

**THE MYSTERY
UNVEILED:**

**THE TRUTH ABOUT THE
BORDEN
TRAGEDY.**

Fresh Light that Must be Convincing to
The Reader

By TODD LUNDAY

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PREFACE.

The author's apology for the present volume is the fact of the doubts, fancies, prejudices and misconceptions that possess the minds of many upon one of the most horrible and heartrending tragedies that ever occurred within the Commonwealth of Massachusetts.

Any revelations that would lead to correct opinions relative to the perpetrator of the crime would not fail of favor with all lovers of justice, and it is the object of this book to make such revelations in hard and fast facts.

Another consideration, also, for the present volume is the sense of insecurity that obtains with not a few. There are, undoubtedly, to some forebodings of evil--a feeling of dread lest *their* homes might be invaded by the same heartless wretch, whom they believe made the Bordens his victims, and they themselves be made the prey of his uncontrollable, fiendish wrath. It will be shown in the pages which follow that the Borden tragedy, hor

rible as it was, is no occasion for fear lest a similar calamity may befall any one by the hand of the Borden assassin. It will be shown that no such ingenious, fiendish villain roams at large—free and unhindered to commit a similar deed. However, let no one misapprehend here.

The meaning may be known by a perusal of the volume itself.

A further object of the book is to tell such sufficient truth as will avert suspicion from the innocent, which suspicion might otherwise exist in the minds of many who form judgments. It is, therefore, in the interests of justice and fairness toward any against whom a supposition of guilt might fall that the public is hereby presented with the facts by which the truth may be known.

A thoughtful perusal of these pages must make the case plain, even to unwilling minds.

THE MYSTERY UNVEILED.

On the fourth day of August, 1894, at Fall River, Massachusetts, between the hours of 9 and 11 : 15 A. M. there occurred in the quiet of their own home, by the hand of a brutish assassin, the deaths of Andrew Jackson Borden and Abby Durfee Borden, husband and wife. They were wealthy, intelligent and refined Christian people; were quiet, unpretentious and inoffensive in their manners, and were not known to have had an enemy in all the world. Their demise under such circumstances and by such violence was a shock to the public, and from the hour of the tragedy there has been unanimity of feeling in the interests of ferreting out the crime and punishing the perpetrators thereof. The fact of premeditated murder and the very brutal way in which it was done are features of the case which especially call forth the anathemas of the people, and it is the outrage, viewed in the light of these particular aspects, that has given the public mind that asperity and vindictiveness which even

yet characterize it. It is but fair to say that the public is still unsatisfied and ill at ease, and to many mystery even yet veils the foul deed. Different opinions possess different minds, and the truth seems to be clear to nobody or at most only to a few.

It is the object of this little volume to clarify the whole matter for the public gaze and throw light upon the hitherto somewhat befogged and beclouded scenes, in the interests of right, fairness, justice and the claims of humanity at large. Now to my task.

Only one person had unhindered opportunity to commit the deed. It is certain that the wrong was done by this person or some unknown party. We have, therefore, with positive certainty limited our search for the felon to these two, and inasmuch as one of these, the first party, has been indicted for the crime and formally tried before a properly impaneled jury, according to the statutes of Massachusetts, and acquitted, the case is narrowed down to one-the unknown party.

The person of unhindered opportunity is therefore *ex cathedra*, not within the range of present inquiries, and

is hereby dropped as a possible consideration. The writer is profoundly a respecter of law, and has always tried to be law-abiding, and he has not the slightest disposition to disparage the legal proceedings as they bear upon the case, and he desires to have that fact definitely understood by the reader at the onset. Misapprehension here would be fatal to the purpose of the present volume, which is to present facts, and reasoning upon them, as they bear only upon the one party-the unknown party. Then next, forthwith, it is proposed to direct inquiry for evidence as it has to do with the said unknown party, who, for want of a better name, let us call Villain. Now in order to bring the evidence before us as it bears upon the present case, we must note a few facts concerning the murder itself The event took place on the 4th of August, 1892. Abby Durfee Borden was killed shortly after 9 o'clock A. M.* and Andrew Jackson Borden was killed very near in time to the hour of 11.* The first party was killed in the bedroom above the parlor and the second party in the sitting room below. An interval of about an hour and a half intervened between the two

*This is known by what preceded the murder and by expert testimony from the autopsy.

assassinations.* The assassin left no traces of his identity. All marks pointing to a way for his detection were very carefully obliterated. Now all these foregoing facts establish the case as being one of deliberate murder. The man is yet to be found, who has even so much as heard of the man, who would deny this fact-deliberate murder. Deliberate murder shows plan. Whoever did it acted upon a very well-formed plan. This is a well-established fact and cannot be disputed. Now if we suppose Villain to have committed the deed, we are compelled to think of him as acting upon and operating his plan. Some features of this plan are known to us, because the murder itself makes them evident. For example, the murder occurred in the house, and as Villain is not in the house, he must plan to get there. The crime also shows that the assassin escaped detection from any human eye and also that he (the assassin) obliterated as far as possible any circumstantial evidence that might lead to his detection. Thus we must suppose Villain applying and working out a most skilfully wrought plan. The plan thus involves the strictest cau-

*This is known by what preceded the murder and by expert testimony from the autopsy.

tion and alertness from beginning to end, *i.e.* : His plan must be operative in all his efforts to get into the house, while the work is done, when he is in the house, which includes the interval of both murders, and during his escape from the house, and from any persons not connected with the house who might detect him. His plan involves all this, nothing less. It is impossible for us to know all the minute details of his plan, but we do certainly know the main features, because facts themselves make them plain. He was obliged to plan against what might be, and hence he was sure to see the obstacles that we now see and even more.

The real criminal was not detected in his foul deed, and if Villain is that criminal he must get into that house and to the place of the murder without being detected, and he must remain there awhile (for about two hours) and get out again without being detected. If Villain cannot accomplish *at least* this much, he is not and cannot be the murderer. This no one can or will deny. It is a self-evident fact.

