

Leaf the Twenty-First
My First Brief
by John Williams

(A Leaf from a Lawyer's Notebook)

With the exception of medicine, there is no profession so difficult to obtain a footing in as law. It frequently happens that the best years of a young man's life are passed in some obscure street waiting for a stepping stone which is to lead him to professional honor, and what is more important still, put money in his purse. No one knows but those who have had stern experience for their mentor, all a young man has to go through before he can obtain a respectable position in this world of competition and cares. None but these can tell the heartsickness, a thousand times worse than any bodily ailment, which these strivers after reputation are obliged to suffer. But there is one satisfaction. With a steady purpose, sterling integrity, and unflinching perseverance, the day of fortune will come; it may be delayed—but come it eventually must, and then, when the end is gained—the struggles to attain it appear much less than they really were.

In 1846 I was admitted to the bar. I shall never forget my feelings of pride when I saw for the first time my name,

HENRY MELTON, *Attorney at Law*,

in gilt letters on a black label, nailed to the front of a dingy looking house in Chamber Street, in the city of New York. Know then, gentle reader, my offices were situated in that same house. They were two in number; the first being a kind of reception room, and the other my sanctum. I remember how the latter was furnished distinctly, although so many years have intervened since then. The principal articles of furniture were two large bookcases, containing my library—the lower shelves were filled with large books, bound in sheepskin and backed with a red title. The upper shelves contained works of a little lighter description, and if the truth must be told, the latter were taken down much oftener than the former.

Well, I seated myself at my desk the same day that the before mentioned shingle was exhibited outside, and expected that I should soon be overwhelmed with business, but I soon found myself deceived; day after day passed, and not a soul called. I was in despair, my small means were slowly oozing away, for, in spite of all my economy, I was obliged to eat.

Six months passed away and I had not a single client. One day I heard a ring at the bell, but I took no heed of it now; when I first occupied my offices such a peal as that would have caused me to pass my hand through my hair, straighten down my vest, and seize one of the pale, yellow-bound books with red titles—but I had been so often deceived, that I scarcely notice it now, or only expected my boy to enter stating “that a man wanted twenty-five cents for the Herald,” or some other demand upon my purse. What, then, was my surprise, when the boy opened the door, saying with a smile:

“If you please, sir, there's a lady wants to speak to you?”

I started, and was completely dumbfounded for a moment, but the boy looked at me with such a curious glance, which appeared to say “first client,” that I immediately recovered myself, and assuming all the dignity I could command, I told the boy to inform the lady that I should be disengaged in a few minutes.

Having arranged some paper on my desk, and taken down one of the aforesaid sheepskin bound volumes, I requested the lad to show the lady in.

Immediately afterwards she was ushered into the room. I had no opportunity of judging whether she was old or young, as she was closely veiled. It was evident she had recently suffered some loss in her family, for she was dressed in deep black. I invited her to be seated and placed myself in a listening attitude.

“Have I the pleasure of speaking to Mr. Melton?” she asked, in a musical voice.

I bowed affirmatively.

“I wish to consult you, sir,” she continued in the same clear voice, “on a matter which nearly concerns my happiness. I will at once lay the case before you for your opinion. I should first tell you my name is McLeod, Margaret McLeod—”

“McLeod!” I interrupted with a start. “Not any relation to the gentleman who last week was—” I hesitated to finish the sentence.

“Murdered you were about to say,” she continued. “Yes, sir, I am his daughter.” And she lifted her veil from her face as she said this, revealing features of unsurpassed loveliness.

I gazed with increased interest on my fair visitor, for the fact is, the murder of James McLeod had made a great noise. The papers had been filled with the details of it during the past week.

“You are aware,” continued Miss McLeod, “that a young man named Harvey Johnston, is arrested on suspicion of having committed the deed; but I *know* him to be innocent!”

“Indeed!” I returned, “how is that? Appearances are very much against him, if we can judge by newspaper reports.”

