

The Innocent Convict. A Tale

by C.F. Briggs

United States Democratic Review

“And were you really a prisoner?” I said, “or was it only in your character of Visitor that you learned all these things.”

“I was really a prisoner,” replied Goodwin, “I served five years in the — State Prison, and yet, I trust, I need not say to you that I was never guilty in my life of transgressing the law in the smallest degree.”

“No, you need not say so,” said I, “I think I know you well enough to feel certain that you could never have committed an offence which would entail such a disgrace upon you. We all know that there are plenty of rogues who go unpunished, but I was not prepared to hear that innocent men are sent to prison. Pray, how did it happen?”

“If you have patience to hear, I will tell you, if you will promise never to allude to the subject again. You may well believe that it is extremely painful to me; but, beyond that, I have no desire for the notoriety which the knowledge of my singular misfortune would give me in the world.”

I promised.

“You have always known me by the name of Goodwin, but my true name is Godspeed; this was the name of both of my parents. They were cousins, and I was an only child. The house in which I was born, my grandfather was also born in. It was built on the Merrimack river, by one of my ancestors, a few years after the Pilgrims landed at Plymouth. My father died when I was a child, and left my mother with but slender means for her support. But she was a prudent woman, though very ambitious, and I fear that she deprived herself of many comforts that I might enjoy the advantages of a collegiate education. It was her chief desire to see me a preacher of the gospel, and tenderly as she must have loved me, I believe that she hoped to see me a missionary in India. Poor fond old woman! My worthless Latin cost you many a pang, and I fear your life!”

Goodwin hesitated for a few moments, wiped his eyes, and went on with his story.

“I had nearly finished my college course, when one of my classmates lost a considerable sum of money; it was stolen from his room, which adjoined my own, and it was the first theft which had ever been committed in the College. His name was Dracut, and although a townsman of my own, I had never been on intimate terms with him, for he was of a trifling temper, and his habits were irregular. We never liked each other, and I had avoided his company when I could without rudeness. The news of the theft caused a very great excitement in the College, the more so from Dracut having told the President that he believed one of his classmates had robbed him. But we repelled the imputation with scorn, and willingly submitted our premises to be searched. The president, a very good, but a very stern man, conducted the examination himself. To avoid all suspicion, we

locked our doors and gave the keys of our rooms into the president's hands, but after I had done so, I remembered that I had, the night before, left the miniature of Fielia, the president's daughter, in my trunk. I had worn it next to my heart, suspended from my neck more than a month, but the hair chain by which it hung had parted, and I put it away until I could get it repaired. Fielia and myself had formed an attachment for each other which I had promised not to reveal, and she had given me her miniature, on the occasion of her going to visit a relation in a distant part of the state. When I thought that the sight of the miniature in my possession would reveal our secret to her father, I was very much agitated, and very imprudently asked permission to enter my room for a moment before it was searched, that I might remove it; for, in truth, the thought of suspicion resting upon me, had never entered my mind. The president looked sternly at me, and I, knowing that in a few moments he would be in possession of my secret, blushed and trembled.

“‘Be cautious, young man,’ he said, as he shook his finger at me.

“‘I submit,’ I replied, but said nothing more. But when he took hold of my trunk I trembled violently, and tried to fortify myself against his wrath when he should discover the cause of my apprehensions. As the miniature lay on top, it was the first object that met his eye. ‘How came you by this?’ he said angrily; but I made no reply. I was choked with mortification, and fear of being expelled from college. He took up a cravat next. Something dropped out of the folds upon the floor. Professor Wilson, who is now President of a Western college, picked it up, and turning pale as he spoke, exclaimed, ‘It’s the lost money!’ It was a small roll of bank bills. All eyes were turned upon me, and for a moment only I was dumb with amazement. The next, I dropped upon my knees and called Heaven to witness that I was innocent. But my agony and solemn protestations only gained me scornful looks, and a sharp reproof from the President, who now accused me of stealing his daughter’s miniature. This, I knew, would soon be disproved, but as to the other, I was in despair. I begged with tears and prayers that my classmates and the Professors would believe me innocent; or that at least, for my mother’s sake, I might not be expelled from college. I made use of every argument that I could to convince the President of my innocence, but all without effect. I was expelled, but not prosecuted, and I had the mortification of being made the subject of a prayer meeting, for there happened to be a revival among the students, held with special reference to my crime. I had one consolation. I knew that my mother would believe me innocent. But O, what a blow to her tender heart, to have me accused of theft, and to see me expelled from college, without the honors which she had hoped to see me obtain! And then, Fielia! How could I ever hope to convince her of my innocence, or that she would ever listen to my addresses again. To add to my other miseries, I had not money enough to pay my travelling expenses home. I would not wait for a remittance from my mother, and I had no friend in the college of whom I could borrow. But I had an antiquated gold watch, of little intrinsic value, but a precious jewel to me, for it had been worn by my ancestors, and was bequeathed to me as a memento of affection. By pawning this precious heirloom and my books to the college bookseller, I raised money enough to take me home. I was nearly dead with grief, and if it had not been for thoughts of my mother, I think that I should have destroyed myself. On every side I encountered nothing but scornful looks. O, if some of these awakened people who had the goodness to pray for me, had taken me by

