

STORIES BY A DETECTIVE.

THE COLBY MURDER.

CONTINUED.

I REPLIED by telling him that I believed in his innocence—rather strange for a detective, I admit—and that I should at once set about searching for the guilty party. The clothing and knife looked bad against Earl, but he stoutly declared that he had never seen the knife before, and that the suit was an old one which he no longer wore, and had hung up in the closet two months before.

Taking one of the officers along, I made a midnight visit to the Colby mansion, greatly surprising William the servant at the readiness with which I found my way to the library. Everything was as found when the murder was first known, except that the body had been removed to another room. There were the great blood stains on the carpet, two chairs lying on the floor, blood on the writing-desk, and other evidences to show the thorough work of the murderer. Sending every one away, I took a more careful survey. There were just the number of doors which I had counted in my imagination, and there was a door leading out on a veranda. Taking the lamp, I closely scanned the carpet, and from the spot where the body was found to the end of the veranda I found drops of blood here and there, to show that the murderer had escaped that way carrying the knife in his hand.

This was not the only discovery. Close to where the body had lain I found a bit of a bank note, a corner of a bill with the figure "10" on it.

"Colby sat in that chair, at that desk, counting money, and the murderer tore this corner off when snatching at the pile of notes. Robbery was his incentive in coming to the house, and the resistance of the old man resulted in his death."

Thus I soliloquized, and time showed that I was right. Questioning William once more, I found that he was positive that Earl passed through the hall on going out, and that no one had seen Kingston about the house or grounds during the evening, not even when the village crowd surged that way to view the body. This was all I could do at the house, and I went to the village to work up something further in regard to the stranger. On reaching the hotel, I learned that Kingston was also in jail, having just been caught in the act of robbing a store. This was another excitement for the Georgetown people, and few citizens sought their beds that night.

Ascertaining that the proofs against Kingston were strong enough to convict him, I deferred visiting him for a time. Early in the morning I rode out to see the family which Earl had visited, and was not disappointed to find that that part of his statement was perfectly true. Taking into account the hour of his departure from Georgetown, the stay at the house, and the time necessary to drive home, I saw that the prisoner had reasonably accounted for all his time.

Returning to the village, I paid a visit to Temple's office. Cases of burglary or theft were not numerous in the village, but yet I had been informed by the doctor that the windows of his office and the doors were fastened whenever he went out to be gone any length of time. I had examined the clothing, and found the garments, as he had stated, old and worn. I tried the front door, the two front windows, and then went around to the back door and the rear window. The door was all right, locked fast, but I made a discovery at the window. I saw in a moment that it had been pried up, and there were marks of boot nails on the sill, to show that some one had effected his entrance to the office in this way. Was it Kingston? I argued that it was. My theory was that he had broken into the office, obtained Earl's clothing, made his way to the Colby mansion expecting to murder Colby if not successful in obtaining booty in any other way, and after committing the deed, had returned and deposited the garments just where they were discovered by the crowd, as he had planned they should be.

Hoping that I might be able to force some sort of confession from the man, I paid him a visit. He had thrown off his disguise as a gentleman of wealth and education, and appeared in his true character, that of a villain. I set about my task by informing him who I was, and that I had plenty of proofs to convict him of the murder. He only laughed at me, and I saw by his compressed lips and determined air that he had made up his mind that no word of confession should pass his lips.

"Drive ahead with your proofs, and see if you can make a case against me!" retorted he, when I had finished. "I was caught in the store, and to save breath to the lawyers, shall admit it when placed on trial; but as to the murder, you are wasting your time."

Threats, coaxing, kind or hard words had no effect to alter his determination, and I went away disappointed. I was sure that he was the murderer, for I knew something of what is passing in a man's mind when I sit and study his face, but I had made a poor beginning to prove it.

The Circuit Court was in session, and on the third day after his arrest Earl Temple was formally arraigned on the charge of murder. The servant William testified as I have stated, and other servants affirmed their belief that the loud angry words used by Mr. Colby just before Earl left were addressed to him. I only do the general public of Georgetown justice when I say that there was not a person in the place but had a hope that the prisoner would get clear; that is, if he was innocent, as all believed he was. The evidence was all circumstantial, but some of it was very strong, as, for instance, the blood-stained suit. And the testimony given as to Temple's confusion when leaving the house was intended to injure him.

