are charged in this indictment with an assault and battery upon William M. Thomas, with the intent to kill and murder him.

The other two defendants, Hurley and Doyle, are not on trial now.

The evidence of the Commonwealth is, that on Monday morning, about half-past 8 o'clock, on the 28th of June, 1875, when William M. Thomas was preparing to go to his work, he stopped at his stable at Shoemaker's Colliery to talk with his stable boss, and while there four men approached him, all armed with pistols, and made an attack upon him, discharging a number of shots in quick succession, four of which struck him, and he fell wounded, though not killed, among the horses.

The horse next to him was killed, and another one was wounded. He had seen the men at the mouth of the shaft, some thirty yards off, ten minutes before they came up.

They all fired upon him. Thomas Hurley shot first. One of the balls hit him in the neck and another on the finger. Another shot him on the side. John Gibbons fired the third shot, and the ball struck him in the neck.

He says: "I stood in the stable, talking, with my hand on the horse's neck. There is a kind of track where the blacksmith's shop turns round to the breaker as it goes up. I noticed them coming around, and one of them had a whitish coat on, and his two hands in the coat pockets. I turned my head and looked at the stable boss, with my back to the door, and I heard a shot fired, and I was shot, and I saw this fellow with the white coat on. He had a

piece in his hand, silver-mounted. I jumped toward him. I had my hands on the revolver, when he fired again, and I was shot in the fingers; and just then another fellow came up and pulled into my neck here, and I got two shots in the neck."

He identifies Gibbons here in court, and has pointed him out to you. Hurley he recognized in jail, and the other two men he says were strangers to him.

The muzzle of the pistol that was first discharged was within six inches of his head. The shots, aimed at a vital part, almost simultaneously discharged, in close proximity to him, show a deliberate intent on the part of the men, whoever they were, to kill, and had death ensued, it would have been murder in the first degree.

The doctor who attended him testifies to the serious nature and extent of the wounds, and the marvel is that he was not immediately killed.

James McParlan is called as a witness by the Commonwealth. He states that he is a detective employed by the Allan Pinkerton Agency, and was sent from Chicago to ferret out and discover the perpetrators of crime in this county, and arrived here in October, 1873. He remained until the 6th of March, 1876.

For this purpose he joined an organization existing in this State called the Ancient Order of Hibernians, chartered by act of Assembly, but known in this locality by the name of Molly Maguires.

He states that the Order had a written constitution and by-laws, which have been offered in evidence, and were lawful and proper, but which, by the practice of the members of the association in certain localities (of which this county is one), their designs and purposes became unlawful and highly criminal; that the members formed themselves into a combination for the perpetration of murder, arson, and other crimes; and that they had certain secret signs, passwords, and toasts, by which they were recognised among each other; that they were under a government, the supreme power of which was the Board of Erin. This Board, which controlled the organization, sometimes met in England, sometimes in Ireland, and sometimes in Scotland. It changed at certain periods the signs, passwords, and toasts, and transmitted them to the national officers of the association here in this country. Next they were sent to the State officers, and by them to those of the County.

The county delegate was the highest officer in the county, and had in charge these signs. They were termed "the goods," and were given out and distributed every three months to those members who paid their dues.

McParlan testifies that he joined this association under the name of James McKenna, and that none but an Irishman, or the son of an Irishman, and a Catholic, could become a member of the association. He is both a Catholic and an Irishman.

He states that he is acquainted, and has been for some time, with every one of the defendants, and that they are all members of this association. That John Kehoe was, at the time of the shooting, the county delegate of Schuylkill County; Dennis F. Canning was the county delegate of Northumberland County; Christopher Donnelly was the treasurer of Schuylkill County; James Roarity was the body-master at Coaldale; Frank McHugh was secretary of the Mahanoy division; Michael O'Brien was body-master at Mahanoy city; John Donahue was body-master at Tuscarora; and John Morris and John Gibbons were ordinary members of the Order, and held no office in it.

He states that on the 26th day of May, 1875, he met John Kehoe at Girardville, and that Kehoe asked him whether in the Shenandoah Division (of which McParlan was a member) they had not some men who could shoot; and on the 30th of May, 1875, he told him that he wanted to call a meeting to assemble at Mahanoy City, at the house of Michael Clark, on the 1st of June, 1875, to take measures to put out of the road the Majors and William M. Thomas. A meeting of the committee was accordingly called, and met at the time in an upper room in Michael Clark's house, and there were present, John Kehoe, Dennis F. Canning; Michael O'Brien, Frank McHugh, John Donahue, James Roarity, William Gavin, Christopher Donnelly, and himself. Kehoe then stated that the Modocs wanted to shoot a certain man by name Daniel Dougherty who was a member of the association. After some preliminary discussion Dougherty was sent for and appeared. Dougherty then said that if the Majors and Bully Bill (meaning William M. Thomas) were put out of the road they could have peace.

Christopher Donnelly said he would furnish two men and go himself to kill the Majors, and that he would take care of his side of the mountain.

Donahue stated that he did not want Donnelly to take the men until he sent word.

Kehoe said it devolved upon Roarity, O'Brien, and the witness to get two men, and they should go and knock him down.

O'Brien said he could get two men to lay wait for Thomas above the railroad between Mahanoy City and Shoemaker's Patch, and when he was going to work to shoot him.

Canning said it was the best plan, and offered to furnish the men.

Donnelly objected, and said it was a light job, and that there was no necessity for getting men of Canning. Canning lives in Locust Gap, Northumberland County. The witness testifies that Kehoe told him to call a meeting of the Shenandoah division and select two men to do the job, and that he would send for Donnelly, a hairy man, and put him on the track of these men.

McParlan testifies that he then called a meeting to assemble on the 4th of June, 1875, and notified some of the members, and that there appeared at the meeting Thomas Munley, Edward Monaghau, Michael Dorsey, Patrick Garvey, Michael Doyle, Thomas Hurley, John Gibbons, and others, and that the meeting appointed Hurley, Doyle, Gibbons, and himself to shoot Thomas. The meeting was held in the bush about 9 o'clock in the evening. When they got to Mahanoy City, the next day, the soldiers were stationed there, and he persuaded Michael O'Brien to give up the project at that time, or some of them might be shot, and one of their lives, he said, was worth a hundred lives of such men as Thomas.

O'Brien then, upon his return to Clark's house, persuaded the men to give it up that day, which they did.

James McParlan further swears that he made reports from time to time of these proceedings by letter to Superintendent Franklin, his superior officer in Philadelphia, and verbally to Captain Linden, who was stationed in this county.

On Sunday, 27th June, 1875, the witness states he was at his boarding-house and was sick, when Hurley, Morris, McAndrew, and Doyle called. They stated they were now ready to go and shoot Thomas. Gibbons came along and said his foot was a little lame.

Frank McAndrew then said that these men were going to shoot Thomas, and asked Gibbons if he was going along. He, Gibbons, said he was, and as there was a warrant out for his arrest for something he had done, he need not stay around there any longer.

The party, he states, composed of Doyle, Hurley, Morris, and Gibbons, started to kill Thomas on Sunday evening, 27th June, 1875, about nine o'clock. Hurley, being in his shirt sleeves, took McParlan's gray coat; they stated they all had pistols.

On the 28th June, 1875, at $\frac{1}{2}$ -past 7 o'clock in the morning, the witness saw this party again. Gibbons told the witness that he had fired one or two shots at Thomas, and Morris said he had got right up to the door and discharged a few shots at him.

Hurley said that on the night previous, Sunday evening, they went to Michael O'Brien's, and Michael O'Brien took them to a boarding-house kept by a lady named Costello, and he gave them a bottle of whisky; that they stopped in Costello's until about daylight, and then proceeded to Shoemaker's Patch, where Thomas

lived. Thomas came out from his house about half-past six o'clock in the morning; he came over to the colliery stable, and was engaged there talking to the stable boss and some teamsters, and Hurley himself went up and went into the door and shot him.

Thomas was in the colliery; in the stable; in the stable doorway. Hurley stated that Thomas threw his hat into Hurley's face, and Hurley shot again. Gibbons stated that he got right in then, and he shot at Thomas also once or twice. Morris stated that he got right up to the door then, and he fired a few shots, and Thomas fell among the horses, and they made sure that he was dead, and they didn't know but they had shot one or two horses.

This conversation happening after the commission of the crime would not be evidence against any of these defendants except those who made the declarations or were present when it occurred, and acquiesced in it; and we therefore caution you not to give it any weight against the absent defendants.

The witness, among other things, states that on Saturday evening, June 5th, after leaving Mahanoy, the party lost their way in a swamp, and they met a man, who conducted them out.

This man was Thomas Price, who testifies that on that night he came across four men near Fowler's Patch.

In addition to this evidence, Frank McHugh has been called by the Commonwealth, and he testifies that he attended a meeting at Michael Clark's house, on June 1st, 1875; that he was asked to go there by John Kehoe; that he went without knowing the object, and that there were present on that occasion Kehoe, Roarity, Canning, Donnelly, O'Brien, Donahue, McKenna, William Gavin, and himself.

That he was secretary of the meeting, but only wrote down the date and names of those present, and kept no true account of the proceedings; that Kehoe stated the meeting was called for the purpose of having the Majors and Thomas killed; that they talked over their plan, and it was then determined that Donnelly and Donahue were to attend to the Majors, and that O'Brien, McKenna and Roarity were to attend to Thomas.

In support of the testimony of McParlan, the Commonwealth have shown, by the evidence of Adam Leckey, that he employed John Morris to work at the Plank Ridge Colliery on the 21st of June, 1875, and he worked there until Saturday the 26th of June, and that he did not go to work there on the 28th of June (the day Thomas was shot), but returned to work on Tuesday, the 29th of June.

This is, therefore, important testimony as regards Morris.

The Commonwealth has also offered a telegraph despatch from Kehoe to Canning, dated 31st of May, 1875, to come to see him at

Mahanoy City, to-morrow at 10 o'clock. This corroborates McParlan as to the meeting of the 1st of June.

On the part of the defence Mrs. Murphy is called to contradict James McParlan with reference to the interview of the 26th of May, 1875, at John Kehoe's house.

She states that Kehoe called upon her to attend to his wife that day, and that she went there about two o'clock, and remained until six, and that she did not see him, Kehoe, or any one else at his house during that time. Defendants have also read the evidence of McParlan and Thomas taken at the hearing of the *Habeas corpus* to contradict their evidence taken here.

A number of witnesses have been called as to the character of some of these defendants. When a doubt exists in the minds of the jury as to the guilt of a defendant, good character must also be taken into consideration, but where the offence is established clearly, good character will not avail.

You will observe that the evidence shows that the actual commission of the crime was done by four men, two of whom it is alleged were Morris and Gibbons.

The other defendants now on trial were not present at the time, and can only be convicted on the ground that they were engaged in a conspiracy with the perpetrators of the crime.

A conspiracy is a combination or confederation entered into by two or more persons to do an unlawful act. And when once proved to exist, the acts and declarations of each person engaged in it, in furtherance of the common object, before the commission of the offence, become the act and declaration of all the parties.

After the offence is committed, however, acts and declarations of each party can only be evidence against himself, and not against the other defendants.

The most important evidence in this case, and the key to the whole matter, is that of Mr. McParlan, who claims to be a detective. A detective who enters into communication with the criminals without any felonious intent, but for the purpose of discovering and making known their secret designs and crimes, and acts throughout with his original purpose is not to be regarded as an accomplice. The question whether he was so acting is one of fact for the jury.

Sometimes it becomes necessary, in order to detect offenders, to match cunning with cunning, and accomplish by artifice what could not be otherwise be consummated. In efforts made to detect horse thieves, counterfeiters, incendiaries, and the like, detectives are in common use. *State v. McKean*, 2 Green, 635; 1 Greenleaf's *Evid.*, sec. 383.

And the evidence of a detective does not require corroboration as an accomplice does. Fisher, Com. Law Dig. vol. 2, p. 2842, No. 6.

They are employed by nearly every civilized government—national, state, and municipal—and have become a part of the police regulation of the country, indispensable to the safety of the citizen and the maintenance of law.

The testimony of Frank McHugh, though voluntarily given, is that of an accomplice.

The testimony of an accomplice is entirely different from that of another credible witness, inasmuch as he has a stronger motive for testifying against the other defendants in crime. Generally his expectation is that his punishment will be mitigated by his exposure of the crime, although no promise is held out to him; therefore his testimony, when it is not corroborated, should be received with great caution by the jury.

The rule of law, however, gentlemen of the jury, is that you may convict upon the testimony of an accomplice alone without corroboration; but we instruct you not to do so, unless you can believe him.

That this shooting took place there can be no doubt. It is not denied. It is therefore an established fact in this case, if you believe the evidence.

The first question, therefore, for the jury to determine is: Did Morris and Gibbons, in company with Hurley and Doyle, shoot William M. Thomas as testified by him?

If you find from the evidence that they did, then they are guilty as they stand indicted.

You will further enquire whether these other defendants now on trial counselled, aided, abetted, or in any way encouraged the commission of the crime; whether they knew of it, agreed to it, and became a party to it by their acts and declarations; whether they conspired together to commit this crime. He who plans and designs a crime is as guilty, morally and legally, as he who commits it.

If these defendants did aid, abet, counsel, and encourage the commission of this crime, they would be guilty as they stand indicted, and so it would be if they procured or caused to be procured men to do it.

The testimony of McParlan and McHugh is, therefore, most important upon this point. There has been some contradictory evidence in this case. The presumption is that the witnesses speak the truth. When the testimony is contradictory, it is the province of the jury to reconcile it, and when you cannot reconcile it you can say whom you will believe. It is the duty of the Commonwealth to make out the case clearly to your satisfaction, and where

there is a doubt, that doubt is to be given for the prisoners. But it must be a reasonable doubt, such as a prudent and honest man might entertain under all the circumstances.

There are nine defendants now on trial. You have power to acquit or convict them all, or any of them, as the evidence warrants. You are the exclusive judges of the facts and the law in criminal cases; but you are bound to decide upon the evidence and that alone.

The responsibility rests upon you, under your oaths, to do justice to the prisoners and the Commonwealth, irrespective of creed, nationality, or rank; without fear, favour, or prejudice; without regard to outside influence, opinion, or popular excitement; without regard to the allegations, or inferences, or figures of speech, illustrations or terms of expression, in the arguments of counsel. You are accountable only to God and the law, to consider the evidence and the evidence alone, and to render a just, true, and impartial verdict."

After the conclusion of the charge of the judge, the jury retired, and in about twenty minutes returned, and rendered a verdict of guilty against each of the prisoners, in the manner and form as indicted, with a recommendation to mercy in the case of Frank McHugh.

XVII.

TRIALS, SENTENCES, AND EXECUTIONS.

On the 17th of August were tried five persons concerned in the murder of Gomer James, the actual assassin, Thomas Hurley, having escaped from the district. Of these, Chris. Donnelly got two years in the penitentiary, while Patrick Butler, partly in consideration of his having given State's evidence, met similar leniency. John Donahue having already received sentence of death, was not sentenced. Mike O'Brien was sent to prison for two years. Patrick Dolan, sen., was sentenced to eighteen months' imprisonment. Frank O'Neill received two years.

September 23rd of the same year, John Slattery, John Stanton, Michael Dolan, Chas. Mullhearn, Ned Monaghan, John Kehoe, Chris. Donnelly, Dennis F. Canning, Michael O'Brien, Frank O'Neill, and Pat. Dolan, sen., were arraigned

for conspiracy to murder William and Jesse Major, stood their trial, and all but John Stanton were found guilty, and sentenced to various terms of imprisonment. Slattery was admitted a Commonwealth's witness.

At the same term of court, Thomas Donahue was sentenced to two years' imprisonment for aiding in the escape of John Gibbons, one of the men who assaulted William M. Thomas.

September 22nd, 1876, Muff Lawlor was brought to court, as accessory after the fact to the murder of Sanger and Uren, found guilty, but not sentenced, having enrolled himself among those willing to aid the State in convicting men more guilty. James Duffy received one year for perjury. Mrs. Bridget Hyland, Bernard M. Boyle, and Kate Boyle, having been rather too rash in swearing their friends clear, were found guilty of perjury, and had two and three years each at the State prison.

The murder of F. W. S. Langdon by the Molly Maguires, at Audenread, in Schuylkill County, committed July 14th, 1862, implicated John Kehoe, county delegate, John Campbell, and Neill Dougherty. Campbell and Dougherty were arrested and brought to trial at Pottsville, January 2nd, 1877, found guilty of murder in the second degree and sentenced, Campbell to nine, and Dougherty to five years in the State penitentiary. Kehoe was found guilty of murder in the first degree, and sentenced to be executed the 16th of April in the same year.

In November, 1876, Chas. McAllister was convicted of an assault, with intent to kill, upon James Riles, at Shenandoah.

All of the above were Schuylkill County cases.

In Carbon County arrests were made almost simultaneously. John Donahue, Thomas P. Fisher, Patrick McKenna, Alex. Campbell, Patrick O'Donnell, and John Molloy, were taken, charged with the murder of Morgan Powell, at Summit Hill, December 2nd, 1871. The defendants were tried at different terms of the Carbon County Court at Mauch Chunk, James McParlan frequently appearing—as in most of the cases in Schuylkill County—on the witness-stand, and testifying to the confessions and admissions of the Mollies. They were found guilty as follows: Donahue of murder in the first degree, Fisher of murder in the first degree, and both were sentenced to death; Pat. McKenna of murder in the first

degree, and sentenced to nine years' imprisonment; Patrick O'Donnell, as accessory, to five years' imprisonment.

In Columbia County, February 24th, 1877, Pat. Hester, Pat. Tully, and Peter McHugh, were arraigned for the murder of Alex. Rae. The circumstances of the crime have been mentioned. The court was held at Bloomsburg, the county town, and attracted a very large attendance. McParlan was present, and his testimony was fully corroborated by Dan Kelly, *alias* Manus Kull, and Mike, *alias* Muff Lawlor. Dan Kelly's story of the Rae assassination was as follows :

He met Pat Hester, Peter McHugh and Ned Skivington, at Big Mine Run, in Barney Dolan's Place, on the 16th of October, 1868, the day preceding that of the murder. Hester was on his way, he said, down the mountain with Skivington, but had missed the train and returned to Dolan's, where all had something to drink. Afterwards they walked to Ashland, and entered Donahue's saloon. There Hester informed the witness that he had lost something by not going down the mountain that day, adding, "But there is a good thing to be had to-morrow, for Rae will go to Bell's Tunnel, and there is money for us." It was then agreed that Hester, McHugh, Tully, Skivington, Brian Campbell, Jim Bradley, Billy Muldowney, and Dan Kelly, should go and rob Rae. Roger Lafferty *alias* Johnstone, went across the street and procured some powder and bullets, returned and loaded the pistols, each one of the persons named having a weapon. After this they had more liquor and stayed there all night. All but Lafferty went out in the morning to meet and rob Rae. But when they got as far as Germantown, Muldowney left, saying that he was too lame to keep on. After they got above the toll-gate, Hester and Skivington left, and Hester handed witness (Kelly) his pistol, saying: "Kelly, your pistol is no good; take mine, for I know it's sure." And he remarked that he would go to Shamokin to purchase hair to mix with lime to make mortar for plastering. Skivington was off also, wanting to go to work in the mine to throw aside suspicion from the rest. All the others went as far as the water-barrel, and remained there. They then began talking about Rae and his son, and finally concluded that, if the lad should chance to be riding with his father that morning, as he often did, they would send the boy home with the horse, if they had to shoot Rae. The object was plunder, not murder, unless the latter was necessary to secure the money. Bradley, who was not known in Centralia, went and procured a quart of whisky. When he got back all hands drank and ate. Five of those present did not know Rae if they saw him, so Dalton, who was acquainted with him, walked out on the road to signal the others should their victim arrive. Soon a man came

along in a wagon, but as Dalton did not shake his hat the person was allowed to pass. Still another man moved up while the assassins waited in ambush, driving a horse attached to a light wagon, and he was permitted to go his way unharmed, as Dalton again failed to give the notice. He presently stepped out into the road to see who was coming and returned to his former position. Quickly afterwards a buggy hove in view, and the assassins saw that Dalton was standing in plain sight, shaking his hat, and they knew that the driver was Alex. Rae. When the vehicle reached the watering-trough, all jumped out upon their victim. Rae alighted from the buggy when the men ordered him to, and quickly handed his watch and pocket-book to Kelly (the witness) but said nothing. He was confronted by a squad of heavily armed ruffians. What was there for him to say? Kelly asked McHugh what should be done with the man? McHugh replied: "I won't be hunted around the world by any living man." So the shooting began. Rae ran toward the woods, and Tully went up to him, put his pistol to his head, and shot him near the ear. Seeing that the man was sure to die, all ran up the mountain, where they divided the money, about sixty dollars, and the witness remembered that Dalton received a ten-dollar bill with a corner torn off. Tully, McHugh and Kelly got in at Graham's some time that day, and in the afternoon witness drove to Locust Gap with a beer-seller. He got home at half-past three. They killed Rae about nine o'clock. He struck the ground upon his face, and they left him where he fell, after putting the horse and buggy out of sight in the wood. Kelly acknowledged that he fired two shots, but could not say how many the others fired. Dalton did not shoot at all. All the rest discharged their weapons at the man. He was sure he saw Tully fire. One shot hit Rae in the cheek. He left Hester's pistol at Graham's. Hester's weapon was a sort of navy pistol and held five cartridges. It was loaded at Donahue's house. Dalton had a small pistol, and McHugh's was not so large as Kelly's. McHugh had a seven-shooter. Hester met him the same night in Graham's about nine o'clock, when the rest were there. The next he saw of Hester was three days' later, when he rode in his wagon with him from the Gap to Ashland. Hester received none of the money taken from Rae. It was Hester's idea that Rae would have eighteen or nineteen thousand dollars with him, but when he heard how small a sum had been realised he said it was not worth dividing, so took none of it. About the 17th of November, after Donahue and Duffy had been arrested, Jack Smith told Hester of the capture, and he remarked it was about time for him to go, and he did so, without telling his confederates where he went. They all separated, remained away a month or two, and returned. When they got back Hester was in jail. He said he had been to Illinois, but it would look better to go back, as he might be taken there.

The attorneys for the defence were unable, after many efforts, to shake Kelly's testimony in the least. Despite his bad character, it was the general belief that for once he was bent upon telling the straightforward truth.

On the 24th the jury returned a verdict in the three cases of "guilty of murder in the first degree." This was not unexpected by the general public, but was a surprise to Pat. Hester and his Molly friends. So confident had Hester been of release that, the day before the reception of the decree, he sent word to Locust Gap, ordering a grand supper at his house in honour of his acquittal. Though he did not actually fire the shot that killed Rae, he was virtually as guilty as those who did, having planned the job. This was a case of Raubmord, as it is called in German law, murder for the purpose of robbery.

Hester, Tully, and McHugh appealed; but the Supreme Court affirmed the judgment against the prisoners, and sentence of death was passed on them.

While these trials were going on, the Mollies were not idle. They sought money and influence to defend their brethren in the coal region. Contributions were levied by the National head of the Order in New York, upon the subordinate divisions of the country, for a large amount of money—some state as high as 30,000 dollars—part of which was to be expended in clearing the criminals, and the rest, Major Pinkerton had reason to believe, in paying assassins to go to Pottsville and take the lives of McParlan and all of his employes in that country. But the refusal of one of the Philadelphia lodges to respond to this levy brought the matter to the notice of the public press, and stopped at least a portion of the funds from reaching the national officers.

During the session of court, at which occurred the trial of Kehoe and others for conspiracy to murder Wm. M. Thomas, a scheme was planned to assassinate Mr. Gowen, McParlan, and the entire court. It seems at first there was an informal meeting of the Mollies in Pottsville, and it was arranged that twenty-four men should go to the court-house, twelve to sit on the back row of seats, and twelve on the front tier, near the prisoners. All were to be armed with loaded revolvers. Those on the front row of seats were, at a given signal, to rise and simultaneously fire upon the judges, the counsel for the Commonwealth—Mr. Gowen especially—and the

officers, including McParlan, Captain Linden, and the members of the Coal and Iron Police. Those on the back seats were to kill those left by the first platoon, when all were to rush in, seize the prisoners, and with them fight their way out and make their escape to the hills. An influential member of the order, and a county official, hearing of this arrangement, after the twenty-four men had actually been appointed, made his appearance at their rendezvous and informed the ringleaders in the movement that such an act would be sheer madness. "If you do this, boys," said he, "there will not be an Irishman left in Schuylkill County; and what is more, if you persist in the plot, I shall consider it my bounden duty to go at once and have every mother's son of you arrested. It can't be done, and it shall not be done."

