

## *Circumstantial Evidence: A Knot Still Untied*

A Robbery—One Of The Female Attaches Of The Great Kossuth—A Widow Lady Of Rank In Hungary—Kossuth's Sister—A Boarding House At Newark, N. J., And Its Inmates—Sundry Facts And Considerations—Beauty Wins—An Investigation—Servants Examined—The Patent-Roof Maker—“Tracing” A Man—A Hollow Walking-Stick With Money In It—No Clue Yet—A Pathetic Blunder—Revelations In Dreams—A Bit Of Paper Tells A Story—An Identification—Thief Arrested—A Settlement Made, With Conditions—A Triumphant Visit To The Widow—A “White Lie,” And An Announcement—Doubting—Perfect Evidence Sometimes Imperfect—The Unsolved Problem; Who Did The Robbery?

IN August, 1858 (so the notes in my diary of that year say, but somehow it seems to me as if it were more than ten years before), I was waited upon by a beautiful Hungarian lady, residing at Newark, N. J., to see if I could render her any aid in ferreting out the thief who had robbed her of eight hundred and forty dollars. She was a most charming lady, and with her pitiable story won all my sympathies. She came to the country with the sister of the great Magyar leader, Kossuth, which sister was at the time, as I understood the story, teaching a select school in Newark, and the lady who called upon me had been a teacher under her for a while.

She was very accomplished, but for some reason had left her vocation as a teacher, and gone to making gold-lace goods for some firm in New York, who were paying her larger wages than she could make at teaching. (So much more ready is the world to pay well for the brilliants which sparkle by the reflection of light from their surface, than for brilliance of mind, which is a light unto itself, and betokens in its possessor a wealth beyond that of rubies and pearls.) She was very artistic, and in her happier days had beguiled her time in learning many little arts, which, in her exile and poverty in America, she turned to good practical account.

Her lace-work she did at home, and she kept two or three boarders besides, generally, together with an Hungarian servant, a sort of slave, or attaché of her father's house at home, and whom she felt obliged to watch over, and an English girl. Her boarders were two Hungarians at the time I made her acquaintance, and a middle-aged American, from the West. One of the former was a lawyer, having his office at No. 5 Beekman Street, New York, and “dragging along,” doing a little business in New York, and a little also in Newark; a man of ability, and speaking the English language well. I think he had, at one time, been Kossuth's confidential secretary; at any rate, he was quite distinguished for something in the Hungarian revolution. It was at his suggestion that the lady had called on me, and when she came to describe him, —for I had never seen him, he having simply heard of me through a brother lawyer, in whose office he occupied a desk, —I at first suspected him of the theft in question. Another boarder was a music teacher, who got on poorly enough, and who, had it not been that some relative in Hungary occasionally sent him a remittance, would hardly have been able to pay his board bill, which was, I believe, but five and a half, or six dollars a week.

These were comparatively old boarders. The third one was a new comer; that is, he had been with the widow about three months. He dressed pretty well, and represented himself as the manufacturer of patent roofs, and as having a business office on the corner of Bowery and Second Street.

This was all the widow could then tell me about them. Her husband had died about two years before, after some years of illness; and a little daughter and a son had died before him, and not long after her arrival in this country; and the burden of their and his illness and funeral expenses had fallen upon her. Saddened by her misfortunes here, and ever sighing for the "Fatherland," she had been resolutely at work, since her husband's death, to accumulate enough to return to Hungary with, and also to buy a little cottage where she had spent most of her early childhood's hours with her nurse, and which was situated near the confines of the great park in which stood her father's palace—a romantic spot, which she seemed to worship with her whole soul, now that her sweetest treasures were gone. Her description of the dear old cottage and its surroundings was glowing, and even pathetic. Her father had been a rebel officer, and his estates were confiscated and sold, but sold in divisions, it seemed, and some relatives had succeeded to the possession of the cottage. This, she was sure, she could buy for no very large sum. There would she go, and live, and die. That was her widowhood's ambition, and she cheerfully toiled, early and late, to achieve its realization. She had paid some debts, which remained unpaid at the death of her husband; had supported herself neatly and comfortably, and aided, to considerable extent, not a few of her unfortunate countrymen, the old attachés of Kossuth, but had saved about eleven hundred dollars, inclusive of the eight hundred and forty which had been stolen from her; and the loss of the latter was to her a most heavy blow.