the hand and whispered an encouraging word in my ear, I could have died for them. They would have made me happy beyond expression. But I had to weep in solitude; nobody spoke to me good or ill.

“On my return to my mother’s house, I had to pass through the town of P—, where, in consequence of a heavy fall of snow, I was compelled to remain all night. At the stage-house I met an old acquaintance, some three or four years my senior, who had recently established himself in the town as a lawyer. He was a graduate of my college, but he had not heard of my disgrace; he asked me a thousand questions about the professors and students, and at last invited me to his room. I was glad to accept his invitation, but I determined before I left him, to tell him of my expulsion from college, and the cause of it. “He had a box of segars and a basket of champagne in his room, but I could not smoke, and I had never tasted of champagne. Indeed I had never before seen a champagne bottle. He brought me a couple of slender wineglasses and a basket of small cakes, and pressed me to drink. I drank one glass full of the champagne, and felt quite happy. The sparkling liquor produced a temporary insanity. Never before had I experienced in the slightest degree the sensation of drunkenness. The wine sparkled charmingly, my friend was pressing, and I drank again and again. I was mad with delight. I laughed, and shouted, and danced. I forgot all my troubles, and in my delirium of joy behaved, I fear, in a very improper manner. Whilst we were engaged in boisterous revelry, another young law-yer came in, the friend of my friend. We were introduced to each other, and soon after I discovered the two lawyers whispering together.

“‘I suppose you are talking about me?’ I said.

“‘Yes, you thief, we were,’ replied my friend; ‘how dare you impose yourself upon me, when you knew that I had not heard of your villainy?’

“I had been treated with cold contempt by my classmates, but no one had dared to call me a thief. My blood was on fire, and stepping up to my friend I struck him in the face with all my might. I have no distinct recollection of what immediately followed, but I know that I fought hard for a while, and at last found myself lying in a snow bank in the street. The cold air revived me in a degree, but I was still in a state of derangement. My head seemed like a balloon, and I ran yelling through the streets until I came to a house where I heard music, and I forced my way through the door into a room where a party of soldiers were dancing to the music of a fife and drum. It was a rendezvous for enlisting men to go to Florida. I was thirsty and called for drink; what they gave me I do not know, nor what happened afterwards. But I shall never forget my feelings when I awoke the next morning and found myself lying upon the floor in a dirty room surrounded by drunken recruits in their ill fitting dresses. My head was burs-ing with pain, and my throat was burning with thirst, while my limbs were so stiff that I could scarce stand upon my feet. It was very cold, and I looked round for my hat but could not find it. I felt in my pockets, and they were empty. I woke up one of the men who was asleep on a bench, and learned from him that I was in a rendezvous for enlisting soldiers, and that I had enlisted myself in the service for five years. I was alarmed and called for the sergeant, who not only confirmed what the man had told me, but refused to allow me to leave the house. I told him my trunk was at the stage-house, and that I must leave that morning for home.