“I tell you he is innocent, innocent!” she exclaimed, bursting into a flood of tears. “Harvey could never have committed a crime like that! O, you don’t know him, sir, if you did, not the slightest shade of suspicion would remain on your mind for a moment.”

By the vehement tone in which she addressed me, I immediately penetrated her secret, that she was in love with Harvey Johnston. I gently hinted that such was the case to her; she delicately acknowledged it to be the truth.

I besought the young lady to lay the whole facts of the case before me as she knew them. This she proceeded to do, and the substance of her statement was as follows:

Mr. James McLeod was a retired merchant, living up town, as Bleeker street was then called. He was a widower, his family consisting of himself, his daughter—the only child he had—a middle-aged lady, who acted as a kind of governess, and two female servants.

Mr. McLeod was a very stern man, who never changed an opinion, and would be obeyed to the letter in his household. He scarcely ever smiled, but passed through the world unloving and unloved. It is true his only daughter, Margaret, sometimes appeared to soften him, but still he never seemed to regard her with the fondness of a parent. He was polite to her, and that was all. As for Margaret she loved her father as much as his cold nature would allow her; but never having received any token of love from him, it can scarcely be wondered that her affection was more a matter of duty than feeling.

Up to within a year of the date of this history, they had lived a very retired life, seeing little or no company. Their house in Bleecker street was a very large one, so they could only occupy a small portion of it, and I remember the impression of loneliness conveyed to my mind by Miss McLeod, when she was describing the uninhabited part of the house.

One day her father informed her that he had made an engagement for her and himself to spend the evening with a former partner of his. It was here she first met Harvey Johnston, and they were soon attached to each other. They became firm friends, and the friendship soon ripened into love. For a length of time they met clandestinely, Margaret not daring to make her father acquainted with her passion. At length Harvey persuaded her to allow him to make known his suit to Mr. McLeod. He did so, and met with an indignant refusal; in fact, Margaret's father had gone so far as to insult him, and forbid him from ever speaking to his daughter again. It is needless to say that his orders were disobeyed—the lovers corresponded and met as before. At last Margaret McLeod, made up her mind that if her father would not give his consent to her marriage, she would marry without it, but she wished Harvey to make one more effort.

This brings us down to the day of the murder. On that night Harvey paid Mr. McLeod a visit about nine o'clock in the evening—high words were heard to pass between them, and then there was a blank.

About eleven o'clock that same night a policeman was walking down Bleecker street, and discovering Mr. McLeod's front door open, he mounted the steps in order to close it, when he fancied he heard the noise of footsteps in the house. He entered and ascended the stairs. When he reached the front drawing room a terrible sight met his gaze. Mr. McLeod was lying all his length on the floor stone dead. A pool of blood was beside the body, as well as a knife with which the deed had evidently been committed, for it was proved upon examination that his throat had been cut from ear to ear. But the strangest part of the story was, that Harvey Johnston was discovered in the room with the murdered man. When the policeman first entered the room he discovered him groping round the walls, for the apartment was quite dark until the policeman brought his lantern. Of course Johnston was arrested, and the proof against him appeared overwhelming, for it was found that the knife with which the murder had been committed belonged to him. A coroner's jury was summoned and Harvey Johnston was committed to take

his trial at the ensuing assizes for the willful murder of Mr. McLeod, and everyone who read the details of the coroner's inquest appeared to be perfectly satisfied of his guilt.

Such was the substance of Miss McLeod's statement to me; of course in her relation she frequently wept, and made repeated assertions of her lover's innocence.

"Now, Mr. Melton," she added, as she concluded, "I want you to undertake his case—and for Heaven's sake do everything you can for him, for I confess to you that all my hopes of happiness in this world are wrapt up in him."

"But, my dear young lady, I am afraid his case is desperate. What is his explanation?"

"I have neither seen nor heard from him since his arrest, but I *feel* he is innocent."