Now I shall prove in the pages which follow that Villain could not have done this, viz.: Could not have en-

tered the house, secreted himself, committed murder No. 1, waited for an hour and a half at least, and then committed murder No. 2 in another part of the house and under different conditions, and then fled the house without being detected in any part of the long and circuitous, and, at every point either narrowly circumscribed or circumvented way to the committing of the crimes. I shall prove that he could not have secured for himself the secrecy which the real villain did secure, and in this I shall prove that Villain is not the murderer, and I shall have him forever free even from the charge of so base an act.

First of all, I shall prove that as an outside party he could not even so much as have planned for the deed as it was done. I shall take him with the best possible equipments for such plan. Let us suppose him the shrewdest of planners. If he is to plan successfully he must know who is in the house, because it is absolutely necessary for him to know how many eyes he must avoid. It is neither impossible nor improbable that the Borden family or Bridget might have had company at the time the murder was determined upon. The fact is Mr.

Morse was company for the Bordens the night before the day of the murder. He occupied the room above the parlor, the room in which Mrs. Borden was dispatched. Now if Villain is to be certain about this, *i.e.* : Whether or not there will be company on hand, he must linger uninterruptedly for some hours the previous day and until after bedtime in the night, which is always a late hour in cities. Then he must be on hand early in the morning and until the time of the murder, lest some neighbor or friend of the family might pass in.

Another fact in connection with this scheme must be mentioned. There are two entrances to the house besides the cellar entrance in the rear. This latter we may leave wholly out of consideration now, because it would be entirely impracticable as an entrance for strangers, and besides this fact it was securely locked. The other entrances to the house are, one on the side to the north toward the rear comer of the building, the other at the end in front facing Second street. Now if Villain is to keep in sight these two entrances (and he must do this in order to know who are in the house, when they came out and where they went after they did come out) he

must linger on Second street within an angle of about forty-five degrees, reckoning with the line of the north side of the house as a base, and at the point on that line where the rear side door is. That is, if we draw a line from the side door so as to make an angle of forty-five degrees with the side of the house, and produce that line to the farther side of Second street, we would have the limit to which Villain could go on the north. Now if we suppose a line identical with the side of the house produced to the opposite side of Second street, we would have the limit to which Villain could go to the south. Now between these two points on Second street—zero angle on the south and the point of forty-five degrees angle on the north—we have the limit within which Villain must linger. This distance, carefully looked over while on the ground, I ascertained to be in the neighborhood of seven or eight rods. It is important to notice the mathematics here somewhat carefully, as we shall of them further on as well as at the present time. Now if Villain is to be posted on the facts of persons in and about the Borden manse, he must linger with he space hereinbefore described during a part of two days. And

now, since Villain must be in such narrow quarters, it is improbable that he would linger about the house, because to so linger would expose him to suspicion which might lead to his detection. But we must suppose this improbable thing if Villain is to *know* what persons are in the house. Let us suppose the more probable—that no watch is kept, but then we are positive that Villain has no certain knowledge as to who is at Borden's. I may add that no person was seen lingering there and it may be accepted as morally certain, if not absolutely so, that no one was there.

Now we have Villain planning to get into the house without being seen or heard, but we have him with very imperfect knowledge as to who is there. Not to anticipate further objections, who would not say that his planning such a deed for such a time, with such limited knowledge of the situation, is not of itself an exceedingly improbable thing? I should like to find the man who would say that it is at all probable, and associates with the secrecy of the murder itself, would it be regarded even as the *remotest* probability? But as I wish to show the case in its completeness, let us suppose

Villain trying to plan further to enter the house. He has already tried the scheme of getting in at night, but failed, because the doors were closed against him. I may add here, in spite of closed doors in these days, which the arts of burglary are developed to such perfection, it were a thousandfold easier for us to suppose Villain passing locks under cover of night, and accomplishing murder, than to suppose him trying to accomplish the same in daylight, amid the peculiar difficulties and dangers of the circumstances attending the case in hand. Far rather would we suppose the former than the latter, because in the latter case there are locks as well as eyes and daylight besides. But since Villain chose the daytime instead of the night (if he chose at all) let us see how well he can plan further.

Now he thinks of the family—Mr. and Mrs. Borden, Lizzie and Bridget—and then he remembers, too, that Emma or some other company might have spend the night there and might be still within the house. So he finds it hard to lay out a scheme that will work. But he tries it further. He reckons that at the lowest calculation there would be four persons within the house, but

as he recalls the fact that he does not know how these four persons are located in the house, a new difficulty looms up before him, and he fails to see how he can get into the house and secrete himself at some safe place and not be seen by any one of these four persons. But as he wishes to test his plan to the end, he waives these difficulties for the present and tries further scheming. He says should I gain entrance safely, how can I commit murder out of sight and sound of those in the house, and a still greater inquiry would be, how can I do it twice? Not being very well acquainted with the plan of the house (we can hardly suppose that he would know the construction of the house in minute detail, though this might not be impossible), and not knowing where the persons in it would be, he finds this part of his plan presents the greatest barrier. But as he is determined to see his plan through in his mind, his next inquiry is, how he can get out of the house after the work is all done, and here he finds even a greater difficulty than he found in entering, as then, if detected, he would only be suspicioned of some bad deed, whereas now, if he were detected, he would be known as the offender and would

surely be brought to justice. He thus finds difficulties at every point in formulating a plan suited to the conditions for committing the murder. From the foregoing we cannot escape the irresistible conclusion that Villain, being an outside party, and not knowing what was going on in the house, or how the persons there were situated relative to each other, could not have formulated a plan of getting in and killing any of the party without being detected by the others.

