

A Remarkable Murder Case of 29 Years Ago

Niagara Tragedy Puzzled Police, But Slayer Finally Convicted and Was Hanged in Ontario.

One of the most remarkable murder mysteries that ever perplexed American detectives had a denouement quite as dramatic and sensational as anything ever penned by masters of fiction. The chief actors were well known in Rochester, and the setting of the tragedy was in the shadow of Niagara Falls.

On Sunday, July 27, 1890, Arthur H. Day, of Rochester, went to the Falls with his wife, Desire Day, and his sister, Mrs. Mary Day Quigley. The young wife had been thrilled with all most childish delight in anticipation of the trip. She was amazed at the sight of the falls, and after viewing them from the American side crossed to the Canadian bank with her husband and sister-in-law.

She never returned. Day and his sister made the return trip to Rochester on the same train, but curiously enough, they did not travel together. The sister had the umbrella of Desire Day, but nothing else that belonged to the missing woman. The Höhe with could not have had a very wide acquaintance, because her absence caused very little comment at the time. But a slight cloud often disturbs the serenity of a clear sky. It was a woman's jealousy that brought the story of the missing wife to the attention of the police.

It seems that on July 6, 1890, just a few days prior to that fatal trip to Niagara, Day had contracted marriage with a Miss Breen, of Rochester, the ceremony taking place at Canadairus, N. Y. In less than a month after this marriage Miss Breen heard that Day had another wife, and the evidence to that effect was so conclusive that he was arrested on the charge of bigamy. It was then learned for the first time—so far as the police were concerned—that Desire Day was missing.

John C. Hayden, at that time Chief of Police of Rochester, took the case in hand. He had the patience and persistence always needed in a mystery of this kind. In the course of his more than twenty years' experience, Chief Hayden had been concerned in many big cases, and he felt confident that he could solve this peculiar riddle. The first circumstances concerning his knowledge were those concern-

ing the trip to Niagara Falls made by Day, his wife and sister. And at the outset he obtained one damning piece of evidence.

Day had purchased two round trip tickets and one single trip.

That was the query that immediately sprang to the mind of Chief Hayden, and it was the question which satisfied the detective that Day was the guilty man. But to prove the guilt of the husband was not so easy. He would deny it, and there was no way of obtaining evidence that would convince a jury. Indeed, the first thing necessary would be to prove that Desire Day had been murdered. The man might insist that his wife had met with an accident and if this were corroborated by the sister there would be an end to the case. So after giving the matter due deliberation Hayden decided to rest his whole case on the sister.

He told her that he wished her to go to Niagara Falls with him to show him over every foot of the ground the days had traversed and to explain what had happened to the missing wife. The woman went reluctantly, but with evident honesty. They crossed the bridge to the Canadian side and reached the lonely spot near the whirlpool. The never ending roar of the mighty falls seemed to affect Mrs. Quigley; she opened that filled the air and formed such a strange mist had a psychological effect upon her. She wanted to leave the dreadful spot, but the detective would not permit her to do so. He was persistent and unrelenting. He walked her up and down the narrow path in that lonely place and talked to her constantly of the missing woman. Plainly the thing was getting on her nerves, and she was near the breaking point.

Once more she expressed a wish to leave the gruesome spot, and again the detective refused to permit her to do so. All the while the constant murmur of the falls haunted them like the refrain of some tragic opera. Suddenly the mist rose higher in the air, and at that moment the tortured woman gave a shriek and cried:—

"There she is! I see her there now!"

"Who is it you see," asked the de-

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ective, bending over her anxiously. "Arthur's wife," she replied. "There she is down there on the rocks." And the next moment she had fallen in a swoon.

When revived she said that she had seen the face of the dead woman plainly framed in the mist.

Chief Hayden, after a dangerous trip down the stream, located the body on the rocks at the edge of the river. He obtained help and the poor, mangled body was brought to the bank. Within twenty-four hours after that the detective brought Arthur Day to Niagara Falls for the purpose of identifying the body. He made the trip willingly enough, but when he saw the body he declared that it was not that of his wife. He was then confronted by his sister, who was a reluctant but damaging witness against him. That vision of his face in the mist was a terrifying spectacle, and it led to consequences that could not have been foreseen by the young husband who made the mistake of being a bigamist.

He was arrested on the charge of murdering his wife by pushing her over the bank onto the rocks below. He was tried and convicted and hanged at Welland, Ontario, on December 13, 1890.

That case established the fame of John C. Hayden as a detective. It won for him the warm commendation of the Canadian and the English police authorities. It is one of the few cases solved by an American detective that has a place in the archives of Scotland Yard.

CONVICTION DEALS DEATH BLOW TO SECT FOUNDED BY MR. RUSSELL

(Continued from page 13)

The Eagle in this case will brand "Pastor" Russell as a crook." It took the jury only a few minutes to return a verdict for the Eagle and his vicar. The verdict was upheld on appeal by the highest court in the State.

For once the head of the Russellites had met his fate. It was impossible for him to overcome the effect of the evidence brought out at this trial. Propaganda efforts on behalf of Russellism were rebuffed to offset the Eagle victory. Every modern device including moving pictures and phonographs, was used to preach the Millennial Dawn theories. The name of Charles Taze Russell, which had figured prominently in all the early literature, became less prominent and the names of various societies and organizations, such as Bible Students' Association, were featured. Russell himself preached less frequently in the larger cities and confined himself more to directing his numerous business activities from Brooklyn.

About 1915 the Russellites began to get into trouble in Canada because of their opposition to recruiting. Two years ago Canada expelled Russell's agents and suppressed his literature. Even before the war Russell had had trouble in Canada and his attempt to secure vindication by means of a libel suit against the Rev. J. J. Ross of Hamilton, Ont., failed. Russell did not stick with his numerous law suits after he lost his case against The Eagle. Even the Tax Department of the City of New York won its fight to make him pay taxes on his Brooklyn property. He had demanded exemption on the ground that he was propagating religion. The decision held that the business side of the enterprise was an important feature.

"Pastor" Russell died in 1916, and troubles did not end for his followers. The trial just ended revealed the thoroughness of the system through which Russellism has been promulgated. Instead of relying on a voluntary system of dissemination the literature the organization adopted the more effective way of making the spreading of the religious propaganda a paying proposition to its agents. The term collectors was applied to these distributing agents, who made a living profit on the sale of "The Finished Mystery,"

in charge of a man named Miller, al- though at times outside printers were used when exigency made this necessary. Most of their printing was done at their own printing office.

When revived she said that she had seen the face of the dead woman plainly framed in the mist.

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