She was one of those brave, unflinching souls, who do and dare on forever, without giving up in despair to, no matter how untoward a fate; but while she uttered no childish complaint, I could see that the loss oppressed her very seriously. She said to me, indeed, that it was very discouraging, and that she sometimes thought that she would give up the further struggle of earning her way back to her old home and purchasing the cottage, but settle down here, and only visit the old spot sometime—but to do so would be distasteful.

This was all enigmatic to me, and of course I did not ask her to explain; but I learned afterwards, what I presume was its solution, that a wealthy widower, of some political distinction as well as literary character, and living at Morristown, N. J., had offered the widow his hand, and heart perhaps: but such men do not often give away their hearts. They buy wives with their money, and treat them as their goods and chattels thereafter; which is a convenient way of doing things, and does not wear upon the purchaser's soul.

But Madame K. (the widow), who admired the man in some respects, had learned the value of a great, noble love too well to even trifle with her soul in this regard, and could not consent to accept the wealthy widower's offer. In view of the fact of this offer, she suffered from the loss of her money more than she otherwise would have done; for she was proud to have the widower, as well as everybody else, know that she was self-reliant and successful; and to be successful, it is necessary to be cautious and prudent in all things; and the widow had not been prudent in the disposal of her money. Indeed, she had lost it through a sort of unpardonable carelessness, or rather lack of caution, and this vexed her not a little.

My sympathies were greatly enlisted in behalf of the beautiful widow; and without being willing to acknowledge that my heart was touched by her facial beauty (for where, is the man in the world who would not scorn to be thought susceptible to such a "trifle"?), I do confess that the widow's charming address and manners won me over to her cause with a force which I thought a

little peculiar, and I resolved to do all I could to hunt up the thief, and find the money, and perhaps not charge the beautiful widow a cent for my services (if I *must* confess the whole right here).

Armed with such high resolve, I went over to Madame K.'s house the next day to tea, the time when she would have returned from her necessary business trip that day to the gold-lace house for which she wrought; and found her there ready to receive me, and point out the place where she had kept the money stolen. I should say here, that the theft had been committed five days before, and some effort had been made on the part of Madame K. to discover a clue to the thief.

Madame K. had, in her sitting-room, a curious old "secretary," which had been brought out from Hungary by some exiles, and which—since it exactly resembled one in her father's library or studio, and at which she had so often sitten, and wrought out her lessons, written her school-girl "compositions," and made her early efforts in epistolary graces—she had bought. This secretary had close-locking double doors, in each of which was, as if it were itself a panel, a mirror, as a middle piece, with plates of deftly chased glass above each mirror; and the glasses were opaque, so that the doors might, in one sense, have been said to be solid. Indeed, I think the whole mirror and ornamental glass plates were backed by a panel of wood.

The secretary was a queer compound of strength, and more or less bad taste, as well as about the same quantity of good taste. The inner work was all curious,—sly boxes; boxes within boxes, etc., and the faces of each carved with the heads of lions, tigers, and so forth, of the natural order, as well as with all sorts of things of a mystic nature, as well as some never thought of before save by the special carver of these special faces. Everything about it looked secure, but, alas! it would not protect its contents against a cunning thief. But I saw that it must have been somebody who was somewhat acquainted with the interior of the secretary to have readily abstracted any of its contents without disturbing things, in the short space of time between the discovery of the loss and the fact of the presence of the money there, just a little before; for I had determined matters so far as to learn this point, namely, that the money had been taken from a purse in a certain drawer, and the purse itself left.

The money consisted of bank bills principally, with fifty dollars in gold—two tens and six five-dollar pieces. This drawer had a peculiar lock, a part of which turned around three times before the key could drive the bolt, so that the person unlocking it must have had time to study this, or had known it before. There was the outer key, too, the key of the secretary's doors. On inquiry, I found that this key was hung up on a little tack at the back of the secretary. It might almost as well have been left in the lock. The lock of the doors, too, was peculiar, and only the smallest of keys could open it, and it would have been difficult to pick. Probably somebody who knew where to find the key had opened it.

