

## *Case for the Prisoner*

*At six o'clock on Monday morning, the 29th of January, 1827, the Dover mail-coach, mud-bespattered and travel-stained, pulled up before the General Post-office in Lombard Street, and the official porters in attendance flung themselves upon it, and dragged from it the receptacle for letters (then containing correspondence from France, from foreign countries transmitting through France, and from Dover itself), which, in official language, was known as the mail-portmanteau. The guard, cold, stiff, and tired, tumbled off his perch, stamped his feet on the pavement, yawned, stretched himself, and literally "lent a hand" toward the removal of the mail-portmanteau by just touching it in its descent with his four fingers; the coachman, also cold, stiff, and tired, let his benumbed left hand give to the motion of the four jaded horses, which, dank and steaming, stretched their necks, and yawed about with their heads and shook their bodies, rattling their harness in a dismal manner. All the passengers had dismounted long ago, the guard had stepped inside the office to settle some little matter in connection with the way-bill, the few stragglers always waiting about to see the coaches come in had been cheaply edified and were moving off, the coachman had jerked the horses' heads into the air preparatory to walking them round to the stable, when a pale-faced clerk, with a pen behind his ear, came rushing out of the little side-door, tumbling over the guard, and exclaiming, "Hold hard, for God's sake! The mail has been robbed!"*

When the two official porters carried the mail-portmanteau into the Foreign Office of the General Post-office, they placed it before the clerk waiting to receive it. There was little time to count, and sort, and dispatch the letters; the clerk knew that, in order to get through his work, he must have quick eyes and nimble fingers; and in a minute he had unbuckled the flaps of the square portmanteau and thrown them back, preparatory to opening the two compartments, when in each of the compartments he saw a long cut, as with a knife, large enough to admit of the inclosed bags being drawn out. Rather staggered at this, the clerk hastily turned all the bags out on to the floor, noticing as he did so that several of them were cut and frayed. Then he looked for the Paris letter-bill, which he found in due course, and read as follows: "No. 203. Direction Générale des Postes de France. Départ de Paris pour Londres. Ce Vendredi, 26 Janvier, Année 1827. Le contenu de votre dernière dépêche du 24me a été exactement distribué, et ultérieurement expédié pour sa destination, l'administration vous demande le même soin pour le contenu de la présente du reçu, de laquelle vous voudrez bien lui donner avis." Then followed a list of the bags and their weights, from France Italy, Spain and Portugal, Switzerland, Germany, and Turkey. The clerk carefully compared the bill in his hand with the bags lying before him, and instantly found that the Italian bag, the heaviest, and probably, therefore, the most valuable, was missing.

The pale-faced clerk, rushing out and communicating this fact to the coachman and overturned guard (when he was picked up) of the Dover mail-coach, had the satisfaction of seeing their rubicund countenances turn to his own hue; but with that he was obliged to remain content, as they merely invoked different species of condemnation on various portions of their anatomy, if they knew any thing about it, or could tell how it occurred. So the Dover mail-coach went round to its stables. That night, when the return Dover mail left the Elephant and Castle, it had for one of its inside passengers the solicitor to the General Post-office: a man of clear head and prompt action, to whom the investigation of delicate matters connected with the postal service was

confided. To him, comfortably installed at the Ship Hotel, came the post-master of Calais and the captain of the *Henri Quatre*, the French packet by which the mail had been brought over. After a little consultation these gentlemen were clearly of opinion that the mail arrived intact at Calais, was sent thence and arrived intact at Dover, was sent thence intact, and was violated on the road to London. Tending to the proof of this was a special circumstance. When the mail arrived at Dover, it was so unusually heavy as to induce a custom-house officer who saw it landed to regard it with suspicion; so he accompanied the men who bore it from the French vessel to the packet-agent's office, that he might see it opened, and be satisfied that it contained nothing prohibited. The portmanteau was unbuckled and its compartments were thrown open in the presence of this officer, of Sir Thomas Coates the packet-agent, and of three other persons, all of whom were certain that the compartments of the bags were in a perfect state, and that the bags were then uncut.

