

The Missing Glove

by A Retired Lawyer

The Criminal Term of the Middle County Court had just commenced, and I had my full share of engagements for the month; no less than a dozen cases of greater or minor importance having accumulated upon the docket, in which I had accepted retainers, and which, for various reasons, had been postponed from time to time up to the present Session.

With this complement of prospective business before me, I was really indisposed to engage in any fresh cause. The briefs in the cases mentioned, and upon which I had been pre-engaged, had all been duly prepared with the aid of my senior law-partner, the authorities had been consulted and appropriately noted, and I was ready to leave my office, one morning, on the way to the court room, when a gentle knocking at the door aroused me from a temporary reverie into which I had relapsed.

“Come in,” I said, mechanically, and a youthful female, richly but modestly attired, entered the apartment where I was seated, alone.

Her manner and address were sufficiently graceful to arrest courteous attention, though there was a palpable hesitation in her efforts to conceal her identity—or, perhaps, what she deemed any unnecessary details regarding her mission. A thick veil hung over her face, and I had no idea whether she was comely or plain. Young, I quickly felt assured she was, from the tone of her voice and the earnest bearing and subject of her words. And, though I could not but experience an earnest desire to see her features, yet so dignified and reserved was her whole demeanor, and she so plainly wished to avoid being known, or recognized, I did not overstep the barrier she evidently intended, from the outset, to place between us.

“My business with you,” she said, in a low, but earnest tone, “will be very brief, Mr. H. Your legal repute is publicly appreciated. You are in attendance upon the present term of the Criminal Court, I am informed.”

“Yes, madam.”

“A friend of mine,” she added, with much feeling, “a young man in whom I am deeply interested, was arrested five days ago, and stands charged with having robbed his employer of a considerable sum of money. His trial is set down for today. He is innocent, sir. He never committed the robbery. But he has very few friends, and needs able counsel in his present unfortunate dilemma. I desire to engage your services in his behalf, and I wish it distinctly understood that no one may know, save ourselves, that I have called upon you in this delicate mission, which you, I am sure, will appreciate without further hint on this point.”

As she finished this sentence, she laid a one hundred dollar note on the desk before me, as a voluntary retainer, and said, "Will you defend my friend?"

I was already fully engaged, but there was a singular novelty in the case now brought to my notice, and I determined immediately to undertake the defense of the young lady's "friend," of whom, up to the moment of our present interview, I had heard nothing whatever.

"He is charged with purloining money, you say?" I asked, as I laid the hundred dollar note aside.

"Yes, sir."

"What is his name?"

"Mordant, sir. Robert Mordant."

"A young man?"

"Three and twenty, sir. I repeat it, he is innocent."

"You have *proof* in readiness, then, to substantiate his innocence," I inquired, earnestly.

"No, sir; I know nothing of the circumstances—absolutely nothing. Still, I am sure he never committed the robbery he stands charged with."

I was disappointed at this reply, for I saw at once that the young lady's good opinion of her friend had alone induced this wholesale assertion. Upon further inquiry, I ascertained that the case was a difficult one to meet, inasmuch as circumstances bore heavily against Mordant, who simply denied the charge, but could in no natural way account for the suspicions which had caused his arrest, and which very plainly pointed towards his guilt.

I assured my visitor that I would respect the confidence she had tendered, and that I would give the case my earnest attention. As she rose to go, she said:

"I will repeat, sir, that Mordant has very few friends, and no ready means. Your charges will be liberally and honorably met, however. But for God's sake, sir, do not neglect him!"

"You may rely on my best endeavors, madam," I replied, encouragingly. "He will be brought up today, you say?"

"Yes, sir."

"I shall be there, and will look after him."

“You will not mention our interview?” she urged.

“I comprehend you, madam.”

“Good morning, sir. I shall wait on you again,” she said.

And ten minutes afterward, I sat at my table within the bar of the Criminal Court.

The Judge who presided at the present term was a man of excellent qualities, whose only fault (if fault it be in a judicial officer) was a natural kindness of heart that full often, in the opinion of the government attorney, at least, leaned to the side of the unlucky prisoner who chanced to be arraigned before him, and whose constant custom was the allowance to the culprit of the largest possible lenity, and the widest chances for defense—it defense he had—on all occasions.

Two or three unimportant cases were called, and postponed for cause, when the clerk called:

“Robert Mordant!”

A neatly dressed young man rose quickly in the prisoner’s dock, and looked calmly upon the court and the clerk, while a low whisper ran around the bar and through the room, in reference to the youth’s pleasant appearance, and the crime with which he was charged.