This, for the time, broke up the conspiracy. Subsequently a young Molly Maguire made a boast, in the presence of several friends, that he would go to the court-house any time when he could hear that Mr. Gowen was alone, and shoot him down. He was soon told that the President of the Reading Railway and the personal head of the prosecution of the members of the bloodthirsty organization was writing, all by himself, in a jury-room. The assassin walked into the apartment, his hand upon his revolver, and was about to produce it and fire, when an officer of the Coal and Iron Police, having business with the gentleman threatened, unexpectedly appeared on the scene. As the would-be murderer had no reasonable excuse for remaining, he took his hand away from his pistol and, thwarted in his design, sneaked out of the place. These and other equally foolish acts of the Mollies were duly reported to Mr. Gowen, and he was advised to take some precautions, or his life would pay the forfeit of rashness. Up to that date he had not so much as worn a pistol, or any other weapon, upon his person, and it is a question if ever he did subsequently. He is a brave, frank man, but depended too much upon the justice of his cause, for with the Molly Maguires the common instincts of human nature are outraged and disregarded. Still he was not attacked. While there were hundreds present thirsting for his blood, he turned upon the Mollies the heaviest fire of invective they have ever received.

Several of the assassins of G. K. Smith, of Patrick Burns,

and of other victims, were also brought to the bar of justice and sentenced to death; the total number being more than twenty. Applications for mercy were made by some of the sentenced murderers to the Board of Pardons, and, through influential persons to Governor Hartranft, and much correspondence on this delicate subject found its way to the public journals. I will not trouble you with doubts, discussions, and difficulties which cannot interest you and your countrymen. Delays of justice were, happily, the most that some of the criminals were able to achieve. All who had received sentence of death were, I have reason to think, executed sooner or later. Among the first of these were in 1877, the murderers of Rae, Hester, McHugh and Tully; at Pottsville, Boyle, McGeehan, Carroll, Roarity, Duffy and Munley; at Mauch Chunk, A. Campbell, Doyle, Kelly, J. Donahue; among the latest, Kehoe, at Pottsville, in December, 1878, J. McDonnell and Sharpe, assassins of Smith, and Bergau, who killed Burns.

XVIII.

REVENGEFUL ACTS OF THE MOLLIES.

Dismayed as the Mollies were by the arrest and execution of so many leading criminals, and by the flight of others, rage and thirst for revenge were yet strong in their hearts; and many murders, burnings and other outrages were perpetrated by them in the years 1877 and 1878. They had also shewn their rebellious spirit by giving wakes, flowers, and funerals with crowded processions to many of the convicts executed, professing to honour them as heroes, patriots and martyrs. Such disgraceful acts, tending to foster and encourage wickedness, would be prevented if burial within the precincts of the prisons were made part of the sentence passed on murderers.

Among the crimes inspired by revenge in 1877, are mentioned these. On July 30, Miller, one of the jury on the trial of Alexander Campbell, was fired at while sitting in his parlour. The shot happily missed him, but some days afterwards his house was set on fire and burned down.

Persons named Brunnaw, John Dunn, Crosby, Brady, Mrs. Dalton, who had given evidence against Mollies on trial, were murdered. Many threatening letters were sent, many persons were ill-used and robbed, houses were set on fire in the towns of Scranton, Dunmore, Hyde-Park, Greenwood, and in Avondale, Luzerne County. Similar acts of terrorism were committed in Bloomsburg, the chief town of Columbia County.

In September a man named Riles was fired at and severely wounded in Shenandoah.

On October 14, the corpse of one Brennan, a known enemy of the Mollies, was found in the river Lehigh.

On the 1st of December, a miner, Timothy Donohue, was murdered and flung into an empty shaft at Hecksherville.

On the same day the offices of J. B. Davis, at Newcastle, were set on fire; four miners were attacked by a band of Mollies and so much injured that one died of his wounds.

A few days later the buildings of Yorktown Mine in Carbon County were burnt down, with a loss of \$100,000; two miners were shot in that neighbourhood. Two were also killed at the Lehigh Coalworks, and two others, who had given evidence against the Mollies, disappeared without traces.

To these might be added many other deeds of blood and crime in 1878 as well as 1877, but I fear you would be tired with a painful list, only repeating again and again horrible events of the same character. Outrage became so frequent, and terror so general, that all the mines were watched, and their superintendents accompanied by guards for their personal safety. Since those years I have been out of the way of hearing Pennsylvanian news except through the public press. I can only hope that the energetic Mr. Gowen and his supporters have quite stamped out the criminal element in the coal region. If not, it must be for want of wise and strong combination among proprietors and agents there, who ought to have learnt by past experience their only safe course of action for the future.

Such is the account of Irish crime in this land of freedom which my enquiries enable me to supply. Should you think it useful for the information of readers in the "old country," you have my full permission to employ it with that view.

Believe me

Most sincerely yours,

ERNEST W. LUCY.

G

XIX.

REPLY FROM C. E.

My dear Lucy,

Accept my cordial thanks for the important facts supplied by your letters and the documents therein quoted.

They establish truths not so fully understood as they ought to be in the old country; but proper to be known in every country, proper to be borne in mind by all who would defend civilised society and its first requisite, the repression of crime.

We knew before that the Irish Catholics who have emigrated to the United States are, for the most part, avowed enemies of England; that rebels, traitors and criminals here obtain from them funds for the prosecution of their nefarious work. But from your letters we now learn that they are ~~enemies~~ enemies not of England and the Saxon race alone, but of the ~~laws and peace of the land in which they reside, and of all races which compete with them for employment, position and influence there;~~ that, while sanguinary ruffians in Ireland itself are engaged in murdering, outraging and plundering landlords, land-agents and law-abiding tenants, their sympathising kinsfolk across the Atlantic keep tune with them by murdering, outraging and plundering coal-proprietors, their agents, and law-abiding labourers of all races, American, English, Scotch, German, Swede, all in short who are not Irish Catholics; for the heretic Celt, Welsh or Cornish, finds no more mercy at their hands than the heretic Teuton. Their war is three-fold, a war against race, a war against religion, a war against property and the laws which uphold property.

That they wage war on race and religion, is amply proved (1) by the 10th Article of their hypocritical association, the Ancient Order of Hibernians—which says that “No person shall become a member of this Order who is not Irish, or of Irish descent, a Roman Catholic, and of Roman Catholic parents.”—(2) by their hostile action against all other immigrants, whom they confound under the common title of Modocs.

That they wage war on property and the laws which protect property is amply proved by the facts supplied in your letters, added to those which the history of ill-fated Ireland has continually furnished for the last 120 years and earlier still.

Mr. Froude's well-known work, "*The English in Ireland*," was, as I well remember, among those which you read with interest during your visit to England. Since that time Mr. Lecky has published the first four volumes of his "*History of England in the 18th Century*." In the 2nd volume he severely censures Mr. Froude's book, as "intended to collect and aggravate everything that can be said against the Irish people" (p. 95), "to blacken to the utmost the character of the Irish people" (p. 101), and he makes a longer and more elaborate attack at pp. 378-9. Mr. Froude has published a new edition (1881), in which I observe some modifications of his former statements. This edition I advise you to procure, as well as Mr. Lecky's work, and to examine them minutely. Both these writers are able, well-read, and rationalistic. Neither of them is known as a political partisan, and there is no reason to doubt that the opinions of both are the result of much study and of honest conviction. By comparing their statements and views on disputed matters, such as the massacres of 1641 and the following years, we may perhaps hope to form just conclusions.

That Ireland has often been misgoverned by England and wronged commercially, is too true; but it is also true that Ireland has always been ungovernable, repaying concession with new demands which cannot be conceded, and refusing conciliation except on terms which would soon lead to fresh and more deadly quarrel. Mr. Lecky's history has not yet reached the terrible era of 1798. When he comes to deal with that time, he will find its story, as told by Mr. Froude, if I mistake not, irrefragable as to its facts. The leaders of the rebellion at Dublin were irreligious men, inoculated with the worst principles of the French revolution. They had succeeded in attaching to their republican scheme a large number of the Presbyterians in Ulster, who took up arms at first, but soon repented of their madness, alarmed and converted by the massacres of Scullabogue and Wexford. But out of Ulster and beyond Dublin, the war of that time was, beyond all question, a religious war, a rising of the Catholics, as in 1641, instigated or abetted, sometimes (as in Wexford) led by the priests, for the purpose of exterminating the Protestants. The perusal of Sir Richard Musgrave's history leaves no doubt of this fact. The relation of landlord and tenant aroused no wide-spread angry feelings then. Families were murdered, burnt out and plundered, not because they were

those of land-owners or their agents, but because they were Protestant. The land question, as between owner and tenant, has become a burning one since then; but it would be an error to suppose that the religious question has ceased to exist as a cause of severance and hatred. This is clearly shown by the constitution of "The Ancient Order of Hibernians," which you have transmitted to me.

It must not be forgotten that Mr. Lecky, being an Irishman, has a natural and honourable motive for trying to make the best possible case in defence of his countrymen. But, even if it be allowed that Mr. Froude's pictures of Irish character, Irish misconduct, and the mischievous influence of the priesthood, are here and there too darkly coloured, I still think with the *Edinburgh Reviewer* (No. 303), that Mr. Lecky has sometimes treated these same topics in too lenient a spirit, with less width of view and less profound reflection than the truth of history and the welfare of society demand. What he says is said truly and well, so far as it goes; but it does not always go far enough; the full truth is not brought out, and the full truth is wanted. I refer especially to his remarks on the (Roman) Catholic system and its priesthood. Whether it be from unwillingness to offend members of the Roman Church that Mr. Lecky deals so sparingly with it—more sparingly for instance than the rationalists Edgar Quinet and Prof. Laurent of Ghent have dealt—I am unable to say. But, if no desire to give pain be exhibited, if this be expressly disclaimed, and if reproachful epithets and terms be studiously avoided, in such case relevant matters of fact may surely be stated without giving offence, at all events without giving just offence. I am an English Churchman, a moderate one assuredly, a reasonable one, I hope. I have no Romeward proclivities like some; but I am not wont, after the manner of others, to declaim against "the idolatrous superstitions of the scarlet woman." I wish to live in peace with all my Catholic countrymen, who will be at peace with me. But since I am an Anglican, it stands to reason that, as a matter of fact, I regard some doctrines of Trent and the Vatican as erroneous, and some of their practices as superstitious, and all error and superstition as in their nature hostile to human progress and happiness; otherwise, I should not be a Christian living outside the Roman Communion. This is simple truth, which can neither offend nor pain any intelligent mind.

I now cite from Mr. Lecky's Second Volume two passages relating to the power of the Catholic priesthood.

“Catholicism, like all other religions that have approved themselves to the hearts and consciences of great bodies of men, brings with it its own distinctive virtues, and it has contributed much both to the attractive charm and to the sterling excellences of the Irish character. But it is on the whole a lower type of religion than Protestantism, and it is peculiarly unsuited to a nation struggling with great difficulties. It is exceedingly unfavourable to independence of intellect and to independence of character, which are the first conditions of national progress. It softens, but also weakens the character, and it produces habits of thought and life not favourable to industrial activity, and extremely opposed to political freedom. In nations that are wholly Catholic, religious indifference usually in some degree corrects these evils, and the guidance of affairs passes naturally into the hands of a cultivated laity actuated by secular motives, and aiming at secular ends. But no class of men by their principles and their modes of life and of thought are less fitted for political leadership than Catholic priests. It is inevitable that they should subordinate political to sectarian considerations. It is scarcely possible that they should be sincerely attached to tolerance, intellectual activity, or political freedom. The theological habit of mind is beyond all others the most opposed to that spirit of compromise and practical good sense which is the first condition of free government; and during the last three hundred years the gradual restriction of ecclesiastical influence in politics has been one of the best measures of national progress. It may indeed be safely asserted that, under the conditions of modern life, no country will ever play a great and honourable part in the world if the policy of its rulers or the higher education of its people is subject to the control of the Catholic priesthood. In Irish history especially the dividing influence of religious animosities is too manifest to be overlooked, and there is no doubt that the Catholicism of the bulk of the people has in more than one way largely contributed to their alienation from England. It deepens the distinctive differences of the national type. The Church as an organised body becomes the centre of the national affections, bringing in its train political sympathies, affinities, and interests wholly different from those of the great majority of Englishmen. Besides this, Catholicism, when it has once saturated with its influence the character of a nation, has a strangely antiseptic power, giving a wonderful tenacity to all old traditions, habits, prejudices and tendencies.” p. 383.

“Every religion which is worthy of the name must provide some method of consoling men in the first agonies of bereavement, some support in the extremes of pain and sickness, above all some stay

in the hour of death. It must operate, not merely or mainly upon the strong and healthy reason, but also in the twilight of the understanding, in the half-lucid intervals that precede death, when the imagination is enfeebled and discoloured by disease, when all the faculties are confused and dislocated, when all the buoyancy and hopefulness of nature are crushed. At such a time it is not sufficient for most men to rest upon the review of a well-spent life. Such a retrospect to all of us is too full of saddening and humiliating memories. It is an effort too great for the jaded mind. It can at best afford but a cold and languid satisfaction amid the bitterness of death. It is at this moment that priestly influence is most felt. The Catholic priest asserting with emphatic confidence a divine power of absolving the sinner, arresting and overawing the wandering imagination by imposing rites, demanding only complete submission at a time when beyond all others the mind is least disposed to resist, and professing, on the condition of that submission, to conduct the dying man into an eternity of happiness, can provide a stay upon which sinking nature can rest in that gloomy hour. The immense consolation which has been thus infused into innumerable minds at the time when consolation is most needed, can be hardly overstated. To secure the efficacy of this last absolution upon the imagination of the dying, has been a main end of all the teaching and of all the ceremonies of the Church. For the sake of this, men have endured all the calamities which priestcraft has brought upon the world, have bartered the independence of their minds, and shut their eyes to the light of truth. By connecting this absolution indissolubly with complete submission to their sacerdotal claims, the Catholic priests framed the most formidable engine of religious tyranny that has ever been employed to disturb or subjugate the world." p. 638.

In the former of these passages Mr. Lecky says, as any honest rationalist must say, that "Catholicism is a lower type of religion than Protestantism," that it is "opposed to independence of intellect and of character," that "no country will ever play a great part" if "it is subject to the control of the Catholic priesthood," mainly because "the theological habit of mind is beyond all others the most opposed to" a "spirit of compromise and practical good sense."

In the latter he says that, by the power they exercise of absolving dying sinners on condition "of complete submission to their sacerdotal claims," the Catholic priesthood framed (?) the most formidable engine of religious tyranny that has ever been employed."

What Mr. Lecky has thus said is all true—so far as it goes; but it goes a very little way towards a full description

of "the formidable engine" therein mentioned. He is a historian, and a man of signal ability. He has treated of the first 800 years A.D., in his *History of European Morals*. He knows that ecclesiastical history forms a large and material—many will say "the most material"—part of European history, from the Christian era to the present time. He ought therefore to know full well that he has given a very faint idea of that engine and its powers when he confines their operation to the approach of death. Let us see what those powers are, and how they work. In the first place the Roman church, calling itself Catholic, declares that for those who die outside of its communion there is no salvation; for those who die in its communion, reconciled with it, everlasting bliss. Here the most terrible of all menaces is shown on the one side, on the reverse the most alluring of all promises. The reformed Churches do not use any such language. There are in the world very many minds, among all grades of society, on whom "the safe side," and the secure prospect of a heaven after death, exert a most seductive influence. Again, by the strict enforcement of clerical celibacy Pope Hildebrand (Gregory VII.) acquired for his church a militia, freed from the tenderest worldly influences, and bound to its cause by every motive of personal interest and ambition. The weapons and cords he gave them for the subjugation of the laity to their behests are—auricular confession and penance. The bribing influences he placed in their reach are—absolution pronounced by themselves, indulgences or remissions of purgatorial and other penance, offered by the Pope, and the singing or saying of masses for the souls of the dead. The cult of the Virgin, and the invocation of patron saints, are also practices very captivating to many minds. These are, perhaps, the principal springs of that "formidable engine" of which Mr. Lecky has mentioned one movement only, the influence brought to bear beside the sinner's dying bed. But not less potent aids are the combined indolence and ignorance which make myriads of every class blindly commit themselves to the guidance of men, whom they have learnt to revere as infallible, and divinely entrusted with the keeping of souls unto salvation.

Upon the whole then, without venturing to endorse all Mr. Froude's views in his very interesting work, I sympathise with them more than with Mr. Lecky's chapters on Ireland in his second volume. "These," says the *Edinburgh*

Reviewer, "are in fact a passionate pleading for the justice and humanity of the Irish character. We quite admit that Ireland has, in past centuries, been treated with injustice and inhumanity by England, crimes for which it has been the ardent desire of this country to make the largest atonement in its power. But we are unable to accept Mr. Lecky's version of the temper and conduct of the Irish people, who have in all ages rendered the wise government of the country difficult, and sometimes impossible."

The circumstances attending the discovery by the Molly Maguires of McParlan's character as a detective are peculiarly interesting, and deserve special notice. They will be found in his re-examination: It appears that John Kehoe named Mr. Ryon (counsel for the prisoners Kelly and Doyle, committed for the murder of J. P. Jones) as his authority for saying that a detective was at work. He did not say Mr. Ryon spoke of McKenna as that detective; but how came Kehoe at once to fix upon him as the man? When hard pressed by McParlan, Kehoe at length referred him to Father O'Connor; and this priest, being also pressed, referred him to Father Reilly and Father Ryon (probably a kinsman of the counsellor). Whereupon McParlan, having a just insight, got out of the way without loss of time. Can we doubt that Mr. Ryon had his intelligence from the priests? How were they informed? We are told by Mr. Gowen that "Archbishop Wood was in his confidence from the first."

In your latest letter you say that the discussions which arose respecting the pardon or execution of certain criminals cannot interest me. They do interest me very much; and, as I think they will both interest and instruct the readers of this volume, I shall add to its Appendix an outline of them, which I find in the German work to which you allude in your first letter.

Believe me always

Very gratefully and sincerely yours,

C. E.

September, 1882.

A P P E N D I X.

I.

Extracts from the speech of Franklin B. Gowen, Esq., one of the Counsel for the Commonwealth on the trial of Thomas Munley for the murder of Thomas Sanger at Raven Run. See p. 34.)

After a few opening remarks, Mr. Gowen said,

On the 1st of September last, Thomas Sanger, a young English boss miner, a man between 30 and 40 years of age, who, so far as we know, may not have had an enemy in the world; left his house in the morning to go to his daily work. If there is anything which should be accorded to a member of a free government, if there is any right which the humblest man in this country should possess, it is the right to labour for the support of his family, without hindrance or molestation from any one. Going forward and onward in the performance of his duty, and the prosecution of his daily work, this man was confronted by one of an armed band of five assassins. He was shot in the arm. He turned to run round a house in the neighbourhood, and he was there confronted by another of these miscreants who had been sent to intercept him. He again turned and stumbled upon the ground; and then, when the foremost of this band of assassins came up to him, as he lay upon the ground, he discharged his revolver into him, and another turned him, as he lay upon his face, over upon his back, so that he could expose a deadly part for his aim, and then, with calm deliberation, selected a vital spot and shot him as he lay prostrate upon the ground. His wife, from whom he had just parted, hearing his cries, rushed out and reached her husband only in time to hear his last faltering accents: "Kiss me, Sarah, for I am dying."

That is this case. It is not isolated or alone. God knows I wish it was. It is not one case singled out in this great community, but it is one of a number that we have been called upon to confront during the last twenty years. Who were these persons that were guilty of this murder? That is for you to determine, according to the evidence; and I now propose, very concisely and as succinctly as I can, to call your attention to the evidence in this case; and I ask you to find your verdict of guilty solely in accordance with that evidence and acting under the solemnity of your oaths.

He then gives the evidence of identity.

The colliery at which Sanger was killed belonged to the firm of Heaton and Co., and one of the firm was Mr. Robert Heaton, whom you have had on the stand as a witness. He noticed the five men sitting near the truck and near the stable fence. He went to breakfast, but before going he had noticed that one of these men sat in a peculiar and apparently constrained position, with his hands down in his lap and his body bent in a straight line from the hips upward and forward to the head and neck, with no curvature of the back. When at his breakfast Mr. Heaton heard shots, and rushed out of his house, taking with him his pistol. On his way to the scene of the murder he met his superintendent, wounded and bleeding, and believing as he struggled into Mr. Weevil's house, that he was about to die, this brave superintendent, who died at his post, uttered his last words to his employer: "never mind me, give it to them, Bob." If ever a brave man died bravely that man was Thomas Sanger. Mr. Heaton rushed out after the murderers, who were retreating up the road, three in front and two behind, and as deliberately as the excitement of the moment would permit, he shot at the retreating fugitives. The two that were behind turned upon him, and faced him directly, so that he and they were face to face. He says to you: "I had a full view of them; every time I fired my pistol they turned full around upon me, looked me full in the face, and then when I shot again they did the same thing." At one time Mr. Heaton rested his pistol upon a stump for the sake of getting a better aim; but all was of no avail. He thought he shot one, for he states that he saw a motion made by one of the two that was farthest away from him that indicated he had been wounded, but there is no evidence that any one received an injury; the whole five escaped, but one of them left upon Mr. Heaton's mind and upon his eye the indelible impression of his countenance.

Mr. Heaton came to Court here some months ago, on the hearing of the writ of *Habeas corpus* in this case, and he was attracted by one of the prisoners sitting in the Court in the same peculiarly constrained position in which he saw the one man sitting at the stable fence. Then he saw the man's face, and in addition to the recognition which had resulted from the position of this prisoner, Mr. Heaton again recognised him by his countenance. It will not do for my friend, Mr. Bartholomew, to say that Mr. Heaton did not swear to you that he saw these five men or recognised them by their faces; for Mr. Heaton was positive that the one man who turned round and faced him, and who deliberately fired at him, was this prisoner, Thomas Munley. Said Mr. Heaton: "I had a full view of him, and from that I am able to identify him." Where can you get better identification than this? When a witness says: "The man looked me full in the face, and I saw him; I was shooting at him and he was shooting at me, and I recognise this

prisoner as the man," of what avail is it that we did not ask the witness whether he recognised this prisoner by his face or not, because the necessary and inevitable inference from what he said is that he did recognise him by his face. If Robert Heaton that morning, instead of taking with him a five-barrelled pistol when he left the house, had taken a rifle carrying 16 eartridges, and, as he saw the men retreating up the road had rested his rifle on the stump, he would have brought every one of the murderers down right in their tracks, as they deserved to be brought down; but, I am free to say here, I am glad they were not. The punishment meted out to the murderer by being shot down in his tracks, is not the punishment which the law awards to vindicate the ends of justice; nor is it the proper punishment to impose upon the felon for the purpose of deterring others from the commission of the same offence. But if Robert Heaton that day had had a carbine loaded with 16 cartridges, and had shot every one of these men down in their tracks, and their bodies had been laid side by side for identification before the coroner's inquest, I submit, with great confidence, that there would have been, in the dead body itself, no better identification of Thomas Munley than has been given of his living body now sitting before you for trial.

But Robert Heaton is not alone. We have Mrs. Williams, the wife of a man working at that colliery, or in that neighbourhood, the mother of a son, a young, manly, active and impetuous lad who, when he hears the sounds of fighting, is anxious to rush out, as the other men there ought to have rushed out, and arrested these men, or confronted them for identification. This mother, hearing the shots and knowing there was murder in the air, was anxious that her son should not be exposed to danger, and throwing her arms around his neck at the front door, strove with all her strength, and with the additional assistance of her daughter and another, to force him from the path of the murderer. When so engaged, with all the dread of the danger before her, she sees one of the murderers pass the door, with his head raised defiantly in the air, and with his pistol in his hand. It needed but one instant for that countenance to become indelibly impressed upon her mind. The gentlemen who represent the prisoner tell us that the means of identification are wanting in this instance, and that the time afforded for the examination was too short. There are authentic instances of detection even in less time. The dog of a murdered man saw an assassin in the act of murder, and that one glimpse lasted for days and weeks and months. The brute creature of God treasured up in what little mind, if any, he had, the picture of the murderer, and the first time he saw him—in a crowded thoroughfare in a great town—he sprang at his throat and fastened him down until the assassin was arrested by the officers. Conviction followed upon the identification by the brute.

