

CHAPTER IV

In the meanwhile obtained the horror of the dungeons, after the discovery of the plot to break prison. And never, during those eternal hours of waiting, was it absent from my consciousness that I should follow these other convicts out, endure the hells of inquisition they endured, and be brought back a wreck and flung on the stone floor of my stone-walled, iron-doored dungeon.

They came for me. Ungraciously and ungently, with blow and curse, they haled me forth, and I faced Captain Jamie and Warden Atherton, themselves arrayed with the strength of half a dozen state-bought, tax-paid brutes of guards who lingered in the room to do any bidding. But they were not needed.

"Sit down," said Warden Atherton, indicating a stout arm-chair.

I, beaten and sore, without water for a night long and a day long, faint with hunger, weak from a beating that had been added to five days in the dungeon and eighty hours in the jacket, oppressed by the calamity of human fate, apprehensive of what was to happen to me from what I had seen happen to the others--I, a wavering waif of a human man and an erstwhile professor of agronomy in a quiet college town, I hesitated to accept the invitation to sit down.

Warden Atherton was a large man and a very powerful man. His hands flashed out to a grip on my shoulders. I was a straw in his strength. He lifted me clear of the floor and crashed me down in the chair.

"Now," he said, while I gasped and swallowed my pain, "tell me all about it, Standing. Spit it out--all of it, if you know what's healthy for you."

"I don't know anything about what has happened . . .", I began.

That was as far as I got. With a growl and a leap he was upon me. Again he lifted me in the air and crashed me down into the chair.

"No nonsense, Standing," he warned. "Make a clean breast of it. Where is the dynamite?"

"I don't know anything of any dynamite," I protested.

Once again I was lifted and smashed back into the chair.

I have endured tortures of various sorts, but when I reflect upon them in the quietness of these my last days, I am confident that no other torture was quite the equal of that chair torture. By my body that stout chair was battered out of any semblance of a chair. Another chair was brought, and in time that chair was demolished. But more chairs were brought, and the eternal questioning about the dynamite went on.

When Warden Atherton grew tired, Captain Jamie relieved him; and then the guard Monohan took Captain Jamie's place in smashing me down into the chair. And always it was dynamite, dynamite, "Where is the dynamite?" and there was no dynamite. Why, toward the last I would have given a large portion of my immortal soul for a few pounds of dynamite to which I could confess.

I do not know how many chairs were broken by my body. I fainted times without number, and toward the last the whole thing became nightmarish. I was half-carried, half-shoved and dragged back to the dark. There, when I became conscious, I found a stool in my dungeon. He was a pallid-faced, little dope-fiend of a short-timer who would do anything to obtain the drug. As soon as I recognized him I crawled to the grating and shouted out along the corridor:

"There is a stool in with me, fellows! He's Ignatius Irvine! Watch out what you say!"

The outburst of imprecations that went up would have shaken the fortitude of a braver man than Ignatius Irvine. He was pitiful in his terror, while all about him, roaring like beasts, the pain-racked lifers told him what awful things they would do to him in the years that were to come.

Had there been secrets, the presence of a stool in the dungeons would have kept the men quiet, As it was, having all sworn to tell the truth,

they talked openly before Ignatius Irvine. The one great puzzle was the dynamite, of which they were as much in the dark as was I. They appealed to me. If I knew anything about the dynamite they begged me to confess it and save them all from further misery. And I could tell them only the truth, that I knew of no dynamite.

One thing the stool told me, before the guards removed him, showed how serious was this matter of the dynamite. Of course, I passed the word along, which was that not a wheel had turned in the prison all day. The thousands of convict-workers had remained locked in their cells, and the outlook was that not one of the various prison-factories would be operated again until after the discovery of some dynamite that somebody had hidden somewhere in the prison.

And ever the examination went on. Ever, one at a time, convicts were dragged away and dragged or carried back again. They reported that Warden Atherton and Captain Jamie, exhausted by their efforts, relieved each other every two hours. While one slept, the other examined. And they slept in their clothes in the very room in which strong man after strong man was being broken.

And hour by hour, in the dark dungeons, our madness of torment grew. Oh, trust me as one who knows, hanging is an easy thing compared with the way live men may be hurt in all the life of them and still live. I, too, suffered equally with them from pain and thirst; but added to my suffering was the fact that I remained conscious to the sufferings of the

others. I had been an incorrigible for two years, and my nerves and brain were hardened to suffering. It is a frightful thing to see a strong man broken. About me, at the one time, were forty strong men being broken. Ever the cry for water went up, and the place became lunatic with the crying, sobbing, babbling and raving of men in delirium.

Don't you see? Our truth, the very truth we told, was our damnation. When forty men told the same things with such unanimity, Warden Atherton and Captain Jamie could only conclude that the testimony was a memorized lie which each of the forty rattled off parrot-like.

From the standpoint of the authorities, their situation was as desperate as ours. As I learned afterward, the Board of Prison Directors had been summoned by telegraph, and two companies of state militia were being rushed to the prison.

It was winter weather, and the frost is sometimes shrewd even in a California winter. We had no blankets in the dungeons. Please know that it is very cold to stretch bruised human flesh on frosty stone. In the end they did give us water. Jeering and cursing us, the guards ran in the fire-hoses and played the fierce streams on us, dungeon by dungeon, hour after hour, until our bruised flesh was battered all anew by the violence with which the water smote us, until we stood knee-deep in the water which we had raved for and for which now we raved to cease.

I shall skip the rest of what happened in the dungeons. In passing I

shall merely state that no one of those forty lifers was ever the same again. Luigi Polazzo never recovered his reason. Long Bill Hodge slowly lost his sanity, so that a year later, he, too, went to live in Bughouse Alley. Oh, and others followed Hodge and Polazzo; and others, whose physical stamina had been impaired, fell victims to prison-tuberculosis. Fully 25 per cent. of the forty have died in the succeeding six years.

