

The Wife's Evidence

“HAVE you heard of the accident that has befallen poor old Mr. Goldsworthy?” asked my wife in a hurried, trembling way, the moment I entered the house, one bitterly-cold snowy evening in winter.

“Not I! what accident?” was my somewhat sour ungracious rejoinder; the wind and snow that had been blowing in my teeth for the last three or four hours as I sat perched upon the box seat of the Chelmsford coach, having given an unusually keen edge to both my temper and appetite.

“He fell or threw himself last night from the folding doors of the loft leading from his bedroom on the third floor of his house, in Newman Passage, Newman Street, Oxford Road, into the paved court below, and must have been killed on the spot,” replied my wife, partly reading from a newspaper in her hand.

“God bless me, how dreadful!” I exclaimed, thoroughly interested spite of my eagerness for dinner. “His strange habit of walking in his sleep has then, as we feared, resulted fatally at last!”

“So the paper doubtfully hints,” replied my wife, still with the same odd quivering of lips, eyes, and voice; “but you know it was Charlotte’s care that not only the door spoken of, but her father’s bedroom window should be securely fastened after he had retired to bed, either by herself or her husband. Ah! there is his knock again! Goodness me how I tremble,” she added, turning pale as death, and, it seemed, scarcely able to stand. “He has been here twice before!”

“Whose knock?” I hastily demanded, for my wife’s evident panic partially affected me; “and who has been here twice before?”

“Charlotte’s husband, Richard Warren, to request your presence at the inquest to be holden tomorrow morning—ha!—Good God!”

I was not surprised at this last exclamation of apprehensive astonishment, for the face which peered doubtfully in at the partially-opened door, was that of a corpse, in its mortal pallor, to which the dark terror-gleaming eyes and black dishevelled hair, dripping with snow moisture, gave a frightful intensity.

Before I could speak, Richard Warren, perceiving that only my wife and I were present, pushed wide the door, staggered in, and dropped helplessly upon the nearest chair.

“What in the name of heaven is the matter, Richard?” I said at last, finding that the ashy lips moved not, although the white face and haggard eyes were bent upon mine with eager questioning he strove mightily to answer, I could see, but the overpowering agitation under which he convulsively laboured, choked his words, and a gurgling, inarticulate murmur only surged through his lips. My wife, with readier presence of mind, though more alarmed than myself, poured out a tumbler of brandy, which Warren eagerly seized, although his shaking hands could hardly carry it to his mouth.

It seemed to steady his nerves somewhat, and presently he said in a low, palpitating voice, "I—I wish you to attend the inquest tomorrow morning."

"On whose behalf—your's? Why, what on earth ails the man?"

A slight tap at the door by our little stump of a servant maid, who wished to know if my dinner was to be brought in, produced such a violent start, that the tumbler fell from his nerveless grasp, and was smashed to bits on the floor, whilst the long-drawn groan-like breath which followed the girl's entrance testified alike to the greatness of the relief, and the previous terrible dread that he had felt.

"One word, Robert," he, after a few moments of unquiet silence, again murmured; "One word: Charlotte, my wife, has you know been ill,—she is mad!"

"Mad! your wife mad!"

"Yes—she must be so. And tell me, is—is a wife's evidence admissible, even supposing she were deemed sane, against—: Merciful God—they are come!—have, as I suspected—dreaded—dogged, tracked me hither!"

A light, single knock at the street door occasioned this wild off-break, and Warren awaited what might follow in an agony of paralysing fear. He was not long kept in suspense. A whispered sentence addressed to the girl who opened the door, was succeeded by hasty footsteps on the stairs, and before you could count ten, Townshend, the officer, accompanied by Lipscombe, abruptly entered the room. Warren started back, looked wildly round as if in search of some outlet for escape—saw none, and would, I think, have fallen, but for the iron grasp of the officers, in which he was immediately seized. It is useless attempting to depict the distress and confusion attendant upon such an incident as this; suffice it to say that it was not till some time after Lipscombe had gone for a coach, that I comprehended, and then dimly only, from the officer's curt *sotto voce* answers, that Richard Warren was grievously suspected of having robbed his father-in-law,—and, detected by the old man in the act,—of hurling him after a fierce struggle from the loft doors into the court below! "But for his wife's asseverations, which cannot, however, be made legally available, I doubt that—But here is the coach," added Townshend, in his usual, business-like, peremptory tone. "Now, sir, if you please, at once, and without any bother!"