He still refused to allow me to leave his house, unless I repaid him the bounty which I had received, but I had no money to return, neither could I get any. I sent to the stage-house for my trunk, and found that it had been carried away in the stage at daylight. I was in a strange town, without a cent in my pocket, or a hat upon my head, and in the depth of winter. The sergeant swore that I had received the bounty and had spent it at the bar, and he produced a receipt which certainly had something like my name signed to it. I could do nothing but submit to my fate, which I did with as good a grace as possible, for I supposed that I should meet with no difficulty in getting free as soon as I saw the commanding officer of the station. After having a gill of raw whiskey served out to me, a piece of pork and a loaf of bread, I was marched off to a fort in the neighborhood in company with two or three other miserable men who had been driven by misfortune or crime to enlist for soldiers. It is a singular anomaly in a country where every man boasts himself a patriot, that only the most degraded and worthless citizens are willing to fight in defense of their country. The soldier, instead of being the most honored man in the commonwealth, is considered the most degraded and good for nothing. I did not know that I could avoid enlistment by swearing that I was drunk when I received the bounty which they said I had taken, and therefore I suffered the surgeon of the fort to examine me and afterwards signed the recruiting papers, and before I could collect my scattered senses, I was dressed in the uniform of a hired soldier. I shed a few bitter tears as I thought of my mother, and my altered prospects; but I had no fears of the final result of my misfortune, for I thought that a simple statement of my case to the commanding officer of the fort would procure my release. But in this I was greatly mistaken.

“When I applied to him for a discharge, he treated me with lofty disdain, and pretended not to believe a word that I uttered. I had no friend to whom I could apply for aid, and I was loath to inform my mother of my condition. I therefore resolved to write to the Secretary of War at Washington, and request him to send an order for my discharge; but in reply to my letter an order came for my arrest, and I was placed in confinement for breaking the army regulations, in writing to Washington without the permission of my commanding officer. I was confined in a little cell in company with two other unfortunates who had been condemned to wear an iron ball attached to their ankles, for some crime similar to my own. Here I was shut up every night at dark, and was released in the morning to assist in doing the drudgery of the fort. If an officer, who had been fed, clothed, and educated at the public expense at West Point, had been guilty of an offence much greater than that which these men had committed, he would have been required to deliver up his sword, and his greatest punishment would have been dismissal from office. These men were citizens of the country, in its service like their officers, and why they should receive this degrading punishment, I could neither understand then nor now. My spirits almost gave out while I remained in confinement, for I was unused to exposure and coarse food, but my health was good, and every day I grew stronger and more reconciled to my condition. In about a month a court-martial was held, and I was acquitted on the score of ignorance.

“During my arrest there had been a change of officers at the fort, and our new commander, Major A—, gave me leave of absence for a day and night, as a compensation for my unjust confinement in the black hole, as the dungeon in which I was shut up was

called. I was glad enough to be allowed the privilege of stretching my limbs beyond the walls of the fort, but my delight was not excessive, since I was forced to wear the degrading livery of a hired soldier; a mark of shame that gains the wearer the intuitive contempt of all honest men. I wandered away by myself, and to escape observation spent nearly the whole day in a burying ground. At night I went into the town and joined a party of soldiers, on liberty, like myself, in the cellar of a cookshop, where I ate a hearty supper of fried beef and onions at their expense, for I had not a copper in my pockets. They soon went out and left me alone, and while I sat by the fire there came in two men, who seemed by their dress to be mechanics. They called for a supper of oysters, and asked me to join them. I refused, but they pressed me, and I consented. Indeed, I felt grateful for their notice.

“It was one of the first acts of kindness that had been shown me since my expulsion from college. My entertainers were extremely rude, and I thought that they had a sinister look; but I could not but think that I, who had suffered so severely from unjust suspicions, should not suspect others without better reasons than mere appearances! After their supper was over, they asked me to go with them to their aunt’s house. They took me to an old house in the outskirts of the town, with a dim light in one of the upper windows. Finding the door locked, they said that the old woman was a-bed; and one of them, taking a bunch of keys from his pocket, succeeded with some difficulty in opening the door. We all three entered and found a wood fire burning in a franklin, a teapot standing in the corner, a loaf of bread and some cold meat upon the table. ‘The old lady has left some supper for us,’ they said; ‘we will go upstairs and see her. You stop below, but don’t open the door if anybody should knock.’

“My two companions crept softly upstairs, and I soon heard them talking softly to somebody, who, I supposed, was the aunt of whom they had spoken. They were gone about fifteen minutes, when they came down with a small bundle which they requested me to take, and said that their aunt being in bed they would remain no longer.