If this be so, how much more credit should be given to the identification by a human being. How much more to identification by a mother elinging to her offspring to keep him from danger when the picture of the assassin is presented before her. Did you hear the remark that Mrs. Williams made when she was cross-examined by one of my learned friends? When she was asked: "How can you tell this man, by his profile or by his full face?" she answered: "By his profile; for that was all I saw." But she said something else: "It seems to me that I could always see that face." In the dark visions of the night it was ever before her, and the face of the murderer was ever haunting the witness whom Providence had appointed for his identification. We did not know that she knew this. She was not subpoenaed as a witness. We believed, acting for the Commonwealth, that we had done all that we could to ferret out these offenders; but you can see that there are some things which human ingenuity, human sagacity and human endurance will omit and will neglect, and I can safely say that it looks to me as if the finger of God was here revealed, and as if it unerringly pointed out the evidence which the officers of the Commonwealth had not been able to secure.

The husband of this woman had been subpoenaed and had come here as a witness and she accompanied him. The husband was excluded from Court, but she was not. She came into the Court-room and the moment she saw the profile of this prisoner sitting at the table, sitting among two or three men, with nothing upon his person or in his countenance to indicate that he was the prisoner, with no previous knowledge on her part that this was the man who was being tried, but simply seeing him sitting there facing the table with his profile toward her as she sat among the audience, she said to those around her: "That is the man I saw passing the road when I was holding my son that morning." Of course the report was brought to us at the counsel table, and we put her on the stand.

There are mechanical appliances that render identification instantaneous. The art of the photographer has discovered a method whereby, in an instant or less of time, in a pulsation of the heart, in the winking of an eye, you can take the picture of a man while he is moving at full speed before you. Why should not the eye of this woman be able to do the same thing? Can there be anything stronger, anything better than a recognition such as we have here established before you?

But even here we are not alone. We need not stop. We have the testimony of Melinda Bickelman, who has been subjected to a rigid cross-examination, and whose testimony has been attacked by the very learned gentleman who preceded me. The case of Miss Bickelman is almost identical with that of Mrs. Williams. She

was a 'sister of Mrs. Weevil, to whom she was paying a visit at Raven Run at the time Sanger was killed. She was subpoenaed as a witness because she was known to have been in the house of Mrs. Weevil on the morning of this murder; but it appeared that no one questioned her as to what she knew, and it never appeared that she knew anything that was important, and she was not called to the stand; but she had come here into this Court-room a few months ago, at the hearing upon the writ of *Habeas corpus* in this case, and she saw this prisoner Munley, and then identified him; and I submit that her identification is complete.

McParlan's evidence is added.

I could rest this case here to-day, as counsel for the Commonwealth, solely upon the testimony of Robert Heaton, Mrs. Williams and Melinda Bickelman. But I dare not stop without going further, because in addition to that testimony, which alone is sufficient to convict, we have the positive declarations of the prisoner himself. And how do we show this? By the detective, James McParlan, of whom I shall speak hereafter; for, at this stage of the case, I simply desire to call your attention to the fact that on the 31st of August, McParlan, who had slept the night before with Michael Doyle, was informed by him that he and some others were going to shoot a boss at Raven Run. Doyle wanted one of his (McParlan's) coats, and got it; and Thomas Hurley then came in and instructed Doyle how he should perform his murderous work. After that this man Hurley remained with McParlan the whole of the day, so as to prevent him communicating with any one; and on the next morning at eight o'clock, immediately after the perpetration of the crime, panting with the speed of the flight and reeking with the blood of their victims, the five assassins rushed into the house of Michael Lawlor, at Shenandoah, and into the presence of Hurley and McParlan himself.

These men announced at once that they had killed a man, that they had killed a boss, that they had intended to kill only one, but that they had to kill another. They said that they did not intend to kill more than one, but the other man interfered and they killed him too; and then each recounted the share which he had taken in the exploit. Munley, as I shall show you hereafter, specifically detailed the position which he occupied and the part which he had taken in the murder. Here is our case, and were it not for what the defence has offered in evidence, and more particularly for what their counsel have said, it would be unnecessary for me to add a single word to that which I have already uttered; but as my friends, Mr. Bartholomew and Mr. L'Velle, have pleaded before you for the acquittal of the prisoner, and as they have endeavoured to attack the credibility of our witnesses, and to blacken the character of James McParlan, it becomes my duty not to stop with

the testimony of the Commonwealth, but to go over, in more laborious detail, the evidence for the defence, and to answer the arguments which have been made to secure an acquittal for this prisoner.

After a victorious demolition of the alibi attempted by perjured evidence, Mr. Gowen returns to the subject of McParlan's testimony.

I now come to the testimony of McParlan. Many of you know that some years ago I was the District Attorney of this county. I am, therefore, not very much out of my old paths, and not very far away from my old moorings when I am standing, on behalf of the Commonwealth, in the Court of Pottsville, demanding the conviction of a guilty man. It was when I was District Attorney of this county, a young man, charged with the prosecution of the pleas of the Commonwealth, that for the first time I made up my mind from what I had seen, in innumerable instances, that there then existed in this county a secret organization, banded together for the commission of crime, and for the purpose of securing the escape or acquittal of any of its members charged with the commission of an offence.

That conviction forced itself indelibly upon my mind. A man who for two years acts as District Attorney in this county prosecuting criminals who are brought before the Court, must be either very obtuse or wilfully blind, if he could close his eyes to the existence of a fact as perceptible as this was then to me. I left this county with that settled conviction, and circumstances which occurred at the time and again long after I withdrew from the prosecution of criminals, still more deeply fastened this conviction in my mind. Murder, violence and arson, committed without detection, and apparently without motive, attested the correctness of that belief, and when the time arrived that I became so much interested in the prosperity of this county, and in the development of its mineral wealth, that I saw it was a struggle between the good citizen and the bad citizen as to which should obtain the supremacy, I made up my mind that if human ingenuity, if long suffering and patient care and toil, that stopped at no obstacle and would confront every danger, could succeed in exposing this secret organization to the light of day, and bringing to well-earned justice the perpetrators of these awful crimes, I would undertake the task.

I knew that it could only be done by secret detectives, and I had had enough experience, both as a lawyer and as the head of a very large corporation, to know that the public municipal detectives, employed by the police authorities of the cities, who operate only for rewards, are the last persons to whom you could trust a mission and an enterprise such as this. It was as important for us to know who was innocent as it was to know who was guilty.

The detective who operates for rewards, who is only paid upon his conviction of the offender, has a motive to incite him to action which I would be the last man in the world to arouse. I knew, for I had had experience before, of the National Detective Agency of Allan Pinkerton, of Chicago, which was established by an intelligent and broad-minded Scotchman, established upon the only basis on which a successful detective agency can be established, and I applied to Mr. Pinkerton. His plan was simply this: "I will secure an agent, or an officer," said he, "to ferret out the existence of this society. Whoever I get is to be paid so much a week, no matter if he finds out nothing. He is bound to me never, under any circumstances, to take a reward for his services from anybody, and if he spends five years and obtains nothing in the way of information, he must have every month or every week exactly the same compensation as if every week he had traced a new murder and every month had discovered a new conspiracy. He is never to gain pecuniarily by the success of his undertaking; but, as a man who goes into this organization as a detective takes his life in his own hands, I will send no man on this mission of yours, Mr. Gowen, unless it be agreed beforehand, and I can tell him so, that he never is to be known in connection with the enterprise." Upon these terms this man, James McParlan, was selected. A young Irishman and a Catholic, but six or seven years in this country, eminently qualified by his peculiar Irish accomplishments to ingratiate himself with those to whom he was sent, he came here in the fall of 1873, and within six months he had so far won the confidence of the class of people who constituted this order that he was admitted as a member. Remember now, here, and I advert to it lest I might forget it, that he came here pledged that he should not be used as a witness. Therefore the only object of his coming was to put us upon the track, so that we could discover the crime when it was being perpetrated, and this is the best answer that can possibly be made to the charge that he willfully withheld his knowledge when he might have saved human life. His only object here was to get knowledge. He never was to be used as a witness. His only object was to find out when a murder was to be committed, to be with the perpetrators if he could, and to give notice to Captain Linden, who had an armed police force ready, so that they might be waiting at the very spot, and not only save the life of the intended victim, but arrest every man engaged in the perpetration of the offence, in order that there could be abundant evidence of their guilt. That was his whole object. Almost every night he made his report; and how well he has performed his duty, the security of human life and property in this county to-day, as compared with what it was six months ago, is the best commentary I can make upon the subject.

After repelling the attempt to discredit McParlan as an accomplice, Mr. Gowen says :

And now some words about this secret organisation of Molly Maguires. My friend, Mr. Bartholomew, is not correct in his statement of their history. If, after this case is over and when you are permitted to read, you will get a little book called *Trench's Realities of Irish Life*, written by a relative of that celebrated Dean Trench, whose name is well known wherever English literature is read, you will find the history of this organisation. It was known as the Ribbonmen of Ireland. It sprang up at the time when there was an organised resistance in Ireland to the payment of rents. The malcontents became known as Ribbonmen, and they generally made their attacks upon the agents of the non-resident landowners, or upon the constables or bailiffs who attempted to collect the rents. Their object was to intimidate and hold in terror all those to whom they owed money, or who were employed in its collection. As a branch of this society, and growing out of it, sprang the men known as the Molly Maguires, and the name of their society simply arose from this circumstance, that in the perpetration of their offences they dressed as women, and generally ducked or beat their victims, or inflicted some such punishment as infuriated women would be likely to administer. Hence originated the name of the Molly Maguires, which has been handed down to us at the present day; and the organisation of the Molly Maguires, therefore, is identical with that of the Ribbonmen in Ireland, who have terrorised over the Irish people to so great an extent.

How this association came into this country we do not know. We had suspected for many years, and we know now, that it is criminal in its character. That is proved beyond peradventure. It will not do now to say that it was only in particular localities in this county that it was a criminal organisation, because the highest officer in this society, in this county, the county delegate, Jack Kehoe, the man who attended the State Convention, and was the representative of the whole order in this county is to-day, as you hear from the testimony, in prison awaiting his trial for murder. Whether this society, known as the Ancient Order of Hibernians, is beyond the limits of this county a good society or not, I cannot tell; I have believed sometimes that it was, and I am willing to be satisfied of that fact now, if there is any evidence of it. But there has been an attack made upon this organisation, and up to this time we have not had furnished to us any evidence that in any place its objects were laudable. Criminal in its character, criminal in its purpose, it had frequently a political object. You will find the leaders of this society the prominent men in the townships. Through the instrumentality of their order and by its power, they were able to secure offices for themselves. You see here, and now know, that one of the Commissioners of this county is a member of this order.

You know that a previous Commissioner of this county was a member of this order, convicted of a high offence, and pardoned by the Governor. You know that another county Commissioner, before that, was a member of this order, convicted of an offence, and pardoned by the Governor. High constables, chiefs of police, candidates for associate judges, men who were trusted by their fellow men, were all the time guilty of murder.

But in addition to the criminal and the political motives, these people claim national characteristics. They claim that they are *par excellence* the representatives of the Irish of this county. They claim more than that, they say that they represent the Irish Catholics of this county. I shall say but little about the Irish except that I am myself the son of an Irishman, proud of my ancestry, and proud of my race, and never ashamed of it except when I see that Ireland has given birth to such wretches as these. These men call themselves Irishmen. These men parade on St. Patrick's Day and claim to be good Catholics. Where are the honest Irishmen of this county? Why do not they rise up and strike down these wretches that usurp the name of Irishmen? If a German commits an offence, and engages in murder, do all the other Germans take his part and establish a false *alibi* to defeat the ends of justice? If an American becomes a criminal, do the Americans protect him? Do they not say, "Away with you: you have disgraced the country that bore you?" If an Englishman becomes an offender, do the English nation take him to their arms and make him a hero? Why then do not the honest Irishmen of this county come together in public meeting, and separate themselves widely from and denounce this organization? Upon what principle do these men, outcasts from society, the dregs of the earth, murderers and assassins, claim to be Irishmen and arrogate to themselves the national characteristics of the Irish people? It is a disgrace to Ireland that the honest Irish of this county, probably five or ten thousand in number, should permit a few hundred wretches like these to say that they are the true representatives of the Irishmen of Schuylkill county.

Does an Irishman wonder why it is sometimes difficult to get a job in this county? Does he wonder why the boss at a colliery hesitates to employ him, when these people have been permitted to arrogate to themselves the Irish character, and have been permitted to exhibit themselves to the people of this county as the proper representatives of Ireland? The time has come when there must be a line of demarcation drawn. The time has come when every honest Irishman in this county must separate himself from any suspicion of sympathy with this association. He must denounce its members as outcasts from the land that gave them birth. He must denounce them as covered with infamy and blackened with

crime. He must say that they are not true Irishmen, and that they are not representatives of Ireland.

But far beyond this attempt to invoke your sympathy on account of their nationality is the attempt to invoke that sympathy on the ground that they belong to a persecuted religion. Was there ever such tremendous impudence as that members of this secret society, excommunicated by the Archbishop of Philadelphia and by the Pope, should set themselves up in this community as the representatives of the Catholic faith?

I have the direct personal authority of Archbishop Wood himself to say that he denounces them all, and that he was fully cognisant of and approved the means I took to bring them to justice. And, for myself, I can say that for many months before any other man in this world, except those connected with the detective agency, knew what was being done, Archbishop Wood, of Philadelphia, was the only confidant I had, and that he fully knew the mission of McParlan in this whole matter. So much then for the assumption of Mr. L'Velle that these men claim sympathy on account of their being Catholics.

And now one word more upon this subject, and I dismiss it. Whenever you hear a complaint made against a man because he is an Irishman, or because he is a Catholic; whenever you hear any one, no matter who he may be, say that the outrages of this country are due to the Irishmen, or due to the Catholics, do not, I beg of you, forget, in your secret hearts, that the highest prelates of that church have excommunicated this order. Do not forget that whatever little credit may be due to him who has conceived the plan of exposing this association, is due to one who is the son of an Irishman; and do not forget that a greater honour and a greater meed of praise than is due to any other, is due to Detective McParlan, who is an Irishman by birth, and a Catholic by religion; and if those who profess to be Irish Catholics in this county have brought their nationality and their religion into disrepute, I beg of you to remember that both have been gloriously and successfully vindicated by an Irishman and a Catholic, in the person of James McParlan.

After dwelling on the strong corroborative evidence, he says :

I have said to you before that it seems to me as if there had been a divine interposition for the investigation and punishment of crime in this county. Remember that McParlan came here pledged that he should not be used as a witness. We could not arrest a man because he told us anything about him, because he was protected by the pledge we had given him that he was not to be exposed, and was never to be known in the investigation; and I tell you that, no matter what the consequence would have been, when I became an instrument to lead him into the danger to which

he was subjected, when he took his life into his own hand and entered into the secret councils of this order, I would have been the last man in the world to have asked him to relieve me from the pledge which had been made to him. You have heard that his mission became known to this order, how or by what manner I am not at liberty to tell you to-day, for it is not in evidence. We have the fact that his mission became known to this society, and we have the fact that those from whose vengeance he was to be protected, by ignorance of his true character, acquired information that enabled them to know that he was playing a false part in the organization, and that he was in reality a detective; and he was compelled to leave the county. And then I saw before me my path as clear as day. Then I saw that some miraculous interposition of Providence had been vouchsafed to permit us to use the testimony and the knowledge of this man McParlan. Then I breathed freer and trod with elate step; then I knew that I had within my hands the power to crush these villains; then and on the day when he took his place upon the witness-stand, I took my seat at this table as counsel for the Commonwealth, and the warrants were executed which consigned to the prison every one of these criminals, with the exception of one or two, and of those who ran away when Jemmy Kerrigan turned State's evidence. When in the history of criminal jurisprudence did ever such a change of society come over a county as that which came over this county the morning that McParlan first became a witness and on the morning when Jack Kehoe, the county delegate, with twelve or fifteen other men, handcuffed to a chain, were marched from the high places they occupied to take their solitary cells as felons within the walls of your prison?

When I came to this Court-house on that memorable day, the Court-room was crowded with the sympathising friends of these criminals; but where are they to-day? They may be here, but they give no sign, and we know nothing of them, and care not if they are here. The whole country sprang up like a giant unbound. Then we knew we were free men. Then we cared no longer for the Molly Maguires. Then we could go to Patsy Collins, Commissioner of this county, and say to him: "Build well the walls of the new addition of the prison; dig the foundations deep and make them strong; put in good masonry and iron bars, for as the Lord liveth, the time will come when, side by side with William Love, the murderer of 'Squire Gwyther, you will enter the walls that you are now building for others." Then we could say to Jack Kehoe, the high constable of a great borough in this county: "We have no fear of you." Then we could say to Ned Monaghan, chief of police and assassin: "Behind you the scaffold is prepared for your reception." Then we could say to Pat. Conry, Commissioner of this county: "The time has ceased when a Governor of

this State dares to pardon a Molly Maguire—you have had your last pardon." Then we could say to John Slattery, who was almost elected Judge of this Court: "We know that of you that it were better you had not been born than that it should be known." Then all of us looked up. Then, at last, we were free, and I came to this county and walked through it as safely as in the most crowded thoroughfares of Philadelphia.

When we discovered the criminal nature of this organization, and when the evidence of this conspiracy was brought forward to us by McParlan, we issued our warrants for the arrest of the conspirators, and we turned to these men, with the Commissioner of the county at their head, and we said to them, "Ha, you have lost the stake." They played a deep game and they played for a great stake. They played to secure the property of this county by endangering the lives of their fellow citizens. They had agents as chiefs of police, and as constables and commissioners, and they had one of their number almost on the bench itself. God alone knows what would have happened to us if they had secured him there, and then elected a jury of commissioners besides. With Molly Maguires as judges, Molly Maguires as constables, Molly Maguires as commissioners, and Molly Maguires as witnesses, what would have been the history of this good old county? Think of this for a moment. Can you think where then we should have drifted, and to what it would have led us? Can you imagine the condition of the people of this county with murderers on the bench, and in the jury box, and in control of all the principal offices of the county. I lived in the apprehension of all this for two years and a-half alone, and God knows that when the time comes that all I know may be told to the world, it will reveal a history such as will make every American citizen hang his head with shame. I have seen a society of murderers and assassins having its members in the highest places in this county. I have seen them elected to fill the positions of constables and police officers. I have seen a trusted member of that band of murderers a commissioner of the county. I have seen this organization wield a political power in the State which has controlled the elections of a great Commonwealth. I have received the information of meetings between some of the highest officers of the State, and the chief of the murderers, at which large sums of money were paid to secure the votes of this infernal association to turn the tide of a State election. God knows if ever in the world there was a revelation as deep and as damning as that now laid open to the people of this Commonwealth for the first time."

II.

Extracts from the evidence of the Detective, James McParlan, on the trial of John Kehoe and others at Pottsville, in August, 1876, for conspiracy to murder. See p. 44-58.

JAMES MCPARLAN SWORN AND EXAMINED.

What is your full name? James McParlan.

What is your occupation? Detective.

Connected with what agency? The National Detective Agency.

Who is at the head of that agency? Major Allan Pinkerton, of Chicago.

When did you first become a member of that agency? In the spring of 1872.

At what place? Chicago, Illinois.

Did you ever come into Schuylkill County? Yes, sir.

When did you come? In October, 1873.

Who sent you here? Major Allan Pinkerton.

Did you receive any instructions from anyone else except Mr. Pinkerton? Superintendent Franklin, of Philadelphia.

Had you seen Mr. Franklin before you came here? Yes, sir.

How long did you remain here? I remained until March the 5th or 6th, 1876.

Where did you go to when you first came to Schuylkill County? Port Clinton.

States the places visited by him before he finally settled at Shenandoah. States also when he became acquainted with Kehoe and the other defendants on trial.

You have told us that you were a detective, and in the employ of Allan Pinkerton; will you tell us for what purpose you came into Schuylkill County? For the purpose of investigating and finding out as to who belonged to a supposed organization called Molly Maguires; to see what kind of outrages they committed and who committed them.

As such detective, and coming into this county with such an object, what was required of you in pursuing your investigations? I was required to make a daily report, when I possibly could do it, of all my proceedings.

To whom were you to make your reports? Superintendent Franklin, of Philadelphia.

State whether, after you came to this county, you joined any secret organization? Yes, sir,

What was the name of it? The Ancient Order of Hibernians, more commonly called Molly Maguires.

When did you join the organization? In Shenandoah, on Tuesday, I believe, the 14th of April, 1874.

At whose house did you become a member? Michael Lawlor's.

By whom were you invited into this order? By Michael Lawlor.

Was any one else present at the time? Yes, there were present Edward Ferguson, Thomas Hurley, Thomas McNulty, and Peter Monaghan.

State what ceremony you were required to go through to become a member? I had to go down upon my knees; a certain obligation that was called a test was read to me, I repeating the words after Lawlor; then I paid three dollars for initiation fees, and was admitted as a member. I had to kiss this paper (this test) previous to getting off my knees.

State whether or not it was a secret order? Yes, sir; a secret order.

Was it known by any other name than the Ancient Order of Hibernians? It had several names; it was known as Molly Maguires, Buckshots, &c.

What were the qualifications for membership in this order? It required men to be either Irish or of Irish parents. They must also be Catholics.

How did members know one another, it being a secret organization? By signs and passwords.

You have stated that you joined the division at Shenandoah. What was the name given to such a division? Was it simply called a division, or had it a number or a name? I do not know that it had a number. Sometimes we would get a number; but when we came to look at it, some other division had the same number. Things were kind of mixed up, and we generally called it Shenandoah division.

What officers were there connected with that division? There did not seem to be any officers there but Lawlor alone.

What position did he hold? He was what was called a division or body-master.

State from your knowledge of other lodges what officers were required or were held in these different divisions besides the president or body-master? Some divisions had a president or body-master, vice-president or vice-body-master, secretary, assistant secretary, and treasurer, making in all, five officers at the head of a division. Others did not have that.

Is there any higher body or organization in a county than that of a division? Yes, sir; county officers.

What county officers were there? A county delegate, county secretary, and county treasurer.

Were there any other county officers or county body that could be called together? Yes; there was a county committee that was sometimes called together.

Tell us how that was composed, or of whom. The way I have seen it work here, the county delegate generally appointed the committee.

He fixed the number and appointed the committee? Yes, sir.

By whom were these county officers elected or selected? They were elected by the division masters, or body-masters, and their officers—the division officers.

Were they elected in one general assembly of the body-masters and officers of the county? It was called a county convention.

Then these officers would be elected in a county convention of the officers of the different divisions? Yes, sir.

Is there any grade in this society above that of county officers? Yes, sir.

What was that grade? State officers.

What were the names of the different officers? There was the State delegate, State secretary, and State treasurer.

How were they selected? They were elected by the different county delegates or the different county officers as a general thing; but division masters and their officers that would happen to be in the immediate vicinity of where this election would take place had also a vote in their election.

Was there any grade in this order still higher than that of State officers? Yes, sir, there were National officers.

Where were the head quarters of the National officers? In New York.

What were those National officers? There was the National Delegate, National Secretary, National Treasurer, and President of the Board of the city and county of New York; I believe that is what it is styled.

Do you know by whom these National officers were selected? By the different State officers; the same as in the case of the State Delegate. It seems that any division officers living in the immediate vicinity where the elections were held, who was present at the time, had also a vote.

Say where the headquarters of the State officers of the State of Pennsylvania were? In my time they were in Pittsburg.

Proceed and tell us whether there was any higher degree in the order. Yes, sir; there was still what was called the Board of Erin.

Of how many members was it composed? It was composed, I understand, of delegates from England, Ireland, and Scotland.

How many from each place? I do not think the number was limited; I never understood it to be.

Where did they meet? They met at different places. Sometimes in England, sometimes in Scotland, and sometimes in Ireland.

They were called the Board of Erin? Yes, sir; that is what I understood.

You have stated that the members were known to each other by signs and passwords. From whom were these signs received? They were received from the Board of Erin.

To whom were they sent in this country? They were sent to the National Delegate.

By this Board of Erin? Yes, sir.

Did you ever hear by whom they were sent? Well, I have heard it talked among the members that a party who was a steward on the Inman line used to carry the "goods."

Among the members? Yes, sir.

To whom were these "goods" distributed by the National Officers of New York? Distributed to the different State delegates.