So far so good. In such cases proving a negative is the next best thing to positive proof, because it shuts the gate and prevents your wandering in the wrong direction. So the solicitor to the Post-office, journeying back to London, and taking up the threads of his case on his way, stopped at Canterbury, made a few casual inquiries, pricked up his ears, opened a regular official investigation, and received what he believed to be very important information. For it appeared that on the Sunday night of the robbery four inside and three outside passengers left Dover by the mail-coach for London. The four insides were booked for London; one of the outsides was booked for Chatham; another for Canterbury, or as much further toward London as he pleased; the third outside intimated that he should only go as far as Canterbury. When the mail reached the Fountain Inn, Canterbury, the outside passenger who was booked as far toward London as he pleased got down and paid his fare, stating that he should go no further; the passenger who was booked for Canterbury alighted at the same time; and the two walked away from the coach together.

One of the mail-coach proprietors, who resided at Canterbury, happened to be looking at the mail while it was standing at the door on the evening in question, and observed two men, dressed as if they had just left the coach, crossing the street. They stood consulting together for a few minutes, and, after walking about fifty yards, stopped again, when a third man joined them. They all conversed for about a minute, and then separated; two of them went down the street on the road to London; the mail passed them; and almost immediately afterward they returned up the street in the direction of the Rose Hotel. The third man went into the coach-office, booked himself as an outside passenger for London, and went on by the mail. Shortly after the mail passed through Canterbury that night two strangers, coming from the direction in which the mail had gone, entered the Rose Hotel, and ordered a chaise to London. On being asked whether they would change horses at Ospringe or Sittingbourn, they said it was immaterial, so long as they got on quickly. The waiter who showed them into a sitting-room noticed that they had a small bag with them. They ordered some brandy and water, and shut themselves in—in the room, not the bag. After the lapse of a quarter of an hour the waiter, suddenly opening the door to say that the chaise was ready, perceived various letters (at least twenty or thirty), and several small paper packets, lying on the table; the men were feeling the letters, holding them up to the candles, and otherwise examining their contents. They appeared much confused when the waiter entered the room, crammed the letters into their pockets, paid their bill, got into the chaise, and at once set off for town.

The thieves were traced through different stages, until it was ascertained that they had been set down between six and seven o'clock on Monday morning near a watch-box in the Kent road, and that, having paid the post-boy, they then walked off toward Surrey Square.

So much notice was taken of the men at the Rose Hotel, and at the places where they stopped to change horses and take refreshment on the road to town, that a description of their persons was procured, and the police communicated with. On hearing the description, the police at once considered that it implicated one Tom Partridge, and one of his associates, who had been concerned in most of the coach robberies which had recently been committed; and private information having been obtained that these were really the men who had violated the mail, warrants were obtained, and Tom Partridge was "wanted." After a search of many weeks Tom Partridge was apprehended, and, on the examination which he underwent at Bow Street, was distinctly identified as one of the persons who booked an outside place at Dover by the mail of the evening in question, and as one of the men who were seen on the same evening at the Rose Hotel examining letters and packets which lay open before them. On this evidence Mr. Tom Partridge was fully committed for trial.

From March till August Mr. Tom Partridge lay in prison: immediately on his committal he had strongly denied his guilt, and had made application to be admitted to bail; but his request was refused. On the 21st of August, 1827, the assizes for the Home Circuit being then held in Maidstone, there was more than usual excitement round the old court-house of that town. Very many witnesses were to be examined on the part of the crown, among them some French gentlemen, clerks in the Paris Post-office, and officers of the packet, who had been staying at the principal hotel of Maidstone for some days, and at the expense of the prosecution: who had lived very freely, and had winked at the cherry-cheeked Kentish damsels in a manner which had caused some of those young girls to clench their fists and hint at giving "furriners" that dread blow known as a "smack o' th' face." And above all else productive of interest was the prevalent belief that the whole case was one of extraordinary circumstantial evidence; that it would turn upon the nicest question of personal identity; and that the prisoner intended bringing forward undeniable proofs of his innocence.