Plan, therefore, for him, as he now knows, is an impossibility. If he were an insane man he could not have devised a plan for killing the Bordens, because then he could not have wit sufficient. If he were a sane man he could not have done it, because he then would have too much wit. There is *prima facie* evidence that a plan was formed, and a well wrought one too. Then, since Villain, by the very faults and environments which conditioned him, could not have fabricated the plan, it is the next thing to impossible for us to suppose that he is the murderer and the only -possible ground upon which we can think of him as committing the deed is on the assumption of his following out the general idea of his

plan upon the *remotest possible contingency of accidents*. That is, he would go into the house, perform a dual murder and be equal to the conditions of such a scheme for two hours in secrecy, and go out again as per plan, relying merely upon accident to accomplish all this without being detected. And in this he must be considered in the light of what he knows and of what he does not know. He knows there are at least four persons in the house; he does not know how many more. He does not know what these persons are doing respectively nor how they are situated relative to each other. Can we suppose that he would be wilding to hazard such an undertaking, in such a complex situation, upon the mere contingency of accident—accident that would blend all the persons and things in such a way as to give a safe entrance, and then unhindered opportunity to kill two persons, with an interval between of an hour and a half, during which time he must be secured against all who could see, and then afford him safe exit—can we suppose that Villain would do this.? Certainly not. And it is very hard, if not impossible for us to suppose such a course of accidents. And, to suppose that Vil-

lain would *attempt murder* upon the occurrence of such an exceedingly improbable, if not impossible, course of events, would be to tax our credulity beyond all bounds, and we unhesitatingly say it could not be true.

Thus far, then, two things are certain, viz.: (1) That Villain could not have formed a plan suited to the conditions by which the murder was committed; and (2) that he would or could commit the murder on a complex of mere accidental occurrences cannot for a moment be believed. This is equivalent to saying no plan and no deed:

Now, since the crime was committed in secret, and in a secrecy covering about two hours (the interval between the murders was about an hour and a half, and allowing time for entrance and exit, it would be about two hours) and since it is impossible for Villain to have planned a scheme that would secure him such secrecy, and since it cannot be believed that he would try to accomplish a deed so rash against such insuperable difficulties, and since it cannot be credited that he could accomplish it even *did* he try, I have already proved that he could not have been the assassin, and also the additional fact that

no sane man would suppose him to have been. So much for the plan.

But Villain is desperate and blood-thirsty, and let us suppose that he tries to commit the deed even in the face of a plan, that yields him not a single ray of hope, but that is fraught with insurmountable difficulties at every point. Let us suppose him at his best, both in knowledge and tact. He calls to mind that Mr. Borden is in the habit of going out after breakfast hour, and he immediately seizes upon this as the key to the situation, reckoning that if Mr. Borden is out he will have one person fewer in the house to avoid. just then he realizes that this fact would, however, have in it a disadvantage, and probably a greater disadvantage than advantage. The absent one happens to be one he had marked out as his victim, and he (Villain) does not know how long his intended victim may remain, how, and in what way he will return, what room, and what attitude in the room he will take, or that he may bring some person, or persons, with him. Let me call the reader's attention again to the fact that the person who committed the murder secured for himself the most perfect secrecy, and that, through a

period of about two hours. Now, if Villain was that person, we must think of him as considering all the possible happenings necessary to secure him such secrecy. The shrewd planner that Villain must be in order to commit the deed, demands that he think of all these things quite as thoroughly and carefully as we now can. He would find, then, that the fact of Mr. Borden's absence would have in it for him (Villain) one advantage, viz.: One less witness to avoid while he enters the house, and two out of three (he has option in two) possible disadvantages, viz. : Either (1) that he (Villain) would have to secrete himself and wait indefinitely until Mr. Borden would arrive, or (2) go out and come in again to kill him after he arrives; and (3) the possibility of Mr. Borden bringing company with him when he comes back. Let us consider now the weight of these three facts, at least two of which Villain would find against him if he entered in Mr. Borden's absence. Let us suppose that he accepts the first of the two alternatives he may choose, viz.: That he will remain and await Mr. Borden's coming. As we wish to note only such facts as bear directly upon the point-before us, we will pass over a large number, and

let us suppose then, that Villain avoids all obstacles and gets safely into the house. (The falsity of this shall be demonstrated later.) We pass over the facts as to how he gets into the house now, because they are of precisely the same weight whichever of the two alternatives he accepts. Now we are supposing that he took the first alternative. It is safe to say, however, that as yet that is only a preference—a scheme tentative in his mind—depending upon developments that will take place when he gets into the house and does the work, *e. g.* : If he finds himself obliged to do half the work in the kitchen, or dining room, he, of course, would consider it unsafe to wait to do the other half, because he must know that a mutilated body would soon be found here, alarm made and the assassin hunted down. In the case thus supposed he would needs fly at once. Accident, however, at this point favors his preference, and he finds his first victim in an upper room—a not-so-much frequented part of the house. Now, in this case he would find himself more secure to lie in wait for his second victim, than to go out to wait for him and then come in again, To have done the latter would have required a trip out and a trip in,

and surely such trips at such a time were exceedingly hazardous, and could not have been relished even by Villain. It would also have required his lingering around outside in order to know when his second victim would arrive, and that would be hazardous. Again, were he once out he could not know whether his first victim was discovered, and not knowing that, he could not know but that his going back would be to thrust himself into a trap, out of which he could not extricate himself. Thus it would be evident that Villain would take the first alternative and remain in the house, and await his second victim. Another fact, furthermore, would establish the certainty of this, viz. : That at the time of Mr. Borden's assassination the doors were locked and Villain could not have gotten in. So, then, it is established as an absolute certainty that if Villain committed the deed, he was in the house for a time covering the two murders. This fact I have established* incidentally while showing the other fact of the disadvantage Villain would have in getting into the house at the time of Mr. Borden's absence.

*At this time no one disputed closed doors. See trial proceedings.

The other fact that would be of disadvantage to Villain going in at the time of Mr. Borden's absence is that he (Villain) would not know whether or not Mr. Borden would bring anybody with him. This was a matter of very great importance to him, since it is proved that he remained in the house for a time covering the two killings. All the while, then, that he is lying in wait for his second victim, the best that he can think of is, that he will have to take his chances on finding Mr. Borden without company. He is doubtless trusting to accident again.