"I am confident such evidence as that will be of but little avail to him in a court of justice; however, I will call and see him, and hear his statement; I will then let you know the result."

With a reiterated request that I should spare no expense, and promising to call the next day, the young lady took her leave.

The moment she had gone, I put on my hat and wended my way to the Tombs. After making my business known, I had no difficulty in obtaining access to the prisoner, and was immediately conducted to him. I found myself in the presence of a very fine young man about five and twenty years of age. He was possessed of a fine open countenance, and I sought in vain to discover the slightest indication of guilt in any one feature. All was placid and serene there. I made known my business to him, at the same time stating that I had been sent there by Miss McLeod.

"Poor girl!" exclaimed he, the moment I mentioned her name, "she believes in my innocence then. Yes, yes, I know it must be so, she knows me too well to suppose for a moment that I could be guilty of committing such a horrible deed!"

He paused an instant and hurriedly wiped away a tear, supposing that I did not notice him.

"I have now been incarcerated here for more than a week," he continued, after a pause, "and yet I cannot realize the fact, it appears like a hideous dream to me. I ask myself is it possible I can be arrested for *murder*? And for the murder of the father of my own dear girl! But no jury can bring me in guilty."

"Mr. Johnston," I replied, "truth compels me to state that the evidence against you is fearfully strong."

"Why, Mr. Melton, you surely do not believe me guilty of this hideous crime?" said he, his face flushing with indignation.

"Let me hear your statement," I replied, "and then I will answer your question. You are aware of the nature of the evidence against you. It can be summed up in a few words. A gentleman is

found murdered in his drawing room—a policeman enters the apartment and discovers you there alone with the murdered man—and the deed is found to be committed with your bowie knife, besides your clothes being sprinkled with the victim's blood.”

“Mr. Melton,” replied the prisoner, lifting up his hand to Heaven, “I swear before God that I knew nothing of the murder until the policeman entered the room with his lantern. The discovery of the horrid deed inspired me with as much surprise and terror as it did him.”

I looked at Johnston as he uttered these words, to see if he were not deranged. But no, his countenance was perfectly calm and collected.

“Explain yourself,” I exclaimed, “for the life of me, I cannot understand you. You appear to me to be speaking paradoxes.”

“I will give you a plain statement of what I know of the matter. You can form [your] own opinion as to how far I am implicated in it. On the night in question I went to pay Mr. McLeod a visit, in order to obtain if possible his consent to my marriage with his daughter Margaret.

“I found him in the front drawing room. I suppose it was about nine o'clock when I visited the house. Mr. McLeod received me very haughtily. I should say some months ago I had an interview with him on the same subject, which passed off anything but satisfactorily. The moment I broached the matter again to him he became very violent, and used very harsh language to me—at length my blood was up, and I believe I retorted in very strong words. I have no idea how long this interview lasted; it must have been some time however, for I felt it my duty enter into considerable explanation, and to free myself from various charges he brought against me. At last I took up my hat to go, and had already turned towards the door, when I felt a stifling sensation, and suddenly became senseless, and God is my witness that I am utterly ignorant of all that passed in the room after that. I only recovered my senses a few minutes before the policeman entered the room with a light. And this is all I know about the matter.”

While Johnston was making this explanation, I scrutinized his face closely, but could not detect the slightest appearance of deception in his features.

“But how do you account for the murder having been committed with your bowie knife?”

“It must have been taken from my pocket while I was insensible, for I acknowledge the knife is mine, and that I had been accustomed to carry it about me for one month past.”

“Have you any idea who could have committed the deed?” I inquired, after a pause.

“None in the world,” he replied; “it must have been some one from the outside, for there were none but women in the house.”

