

From the London Keepsake for 1832

*Circumstantial Evidence*

A Tale

by G. P. R. James Esq.

In the reign of an ancient king of Great Britain, whose name was George, and who consequently is supposed to have flourished on this side, both of the Conquest by the Norman William and the Reformation of our Church, under the renowned British Bluebird, Henry the Wifekiller; and about the period at which the British stage coach first sprung into existence, under the form and condition of a snail, and the title of a diligence, there appeared, by the highway, which ran along the southern coast of England, and led to that spot with an awful name, still called the Dand's End,—a solitary public house, with a little circular piece of ground before it, and an apple orchard thickly planted with trees behind it: beyond which, again, was a place called The Garden; though, it must be acknowledged, that those who did call it so were very courteous and liberal in their epithets. Everyone who has seen Mount Edgecumbe knows well that the most luxuriant vegetation of which it is possible to imagine, can be produced at the very verge of old ocean's reign: but no such pains as are there bestowed had been given the vegetable kingdom of the garden of which I speak, and a scanty array of cabbages, turnips, and carrots, was all that the spot of ground could boast. Even that was looked upon in those days all but miraculous, considering that the garden crept to the very edge of the cliff which overhung the sea; and Neptune, as if indignant at the presumption of the thing, would come angrily up to the very bottom of the bank at high water during all seasons of the year, but, when he got choleric in the spring and autumn, would bestow a buffet with his trident upon the cliff itself, which swept away, from time to time, a row of cabbages or a bed of onions, together with the soil in which they were planted. The house itself had an aspect somewhat gloomy, and its gables were turned towards the road, the entrance being reached by a step, not up but down.

The face of the landlord was a merry face and a gay one; but with all that he was a prudent man, took care that his wit should go as far as it would, made one joke serve many customers, had a loud laugh to answer any question, that he did not choose to give a more definite reply to, eked out his meaning by a knowing look, which is not tangible to the fangs of the law, and always spoke well of the justice of the peace. His wife looked as if she could have been a Quaker: he was an Anabaptist, however, and it is supposed, or at least was supposed by the people in the neighborhood, that the beer in that house turned more rapidly sour than in any in the country.

It was a nasty, squally, rainy afternoon; and the diligence was winding slowly along upon the aforesaid road, at the average pace of three miles and a half an hour; while the rain kept beating in at various points of the crazy and ill-contrived vehicle, when one traveler in the inside said to another—

“Forty miles more, Frederick—forty miles more.”

“Aye,” said the other, “and this snail of a machine goes on as if it never intended to arrive at the end of the journey.”

“While your heart flies on with the wings of love,” replied the first who spoke “and yet cannot reach Mary’s feet any faster than the diligence.”

The two gentlemen who thus conversed were the sole tenants of the machine, and they were both young men of five or six-and-twenty years of age. The one who was called Frederick, and whose name was, moreover, Prevot, was by far the handsomer of the two, and upon the whole a very good looking man, though there was a certain grave and anxious look about his countenance which those who loved him—and his friend sister Mary was one of those who loved him most—called deeply interesting; what those who did not love him pronounced to be gloomy and sullen. Sullen he was not, for his was, in truth, a very quick and impetuous nature; but he had a strong imagination, and was by no means addicted to over bright hopes. After his friend had spoken, he remained silent for a minute or two and then said— “Well, Willy, when will the diligence arrive after all?”

“Not till this time tomorrow,” replied his companion, laughing.

“Nonsense, William Gore,” said Frederick: “you do not mean to say that the wretched thing will take four and twenty hours to go forty miles?”

“Why it stops at a little inn a mile or two farther,” replied William Gore, “for eight hours to sleep, as it is called, and you may think yourself very lucky if you do the rest of the journey in sixteen hours more.”

Frederick Prevot bit his lip, and said: “Cannot we get a chaise?”

“Not in such a night as this,” replied his companion. “Besides, there is none to be had here. However, in consideration of your lover-like anxiety, I’ll tell you what we will do. We will sleep here this night; have a good bottle of Burgundy if it can be procured; let our things follow by the diligence; hire two horses, and in five hours we shall be at home.”

This was all agreed to by his companion, although, to say the truth, Frederick, if he had had his own will, would have mounted a horse as soon as he got to the inn, and ridden on at full speed towards the end of his journey. By this time it was beginning to grow dusk, so that he would have had a darksome ride; it was raining as hard as it could pour, so that he would have had a cold one, and he himself was already extremely tired; so that everything seemed to show that, though contrary to his own inclination, his stay the inn would be for his benefit.