Now, it is not affirmed that every advantage and disadvantage is of the same weight with every other when thrown in the scales. Their weight of importance depends on the unknown, hence it would not follow that the two disadvantages alluded to, when compounded, would count for more in the scales one way *simply by reason of plurality*, then the one advantage would count the other way *simply as unity*. The value of the one advantage on the one side, and the two disadvantages on the other depend very largely upon what is not known. But we are just as wise in this as was Villain, and so, just like a shrewd planner, must reckon on what is likely

to happen. One fact, however, does lend weight to the advantage of Villain going into the house before Mr. Borden leaves, and that is, that even if detected in entering and concealing himself, he would then only be *suspected*, and if not detected would doubtless have a better opportunity to commit a dual murder than to wait, he cannot tell how long, and then stand a chance of being found out for the offense already done, and also the chance of finding somebody with Mr. Borden. So it would follow that while all the facts as they bear upon the two plans of doing the work before and after Mr. Borden goes out could not be known to Villain, it would seem far more preferable to him to try it before. But this is just what he did not do.

I shall proceed to show now that if he went in at all, he entered after Mr. Borden's absence.

1. He could not have entered before because the family was in the house, and he would have been detected by sight or sound by someone.

2. The doors were locked and hence he could not have passed in. Even the defense in the recent trial did not deny that the doors were locked before Mr. Borden went down street.

3. The tragedy itself shows that the assassin knew that Mr. B. had gone away from the house, and if Villain was the assassin, he must have been made acquainted with that fact before he entered the house, because he was then in close secrecy and could not have known that any member of the family had gotten any distance from the house. He, therefore, must have been outside of the house in order to know that Mr. Borden had gone away and hence if he (Villain) was in the house at all it must have been after Mr. Borden had left it. This, now, from the foregoing is an established fact – a certainty-that if Villain got into the house, he did so after Mr. Borden left it.

And now I raise the further question, did Villain enter the house at all? Some time ago we left Villain desperate and blood-thirsty, determined to try to commit the deed, even though there was not a single ray of hope from any possible plan he could formulate, that he had the slightest chance of success. We have him, now, in actual experiment and let us see if he can succeed. Looking to this end, let me note the difficulties he would have to meet.

If he were far away from the house, the most that he could know would be that Mr. Borden is not at home because he saw him a long distance from his house going in the opposite direction from his home. His best wisdom is, then, that Mr. Borden is not at home. What is going on at the Borden residence, and how many folks are there he does not know, and we cannot suppose for a moment that Villain would try to get into the Borden mansion on such an ill mission with no knowledge as to how to get there or how to secure himself even should he get there. The very careful way in which the deed was done and such rashness as this would be are utterly incompatible. Every rational mind would say Villain could not have done that.

If we suppose Villain near at hand, he is for all that no wiser unless he lingers and watches in order to ascertain who goes in and who comes out and where they go. How complicated the case could be maybe seen by illustration (if some facts and alleged facts connected with the affair. Bridget went outside to wash the windows. Lizzie, it is alleged, went to the barn at a later time. Mr. Borden is down town. Now since these parties did not

leave the house simultaneously, it follows, that, if Villain is to know just how the situation is on the outside he must be on hand some time to look the ground over, and he must keep a steady eye on the points of exit all the time. I have shown in some pages preceeding, the very narrow compass he would have in which to act as spy, and if he does this he is sure to be seen by the inmates of the house or by persons in other houses or by persons passing. Mr. Borden, *e.g.*: was seen by Mrs. Kelly, she being in her house, when he came home just prior to his being killed, and he did not linger. How much easier, then, it would have been to see a man that is lingering quite awhile around the premises within the very narrow limits to which he was restricted. No such man was seen and the conclusion to which we must come is that no man was there. Villain is too shrewd a trickster to adopt this scheme to find a chance for a deed so foul in character and so perilous to himself. The fact is there was no part of the family outside of the house during Mr. Borden's absence except Bridget and she only a part of the time, but Villain did not know all this. He might by accident have approached the house just as Bridget

was in the yard and so he would know that fact and that is all that he would know by his being near the house, and so he has only that advantage in being near over being far away and he has that little advantage by accident, because Bridget is in the yard only a little time and he must come just then. And why might not the accident have been the other way, *i.e.*: for him to have come when she was not there. We must suppose the accident in his favor to have the one little advantage noted. We know now, as he did not then, that he would have been no wiser had he lingered and watched. Please bear in mind that our inquiry is whether or not Villain could have entered the house at all. The points of egress for him are two—the front and side doors. The front door was locked and bolted from the time that Mr. Borden left the house to go down street until he returned. I might say that it was a uniform rule of the Bordens to lock doors and make them secure. This was true whether they were in or out of the house, and in this case Lizzie gave very specific instructions to Bridget to lock securely, giving a reason at the time that other members of the family might go out too. With such

specific instructions to the servant, Lizzie herself might be supposed to interest herself in looking after the matter in the event of Bridget's neglect. A further proof that the door was locked is that when Mr. Borden came back he finds the door locked, and bolted, and again fastened at the bottom—thrice closed, so that his key would not open it. I would add also that Bridget came to the door and removed the bolt from its fastenings while Lizzie stood at the top of the stairs and made some ejaculation, both, therefore, being witness to the fact of the locked and bolted door. It might also be said that at the recent trial there was no disagreement between the prosecution and the defense as to the front door being locked.* This place of egress is now out of the way. Villain could not have entered there.