After a little further conversation on the matter, I took my departure, without giving him any decided opinion as to my belief in his innocence. When I reached my office, I seated myself in my easy chair, and pondered over the matter long and seriously. I was well aware that Johnston's

statement was an improbable one, and would of course have no weight in a court of justice; but there was something in his manner of telling it me—something in his frank, open countenance, which impressed me strongly in his favor, and after mature consideration I came to the conclusion that the statement might be true. But it is one thing to believe in a person's innocence, and another to prove it. The next question to be decided, was, if Johnston was innocent, who was the murderer? Here, I must confess, I was totally at fault, I had not the slightest clue to guide me. It appeared certain to me that none of the inhabitants of the house could have done it, for as I have before said, they consisted only of Miss McLeod, Miss Leroy, and an old maid who acted as a kind of governess to Margaret, and the two servant girls. I made up my mind that it must have been someone from without, and the door having been left open, favored the supposition. I began to invent a thousand different theories as to how the murder was effected, until my brain grew dizzy. The thought then entered my head to go and search the house where the deed had been committed, to see if I could discover any clue there. I immediately acted upon it, and in a few minutes found myself before the door of the late Mr. McLeod's residence.

It was a large, gloomy looking house, bearing anything but an inviting aspect, and just such a place as one would imagine to be the theatre of some dark deed. I knocked at the door, and requested to see Miss McLeod. I was immediately shown into a parlor, and in a few minutes she entered the room.

I then informed her as to the result of my interview with Harvey Johnston. I also told her that I believed in his innocence, but did not seek to disguise from her the fact that there was much to be done before we should be able to convince a jury such to be the case. I then requested permission to search the house. It was immediately granted.

My search did not amount to much. I noticed, however, one thing—the drawing room door was so situated that when anyone stood on the threshold of it he could not see a portion of it on account of the projecting fireplace. I was further satisfied that a person might easily have entered from without, and ascend the stairs. I was about leaving the house, when the thought struck me I had not examined Mr. McLeod's bedroom. I hastened to repair my forgetfulness. I found it to be an ordinary sized chamber, with nothing special in it except an old bureau, which immediately struck my attention from the fact of my father having possessed one exactly like it. I opened the top of it, and found that it contained two secret recesses like ours at home. I opened these recesses, and discovered one to be empty, the other contained a single paper, which proved to be an old letter, yellow with age. I felt justified in opening and reading it. It ran as follows:—

“ALBANY, N. Y., MAY 19, 1826.

“You have basely deserted me, and deceived me j all my burning love is now turned to bitter hatred; but do not imagine you shall escape me with impunity. By the living God, I swear to be revenged! I can wait for years,—ay, years, to accomplish my purpose! Think on it and tremble!
HELEN MORRIS.”

On the outside it bore the superscription, “Mr. McLeod, 52 Front Street, New York.” I read the letter over several times; it was to say the least of it, curious document, and I decided to keep it in my possession, not expecting that it would lead to any discovery—it appeared to be written

too long ago for that, and the chances were that Helen Morris was long ago summoned to her long, last home.

I returned home, weary and unsatisfied. For the next three weeks I made every possible exertion to clear up the mystery without the slightest success. The day of trial approached, and I had not discovered the slightest evidence to corroborate the prisoner's statement. Scarcely a day passed but Miss McLeod either called herself, or sent to know what progress I was making. I could give her but very slight hope of being able to save Harvey.

On the evening before the day fixed for the trial, I seated myself in my office, utterly dispirited and worn out. I had now no hope of being able to convince a jury of Johnston's innocence. I was well aware that his statement would be laughed at, and the only witnesses I could bring forward, would be as to character. I was miserable at the idea of bringing such a lame defense into court—and my first case, too.

I thought I would smoke a cigar, and try if it would have any effect in soothing my irritated nerves. I tore a piece from an old New York *Herald*, in order to light it, when by some strange circumstance, what, it is difficult to explain, the following advertisement among the "personals" caught my eye:

"If the lady who purchased the chloroform of Messrs. R. & C., apothecaries, 201 Broadway, will call upon the latter, she will have the purse restored to her which she left on the counter."

