

CHAPTER XXIV.

Trial and Conviction of the Assassin—Remarkable Scenes in Court—Counsel Laments the President's Death—Sentence of Death Pronounced.

THE assassin of President McKinley was convicted of murder in the first degree at 4.26 o'clock in the afternoon of September 24th. Less than three hours of trial was required to hurry him to his doom, so that this will probably rank as the quickest capital case in the criminal annals of America.

Virtually nothing was done beyond the narration of the established facts of the killing. What was termed defense consisted merely in admonition to the jury to gravely consider whether or not the assassin was laboring under mental aberration, but no witnesses were called, and the address of counsel was, in all effect, a plea for the prosecution.

The jury was away from the court room exactly thirty-five minutes, but only from a sense of the decencies of legal procedure. They were unanimous in their finding before they left the box, and spent not a moment in deliberation.

Says an eye-witness of the trial:

"Almost at the very moment that the last dramatic episode was acting to-day, the father, brother and sister of the assassin arrived from Cleveland. They are Paul, Waldeck and Victoria Czolgosz. Their avowed purpose was to aid in the speedy punishment of the murderer of whom they speak in terms of loathing, but they were nevertheless taken into custody as a measure of precaution, and Czolgosz does not know they are in the city. Even if he knew he probably would not care.

"The fellow is thoroughly callous. Resigned to the inevitable consequences of his crime from the very moment of its inception, he is evidently empty of all human feeling. Neither hoping nor wishing for compassion, he rejected the creeds of God

and man and the ties of blood and friendship at the same time, and, with the abject indifference of an animal, has ever since looked forward only to the verdict of the darkness and the silence that awaits him.

"So much became clear in to-day's testimony, which revealed many new details, and awful corroboration was given to it in the aspect and bearing of the creature at the most desperate moment that well can fall to human kind. Not the tremor of a lash ruffled his stolidity when the words of doom were uttered. His fixed, abstracted gaze never stirred. He was still stone and iron, unrelenting, remorseless and heedless.

"It was only twenty minutes to 10 o'clock when the detectives brought him into court this morning. When they unshackled his hands he passed them carelessly over his thick damp locks. Then he crossed his legs, tapped a tattoo on the arm of his chair for a moment, and settled into the immovable attitude which has marked him throughout.

BEGAN TO CARE FOR HIS APPEARANCE.

"He did not sleep well last night, his wardens said, but ate his breakfast this morning with relish, consuming chops, eggs, rolls and three cups of coffee. He displayed some vanity about his appearance, too, insisting on straightening his hair with his fingers and smoothing the wrinkles in his clothes."

By 10 o'clock Justice White was on the bench, the lawyers in their places, and the hearing of evidence again in swift progress. Mr. Mann was recalled and gave some very interesting medical testimony. Judge Lewis cross-examined. First he asked:

"How do you guard against the invasion of germs in the wound?"

"By being very careful in the treatment," said the doctor.

"When was the condition found at the autopsy to be expected from the wounds the President received?"

"It was not expected, and was very unusual. I never before saw anything just like it."

"Were there any indications that the President was not in good physical condition?"

"The President was not in perfect condition. He had been somewhat weakened by hard work and lack of exercise."

District Attorney Penny then asked:

"From your knowledge and history of the case was there anything known to medical or surgical science which could have saved the life of the President?"

"There was not."

Lewis L. Babcock, who was a member of the ceremonies committee on President's day, and Edward Rice, chairman of that committee, then gave their eye-witness versions of the shooting. Both were within a few feet of the President at the time. Mr. Rice's narration was very graphic.

A ZEALOUS STUDENT OF ANARCHISM.

The next witness gave the first circumstantial story of the confession alleged to have been made by Czolgosz on the night of his arrest. He was James L. Quackenbush, also a member of the ceremonial committee. He said:

"I accompanied District Attorney Penny to police headquarters, arriving there between 10 and 11 o'clock. Upon reaching there we went to Chief Bull's office. Defendant was at a table in his office. Detectives Geary and Solomon, Inspector Donovan, Chief Bull, Mr. Haller, Mr. Storr and Frank T. Haggerty were present, and at intervals Mr. Ireland, myself and Mr. Cusack. Mr. Penny immediately began to talk to the defendant about what he had done.