Now, what about the side entrance. Could he have entered there? No; because that door was locked. Now, what are the proofs of this? They shall be forthcoming one by one. The case would be stated in a nut shell and a long line of inquiry avoided by the presentation of the fact* that the only point of dispute between the

*See trial proceedings.

prosecution and defense at the recent trial about locked doors was of this door and of this one only for a limited time at a particular juncture—the time when Bridget goes out into the yard for a moment or two because she is sick. Now, when the truth as it bears upon this point is brought out, the whole question about the locks will be settled. Let us have the facts. The witness to them is Bridget. Her first statement is the unequivocal one that she locked the screen door at the time of her outdoor episode, and then under a most galling cross fire from the defense she says she is 11 “not certain.” Permit me here to say that this seeming discrepancy is not attributable to the unreliability of the fact itself, but simply to a slightly defective memory. This is not a mere guess but can be verified by a further fact which I now introduce. The door was unmolested by anyone (all parties in the house being elsewhere at the time), until Bridget goes to it again and then she finds it hooked, *proof of the fact that she did it when she came in when she was sick*. This fact of itself removes all doubts about the point in question, and it is absolutely certain that this door was securely fastened against any outside intruder. By this

I have proved that Villain is debarred from this entrance, and as there is no other available for him, it is established that he could not have gotten into the house at all. The first murder was committed very close in time to this episode of Bridget's going to the yard, and if Villain is not already in the house and fixed to do the deed he is not the felon. He could not have been in at this time as I have shown, and so here we have another proof of the innocence of Villain.

But as there are other difficulties in the way of Villain if he is the assassin, and as it is desirable to see how he can grapple with these, let us suppose him to have passed the fastened door, though impossible in fact; now he must get upstairs where his victim is. Omitting for the present that he does not know that she is up there or where she is, and passing over the enormous enigma and puzzle, this fact would be to him, let me note simply the physical difficulties that would be his in order to get to the place of the tragedy. The stairway in the rear of the house leading above was not available as a passage way because it was closed by lock on Mr. and Mrs. Borden's bedroom door which was the only inlet to the other

apartments on the second floor. Mr. Borden himself locked this door and placed the key at a private place, and when he came back from down street he got his key and opened the door.* Besides this there were other locked doors of other rooms leading to the fatal bedroom which would also have debarred him from the opportune place. Entrance, therefore, by the rear stairway was utterly impossible. The only way left by which the desired spot could be reached would be through the dining room or sitting room or both in case the way by the dining room was chosen. Then there would be the front hallway, the stairs and the entrance to the bed chamber, as well as all the doors below through which Villain would have to pass. Now with Mrs. Borden in the bedroom and Lizzie somewhere about, it is not possible for Villain to have made the passage without being seen or heard at some point. Thus, entrance this way would also be impossible, even supposing him to have passed the entering door which we have shown to have been impossible. From the foregoing, which are facts clear as sunbeams, I can not see how there could be any

*See trial proceedings.

doubts in anyone's mind as to the impossibility of Villain getting into the Borden house. All this may also be supplemented by facts which would make his getting in exceedingly improbable even though he were not debarred by closed side entrance. Let us look at these facts. Villain is trying to get in, let us suppose. According to the best knowledge he has, there are three persons in the house. There may be more for till he knows. He must enter by the side entrance. (He could know by actual experiment that he could not enter the front door). Now, it is morning and he could well know that the ladies of the house would be about their domestics and so would be about the kitchen, dining room and sitting room, the very places he would have to pass through to his place of security. He would surely know that his pathway would be guarded, and very securely guarded, too, by these unintentional connoisseurs. No one could suppose for a moment that Villain, the shrewd planner and schemer that he is, would try a course quite so bold and rash as that. We know that the murderer was a master planner, and a scheme like this would be the weakest of projects, and of course

could not be credited to him. If Villain is the murderer he must not be thought of as doing such a silly trick as that would be. In the case just before us we began with an improbability which ran into a certainty, so the proofs against Villain being the assassin are cumulative.

One more fact in this connection may be noted, viz. : That if Villain could have gotten in and have avoided the inmates of the house, he would not have known where to go or what course would be free from obstructions. Unable to foresee just what would be the proper thing for him to do, we can not conceive of him as judging so correctly. Bear in mind that he must go to the upstairs and to the opposite end of the house from the place of his entrance, and that he must pass through two or three rooms below, the hall and the stairway:—a long and circuitous route for him. We cannot suppose that under such circumstances, he would choose for his place of security the room farthest removed from the point of egress, and especially since he did not know that that would, be the place where he could commit the deed. Everything, thus, points against Villain's 'getting into the room of the tragedy in addition to many things which prove the same.

But let us waive these impossibilities for the present and let us suppose that he did get into the house not detected. It is even now a question whether he could commit the deed. Indeed we shall find that difficulties now confronting him would make it impossible for him to have been the assassin.

Remember the fact that the deed was done in the bedroom of the upstairs just over the parlor, and in the greatest secrecy. If Villain did it he must have come upon his victim unawares, and must have struck a fatal blow the first time. This latter fact is necessary to the secrecy with which the crime was committed, and it presupposes another fact, viz. : That the assassin must have lain in wait for his victim, and hence must have preceded her to the fatal spot. It is easy to see how these two facts are necessary. If he did not strike a fatal blow at first, she would cry out. If he would not come on her unawares, she would make an outcry, and in order to take her unawares he must lie in ambush where she would be. Now it is a fact* that Mrs. Borden went to the bedroom almost simultaneously with Mr. Borden's going

*Brought out at the trial.

down street, and hence Villain could not have gotten to the room before she did. This fact alone is the impossible against Villain having committed the offense. But even if we suppose him to have preceded her to the place of the murder, we shall still find it impossible to harmonize Villain with the facts of the tragedy.

I have shown that the felon, if he were a stranger, must have lain in wait for his victim. And now let us see just what place of seclusion he must have had. The killing was done behind the bed, just about opposite the entrance to the room. The only place, therefore, that Villain could have secreted himself from the eye of his victim would have been under the bed. The structure of the room makes this fact evident. Now, it is absolutely impossible for him to have scrambled out from under that bed and to have dealt her a blow before -she could have screamed for help. That could not have been. So, here again Villain is not equal to the task.