I took the stand as a witness, and my testimony produced something of a sensation. I was positive that the murderer left the library by the veranda door; that his real object was robbery; that any one could have donned Earl's old suit and returned it as well as himself; and that the murder did not occur until at least five minutes after he left the house. But my testimony was destined to receive a bad set-off. Kingston was brought in as a witness, he swore hard and strong. The jury were warned that he was a prisoner himself, and probably a villain, but his testimony, nevertheless, carried considerable weight.

He swore that he saw Earl running down a back street in great haste; that he spoke to him and received no answer; that he had often heard him threaten Colby's life; that the two had once planned to rob the house, and he swore to everything else which was false and calculated to carry the jury against the prisoner. Not to weary the reader, I will state that the jury disagreed, and that the prisoner was remanded to jail for another trial.

I had seen that Earl could not be cleared with all the circumstances showing against him, and no one was more pleased that he was remanded. This would give me a little more time on the case, and I felt sure that I should yet unearth the real murderer. The next day Kingston was tried and convicted of burglary, and the day following was sentenced to state prison for a term of ten years.

On this day I made a visit to Earl's cell and there met Nellie Colby and a lady friend. I had scarcely approached when she held out her hand, her eyes filled with tears, as she said:

"Earl Temple is to be my future husband. He is as innocent of this murder as you or I. I know it, and I want you to keep working at the case until the assassin is discovered."

Seated in the little cell, we entered into an agreement. The lawyers who had defended Earl were to cease their efforts for one month, and the case was to be placed directly in my hands. I was staking everything on the belief that Kingston was the guilty party. If it turned out that he was innocent, a month's time would be wasted, my reputation tarnished, and the real murderer would never be found.

I did not lead Earl or the handsome girl to expect too much, and yet there was something in my parting words which gave them hope that favorable news might be expected before the month was up. Of course I had consulted my chief, arranged all details, and made all preparations at home to carry out the scheme which I had formed. I had made up my mind to follow Kingston to the state prison. There would have to be many sacrifices on my part, but there was a pecuniary inducement not to be overlooked, and my term within the walls of prison, if bringing me the hoped-for result, would not hurt my reputation in the chief's office.

To insure success, I must go in as a convict, work and fare as the rest of the convicts, and do a deal of planning in a very cautious way. The superintendent of the prison had been consulted by the chief, and so when I called at the stone establishment on the tenth day after Kingston had been received, I was cordially greeted and given some very useful hints as to my future conduct. Only two turnkeys were admitted to the secret, and they were warned that they must in no way betray me. It was agreed that I should be known in the prison as "Albany Jack," the name of a notorious counterfeiter, highway robber and murderer.

Every one at all posted in prison matters knows that the convicts confined in such establishments divide themselves off into classes, and that there are such things as high class and low class. The murderers, "safe-crackers" and bolder burglars are the aristocrats, and looked up to accordingly, and the greater name one has as a villain, the higher is his standing with the prisoners. So, if it were known among the convicts that the notorious "Albany Jack" had at last been caged, I should at once become an object of admiration, and could probably count on Kingston as one anxious to make my acquaintance.

It may seem strange to some that convicts, closely confined within the strong walls of a state prison, know anything about who is to come among them, but it is a fact that they do. The turnkey may "leak" a little, a newspaper may be smuggled in, contractors may talk in the hearing of convicts, and in one way or another, the new arrival has gone the rounds even before he has donned his zebra suit. In my case, one of the turnkeys dropped a hint to one of the cooks, and half an hour after, at least two hundred of the prisoners knew that a rascal with a national reputation was coming among them.

After I had passed through the hands of the barber and donned the stripes, I had little fear that Kingston, or any one else among the prisoners, would know me. In fact I did not know myself. My long locks off, my long whiskers and fine mustache gone, two false front teeth taken out and left with the superintendent—why, one could have almost made me believe that I was John Doe or some one else.