After my five years in solitary, when they took me away from San Quentin for my trial, I saw Skysail Jack. I could see little, for I was blinking in the sunshine like a bat, after five years of darkness; yet I saw enough of Skysail Jack to pain my heart. It was in crossing the Prison Yard that I saw him. His hair had turned white. He was prematurely old. His chest had caved in. His cheeks were sunken. His hands shook as with palsy. He tottered as he walked. And his eyes blurred with tears as he recognized me, for I, too, was a sad wreck of what had once been a man. I weighed eighty-seven pounds. My hair, streaked with gray, was a five-years' growth, as were my beard and moustache. And I, too, tottered as I walked, so that the guards helped to lead me across that sun-blinding patch of yard. And Skysail Jack and I peered and knew each other under the wreckage.

Men such as he are privileged, even in a prison, so that he dared an infraction of the rules by speaking to me in a cracked and quavering voice.

"You're a good one, Standing," he cackled. "You never squealed."

"But I never knew, Jack," I whispered back--I was compelled to whisper, for five years of disuse had well-nigh lost me my voice. "I don't think there ever was any dynamite."

"That's right," he cackled, nodding his head childishly. "Stick with it. Don't ever let'm know. You're a good one. I take my hat off to you, Standing. You never squealed."

And the guards led me on, and that was the last I saw of Skysail Jack. It was plain that even he had become a believer in the dynamite myth.

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Twice they had me before the full Board of Directors. I was alternately bullied and cajoled. Their attitude resolved itself into two propositions. If I delivered up the dynamite, they would give me a nominal punishment of thirty days in the dungeon and then make me a trusty in the prison library. If I persisted in my stubbornness and did not yield up the dynamite, then they would put me in solitary for the rest of my sentence. In my case, being a life prisoner, this was tantamount to condemning me to solitary confinement for life.

Oh, no; California is civilized. There is no such law on the statute books. It is a cruel and unusual punishment, and no modern state would be guilty of such a law. Nevertheless, in the history of California I am

the third man who has been condemned for life to solitary confinement. The other two were Jake Oppenheimer and Ed Morrell. I shall tell you about them soon, for I rotted with them for years in the cells of silence.

Oh, another thing. They are going to take me out and hang me in a little while--no, not for killing Professor Haskell. I got life-imprisonment for that. They are going to take me out and hang me because I was found guilty of assault and battery. And this is not prison discipline. It is law, and as law it will be found in the criminal statutes.

I believe I made a man's nose bleed. I never saw it bleed, but that was the evidence. Thurston, his name was. He was a guard at San Quentin. He weighed one hundred and seventy pounds and was in good health. I weighed under ninety pounds, was blind as a bat from the long darkness, and had been so long pent in narrow walls that I was made dizzy by large open spaces. Really, mine was a well-defined case of incipient agoraphobia, as I quickly learned that day I escaped from solitary and punched the guard Thurston on the nose.

I struck him on the nose and made it bleed when he got in my way and tried to catch hold of me. And so they are going to hang me. It is the written law of the State of California that a lifetimer like me is guilty of a capital crime when he strikes a prison guard like Thurston. Surely, he could not have been inconvenienced more than half an hour by that bleeding nose; and yet they are going to hang me for it.

And, see! This law, in my case, is ex post facto. It was not a law at the time I killed Professor Haskell. It was not passed until after I received my life-sentence. And this is the very point: my life-sentence gave me my status under this law which had not yet been written on the books. And it is because of my status of lifetimer that I am to be hanged for battery committed on the guard Thurston. It is clearly ex post facto, and, therefore, unconstitutional.

But what bearing has the Constitution on constitutional lawyers when they want to put the notorious Professor Darrell Standing out of the way? Nor do I even establish the precedent with my execution. A year ago, as everybody who reads the newspapers knows, they hanged Jake Oppenheimer, right here in Folsom, for a precisely similar offence . . . only, in his case of battery, he was not guilty of making a guard's nose bleed. He cut a convict unintentionally with a bread-knife.

It is strange--life and men's ways and laws and tangled paths. I am writing these lines in the very cell in Murderers' Row that Jake Oppenheimer occupied ere they took him out and did to him what they are going to do to me.

I warned you I had many things to write about. I shall now return to my narrative. The Board of Prison Directors gave me my choice: a prison trustyship and surcease from the jute-looms if I gave up the non-existent dynamite; life imprisonment in solitary if I refused to give up the non-

existent dynamite.

They gave me twenty-four hours in the jacket to think it over. Then I was brought before the Board a second time. What could I do? I could not lead them to the dynamite that was not. I told them so, and they told me I was a liar. They told me I was a hard case, a dangerous man, a moral degenerate, the criminal of the century. They told me many other things, and then they carried me away to the solitary cells. I was put into Number One cell. In Number Five lay Ed Morrell. In Number Twelve lay Jake Oppenheimer. And he had been there for ten years. Ed Morrell had been in his cell only one year. He was serving a fifty-years' sentence. Jake Oppenheimer was a lifer. And so was I a lifer. Wherefore the outlook was that the three of us would remain there for a long time. And yet, six years only are past, and not one of us is in solitary. Jake Oppenheimer was swung off. Ed Morrell was made head trusty of San Quentin and then pardoned out only the other day. And here I am in Folsom waiting the day duly set by Judge Morgan, which will be my last day.

The fools! As if they could throttle my immortality with their clumsy device of rope and scaffold! I shall walk, and walk again, oh, countless times, this fair earth. And I shall walk in the flesh, be prince and peasant, savant and fool, sit in the high place and groan under the wheel.