So the cramped little court was crowded from floor to ceiling when the learned judge took his seat on the bench. Immediately below him sat the Post-office solicitor, outwardly bland, but inwardly anxious: betraying his anxiety when there seemed any hitch in his case by repeated application to a massive gold snuff-box. From time to time he conferred with the crown counsel on his right hand, and occasionally answered questions put to him by two old gentlemen on his left, London merchants and bankers. More than the average number of counsel (none appearing for the prisoner though) at the little green table appropriated to them, and though sitting with wigs cocked awry and employing themselves generally in the mastication of quill pens, yet paying more than usual attention to a case in which they were not concerned. All round the court, wherever permissible, stood the eager public, stout broad-shouldered yeomen, buxom women, hostlers, and inn-yard loiterers, with occasionally among them the thin sallow face of a London "professional," probably a friend of the prisoner, contrasting strongly with the acres of broad healthy red cheeks by which it was surrounded. The prisoner himself in the dock fronting my lord the judge, a middle-sized stoutly-built man, with a queer humorous face, lighted by a

twinkling arch blue eye. Not a bit daunted, but apparently rather pleased by the universal gaze, he stood leaning over the front of the dock, playing with the bits of herbs which custom still retained there, keenly observant of all that transpired, but apparently fully trusting in his own resources.

The judge settled himself in his seat, the usher demanded “Silence” at a moment when a pin might have been [heard] to drop, each jurymen threw every scrap of intellect at his command into his countenance, the Post-office solicitor took an enormous pinch of snuff, and Mr. Sergeant Strongbow, retained on behalf of the crown, rose to address the court. He told the story briefly, pretty much as it has been here stated, and proceeded to call his witnesses. First came the French gentlemen. M. Etienne Bonheur, controller at the foreign office of the General Post-office, Paris, proved that he made up the mail for London on the evening of Friday, the 26th of January, that there was an Italian bag, that he handed them to M. Avier to dispatch. M. Avier, M. Gustave d’Ortell, postmaster of Calais, Captain Margot, of the *Henri Quatre* steamer, John Nash, the Custom-house officer at Dover, and Sir T. Coates, the packet-agent, all deposed to the dispatch and receipt of the mail in due course. Rather dull work this. So the judge thought, leaning back and biting his nails; so the jury thought, listening in bucolic wonder to the translation of the French witnesses’s evidence by the interpreter, but bored when it came out in English a mere matter of formal routine connected with the transmission of a mail; so the prisoner thought, as he shifted from leg to leg, and smiled slightly once or twice, looking on with great unconcern. Booking-office keeper at Dover, mail coachman, coach proprietor at Canterbury, waiter and chambermaid at the Rose Hotel, waiters and hostlers all along the road, up they came one after the other, kissed the book, looked at the prisoner in the dock, and declared that he was the man who figured in their recollection as connected with the events of the night of the 28th of January. At the conclusion of this evidence the court adjourns for refreshment, judge goes out at a side-door, prisoner wipes his forehead and sits down by his guardian turnkey, Post-office solicitor takes a pinch of snuff and receives congratulations of London bankers on manner in which evidence had been got together, Sergeant Strongbow says, “Seems clear case,” and commences sandwich.

After an interval of twenty minutes the court resumed, Sergeant Strongbow intimated that the case for the prosecution was concluded, and the prisoner, called upon for his defense, humbly prayed that a written paper which he had prepared might be read aloud. The court assenting, the paper was handed to an officer, and was read aloud, to the following effect: In the first place, the prisoner denied any participation in the crime of which he was accused, and stated that in the month of January last he was traveling with a person of the name of Trotter, on business, in the counties of Somerset and Devon. That on Monday, the 22[n]d January, he and Trotter arrived at the George Inn, Glastonbury, kept by Mr. Booth. That they left the George the same day, and went to Mr. Baker’s, who keeps an inn at Somerton, and thence in Mr. Baker’s gig to Yeovil. That the prisoner, taking a fancy to the horse in this gig, sent word back to Mr. Baker that if he had a mind to sell it, he (prisoner) would meet him at the George Inn, Glastonbury, on the ball night, the Thursday following. That on this Thursday night the prisoner and Trotter duly arrived at the George, bought Baker’s horse for twelve guineas twelve shillings, borrowing the silver money from Booth, tried it on the Friday morning, and left it with Booth to get it into better condition. That he (prisoner) and Trotter left Glastonbury at half past eleven on Saturday morning, the 27th, by the Exeter coach, which they quitted on the road about five miles from