In former years, I had worked at the blacksmith trade, and this fact now stood me a good turn. Kingston had been placed in the blacksmith shop as a striker, and it was arranged that I should have an anvil, and that he should be turned over to me as my assistant. Prisoners will converse together more or less in spite of all the vigilance which can be exercised by the guards, but of all the departments, the blacksmith shop furnishes the convicts with the greatest facilities for talking without detection. There is always a great noise and the anvil man and his helper can utter their words with their blows and no one five feet away will be the wiser for it. It was also arranged that I should occupy a cell next to Kingston's. This cell was empty, because its late inmate had cut a hole through the plank partition by means of a piece of plate glass, and was caught holding a conversation with his neighbor. The hole had not been fastened up, and as it was intended to aid me, no repairs were made.

Following the established rule of the prison, I spent the afternoon arranging my cell, receiving a visit from the chaplain, "reading up" on the rules and regulations which are printed on a card and hung up in each cell. At supper time, I was marched into the hall with the others, and saw in a moment that my arrival was to create something of a sensation. I caught the men looking at me whichever way I glanced and received more than a hundred sly winks from those who had heard and read of "Albany Jack." I not only had a seat at the same table with Kingston, but directly beside him as we were both to march with one gang thereafter. The man stared very hard at me as he got opportunity, but the change was too much for him. He would have as quickly believed me Dick Turpin as the detective who spent an hour in Georgetown jail trying to "pump" him on the Colby murder. Giving me a touch with his foot, as he raised a spoonful of mush to his mouth, the man said:

"What for? and how long?"

"Second degree, and twenty years," I replied, holding the spoon to my lips as a cover. He referred to my crime and term of imprisonment, and I had answered in a manner calculated to make him think me an "aristocrat." I wanted to tell him cold-blooded murder, and that my sentence was for life; but this would not do. In every prison where life prisoners are received, the convicted murderer inhabits a dark cell for at least a month, sometimes five or six, before being sent to the shops, and he would have detected the deception. We did not attempt any more conversation at the table, and after the meal, were marched off into the halls and locked up for the night.

The officer who locked the doors of the tier on which Kingston and myself were located, had scarcely left us behind when the murderer put his mouth to the hole and began asking me questions. I told him that I was too busy to hold any conversation, and that both of us would be punished if overheard, as the chances were that we would be, and so he bothered me no further. I was busy, for I was studying out a plan to trap him. The reader must have concluded that convicts are lacking in discretion when boasting to each other. To explain more clearly, I had not the remotest idea that Kingston would ever mention the Colby affair to me. If he had been convicted of the murder, then he would have been free to talk and boast over it, perhaps; but, being sent on another charge and having a fear that his graver crime might in some way be fastened upon him, he would carefully guard his conduct if the affair was ever hinted at.

I thought and planned for hours, and then fell asleep, having arrived at no settled conclusion, except that I would take the case slow, and hope that something favorable would turn up. After breakfast next morning we were marched out, and Kingston was mightily pleased when he found that we were to work together. I could see by his actions that he had taken quite a fancy to me, but I did not mate with him readily. As a banker looks down on a mechanic, or is popularly supposed to do so should and so did I appear to regard Kingston. I was desirous of showing him that, while I had been convicted of murder in the second degree, and was consequently a hero, I thought him some barn-robber of no account. In about an hour, while both of us were bending over the anvil working at a horse-shoe, I found opportunity to say:

"Robbed some old woman or stole a horse, I s'pose? How much d'ye get—six months?"

His eye flashed with indignation as he glanced up, and for a moment I almost feared that he would strike me with his hammer. When we got the next shoe on the horn of the anvil, he muttered back:

"You can't put on any airs over me!"

I could not say whether he meant that I could not be his superior as to work, or whether he gave a hint that his hands were also stained with blood, though convicted of a burglary. I said nothing further, not caring to draw him out too soon, but I made up my mind that I could handle the case successfully if concealing my real intentions to draw him out.