Their prisoner was hurried away without further preface, and I had barely sufficient readiness of mind to say in answer to his mute, but piteous appeal, that I would not fail to be present at the inquest on the morrow. A minute afterwards I felt an impulse to follow, shake him by the hand, and whisper a few words of hope and confidence in an all-seeing, over-ruling Providence; so quickly did the testimony of his blameless life,—his placid equanimity of temper under many and sore trials,—his unobtrusive piety weigh down the presumptive evidence of guilt, which a serious accusation of so frightful a nature, must under almost any circumstances, suggest; but he was gone before my tardy purpose could be effected.

My wife and I were so utterly confounded by what had occurred, that it was a long time before we could reason coherently upon the subject, or advise as to what should be done. That Richard Warren, of all men in the world, should be accused of such a crime was, we both heartily agreed, marvellous,—incredible. He and I were born in the same parish; I had never lost sight of him from his boyhood, and knew that he had ever been a dutiful son, an attached husband, and an honest industrious citizen,—though not one with whom the world had gone smoothly. His trade was that of a herald painter; that is, he painted arms and devices upon coach panels; and when he came to London, had found employment at the Messrs. Houlditch's establishment, in Long Acre. He saved a considerable sum from his earnings, and was thereby emboldened to marry Charlotte Goldsworthy,—an amiable, intelligent young woman, and to furnish a house at Hampstead, with a view to increase his income by letting furnished apartments. This latter speculation proved more difficult of successful accomplishment than he had imagined, as I well knew, from having been consulted by him relative to several debt-difficulties, in which, from the furniture having cost much more than was anticipated, he had become temporarily involved. To this hard struggle to save himself from being pushed to the wall by one or two impatient creditors, I attribute the great error he committed in not insuring his property,—every shilling being, as it were, of vital importance in the uphill game he had to play. The neglect, however occasioned, was a fatal one. He had let his first floor to a disabled veteran, who had served in the Peninsular war. This gentleman, on the night of the illumination for the victory of Vittoria, not only had his windows let up in very profuse style, but drank so many bumpers in gratulation of the triumph of Wellington and his army, that on retiring to bed, he contrived—instead of extinguishing the candles as he intended—to set fire to the window and bedcurtains; and so swiftly did the flames gain head, that before efficient assistance arrived, the house was a mass of fire, and poor Warren's furniture, save a few articles, utterly consumed! This was a cruel blow in itself, and greatly aggravated by the falling of a blazing beam upon the unfortunate proprietor's right arm, whilst he was strenuously engaged in endeavouring to rescue some portion of his entire worldly substance from the flames. He became, in consequence, an inmate of Middlesex Hospital for between two and three months; and when discharged "cured," found that his right hand had irretrievably lost the cunning which had enabled him to gain high wages as a herald painter, and that nothing was left to him but a chance of earning an existence in the much-worse-paid calling of an ordinary coach painter. Even in this lower mechanical walk, the accident he had met with prevented him from acquiring quickness, or more than a barely average skill, and he was sinking rapidly lower and lower in the world, when his father-in-law, Bartholomew Goldsworthy, came very unexpectedly forward to the rescue, and it seemed probable that Richard Warren might even yet attain to a comfortable niche in the world's great market galleries.