Tiverton, and walked on to that town. That at Tiverton they put up at the Three Tuns Hotel, and being cold, they called for and had some hot egg beer on their arrival, and that while at this hotel, having a wish to procure some clotted cream, they inquired of the waiter how they should carry it, when the waiter recommended them to have two tin cans for the purpose, which cans were procured and filled accordingly. That they staid at the Three Tuns during the Saturday, the 27th, and Sunday, the 28th, and left on Monday, the 29th, by the Bristol coach to Bridgewater.

This statement of the prisoner's having been read aloud, he was called upon to corroborate it by evidence. Thereupon he summoned and produced in the witness-box, one after the other, Booth, the landlord of the George at Glastonbury; Baker, of whom he bought the horse; Ellis, the waiter at the Three Tuns at Tiverton, who produced the book containing the entries of the refreshment had by the prisoner—among them the hot egg beer, the clotted cream, and the tins for carrying it; and the chambermaid at the same inn. All of these persons exactly corroborated the prisoner's statement, and all of them swore positively to his identity. After the evidence of the last witness the judge interposed, and asked the crown counsel whether he desired to press his case? Sergeant Strongbow turned to the Post-office solicitor, who, with a pinch of snuff suspended in the air, was gravely shaking his head, when several of the jury expressed themselves satisfied that the witnesses for the prosecution were mistaken, and that the prisoner was not one of the persons who had committed the robbery. Whereupon a verdict of acquittal was recorded, and with a smiling face and a bow to the court Mr. Tom Partridge walked out of the dock a free man.

Some two years after this trial, which gave rise to a vast amount of wonder as to how the Government could have been so mistaken as to prosecute an innocent man, the Post-office solicitor, wending his way quietly along Bishop-gate Street to catch the Norwood coach at the Flower-Pot Inn, was brushed against by a man going into a public house, and, looking up, saw that the man was Tom Partridge. Now, in Mr. Solicitor's leisure moments, which were few enough, he had often thought of Tom Partridge, and had puzzled his brain ineffectually for a solution of Tom Partridge's mystery. So now, having a few minutes to spare, he first satisfied himself that the man who had brushed against him was the veritable Tom, and then crossed the street and took a careful survey of the public house into which Tom had vanished. As he stood looking up at the house Tom came out of the street door, looked up and called "Hi!" whereupon from an upper window of the house appeared the head and shoulders of another Tom, an exact reproduction of the original Tom, middle-sized, stoutly built, with a queer humorous face lighted by a twinkling arch blue eye. Mr. Solicitor rubbed his eyes and took a stinging pinch of snuff; but when he looked again there were the two Tom Partridges, exactly alike, one on the pavement in the street, the other looking out of the third floor window. Then both disappeared into the house, whence presently emerging both by the street door, one pointed to some distant object and the other started off up the street, the first returning into the public house, each so exactly like the other that, when they separated, they looked like halves of one body.

Mr. Solicitor took a short joyous pinch, rubbed his hands slowly, and went off to the Flower-Pot Inn. That evening he had several extra glasses of a peculiarly fine brown sherry which he only drank on special occasions, and Mrs. Solicitor remarked to the Misses Solicitor that she thought father must have had a very good case on somewhere, he was in such spirits. Next morning Mr. Solicitor was closeted for half an hour with one of the heads of the Post-office department who

had the official conduct of criminal cases, and shortly afterward a confidential messenger was dispatched with a letter to William Lexden—otherwise known as Conkey Lexden, otherwise as Bill the Nobbler, otherwise as sundry and divers flash personages.