Where were they distributed by them? To the different county delegates.

Did the county delegate make any further distribution of them? The county delegate in turn distributed them to the body-master, the division master.

Of the different divisions? The different divisions of the county.

What did the division master do with "the goods," or signs and passwords? He or his secretary in turn distributed them to the different members of his division.

State how often these "goods" were received by and distributed among the members? Once in each quarter; four times a year.

Of what did they consist; of mere signs and mere passwords, or were there other signs? They consisted of signs, passwords, toasts, quarrelling toasts, and night passwords, some of them.

Can you now give us some of the "goods?" Yes, sir; I have some of them here.

Read them, please; giving the date and quarter for which they were given.

(Referring to report.) These are the "goods" which I received upon entering the organization, on Tuesday, April 14, 1874:—

The password is:

"The Emperor of France and Don Carlos of Spain,
They unite together and the Pope's right maintain."

The answer is :

“ Will tenant right in Ireland flourish ?
If the people unite and the landlords subdue.”

The quarrelling toast is as follows :

“ Question. Your temper is high.”
“ Answer. I have good reason to.”

The night password is as follows :

“ Question. The nights are very dark.”
“ Answer. I hope they will soon mend.”

The sign is the little finger of the right hand to the corner of the right eye. The answer is to catch the lappel of the vest with the little finger and thumb of the right hand ; this should be the left hand, as I evidently have made a mistake in that particular.

These are the “ goods ” I received on Sunday, May 18, 1874 :—

The password is :

“ That the trouble of the country may soon be at an end.”

The answer is :

“ And likewise the men who will not her defend.”

The quarrelling toast is :

“ You should not dispute with a friend.”

The answer is :

“ Not if I am not provoked.”

The night password is :

“ Question. Long nights are unpleasant.”
“ Answer. I hope they will be at an end.”

The sign is the front finger and thumb of the right hand to touch the necktie or top button of the shirt. The answer is the right hand to rub across the forehead, touching the hair.

These are the “ goods ” received Monday, August 10, 1874 :—

The password is :

“ What do you think of the Mayo election ?
I think the fair West has made a bad selection.”

The answer is :

“ Whom do you think will duly betray ?”

The quarrelling toast is :

“ Question. Don't get your temper so high.”
“ Answer. Not with a friend.”

The sign is by putting the thumb of the right hand into the pocket of the pants. The answer by putting the thumb of the left hand on the lower lip.

These are the “ goods ” received on Wednesday, October 28th, 1874 :—

The password is :

“ What do you think of Disraeli's plan ?
He still keeps home rule from our native land.”

The answer is :

“ But still with good swords and men at command
We will give long-lost rights to our native land.”

The night password is :

“ Question. The night looks gloomy.”

“ Answer. I hope we will soon have a change.”

The quarrelling toast is :

“ Question. You are very provoking, sir.”

“ Answer. I am not to blame.”

The body-master's toast is :

“ Question. May the President of France, the General so grand”

“ Answer. Banish all heresy and free Ireland.”

I find that I have omitted the sign in these “ goods,” and I do not remember it now. I did not commit it to memory, for I never paid much attention to the “ goods ” anyhow.

These are the “ goods ” received on Saturday, January 11th, 1875 :—

The password is :

“ Gladstone's policy must be put down,

— He is the main support of the British Crown.”

The answer is :

“ But our Catholic lords will not support his plan,
For true to their church they will firmly stand.”

The quarrelling toast is :

“ Question. Don't give way to anger.”

“ Answer. I will obey a friend.”

The night password is :

“ Question. The nights are getting shorter.”

“ Answer. They will soon be at their shortest.”

The body-master's toast is :

“ Let every Irish patriot espousing Erin's cause,

“ In College Green they may be seen, there making Irish laws.”

The sign is the nail of the right thumb across the bridge of the nose. The answer, the tip of the forefinger of the left hand to the chin.

These are the “ goods ” received on Friday, May 14, 1875 :—

The password is :

“ What is your opinion of the Tipperary election ?

I think England broke her Constitution by Mitchell's rejection.”

The answer is :

“ But didn't O'Connell resign his oath and seat ?

Yes, and by agitation gained the emancipation.”

The quarrelling toast is :

“ Question. Keep your temper cool.”

“ Answer. I will not raise it to a friend.”

The body-master's toast is :

“Here's that every Irishman may stand to his cause,
And subdue the British Government and its coercion laws.”

The sign is the forefinger of the right hand in the left sleeve of the coat. The answer is the thumb of the left hand in the left side vest pocket.

These are the goods received on the 4th of November, 1875 :—

The password is :

“Here's a health to every Irishman
That lives in Ireland,
To assemble 'round in Dublin town
In memory of Great Dan.”

The answer is :

“When born, he found our country
In chains and slavery ;
He labored hard to set her free ;
But now he's in the clay.”

The quarrelling toast is :

“Question. You seem to be getting vexed.”
“Answer. Not with you, sir.”

The night password is :

“Question. These nights are fine.”
“Answer. Yes, we shall have a fine harvest.”

The sign is the tip of the forefinger of the right hand to the hole of the right ear ; and the answer is the tip of the forefinger of the left hand to the hole of the left ear.

These are the “goods” received on Saturday, January 22nd, 1876 :—

The password is :

“Question. Home rule in Ulster is making great progress.”
“Answer. Yes, if every Irishman would support the cause.”
“Question. I wonder if Ireland can gain tenant right ?”
“Answer. Yes, if supported by the Irish members.”

The night password is :

“Question. Moonlight is pleasant.”
“Answer. Yes ; so is freedom.”

The quarrelling toast is :

“Question. Be calm, sir.”
“Answer. I am never too boisterous.”

The division master's toast is :

“Here's to every Irishman that crossed the Atlantic wave ;
That they may return with heart and hand their native land to save.”

I find I have omitted the sign also in that report.

There is a toast there called the quarrelling toast ; what was the province of that toast ? Well, if two members should meet in a bar-room who were not acquainted with each other, and were going

to fight, which was a very common thing, if one of them would give a portion of this quarrelling toast, the other would certainly see who he was right away, and, of course, if he struck him after that, he was liable to be tried by the society, and very likely dismissed.

What was the province of the body-master's toast? If a body-master should leave this county, and probably leave this State, on a pleasure trip or any kind of business, and meet another body-master, he could tell plainly who he was through his toast, so that he could not forge anything on him. The members, as a general thing, did not get that toast; they sometimes got it at the latter end of the quarter, but they did not get it at first; at least I have never seen it as far as I have been connected with it.

Could the members of one division join any other division in the same county? Yes; providing they were in good standing, and brought a card of recommendation.

How was that done? What evidence did they have to give that they were in good standing? Why, the division master or his secretary would fill a card stating that he was a member in good standing and all that sort of thing, and that would be sufficient to gain him membership in any other division in the same county.

How was it if he went out of the county? Then this card had to go to the county delegate and receive what was called a private mark. Then, upon going to another county, he would present this card either to a county delegate or to a division master, and the division master, if it was to the division master the card was presented, would take the card and send it to the county delegate to ascertain if this private mark was on it, as it was something that the division masters as a general rule did not know anything about; if it was, of course the member was admitted.

Was there any provision for a member to go from one State to another? The provision was to take his travelling card with him.

Would it have to be marked by the State officers, or would the county delegate's mark be sufficient? The county delegate's mark would be sufficient as far as I have seen.

What was the practice of this organization in reference to committing crimes? It was a general practice to commit crimes.

How was it done? Generally when there was an outrage to be committed, in the district where it was going to be committed the division master of that district would either apply to another division or to the county delegate to get men who were unknown to the parties upon whom the outrage was to be perpetrated. These men would come and commit this outrage, and he would give a guarantee that if they wanted a like favour in their locality

he would send the men. The men generally selected for that purpose were strangers.

What penalty was imposed on members who would refuse to join in the commission of these outrages or crimes? The penalty, as a general thing, was expulsion. I heard the county delegate one time instruct the division master of the division I belonged to.

Who was the county delegate? John Kehoe.

I heard him instruct Frank McAndrew upon the 24th of June last that, if he wanted his men to do any job and they refused, to expel them immediately.

That was upon the 24th of June, of what year? 1875.

What was the practice of this organization as to assisting members that might be arrested for crime? The practice was to raise money first to obtain counsel, and secondly to try and get as many witnesses as possible to prove an *alibi*.

Was there any penalty imposed upon persons who would refuse to aid in these matters? The penalty, as a general thing, was expulsion; in fact I have never known any to refuse.

In what manner would these divisions determine on the commission of crime; would it be in meetings of the organization? They would have a meeting; sometimes all the members would not be present.

Sometimes all the members would be present, and at other times they would not all be present? Yes, sir.

State whether any of these defendants belonged to the Ancient Order of Hibernians; the Order that you joined? Yes, sir; they all did.

Were any of these defendants present at that meeting besides Kehoe? James Roarity.

Any of the others? Michael O'Brien was there; Frank McHugh was there.

Was Donnelly there? Christopher Donnelly was there.

States various county meetings attended by himself, at which all the defendants or some of them were present. States also their residences.

At all these meetings that you have named were you present as a member? Yes, sir; I was present as a member.

What position did you occupy in the order that entitled you to be present at county meetings? I was secretary of the Shenandoah division.

You said you attended a county meeting or convention in Mahanoy City on the 1st of June, 1875, at the house of Michael Clark? Yes, sir.

Did you have any notice of that meeting from any of these defendants prior to the time of the meeting being held? Yes, sir.

From whom did you hear that the meeting was to be held? Tell us all about it. From John Kehoe; upon Wednesday, the 26th of May, 1875, I believe, I went to Girardville, and I there saw John Kehoe.

Did you stop at Kehoe's? Yes, sir; I stopped at Kehoe's.

He kept a tavern there, did he not? Yes, sir; he kept a saloon.

You stopped with him there? Yes, sir. He told me he had been to Mahanoy City some time previous—a few days, I guess—prior to this time, and that things were in a bad state; that the Modocs were raising the mischief, and that he calculated to call a meeting of the Ancient Order of Molly Maguire's of the county, to arm themselves and go to Mahanoy City and challenge them out to fight, and shoot them down in the daytime; but upon considering the matter, he said that he thought he would not undertake that plan; that he had sent Thomas Donohue to Locust Gap to tell Dennis F. Canning to meet him in Mahanoy City on Tuesday, the 1st of June.

You say this was on the 26th of May that Kehoe told you that Donohue had returned and told him that Canning was not at home? Yes, sir; I left Girardville that evening and went to Shenandoah, and upon the following Friday, I believe, the 28th of May, I went over to Mahanoy City, and I saw Michael O'Brien there.

One of these defendants? Yes, Sir; Michael O'Brien told me that he had been talking to Kehoe; that he wanted a meeting called; that he wanted some steps taken to do away with the Modocs. He stated what he wanted was to get about six good men, armed with navy revolvers, and he would send a man around with them who would point out to the strangers whom he wanted shot; they could do it all in one night, and he did not see any difficulty in their getting away. I returned back to Shenandoah the same afternoon.

Did you return to Shenandoah on the 31st? Yes, sir; and on Tuesday, the 1st of June, I went to Mahanoy City.

What time did you leave Shenandoah that morning? The train leaves, I believe, somewhere about 9 o'clock. I went on the Lehigh Valley.

Did any one go with you from Shenandoah to the meeting? No person but myself. When I arrived at Mahanoy City I met Kehoe and Donohue.

This defendant here, John Donohue? Yes, sir; John Kehoe, John Donohue, Dennis F. Canning, Christopher Donnelly, James Roarity, Mike O'Brien, Frank McHugh, and some more.

Where was it that you first saw these men, or any of them? I first met them on the main street of Mahanoy City, a little east of the dead line, I should judge.

About what time in the day was it when you went into Clark's? I should judge it might be about half-past ten o'clock by the time I got in the room; it might be a little more.

And you say the men that went in the front room with you were Jack Kehoe, John Donohue, Dennis F. Canning, Christopher Donnelly, James Roarity, Mike O'Brien, and Frank McHugh? Yes, sir; there was still another man who came in, but he is not here.

Tell us whether this was a county convention of the Molly Maguires or whether it was what you have described to us as a meeting of the county committee? It was what was called a county meeting?

The men were selected by the county delegate? By the county delegate.

And he appointed the meeting? Yes, sir.

What took place after you went into that room in Clark's? Tell us all that was said and done? When I got in the room Kehoe was President, and kind of opened the meeting, telling them he supposed they knew the object they had been called there together for, and I believe gave a description that the MODOES had tried to shoot Dan Dougherty and commit other crimes of that kind. Then Christopher Donnelly objected to Frank McHugh; he asked what brought him there. Michael O'Brien said that he was his secretary and he wanted him in there; so Francis McHugh stayed. Christopher Donnelly then made a motion that the convention should procure some stationery, that is some pens, ink and paper, and for Frank McHugh to write down the minutes, or what purported to be the minutes of the meeting, so that if any trouble should arise from the convention, they could produce those minutes to show that they had met there on legal society business. This paper was got.

Do you recollect who went for the paper, whether it was McHugh or not? Well, I do not recollect exactly.

You recollect that some one went and got the paper? I recollect that the paper was got; I saw the paper on the table, but I do not recollect exactly who went for it. Then it was moved that Daniel Dougherty be sent for.

Who was this Daniel Dougherty that they were to send for? He was a man that had been arrested and charged with the shooting of George Major, I believe, of Mahanoy City.

State whether or not he was a member of this Order of Molly Maguires. Yes, sir; he was a member of the Order. Dougherty

was fetched into the room. There were two who went out after him. I forget now who they were. They got him in his boarding-house. He showed us one or two bullet-holes in his coat, somewhere up by the shoulder, and stated that he believed that Jesse Major was the man that shot him, and he had come to the conclusion that the probabilities were that the Majors were going to kill him anyhow, and he thought that if the Majors and Bully Bill were put out of the way he would have peace. He was told to retire, and he did so.

Were the names of the Majors mentioned? Yes, sir.

What were they? William and Jesse Major.

He was then told to retire? Yes, sir.

Go on and tell what happened? After he had retired Christopher Donnelly stated that he would furnish two men and go himself to shoot the two Majors. John Donohue stated that the Majors in company with another man, whose name I believe was Ferral, were at that time taking coal out of a drift, or doing something in that way about Buck Vein, at Tuscarora, and it would be very easy to get them; but he wanted Donnelly not to make a move until he would send a man to Pottsville on the following Sunday to meet Donnelly, and to tell them how they should act in the matter. Moreover he (Donohue) stated that he and Donnelly would take care of their side of the mountain, if we—referring to O'Brien, Roarity and myself—would take care of ours. Donnelly stated the same. Kehoe then turned round and stated that it now devolved on O'Brien, Roarity and myself, how we would dispose of William M. Thomas, or "Bully Bill," he advocating that the best plan was to get a couple of men, well armed, and go right up to him in the street and shoot him down in daylight, or any time they should see him.

Kehoe did that? Yes, sir.

At what place? At Mahanoy City. O'Brien objected to that mode of doing the business, and stated that what he would like in that case was to get a couple of men—I believe he named them—or some men, I could not exactly tell, get them a boarding-house, have their board paid out of the county funds, and for them to lay wait upon the road. I believe he stated the railroad between Mahanoy City and Shoemaker's Patch, where they should lay wait on the road, this patch being the place where Thomas lived.

That was O'Brien's plan? Yes, sir; to lay wait and watch for him, and shoot him, either when he was in the act of going to Mahanoy City, or in the act of going home. Canning said he thought that was the best plan; hence it was agreed that that plan should be taken.

You said that the recommendation was that these men should be paid out of the county funds? The county funds.

Do you mean the county treasury? Well the county treasury, of course, of the organization; I do not mean the treasury of Schuylkill County.

They had a county fund in this order of Molly Maguires, had they? They seemed to have from their conversation.

Go on with your story? Canning stated that he considered that was the best plan; and the plan was agreed upon, or something in that way. Canning then asked the president, or the society at large through those who were present, if they wanted any men from him, to which Donnelly replied that they did not, and said that the job was but a light one, and they could do it themselves. Kehoe said he did not see any necessity for getting men of Canning. Kehoe then instructed me to notify the members of the division to which I belonged (Shenandoah), to hold a meeting and see what they were going to do; he also instructed Roarity to do the same, telling him not to do anything until he received word whether it could be done without him or not. The meeting then adjourned and we had dinner; of course there was some talk, but not in respect of the Major or Thomas affair.

You stated that this was all that was said at the meeting in reference to these conspiracies? There is one thing that I remember just now. After Kehoe had given myself and Roarity instructions with respect to notifying our respective divisions what was wanted—to notify them of the proceedings of the meeting—it was moved by himself that he should send for a man named McDonald, *alias* "the hairy man," who lived, I understood him to say, somewhere around Pottsville.

What was he to send for him for? To send for him and to put him on the track of those men; Kehoe claimed he was a good man on a clean job.

State whether the term "clean job" was one in use in the society and among the members? Yes, sir.

Tell us whether it had an understood meaning among the members of this organization? Yes, sir; it had.

Tell us what that meaning was? It signified the shooting of a man, or the beating of him well, or the burning down of a place, or any other outrage. If a man was sent to do a job of that kind and done it according to his instructions, that was a clean job in every sense of the word.

Was it a clean job if he was caught in the act, or if he got away without being caught? If he got away without being caught it was a cleaner job.

You have stated this was all that was said in referenee to the shooting of those men; can you give us any other part of the conversation in the meeting at Clark's that you recollect? Yes, sir; Donnelly informed me that they had a boss down at Beechwood Colliery.

Can you give us a little more fully than you have the language which Kehoe used when he referred to the object and the purpose of the meeting. Well, he stated that these Modocs done just as they pleased, and it did not seem as if an Irishman could get any law in Mahanoy City; that he would have to take the thing in hand and clear them out.

What were the instructions that you received from Kehoe at the close of that meeting? I was instructed to notify the members of my division.

That was the Shenandoah division? Yes, sir.

Did you notify the members of that division? Yes, sir.

Whom did you notify? I notified Edward Monaghan, John Gibbons—

This defendant? Yes, sir; Thomas Hurley.

Did you notify any one else that you know of or recollect at this time? I did not notify others, but those I notified did.

State whether the parties you have named, Monaghan and Thomas Hurley, were members of this Order? Yes, sir.

State whether in pursuance of the notice you had been directed to give, and did give, there was a meeting of the Shenandoah branch? Yes, sir; there was a meeting.

Where did it meet? In the bush at Ringtown Mountain, north of Shenandoah.

North of Shenandoah, on the side of the mountain? On the side of the mountain, near the Merchants' Hotel.

On what day? I believe it was on the 4th of June.

What time of the day? Well it was in the evening, I should judge about 9 o'clock; probably after 9; it was dark.

Tell us as clearly as you can how many persons attended that meeting? Well, there was Edward Monaghan, Thomas Munley—

Where did he live? Gilberton.

Did he belong to the Shenandoah branch? Yes, sir; Michael Darcy—

Where did he live? Gilberton.

Did he also belong to that branch? Yes, sir; a fellow named Patrick Garvey—

Was he a member of the Order? Yes, sir; Michael Doyle was there—

Where did he live? Shenandoah; Gibbons was there, and at the close of the meeting Hurley came.

That is this John Gibbons here? Yes, sir.

Were there any others whom you have not named? None that I remember just now.

Do you say there were others, but you do not remember them just now? I do not remember any others; I do not know but that I have named them all.

Tell us what took place at this meeting? Well, they all seemed to know the object of the meeting. Garvey remarked, "I suppose you all know the object of the meeting?"

That was Patrick Garvey? Yes, sir; they all said they did, and it was there determined that Gibbons, Doyle, Hurley and myself should go to Mahanoy City.

For what purpose? To shoot William M. Thomas.

Were your men volunteers or were you selected by the meeting to go? Well, the men kind of volunteered, saying they wanted me with them, and the meeting was satisfied with those selected?

And you were selected to go with them? Yes, sir.

The other three men, Hurley, Gibbons and Morris, volunteered to go? Yes, sir.

Did you go to Mahanoy City with these men? Yes, sir.

You named Morris? Morris was not there.

Who was it that was to go? Gibbons, Doyle, Hurley and myself.

Did you four go? We went on Saturday; I believe it was the 5th of June, the day after the meeting in the bush.

What time did you leave Shenandoah on the 5th of June? I should judge it was half-past four, probably it was five o'clock in the afternoon.

Where did you go when you arrived at Mahanoy City? We went to Michael Clark's.

The place at which the meeting was held? Yes, sir.

Go on and tell anything that occurred between you and these men, or between yourself and Michael O'Brien? On arriving at Mahanoy City I had my plans of action prepared. When I got to Clark's I met Frank McHugh, and a little after that Michael O'Brien came in. I took O'Brien out of the house, walked to a cross street, and told him that I thought it would be a foolish thing to attempt to shoot Thomas. I told him that the military were patrolling the streets and around the breakers and railroads, and no doubt if we attempted to shoot Thomas we should all be captured, and being a venturesome idea we had better not do it,

O'Brien came to the same conclusion, and we returned to Clark's and told the men they had better go home, as we did not see that anything could be done.

Give in detail the whole conversation that took place with O'Brien, and what reasons were given for putting it off to another time? He went in and gave the reasons after I had given them to him.

Tell us first what your argument was with him? My argument was that if we went to shoot Thomas we should surely be arrested, that the military, from the time of the riot that had occurred but a few days previous, were stationed at Mahanoy City, and were patrolling the railroads and guarding all the breakers, that if we shot Thomas and made any noise we were sure to be captured, and that one of our lives was worth a hundred such as Thomas's; with this O'Brien agreed. Then we returned to Clark's, went into the little room at the back of the bar, and O'Brien told the men that it would be an utter impossibility to do anything at present, that they had better go home, and that when there was a favourable chance he would notify them.

What time was it that you started to return from Mahanoy City? I should judge it was half-past nine in the evening; it was very dark and wet, as it had rained very heavy that afternoon. When we came to the little colliery known as the Foundry Colliery, west of Mahanoy City, we crossed over the mountain and there we were stopped by a policeman (a watchman).

Do you know the name of the colliery now? It is called the Foundry Colliery; I do not recollect the other name, but I know it had one.

You were stopped by a watchman? Yes, sir.

Did you know his name? I did not, nor was I near enough to see his face. He halloed out to us "halt."

Who were present with you at that time? John Gibbons, Michael Doyle and Thomas Hurley.

This Gibbons who is here in court now? Yes, sir.

State whether you met any other person on the road home; after you had halted did you proceed on your way? Yes, sir; we proceeded on our road along the mountain path, and caught up another man, who seemed to be going to Mahanoy; I believe he had a little paper in his hand. We got talking with him as we walked along, and he seemed to be afraid. I told him he need not fear anything, it being very dark. When we came to Lanigan's Patch we did not care for going round by the breaker as there was watchmen there, so we thought we would make our way round the rock bank, but we got into the swamp, where the five of us stuck fast and could not get out for nearly an hour. The man,

who was perfectly sober and lived in the neighbourhood of Lanigan's Patch, had lost the path. How he did so I cannot say, but he did so and lost us too, as he told us to follow him. In the end we got out of Lanigan's Patch pretty well satisfied. We tore our boots off; at least I tore mine anyhow.

What time was it when you got home to Shenandoah that night? I judge it was getting on for eleven o'clock.

State if you know what was the next step taken in relation to any of these defendants to kill William M. Thomas? Upon the 10th of June I saw Hurley and Doyle; they were then going to Mahanoy.

Tell us the conversation of the 10th of June between yourself and Gibbons, Hurley and Doyle being present? They stated they were going to Mahanoy City, and would look out for Thomas. They asked me if I would go, and I said I did not feel like going, so they went alone, at least they started in that direction.

States various conversations held in his presence between Hurley, Gibbons and others respecting the intended murder of Thomas. States also that, when he was unwell at Shenandoah, Hurley, Gibbons, Morris and Doyle, on June 27th, left that place for Mahanoy, in order, as they told him, to kill Thomas.

When did you next see any of these men? Upon the 28th of June, I should judge about half-past seven o'clock a.m.

Where were you when you saw Doyle? I was in my boarding-house, in my bedroom. I was writing my report out when I saw him coming in at the rear door, and I put my report up and locked it in my valise, and waited until he came into the bedroom.

Did you go anywhere with Doyle? I went to the Ringtown Mountain with him.

When you got to Ringtown Mountain did you meet any one? I met John Morris.