"Then the defendant replied that he had killed the President because he thought it was his duty. He said he understood the consequences, and was willing to take chances.

"He illustrated with a handkerchief the way he had done it. He said he went to the Falls the day before to kill the President, but was not able to get near enough. He added that he went to the Temple of Music for the purpose of killing the President, having his hand with the revolver in his right-hand

pocket. He stood in the crowd, but said that when he got in the line he put the hand against his stomach. Had he not been stopped he would have fired more shots.

"He said he had been thinking about killing the President for three or four days. He had definitely determined to kill the President the day before."

"Did he say why?" asked the District Attorney.

"Yes; he said that he did not believe in the government; that President McKinley was a tyrant, and should be removed. When he saw the President in the grounds, with the crowds struggling to get near him, he said he did not believe that any one man should receive such service, while all others regarded it as a privilege to render it."

"Did he say where he had learned such theories?"

"THOUGHT IT WAS HIS DUTY."

"He said he had been studying those doctrines for several years; that he did not believe in government, the church, or the marriage relation. He gave names of several papers he had read, one of the Free Society, and mentioned places in Ohio where he had heard these subjects discussed."

This was the first official mention of the anarchy plea story, and it was apparent on cross-examination that Judge Titus was skeptical about it.

"Were these statements made," he asked, "in response to suggestions from the officials or voluntarily?"

"At first," answered the witness, "in response to questions. Afterward he talked in a conversational way, and did not decline to answer anything."

"Was he excited?"

"I should say he was disturbed, but not mentally. His face hurt him where he had been struck, but he talked naturally. I asked him to write a brief statement for publication, and he started to, but his hand shook so, he dictated the following:

"I killed President McKinley because I believed it to be my

duty. I don't believe one man should have so much service and another man should have none."

District Attorney Penney then interpolated:

"You made a statement that he said he was an anarchist; is that right?"

"I didn't make it so strong as that. He said he didn't believe in rulers, and had done his duty."

The District Attorney used the word several times in questioning him, and the substance of his answers was that he did all the theorizing on the matter for himself.

"During this line of testimony Czolgosz, without shifting his position, allowed his head to incline until it almost touched his left shoulder, but he did not raise his eyes, and once or twice dropped into a little doze. He was so absolutely unconcerned that he did not appear to be even listening to the testimony.

THE ASSASSIN THROTTLED.

With the calling of the Secret Service operatives the amusing little rivalry as to who first attacked the assassin after the shooting came up.

Albert Gallagher, of the Chicago office, said that he jumped toward Czolgosz and was borne down in the crowd. The revolver was knocked from the assassin's hand and somebody else got it, but he got the handkerchief. He took this from his pocketbook and displayed it. It was a dirty rag, with two holes made by the bullets, and it was not a woman's handkerchief, as some imaginative stories have said.

George K. Foster, the Washington Secret Service man, said:

"I saw this man here (pointing to the assassin) put his hands together with a clap, and simultaneously I heard two reports.

"I grabbed this man here (again pointing to Czolgosz), and just then some one gave him a shove from the other side. We went down to the floor. I tried to get a crack at him as he went down, but could not. I saw Gallagher and yelled: 'Al, get the gun! get the gun! Al, get the gun!'"

Judge Titus took up the cross-examination.

"Were you observing the people in the line to see if they were armed?"

"I was trying to."

"Didn't you see this man with his arm across his breast?"

"No; they were passing too close together."

"The line passed right in front of you, and this man had his arm up with a white handkerchief wound round his hand, and yet you could not see it?"

"I didn't see it and I was looking," answered Foster.

POLICE SUPERINTENDENT TESTIFIES.