On arriving at the place of public reception we have described, the travelers made known their purpose, both to the driver of the diligence and to the landlord of the inn. The first of these two personages, as he intended to charge full price for the whole way, cared very little whether they went on with him or not. The landlord, on his part, vowed that he could give the travelers the best of everything; but that the gentlemen must put up with a large double bedded room, as every other room in the place was occupied. Frederick said, that he hoped that it was at the back, as they should be out of the way of all the noise and disturbance which was even going on in the front. This the landlord declared was quite impossible; there was but one room that they could

have, and that was in front. It was a capital room, however, he said, large and roomy; and they were consequently obliged to make up their minds to their fate.

As to the food set before them, the landlord kept his word. The dinner was most excellent, and though either Claret or Burgundy was an unknown commodity in the place, yet mine host declared that he had some Port of a very superior quality, some Madeira which had made more voyages round the world than Cook and Anson together, and some brandy, which also had been as much improved by travelling as any peer's son in the realm.

A crackling fire of dry wood, cheerful lights, though they were but tallow candles, some excellent fish, some game, for it was now autumn, with broiled fowl, and other accompaniments of the sort, greatly cheered the travelers; and although the landlord could procure no wine except Port, which proved of a very doubtful and unpleasant character, and a portion of which might well be suspected of growing upon English hedges, rather than in Portuguese vineyards, he offered to bring forth rum of such as he had never tasted before, in their days. That was an age in which punch was considered as one of the most urbane and polished of all beverages; the travelers willingly agreed to betake themselves to the bowl, and the rum produced by the landlord even exceeded his promise in excellence, and made both the travelers marvel at finding anything so excellent in a country inn. They were deep in their potations, when the landlord entered with the coachman of the diligence, who, knowing that the travelers did not intend to go on with him, now appeared to demand his fare. Both put their hands in their pockets, and William Gore speedily settled his own part of the charge. Frederick Prevot, however, felt in his pockets in vain; he drew out a number of letters and papers, and then said, with a laugh, "Lend me some money, William, I must have left my pocketbook in my portmanteau."

After affecting for a moment to refuse so as to make his companion somewhat angry, William Gore gave the money that was wanted, and they went on with their supper. —The lender ate and drank more than the borrower, and towards ten o'clock they retired to rest in the double-bedded room which the landlord had mentioned. Frederick Prevot had one quality, which is not very unusual with quick and impetuous men, he slept, when he was asleep, like a stone, though it was often long after his head touched the pillow, ere slumber visited his eyes. It was thus on the night which I have mentioned; for an hour or more he lay awake listening to all the noises of the inn, and there were many, but after that he fell into a sleep which seemed as sound as death itself.

We must now take up a new personage in the drama, and speak of the Boots of the inn, who, at an early hour of the following morning, went to the door of the travelers' room to awake them, as he had been told. —At first he modestly knocked, but no answer being returned, he went in and opened the window shutters. What was his surprise, however, to find the bed next to the windows, in which William Gore had slept, if the poor wretch, indeed, had been allowed to sleep at all, now vacant, though sadly tossed and tumbled about the pillow and bed-clothes deluged in gore, and all the signs, in fact, of some terrible act having been committed.

The Boots looked around the room, and in to the other bed; and then quitting the chamber in haste, told the landlord what he had beheld. The landlord, the landlady, the chambermaid, and the ostler, all instantly rushed towards the stairs, but the landlord stopped the progress of the ostler, by sending him immediately for a constable and a neighboring justice. The rest of the

party then returned with the Boots to the double bedded room, where they had found everything as Boots had described, and, moreover, discovered that the towel and basin which Frederick Prevot had used the night before were stained with blood; and, on peeping into the bed, where he lay sound asleep, his face and pillow were found to be slightly bloody, while his right hand and arm, which was stretched out above the bed clothes, had a good deal of blood upon the fingers and upon the shirt. The landlord wisely determined not to wake him till the constable came, in the meantime further perquisitions were made. The stairs were covered with drops of gore; traces of the same kind were met with all the way through the garden to the top of the bank above the sea; footsteps were seen deeply sunk in the plushy ground, as if a man heavily had passed along; and in some places long trailing marks were found, which might very well have been produced by a person dragging along a dead body to throw it into the sea below. At length the constable arrived: Frederick Prevot was awakened with difficulty, and gazed round with astonishment, which, if feigned, was certainly very well put on. That look of astonishment changed to the indignation on being charged with murder of his friend, and he had well-nigh knocked down the man who had made the accusation, but he refrained; and what was his horror, on rising and dressing himself, as he was told to do, the pocket book of William Gore, marked a bloody thumb and finger, was found under his pillow!