Thus far in the argument I have made only the slight hint that Villain did not know the situation, whereas the truth is he was ignorant of the situation and ignorant at every point, and this fact would embarrass and limit

him immensely. We must suppose Villain to have gone in the house (*i.e.* assuming there were no physical barriers), not knowing where the inmates were in it, nor how many there were. He would at no time be certain that he was not seen by somebody, even though he himself saw no one. He must have been greatly agitated in mind lest there might be an alarm of an intruder. Every creak of doors, every little breeze that would occasion the slightest noise, or even so much as a pin-fall, must have been the occasion of great alarm to him. The least shaking of the house must have been a sure indication of treading feet approaching. All this, in connection with the mission of his approach, must have wrought him up to the highest pitch of confusion. He is dazed and bewildered. He does not know where to turn. One step may prove fatal to him. He is like a ship at sea in a storm with neither sails, rudder nor anchor. In this confused state of mind, and not knowing what moment a watching eye may wreck all his hopes, he must hunt his place of security, which must also be the proper place for him to commit deed. Now, how could Villain, even were there nothing to

harrass him, judge so unerringly as to be able to select just the place at which to go, and just the way to get there? We simply say it could not be.

But if we sweep away all these impossibilities and suppose Villain as having the desired opportunity, we must still think of him as having other barriers. Would not thoughts of this kind disturb him?—

Now I have undertaken a most rash deed, and I am not sure but some one saw me as I passed through the house to this place, and if I undertake this murder here now I shall be detected, for really I have no chance to escape, and to commit such a deed with no chance to escape would indeed be foolhardy. Detection will be sure death and everlasting disgrace. I can not afford to risk so much for the gratification of my thirst for blood. Villain must have thought along this line, and surely such thoughts would be a deterrent power.

But if we suppose Villain to have had the opportunity and to commit the deed, his work is only half done, and now how shall he do the other half? That is to him exceedingly problematic. He does not know how long his intended victim will remain away from the house,

whether he will come back alone, in what way he will get into the house, whether he will be alone after he gets there, and, indeed, he does not know but that he may get into the house and he not know it at all. And then he does not know how soon his first victim may be discovered and himself hunted down. In this very unenviable situation we must find Villain planning for a second onslaught. Such a scheme, so horrible in its object, and so rash in its manner, depending on the unknowable for success at every point, and reckoned in the light of the peculiar secrecy of both murders, is simply unthinkable, even for a mad-man to accomplish. Nobody but a raving maniac would attempt such a scheme, and such a man would not cover his tracks, and surely not in a scheme the planning of which at every point verges on the impossible, and at times beyond the possible. If we retain our minds, Villain here drops out even as a remote possibility. But he has been a case supposable, and so let us suppose him to the end. He must now sit down in a place, the safety of which he can only guess, and plan for a deed equally atrocious with the one he has just committed. He is all at sea, not knowing what a moment may bring

forth. His hiding place we must suppose was some where near the spot of the tragedy, because he would not wander around in quest of a place under such circumstances. In addition to this he had not choice of a wide range, because doors were locked giving exit to other rooms upstairs.*

We have him thus not far from the place of the murder. How, now, can he secure himself and be prepared for the second murder? His going down stairs would be very improbable at this juncture. But if he had gone he could not have concealed himself, because Bridget was in and out of the kitchen all the while, and Lizzie was to and from the dining room and sitting room, except a short time, when she was upstairs, just prior to Mr. Borden's return. Then (*i.e.* at Mr. Borden's return) Bridget, Lizzie and Mr. Borden passed through the hallway from the front entrance into the sitting room, Bridget passing through the dining room also to the kitchen. ,Then she was soon followed by Mr. Borden, who went to the shelf to get his key to his room upstairs and passed back to the rear entry going up the back stairway. Liz-

*Of this latter fact see trial proceedings.

zie remains in the lower part of the house, passing back and forth in the sitting room and dining room. There were no places in these rooms where an intruder could have concealed himself, and so it would have been impossible for such a one to have been there and to have escaped so many eyes. *He simply could not have been there.* It is clear, therefore, that he could not have been downstairs. Now, let us see what kind of security he has upstairs. He might have found refuge in the closet, but that is securely locked, and is found so after the tragedy. That he could have had appliances for opening the door and securing the door again when inside, and then opening again for egress, and then locking just as he found it, cannot be supposed. So the closet is not available for him. He finds himself debarred also by locked doors from the other upstairs rooms. The only place, therefore, that he would have, would be the room of the first murder, and the most secure place there for him is under the bed, very close to his bloody victim, who is just on the other side of the bed. It is not affirmed, however, that he took this position. I only assert as a plain fact that it would be the most secure place for him. Now,

Villain must be here or some other place within the room of the murder, because, as I have shown, he could not have gotten anywhere else upstairs because of locked doors, and had he remained in the hall he would have been seen by Lizzie, as she was there when her father came home, as I have already shown.

That Villain would consent to stay for any time, to say nothing about so long a time, in the room of the murder, is an exceedingly improbable thing. He would surely abandon the project of taking the second victim and leave the house at once, rather than remain, he does not know how long, at the very spot of the first murder, knowing, as he does, that there are other persons in the house, and reasoning, as he naturally would, that long delay of Mrs. Borden would lead to inquiry and search for herby other members of the family.

Further, since he was driven to the only alternative of remaining in the room of the tragedy, if he remained in the house at all, would he not have sought the very best se- that the room, with its outfit would afford? Would he not, as the very first consideration of safety, close the door and make it fast as best he could with chairs, the

washstand, or whatever other movable furniture the room had? And would he not have opened the window so that in case he heard effort by anyone to enter by the door, he could make his escape through the window? But does he take any such precaution? Not at all. The door is left wide open and the windows are closed, and he, the assassin, is at best within a few feet of his victim. When Lizzie was in the hall-way above, within sight of nearly every thing in the room, he must have felt just a little uneasy, if he was there. But the fact is he was not there, and we are relieved of the impossibility of supposing that the careful way in which the murder was committed would admit of such a lack of foresight against detection as would be with murdered and murderer in the same room for so long a time with closed windows and open door.