Bartholomew Goldsworthy was an odd, wayward, eccentric kind of mortal,—exceedingly deaf, half blind, a cripple in his arms, and, moreover, addicted in his latter years to a growing habit of talking aloud to himself, unconscious apparently of the presence of others, and of walking in his dreaming sleep. In fact, his failing mind dwelt continually day and night—and every hour of the day and night—upon one idea,—that of his hoards, and the means whereby they might be added to, to the exclusion of all other thoughts, passions, or desires, except love for his daughter Charlotte, which one saw from time to time gleam through the thick crust of worldliness that enveloped his whole life. I doubt that her union with Richard Warren ever had his hearty approbation, and I always thought, oddly as it may sound after what I have just written of his affection for his daughter, that his determining motive in consenting to her marriage was, that her

going away to another home would necessarily relieve him from the cost of her maintenance,—a seeming paradox, no doubt, but scarcely more so than to grudge one's *self*, as the Goldworthy class of men invariably do, the food and clothing essential to one's *own* existence. This penurious old man possessed considerable house property in Goodge Street, Tottenham Court Road and contiguous localities, and was himself domiciled in a roomy, tumbledown house of his own, in Newman Passage, Newman Street. He now proposed that Warren and his wife should have apartments therein, free of charge, and further suggested, that as he had all the upper part of a large light workshop in the same court untenanted, his son-in-law might set up business there as coach painter to the trade.

The offer was gladly accepted by Warren and his wife, and I was told that matters were beginning to wear a brighter aspect with them. Charlotte's affectionate and untiring ministrations to her father's daily-increasing infirmities, gradually softening, as there could be little doubt they would, the old man's flinty miserliness, though not yet to the extent, much as his daughter pressed him upon the point, of effectually assisting Richard Warren with money in his business. Goldsworthy's propensity to dream-walking had, I knew, increased with years, and but a few months previous to his untimely end, he had been caught deliberately unfastening, in the dead of night, the very folding doors through which he had now fallen, or been hurled, They were always afterwards carefully secured at night, as well as every other aperture through or out of which he might by possibility fall in his frequent sleep wanderings. Sometimes his bedroom door was locked on the outside, but to this precaution he himself strongly objected from a nervous dread of fire.

This brief summary of our acquaintance with and knowledge of Richard Warren, will sufficiently account for the concern and consternation with which his arrest on a charge of murder overwhelmed us both. Mrs. Warren had been not long before confined of a stillborn child; milk fever had, we knew, been apprehended; and after much dismal cogitation on the subject, we dimly concluded that some wild expressions uttered by the wife in her frenzy, aggravated, it might likely enough be, by an unguarded communication of her father's dreadful death, had led to the apprehension of her husband.

I did not sleep much that night, and my first business in the morning was to see Mr. M'Intyre, solicitor, of Southampton Buildings, and engage his services in behalf of Richard Warren. I then strode on towards Newman Street, with a double purpose in my mind;—one, to obtain, if possible, an interview with Mrs. Warren,—the other to get myself, as I knew how, called upon the inquest. I found not only Newman Passage, but the immediate neighbourhood crowded with gossips and idlers of both sexes, all eagerly commenting on the numerous exaggerated and varying rumours afloat, relative to the cause of Bartholomew Goldsworthy's death, but all mainly agreeing in this,—that but for some revelation of the wife of Richard Warren, no suspicion of foul play would in all probability have been entertained. I could not obtain speech of Mrs. Warren; no one for some very peremptory reason, it appeared, being permitted access to her, except a nurse and medical attendant. I had no difficulty, however, in getting myself placed on the jury, which on the arrival of the bustling coroner, who was not more than half an hour behind his time, entered forthwith upon its functions.

The body was viewed according to precedent in such cases, and as far as I could see, exhibited no external marks of injury that might not have been caused by the fall from such a height upon the granite paving of the courtyard. The coroner, however, and one or two of the initiated amongst the jury, looked serenely solemn and mysterious; and as soon as we were settled on our chairs in the room selected for the jury's accommodation, and some trifling evidence had been adduced, the coroner directed Charlotte Warren to be summoned. Mr. M'Intyre objected instantly to such a course being taken. "If," as he understood the case, "that person's husband was accused of the murder—if, indeed, which he, Mr. M'Intyre, much doubted, any murder had taken place—his wife could not be permitted to give evidence which might affect him, favourably or otherwise."