Were we to follow the fashion of the day, we should dwell upon this examination before the magistrates, and his trial before a jury of his country; but for the sake of being singular, or rather, perhaps, of going a step even beyond our contemporaries, we will pass over all the painful incidents of his trial, and dwell upon the still more painful incidents of his execution. Yes, reader, upon his execution; for the chain of circumstantial evidence was so strong, that the additional facts which came out on the trial, namely, that he had no money on the preceding night to pay the coachman, that the pocket-book which he had pretended was in his portmanteau could not be discovered there, and that the chamber-maid had heard a man go out and come in, were quite sufficient to convince the jury of his guilt. Not a doubt, indeed, remained but one, and that was the sister of the murdered man, the promised bride of him who was about to end his days on the scaffold. *She* did not believe him guilty: she knew well she had loved him long, and it would have taken evidence ten times more strong, even to have raised a doubt in her mind. She openly and boldly declared her conviction of his innocence: she visited him in prison; she took leave of him with tenderness and devotion; she consoled him with reiterated assurances that she was as certain of his innocence as of her own.

The fatal morning dawned at length, as it was then the custom to execute persons condemned for murder in chains, and as near the spot where the deed had been committed as possible, the sentence of Frederick Prevot declared that he was to be hung in chains upon the moor, about half a mile from the inn where he had passed that inauspicious night. The prison in which he had been confined was at some distance and though the time appointed for execution was early in the day, the gazing spectators, who had assembled to witness the agony and death of a fellow-creature, were disappointed for some hours of that pleasant pastime by various accidents and misadventures which took place, and interrupted the march of the sad procession from the far-off county town.

It seemed as if nature opposed herself to the hanging of an innocent man. The cart in which, loaded with heavy irons, and seated upon straw, he was drawn towards the moor, broke down at

the end of the first five miles, and it took a long time to repair it. It was then discovered that the man who had undertaken the terrible office of executioner, and who, notwithstanding certain savage propensities of his nature which led him that way, was so much of a novice as to be nervous and uneasy, had slipped off secretly; nor was it till [a] long search had been made, that he was found, drinking large draughts of spirits in a public-house. He was then placed in the same cart with the prisoner, and march recommended; but some way farther on, in going up a very steep hill, the horse that drew the cart fell down dead in the harness, and a new delay took place while another horse was sent for. Thus the agony of that terrible journey was prolonged to poor Frederick Prevot for many hours, and his frame, worn with imprisonment, with struggle of hope and fear, with indignation, anguish, and despair, seemed ready to sink under the protracted suffering thus inflicted upon him, and many of those who accompanied the procession seriously thought that he would die before he reached the foot of the gallows. The clergyman who went with him to afford him spiritual consolation, was of that opinion, and mentioned it to the Sheriff, who rode by the side of the cart on horseback, adding that the prisoner had tasted no food that day.

The Sheriff was a kind-hearted man, and instantly approaching the prisoner, he said, "You seem faint, sir; will you take a little wine at that public house, or some brandy, or anything that you like?"

"Sir," replied Frederick, "I will take nothing that can prolong my misery, even for a moment." and again he sank into silence.

During the rest of the journey, the clergyman spoke to him from time to time, chiefly for the purpose of giving him what comfort he could; but at length approaching the moor, and the dark line of the gallows was seen rising in the evening air, the good man, in a low tone, urged Frederick earnestly to confess the crime. The young prisoner turned slowly round upon him, and said, "Would you have me die with a lie in my mouth? I am innocent! and my innocence will someday be proved!"

Soon after this, the fatal spot was reached, and as it was now beginning to grow twilight, all the rest of the terrible proceedings were hurried as much as possible. Frederick Prevot showed firmness and readiness in all, and more strength than people had believed he possessed. Though the crowd, which had been there from the morning, was somewhat diminished, the numbers were still considerable, and while the executioner was in the act of adjusting the rope, the prisoner turned to the people, and said in a loud, clear voice, "Remember, every one of you, that to the very last moment of my life, and with the very last breath, I declare that I am innocent! Now," he continued, turning to the hangman, "is all ready?"