Just before we were to march into supper, one of the prison officials came along with some visitor, and I was pointed out to them as the most notorious convict in the establishment. When they had passed along, and we had another shoe up, Kingston gave me a sign with his hand and whispered:

"Don't be put out, comrade by what I said. I don't feel in good spirits to-day." I replied that his gruff words were forgiven, and that I hoped, as we occupied adjoining cells, and were to work together, that we should get along harmoniously.

Four days had passed, and then, one evening after we had been locked up, I determined to sound Kingston a little on the Colby matter. The hole in the plank was not bigger than a penny-piece, and conversation was carried on by one putting his mouth to the hole and whispering the words into the other's ear. Putting my mouth to the orifice I whispered:

"Did you hear what the tall guardsman was telling the foreman this afternoon—about the new man who'll be coming along soon?"

"No—what was it?" he whispered back, not remembering the conversation alluded to, simply because nothing of the kind took place.

"Why, about a young man named Temple, who is being tried for the murder of a rich man at Georgetown named Norton. He'll get it for life, without any doubt."

"It wasn't Norton, it was Colby," he replied, but in a moment more, seeming to think that he had been imprudent, he added that he had heard that it was Norton, and really knew nothing about the case.

I saw that I had caught him, and had paved the way for further conversations, and so refused to say anything further just then. I believed that his crime was haunting his mind, and that I had only to revert to the occurrence once in a while to keep him agitated.

The third night after we were at the orifice again, he asked me if I had heard anything more about the Georgetown affair. I replied that I had learned through the gossip of a turnkey, that Temple had been convicted and would arrive at the state prison in about three days.

"They say that he is not the real criminal, after all," I added, hoping to draw him out. But he refused to continue the conversation. I knew that I had shot an arrow which would frighten him and keep him thinking, and this was some satisfaction.

As no one aside from the superintendent and two sub-officials knew my position, I was treated just the same as the others, and some of the officers who had heard of my numerous imaginary murders and dare-devil adventures, were inclined to treat me rather severely. I saw that they watched me closely, as if anticipating that I would seize and eat some of them, and the lock on my cell, as well as the iron door, was duly inspected each evening to see if I was not planning an escape.

Towards the end of the second week, Kingston, after beating around the subject for some time, inquired if Temple had arrived. This was the opportunity which I had been hoping for during the last three days, and I replied that the man had obtained a new trial, and that there were strong grounds for believing that he would get clear altogether, as it seemed likely that another one did the murder.

"Who do they think killed Col—Norton—the rich man you mentioned, if Temple didn't?" inquired Kingston, his voice betraying considerable excitement.

"Well, as near as I can find out, it was a stranger who had been stopping in the village for a few weeks, and who ran away that night and has not since been heard of. But the detectives are on his track, and he must certainly be overhauled."

"Are you sure that there is no one else suspected?" inquired Kingston, anxiously.

"There may be," I replied; "I guess there is another, for I saw a Chicago detective pass through the shop this forenoon, and he looked at the men in a way to show that he was searching for some one."

This was enough. I knew that the murderer would not sleep an hour that night, but I was also aware that the time had not arrived when he was ready to take me into his confidence. I did not expect to frighten him into making a confession very soon, as he was too old a villain for that, but I hoped that he would trust me after a time, thinking that my advice would be worth something. I heard him tossing about on his narrow bed, or moving about his cell, and realized that my plans were working satisfactorily. I must now endeavor to make him seek my advice. Concluded next week.

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Notice in Bankruptcy.

In the United States District Court, For the Eastern District of Pennsylvania.

In the matter of Edwin Shuman, Bankrupt. To the creditors of said Bankrupt:

NOTICE is hereby given that said Bankrupt has filed his petition for a discharge and a certificate thereof from all his debts and other claims provable under the Bankruptcy Act of March 2, 1867, and that the 9th of September, 1873, fixed for the final examination before Chas. A. Barnett, one of the Registers in Bankruptcy at his office in New Bloomfield, Perry Co., Pa. at 10 o'clock a. m., and the 24th day of September, 1873, at 10 o'clock a. m., for the final hearing before the said Court at Philadelphia.

BY ORDER OF SAID COURT.
August 12, 1873.