The prisoner here? Yes, sir, and John Gibbons.

The prisoner? Yes, sir, and Thomas Hurley.

Doyle had gone up with you? Doyle came with me.

If any conversation took place there between any of these parties with reference to the shooting of William M. Thomas, tell us what was said? The first that spoke when I got there was Hurley. He gave me a detail of what occurred. He stated that when they went to Mahanoy City—

Tell us what was said and who were present? Gibbons and Morris were present.

Go on and give us the full details of this conversation? He said that on the night previous, Sunday evening, they went to Michael O'Brien's, and Michael O'Brien took them to a boarding-

house kept by a lady named Costello, and he gave them a bottle of whisky; that they stopped in Costello's until about daylight, and then proceeded to Shoemaker's Patch, where Thomas lived. Thomas came out of his house about half-past six in the morning; he came over to the colliery stable and was engaged there in talking to the stable boss and some teamsters, and Hurley went up, entered the door, and shot him.

Shot whom? Thomas.

Where was Thomas at that time? In the colliery; in the stable doorway. Hurley stated that Thomas threw his hat into his (Hurley's) face, when he fired again. Gibbons stated that he went right up to the door then and fired a few shots, and Thomas fell in among the horses. They made sure Thomas was dead, and they didn't know but that they had shot one or two horses.

Morris said that he fired one or two shots? He said that he did so.

Doyle had fired one or two shots outside? So Doyle said; that was all he done.

The remainder of the examination relates to the same subject of Thomas, but contains nothing of further importance.

CROSS-EXAMINED.

Is James McParlan your full baptismal name? That is my name.

Except for purposes of detection or for purposes of deception you go under no other name? I go under no other name.

You were born in Ireland? Yes, sir; I was born in Ireland.

What year? Well, it was about 1844, I believe.

Fix the date as near as you can? 1844, I think; I am thirty-two years of age, or something about that.

In what part of Ireland were you born? I was born in the province of Ulster.

What county? The county of Armagh.

The cross-examination pursues McParlan's movements from Armagh to Chicago minutely for nearly five pages, either for the chance of finding some flaw in his conduct, or some self-contradiction; or else to expose him as an idle tramp not able or willing to settle down to honest work. It fails for each purpose, only showing that he had not found work suited to his active powers and tastes, till he reached Chicago.

You say you became a detective in 1872; what was your occupation prior to that? I said I became engaged with the National Detective Agency in 1872, but in 1868 I became a detective for another firm, W. S. Baubien and Co.

What was that for? Do you mean what was the reason why I became a detective?

No; what was the business? The business was for the detection of crime as far as I could see.

Who was the head of that? W. S. Baubien; he was a Frenchman.

How long were you with him? Pretty nearly two years.

Did you remain in Chicago at that time? A portion of the time; except when my business called me out.

Did you remain any time out of Chicago? I always went out when business called me out.

Where did you go when you went out on business? Sometimes I went to the southern part of Illinois; sometimes to Ohio.

You were a detective then for two years prior to your connection with the Pinkerton Agency? Yes, sir; I had been there nearly two years. Sometimes I travelled a beat for this man Baubien; he had a preventive police force.

How long had you been engaged with the Pinkerton Agency before you came to Schuylkill County? I became engaged with the Pinkerton Agency early in the spring of 1872, and I came to Schuylkill County in October, 1873.

Had you been employed outside of the City of Chicago by Pinkerton? Well, I was generally in the city of Chicago.

I say had you been employed outside the city of Chicago prior to your coming to Schuylkill County by Pinkerton? No.

Who came with you into Schuylkill County when you first came here? No one came with me; there were several parties riding in the cars, but I did not know any of them; I came alone.

You had no person accompanying you? No, sir; I took care of myself.

Where did you start from when you came direct to Schuylkill? I started from Philadelphia and came direct to Schuylkill.

How long had you been in Philadelphia before you came up here? A few days; four or five days, perhaps.

Had you seen Franklin before you met him in Philadelphia? Oh, no.

Had you anybody with you while you were in Chicago prior to coming on this mission? No, sir; I was always able to carry myself around.

You introduced yourself to Mr. Franklin? I carried a letter of introduction from Mr. Pinkerton.

Did Mr. Franklin tell you where to go when you came into Schuylkill County? Yes, sir; he gave me a list of towns I was to visit.

Did he direct you to visit Port Clinton? Yes, sir.

And Auburn? Yes, sir.

And Pinegrove, and all the places you have mentioned? Well, all of them except one.

What was that? That was Shenandoah; I took the responsibility upon myself of going there.

When did Captain Linden come to Schuylkill County? In April, 1875.

You were aware of his coming, were you? I was aware of his coming.

Was that the first time you had met Captain Linden? No, sir; I had met Captain Linden in 1872, while in connection with the Pinkerton Agency, and I had seen him often previous to that.

You had known Captain Linden, then, prior to your connection with the Pinkerton Agency? Yes, sir; I had no personal acquaintance with him, but I knew him by his appearance and knew his business.

Had you seen him in Chicago before? Yes, sir; I had seen him in Chicago often.

He lived there, did he not? Yes, sir; he lived there.

What was his business there? I understood him to be assistant superintendent of the Chicago office, and he holds that position to-day.

You knew him very well, then, when he came to Shenandoah? Yes, sir; I knew him very well.

And you say you were instructed to report to him verbally? Well, I got instructions in April, 1875, to report to him verbally, or in writing, if I considered it safe; to report to him any way that I could under emergency.

You told us in this case, and in other cases, that you were instructed to report to him verbally, as I understand it? If I said so, I should have added in writing, or the best way I could.

Did you ever report to him in writing? Sometimes I wrote to him when I knew where he was.

He came here in April, 1875? Yes, sir.

Did he remain there from that time until March, the time you left? Well, he remained there; but of course he made occasional visits to Philadelphia and other places.

Was not he here most of the time? No, sir; not most of the time. It was a difficult matter to find his headquarters. It is something I do not know yet. Although I know him well, I do not know where his headquarters are in this county.

Was he in the town of Shenandoah in the months of April, May,

June and July of last year? He was there in April, and in the months of May, June and July; and probably every month from then unto this he has been in Shenandoah part of the time.

Was not he stopping there during the whole, or nearly the whole of these months? He was not there the whole time you have mentioned, because I met him outside of there during the time.

How long after did you meet him outside? I met him several times outside.

Was it by appointment that you met him? I have met him by appointment, and I have accidentally run across him.

Did you see him when you were in Shenandoah during those months? Sometimes when he was there I would see him.

Did you see him frequently? I saw him every time I had any information to carry him, if possible; sometimes I met him by accident, which I would always do if I could.

Did you ever miss him when you wanted him? Yes, sir, sometimes I did.

How often did you miss him? Well I cannot say anything about that; if I went to see him, and could not find him, I did not know how to do so.

Did you take any means to find out where he was? The means I took was to report to the Agency in Philadelphia; there they knew where Captain Linden was every minute in the day, at least every hour; whenever he made a movement he always despatched to them.

Whenever he made a movement he always sent a despatch? Yes, sir, and wrote too.

Then you could have found out where Captain Linden was whenever you wanted? No; there was several times I should have liked to have found out where he was but could not.

Could you not have telegraphed? No; there were many times when it would not have been safe for me to telegraph, therefore on those occasions I had to do without seeing him.

How long did you remain in Pottsville before you went over the mountain? Well, probably ten days or a fortnight, it might be a little more.

The cross-examination in the next twelve pages is uninteresting and unimportant. It goes into details as to meetings and visits at various places, probably with the view to entrap the witness into the statement of things which could be contradicted by other witnesses. If so, it turned out to be a failure.

You were bound under your arrangement to come here, and you have stipulated in writing that you were not to be sworn, and that

you were not to become a witness. It was not stipulated in writing ; it was a verbal agreement.

That stipulation was that you were not to be a witness on the trial of any of these cases ? Yes, sir.

What good would it do you to know of these things if you could not swear to them ? We wanted to catch these men right in their tracks ; we could not arrest them for what we knew they were going to do unless they did it, and we wanted to take them right in the act.

If you were not going to become a witness, how could anybody know that you were meeting in the bush, or that you were a member of the Molly Maguires and taking part in a Molly Maguire meeting, unless somebody was quietly looking on to see these things ? Well, I could not tell about that, for I did not always know what time we were going to do anything.

Linden was not in Mahanoy City that day, was he ? Not that I know of.

Was there any other detective there to your knowledge ? Not to my knowledge. I could not tell how many detectives our agency would send out there.

Were not O'Brien, Powers, and other detectives sent here from your agency ? Those men were not detectives.

Were they not policemen ? They might have been ; I was not acquainted with them, but I could swear positively they were not detectives.

You say you did not know O'Brien ; did you not see him in Chicago ? I have seen him in Chicago since.

Did he not come from there to this county ? At that time I do not know where he came from, but I have seen him since and he is no detective.

Do you not know that he was employed by the Pinkerton Agency before you came here ? No, sir ; not officially. . . I have seen him working for the Pinkerton Agency since in Chicago.

Captain Linden did not tell you that he was in the employ of the Pinkerton Agency ? Not before I left Chicago.

Did he tell you so after you left Chicago ? Since I left here I heard that O'Brien was employed by the Pinkerton Agency.

Did you not know, on the 1st of June, that O'Brien, Powers, and three or four others were working under the direction of Captain Linden, and were subject to his orders as one of the officers of your agency ? I did not know that the man O'Brien or the man Powers, or the several others that you have spoken of, were.

Did you not hear that they were in the employ of the Pinkerton Agency ? What I heard was what Captain Linden told me—that

he had some half a dozen men at his command, and that he could get all the men of the Coal and Iron Police whenever he wanted them.

Did he not tell you that O'Brien and Powers belonged to the Pinkerton Agency? He told me that he had five or six special men, but I could not know that these particular men were enlisted in his service.

Then you knew that Captain Linden had all these men in his employ when you met in Mahanoy, and yet not one of them were in that city to identify you or any of these parties as being there that day? I am very well satisfied that I should not allow myself to be identified by any of these men. I would have left the region the next day if I had known such a thing; that was in direct violation of my contract, to make myself known to five or six policemen.

You communicated to Franklin? That was my contract.

Franklin communicated to Linden? Yes, sir.

Would it be violation of your contract if there had been somebody to have identified these parties in Mahanoy City that day? I could not tell you about that; you may find out by and by, before we are through the trial, if there was anyone there; I am not supposed to know all these things.

You do not know whether there were or not? I do not; I guess you will find out as you progress with the trial.

Then you did not know there was to be anyone in Mahanoy City that day to recognize these parties? I did not know anything about it.

If there was, it was a violation of your arrangement with them? Well, that could easily be done without being a violation; it could be managed without being a violation of my arrangement.

You told us before it would be a violation of your arrangement for those parties to be identified in Mahanoy City? You wanted me to communicate direct with those men by your question.

Mr. Gowen: The witness did not say anything of the kind. He said it would be a violation of his instructions to be identified by five or six policemen.

Witness: With the leave of the court I would like to explain this thing.

Judge Walker: You may explain it.

Witness: For me to have communicated with those men in respect to their recognizing me would be a direct violation of my arrangement, and I should not have entrusted myself with those men; nevertheless these men who were employed by Mr. Pinkerton under the direction of Captain Linden, might have been placed in

some position where I would have been identified by the character I assumed—as being a notorious Molly Maguire—but not as a detective. They were not allowed to know this fact, or I should have left the region. I think Mr. Linden will hear out my assertions that some of them reported me as being a man of that Order.

You could not have been in a position to be identified as a detective in any possible way during your operations in this county? No, sir.

Do you not know that you were known as a detective in this county? I know I was found out.

Outside of the Pinkerton Agency and outside of the railroad authorities who employed you? No, sir; I did not know that.

Do you not know that there were men in Tamaqua who knew you? No, I did not know that.

The next ten pages of cross-examination are without interest or importance.

You were admitted into the Order in April, 1874? 1874.

And by Mr. Lawlor? Yes, sir.

Who was present besides you and Lawlor? There was Thomas Hurley, Thomas McNulty, Peter Monaghan, and Edward Ferguson; I believe that was all.

At that time Hurley was a mere boy? He was a very strong boy.

I did not ask you that question; was he twenty or over twenty? I am sure I do not know the man's age.

From his appearance, what was it? I should take him to be twenty.

Did they take any minutes of your initiation? No.

There was no pen or ink there at all? I did not see any.

Was there no writing of any kind done? No.

Lawlor initiated you; put you through the form of initiation? Yes, sir.

Were you on your knees at the time? I was on my knees at the time.

Did you have a Bible? There was no Bible.

He repeated the obligation to you, did he? Yes, sir.

From memory? No; from a slip of paper.

Was the obligation in writing or in print? It was in print.

Can you repeat that obligation? No? I cannot.

Have you heard the same obligation administered since then to others? Yes, sir.

And administered it yourself? Yes, sir.

And you cannot repeat it? No; not verbatim.

How often since your initiation into the Order have you heard that obligation administered? That is a question I cannot answer.

How often have you administered the obligation? I can hardly tell that.

Have you fifty times? No; I think not.

Have you twenty times? Probably I have.

Can you tell us some of those whom you initiated? Yes; I recollect some of their names.

Tell us who they were? A man named Lowrey of Turkey Run, a man named McHugh of Shenandoah, a man named Burns of Shenandoah, a man named Charles Hayes of Shenandoah, a man named Travers of Shenandoah, Edward Monaghan of Shenandoah, Thomas Hyland of Gilberton, and a number more. With the exception of two I believe these were all men that had formerly been members and were taken back again. Some of them had been expelled for a time.

Was that Joseph McHugh whom you initiated? No, it was James McHugh.

If a member had been dropped or expelled out of the organization through any means whatever, was he re-instated? If they were out a year and had been dropped for non-payment of dues, or had been expelled, they were re-instated. That is the general way there, how they do elsewhere I cannot say.

Have you not undertaken on a previous occasion to repeat the obligation in this court? Yes, and can repeat a portion of it now; I said then I could not repeat it all verbatim.

Can you in substance? Yes I can give it in substance, not all of it, either, satisfactorily.

Well, we will be pleased to hear all you know of it? Yes; you could have had it long ago if you had asked for it. This obligation or test is read by the secretary or the division master, and is something after this form: The name of the person to be initiated is called out by the president or by the division master. He then says, "I, [repeating the name of the man to be initiated] do declare to keep all things secret, and so forth, belonging to this organization, and if I hear a member ill spoken of, or otherwise abused, to espouse his cause at once, and to notify the said member at the earliest opportunity, and to obey my superior officer in all things lawful, and not otherwise," and so forth. I cannot remember the other part; it is something to the same effect.

You obligated yourself first to secrecy, did you not? Yes, sir.

Next, obedience to your lawful officers, did you not? I do not know whether that was the next, or to espouse the member ill spoken of immediately.

Did you at all obligate yourself to be obedient to your lawful officers in that organization? Yes, I was generally obedient.

Do you obligate yourself to be charitable to your brother members? Yes, sir, and to be fraternal.

Was not all your obligation comprised within these four things, secrecy, obedience, charity and fraternity? Yes, that certainly comprised the obligations; but, with the exception of two—to espouse a brother's cause immediately and to secrecy—they were not acted up to.

I did not ask you that. I beg your pardon, I thought you wanted to know.

Yes; we will come to that directly. Did you, at the time you joined this organization, know that you joined the Order of Molly Maguires? I laboured under the impression that I did, and I found out it was a fact.

You were labouring under the impression? I was very well satisfied of it.

Did you labour very hard? Not very hard; a little, not extraordinary. I had not to put myself about much to find that out.

Your purpose in Schuylkill County was to find out the Molly Maguires? It was my purpose to make inquiries about the Molly Maguires, and I determined the best way to do so was to join them myself.

And to find out their crimes, if possible? Yes, sir.

But not to participate in them yourself? No, sir; not to participate in them myself.

Nor to assist in perpetrating them? Oh, I would go on the ground sometimes; it was very necessary that I should.

Did you indirectly assist in them? I should presume that the members so understood it.

I did not ask you your presumption at all. I put you a categorical question; did you or did you not? I seemed to; it was not a fact that I did.

Did you or did you not; I want an answer? Of course I did not, so far as I was concerned; so far as the members were concerned they thought so.

Then you were not the party that Mr. Kehoe authorized to get men to kill Bully Bill; were you, or were you not? Certainly I was the party.

Did you deem that participation? No I did not deem it participation; I went there for the express purpose of finding out what they were going to do.

At the time you joined the organization did you receive the "goods"? I received the "goods" then,

From whom? From Michael Lawlor.

And immediately after your initiation? Immediately after my initiation.

Did he give you those "goods" from a slip of paper? Yes, sir.

Repeated them to you? Repeated them to me.

Do you remember what those were you received on your first initiation? I read them yesterday; I have them in court at the present time.

When did you commit a knowledge of the "goods" to paper? I committed them upon that evening or the following morning.

Embodying everything he told you that evening; embodying the "goods" in your report? As near as possible.

Can you tell us, without referring to your report, what the "goods" were that you received from Mr. Lawlor when you were initiated in April, 1874? I cannot.

Were you exact in your report of what "goods" you received? I might not be to an odd word.

Did you ascertain afterwards, while in the organization, whether or not you were correct or whether you omitted any part of the "goods." No; I might sometimes have omitted an odd word.

I did not ask you that either. I wish you would answer somewhat responsively. I thought it was the first "goods" you referred to.

The "goods" you received from Lawlor on your admission into the organization? No; I did not find out whether I had omitted any particulars or not.

Did you take pains to ascertain whether you did or not? I do not know that I did.

Do you know now, or have you ascertained since then, that you omitted any portion of the "goods" as given you on that occasion? I do not know; I did not ascertain; I believe them to be correct or nearly so.

Then there might have been some password or something else appertaining to your initiation that you have forgotten on that occasion? I did not forget in respect to the password. There might be a word omitted, but the regular programme of "goods" is there, I believe, as far as I got them.

Did the organization have any special place of meeting in April, 1874, in the borough of Shenandoah? I can hardly tell you; this much I know, I was initiated in Lawlor's front room upstairs, and we held our next meeting in the bush at the back of Lawlor's, or near Ringtown Mountain.

That was on the 4th of June? No; this was in May, 1874.

What time in April were you initiated; what day in April, or what night? Tuesday, I believe, the 14th of April.

Your next meeting was in the bush above Lawlor's? Yes, right in the rear of Lawlor's house.

What time was that? I think it was about the 10th of May, 1874.

Was the body-master there? Lawlor was there.

Lawlor was then body-master? Yes, sir.

Who was secretary? I could see no secretary.

There was no secretary? Not that I saw.

The remainder of the cross-examination, 17 pages, is omitted as unimportant.

RE-EXAMINATION.

The first time you met Dennis F. Canning, the county delegate of Northumberland County, he invited you to dinner? To supper.

And you took supper with him at his father's house? Yes, sir.

How can you account for it that at the first meeting with a stranger he extended such hospitality to you? I asked him if he was Canning; he said he was. He wore a gold badge with A. O. H. on it. I saw him at the door; I threw the sign to him, and he returned it. I said I was McKenna, of Shenandoah, and he said he had heard of me.

The badge you refer to was the badge of the Ancient Order of Hibernians? Yes; a man might wear it who was not a member of the Order, but from reputation I knew he was the man I wanted to see.

You threw him the sign? Yes, sir.

And you gave him your assumed name? Yes, sir.

And that was the only introduction you required to share his hospitality? Yes; besides I had written him letters for men who came to Shenandoah that belonged to the Ancient Order of Hibernians who wanted their cards, and they had informed me of Canning; and Canning had seen my name signed to some of these letters as secretary of the Shenandoah division.

You stated in reference to going with the committee to shoot Bully Bill, that you were well aware you could keep it back. Did you mean by that answer that you could prevent the consummation of the attack? That I could prevent the consummation of the attack at that time; exactly.

And I understood you to say that you had so informed Mr. Franklin? Yes, I had.

If you knew at the time you were about going to Mahanoy City with the avowed intention, so far as the members of this organiza-

tion knew, of participating in an attack upon Thomas, state what Linden was doing around Shenandoah. I know he was stationed at West Shenandoah colliery, and his men were there. They were working there, and threats had been made not only to destroy the breaker, but the homes of those who were working at that colliery.

Do you know the fact that this was at the time when the attack was threatened and afterwards made upon the West Shenandoah colliery by a large body of armed men? It was after the time.

When Linden and his men were engaged with a large force in the protection of that colliery? Yes, sir; it would have been impossible for him to have left.

You said that Linden had at his command a number of men that he could control, and that he could also control the Coal and Iron Police? Yes, sir.

You also said that at that time you were not to be known as a witness? Yes, sir.

State whether you did not know it was understood with the detective agency and Linden and Franklin that these men were to be, if possible, at the point where any outrage was to be committed, for the purpose of arresting the perpetrators in the act? Yes; and I have known the fact of that understanding to be carried out; and I have known Linden and his men to lie out at nights, and I have watched myself several nights.

State whether, in consequence of information furnished by you of intended outrages, Linden and his band of armed policemen lay out in the woods all night watching for persons, with the purpose of detection and arrest in the act? Yes, sir; I have known several instances.

Was not that the means whereby evidence was to be obtained of their guilt? Yes, sir.

And you, if necessary, were to be arrested with others in the participation? Yes; Linden was to take charge of me as being the worst man, and I was to escape.

Was it not understood that you were, in some manner, to be designated or marked so that if you were to be arrested no bodily harm could come to you, and that you were to escape his clutches, clear the county, and get off? Yes; and return in a few days.

And you were to acquire the greater glory in consequence of your escape from Captain Jack? Yes; the papers could come down on him, but we did not care.

You were asked yesterday whether you did not know you were known as a detective, and you said in February, 1876, you were known. I want to know all you know about that, how you discovered it, and what was known in reference to the subject? After

the arrest of Thomas Munley and McAllister, there was a *Habeas corpus* hearing here in this court. That was last February, I suppose; I am not positive as to the date exactly, without I refer to my reports. I was in Pottsville for a couple or three days, perhaps nearly a week, previous to that, and came up to the courthouse upon the morning of that hearing. I met Frank McAndrew, and he informed me then that certain parties coming down from Frackville were making bets that I was a detective, and that I would go on the stand at the *Habeas corpus* hearing. I told him it was not the fact; and I went and saw some of the parties who were there. I saw Danny Hughes and a few more. Hughes said he knew it was not a fact. On that morning Kehoe did not come himself but sent his wife down into the saloon to bid Dan Hughes to tell every one to beware of me, that I was a detective, and that he had heard it reported so from responsible sources. I got the facts of the case, and returned to Shenandoah the same evening with Frank McAndrew and a great number more of the members of the organization that was down here. On the following day I went to Girardville and saw John Kehoe and asked him about the reports he had circulated. "Well," he said, "I have heard so, and heard it some time ago." I replied "What I want now is somebody to prove it. I am willing to let the society try me. I will stand a trial, and if I find out a man that is lying about me I will make him suffer for it. Kehoe informed me that he had learned it from a conductor on the Reading Railroad as he was coming between Ashfield and Girardville; the conductor took him into the baggage car and asked him if he had seen me or not, but what he said in reply I forget. Kehoe thereupon said there should be a county convention and I should be tried. I asked him to name the date, time and place of the convention, which he did; and if I recollect right it was about the 1st or 2nd of March that the convention was to be held in Ferguson's Hall, in Shenandoah. He then got me some paper and pen and ink, stating that he was too nervous to write himself, and asked me if I would just write to each of the division masters of the county, and sign his name. I then went up stairs to a room on the second floor and sat down and wrote to every division master in the county. When Kehoe came up I handed the letters to him to read. He said they were all right, and I sealed them. They were enclosed in stamped envelopes, and he took them with him to mail.

I believe I stopped that night at Kehoe's, and the following day returned to Pottsville. I reported all this. Patrick Butler, the body-master of Lost Creek, amongst a number of others, told me that he had heard I was a detective, and that some men told him they must take action upon me. I said, "I have the advantage of them; I will take action upon myself; I will have a meeting and have a fair trial." On a Saturday, and I think the 26th of

February, John Kehoe, in company with Manus O'Donnell, his brother-in-law, came down to Pottsville, when I saw him. He said he was going to see Mr. Ryon in order to retain Mr. John W. Ryon for the defence of MeAllister. In the afternoon I met him again, and enquired what news. "The news is," he said, "that there is about two thousand five hundred men banded together in this county for the purpose of prosecuting the Ancient Order of Hibernians, and that there is positive proof there are detectives amongst them, who are supplied with money to go about and spend it where they are in order to find out their secrets, so that they may turn upon them, and eventually consign them to the penitentiary or the gallows." I said "I have had it in my mind for some time that something crooked was going on, and for that reason I am doubly cautious; but from whom have you received that information now?" He said he had it from Mr. John W. Ryon, who told him so in his office.