We see, therefore, by the foregoing that Villain would be limited to the alternative of remaining [sic] in the chamber above the parlor, if he remained in the house at all, as it would have been a physical impossibility to have been anywhere else and yet have escaped detection. If, now, Villain is in the house at all, he is in the apartment where

the murder was committed, and with the door open at that. At this post he leaves himself to the fate of accidents set upon one of the most impractical of projects as well as the most atrocious of crimes, for his work is only half done, and he now, as we must suppose, waits for his second opportunity. I imagine that he must have had a feeling of loneliness during his long wait and at the same time the now and then recurring suspicion of unwelcome visitors. How much disturbed he is even imagination itself fails to picture. In this state of mind he tarries until Mr. Borden arrives, and with Lizzie at the top of the stairs within sight of the tragedy and Mr. Borden and Bridget at the entrance below, his feelings could not have been envied him. He could know the location of all these even though he did not see them, because he could hear, as they spoke loudly and they were all in the pass- either above or below and, therefore, could be heard by him where he lay in seclusion. Now Lizzie passes down the stairway and goes with her father into the sitting room where she tells him that Mrs. Borden had gone out. Bridget goes to the rear of the house. Of course Villain does not know all this, but he does know

that they have gotten farther away from him. Can we suppose now that after such a narrow escape from detection Villain would feel like trying another murder? Hardly. We would naturally think he would try to make his escape and be glad to do that. We must suppose the very highly improbable, if we think of Villain trying it again, and in such a perilous situation as he had and would still have. But he *must* try it again if he is the assassin. And let us look further at the difficulties which confront him. He can not be within hearing distance of the conversation between Lizzie and her father in the sitting room when the doors were shut, he upstairs and they down. They talk a little while, then Mr. Borden goes upstairs in the rear of the house, puts away some papers and returns. Then Lizzie helps him to the sofa where he rests. Now how can Villain know when he can safely stir, and how can he know that Mr. Borden will be alone in the sitting room, and how can he know that he will be on the sofa either asleep or in such an attitude that he would not notice an intruder, even if he could enter without making any noise. And even if he knew that Mr. Borden was asleep how could he know that opening the door of his room

would not wake him, and how could he know whether or not Lizzie or Bridget or both might see or hear him approaching to Mr. Borden. He could not have known any of this had he been in hearing distance, and he could not have known whether or not Bridget and Lizzie would see him approach, even if he had been in seeing distance. The fact is he was within neither seeing nor hearing distance, and in the absence of the knowledge necessary to do the deed in the secrecy in which it was done, it is impossible for us to think of Villain as having been the assassin. I could sooner think of Satan converting men into angels than to suspect Villain of the murder of Mr. Borden at that time and place and under such circumstances.

Let us look at the facts further. We left Villain in a so-called seclusion in the room over the parlor. Lizzie, her father and Bridget in the rooms below just a few moments after Mr. Borden arrived from down town. Bridget goes upstairs by the stairway in the rear of the house to her room on the third floor. The time is just a moment or two before 11 o'clock by the timepiece she consulted and when she gets to her room above she hears

the town clock strike 11. Almost simultaneous with Bridget's going to her room, Lizzie helps her father on the sofa and then, as she says, went to the barn loft, where, as she stated to the police afterward, she remained from twenty to thirty minutes (Lizzie must have been mistaken, however, as to the time of her absence from the house, because she returns, gives the alarm of her father's death, calls in a physician and the police are notified not later than eleven minutes past 11*) Now, if we reckon that Bridget went to her room five minutes before 11 (it would not have been earlier, rather later), and since Lizzie went to the barn after Bridget went upstairs, allowing some time for going and some time for getting up into the barn and some time for returning, Villain could have had but a small margin above ten minutes in which to commit the deed, if indeed he had that. From five minutes before 11 to eleven minutes past 11 there would be an interval of sixteen minutes. Within this interval Lizzie must go to the barn, go up into the loft, come down again and return to the house, call Bridget, call in a physician who is across the street and have the police in-

*This latter fact was stated by the police themselves.

formed. Now for all this five minutes would be a meager allowance, so that reckoning on the outside figure for the time of her absence and the inside figure for the time of going to and from and giving the alarm she would have just eleven minutes to stay in the barn and Villain had just that time to commit the deed, obscure all traces of facts pointing to his detection and get out of the way. This in the very beginning, we must suppose an impossibility from a man who knows nothing whatever about the circumstances of the case and the whereabouts of the people. Let us look at the case now step by step. Villain is upstairs at his selected place of abode. Only a few minutes have elapsed. Bridget has gone upstairs Lizzie to the barn, and Mr. Borden is on the sofa. But Villain does not know this nor any part of it. The best that he could naturally suppose and infer would be that they are down in the rooms below discussing Mrs. Bordens absence and making preparations to find her. Can he suppose this a fit time to commit another murder? Not for a moment.

Can we judge that under such circumstances he would make the effort? And can we suppose that if he

should try he could hit upon the right interval? We can suppose neither the effort nor the accident. But if we suppose the impossible again and reckon him to have done the deed there are still difficulties to overcome which Villain could no more know how to meet than an ox could know how to draw an inference. He did not know but that Lizzie or Bridget or both would be in some room below in the rear and he would find it a difficulty to get out by the rear door. That was territory he had not been over lately. But he knew that was the direction in which Bridget and Lizzie were going. Besides that, the way by the rear door had another difficulty, in this, that there were two doors, the regular door and screen door the latter of which was almost sure to click and for one in haste, as he must be at this time, it would be hard to avoid noise at this place, and noise of course at this time would be very dangerous. If he went out by the front door he would be sure that somebody would see him, and that might prove fatal to him; so there is difficulty of exit either way, and he does not know how to overcome either. He must simply trust to fate.