The coroner replied that Richard Warren was detained as a measure of precaution only, and that, although if sent to trial on a capital or other charge, whatever his wife might say could not be used against him; yet in that court of unfettered inquiry as to the cause of the death of the deceased Bartholomew Goldsworthy, they had a right, and were indeed bound, to hear everybody likely to throw light upon the matter. A coroner's court was essentially an open one—*et cetera*. This was legally correct enough; the order to bring forward Mrs. Warren was repeated, and after a delay of about ten minutes, she was supported into the room by a nurse and assistant, and seated in a chair almost in a fainting state, and looking as pale and convulsively agitated as her husband on the previous evening at my house. It seemed a great cruelty to force her at such a time, and under such circumstances, to confront the rude scrutiny of an inquest room, but the coroner was obviously bent upon the point; and after a short pause the examination proceeded. Richard Warren, I should state, was not present, the coroner not deeming his presence essential in the present stage of inquiry. A whispered caution from him a minute or two previous to Mrs. Warren's entrance, informed me, moreover, that she was ignorant of her husband being in custody. The statement, elicited with much difficulty, from Mrs. Warren, was in substance, this: "On the previous evening she had found herself much better, and her husband about nine o'clock left her to proceed something more than a mile beyond Hampstead, on particular business. About eleven o'clock the nurse went home, promising not to be gone more than an hour. Mrs. Warren supposed she must have been some time asleep afterwards, when she was awoken by a noise of struggling and half-stifled cries in the adjoining bedroom—her father's. Starting up in bed, she drew a curtain from before a small window in the partition which looked into Mr. Goldsworthy's room, and saw by the dim, uncertain moonlight, her father, in his nightdress, struggling in the grasp of a man. She was so terrified, so panic-stricken, that although she strove with all her might to call for assistance, she could not do so, and remembered nothing more till restored to consciousness by the nurse, a little before one o'clock."

There was a dead silence for a few minutes after Mrs. Warren ceased speaking, broken by the coroner who after whispering with Townshend, said in his mildest tones,— "You noticed the dress, I believe, Mrs. Warren,—the coat, at least, which the man you saw struggling with your father wore?"

How shall I describe the sudden, flashing change that passed over the wife's pale features upon hearing this question? It seemed that an unseen dagger struck her, or that a serpent-memory or suspicion had been awakened by it into life. In a moment she had hidden her face in her outspread palms, whilst a convulsive shuddering visibly passed through and shook her frame.

Mr. M'Intyre again essayed to interpose, but was peremptorily silenced by the coroner, who tartly reminded him that he had no right to speak, save by courtesy, or as a witness in that court. He had no *locus standi* furthermore, his client, if he had one, not being formally before them.

Having thus delivered himself, the coroner proceeded with his inquisition, mildly as before. "You told the nurse, I hear, Mrs. Warren, during the first agitated moments that followed your restoration to consciousness, that the robber and assassin wore a light brown greatcoat, with large pearl buttons,—the same kind of coat, in fact," added the coroner, in a tone subdued involuntarily by the terrible suggestion his words conveyed, "the same kind of coat, in fact, that your husband usually wears?"

The convulsive tremor by which the wretched wife was shaken, as if with a paroxysm of ague, increased in violence, but no words replied to the coroner's question. "Nay," persisted that functionary, "you have been heard, when no doubt fancying no one was within earshot, to directly and vehemently accuse your husband to his face of being the assassin of—"

"It could not be!" screamed the wife distractedly, and springing from the chair to her feet; "It is false; or, if true, I must have been crazed—mad!—Oh God!"—She had fainted, and was immediately carried out of the room in a state of rigid insensibility.