The testimony of the afternoon session was largely corroborative of what had gone before. Superintendent Bull, of the local police, reiterated the story of the confession, and added that of the visit of Walter Nowak, of Cleveland, to Czolgosz the morning after the shooting. He said:

"On Saturday morning Nowak was brought into the Superintendent's office and immediately recognized Czolgosz. Nowak said that he knew him in Cleveland. He said to Czolgosz: 'You know me, Czolgosz. I have always been a good friend of yours. Why did you commit this crime—this crime which will bring disgrace on the whole Polish race—this crime which will bring disgrace on your father and family?'"

"Czolgosz only smiled, and said that Nowak was not a particular friend."

"He was asked if he wanted to see a lawyer, and he said he did not because he did not need one. He also said he had no friends, and did not care to see his father and mother."

At the end of this testimony District Attorney Penney rested for the people, and amid profound silence Judge Lewis arose to open the defense. He began by explaining the position of himself and his colleague, and almost entreated that the legal necessity of it be understood. As he went on to discuss the case his voice trembled and he almost wept.

"That, gentlemen, is about all I have to say. Our President

was a grand man. I watched his career for twenty years, and always had the profoundest esteem for him. He was a tender and devoted husband, a man of finest character, and his death is the saddest blow I have ever known."

He concluded abruptly, sank into his chair, and pressed a handkerchief to his eyes. It was the strangest plea for a murderer ever heard. Judge Titus then arose.

"The remarks of my associate," he said, "so completely cover the ground that it is not necessary for me to add anything."

SENTENCED TO DEATH.

This sudden action on the face of the expectation of expert testimony on insanity was a great surprise, and a buzz of talk followed. Silence fell again when District Attorney Penney arose for the last speech. It was brief, but full of feeling. He dwelt upon the entire certainty of the people's case and the utter absence of defense and urged that just as a defendant must be presumed innocent until proved guilty, so he must be presumed sane until proved otherwise.

Apart from that argument the Prosecutor spoke of the horror of the crime and the eminent virtues of the martyr in such a strain of simple eloquence that men and women wept alike. Czolgosz never moved a muscle.

It was 3.25 o'clock when Judge White charged the jury. He, too, paid tender tribute to the memory of the dead man and then instructed the jury in the legal requirements of the city.

They retired at 3.51, and thirty-five minutes later brought in a verdict of murder in the first degree.

On September 26th, Leon Czolgosz was sentenced to die during the week beginning October 28th. The sentence was pronounced by Justice White before whom the murderer was tried. The assassin showed signs of fear as the voice of the Judge pronounced his doom. During the night following, guarded by nearly a score of deputy sheriffs, he was removed to Auburn Penitentiary. He collapsed on arriving at the prison, said he was sorry for his deed and expressed sympathy for Mrs. McKinley.

CHAPTER XXV.

Our New President—Hon. Theodore Roosevelt Hurries to Buffalo on Receiving News of Mr. McKinley's Death—Sworn in as President with Impressive Ceremony—Pathetic Scene—His First Official Act.

WHEN our martyred President breathed his last, Vice-President Roosevelt was far up in the Adirondack Mountains of northern New York. A few hours later his private secretary gave out the following statement:

"The Vice-President wishes it understood that when he left the Tahawus Club house yesterday morning, (September 13th) to go on his hunting trip into the mountains, he had just received a dispatch from Buffalo stating that President McKinley was in splendid condition and was not in the slightest danger."

Having been summoned to return instantly to Buffalo, Mr. Roosevelt was wildly careering over the mountain passes of the Adirondacks in a swinging, bouncing buckboard when President McKinley expired, and he became in fact the President of the United States. He thought he was racing with death, but death had already won. He was on the last relay before reaching Aden Alair, and Orrin Kellogg, one of the surest drivers in the North Woods, was urging his two bronchos to do their best up the winding inclines and down again.

It was at Aden Alair that "Mike" Cronin took the impatient Vice-President in charge and at the same time earned for himself eternal fame as the most level headed and uncommunicative person the world ever saw. In his pocket there reposed a telegram, conveyed by telephone and written down, addressed to Mr. Roosevelt. He knew it contained the fateful news from Buffalo.

He noted Mr. Roosevelt's increasing nervousness and thought it the part of discretion and wisdom to deliver the telegram at the