That evening Mr. La Trappe, of the General Post-office, sat in the study of his private house in Brunswick Square. On the desk before him stood his dispatch-box, a cutting from a newspaper, a lawyer's brief with some official tape-tied papers. A case-bottle of brandy, a tumbler, and a water-bottle, stood on the corner of the desk. As the clock struck eight the servant entered and announced "a man." The man being admitted, proved very velveteeny, slightly stably, and very bashful.

"Sit down, Lexden," said Mr. La Trappe, pointing to a chair. "I sent for you, because I discovered that the last time you were here you left something behind you—"

"The devil!" burst out Mr. Lexden.

"Oh, don't fear!" said Mr. La Trappe, smiling gently, and looking at him with a peculiar glance, "it was only this letter! You needn't open it; you'll find it all right."

Mr. Lexden took the letter with some misgiving; then a light gradually dawning on him he crumpled it softly in his palm; a responsive crinkling of crisp inclosure fell upon his ear, and he chuckled as he said, "All right, Sir! I'm fly!"

"Mix yourself a glass of grog, Lexden," said Mr. La Trappe, pointing to the case-bottle. "You've entirely left the profession, I believe?"

"Entirely, Sir."

"And are leading an honest life?"

"Reg'lar slap up 'spectable mechanic," said Lexden.

"I want a little information from you; it can't hurt any body, as the affair is by-gone and blown. Do you recollect the robbery of the Dover mail?"

"I should think so," said Lexden, grinning very much.

"Ah!" said Mr. La Trappe. "We tried a man named Tom Partridge for it, and he was acquitted on an alibi. He did it, of course?"

"Of course," said Lexden.

"Ah!" said Mr. La Trappe again, with perfect calmness; "he has a double who went into Somerset and Devon at the same time, and worked the oracle for him?"

"Well! How *did* you find that out?"

“Never mind, Lexden, how I found it out. What I want to know is—who is the double?”

“Tom Partridge’s brother—old Sam, one year older nor Tom, and as like him as two peas. It was the best rig o’ the sort as ever was rigged. Old Sam had been out in Ameriky all his life, and when he first came back, every one was talking about his likeness to Tom; you couldn’t know ‘em apart. Fiddy, the fence, thought something might be made of this, and he planned the whole job—the egg-hot, and the cream, the tins, and the horse what he bought. Tom’s got that horse now, to drive in his shay-cart on Sundays, and he calls him `Walker.’”

“Walker!” said Mr. La Trappe; “what does he call him Walker for?”

“Walker’s a slang name for a postman,” explained Mr. Lexden, in great delight. “Worn’t it per-rime?”

“Oh!” said Mr. La Trappe, with great gravity, “I perceive. One more question, Lexden; how was the robbery effected? The interior of the portmanteau could not have been cut unless it had been unbuckled and the compartments thrown open, and they could not possibly have done all that on the top of the coach. Besides, the guard stated he had fastened it in a very peculiar manner at Dover, and that the fastenings were in exactly the same state when he opened it in London.”

“Ah! That was the best game of the lot,” said Mr. Lexden. “The job was done while the portmanteau was in the agent’s office at Dover, and where it lay from three o’clock on Sunday arternoon till between seven and eight in the evening. Tom Partridge and his pal they opened the street door with a skeleton key, there was no one there, and they had plenty of time to work it.”

“And Tom Partridge’s pal was—?”

“Ah, that I can’t say,” said Mr. Lexden, looking straight into the air. “I never heard tell o’ *his* name.”

“Thanks, Lexden, that’ll do,” said Mr. La Trappe, rising. “Good night! You’ve done no harm. I shall know where to find you if ever I want you again.”

About a twelvemonth afterward that slap up respectable mechanic, Mr. William Lexden, was hanged for horse stealing. Just before his execution he sent for Mr. La Trappe, and confessed that *he* had been Tom Partridge’s accomplice in the robbery of the Dover mail. Mr. La Trappe thanked him for the information, but bore it like a man who could bear a surprise.

*Harper’s Weekly*, November 7, 1863