Dr. Henslop, of Newman Street, remarked, that although there had been at one time apprehension of fever in Mrs. Warren's case, he was quite sure her mind had never been in the slightest degree affected. The next witness was Martha Riddel, the nurse; she had returned to Newman Court at about a quarter to one, having been detained at home longer than she intended. Just as she reached Mr. Goldsworthy's door, she noticed the shadow of a man, as she thought, in Mr. Warren's workshop, passing quickly about, and now and then stooping down; once she thought there were *two* persons in the loft, but on looking more attentively, concluded that the dim moonlight had deceived her; she wondered rather that Mr. Warren, who she knew had gone to Hampstead should be in his workshop at that time of night, and thought she would mention it to Mrs. Warren, whom, on entering the house, which she did with a latchkey, and proceeding upstairs to her bedroom, she found lying across the bed, fainted away. Upon coming to herself, she seemed to be for some minutes in a kind of distracted maze, and told witness, first that a man in her husband's coat,—then that her husband himself,—had, she was sure, robbed and murdered her father. Witness then gave the alarm, just upon which Mr. Warren himself came hurrying upstairs, looking, witness thought, very pale and scared. She was sure he had on the light brown greatcoat he generally wore. Mrs. Warren fainted away again at the sight of her husband, and the house was soon afterwards filled with people. In reply to Mr. M'Intyre, who, by the way, had obtained a brief interview with Richard Warren, she said that the greatcoat was always hanging up in the passage when not worn by Mr. Warren; that the street door opened with a very common sort of latchkey, and that Purfleet and his journeyman, who were packing-case makers, and worked in the lower part of Mr. Warren's workshop, were quite familiar with the house and its ways. She certainly had thought at one time that she saw the shadows of *two* men crossing to and fro, and stooping down, in the upper floor of the workshop, but had come to the conclusion that she must have been mistaken. Mr. Goldsworthy's bureau, she further deposed, as well as a large tin box, kept in his bedroom, had been wrenched open, and all the gold and silver they contained,

supposed to be a large sum, carried off. She further added, that the key of the loft door was, she believed, generally carried by Mr. Warren in his coat pocket.

Townshend gave the finishing stroke to this evidence. In the tightened grasp of the deceased he had found a small piece of light brown cloth, matching precisely with a rent in Richard Warren's greatcoat, and torn off, as he, Townshend, supposed, if what had been stated was true, in the death-struggle. He had also discovered about ten pounds in gold and silver concealed under the floor of Richard Warren's workshop, but the amount carried away, he was bound to add, was known to exceed five hundred pounds.

This was more than sufficient, and the inquest was adjourned to the next day, when Richard Warren would be present, and the evidence be read over and subscribed,—a needless ceremony, like the presence of the accused at these altogether *ex-parte* proceedings. Richard Warren's statement in explanation did not in the least mend his position. He had gone to a friend living beyond Hampstead to borrow a sum of money for a pressing occasion, but judging, on arriving there, from the closed shutters, and the absence of lights, that his friend had retired with his family to bed, he refrained from disturbing him, and returned home empty-handed as he went. He had neglected to take his greatcoat with him, but on re-entering his home, and seeing it hang up as usual in the passage, he had slipped it on, as he knew his wife would be vexed if she knew he had gone out on such a bitter night without it. It was easy to see that neither the coroner nor one of the jury,—keen, far-scanning, astute gentlemen all of them,—believed a word of this simple story, and a verdict of "Wilful Murder" against Richard Warren was quickly returned by a majority of seventeen to one, that one being myself, much, I could see, to the disgust, amongst others, of my facile friend the beadle, to whose kindness I was indebted for my place in the jury.

The inquest verdict, would, I doubted not, be ratified by the Old Bailey jury. The wife's evidence and reported expressions had been printed and enlarged upon in every newspaper in the metropolis; and however gravely the judge might warn the jurors to banish from their minds all they had previously heard,—which they could about as easily do as banish their own identity from their minds,—would, I was quite certain, insure Richard Warren's conviction, if the evidence that could be legally adduced at the trial were of the faintest, flimsiest kind,—which, however, it was not by any means, as will have been readily seen.