The result of my investigation was the conviction that some resident of the house, or some frequent visitor, had taken the money; so I asked Madame K. to call up the younger servant. The old one was beyond all possible suspicion; and I convinced myself that either the servant was guiltless, or that if guilty we could never prove her so, unless by chance we should find the money on her; so I had arranged, before her coming in, to be writing at a table, and while in conversation with her, of such a style that she could not possibly conceive that we had the

remotest suspicion of her, I asked her, in a careless way, to hand me some writing paper out of the desk, and the bungling mode in which she managed the key of that peculiar lock convinced me that she did not take the money, unless when the door had been carelessly left open; but Madame K. was very sure that she was never guilty of such carelessness, and I was disposed to accredit her self-judgment.

I took possession of everything in the drawer, a purse, some old papers, some letters; one letter particularly attracting my attention, a corner or strip of it having been torn off. I asked Madame K. about this torn letter. She could give me no information about it. It was a business letter written to her late husband, and dated back some three years. It was written in English, but by a German friend of the late Mr. K., residing then at Cincinnati, Ohio. There was the unmistakable German form of the letters; and I know not what should have “come over” me just then, for I am not a believer in the interference of intelligent spirits, and I fear I do not believe more than is necessary of ancient or modern “inspiration,” but I said to the widow,—

“Madame K., I feel as though we were going to find out, sooner or later, who took the money, and I hope we shall get the money back, too.”

Of course her eyes sparkled a little with sudden hope, excited by my confident manner of speaking, but they dropped before she replied,—

“But, sir, I dare not hope so, for the disappointment, if you should not find the money, would be worse than the loss original” for madame still transposed some of her English words according to her native idiom). “But you will be a vary *excee*-lent man if you do find it,” added she, with a most provoking smile of encouragement.

I searched the boarders’ and servants’ rooms, with madame, most thoroughly, but unavailingly, and told her she must keep quiet, and wait for some circumstance to develop itself which might put us on the right track; and that, meanwhile, I would trace out the patent roof-maker in his quarters in New York.

From something which madame told me, and from the fact of seeing an old, and pretty well worn pack of marked-back playing cards, and some other indications of a sporting man, I expected to find this fellow’s “work,” not so much *on* roofs as under them. But I found he had really an ostensible business, and had an office, —a very small one, —in which he had three or four little houses, of the size of small dog kennels, the roofs of which were covered with his patent composition, and he had also some four men at work; but he did not work much. He hardly took the trouble to supervise his men’s work, but charged so much a day for their time, and paid them less, living on the difference, and thus keeping up appearances, while he was trying to sell out his “right” to somebody who might be found stupid enough to give him as much as he paid for it.

I found that some of his associates were gamblers and other kinds of sporting men, and that he kept his best suit of clothes in a wardrobe at his office, and dressed more elegantly in New York than he did in Newark, where the clothes he wore were whole, neat, and good enough. This flashy dressing in New York not only suggested vanity, but some cunning, I thought, showing the man to be capable of some secrecy and diplomacy. I pursued my investigations into his

character, not only in New York, but in Ohio, where he was born, and raised. He came from the beautiful town of Dayton, and his parentage, and relationship there, were highly respectable. The young man's countenance was in his favor. He looked honest and good-hearted, and I found that he dealt with his men as he agreed. But he would be a sorry fool who should trust much to appearances in a large city like New York, where the greatest scoundrels are the most fascinating men and women.

But I confess my mind oscillated considerably between suspicions of this young man's guiltiness and the inclination to believe him innocent. I found he spent considerable money, and I found, too, where he sometimes made a good deal in gambling. He was one of those unfortunate beings who enjoy good luck enough, now and then, to constantly whet their hopes, and make their severest losses only prompters to more earnest trials of the "fickle goddess."

I continued to trace him back and forth between Newark and New York, which I was enabled to do almost daily, through the kindness of a friend who resided in Newark, and came daily to New York to his business. This man talked with him about the widow's loss, for which the young roof-maker expressed great regret; said Madame K. was a fine lady, worked hard, and he wished he was able to make up her loss to her in some way.