Upon the day previous to my trial Kehoe was in Pottsville. I saw him in Dan Hughes' and had a cigar with him. He asked me if I was going to Shenandoah that evening. I said I was, to be there for the trial to-morrow. I engaged to meet him in the afternoon. He was going to Ryon's, he said, and Mrs. Kehoe was in town. I made my reports out in the afternoon, reported Kehoe being in town and that sort of thing. I then returned to Danny Hughes', expecting to see Kehoe there, but I did not, nor did I hear anything at all of him. I then met a man named Mullen, of somewhere near Tuscarora. Mullen told me what he had heard of me as being a detective, and he considered it would not be right to hold a meeting in Shenandoah. Some of them concluded I wanted to get all the officers and body-masters in Ferguson's Hall and so have the whole crowd arrested by the Coal and Iron Police. I told Mullen that was impossible, it was not legal, and it was not right to do such a thing; and, for fear of there being suspicion, I told Captain Linden he must not have any Coal and Iron Police there, adding that I thought I could fight my way through clean, and make them believe I was no detective. The Captain was not very well satisfied with this idea, and thought I ran a very great risk; however I went to Shenandoah by the late train. Previous to arriving at Shenandoah I was in the smoking ear. Manus O'Donnell came in the ear and told me that Mrs. Kehoe was in the ladies' ear and wanted to see me. When the train stopped at Mahanoy City, I got out of the car I was in and went to see Mrs. Kehoe, and asked if Mr. Kehoe was not in the train. She said she thought he went up to Frackville by the afternoon train, and she had been to see her mother; I also understood her to say she had been at Tamaqua. I expected something was not right then, as Jack Kehoe told me to be sure and be up that night and he would be there too.

I now began to feel nervous. It was well known to McAndrew that I was bound to be at Shenandoah that night. I had in fact written to say I should be there, and on all previous occasions when I had been away there were five or six at the depôt, when I would get all the news and we would have a drink together. On this occasion there was none of them there, which I thought very strange. I had armed myself and was well prepared for any emergency. I walked along the street and met some citizens, but none that belonged to the organization. When I was passing James McHugh's saloon I spoke to him, and he asked me in to have something to drink. I told him I did not mind having a bottle of porter. He got a bottle, and had some trouble to get the stopper out. I noticed that he was very pale, and asked him if he had the ague, had been on a spree, or had been sick. He said not, but was cold standing about. I then asked him if he had heard the report about me. He said he had, but did not believe it, and would be round the following day to hear how things were going on.

Passing the Lehigh depôt I met Mike McDermott, a member of the organization, and one with whom I had always been on friendly terms, but he hardly spoke, and passed very quick. Just across the street I saw Edward Sweeney, another member, standing against a lamp-post. I halloed to him, "Is that you, Sweeney?" He said "Yes," and came over. I said, "Have you seen McAndrew?" He said "Yes." I said "How long since?" He said "About an hour." I said "Has he gone to bed?" He said that he thought not. We went together down the street, and as I was very suspicious of him I got him to walk in front of me, saying my eyes were bad, that I could not see properly, and that the pavements had holes in them; however, I got him in front of me and made up my mind to keep him there.

When I got to McAndrew's I found a party posted inside and outside. There were two of them, the one outside I think was Grady, and Doyle inside. I went in, and Sweeney came in and went out again; he said he was going home, but he soon returned with a little snow in his hand which he threw over and struck McAndrew, who looked at me and said, "My feet are sore; I guess I will take off my boots;" and Sweeney turned and walked out. From the rumours that were about I was suspicious, of course, of everybody, and that incident seemed to strengthen my idea that something was up.

I then asked McAndrew about the meeting, and he said he had rented a hall, and it was all right. I then bade him good night, and when I got outside I crossed over the swamp and came out in front of my boarding-house. I could not sleep much that night. The next morning I went and saw McAndrew, and on going up the street I met Ned Monaghan and a fellow named Carlin, the body-master at St. Nicholas; Florence Mahony, the body-master

at Turkey Run, was also there. No one else seemed to come until a little after ten o'clock, when there came in a couple of drunken men from Mt. Laffee.

Who were they? Dennis Dowling and James Doyle or Mike Doyle; I believe Mike Doyle was his first name; he is a red complexioned big man. I asked them if they had just arrived, and they said they had just come from the cars.

Were they members of the Order? Yes; from Mount Laffee, and their appearance indicated that they had not slept the night before. The fact was no cars came into Shenandoah at that time, so that they could not then have come direct from them. Dowling took me on one side and asked me what was the matter; I said, "Didn't you hear; don't you know what you are called here for?" He said no, and when I had told him he said he would not believe it. I called for drinks and sent for McAndrew, and we went into a rear room. Doyle kept getting the worse for drink, and some one took him away to bed or somewhere else.

I did not see Kehoe; he did not appear, so I made up my mind to find him and to know why there was to be no meeting. I then went out with McAndrew and engaged a horse and sleigh of Martin Delany, and Dowling and Monaghan engaged another, which they got in, McAndrew speaking for it. I now asked McAndrew if he could explain matters? He said, "Look here; you had better look out, for that man who is riding behind you in that sleigh expects to take your life." Dennis Dowling, he said, was the man, with Monaghan. He then said "Have you got your pistols?" I said "Yes." He added "So have I, and I will risk my life for your sake; I do not know whether you are a detective or not, nor do I know anything against you; you have always done as seemed right to me, and I will stand by you. Why don't they give you a fair trial?" I then made up my mind to watch Dowling as closely as possible. When we got to Danny Munley's we stopped and had a drink, and when we came out McAndrew informed me positively that he had saved my life. He also told me that John Kehoe had been to Shenandoah the afternoon previous, and that he had assembled all the Mollies that were in the town, and spent a good deal of money amongst them, and told him (McAndrew) to be sure and have me killed that night, or I should be the means of having half the people in Schuylkill County hanged. McAndrew told Kehoe and those present he would see to it, which satisfied them, and they assembled, twelve or fourteen of them, a little below the Reading depôt, on the line.

On the line? Yes, sir, waiting for the train to come up. They were all armed; some of them had axes, some had tomahawks, and others had the sledges which they use in the mines. They did not want to use fire-arms, as the report from them would have attracted

the policemen about there. The idea was to inveigle me to the spot and assassinate me with the other weapons.

McAndrew then said "That is a fact; you will find out you are in queer company this minute." I said, "I do not care; I am going down to Kehoe's." When I got there no man could look more surprised than Kehoe. He saw his plans had not worked, for I was still alive in his presence, and in company of the man who was to have assassinated me. I asked Kehoe about the meeting, and he said he had come to the conclusion it was no use trying me. I said: "You have taken a great deal of trouble." He said, "You can go to Father O'Connor and see him about it; you will find it all out; that is all I have to say." I went to Father O'Connor's, but I could see the movements while in Kehoe's. David Kelly, Philip Nash, Thomas Donahue, a fellow named Butler, and several others were there talking to McAndrew on the subject, and I said I would start to see Father O'Connor. A good many had left sometime before us, and when we got to Collahan's on Mahanoy Plane, we found Philip Nash and Tom Donohue were there. They had heard that I was going to see Father O'Connor, and went ahead of me. Tom Donohue, of Mahanoy Plane, not the prisoner, and Nash took McAndrew out and had some conversation, and when they came back seemed quite uneasy. Nash went into Collahan's and I went over to see Father O'Connor, but he was not at home. When I got back I asked Collahan what was the matter, and he said "Those men want to kill you here; Dowling wants my revolver." I said, "Has he got one?" He said "Yes; but if I gave him mine I should be unarmed myself. Dowling, however, still got worse for drink; he was so drunk that McAndrew would not let him get in the sleigh; he told Monaghan to get in, and we drove away. I told McAndrew if Dowling made a motion towards me I would shoot him; but we left him at Collahan's and drove off straight to McAndrew's house at Shenandoah. When we got there I said "I will go to my boarding-house." He said, "You will not go to your boarding-house." I said, "What is the reason?" He replied "It makes no difference; you will sleep with me. I did so, and was very glad of the chance, and on the following morning I went to Pottsville. Of course I made out my usual report and reported to Captain Linden. According to appointment I went to Mahanoy Plane in the afternoon, and again met Dowling and this Doyle at Collahan's. They were both sobered a little then. McAndrew was there, and told me he intended seeing the thing through. He took me aside and said "It was a lucky thing that you did not go home last night." I asked him "Why?" He stated that on the night previous—the night I slept with him—two or three men were loitering about my boarding-house all night, but as I did not go home that night they lost the game they were seeking. I went to see Father O'Connor on that occasion.

On that day? On that day, but, as before, he was not at home; he had gone to Philadelphia. I returned back, and saw Dowling and the others again; they appeared very kind, and were still talking with McAndrew. I bade them good evening, and took the train again to Pottsville, not feeling inclined to go back to Shenandoah. I saw Captain Linden that evening and told him that I had come to the conclusion that they had had a peep at my hand and that the cards were all played; however, I said I would go up again if he would keep a close watch upon me, and as he said he would I went the following day.

That was Saturday? On Saturday; but I did not see Dowling or Doyle that day, I believe, but I saw Father O'Connor. I asked Collahan to go with me to Father O'Connor's, but he refused saying Father O'Connor and him had disagreed in respect to a sermon preached by him about the Molly Maguires or Ancient Order of Hibernians, and that he did not care to meet him again, so I went alone.

I was sitting in the hall waiting for Father O'Connor, when I heard footsteps and a man speaking. I knew the voice, and heard a chair move, and by the sound I thought it was pulled alongside the door. Father O'Connor then came to me, and I told him I was James McKenna, that I was the man he had heard about, and whom he had represented as a detective; that his saying so had ruined me in the estimation of some of my fellow citizens, who were greatly enraged against me; and from the fact that it was not true, I should like him to deny it. Father O'Connor admitted that he had used my name, and that he had heard I was a detective, and although he did not know me he thought I was cognizant of crime long before the perpetration of it, and that I ought to have prevented it; that I acted as a stool-pigeon—a common phrase among men—and that I knew all about crimes and took part in them instead of reporting them as a detective, which he did not think was right. He said that he had written a letter to Kehoe, and had given it to a party to deliver, but instead of delivering it the party brought it back. He said that he had told the men time and again that such would be their fate, but they would not hearken to him and leave the organization, so now they must suffer. He told me to go to Father Ryon of Mahanoy City, and Father Reilly of Shenandoah, as they knew more about it than he did. He said that he had heard it only a little while previous, and had been down to Philadelphia himself to hear something about me that he might find out how closely I was connected with another party who was in this region, but he did not name that party. He said, moreover, "You were seen about Tamaqua at the time that Kelly, Doyle and Kerrigan were arrested, and you were seen in close company with Kerrigan a little before Jones was shot." I told him I had business in Tamaqua; that I was intimate with Kerrigan's

sister-in-law, and, of course, often in company with her brother-in-law; he laughed at that, said there was no harm in it, and that I had a right to be there. So I parted with Father O'Connor, telling him I would go and see Father Ryon and get things made straight, when I would notify him of it, so that he might inform the congregation I was no detective. He answered that if I got things settled in that way, he would be very happy to state so, as I had been injured in the estimation of my friends. At the same time I had no notion of going to see Father Ryon or Father Reilly.

While you were there with Father O'Connor did you defend or denounce the Ancient Order of Hibernians? I defended them in a loud tone. I said that it was a good society, that I had belonged to it a good many years, that it was all right, and that, though the crimes committed in the county were all attributed to this society, they were not guilty of them, that they tried to prevent crime, and all that sort of thing.

Why did you speak in this loud tone of voice? I was very well aware that Martin Dooley, a member of the Order, was sitting in the next room listening at the door, and I spoke loud so that he might hear what I said.

How did you ascertain that Martin Dooley was sitting in the next room listening to your conversation? I heard footsteps immediately I got into Father O'Connor's house, and heard him ask the maid-servant for a chair. She gave him a chair and I heard it moved over beside the door. The door was closed and I was standing in front of it.

You spoke loudly in defending this Order so that Dooley should have the benefit of your observations to Father O'Connor? Yes, sir, and that I should have the benefit of it also by getting from there with my life.

What occurred then? As soon as I got out I went to Collahan's and told him that things were all right, that I was going to see Father Reilly the following day, and that I had to go to Pottsville that afternoon or evening. Tom Donohue was there; he was well pleased, and said he was very glad to hear it. I then left Collahan's and called in Dooley's on my way.

The same man? The same man. He commenced to laugh when he saw me and I told him how I had got along, and said "I heard every word of it; I was in Father O'Connor's all the time; it was a cute way you gave your reason for being in Tamaqua; you gave the society a pretty good lift." I said, "I know I did," and he replied "You were telling the truth." He seemed quite pleased that I called. I went from Dooley's to Frackville, and took the train. Captain Linden was there and rode down in the same ear. I left the county on the following morning.

You left the county? Yes, sir.

When did you next come to Schuylkill County? Last May.

On what occasion, and for what purpose? To prosecute the murderers of Yost.

As a witness? Yes, sir.

You have stated that when you came into Schuylkill County you were not to be a witness. State what it was that induced you to change your mind and consent to be a witness? I found out then that it was well known I was a detective, and that secrecy was no longer of any use to me.

That secrecy, of course, was no longer any protection, as everything had become known? Yes, sir; and therefore I informed Major Pinkerton that I would take the stand and prosecute those cases.

You were cross-examined at some length by Mr. L'Velle as to the amount of your expenses. Can you give us any idea, estimate or description of what the character of those expenses was that you had to spend money for, and how you spent it in this county in order to keep up your fictitious character? Of course I had to spend a good deal of money, and in respect of whisky bills, they were very large. It cost a good deal for railway fare, and I had always to make a good show of money, otherwise I must have gone to work or something.

You have stated in answer to a question of Mr. L'Velle as to how you maintained your character among these men, that you "shoved the queer," that you had a pension, having been in the navy. State whether you meant by that answer to convey the idea that you were actually engaged in the business of counterfeiting money, or that you had been in the navy, or that you were receiving a pension? Certainly; though I was not.

You merely represented these facts to the parties with whom you met to account for your having money in your possession without working? Yes, sir; and it worked first-rate.

When you told them you were engaged as a counterfeiter, or in the occupation of counterfeiting money, did you meet with any opposition in this organization, which has equality, liberty, fraternity, and such, as its mottoes; and did they not expel you from the organization as being a person who was committing a heinous offence? No, sir; they seemed to think more of my company, and some of them asked me to supply them with a little.

I think you told us, in answer to a question, that you informed those parties that you had killed a man in Buffalo? Yes, sir.

Did they cease then to have any communication with you, or did they take greater interest in you? Of course, I was supposed to be a good man on a clean job, and that confidence could be placed in me.

Were you not obliged, in maintaining your position among them, to take a pretty active part in local politics? Yes, sir.

And that involved a considerable expenditure of money? Yes, sir; there was a good deal of money spent on politics.

Can you tell me what efforts you made to elect Patsy Collins as a commissioner in this county? I know I canvassed for Mr. Collins nearly throughout the county, and spent a good deal of money.

It must have cost you several hundred dollars. Can you tell us how much you spent for that purpose? I daresay I spent from the latter part of June some 250 or 300 dollars in that way.

Do you not think that it was a good deal through the instrumentality of yourself and this Order that Mr. Collins succeeded in obtaining his present position?

Mr. Ryon: We object to that.

Mr. Gowen: Well, we will let the answer be understood instead of expressed.

(To the Witness.) The delegate Campbell, the old man Campbell, from New York, whom you met at Girardville at the county convention, was the head man in this Order in the United States, was he not? He was the national delegate.

And on that occasion this national delegate of that Order, on being informed by Barney Dolan that it was necessary sometimes to administer a beating to men in order to make them good men, did not express any serious disapprobation of that means of proceeding? No; he simply laughed at it, and said if a man opposed him very hard he would fight himself. He said that as a sort of joke.

Mr. L'Velle asked you several times whether you did not know that members of this Order were expelled in consequence of the commission of crime. You remember that question, do you not? Yes, sir.

Now I desire to ask you whether you have any knowledge of the fact that this Order not only did not expel members for the commission of crime, but that they paid money and promised rewards for the commission of crimes; and if you have any knowledge of these facts let us know how you acquired that knowledge? In the particular case of Thomas Hurley shooting Gomer James he was to have a reward; and in the case when Pat Hester was convicted and sent to the penitentiary, he was suspended or expelled, and a quarrel arose about his admission again into the society; therefore the fact is that when a man commits a crime and gets clear away he is the more respected. I know it to be so.

Tell us the circumstances of Hurley. Was Hurley a member of this Order? Yes, sir; Hurley was an active member of the Order.

That is the same Hurley that you have been speaking of in connection with this murder, and who is included in this indictment? The same Hurley.

He committed the murder of Gomer James? Yes, sir.

I do not care about your going into details about the facts; bring yourself down to the time at which this Order consented to pay him money for the commission of this crime, and tell us what occurred at that time, that is tell us all the circumstances as far as you can? On the 25th of August there was a convention held in Tamaqua.

A convention of what? A convention of the Ancient Order of Hibernians or Molly Maguires; a county convention; however, it was appointed by Mr. Kehoe.

John Kehoe? John Kehoe, the prisoner; he called it to try some cases.

To try what cases? Such cases as came before it; some men were accused of disobedience, and things like that, and Kehoe appointed me to take down the statement of members having charges to make against each other, and then give them to the committee to deliberate thereon, which I did. Thomas Hurley came forward, and I took down his statement. He stated that he shot Gomer James on the 14th of August, and demanded a recompense.

Hurley demanded a recompense? Yes, sir; that was about the substance of his statement. Of course I took it down and presented it to the committee.

Who composed that committee? Well, John Kehoe, Michael O'Brien, John Donohue, Frank Keenan, Jerry Cane, Pat. Dolan, Sen., and Frank O'Neal were in the room at the time, and Pat. Butler and John Morris came in afterwards. When I placed Hurley's statement before the committee, Frank Keenan was the man that picked it up and commenced to read it; then Pat. Butler said: "I object to your taking any action in this matter from the fact that there is a member of our division named McLane who claims to have shot Gomer James, and therefore is entitled to the reward." The committee then stated they would not take any further action in it, and that the man who shot Gomer James was certainly entitled to be recompensed. Therefore John Kehoe appointed Pat. Butler and myself to investigate the matter, and find out which of the two had shot Gomer James, and report to him which was entitled to the blood-money.

On Sunday, the 29th of August, Pat. Butler, Hurley, myself, three others named McCormick, Walsh and Michael Carey, and some young fellows whom I did not know, met at No. 3, in West Shenandoah, about 4 o'clock in the afternoon. Butler told us that he had notified McLane to be here at the time, but he had not

put in an appearance. Hurley then came forward and said that he shot Gomer James in the presence of his mother. Carey, the Walshes, McCormick and others stated that they saw Hurley shoot Gomer James, so it was agreed between Butler and myself that Hurley should have the reward. On the following day, Monday, the Kohinoor Colliery was stopped. Hurley came to me and asked me to write out the report, so I wrote a letter and addressed it to John Kehoe, stating that we had investigated the matter, and that we reported in favour of Hurley receiving the blood-money, which letter I gave to Hurley, but whether he posted the letter, carried it to him, or it was ever delivered, I cannot tell.

But you made your report in pursuance of your instructions? Yes, sir.

And you met and adjudicated upon the fact, that is, between the rival claimants, that Hurley was the real perpetrator of the offence, and as such was entitled to the reward? Yes, sir; I made my report to Kehoe, and also reported the facts to the Agency.

You made two reports; one in your capacity as an Ancient Order man, and the other in your capacity as a detective? Yes, sir.

State whether at this meeting, at Tamaqua, John Slattery was present? Yes, sir; he came to get a claim adjusted. He was tried there and came to defend himself.

He was not on this committee? No, sir.

You say this constitution and by-laws is the written law of the Ancient Order of Hibernians? Yes sir, the written law.

State whether the constitution sets forth the practice and written law of the Ancient Order of Hibernians? It neither sets forth the practice nor the written law, which is the main embodiment of the Order.

They are governed by the unwritten law, and that is a mere cover? Yes, sir.

A Re-Cross-Examination has been omitted as it failed to discover any flaws in McParlan's evidence when re-examined.

III.

Evidence to the character of prisoners; cited to shew the feeling of terror which the Molly Maguires inspired.

JOHN H. KEMMERER, SWORN AND EXAMINED.

You are resident of Ashland? Yes, sir.

Do you know John Kehoe, one of the defendants here? I do

How long have you known him? About five years.

From your knowledge of him, what has been his reputation for peace and good order in the vicinity where he lives? Well, good, as much as I know.

CROSS-EXAMINED.

You never heard anything against him? Nothing, but that he was a member of the Ancient Order of Hibernians.

Do you know who they are? No, sir.

Are they not reputed to be Molly Maguires? Well, I believe that is the name, the Mollies.

Then you had heard that he was a Molly Maguire? I had heard it, but I do not know whether he was such or not.

I am not asking you what you know. I asked you whether people said so? Yes, sir.

You had heard that he was a Molly Maguire how long ago? Well, two or three years.

How do you reconcile the fact that he was a Molly Maguire with your statement that his reputation for peace and good order is good? I reconcile it in this way, that all the business he had with me was right and proper and just; and the other, hearing that he was a Molly Maguire, was only hearsay.

Do you not know you are called to the witness-stand to testify to nothing but hearsay, and that what you know of your own knowledge is not evidence at all; and do not you understand that all that you can tell on that witness-stand is hearsay and nothing that you know of your own knowledge; it is only what people say of him? Well, that is all I heard people say, that he was a member of the Ancient Order of Hibernians, so-called Molly Maguires.

Then I ask you how you reconcile the fact that he was a member of the Ancient Order of Hibernians or Molly Maguires with your statement, under oath, that his reputation—not what you know—but that his reputation was good; how do you reconcile those two things? For the very reason the one I have only got from hearsay.

Do you not get reputation from hearsay? Yes, sir.

Very well; you got that from hearsay? Yes, sir.

And you know from hearsay that he was a Molly Maguire? Yes, sir.

Then you have got both from hearsay? No, sir; he has done work for me also.

You were not asked what you knew about him; the question was, what was his reputation, that is, what people say about him. That is the question, and you have sworn that what people say

about him is good, and yet you swear that people say that his reputation is that he is a Molly Maguire. How do you reconcile those two statements? I reconcile it that I only got it from hearsay.

Got what from hearsay? That he is a Molly Maguire.

Do you understand, then, that a Molly Maguire is a man of good reputation for peace? Not if they act as is reported.

Not if they act according to reputation? According to reputation.

Then why do you say that his reputation is good, and yet that he has the reputation of a Molly Maguire? For the simple reason that all the business we had together he done right and proper.

The business you had together is not reputation at all, understand that; it has nothing to do with reputation. You said his reputation is good, that is, what people say about him is good, and yet you say that people say he is a Molly Maguire? Yes, sir.

How do you reconcile those two things? I cannot answer any other way, only that I got from hearsay that he is a Molly Maguire.

Then is the reputation that you have heard of him, that is, what people say of him for peace and order, good or bad, outside of what you know yourself? His reputation outside of that is bad.

Have not you said to Captain Linden and others, that he was a very bad man? If so as reported.

GEORGE SCOTT, SWORN AND EXAMINED.

Where do you reside? Locust Gap.

How long have you resided there? About eighteen years.

Do you know Dennis F. Canning? Yes, sir.

How long have you known him? I guess about four years; between four and five.

You have known him long; what has been his reputation for peace and good order? Good, as far as I know.

CROSS-EXAMINED.

You never heard that he was a Molly Maguire? I have heard him reported so, to the best of my knowledge.

Do you consider it good reputation to be called a Molly Maguire? I could not swear.

I did not ask you to swear. You say his reputation is good, and you call him a Molly Maguire. Then you consider one who is called a Molly Maguire as having a good reputation, do you? I do not swear positively he is a Molly Maguire.

That is his reputation; what people say of him? Yes, sir; but I don't know.

