

That Pinkertons Double-Crossed Police, Dorsey Tries to Prove

With the introduction of W. D. MacWorth, the Pinkerton detective who discovered the blood spots on the first floor near the trap door and the bloody club and pay envelope nearby, came the verification of a rumor that the prosecution would try to show an attempt on the part of the Pinkertons in the employe of the National Pencil factory to double-cross the police. This came when Dorsey sought to prove that the Pinkertons had tried to conceal from the police the fact of the discovery of the club, piece of buggy whip and the pay envelope.

He was examined by Mr. Rosser. "What is your business?"

"I am an operative with the Pinkerton Detective Agency."

"Did you work on the Phagan case?"

"Yes, I made several searches of the factory premises."

"Did you search the ground floor on the 15th of May? What did you find?"

"I found seven stains that resembled blood near the trap door by the elevator. Upon searching behind the radiator, I also found a piece of wrapping cord that looked as though it had been freshly cut at one end. The radiator on the side against the wall was packed with rubbish and trash. There were papers in the trash dated as early as January 13, 1913, which indicated that it had been there only a short while.

"About six or eight inches away, I found a rolled and crumpled piece of paper. It was a pay envelope, numbered and with the letters 'M. P.' written on the face. In almost the same spot I found a heavy club spotted with dim stains. It was lying in a doorway with several iron pipes."

Not Positive About Blood.

Cross examination by Dorsey.

"Did you ever see this stick before?" He held to view a heavy butt-end of a buggy whip.

"Yes, it was behind the front door."

"When was it you say you found this stick?"

"May 15, 1913."

"You had been searching the place several days?"

"No, I only began at noon."

"Did you see the blood spots on the second floor?"

"Yes, at noon the same day."

"You, yourself, discovered the blood stains around the trap door?"

"Not blood stains—stains."

"Didn't you say in your report to headquarters that they were blood-stains?"

"I can't say they were blood spots."

"How came you to find the cord behind the radiator?"

"I was tracing the stains. I didn't know where they would lead."

At this point of the cross examination a dispute arose between the prosecution and the defense over a secret complaint made by Mr. Rosser to the appearance in the courtroom of an officer who brought a message to John Starnes. Dorsey, upon seeing Herbert Schiff, a witness, sitting beside Frank, asked the judge to order Schiff from the room. He was forced to leave.

May Impeach Witness.

As soon as Schiff had retired from the room Dorsey asked:

"Did you show the envelope to Schiff?"

"Yes," replied the witness.

"Was the figure '5' or '\$5' on the envelope?"

"Not that I could see."

"Did you go to see Mr. and Mrs. Coleman?"

"Yes."

"Was there a '5' on the envelope then?"

"Not any more than there is now."

"Didn't Mr. and Mrs. Coleman call your and Whitfield's attention to a '5'?"

To this Rosser offered objection, whereupon Dorsey explained to the judge that he was trying to lay a foundation to impeach the witness.

Judge Roan ruled in favor of Dorsey.

Dorsey said:

"Your honor, I expect to show that on May 17, two days after the finding of the alleged pay envelope, MacWorth and Whitefield, Pinkerton men, went to the Colemans and showed them the envelope with a '5' on it, and that the Colemans then called their attention to the fact that Mary Phagan was due but \$1.20 on the day of the murder."

Witness Denies Conversation.

Dorsey then addressed the witness:

"Did any such conversation occur?"

"No."

"Did they call your attention to a '5'?"

"No."

"What money did Mary Phagan get on the day of the murder?"

"One dollar and twenty cents, I think."

Dorsey then showed MacWorth the report supposed to have been made by him, which stated that the last figure in Mary Phagan's pay was "5."

"Where did you get the impression that this report shows?"

"From Schiff."

"Where else did you get information about Mary Phagan's pay?"

"From the Colemans."

"You saw Schiff and made a report before you saw the Colemans?"

"Yes."

"What appeared to be blood stains may well have been paint, you say—why did you put it 'paint' in the report?"

"I don't know whether it was blood or not."

Attempt to Expose "Double Cross."

"When did you report to the police about finding the big stick?"

This was the first intimation of an attempt to expose a double cross on

the part of the Pinkertons in their dealings with the police.

Rosser immediately objected. Dorsey stated that he wanted to show that the head of the Pinkertons had instructed his men with regard to the evidence they should divulge to the police. Rosser, he pointed out, had represented that the Pinkertons and the police had "gone down the road arm in arm." Dorsey proposed to the judge to show that such was not at all the case, but that, on the contrary, the Pinkertons had withheld valuable information from the police. A hot argument ensued between Dorsey and Rosser, and the jury was sent out of the courtroom until it had ended.

Rosser said:

"Your honor, the prosecution has striven to disqualify our witnesses by saying that they did not report to the police the evidence they found. To this I object."

"I will show, your honor," replied Dorsey, "that the Pinkertons, in the employ of the National Pencil company, through Frank, its head, withheld this evidence about the club from the police. I ask if that would not show interest? I will show that the state knew nothing of the stick nor pay envelope until July 2."

Judge Roan ruled that the prosecution might show what had been the action of the witness in this connection—might show whether or not the witness divulged what he knew to the police.

At this time point the jury was brought back into the room.

Pinkerton Men Out of City.

Dorsey asked the witness:

"Who is the head of the Pinkertons in this city?"

"H. B. Pierce," he replied.

"Where is he now?"

Rosser objected to this question.

"Where is Whitfield?" asked Dorsey.

Again Rosser objected.

Judge Roan then ruled that both questions were admissible, and the witness replied that he did not know where either was.

"When was the last time you saw them?" asked Dorsey.

"Monday afternoon," replied MacWorth.

"How long after you found the club was it until you reported it to the police?"

"About nineteen hours."

"How long after reporting to them was it until you again conferred with them?"

"About four hours."

"Did you tell John Black about the club and the piece of buggy whip and the envelope?"

"I told him about the club and the envelope, but not about the whip."

"To whom did you give the whip?"

"To H. B. Pierce."

"Were you present when Black was shown the whip and club?"

"No."

Rosser Questions Witness.

Rosser then took the witness and showed him the report that Dorsey had showed him.

"Is this your report?" he asked.

"No."

"Is the diagram (referring to a diagram attached to the report) yours?"

"Yes."

"Show us where you found the envelope and the club."

MacWorth pointed out the spots on the diagram.

"Read the report and see whether or not it is yours."

"I couldn't do that without seeing the original," he said.

"Has there been any change made in the pay envelope?"

"Not that I can see."

The witness was then dismissed.