When asked if he suspected anybody, the poor music teacher in particular, he expressed himself as unwilling to suspect anybody, and declared that he could never believe the music teacher guilty, except under the most positive evidence. He was too simple a man, he said, to do anything of the sort; a man who had no bad habits to indulge, and one of that stamp whom the possession of eight hundred dollars, however he might have obtained it, would have driven crazy.

I managed to get entrance into the young man's office in New York, and make careful examination of everything there, such clothes as he had in the wardrobe, and everything else, even to a hollow cane, or walking-stick, in which, to my surprise, I found money—good money, but nothing corresponding with any of the bills lost by the widow, which were nearly all large ones, with a few small ones, — all the latter the issue of a Newark bank. Finding the money in this hollow cane made me suspicious of the man's general character. Why carry good money in such a "purse"? It would be a convenient thing to conceal counterfeit money in, I thought; and then I said to myself, "Why not good to keep stolen money in too?" and finally I answered, "Yes, and good money too;" for not one person in ten thousand would ever think to look in such a place for money. Besides, the young man's name was engraved upon the silver head of the cane, and that fact ought rather to ward off suspicion against him.

In these and like ways I was always fluctuating in my mind regarding the young roof-maker; and as I had pursued matters under the inspiration of my sympathy for the widow in her loss (with a slight prompting, I confess, on the score of her bewitching ways and her delicate beauty) quite beyond what I would have felt warranted in doing in another case under like circumstances; so I told the madame one day, when she called at my office, as she not infrequently did, that I thought we must give up the search; that probably nothing but the death-bed repentance of the thief would ever disclose who took the money, and that all had been done which could possibly be done, I thought, to ferret out the thief. It was easy for him to get the larger bills changed to

small ones in New York, and get the Newark money out of his hands, and as for the gold, there was no way to identify that; that either one of the boarders, or some visitor, had probably taken the money; and so much time having passed since it was taken, that we might as well expect the dead to rise that day in Greenwood as to expect to find the thief or the money.

At this madame burst into tears over the loss of the money, as I supposed, and I tried to calm her; but she wept quite frantically. I had never seen her before save in a calm, dignified state, and knew not what to make of it; but she said, —

“Not for the gone money, I weep, sir; but what you said of the dead in Greenwood: there are all mine.”

I had known that her children and husband were buried in an obscure quarter of Greenwood, but forgot that fact when I spoke, and stupidly made allusion to that cemetery. The madame’s tears re-strengthened my sympathy; and she told me a dream, too, which she had had three or four nights before, with such unction, that while I laughed in my sleeve at it, I could not, for the life of me, but express in my face believing astonishment. She said at the same time that she did not believe in dreams at all, yet this one was so startlingly realistic in its personages, localities, etc., that it seemed to her more a veritable history of facts than the shadowings of a disordered imagination in semi-sleep. The substance of the dream was, that I had been over to her house again, had made another search, and in the room occupied by the music teacher and the young roofer (for they occupied the same room, the largest in the little house, but had separate beds); and that while I was shaking some clothes belonging to one of them, she could not tell which, down fell a five dollar gold piece, and dropped on the carpet at a point exactly equidistant from the two beds, after rolling on the carpet in a small curve. Madame derided the dream while she told it, yet it evidently had made some impression on her mind; discovering which, together with my re-aroused sympathies for her over her widowhood and the loss of the money, I assured myself that I ought to make further trial, and thought I would revisit her house and make further search.

I did so two days afterwards, at my first leisure, and reviewed the whole affair there. In searching the roof-maker’s room again, which I did out of a sort of deference to the widow’s dream, but without the slightest expectation that I should find any clue to the thief, I came across a garment which I had not seen before, either in his closet there or in the wardrobe at his office in New York. It was an old vest, and, strange to say, madame did not remember to have ever seen the roof-maker wear it. Yet there it hung with his clothes. Perhaps it was the music teacher’s; but at any rate we, in a sort of listless way, examined it; finding nothing but a few cloves and spices in it, such as too many young men carry in their pockets in order to draw therefrom disguises of a bad liquor-smelling breath; and a crumpled piece of letter paper, quite black on one side, which I was inclined to throw aside; and I should have done so, except from my habit (rather than judgment, in this case) of examining everything.