But then there are other difficulties also. He had a

weapon, and he must have had blood spots on his person. He must do away with them and retreat, and he must do all in haste. He cannot be fixed to remove all the traces of blood on his clothing even though he might conceal his weapon. Let us not forget he is limited to eleven minutes to get out of his retreat, to get down into the sitting room, to reconnoiter the ground, commit the deed, do away with the weapon, remove the blood spots from his clothes and person, and get out of the house and away from any possible pursuers from the house. The stranger that Villain was, with none of the appliances at hand for removing from himself the traces of the violence he had committed, can not be thought of as having done this in the exceedingly small space of time left him for that particular thing among the other things that he must do. Besides all this we can hardly suppose the accident of his beginning precisely on the moment when the coast, was made clear, and that fact reckoned in, he would have less than eleven minutes for all. That he could have accomplished all these difficulties crowded together in such a narrow space and short interval of time and have avoided detection from anybody in or out

of the house, is more by far than any rational mind wants to believe. Accident that will combine such a course of complex circumstances and all the people that would have to do with the case either by sound or sight is not such that any mind in its normal working will credit. Villain could not have committed the deed.

Let us look now at the facts and evidence from first to last as massed together. While there may be single facts which would be of sufficient weight to establish the case, the writer would not leave the reader to any one, or even many of these, merely as isolated to determine his convictions of the case, but to all compounded in the light of all the facts the truth shall be made clear to every mind, and should there be minds still burdened with doubts it is only because to such minds facts are dumb.

Let it be said, then, first of all, that it was proved by clear and tangible inferences from the tragedy itself, that it was a case of *deliberate* murder. Deliberate murder shows plan. Whoever did it, planned, and very well, too. Now I have shown by long line of arguments and proofs that Villain could not have planned at all. At every point effort for plan failed. He could not so plan

—because he was ignorant of the situation—ignorant as to who and how many persons are in the house and as to how they are situated therein. He could form no plan even to enter the house. Then, as I have shown, he could not plan to commit a single, to say nothing about a dual murder, out of sight and sound of persons in the house. Then I also proved that he could not plan to make his escape in safety. Thus thrice-told, plan fails him—getting in, committing the deed and getting out again. All vital points. Now failure to plan is only the smallest particle lacking positive certainty that Villain did not commit the crime, the only point of the least degree of uncertainty is the contingency of accidents, and that, as I have shown would not disprove the certainty of Villain's innocence because such a course of accidents cannot be supposed to exist, nor can it be believed that Villain would risk so much trusting solely to the fate of accidents. Thus reckoning no further than the plan idea it is practically proved that Villain could not have been the assassin.

But I have supposed Villain, being desperate and blood-thirsty, would essay to commit the murder in spite

of the absence of a workable plan. I have supposed him to have made the trial and I followed him through the case most minutely from beginning to end, and I found him foiled at every attempt, at every point. I have shown first of all that he could not have gotten into the house. I established this first upon the fact of the doors being locked, and of this being true I brought forward very sufficient evidence and proofs. This fact alone is the unanswerable against Villain being the murderer, because the tragedy was inside, and if he could not have gotten in, he could not have been the assassin. Further, even admitting for argument's sake that he passed the locks, I have shown that he could not have passed to the place of murder. I proved this by the fact of a single passageway and a very circuitous one at that, to the fatal spot and the inmates of the house witnesses of this only way at some point all the time he could have had to pass from the entrance to the room of the murder above.

I have proved also that even if he got to the place of murder in safety he could not have committed [sic] the crime because the assassin, if he were an, outside party, could not have committed the deed unless he came upon his

victim unware [sic], and I showed by the conditions of the room and the murder itself that Villain could not have come upon his victim unware [sic]. Here was unimpeachable evidence, though circumstantial, that Villain could not have been the guilty party.

I have shown also, that, supposing him to have done the first killing, he remained in the room of the slaughter until the opportunity for the second killing, and this of itself would defeat the claim that he is the perpetrator of the crime. The door of the room was wide open and it would be absurd to suppose Villain, the shrewd planner that he is, to be inside practically on the spot of his victim, while members of the family are on the outside, likely at any moment to step in and see him and his horrible work. We cannot suppose that Villain would have left himself so defenseless as that under such circumstances as those. We can only suppose the other alternative, that Villain was not in the house at all. If he is in anywhere, as I have shown, he must be in that room and he must be there defenseless and without the least means of retreat of any kind. We are forced, therefore, to accept the other alternative, and here again circumstantial evi-

dence demonstrates the innocence of Villain, desperate as he is.

The facts and proofs relative to the second tragedy being discussed in recent pages are still fresh in the memory of the reader, and I need say no more than this, they all give Villain a clear and undisputed title to innocence. To come down from his lurking place on the second floor, do his work and make his escape in the face of actualities that would circumvent him at every point is more than he could do even if he were in a lurking place, but the fact is he was not there. All the facts proofs and conclusions upon reasonings therefrom as well as the probabilities themselves, from the beginning of the case to the end, point unmistakably to the innocence of Villain, and the fact is established beyond the possibility of dispute. The vile wretch and miscreant that Villain is, he is now out of it, clear and clear, with not the least particle of evidence against him, and there is now not the slightest suspicion of his guilt. He is as free as a fullfledged bird in a calm atmosphere. Let the truth be known of Villain, the world around.

Now what are we to say of the case? This: At a

recent court convened according to the laws of the commonwealth of Massachusetts, the first party of the only two who could have committed the deed, the Party of unhindered opportunity was declared not guilty, AND I HAVE DEMONSTRATED IN THE PAGES OF THIS VOLUME THE ABSOLUTE AND ENTIRE INNOCENCE OF THE SECOND PARTY, LEAVING NO GROUNDS FOR ANY DOUBT. IT, THEREFORE, FOLLOWS THAT NO MURDER WAS COMMITTED. O LAND OF THE FREE IN WHICH THE FOULEST OF CRIMES MAY BE COMMITTED IN THE QUIET OF THE HOME, EVEN IN THE OPEN BLAZE OF MIDDAY, AND YET NOBODY THE DOER!

THE END.