“Robert Mordant,” repeated the clerk, “hearken to an indictment found against you by the jurors for the Middle County of this State, and returned, duly attested, by said jurors, to the honorable Court now in session, in said County, for the consideration of Criminal business,” etc., etc.

The slightest possible shade of emotion passed over the young man’s face, perceptible only to those who were nearest to him, and who watched him carefully, while the indictment was being read, in form; and then he was called upon to plead. In a clear manly tone, he answered “not guilty,” and sat down, awaiting the farther customary proceedings, with deep interest, but with singular calmness and decorum.

Immediately upon his responding to the indictment, I approached the dock where he sat.

“Have you counsel?” inquired the court.

“I appear for him, if your honor please,” I answered. And I extended my hand toward Mordant, whom I had never seen before.

He grasped my hand warmly, and said: ‘you are very kind, sir. I am innocent, innocent—so help me God!’”

“Briefly, Mordant,” I asked him, “what are the circumstances of your case?”

“I can answer nothing,” he said. “I know nothing, except that I was arrested a week ago, charged with robbing my employer of a thousand dollars. The most of the money was found in a corner of the mattress upon which I slept. I was forced away to prison, and here I am—at their mercy.”

I saw that the “general issue” was only to be met and combated, and I resumed my seat near the prosecuting Attorney with many misgivings; though I did feel that if Mordant were guilty, in the whole course of my legal experience I had never met with one who so palpably seemed, to my vision, to be innocent and apparently honest. Still, appearances are too often very deceptive.

Young Mordant had been in the service of the house of Emerson Bangs, for some six years, during which time he had made himself a favorite with his employer—so much so, that the wealthy old gentleman had invited him to his own residence, often, and had evinced an extraordinary interest and confidence in him, while he omitted these social favors and compliments to the two elder clerks in his counting-room, who had long been jealous of the attentions alone paid by Mr. Bangs to the junior bookkeeper. He had also found favor in the eyes of another personage resident with Mr. B., and in whose welfare that eminent merchant took a very deep concern. This last named individual was the only daughter of Emerson Bangs, the distinguished financier who had been robbed of a thousand dollars, in bank notes, which bank notes had been entrusted to young Mordant’s care, which he had had in his possession on the day the money was missed, and which had been traced directly to Mordant’s mattress, where the officer who arrested him found it concealed!

Here were circumstances that told fearfully against my new client. Besides this, Mordant roomed alone, and carried his key with him when he left his lodgings. His apartment was locked and unlocked by himself, and even *he* deemed the whole proceeding inexplicable, as well as astounding, upon its face.

If he had not himself carried the money to its hiding place, who had done it? And how—or when? No one had access to his chamber, that he could think of. He knew the jealousy that existed towards him, on the part of his two associate and senior clerks, but he could not imagine that either of them would go so far as to thus compass his ruin. If they had, how did they get into his apartment? How did they come possessed of the money, too—which was also under his own private lock, in the counting-house, when last he saw it?

The government Attorney stated his case briefly to the court and jury aninadverting not over-strongly upon the enormity of the crime alleged, but calling attention to the simple facts that the youth now arraigned had been confided in by his employer, implicitly; that he had evidently been tempted to abuse that confidence; that he had plainly robbed him; and he expressed his profound regrets that one so young, and whose prospects in life appeared so promising, should thus at once so impose upon his liberal employer and friend, and forever dash away the fortune which already seemed within his very grasp, through such inexcusable and ungrateful cupidity and treachery.

He informed the jury that he was prepared to prove that the money had been lost by Mr. Bangs; that it was last in the custody of the prisoner; that it was missed, and when called for, the defendant confusedly answered that he knew nothing of its whereabouts; that officers had been put upon the search, and most of the identical bank notes had been found by them, concealed within the casing of the very mattress upon which Mordant slept! And finally that the accused had simply protested his innocence of the theft, but could explain in no way how the money came in his own private room, or when it had been conveyed there.

The witnesses against Mordant called by the District Attorney were sworn. They were Burton and Ames, his fellow clerks, Mr. Bangs, his employer, and the officer who found the money.

While Mr. Bangs was making his simple statement regarding his loss, and identifying the money which was produced in Court, I took the opportunity to speak aside with the officer as to the facts connected with Mordant's arrest—how he appeared, what he said, etc., and I learned from him but little except that when he discovered the bills in the mattress, he saw *a black kid glove* near the head of the bed, which he removed with the money, and had retained since in his own private possession.

“Where is that glove?” I asked, quickly.

“Here,” said the officer, drawing it from his breast coat pocket.