Still there were many weak as well as favourably suggestive points about the evidence, even to those who, not knowing the accused as I did, could not examine it by the light of his pure and blameless life and character. Where, in the time, could he have effectually concealed the large sum in gold and silver that had been carried off? The ten pounds that had been discovered was obviously a plant, and the *two* figure shadows which the woman Riddel had, I felt convinced, seen,—to whom could they point but to Purfleet and his man, who were both familiar with the ways of Goldsworthy's house, intimate with Warren, and had access by a common door to his workshop? Mr. M'Intyre coincided perfectly in my opinion, and Mrs. Warren, who was half distracted with grief, remorse, and dread, being enabled by her father's will, bequeathing all his estate, real and personal, to her exclusively, to furnish us with ample funds, Townshend's services were specially engaged, and other springs carefully set to ensnare and convict the real murderer or murderers.

No positive result was, however, for a long time obtained, and the Old Bailey Session was already unpleasantly near, when Townshend suggested, as a last resource, that a reward of 200*l.* should be advertised for the discovery of the perpetrator of the crime, payable to any accomplice in the deed except the actual murderer, and roundly promising, though of course not in his Majesty's name, impunity, under the prescribed conditions to the informer. "This may perhaps," said Townshend, cause that Jenkins, Master Purfleet's journeyman, who has so suddenly vanished, to turn up; and, at all events, it is worth trying."

It was tried, and bore fruit with magical celerity. The bills had not been posted twelve hours when Townshend's agents apprised him that Purfleet was selling his trade-stock for anything he could get for it, evidently with the intention to bolt. A closer watch than ever was kept upon the fellow's motions, who, on the evening of the third day from the issue of the menacing advertisement, booked himself by the Plymouth night coach as an inside passenger, and was accompanied to that ancient seaport by a remarkably civil gentleman of the name of Lipscombe. A fleet was in the Sound, ready to sail under convoy with the first favourable wind, one of which, the "Jacintha," was bound for Halifax, in British America. James Dixon, *alias* Thomas Purfleet, secured a passage on board the "Jacintha," and a few hours afterwards a shift of wind set all the blue-peters in the fleet flying, and the first signal-cannon from the commodore gave warning of speedy departure.

"O, these are your packages, are they?" said Lipscombe, as James Dixon hurriedly unloaded them from a barrow on the quay, preparatory to their being hoisted into the boat waiting to take him on board the "Jacintha," "I wondered where the deuce you had hidden them, friend Dixon,—or Nix'em,—which is it, eh? or might not the name of *Thomas Purfleet* suit you as well, or better?"

The villain seemed turned into stone as by the stroke of an enchanter's wand, as the officer's words of doom smote upon his ear: presently the thick perspiration oozed through his clammy forehead; his knees smote each other, and his quick, gasping breath barely enabled him to articulate, in an accent of utter despair, "I see it all now, and that I am a dead man! This is Jenkins's doing!"

"Perhaps so; but this packet of valuables would, I think, do for you without *his* aid. Come along! it is always at the last pinch, you know, that the devil deserts his mates; now then!"

Instead of Richard Warren, Thomas Purfleet and Isaac Jenkins were tried at the ensuing Old Bailey sessions for the murder of Bartholomew Goldsworthy, found guilty, and sentenced to be hanged. Purfleet underwent the extreme penalty; but the judgment to die passed upon Jenkins was commuted to transportation for life. Mr. and Mrs. Warren still live in comparative affluence, and have a numerous family, grandchildren included. Richard Warren told me, for perhaps the hundredth time, the other day, that after the first hour or so of panic he never for an instant doubted of a true deliverance, a confidence which in all cases, I grieve to say, has not been so happily realized.

From *Leaves from the Diary of a Law-Clerk* by the Author of "Recollections of a Detective Police Officer," &c. London: J.C. Brown & Co., 1857.