Unfolding this, which proved to be a strip of nearly triangular form, about two and a half inches wide on the line of one “leg,” by four or five inches by the other “leg,” I noticed some letters and words on the piece. It was evidently a part of a letter torn off; and I reflected that I had seen writing of that same style somewhere, and turning up the left-hand upper corner of the piece, to

flatten it out more. I discovered the letters “ati,” upon it, and it flashed into my mind at once where that piece came from. I made no remark to the widow at this point, but told her we would now take the vest in charge, and go down and look into the secretary again. She withdrew from the drawer the letters and papers she had shown me on my first visit, and which I had charged her to keep safe, and I was not long in finding the proper letter (the one I have described heretofore), and adjusting the torn piece to it, it fitted exactly, and the rest of the word—Cincinnati—was added to the “ati,” and place of date; and then I called Madame K.’s attention to it. My conclusion was, that the thief had, in some way, by accident torn that letter at the time he took the money, and that somehow the piece had gotten into his pocket and he had forgotten it. But it was carefully folded, as I saw, when I essayed to fold it back to the shape I found it in.

While I was doing this, the widow exclaimed, —

“Why Mr.—, I remember all about it now. I tore the letter to get a piece to wrap up the two ten dollar gold pieces in;” and I saw it was just the fit size as folded. So we had traced the gold pieces into the roofer’s vest pocket; and all the rest was clear now. He was the thief. But how should we prove the vest to be his, if he should deny it? I did not wish to leave any loose place in the evidence, and I knew well enough that the roofer was “sharp,” and I began to conceive that he would not be easily caught. It would not do to speak to anybody in the house to inquire if he had been seen to wear that vest, for he might be innocent, and the widow did not wish any of her boarders to know that another one was suspected; but fortunately on the inside of the neck of the vest was a little piece of silk, on which, in imitation of needlework, was stamped the maker’s name, “H. Schneider, Merchant Tailor, 565 Sixth Avenue, N. Y.,” as I made it out with some difficulty. I rolled up the vest in a paper, bade the widow good afternoon, and informing her when she would probably see me next, left.

The next day found me at Mr. Schneider’s, the merchant tailor’s. He recognized the vest as having been made by him a year and a half before or so, and thought he could, after a while, think for whom he made it. He turned over his books of measurements or orders, to help revive his memory; meanwhile some of his “journs,” doing work at home, came in to return and take work, and he inquired of each of them if he made this. One of them remembered the work, and described the man for whom it was made, he having been put to the trouble of making an extra inside pocket. He described the man, and Mr. Schneider was at last able to remember his name, which was that of the roofer; and turning to his index found the name, and the order for the identical vest among other things.

I considered the evidence complete enough; and going to Newark next day, and providing myself with a local officer, then betook myself to the widow’s house, and there awaited the return of the young roofer. He came at an unusually late hour that night; and we called him into the parlor,—the madame, the officer, and I,—and I asked him first if that was his vest, showing it him.

“Yes,” he replied at once, “that’s my vest; but I haven’t seen it before in a good while; where did you get it?”

“Among your clothes in the closet, yesterday,” I replied; “and it’s of no use for us to make words about it. We are here to arrest you for stealing the madame’s money. We’ve traced out all

necessary evidence, traced the gold pieces into your pocket, and got the tell-tale piece of paper in our possession which you foolishly overlooked, but left in your vest pocket. We want to settle the matter now, as the madame needs the money more, perhaps, than the law needs you.”

The roofer looked at me with blank astonishment, and declared his innocence in a way which would have convinced all ordinary people. None but an old experienced officer could well have refused to believe the man innocent. But I told him it was of no use; that he would be arrested and tried if he did not settle; “and, you see,” I added, “that even if you were innocent you could not withstand the evidence we have against you, unless you could prove an absolute *alibi* on the day the money was taken; but, unfortunately for you on that head, we can show that you were here more hours than usual that day.”