“After leaving the house, they consulted apart from me; and after a good deal of angry talk, they at last called me to them, and said that if I would keep the bundle for them until the next morning, they would meet me at the cookshop and pay me for my trouble. I agreed to do so, when they gave me half a dollar and I left them and returned to the cellar, where I procured a bed and went to sleep with the bundle under my pillow. But before morning I was awakened by a constable who came to arrest me, he said, for house-breaking. He searched my bed and found the bundle that I had placed under my pillow, which contained some silver spoons, a string of gold beads and some other old ornaments, a pair of paste buckles, a tortoiseshell snuffbox, a pair of hoop earrings, &c. I saw at once the pit into which I had fallen, and feeling that resistance would be vain, I suffered myself to be taken to a lock-up house, where I found the two villains who had brought this new misfortune upon me. They told me, without any appearance of shame, that they had robbed the house of their pretended aunt, and meant to have shared the booty in the morning. It was the house of a widow, whose son, a printer, lived with her alone. He had worked in the same office with the robbers, who, knowing that he would not be at home until late at night, had determined upon robbing the house. They found the

widow, a feeble old woman, in bed; and to prevent her from making a noise, they quietly muffled her face and tied her to the bedpost, when they broke open her bureau and rifled its contents. The son, coming home soon after, found his mother nearly dead with fright, and, from her description of the thieves, he suspected his former companions and sent constables in pursuit of them. On inquiring at the cookshop, they found that I had left in company with them, and returned with a bundle, which led to my arrest. The robbers were arrested at another place. I was indicted, tried and found guilty. The evidence was so plain and direct, that there was no chance for escape. The real thieves refused to confirm my own account of the affair, and finding that all attempts to clear myself were without effect, I submitted to my fate. Nobody could believe me innocent; and those who before doubted my college theft, now believed me guilty of that charge. The lawyer who conducted the prosecution was my friend, whom I struck at the stage-house, and he exerted himself to the utmost against me. I had no money to pay a lawyer, but a very active young attorney volunteered to defend me. Money, however, could have done me no good. The jury pronounced me guilty without leaving their seats. I was sentenced to the state prison for five years—the exact term that I should have been compelled to serve in the army; and if I could have had my choice of punishments, I should have been at a loss which to choose. During all this time I had not written a word to my mother. I could not inform her of my situation, and I had all the while a hope that she might not hear of my misfortune. But she did; for the trial was reported in the newspapers, with exaggerated accounts of my guilt; and it was a relief to me when I heard, in a few months, that she was dead. I knew what she must suffer, and I hoped that in Heaven she might know that I was innocent.

“In the prison I was put among the tinsmiths, and notwithstanding my natural inaptitude for mechanical labor, in a short time became an expert workman. In my cell I had no other companion than a Bible. But that was sufficient. It would have been a great happiness, if I had been allowed a bit of candle to read by during the long winter nights when I could not sleep, and I was a prey to my own thoughts.

“By reading nothing but the Bible for five years, I grew so familiar with the blessed book, that I could tell whenever I heard a passage of Scripture quoted, not only the chapter and verse, but the page where it could be found. At last my five years were at an end and I was free. I had never known much of the ways of society before my imprisonment, but I was now utterly ignorant of the world and its ways. When the prison doors were opened, and I was furnished with a suit of clothes and money enough to defray my travelling expenses to the town where I was born, I felt more wretched and lonely than when I was first shut up in my prison cell. I was afraid of moving lest I should draw some new calamity upon my head. It was early in spring; the earth looked chill and desolate, and I knew not where to look for shelter and kindness. But I took the first conveyance that offered for my native town, for I had been told that the little property which had been left by my mother, had risen in value in consequence of speculation and improvements in real estate. I cannot tell you of my feelings when I returned to my mother’s home, nor of the contempt with which my old schoolmates and relations treated me. Merciful God, how can men hope to be forgiven themselves when they will not forgive others! I had wronged no one, but the taint of guilt was upon me, and I was shunned as though my

touch would contaminate, as though there was pestilence in my looks. God be merciful to the guilty who have to endure the scorn of the world in addition to the stings of their own conscience.