"Yes, sir," replied the man, drawing the cap over his face; and without waiting for any further word, Frederick Prevot threw himself violently off the ladder, and remained suspended between heaven and earth.

A low murmur ran through the people, and it was a sad one too, for there was something in the manner of his death which shook the conviction even of those who had previously felt more sure

of his guilt. Some indeed, went away, saying that he had died game, but the great majority of the multitude separated with a feeling that, on that moor, an innocent man had just been murdered.

Such was the conviction of a shepherd, an elderly man, who fed the flock of a neighboring squire, the lord of the manor; and when he went home, he gave his wife an account of the whole proceedings, adding, "They may say what they like, but I am very sure that poor gentleman did not kill the other one, and I should not wonder if the truth were not found out some day."

As was usual with this old man, in the very grey of the dawning of the following day, he led forth his sheep to pasture, and the feelings he had experienced on the preceding night, naturally made him turn his steps towards the gallows on the moor. — Though it was a terrible sight, to see the body of a human being hanging there, loaded with heavy chains, yet the old man felt an interest in all that had occurred, which made him pause and look up. In the meantime, the sheep began to take a wrong direction and he called to his dog to turn them back. — What was his surprise, however, when he heard a faint voice which seemed to come from the gibbet, inquire, "Is there anybody there?" and then add, "For God's sake! take me down, or end my life, for this is very dreadful."

The voice evidently came from the man who had been hanged, although the cap, which was still over his face, prevented the shepherd from seeing his lips move. At first, the old man had started with terror and nearly sunk to the earth, but now his natural exclamation was, "Good Heavens! are you not dead yet?"

"No," replied the voice, "nor even hurt, except by remaining so many hours here. — The rope does not press upon my neck at all, and somehow I am hanging by my legs and my arms."

"Stay, stay," cried the shepherd eagerly, "I will get a ladder and take you down; but do not speak to anyone else, for fear they should hang you again."

Thus saying, the old shepherd ran faster than he had ran for thirty years, to a detached barn and brick-yard at a short distance, in which were lying several thatching ladders. Taking the largest of these, he was speedily at the foot of the gibbet, and had soon placed the feet of poor Frederick Prevot firm upon one of the rounds of the ladder. It was now very evident how he had escaped death. The hangman, both inexperienced and half drunk, had twisted the rope round the chains in such a manner that the noose never slipped at all, and the lateness of the hour at which the sentence was executed, prevented the mistake from being perceived by others. The very suddenness of the spring which Frederick had given, had entangled the cord more strongly than ever in the chains, and as the last strong exertion which he made had exhausted, for the time all his remaining corporeal powers, he fainted before he himself perceived that the anticipated death was warded off for the moment.

The shepherd went skillfully, though cautiously, to work to set him free. He first cut the cord that pinioned his hand and having thus enabled him to grasp the ladder firmly, he cut the noose from round his neck, and hastened to descend, leaving room for Frederick to follow. The poor young man, however, was so feeble, and so stiff, that it was with the greatest difficulty he crept down, and even then could not support himself upon his feet, thought the poor shepherd was in great

agitation and terror lest anyone should come up, as the sun was now fully risen. For Frederick to reach his cottage quickly, was quite out of the question; and as the best thing he could do for him, the old man supported him to a little hollow on the moor, filled with tall heath, and hid from any much frequented path. There he made him lie down, covered him over as well as he could, and hastened home to get some hot milk and other restoratives, such as he thought best calculated to give him strength to complete his escape. His efforts were fully successful; Frederick recovered sufficiently to reach the old man's cottage as soon as it was dark, and under cover of the subsequent night, he made his way towards the dwelling of her who was now weeping him as dead, and lost to her forever. The disappearance of the body from the gallows excited some conversation, but small surprise. Many people said that the corpse had gone to the anatomists, and the chains to the old iron shop; others, again, declared that the friends of the criminal had carried off the body to bury him; but no one entertained a suspicion of the truth. In the meanwhile, the shepherd making some reasonable excuse, gave his flock into the charge of a neighbor for the time, and accompanied Frederick to the house of Mary Gore.