I asked for what people say of him, not what you know. I do not ask you now whether you know he is a Molly Maguire. I do not ask for that. You say you heard he was a Molly Maguire and his reputation was good. Do you mean to say that a man who has the common reputation of being a Molly Maguire has good reputation? Is that what you call a good reputation? No, sir.

Then it is a bad reputation, is it not, to be called a Molly Maguire? If it is not good, it is bad? No, sir; it is not. I say it has been the common report that he belonged to the Molly Maguires, or the Ancient Order of Hibernians.

You say that it is not a good reputation to have the common report or the common reputation of being a Molly Maguire. If it is not a good reputation to be called a Molly Maguire, what is it, a bad one? I cannot answer that question that way.

How can you answer? What way can you answer? You say his reputation was good, and yet his common reputation was that of being a Molly Maguire. I ask you now whether a person who has the common reputation of being a Molly Maguire can have a good reputation? I do not suppose he would, as far as report goes.

GEORGE KEESLER, SWORN AND EXAMINED

Where do you reside? New Castle.

How long have you resided there? Fourteen years, or thereabouts.

Do you know Christopher Donnelly? Yes, sir.

How long have you known him? About five years.

From the time you have known him, up to the time of his arrest, what has been his reputation for peace and good order? Well, it was always good.

CROSS-EXAMINED.

Did you ever hear that he was a Molly Maguire? Yes, sir; there was some talk about it.

Is that always a good reputation? Well, I do not know about that.

But you have just sworn that his reputation was always good? I say there was nothing bad said about him, except that he was a Molly Maguire.

You did not tell us that before; you did not say that there was nothing bad about him except that he was a Molly Maguire. He always behaved himself around New Castle.

I did not ask you how he behaved himself around New Castle. You were asked what his reputation was, and you said it was always good, and yet you say he was a Molly Maguire, and that he had a good reputation. There was not much talk about Molly Maguires up there.

You heard him called a Molly Maguire? They did not call him one; it was only the talk that he was one.

Do you think it good to be called a Molly Maguire? I do not know what it is.

You do not know what it is. What do the people say; is it understood to be good or bad to be a Molly Maguire? No answer.

Cannot you tell? No.

Do you mean to tell us that you never heard whether it was good or bad to be a Molly Maguire? I did not know what it was.

I did not ask you whether you knew what it was, but I ask you what people said; whether it was good or bad to be a Molly Maguire? They did not say much about it; whether it was good or bad.

You do not know from reputation, whether it was good or bad to be a Molly Maguire? I do not know much about that; he was a nice man around New Castle.

PERCIVAL BOMBOY SWORN AND EXAMINED.

Where do you reside? New Castle.

How long have you resided there? Well, 25 or 26 years.

Do you know Christopher Donnelly? Yes, sir.

How long have you known him? Well, I have known him ever since he was a boy, I believe.

Where have you known him? Well, in Mt. Laffee; he used to live there, but now he has moved to New Castle.

What has been his reputation for peace and good order up to the time of his arrest? Well, good; I do not know anything more; I did not hear anything bad during the time.

CROSS-EXAMINED.

Did you not hear that he was a Molly Maguire? I did.

You think that is nothing bad about him? It is not considered good.

You have already said that you have heard nothing bad about him, but you heard he was a Molly Maguire? I mean as a neighbour.

You were not asked about him as a neighbour. You were asked as to his general character for peace and good conduct. You say you have heard that he was a Molly Maguire, and that is bad? It is what we could not call good.

Then it is bad? That is what I heard.

Then his reputation is bad? Yes, sir.

Did you not hear that it was Christopher Donnelly and Jerry Kane that sent Michael Doyle and Edward Kelly, the two boys at Mt. Laffee, to Lansford for the purpose of murdering John P. Jones? I heard them say that they were not sure that they did, but they believed so.

You do not consider that a good reputation, do you? No.

IV.

Constitution and By-laws of the Ancient Order of Hibernians. Instituted March 10th, 1871, Chartered March 10th, 1871, Adopted March 11th, 1871.

PREAMBLE.

The members of this Order do declare that the intent and purpose of the Order is to promote Friendship, Unity, and True Christian Charity among its members, by raising or supporting a stock or fund of money for maintaining the aged, sick, blind, and infirm members, and for no other purpose whatsoever.

These laws though human, spring from Love Divine,
Love laid the scheme—love guides the whole design.

Vile is the man who will evade these laws,
Or taste the sweets without sufficient cause.

INTRODUCTION.

The Motto of this Order is "Friendship, Unity, and True Christian Charity."

Unity, in uniting together for mutual support in sickness and distress.

Friendship, in assisting each other to the best of our power.

True Christian Charity, by doing to each other, and all the world, as we would wish they should do unto us.

Brethren: It is beyond all doubt that the Supreme Being has placed man in a state of dependence and need of mutual support from his fellow man. Neither can the greatest monarch on earth exist without friendship and society. Therefore, the Supreme Being has implanted in our natures tender sympathies and most humane feelings towards our fellow creatures in distress, and all the happiness that human nature is capable of enjoying must flow and terminate in love of God and our fellow creature. So we, the members of this Order, do agree to assist each other, and conform to the following rules:

CONSTITUTION AND BY-LAWS OF THE ANCIENT ORDER OF HIBERNIANS.

ARTICLE I.

Name.—This society shall be denominated "The Ancient Order of Hibernians of the United States," whose headquarters shall be the city and county of New York.

ARTICLE II.

Officers.—The Officers of this Order shall be a National Delegate, National Secretary, General President, General Vice-President, Secretary, and Assistant Secretary; Treasurer and Board of Directors;

also State Delegate, State Secretary, and County Delegates; also, a President, Vice-President, Secretaries, and Treasurer of each Lodge or Divisions; all of whom shall hold their offices for the term of one year, unless removed by the Board of Directors for improper conduct.

ARTICLE III.

Duties of Officers.

Sec. 1.—Duty of N. D.—He shall be called to preside at all meetings of the Board of Directors, and affix his signature and seal of the Order to all warrants. The national officers will direct all processions in the city and county of New York, taking the lead thereof, watch the general welfare of the Order, and make known the condition of the society semi-annually.

Sec. 2.—Duty of N. S.—The N. S. shall correspond with auxiliaries abroad, keep minutes of the Board of Directors, make known the financial affairs of the society annually, assist the N.D. in matters appertaining to the interest of the society, and render such services as will tend to harmonize the Order.

Sec. 3.—Duties of State Delegate.—He shall organize one new division in each county where none exist, preside at all State Conventions of the society in the State, direct all State processions, head all State processions in the State except the city and county of New York, taking the lead thereof, attend to the general welfare of the Order in his State, and make known the condition of the Order annually at the State Convention.

Sec. 4.—Duties of the State Secretary.—The State Secretary shall correspond with the National Delegate, National Secretary, and County Delegates of his State, all communications to be countersigned by the State Delegate, and assist the State Delegate in all matters appertaining to the Order, and report annually to the State Convention of the Order.

Sec. 5.—County Delegates.—The duties of each County Delegate shall be to open divisions throughout his county, preside at all meetings of the Board of Directors of his county, and correspond with the State Delegate and Secretary, and all divisions in his county, and he shall take the lead of all county processions.

Sec. 6.—Duty of the President.—The duty of the President shall be to preside at all general or extra meetings of the Order, to see that the constitution and by-laws are preserved inviolate and carried into effect, to affix his signature and seal of the Order to bonds and contracts lawfully entered into, and see that the same are properly engrossed upon its records.

Sec. 7.—Duty of the Vice-President.—In the absence of the President the duties shall devolve on and be performed by the Vice-President; and in the absence of both a chairman shall be

appointed by the members present, with all the powers and privileges of the President during his absence.

Sec. 8.—General Secretary.—The G. S. shall record elections and expulsions in the general book, act in accordance with the Board of Directors, and to them report his acts whenever called upon. The Division Secretaries shall notify the County Delegates of all expelled members, with their name and address. The G. S. to notify the State Secretary, and the State Secretary the National Secretary, who shall notify the different State Secretaries of the same, and the State Secretaries the different divisions in the State.

Sec. 9.—Assistant Secretary.—The Assistant Secretary shall engross, in a book kept for that purpose, the minutes of all the transactions of the Order, at the meeting thereof; he shall notify the Standing Committee of all matters referred to them, and of such vacancies as may occur, and the name of the person elected to fill such vacancy, and render such services as the General Secretary may require.

Sec. 10.—Duty of Treasurer.—The Treasurer shall have charge of, and be responsible for the safe keeping of, all money belonging to the Order, and see that no disbursements are made thereof except in compliance with a special resolution of the Order, approved by the Board of Directors and signed by the President and General Secretary, with the seal of the Order attached thereto; he shall also report quarterly to the Order the state of the funds, with the amount of receipts and disbursements; he shall give a bond with two sufficient sureties for the faithful performance of his duties, and at the expiration of his office he shall transfer all money, books, and vouchers belonging to the Order to his successor.

ARTICLE IV.

Officers ; How Elected.—The N. D. and N. S. shall be elected by the Board of Directors to New York City, State and County Delegates of all the States, and none other.

The general officers shall be elected by the general body in their respective towns or cities, and the division officers shall be elected by their respective members. The election of all officers to take place on or about the 28th of March, after the National Convention of each year.

The State Delegate and Secretary shall be elected by and from the Board of Directors of each Division and County delegates of the different counties. The County Delegates shall be elected by and from the Board of Directors of the different divisions of the county.

ARTICLE V.

Each division shall have the power of making rules and regulations for its own internal welfare, provided always that such regulations are in accordance with the general rules of the Order, subject

to the approval of the National officers, with their names appended thereto.

ARTICLE VI.

The Board of Directors, at their first annual meeting, shall choose from their number a Treasurer and a Committee of Finance, consisting of three, to whom shall be referred for examination all claims and demands against the Order, and who shall report the same to the Board of Directors with their opinion thereon, as by so doing no fraud can be committed.

ARTICLE VII.

The powers and management of this Order shall be vested in the Board of Directors, who shall be composed of a President, Vice-President, Secretaries and Treasurer of each division, and shall hold their office for the term of one year.

ARTICLE VIII.

All general and extra meetings shall be called by the President and General Secretary, and in the absence of the President, by the Vice-President, and it shall be their duty to call such meetings when requested, in writing, to consist of fifteen members.

ARTICLE IX.

This Order shall consist of an unlimited number of members, and as it increases the State and County Delegates shall have the power of opening divisions for the accommodation of the members, and of issuing orders and directions for the management of the same, and shall call in all warrants for any flagrant deviation from the general rules of the Order.

ARTICLE X.

Eligibility of Candidates.—No person shall become a member of this Order, who is not Irish, or of Irish descent, a Roman Catholic and of Roman Catholic parents. Any person wishing to become a member of this Order shall be proposed by having his name and occupation or calling of business registered, with the name of the proposer, appended in a book kept for that purpose in the division room, and no person shall be admitted at any time unless he is of good moral character.

ARTICLE XI.

The names of persons thus proposed, on being read by the Secretary at any regular or duly organized meeting of the Order, may be ballotted for at the next regular meeting, and if a majority of ballots be cast in favour of admission, then such persons shall be declared duly elected members of the Order.

ARTICLE XII.

Fines and Penalties.—Any member coming into the division in a

state of intoxication and annoying the members, shall be fined the sum of \$1 and leave the division for that night. In default of complying with this order he or they shall be excluded for six months, at the expiration of which they shall be allowed to re-enter and become full members of the Order.

ARTICLE XIII.

No member shall be allowed to speak more than twice on any subject without permission of the presiding officer. Any member interrupting another whilst on his feet addressing the President shall be fined the sum of one dollar for each offence; and should a member swear an oath in the division room he shall be fined the sum of fifty cents for each offence, and if not paid at the time it shall be entered as a debt against him, and he shall be deprived of all the benefits of the Order until the fine be paid.

ARTICLE XIV.

Should any member hold a dispute with another, or cast any reflection on his country, he shall be fined fifty cents for the first offence, for the second one dollar, and for the third he shall be excluded the Order, to be no more admitted.

ARTICLE XV.

Any member striking another shall be fined, for the first offence, five dollars, and be suspended until the fine is paid; for the second offence he shall be expelled for life. If a member so offended strike the other in return he shall be fined fifty cents; if the blow shall be struck in the division room the aggressor shall pay the sum of $7\frac{1}{2}$ dollars, and the member so struck returning the blow, shall be fined one dollar for the second offence. In case of any doubt as to the first offender, the case shall be brought before the Board of Directors, who shall try the cause, by having the parties brought before them with their witnesses, and decide the matter, and their decision shall stand.

ARTICLE XVI.

Any member absenting himself three nights in succession shall be notified by the Recording Secretary to attend on the next night of meeting, and for neglecting to do so he shall be expelled from the Order.

ARTICLE XVII.

Any member absenting himself on a meeting night shall be fined the sum of 25 cents.

ARTICLE XVIII.

Any officer absenting himself on any night of meeting shall be fined 50 cents, sickness or absence from the city excepted.

ARTICLE XIX.

Any officer absenting himself three nights in succession shall be notified to attend on the next night of meeting, and neglecting to do so shall be expelled the Order, sickness or absence from the city excepted; and should the members think proper at any time afterwards to admit him as a new member, on his applying for admission, he shall not hold any office for the term of one year after such admission.

ARTICLE XX.

When the President and Vice-President take their seats the President shall strike with his mallet for the division to come to order. The Vice-President shall respond in like manner by striking with his mallet. Should any member not come to order then, he shall be fined 25 cents; should he not then comply with the order of the President assisted by the Board of Directors the said member shall be fined 50 cents; and should he not then comply the President shall order the floor officers to put him out of the room for the evening, when the Board of Directors shall take action in the matter, and fine or expel him as they in their judgment may think proper, and from their decision there shall be no appeal. The said member may be re-admitted at the expiration of one year.

ARTICLE XXI.

No member shall be allowed any sick or ailment money unless he is six months a member and clear on the books of the division, to commence from the date of filing such notice of sickness, when such sickness is brought on by Divine Providence, but should he be three months in arrear he shall not be entitled to any benefits for one month from such notification.

ARTICLE XXII.

Any member of this Order who shall speak of any business or transaction that may transpire in any division room or place of meeting, he shall be handed over to the Standing Committee of the division of which he is a member; or if at a general meeting it should happen that he or they shall be brought before the Board of Directors and tried, if found guilty of the same he or they shall be expelled.

ARTICLE XXIII.

Committees consisting of three shall be appointed by the presiding officers; all others shall be appointed by the meeting.

ARTICLE XXIV.

Schism.—Any member or members who shall cause discussion or schism in the Society, by frequent attempts at discord, or branching off from the society, shall be erased from the books, and they shall

have no further claim on the property or benefits of the society for life.

ARTICLE XXV.

Any member who shall bring charges maliciously designed against a brother, which he is unable to prove, or shall knowingly propose unworthy characters for membership, shall be subject to reprimand, fine, suspension, or expulsion; according to the enormity of the offence, as the Board of Directors may determine, and from their decision there shall be no appeal in any case whatever.

ARTICLE XXVI.

Resignation.—If any member shall give written or verbal notice of his intention to quit the Society, the notice shall be received, and if attested by two or more members, his name shall be erased from the books forthwith not to be readmitted for one year after such notice, and then only by permission of the Board of Directors, and by paying the usual initiation fee.

ARTICLE XXVII.

The initiation fee of this Order shall be three dollars. The monthly dues shall not be less than thirty-five cents. The weekly benefits in case of sickness shall be five dollars, and on the death of a member the sum of fifty dollars shall be appropriated to defray the funeral expenses.

ARTICLE XXVIII.

No member shall be admitted in any Division unless he produces a certificate from the Division which he left, unless a visiting member.

ARTICLE XXIX.

The seventeenth day of March shall be a National Holiday of this Order, to be celebrated by a public procession of its members, and any member failing to parade shall be fined in the sum of three dollars, unless excused by the Board of Directors of his Division.

ARTICLE XXX.

No person under twenty or over forty years of age will be eligible as a member of the Society.

ARTICLE XXXI.

It shall be compulsory on all Divisions outside New York City to raise a fund for the purpose of sending their State and County Delegates to the National Convention.

ARTICLE XXXII.

Any person joining this Order under an assumed name or age, or having any bodily ailment, and afterwards found to be so, shall be expelled never to be admitted. This article to be read by the presiding officer of each Division, to the member before joining.

ARTICLE XXXIII.

The members of each Division, in each State, are required to attend Holy Communion, in a body, at least twice a year, at their Parish Church, or such other Church as they may designate, and wear the Regalia of the Order.

BY-LAWS.

Meetings.—Sec. 1. The regular monthly meetings of the Order shall be held on any stated evening. From the first day of October to the first day of April, the hour of meeting shall be half-past 7 o'clock, and from the first of April to the first of October, shall be 8 o'clock.

Sec. 2. When any question is before the house, no other motion shall be in order, except to amend the previous question, to lay on the table, or to adjourn, which shall take precedence in the order in which they are named.

Sec. 3. Reports from all Committees shall be made in writing, and shall be filed, or correct copies entered by the Secretary of the body receiving them.

Sec. 4. When a member speaks he shall rise in his place and respectfully address the President, confine himself to the question under consideration, and avoid personality or unbecoming language. (See Article XX of the Constitution.) Should two or more members rise to speak at the same time, the President shall decide who shall have the floor.

Sec. 5. No member shall speak more than twice on any one subject—five minutes allowed each time—but not oftener, unless to explain, or by permission of the President.

Sec. 6. When a member is called to order he shall take his seat until the point of order is decided. When an appeal is made from the decision of the President, he shall put it thus: "Shall the decision of the President be sustained?" Which shall be decided without debate.

Sec. 7. The President shall state the question properly to the meeting, and before putting it to the vote shall ask, "Is the house ready for the question?" Should no member offer to speak, he shall rise to put it, and after he has risen, no member shall be allowed to speak upon it.

Sec. 8. All resolutions shall be reduced to writing, if the President or any member desires, and all reports of committees shall be in writing.

Sec. 9. On each night of general meeting, the President and Secretary shall give an account of all the money received and paid out for that quarter, in order to afford general satisfaction,

Sec. 10. If any member of this Order be convicted of robbery, perjury, or any other atrocious offence, he shall be excluded from the Order for life.

Sec. 11. No officer or member shall dictate to the President, or call his conduct in question, during Division hours, except by a regular motion made to the Vice-President; in default of so doing, to be fined as in Article XV of the Constitution.

Sec. 12. Should any dispute arise between the members of any Division on any matter or subject which they cannot conveniently settle by their own Standing Committee, which shall consist of seven members, the cause shall be brought before the Board of Directors, who shall determine the matter in question, and such decision shall be binding. (See Article XXV of the Constitution.)

Sec. 13. On the examination of a member for a breach of these rules, he shall be allowed to sit in the Division room during the examination, and be allowed to ask any question he may choose, through the presiding officer, to the person who is his accuser; but if he uses any abusive language to the Board or witnesses he shall be expelled the Division room, and, although acquitted, he shall be fined in the sum of one dollar.

Sec. 14. No member shall stand a poll or fill any office except he is capable of keeping his own books and has been a member six months.

Sec. 15. When any member of this Order falls sick, a Visiting Committee belonging to the Division of which he is a member shall visit him; and should they neglect to do so, each of them shall be fined in the sum of one dollar. When said Committee shall report the state of his health, and if it be so as he is not able to attend to his daily labour, the President shall give an order on the Treasurer, signed and countersigned by the Secretary, for the sum of five dollars for each week during his sickness; and should he die, the sum of fifty dollars shall be allowed to defray his funeral expenses.

Sec. 16. Any officer or member neglecting to attend the funeral of a brother member, shall be fined in the sum of fifty cents, except members of the Division to which the deceased belongs, who shall be fined one dollar; and on Sundays the fine shall be one dollar for all, and be deprived of the benefits of the Order until the said fine is paid.

Sec. 17. On the death of a member's wife, the Division to which said member belongs shall pay the sum of 10 dollars to defray the funeral expenses. But the members shall not be compelled to attend the funeral.

Sec. 18. Each Division shall have a High Mass said on the death of every member in good standing.

Sec. 19. Each Division shall have an Assistant Secretary, who

shall aid the Secretary by recording all fines and penalties. The Secretary and Assistant shall each have a book, and attend the meetings, call the roll of their respective Divisions, fine all absent members, take an account of the state of the funds of the Division, notify their committees on general and special matters, and sign all documents relative to their Division.

Sec. 20. All persons initiated in the Order shall pay the sum of three dollars, sign the Rules of the Society, and pay the sum of thirty-five cents monthly during membership, and ten cents for a copy of the Constitution.

Sec. 21. Propositions for membership shall be accompanied by the sum of one dollar for each name proposed, which shall apply as part of the initiation fee. Should the candidate be rejected, the money shall be refunded.

Sec. 22. Any candidate accepted by the Order, failing to present himself for initiation within two months after being notified of his election, shall forfeit the proposition fee to the Society.

Sec. 23. The Board of Directors shall receive the sum of one dollar quarterly from each Division, and shall appoint a Treasurer and Secretary to keep an account of all moneys received by the said Board, and also the expenditures.

Sec. 24. The Board of Directors shall appoint its own President, Secretary, and Treasurer, at the annual election, and shall raise a stock or fund of money, in order to defray the expenses of the said Board. They shall receive the sum of one dollar quarterly from each Division, pay all the postage of letters of communication and printing of any documents belonging to the said Board. The Secretary shall engross, in a book kept for that purpose, all the receipts and expenditures, and return an account of the same to all the members of the Order, at each quarterly or general meeting. The Chairman shall give an order on the Treasurer, countersigned by the Secretary, and all the members present shall have the power of rejecting or permitting the payment of the same; when the yeas or nays are taken, and a majority are in favour of paying a bill, the Treasurer shall pay the same, and the Secretary shall enter the same on the minutes.

Sec. 25. All property, such as general banners, books, staves of office, etc., etc., shall remain at headquarters designated by the Board of Directors.

Sec. 26. No member shall be exempt from fines imposed under the Constitution of this Order, unless the cause shall be presented in writing, attested by five members in good standing, and with the consent of a majority of the members of the Division of which he is a member.

Sec. 27. A member falling sick while in arrears on the books

of his Division, for dues or fines, cannot liquidate such arrearage for the purpose of drawing benefits from the Order during his sickness.

Sec. 28. The General President and General Secretary shall take no action in regard to the funeral of a member until they have received notice from the Secretary of such member's Division as to his standing on the books.

Sec. 29. Upon intelligence being received by the Secretary of a Division of the death of a member, he shall immediately report the standing of such member on his books to the General Secretary and General President for action as prescribed in the Constitution. If an officer should die, the Secretary of the Board will proceed as Secretary of a Division.

Sec. 30. All books and accounts shall be kept by the officers in a uniform system and ready for inspection by proper authority, at any regular meeting.

Sec. 31. Any brother, a member of this Order for six months, shall be entitled to the benefits thereof in case of sickness, provided such sickness or disability shall not be the result of immoral or improper conduct. (See Article XXI. Constitution.)

Sec. 32. No member shall be allowed any sick dues unless he has been sick one week, and then only from date of filing notice of said sickness.

Sec. 33. Members of a Standing or Special Committee, failing to perform their duty, shall be reprimanded, fined, or both, by the authority which appointed, unless sufficient excuse be given.

Sec. 34. Officers of each Division shall, in all processions, walk at the head of their respective bodies, and preserve order in the ranks.

Sec. 35. It shall be the duty of any officer who may see a brother appearing in procession, or in public, with his regalia on, in a state of intoxication, to take the regalia off and report the name of such brother to his Division, with charges in writing.

Sec. 36. A meeting shall be held in each Division on or about the beginning of each month, after the opening of which the President shall order the proceedings of the last meeting to be read to the members. Money should not be received by any officer or member, but on the night appointed for meeting.

Sec. 37. The General and Division elections shall be held within one month after the State election, when the old officers' term expires and new ones installed.

Sec. 38. Secretaries are required to keep a separate account of funeral fines from all other moneys received, and render a report of the Divisions at each quarterly meeting, failing they shall be sus-

pended from office, unless prevented by sickness or absence from the city.

Sec. 39. Members of this Order in this State shall be required at least twice a year to receive Holy Communion, at their Parish Church, or such church as they may designate, and wear the rosette of the Order. The time to be the Sundays within the octaves of the 15th of August and 25th of March. Any member failing to comply with this section, for the first neglect shall be suspended for three months, for the second neglect six months, and for the third for life.