I snatched the other portion of the paper for the purpose of discovering the date, I found it to have been issued the very day after the murder.

To throw away my cigar, put on my hat and rush from the house, was the work of a moment. I had not far to go, and soon found myself in Messrs. R. & C.'s store.

"A lady bought some chloroform of you about two months ago?" said I to a gentlemanly looking clerk behind the counter.

"Yes, sir."

"She left a purse on the counter?"

"Yes, sir."

"Will you be good enough to inform me if she has never reclaimed that purse?"

"She has not, although we advertised it several days."

"Who served her with the chloroform?"

"I did."

“Did you notice her appearance?”

“She was quite elderly. I was surprised at her buying so much at a time; but she stated she wanted it for her husband, who is a physician, and so I let her have it.”

“Would you know her if you were to see her again?”

“I believe I should. I noticed that she wore a blue shawl with a red fringe—it struck me particularly because it had such an uncommon appearance.”

I could obtain no further information from the clerk, and returned to my office with even my last hopes swept away.

The next day I was in court early. I determined to do all I could for my client; but without the faintest hope of success. The case was soon called on, and the prosecuting attorney commenced his address; he stated to the court what he intended to prove, and as he recounted the fearful array of evidence against the prisoner, I could not help turning my eyes to the latter, and observed he stood perfectly aghast at the strong case made against him. Not a single event that had transpired during his intercourse with the McLeod family but was turned into the strongest evidence against him.

Miss McLeod was the first witness called. Her testimony made fearfully against the prisoner. She acknowledged there had been a violent quarrel between Harvey Johnson and her father some time previous, and that the former had been very much irritated by some epithets bestowed on him by Mr. McLeod, and had even vaguely threatened vengeance.

By the cross examination of the witness, I elicited the fact that the prisoner’s disposition was good, kind and amiable; but her anxiety to say as much as possible for her lover did him more harm than good. And when she descended from the stand, many reproachful glances were cast after her.

The two servants followed, and gave much the same evidence as Miss McLeod. I declined to cross-examine them. Witnesses were then called to fix the ownership of the knife on the prisoner at the bar. I elicited nothing on cross-examination; and it was the same with the policeman who first discovered the murder.

The governess, Julia Leroy, was next called on the stand. For a moment or two she did not reply to her name, it had to be repeated two or three times. At length she made her appearance, and ascended to the witness-box. The moment I cast my eyes upon her I saw some thing which made my ears tingle, and sent the blood coursing like fire through my veins; but I had sufficient command over myself to say nothing.

“Miss Leroy,” said the prosecuting attorney, “you, I believe, were a friend of the deceased, and lived in the same house with him?”

“Yes, sir.”

“You opened the door for the prisoner at the bar on the night of the murder?”

“I did.”

“Relate what passed.”

“I showed Mr. Johnston into the front drawing room where Mr. McLeod was sitting, and I returned to the back drawing room, where I was at work, sewing, when the prisoner rang the bell. The two drawing rooms are only separated by folding doors, so I could hear nearly all that passed. Mr. McLeod and the prisoner soon got to high words—and I heard the former call the latter a ‘villain’ and a ‘scoundrel.’ Mr. Johnston retaliated, and swore he would be revenged on him on some future day. And then their voices lowered, and I could not make out what they were talking about. I went to bed at ten o’clock, leaving them still in the room together, and was roused about half past eleven by the intelligence that Mr. McLeod had been murdered. This is all I know about the matter.”

“I suppose the counsel for the prisoner will not cross-examine this witness,” said the district attorney, seating himself, “this, your honor, closes the case for the prosecution.”

“Stay,” said I, rising, “I wish to ask the witness a few questions, if she has no objections.”

The witness, who had already descended from the box, took her place again on the stand.

“Madam,” said I, “you are unmarried, I believe?”

“I am.”

“What is your name?”

“Julia Leroy.”