“I had made arrangements with an attorney to attend to the sale of my property, which was now worth a very considerable sum, and had determined to quit my native town forever, when I encountered my old classmate whose money had been found in my trunk. I was paying my bill to the landlord of the tavern, when he came up to me, and laughing reached out his hand to me. I had always entertained an unqualified contempt for him, but his speaking to me now touched my heart, and I grasped his hand with delight. He was the son of a rich manufacturer in the town, but he was a mere sot himself. Although I felt grateful to him for speaking to me, I could not help thinking that his laughing was ill timed, and my old feelings began to return the moment that the first impulse caused by his salutation began to subside.

“‘You remember the money that was found in your trunk?’ he said.

“‘I beg that you will not allude to it,’ I replied, ‘but since you have, I swear to you before God, whom I fear, that I never knew how it came there.’

“‘Ha, ha, ha, capital!’ said the thoughtless wretch, with an idiotic laugh, ‘capital. Don’t I know that? It was I who put it there; I only did it in fun.’

“‘Did you truly?’

“‘Truly I did. Ha, ha, ha!’

“‘And why did you not save me from disgrace, by acknowledging it?’ I said.

“‘I meant to do so after a while, but you behaved so badly afterwards, that I found it would do no good.’

“‘Miserable wretch!’ I exclaimed, ‘you will have your reward. Stupid, malicious idiot—.’ I do not know what might have followed, for I was fast losing command of myself, when the people in the barroom gathered around me, and prevented me from doing violence to the cowardly knave. It was already late in the evening, but instead of retiring to my bedroom, I left the hotel and sought my mother’s grave, where I could give vent to my feelings unobserved. It was a dark blustering night, but no external circumstances had any effect upon my mind. I howled in the extremity of my grief, and prayed Heaven that I might, for my mother’s sake, bear my load of sorrows meekly. If I had any vengeful feelings, I strove to overcome them. Had I known that the cause of all my misfortunes was himself paying the penalty of his wickedness—but I will not indulge in the thought that God avenged my wrongs.

“I did not return to the hotel till near daylight, when I was admitted by the porter, and having groped my way to my room, I was soon a-bed and asleep. Presently there was a confused noise in my room, and I started up from a pleasant dream, and perceived two or three men standing at my bedside. I had become so familiar with the sinister looks of law

officers and constables, that I perceived at a glance that these were myrmidons of justice, and I was not allowed to remain in ignorance of their errand.

“The body of my classmate had been found in the river at daylight, by some workmen, and I was suspected of having murdered him. Again I was arrested and thrown into prison, and for many months I had little hope of escaping the gallows. There probably never was a stronger case of circumstantial evidence than that which was made out against me, which being strengthened by the former accusations against me, left me without a hope of escape. But I had money, and the services of an able lawyer having been secured, I was pronounced not guilty, by a jury who, I fear, believed in their hearts that I was a murderer. It was proved on the trial that my classmate had left the tavern in a state of intoxication near midnight, and his father’s house being on the opposite side of the river, it was probable that the wretched man had missed his way, and fallen into the river, where he was drowned. This could not be proved, of course. But it was proved that I had quarreled with him in the barroom, that I had used threatening language to him, that I left the hotel before him, and that I did not return until near daylight. In what manner I had spent the night, and where, I could not prove. But you must spare me the pain of repeating the particulars of this most unhappy portion of my life. I was acquitted, but even my lawyer, when the trial was over, refused to speak to me. He had earned his money, as he thought, by clearing a bad man from the gallows, and there his business with me ended. I had told him the true story of my misfortunes, but I found that he looked upon it, as I fear many others will do, as an ingenious fiction.”

“Why have you changed your name?” I inquired.

“To avoid the notoriety and disgrace which accident had conferred upon me, and also that I might be free, in case I should ever be accused of another crime, of the prejudicial effect of a bad name. I live in daily fear of arrest, and whenever a murder or a theft is committed, I tremble lest I be taken for the perpetrator. The sale of my mother’s little property, which had greatly increased in value during my imprisonment, has given me sufficient means to live without business, and I am therefore less liable to accident than I was before; but I have no hope of dying in my bed; or spending the remainder of my days in freedom.”

“Why do you not go to Europe?” I asked.

“Ah! If I must be a victim to law, I prefer the law of my own country. I shall be safer here. Besides, am striving now to establish a character, which may stand me in good stead in case of need.”

United States Democratic Review, August 1845