Sec. 40. No part of this Constitution or By-Laws shall be repealed, altered, or amended, unless a proposal in writing be presented to the Board of Directors one month previous to the discussion, when if two-thirds of the members present vote in favour of the motion it shall be adopted, and not otherwise.

ORDER OF BUSINESS.

When the Board of Directors take their respective seats, and the President calls the Division to order, the business shall be taken up in the following order :

- 1st. Minutes of last meeting.
- 2nd. The call of the officers of the last stated meeting, who if not present, shall be fined according to Article XVIII.
- 3rd. Reports of candidates and new members received.
- 4th. Petitions read and referred.
- 5th. Reports of committees read and referred.
- 6th. Communications read and referred.

V.

THE MOLLIES IN RELATION TO THE STATE GOVERNMENT.

The following extract is taken from *Neue Pitaval*, 2nd Series, Vol. XVI., p. 99 :—

“ We have exhibited to our readers a dark and truly frightful picture, so dark and so frightful, that its like can hardly be found in the criminal history of any other country, But perhaps the darkest feature in it is this :—that a political party could stoop so low as to purchase the voices of this gang of murderers. Mr. Gowen, in his speech on the Munley trial, used these memorable words : ‘ I have seen this organisation assume political power in this state, and control the elections. I have before me credible

accounts of meetings being held between the highest state officers and the leaders of this murderous band, and of large sums of money being paid to secure the votes of its venal association.'

"These words of Mr. Gowen were confirmed by John F. Slattery, when he appeared as Commonwealth's witness at the trial of Lawlor. The public who heard his evidence in court were loud in their manifestation of disgust; and when the newspapers had made it generally known, a cry of indignation rang throughout all Pennsylvania. A writer in the *Pottsville Chronicle* gives the following statement as that which he received from Slattery's own mouth in the prison:—

'The first time I heard anything about trading in votes was on a Sunday, about a month before the fall election. Mr. M. B. Fowler, of Tamaqua, called at my house and asked to see me. When I had sent my children out of the room, he said: 'Mr. Slattery, we know you have influence, and I am come to ask if you can do anything for us.' I replied, 'Mr. Fowler, I've had a good deal to do with politics, and I've found there's neither money nor credit to be got by them.' 'Well,' said he, 'if you'll work for us, you shall be no loser.' After a little more conversation Mr. Fowler left me, saying he would call again and tell me how things could be arranged. He came again within a few days, and begged me to go into Pottsville and see Gen. Sigfried. I did so, and the General told me he must first go to Harrisburg, where the Governor of Pennsylvania and his staff resided, and see if he could obtain the money wanted; afterwards he would send me a telegram, fixing an interview. I got his message, and thereupon I telegraphed at once to Kehoe desiring him to meet me directly at Port Carbon. He came, and we went together to the house of Gen. Sigfried, whom we found in company with A. C. Henning. At first they hesitated to take Kehoe into confidence, but I told him the votes of the Order could not be secured without his help, and I would not carry on the negotiation without him. Upon this they began to converse; and, as Henning expressed a doubt of our power to secure the votes of the Ancient Hibernians, Kehoe produced letters from numerous county delegates and body-masters, proving that 32,000 members of the Order were living in Pennsylvania, whose votes on all important questions depended on him and his coadjutors. This removed all doubt. Each of us received 500 dollars, with promise of 1000 more before the election. We undertook to secure the votes of the Hibernians for John F. Hartranft as Governor. When I suggested the name of M. B. Fowler, they both exclaimed, 'the devil take Fowler; we are only concerned for Hartranft; you must work for him body and soul.' This we undertook to do, and Kehoe engaged to write to all the county delegates, instructing them to secure the votes of those under their control. A few days before the election Sigfried and Henning came to me and paid me the

1000 dollars, promising 500 more for each of us if their candidate was elected. They also brought the ballot-papers which chose Hartranft for governor, and the whole Republican ticket for the subordinate offices, except the Commissionership of Schuylkill County. For this office Patsy Collins, a Molly Maguire, was nominated and afterwards duly elected. He was body-master of the Palo-Alto division.'

Slattery was asked by the reporter if any other inducements were held out to the Order besides money. "Not in distinct terms," he replied, "but it was well understood between us, that we might count on the good offices of the Republican party, if we came into collision with the tribunals and stood in need of pardons. Our votes were given to Hartranft in order that we might have a friend at Harrisburg. And those votes of ours helped to place him there."

So far Slattery. It may perhaps be said, that the tale of a confessing criminal must be regarded with much suspicion. But that tale is in full accord with the speech of Mr. Gowen many months earlier in the Raven-Run trial; and that speech was never contradicted or questioned.

The newspaper press also spoke out on the subject. On the 14th of March, 1878, a leading journal of New York wrote, in reference to the demoralising results of the civil war: "And when peace was restored, political corruptionists went to work, and for a whole decad made common cause with murderers, forgers and swindlers, to elect presidents, governors, judges, senators, congressmen, sheriffs, and other county officers. That the Republican party in particular exercised the most shameless bribery in the counties of Schuylkill and Luzerne to procure the votes of criminals, is a fact now notorious far beyond the borders of Pennsylvania. Money was not the only price paid for such agency. Lucrative offices were also brought within the grasp of the influential leaders, and complacent judges were chosen to make immunity from the penalties of crime a prospective advantage for habitual law-breakers.

A Reading paper of June 30, 1878, writes as follows:—"It is well known that John Kehoe was convicted of murder in the first degree, and sentenced to death. The Superior Court, on his appeal, confirmed the sentence. His application to the Board of Pardons was also dismissed. He now lies in prison at Pottsville, awaiting execution. But Governor Hartranft has neither fixed the day nor signed the warrant.

The reason why Kehoe is treated differently from his fellow criminals is represented to be this: In 1875 Hartranft was a candidate for re-election, his opponent being Judge Pershing of Schuylkill County. The contest being very hot, strong measures were adopted. Hartranft's friends, two leading politicians of that county, applied to John Kehoe and John F. Slattery, to obtain through them the votes of the Molly Maguires. After several meetings, terms were settled to that effect. Kehoe and Slattery received 2000 dollars and a promise to obtain the pardon of certain Mollies who were then lying under sentence in various state prisons. These pardons were issued, in due time, with the signature of Governor Hartranft."

These circumstances came before the public in Slattery's evidence on several trials in Schuylkill County, and the press was loud upon the subject. But neither the Governor himself nor any of his friends uttered a word of explanation or re-monstrance.

The *Neue Pitaval* declares that its account on all these heads is communicated by a citizen of the United States, who holds dear the honour of his country, and finds the narration of facts so discreditable a most painful duty, but still a duty; for (he says) "history claims its right, and that right is Truth."

The same work adds to its narrative the following post-script:—

"So far was the account of the Molly Maguires in Pennsylvania continued to September, 1878. At that time John Kehoe lay in prison at Pottsville, and all the world were waiting in lively expectation to see whether the governor would ever issue a warrant for his execution. Some time yet elapsed before any step was taken. On the 12th of November, 1878, Hartranft, having been re-elected governor, addressed a letter to Mr. Lear, general State-attorney and his official legal adviser, which ran as follows:—

"Harrisburg, 12th November, 1878.

"On the 3rd of September last, the Board of Pardons refused to recommend that the sentence of death pronounced upon Kehoe should be commuted to imprisonment. It appears from the acts of the trial that two accomplices, who had taken a more active part in the murder of Langdon than Kehoe, have only been found guilty of murder in the second degree. There has been an endeavour to make political capital out of this case, and to prejudice the courts against the condemned prisoner, by taxing him with offences for

which he has never been indicted. Unusual zeal has been manifested to obtain a verdict of guilty against Kehoe for a murder committed fifteen years ago. Adding to these facts the further considerations that two members of the Board of Pardons voted for commutation of punishment, and that doubts have been raised as to the degree of murder in Kehoe's case, and being also convinced that the executive power have the final responsibility, and ought to institute a careful re-examination of all the extant proofs, I have hitherto thought it my duty to refrain from signing the warrant of execution. I have no doubt that according to the old law and the practice of many years, a capital sentence could be changed to perpetual imprisonment by continuing to hold back the warrant. But, as a new act provides that no remission or commutation of punishment shall take place unless a majority of the Board of Pardons recommend it, the governor must have lost his discretionary power. If so, the execution must proceed, whether the governor consider it to be a just or an unjust act.

"Soon after I had received information of the decision come to by the Board, I asked you by word of mouth to give me your opinion, whether or not the issuing of a warrant of execution has become a mere form, which the governor is obliged to issue without regard to his own personal judgment. Your reply, verbally given, was that by virtue of the new constitution the old custom must be taken as abrogated.

"At the time when we conversed on this subject, we were in the midst of a strongly contested political election, and I thought it a duty to defer the decision of the question till that contest was ended. I preferred enduring personal attacks a short time longer, to erecting another gallows in order to conciliate opponents who were not satisfied with twenty executions which had already taken place, under warrants bearing my signature. Whatever advantage was to be gained at the poll by the pardon or hanging of a criminal I was content to leave to my opponents.

"That contest being now over, I have no hesitation in saying that I accede to your view of the new constitution. No ground therefore remains for delaying the execution any longer. But as a question is involved which now appears for the first time in practice, and a precedent for the future will thus be created, I ask you to give me your opinion in writing, that your letter may be added to the other written documents, and so become a ground and regulative standard of action in the time to come.

"To Mr. George Lear, General State-attorney."

The foregoing letter received the following answer:—

"Harrisburg, 13th November, 1878.

"Honorable Sir,

"I am in receipt of your letter dated yesterday, in which you

desire me to give my written opinion respecting the powers and responsibilities of the executive government in capital cases, with special reference to the Kehoe trial.

“Before the acceptance of the new constitution the governor had the unlimited right of granting pardons according to his own judgment, but he was not entitled to commute punishments directly. Indirectly he had the power of doing this, by refusing to sign warrants of execution. The consequence was that capital sentences were not executed, and delinquents were suffered to live without receiving any pardon.

“The provisions of the present constitution are these: No pardon and no commutation shall be granted unless it be recommended by the lieutenant-governor, the secretary of state, the general state-secretary, and the secretary of the interior, either unanimously or at least by three of these persons, in writing. The case shall first be carefully examined in public session, the recommendation shall be drawn up with full statement of its grounds, and preserved in the office of the secretary of state. When such a recommendation is laid before him, the governor is empowered to grant its request; but he may, on the other hand, refuse to confirm the pardon or the commutation. But if the Board refuse to recommend, the governor has no right of re-examination; it becomes his duty to appoint a day for execution of the sentence.

“Criminals are executed by virtue of the judicial sentence, not by virtue of the governor's ordinance. In many States the day of execution is fixed by the court which sentences; but in Pennsylvania the day is determined by the governor. His duty is to specify a term within which the sentence is to be executed.

“If the Board of Pardons has refused a remission, the governor has the same responsibility as the sheriff, whose duty it is to see that the sentence is fulfilled on receipt of the warrant. Both acts are the legal consequences of the Court's judgment.

“If the signature of the warrant were omitted or delayed, this would be a commutation of punishment, a thing which the Constitution now distinctly forbids.

“In the case of Kehoe application was made for commutation of punishment, but the majority of the Board of Pardons refused to recommend it, on which ensues the duty of issuing a warrant of execution.

“It is therefore quite unnecessary that your Excellency should examine the acts and proofs. Whatever result this examination might have it would not alter the sentence of the Court. What you are to do in this case is prescribed by law; and whether you

agree or not with what was done and determined on the trial is of no importance.

“I am, with high respect,

“GEORGE LEAR, General State-attorney.

“To His Excellency JOHN F. HARTRANFT,

“Governor of Pennsylvania.”

In pursuance of this advice the Governor issued his warrant on the 18th of November, fixing the 18th of December as the term for execution. Kehoe's friends made a last attempt by petitioning for a new trial, on the pretext of having fresh evidence to prove that he took no part in the murder of Langdon. The Board of Pardons met on the 17th of December, and rejected the petition, considering that no good reason was shown for the resumption of proceedings which had long since been judicially concluded.

The prisoner's fate being thus determined, at 10 o'clock on the 18th Kehoe was led to the scaffold. The sheriff there asked him if he had anything to say. After reflecting for a few seconds he replied, “I am not guilty of the murder of Langdon; I never saw the crime committed.”* The body was given to his friends, waked, and buried with all the honours of an innocent martyr.

So died the most prominent and influential leader of a conspiracy against public peace and safety as cruel and odious as any recorded in the annals of crime. His shameful death was richly merited, whatever part he may or may not have taken in Langdon's murder.”

Readers will observe that this severe account of the Ancient Hibernians or Molly Maguires is not the work of an English writer, but of a German, one who views with a disinterested and impartial eye the conflict between English rule and Irish rebellion.

* Kehoe's evasive words on the scaffold are such as might be expected. Experience has shown that condemned Catholic criminals are always forbidden by the chaplains who shrive them to satisfy justice by public confession of guilt, or to assist it by valuable information. Readers will find a striking illustration of this fact in Mr. Steuart Trench's *Realities of Irish Life*, ch. xvi, xvii. A man named Hodgens lay under sentence of death for conspiracy to murder. He was known to possess intimate knowledge of the secrets and members of the Ribbon confederacy. Mr. Trench had obtained the Lord Lieutenant's permission to promise him his life on condition of full and faithful information. The result is given in Mr. Trench's narrative. Many who read it will be tempted to ask: How long will the governments of free countries allow justice to be thus defeated by the perverting influence of ministers of a perverse creed? Might not their access to prisoners under capital charge be, with ample reason, subject to certain just conditions?

“No sooner had I left his Excellency’s presence than I felt, in all its force, the delicacy of the task I had undertaken. I resolved, however, to go through with it honestly, and to the best of my ability, and, if I failed, to bear both the blame and the danger.

My first step was to proceed to Carrackmacross, and there to unfold to my confidential clerk all that had passed between his Excellency and me; and thinking that Hodgens would speak more freely to him than myself, I directed him to proceed at once to Monaghan, to get access through proper credentials to the cell of Hodgens, and there explain to him, that if he would really tell all he knew about the Ribbon Conspiraey, and those concerned in it, so as to enable the Government practically to lay hold of his accomplices, his life would surely be spared. But if he declined this offer, he was a dead man, and had not the remotest chance of pardon.

My clerk executed his commission with all the delicacy I had expected. He found Hodgens calm and firm; little or no change had apparently taken place in him since his conviction and sentence. He had braced his nerves for the worst, and he was prepared to abide by the consequences of his crime.

By degrees my clerk began to unfold to him the real nature of his mission. For a time Hodgens was wholly unmoved, as if he thought it was only a plot to get something out of him which he was determined not to give.

‘Are you aware,’ said the clerk, at last, ‘that Mr. Trench has your pardon in his pocket, and that he has only *to say the word, and your life is spared?*’

Hodgens leaped up from his seat as he heard these words.

‘Is it lies you’re telling me?’ he exclaimed; ‘why do you come here with lies to me at such a time as this?’

‘It’s *not* lies,’ replied the clerk; ‘I’m telling you the real truth. Mr. Trench went up himself to the Lord-Lieutenant, and got a promise of pardon for you, if you would only tell all you know about the Ribbon Conspiraey, and those who are concerned in it.’

‘And what makes Mr. Trench think I know anything at all about it?’ asked Hodgens.

‘He knows it right well,’ answered the clerk. ‘He has got everything out of Thornton, and he knows that you, and you only, can give the information he now requires.’

A shade passed over Hodgens’ countenance as the name of Thornton was mentioned, but it was only momentary.

‘I always said I would die hard; but it’s a terrible temptation to a man; and sure, after all, it’s no great harm to tell on all them that brought me to this end. But how am I certain that Mr. Trench

can save my life even if I do peach?' he exclaimed, as if suddenly recollecting himself.

'He will tell you so himself,' said the clerk. He is now in Monaghan, and has the promise of your pardon from the Lord Lieutenant in his hand. You know him well, and though you tried to take his life often enough, you know he would not deceive you.'

'I'm sure of it,' observed Hodgens, thoughtfully, 'I know he would not; but it's a terrible disgrace to a man to go and do what Thornton done—I'd a'most as soon die hard.'

'It's a terrible thing to be hanged!' remarked the clerk.

'That's true, too,' replied Hodgens; and the clerk saw the whole of his powerful frame beginning gradually to shake and tremble with agitation, and large drops of perspiration to stand out distinctly upon his forehead.

'Well, maybe I might as well tell it out. Come to me to-morrow morning, and you shall have all I know; but Mr. Trench must come himself, as I will not trust any one else. I must have it from his own lips that my life will be surely spared.'

'You shall have it from himself,' replied the clerk; but why not to-night? he is waiting now to see you; let me call him now, and tell him all you have to say.'

Again a dreadful tremor seemed to shake the whole of the young man's frame.

'Not to-night,' said he—'not to-night; I am to see the priest in the morning, and I will tell nothing to any one till I see him.'

'Tell Mr. Trench all about it *now*,' entreated the clerk; 'let me call him this minute, maybe it will be your last chance.'

'I can't, and I won't,' said Hodgens, doggedly; 'I must see my clargy first, and there's no use in pressing me any more.'

His agitation had now increased to the most painful degree—his voice trembled and his knees shook under him. He rose and walked rapidly up and down his small cell, as if to throw off his agitation, and at length he finally addressed the clerk.

'It's no use your waiting or pressing me any more. Come to me to-morrow morning, and bring Mr. Trench with you; but I won't see him or tell a word of anything until I see my clargy first.'

The clerk unwillingly retired; he saw further pressing was useless, and he came and told me all that had passed.

'You could do no more,' I said. 'We must await the result of his interview with the priest. I trust he will induce him to tell us all he knows.'

The clerk shook his head doubtingly, but made no reply.

At ten o'clock next morning, my clerk obtained access to the condemned cell of the criminal. The first glance at the prisoner showed that a great change had taken place since the interview of the preceding day. All traces of doubt, uncertainty, and agitation had completely vanished, and Hodgens stood before him calm and unmoved, with a quiet placidity of manner and countenance, as if all anxiety about his fate was gone. He could scarcely recognise, in the placid features of the man now before him, the shattered and agitated frame he had left the evening before, and he saw at a glance that Hodgens had made up his mind, and was at peace within himself.

'Well,' said the clerk, disguising his fears as well as he could, 'may I send for Mr. Trench, and will you tell him all you know about what we were talking of yesterday?'

'I will tell *nothing*,' returned Hodgens calmly, and with a composed and resigned countenance. 'I will tell nothing, neither to Mr. Trench, nor to any one else. I have seen my priest, and I'm now prepared to die, and maybe I would never be as well prepared again. So I am content to die, and there is no use in asking me any more. I will tell *nothing*, except to them that has a right to know it, and who should that be but the priest? So now let me alone, for you'll never get another word out of me; *I am content to die for my country!*'

He calmly sat down and remained in perfect silence, until the clerk, who had addressed him several times without effect, was compelled to leave the cell.

What passed between the prisoner and the priest I know not, but Hodgens adhered to his determination, and his secret died with him.

VI.

CONCLUDING WORDS.

The sad tale truly told in this volume must not be regarded as an indictment of the Irish nation and race. It has no such purpose. Its editor knows, not by fame alone, but by the happy experience of private friendships, how much there is to admire and esteem in native Irish character. The Irish names illustrious in literature, in eloquence, in statesmanship, in diplomacy, in war, are familiar to him as household words, though too numerous to recount: and at this moment the

Irish soldier, Sir Garnet Wolseley, has emulated with success the glory of Wellington; the Irish diplomatist, Lord Dufferin, has trodden in the steps of Lord Stratford de Redcliffe. But these merits and this renown, great as they are, cannot redeem Ireland from the disgrace of its protracted barbarism, its long career of vengeful outrage, horrible crime, and ever recurring hopeless rebellion. England has sinned against Ireland. That is true. But Ireland has oftener sinned, and far more grievously, not against England alone, but against its own welfare, against its own honour.

In days gone by England sinned against Scotland quite as heavily as against Ireland. Yet, since the union of Scotland with England in the reign of Queen Anne, the Scotch obey the laws and prosper in doing so. Scotch colonists are welcome and successful in Canada, in Australia, in New Zealand, and elsewhere, not conducting themselves as the Molly Maguires did in Pennsylvania, as the Ancient Hibernians are said to do in New York. Whence comes this startling difference between two races which are so near akin; for in each the Celtic blood is mingled with the Teuton, and the very name of Scot was Irish before it became Caledonian? The main cause of that difference is but too obvious. It is the differing religion of the respective majorities in the two countries. The Scotch are, for the most part, Protestant, not Anglican indeed, but Presbyterian: the masses of the Irish people remain subject to the Roman See, and are reared in deadly hatred of Great Britain, which has thrown off the yoke of Rome. Those who know well the history of Europe from the Christian era to the present time, those who have traced the action of that which calls itself the Catholic Church during those centuries, know that a large proportion of the crimes and miseries which have afflicted European nations is attributable to that action. If it be asked why Spain and the vast Spanish colonies, why Poland, why Ireland, stand so low in the scale of nations; why Italy itself, until lately, lay sunk in decrepitude; why Austria has suffered so much of defeat, France so much of fluctuating agony; why, on the other hand, Great Britain, Prussia, Holland, Scandinavia, have been comparatively prosperous, victorious and domestically peaceful, (whatever other causes may be alleged and in any degree allowed), it must remain true, on the whole, that to the former group of nations nothing has been more injurious than Papal

influence, to the latter no blessing so great as their freedom from that influence. If again we ask, what cause most of all disturbs the peace and alloys the prosperity of the British empire, the answer must be—Papal influence in Ireland, with its products, insubordination and disloyalty. What is it that most interrupts the harmony, and tends to weaken the power, of the German confederation and its imperial head? Papal influence in Poland, Bavaria, the Rhineland, and other places. Why are the Netherlands so politically weak, that in the first European convulsion they may become the prey of their stronger neighbours? Because Papal influence rent Belgium from Holland in 1830, and during the half-century succeeding has made Belgium itself a battle-field between clericalism and infidelity. Why has republican France been compelled, like Switzerland, to violate, in appearance, the principles of religious toleration, by driving out the Jesuits, and suppressing various conventual foundations? Because these governments are convinced that political freedom and public peace cannot subsist side by side with that kind of religious freedom which the ultramontane priests of Rome demand—a freedom which shall consist in subjection to their influence, trampling down the freedom of all other religious bodies.

I am far from saying that all priests of the Roman faith accept and act up to these evil principles. I am sure it is not so. There are priests and priests, as there have been in history popes and popes, variously disposed in feeling, variously active in their clerical life. But I fear that all past history, and also present experience, teaches that the sacerdotal order of the Roman Church never has been and never will be allied with a Protestant government for the maintenance of order, obedience and loyalty in a Roman Catholic population. If they did choose to preach, teach and enforce loyalty by their united exertions in Ireland, crime and outrage would very soon cease, and there would be a fair prospect of pacification and prosperity for all classes. But this is what the priests have never yet done, and unhappily there is little probability that they ever will do it. They seem to think their religious influence cannot be preserved except by troubling the waters and keeping them troubled. Political divisions in the British legislature have enabled them to play this game with advantage during the last half-

century. They have thereby succeeded in annihilating for the time the power of the Irish landlords. Perhaps they may find, as they found after 1641 and 1689, that their temporary triumph will be less favourable than they imagine to the attainment of their ulterior objects.

I lately read with astonishment and disgust in the public journals that "the Mayor of Chicago" took a part in talking Irish treason at a meeting of the Dublin Corporation. The Mayor of Chicago! Had this unwise man forgotten his own country's history of twenty years ago? Had he forgotten that the Northern States, including Illinois and its capital Chicago, fought a bloody war of four years duration, to enforce upon the Southern States the continuance of that Union which these latter strove with ardent longing and with all their might to dissever? Did he suppose that England can any more afford to let Ireland be governed by its own devices than the Northern States of his country could permit the Southern to drift apart from them? If we imagine for a moment an Irish parliament with a Catholic majority sitting in Dublin, could England suffer it to raise a single regiment, to build a single ship of war, to tax the Protestants for the maintenance of the priests? Could England dispense with strong forts and garrisons in Dublin and Kingstown, in Belfast, Londonderry, Galway, Limerick, Cork, Waterford, and Wexford? Impossible. And how if a *casus belli* should arise between the severed islands? What would be the fate of Ireland then? Verily the Mayor of Chicago may do well to take a course of hellebore and history before he crosses the Atlantic again to delight an Irish corporation with his inspiring eloquence.