“Would you have any objection to write it down for me on this piece of paper?”

“None at all,” she replied, doing as I had requested, and handing back the paper to me. I glanced at it and placed it before me.

“Miss Leroy,” I exclaimed, slowly, “I am about to ask you rather an ungallant question, but you must forgive it. Will you be good enough to tell the court your age?”

She hesitated a moment, and then replied:

“Certainly, I am forty-five next birthday.”

“Thank you,” I returned. “Will you be good enough to answer the next question as explicitly—have you ever had any use for chloroform?”

She turned fearfully pale, and for a moment or two made no reply—at last, she said:

“I appeal to the court if I am to answer such stupid questions?”

“It appears to me,” said the worthy judge, “that the cross examination is entirely extraneous to the matter in question, but of course if the counsel insists, the witness must answer the questions he propounds.”

“I reiterate my question,” I replied, quietly, “do you ever use chloroform?”

“I do use it occasionally for the tooth-ache,” was the sullen rejoinder.

“Now, madam, listen to me, and answer the question distinctly. Did you, or did you not purchase four ounces of chloroform on the day of the murder, at Messrs. R. & C.’s drug store, Broadway?”

The witness reeled in the box, and had to support herself by catching hold of the side of it. She turned as pale as death, and could not speak for more than a minute. I kept my eyes fixed on her as if I would read her very soul. She partially recovered herself and replied in a firm voice:

“Well, I did buy four ounces of chloroform on the day mentioned—and what then?”

“I simply wanted to know, that is all.”

“Very well, I have answered your question. Have you anything more to ask me?”

“Yes—were you ever known by any other name than Julia Leroy?”

The woman glared at me and made no reply.

“I insist on an answer,” I continued.

“No,” she replied boldly, summoning up all her courage.

“Now, madam, answer me,” I replied in a stern voice, “did you not live in Albany in 1826 and was not your name then Helen Morris? it is no use your denying the fact, for I know all,” I added.

She gave one shriek, and exclaimed in a heart rending voice:

“Yes—I acknowledge it—I committed the deed—I am guilty! I am guilty!” And then she fainted away.

An indescribable scene of confusion took place in court. Harvey Johnston was remanded, and the witness, Julia Leroy, was taken into custody.

The fact is, the moment she had entered the box I knew I stood in the presence of Mr. McLeod's murderer, for she wore *a blue shawl with a red fringe*. The true facts of the case passed through my mind like lightning, and I immediately divined that this Julia Leroy was no other than Helen Morris, and after she had written her name, I was certain that such was the case. Why such an idea should have entered my head, I know not, it appeared to be inspiration.

That same night Julia Leroy made a confession. It appeared when she was a girl, Mr. McLeod had become acquainted with her, and by his wily arts effected her ruin. She lived with him some time, and then he deserted her, and it was then she wrote the letter I had found in his bedroom. From that time she lived only to accomplish her purpose, and after a lapse of some years, obtained an introduction into his family. She waited for twenty years, until a favorable opportunity occurred to put her scheme into execution. At length the time seemed come. She obtained a supply of chloroform, and first rendered Harvey Johnston insensible by its influence, and before Mr. McLeod had time to give the alarm, she took away his life in the manner before referred to by means of a bowie knife, which had fallen from Johnston's pocket, as he fell. She used the latter weapon in preference to the one with which she had provided herself, as being more likely to fix suspicion on the young man.

In one month she was found guilty, and only saved herself from an ignominious death by taking poison.

About three months after the events described, Harvey Johnston and Margaret McLeod were married, and I have reason to know that they have lived happily ever since. As for myself, this case was a stepping-stone to renown, and amid all the favors of fortune with which I am now surrounded, I always regard the hand of Providence in the success I experienced with MY FIRST CASE.

Leaves from the Note Book of a New York Detective: The Private Record of J. B. Ed. John Williams. Hartford: J. B. Burr, 1865.