It was a plain glove, with the French maker's name stamped upon the inside, at the wrist. I examined it, and as the thought struck me, I said “keep this out of sight, and do not mention the fact of your having found it, until I call upon you. It may serve this young man materially—and justice will thus be attained, if I am not mistaken in my estimation of the merits of this singular case.”

The officer replaced the glove in his pocket, and the cause proceeded. The testimony of Mr. Bangs was given amidst unfeigned grief, and only affirmed his loss of the money he had placed in Mordant's custody. He was profuse in his commendations of the prisoner, during my cross-examination, and he left the stand evidently hoping that his evidence had done his favorite clerk no harm, even if he were guilty.

Burton was called, and testified that the money was last in Mordant's hands. Ames was then put upon the witness stand, and he corroborated Burton, as to the possession of the thousand dollars, by Mordant. When I turned to cross-examine this witness, I looked him straight in the eye, and I fancied that I discovered an uneasiness there—an evidently concealed wish that the case might be concluded, or that he was out of it altogether.

“Mr. Ames,” I said, “you are a fellow clerk with Mordant, are you not?”

“I have been,” he said gruffly.

“Yes. Are there any duplicate keys to his private safe?”

“Not that I know of, sir.”

“Have you ever had occasion to open his room?”

“Never.”

“You board in the same house—eh?”

“Yes, sir.”

“You are often in his chamber?”

“Yes—when he has been present, only.”

“Will you oblige me by exhibiting to the Court and the jury the gloves you wear?” I asked, without any apparent concern or effort.

“Certainly,” he replied, putting his hand into his coat pocket, and producing a single glove, and then searching for the other—which he could not find.

“Here is one of them, sir. I do not find the other,” he added, without the slightest faltering or embarrassment.

I laid the glove upon the table before me.

“Now, Mr. Ames—if you please, one more—let me ask you, on your oath, sir, have you never had access to Mordant’s room in his absence?”

“Never, sir.”

“Nor to his safe?”

“Never.”

“When did you last have these gloves on your hands?”

“Today—yesterday—every day for a week, sir,” he answered, emphatically, and without qualification.

“You are certain of this?”

“Quite certain, sir. I wear them constantly.”

“When was Mordant arrested?”

“Near a week ago?”

“When the money was found by the officer, concealed in Mordant’s mattress, Mr. Ames, was there anything else discovered there, to your knowledge?”

“Nothing, that I have heard of, sir.”

Turning to the officer, I asked him to give me the odd glove he had found, and preserved after the arrest. And placing it on the bar, before the witness, I asked him:

“Do you know that, Mr. Ames?”

“Yes, sir,” he replied, with the least possible hesitancy.

“What is it?”

“It is my missing glove.”

“Are you sure of it?”

“O, yes,” he added, smiling—“I cannot mistake it. There lies its fellow, on the table before you.”

“That is all, sir,” I remarked, quietly. “You may step down.”

The last witness called was the officer. He swore very clearly to the details of the arrest, and stated how and where he had found the money, in Mordant’s room, etc. He also described the appearance of the prisoner when talking, asserting that he was deeply confused and could give no account of the affair in any way.

Upon the cross-examination, I asked him:

“Mr. Officer, you say you found the money in Mordant’s mattress?”

“I did, sir—seven hundred of it.”

“Who suggested the idea of looking there for it?”

“No one, sir. That is, no one suggested the *mattress*. But Mr. Ames, who was just now on the stand, hinted that it would be well to search Mordant’s *apartment*.”

“Exactly. Then Mr. Ames advised you to do it?”

“He advised searching the room, the trunk, and so forth, of Mr. Mordant, in a general way.”

“Yes. Now, officer,” I added earnestly, producing the glove which Ames had missed, (and which he swore he had had upon his hand the day before—and every day, since the arrest) “do you recognize this glove?”

“I do, sir.”

“What is its late history?”

“I brought it in to Court, this morning, sir.”

“How long have you had it in your possession?”

“Since the night of Mordant’s arrest.”

“Constantly?”

“Yes, sir; since eleven o’clock that evening.”

“Then Mr. Ames has *not* had this glove, for a week?”

“That is simply impossible, sir, since it has been in my pocket all that time, certain.”

“Now, sir, state to the Court and jury where you found the glove!”

“Well, sir, I first saw that glove *under the edge of the mattress, where I found the money concealed*; and I took it away with me when I removed the seven hundred dollars.”

“And it has not been out of your possession since?”

“Never, until I laid it on the table here, in Court.”

“That is all,” I said calmly.

“We rest here,” said the Government attorney, not a little disconcerted at this unexpected point, apparently so providentially made.