The old man undertook the task of breaking the news to her, and delicate, indeed, was that task; for, at the best, the tidings had well-nigh killed her with joy. The door of the neat small house; which she had inhabited, alone, since her mother's death—about two years before—was soon open for Frederick Prevot, and their meeting was one on which it will not do to dwell. He found her in the dress of a widow; and though he would fain have lingered, and would have almost risked anything than leave her again, yet Mary's only anxiety was to get him beyond the shores of England as speedily as possible.

She promised to follow him immediately, if he would go to the West Indies, and there to unite her fate to his. Though his property was, of course lost forever, yet hers was ample, according to all the calculations of love, and she proposed to sell everything in England immediately, and to purchase property beyond the jurisdiction of the English law. The sum required to enable Frederick himself to proceed on his way was soon provided; and as there were no careful Bowstreet officers watching the ports anxiously for a man who was supposed to be dead, Frederick Prevot was suffered to sail quietly away in a West Indian trader, and arrived safely at Jamaica, after the ordinary time occupied by the passage in those days. The captain, and several of the passengers, indeed, had remarked about him a certain degree of anxiety and reserve, which the captain who was a good-humored soul, had striven to overcome by various little acts of kindness. When the vessel arrived, the captain took him on shore in his own boat, with another passenger, and promised to show them a house where they could get good lodging. As they were walking along, however, before a row of low stores and warehouses, the captain and the other passengers suddenly perceived the blood rush up into their companion's face, and, with a leap like that of a maniac, he darted forward and seized the arm of a gentleman who was walking slowly on before them, talking to a negro.

The gentleman instantly turned round, and exclaimed, "Ha! Frederick Prevot!"

"Frederick Prevot!" cried the captain, running up and gazing upon his face, "why that is the man that was hanged for the murder of Mr. Gore."

“I am the man that was hanged for the murder of Mr. Gore,” replied Frederick, turning round, but still holding the other by the hand, “and this is Mr. Gore himself, for whose murder I was hanged.”

“Well, this is the oddest story I ever heard,” cried the captain; “how can two dead men come to meet at Kingston, Jamaica?”

“Are you all joking, Frederick?” demanded William Gore, with a grave and sorrowful face. “Is it possible that the accident that befell me at the inn has led to such misery and sorrow as your strange words seem to imply?”

“It is too true, indeed,” replied Frederick.

“Why I have got the newspaper in my pocket, myself,” said the captain, “with the account of the execution, and there is another, in the ship containing all about the murder, and a woodcut of the bloody villain cutting his friend’s throat in bed.”

“The fools!” cried William Gore, “why the whole thing was as simple as possible. — I ate and drank too much that night, Frederick, and I was awoke by a violent bleeding at the nose. I searched about for some cold water, and washed my face, thinking that would stop it; but finding that it did not succeed in so doing, I determined to go out into the air. I recollected, however, that I had not much liked the appearance of the people of the house, and as it was necessary to leave the door open, I tried to wake you, but you slept like a stone; and I thrust my pocket-book under your pillow. I then went down stairs, and out into the orchard, intending to go down through the garden, which I had seen on the preceding night, at the top of the cliff, when, suddenly, I stumbled upon three or four men, who were dragging up what, I now find, were contraband West India goods, upon a little truck. At first they seemed inclined to murder me, declaring that I was a customhouse officer come down from London, and I could only obtain mercy upon the hard condition of suffering myself to be carried on board the ship, which was then lying off the coast. They promised to set me on shore again, or to put me into the first fishing-boat they met with; but they neither met with one, or were determined to keep their word in neither respect, for they brought me straight on to St. Lucie, and with difficulty have I found my way hither, having nothing in my pocket but a couple of stray guineas. I am now waiting here for remittances from England, but certainly had no idea of seeing you, Frederick, though I took it for granted that your marriage with Mary would be postponed, in consequence of the uncertainty attending my fate.”

It was not very long after this interview that Mary Gore herself arrived; and strange, indeed, were her sensations, when a boat came out to welcome her, containing the brother and the lover, both of whom she had for a time believed to be dead.

The events which I have just detailed, made a great sensation at the time; and the captain of the packet still continued to declare that it was the oddest story he had ever heard. It is nevertheless a true one: and the gentleman from whom I heard the tale, had seen the gentleman from whom I heard the tale, had seen the original record, and gave me the real names of all the persons concerned; for the names herein assigned to the different characters in the book are, to the best of my recollection, the only fictitious part of the narrative.



*The Radical* [Bowling Green, MO], December 18, 1841