He still persisted in declaring his innocence, and acted for all the world like the most innocent of men. I told him he was a capital actor already, and that, perhaps, it would prove the best thing which could possibly happen to him to be caught thus early in his career of crime. He grew apparently indignant; admitted that he gambled a good deal more than he ought to, but declared that he had never been guilty of crime of any sort, and never intended to be; and, said he,—

“I would not have the stigma of the suspicion fixed upon me for all the wealth of New York. It would kill my mother if she came to hear of it, and my father would disinherit me; and I am expecting a good fortune from him some day. I’ve got into bad habits enough; but I don’t drink at all, and I am guilty of no crimes.”

I reminded him of the cloves and spices we found in the vest pocket. He made strange of this, and said somebody else must have worn the vest; “that he had no occasion to disguise his breath; that he neither drank liquors, had a foul stomach, or decayed teeth; “and I confess” his mouth did look wondrously clean and wholesome.

But of course I was not to be caught with the chaff of protested innocence; and, finally seeing his situation, he thought best not to stand trial, but to settle up, and pay the widow (“under protest, however,” he said) for what she had lost, if we would agree to never mention his name in connection with the transaction, and if the widow would allow him to continue to board there for two or three months after she should report that she had finally found the money in another drawer. In that way the very fact of the theft would be concealed, and his reputation be uninjured.

We consented to all this; and as his money was in New York, he agreed to go home with me that night, and remain under arrest at my house, and raise the money the next day, I to accompany him to the bank.

He had some fifteen hundred dollars on deposit in the Chemical Bank, as it seemed, when we went there; that was his balance, and he had had some three or four thousand there as his original deposit. He paid over to me the eight hundred and forty dollars; and on my reminding him that the widow had had a great deal of trouble, and would have a large bill to pay for services, he petulantly asked, “How much?” and I said, “Suppose you make it nine hundred in all.” He handed me sixty dollars more, with an angry, nervous look; and said it was “a hard thing for an



entirely innocent man to be obliged to do; but the evidence looks very bad against me, or I would fight the case till I die." I smiled at him, as I was wont to smile at the guilty, who think to cheat one with words of protested innocence, and bade him good morning, and wended my way speedily to Newark, to report to the widow, and "settle up."

She insisted upon my taking just twice the sum I charged her, and was overjoyed at getting back her money, which she took care to put immediately in bank, and said she should never have any more money by her again than necessary for current expenses. She dreaded to have the roofer come back to board; but said she would abide by the bargain, and she did. He returned as usual that night. Everything went on as before. Madame announced, as was agreed, that the money had been found in another drawer (where, by the way, she, woman-like, insisted that it should be first put by me, in order that she might tell a "white lie" instead of a black one about it); and after the boarders had gratulated her upon her good fortune in finding the money, nothing more was said about the matter. The young roofer continued to board with her, according to the agreement, for some two months, and then left for quarters in New York.

His conduct at the house was perfectly exemplary: and when I saw the widow, on an occasion about a year after, she expressed her satisfaction at having taken no steps at law against him, for the theft, and said, that after all she sometimes would think, now and then, for a minute, that he was innocent; "but then, I think immediately, how absurd!" said she; "and I pity him; but I do believe he will be guilty never of such a crime again." She told me, too, that he had called on her two or three times during the year, and made her pleasant visits. Not a word passed between them about the money.

But the reader must not be over-surprised when I inform him, that about two years after the time I last spoke of above, I found in the examination of another case that the young roofer was, as he always had declared, entirely innocent of the theft, and that the Hungarian lawyer, one of the boarders, well knew that the roofer was innocent, and who was the guilty party, at the time he sent the widow to me. But this latter case has no special connection with the one I have here narrated, and I leave it for another time, stopping simply to say, that circumstantial evidence, while in its general character it is often more reliable than the oral testimony of living witnesses, who may be prejudiced or bribed, is nevertheless sometimes too strong, proves too much, and is liable to be misused. I have known several instances of this kind in my experience.

George S. McWatters, *Detectives Of Europe And America, Or Life In The Secret Service: A Selection Of Celebrated Cases*. Hartford: Burr, 1877 (848 pages).