However, the District Attorney argued his case with great ability, and so far as all the circumstances—save that of the missing glove—were concerned, everything, certainly, bore strongly against my youthful client.

I rose to address the Court and jury with feelings of sincere interest in my client’s behalf, for I now felt assured that he was innocent; but I also felt that I had a weak case; unless

the extraordinary fact regarding the mysteriously discovered glove should have struck the minds of the jury, as it had my own.

The Government Attorney had touched upon this point, briefly, and argued that Ames' glove might have been accidentally dropped in Mordant's room—where he often called. It might even have been placed there by Mordant, himself! who was bad enough to do this, if he were bad enough to commit the robbery, of course. As to the discrepancy between Ames' and the officer's testimony, the former might have forgotten that his glove was not in his own possession. (Such was *not* his own sworn declaration, however?)

With all the power of language I possessed, I appealed to the jury in Mordant's behalf, and asserted what was fact, to wit: that this was a case of simple circumstantial evidence against him.

The charge of His Honor to the jury was highly favorable to *my* theory. The jury retired. They were absent a long while— full ten minutes! And ten minutes is a long while, when one is waiting to hear the fiat that shall send him forth, in such a case, to liberty or to a dungeon!

The door opened and the jury returned. The clerk asked:

“Mr. Foreman, have you agreed?”

“We have.”

“What say you, is Robert Mordant, guilty, or not guilty?”

“NOT GUILTY!” said the Foreman.

Mordant was immediately discharged, and as he stepped out of the dock, he said to me:

“I am innocent, sir, of this charge, and it will yet be substantiated,” he continued, and we stepped from the door out upon the walk.

A handsome carriage stood near the portal of the Court-house, and as we emerged from the hall, I saw a little white hand beckoning me, or Mordant, I knew not which, and as we advanced to the window of the vehicle, I recognized, by her dress, the young lady who had called upon me in the morning, to engage my services in the young man's defense. Her veil still covered her face, but I knew her voice as she exclaimed:

“Robert! Robert!” and thrust the carriage door open.

The young man sprang into the vehicle, and pressed the form of the girl to his heart, passionately, as she hastily exclaimed to the driver, “home, Morris!” and the prancing horses hurled the carriage away from the further observation of the crowd.

The vehicle halted before the door of an elegant house, in the fashionable part of town, and Mordant handed the lady out, and up the steps. Upon the silver-plate on the door of this fine residence, appeared the name of BANGS. The young lady was his daughter. The old gentleman was at home, awaiting the result. All three were deeply agitated, but very happy when they finally met together, and the verdict was made known.

“Innocent, father!” exclaimed the fair girl, enthusiastically. “Innocent, as I always declared he was, from the moment the vile accusation was made known.”

Mr. Bangs congratulated his favorite clerk upon the verdict, and referred at once to the point of evidence concerning Ames’ glove, found in his chamber.

“That is significant of itself,” said Mordant, quietly. “But what has become of the three hundred dollars, still undiscovered, of the ten hundred you placed in my charge, Mr. Bangs?”

“I do not know or care,” said Bangs. “I am satisfied that you are the victim, in this outrage, and not the thief.”

“But, *I* care about it, sir, and it must be found,” responded Mordant, with emphasis.

“And how will you find it, pray?” inquired the old gentleman, doubtfully.

“If it can not be otherwise accomplished, Ames shall be arrested,” said Mordant. “He will then have the opportunity, at least, to explain the missing glove matter, about which, at any rate he testified falsely today.”

And Mordant forthwith followed up his plan with reference to Ames, whom he strongly suspected of having caused him all this trouble and peril.

He repaired at once to the counting-house of Mr. Bangs, in company with his employer, and boldly charged Ames with having obtained access to his private safe, and with having secreted the seven hundred dollars beneath his pillow with ulterior designs.

Ames was dogged and uncommunicative, and could give no explanation whatever regarding his lost glove. But, being pressed by Mr. Bangs, he expressed his willingness to resign his position in that gentleman’s service, since he had evidently lost confidence in him. Farther than this nothing could be got from him.

“Go, then,” said Mr. Bangs, warmly. “I *have* lost all confidence in you, and I firmly believe you are the cause of this trouble,” and Ames left the house of Emerson Bangs in disgrace.

Three years afterwards the affair of the robbery was forgotten, and young Mordant then had been nearly ten years in Mr. Bangs’ employ. He had for a long time been the

accepted suitor of Miss B., and one day I rather unexpectedly received an invitation to be present at the wedding of my former client, with the daughter of the wealthy merchant, who had called on me so modestly on the morning of the well-remembered trial, to solicit my services in her lover's behalf.

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