The Murder In West Thirteenth Street

by Julian Hawthorne

The recent anniversaries have recalled this subject to my mind. The murder occurred on New Year's Eve several years ago. It had considerable newspaper celebrity at the time, but probably most people have forgotten it now—partly because the mystery connected with it was never solved, and partly because the victim had no relations and apparently few friends and acquaintances in the city. My recollection of the incidents, on the other hand, is very fresh, not only because I was engaged to defend the accused man, but also by reason of another circumstance which, I believe, had never as yet been made public.

In order to explain this circumstance, however, it will be necessary to pass in review the leading points of the tragedy. The house in which it took place is a handsome, but not specially noticeable building a few doors west of the avenue, on the north side of Thirteenth street. It was occupied, and I think owned (but as to this I will not be positive) by a wealthy lady, a widow, whom I will call Mrs. Mannering. The house was somewhat deeper than the average, the back parlor used as a dining-room—being built out over part of the space usually left for the back yard. The house on Fourteenth street, corresponding to this one, was, at the time I speak of, standing empty, and was advertised for sale. It was the theory of the prosecution that the murderer had effected an entrance into Mrs. Mannering's by way of this unoccupied building.

As I have just intimated, Mrs. Mannering was very little known. She had lived in New York about ten years when her fate overtook her. She came as a handsome woman of 35, with a husband much older than herself. Inasmuch as Mr. Mannering died within a year after his arrival, and seldom left the house except for a drive in the park of a fine afternoon, his acquaintances were even fewer than his wife's. But it was said that he was quite an illiterate personage, or at any rate that his speech showed lack of cultivation. As the couple were understood to have come from "out West," the theory was hazarded that Mr. Mannering had made a fortune in oil or silver, and that Mrs. Mannering had taken his name for that reason. But no satisfactory evidence was ever added to that point.

Mrs. Mannering was well educated, and in appearance a lady. She was tall, and of a finely developed figure, with light hair and gray eyes. She always dressed well, and wore a good deal of handsome jewelry. Her home was well furnished, and she evidently had all the money she wanted. But what was peculiar in a woman so gifted by nature and fortune was that she never made any attempt to open relations with society. She gave no dinners or receptions, and she attended none. She drove every day in the park, but she bowed to no one she met. She went every summer to the seaside or to the mountains, but, so far as was known, she found no acquaintances among the people she encountered there. In all respects, save one, she was as much alone in the world as if she lived in a desert.

The one exception was her connection with the church. If a person's heart can be judged by actions she was decidedly a religious woman. She was a member of the Episcopal church, and was punctual to the performance of all duties thereto appertaining. She attended every service, and made large and regular contributions to the church establishment. She also subscribed regularly and generously to all such charities as received the ecclesiastical support and sanction, and finally, after her death, it was found that she had bequeathed her entire property (with the exception of two or three trifling legacies) to the church to which she belonged. If to do all this be the sign of a religious spirit, then Mrs. Mannering was religious.

On the other hand, no woman was less priest-ridden than she. Her clergyman was not her confidant. Her associations with her spiritual guides were conducted, so to speak, strictly on a business footing. All emotions of Christian love and brotherhood, if they existed, were kept in the background. Nor was Mrs. Mannering ever known to relieve a beggar at her door, or to give her attention to any case of distress that was brought before her otherwise than through the orthodox channels. Moreover, her life, though solitary, was by no means ascetic. She dressed in the latest fashion, her table was sumptuous, all her habits were luxurious. Apparently she left no sonorous taste ungratified. Upon the whole, therefore, she was and remained an enigma. If her course of life were voluntary, it was strange. But could it be involuntary? Could there be any cause, unseen and unsuspected, which made her afraid or unable to mingle in the world for which she seemed so well fitted. Was she solitary, not from choice, but by compulsion? If so, what or who compelled her? I merely state the surmise; I do not authorize it. No such compelling agent ever came to light. But when a person dies a violent and mysterious death surmises are inevitable.

Mrs. Mannering's household consisted of five persons: a female companion, a butler and three female servants. Her carriage and houses were kept at a livery stable, and she was driven by one of the employés of her establishment. The female companion was a foreigner—apparently a German or a Swede. Her office seems to have been to read to her mistress, to play for her on the violin, and to assist her in her toilet. Mrs. Mannering habitually conversed with her in the German tongue, and the butler, who was an Englishman, and who waited at table, was consequently never able to gratify whatever curiosity he may have felt as to the topics discussed there; which was the greater pity, inasmuch as he testified that Mrs. Mannering unbent a good deal at table, chatted and laughed freely with Madam Holzen (the companion), and habitually drank five or six glasses of wine.

The night on which the murder was committed was an unusually warm one for the time of year; it had rained during the day, and at sunset a gusty wind had arisen. From 8 to half past 12 there was only one person beside Mrs. Mannering in the house, and that one was the cook, an elderly and somewhat infirm woman, who slept in the top story. Madam Holzen had received permission to attend a New Year's Eve celebration at the home of some compatriots of hers, and was not to return until the following morning. The butler, with the housemaid and kitchenmaid, had also been given the evening to themselves, and had gone to a similar gathering in their own sphere of life. Mrs. Mannering, therefore, was practically alone—except, of course, for the murderer; for the murder was committed between the hours of 8 and half past 12, at which time the butler, who had returned with the two girls, and who was seeing all secure, discovered the dead body of his mistress in the back small parlor on the second floor.

No one, therefore, saw the crime committed, nor were there any noises heard. The cook had gone to bed at 9 o'clock, and probably fell sound asleep immediately; but, even had she been awake, only a very loud noise could have attracted her attention. For not only did two floors intervene between her and the scene of violence, but her bedroom faced on the street, whereas Mrs. Mannering was killed in the back parlor. Moreover, it was, as I just said, a gusty night, and in such weather strange sounds are of constant occurrence, and would be ascribed by those who heard them to natural causes, such as the slamming of blinds or the creaking of chimney rims. Finally, little or no unusual noise may have been made; the deed having been done, not with a revolver, but with a sort of dagger; as was proved not only by the nature of the wound but by the discovery of the weapon itself.

It was noticeable, as regards every one of the persons under suspicion as to the possible criminal (the butler, the companion, the two female servants, and also the man actually accused, upon circumstantial evidence, as to the murderer) that the defense in each case was the same—an alibi; and that it was successfully sustained. In only the latter instance, indeed, was any serious opposition made to the rebutting testimony. As to the cook, she did come within the scope of the investigation, being a woman of feeble physique, and a cripple to boot. It might have been within the limits of possibility for her to shoot Mrs. Mannering; but that she should stab her after a desperate struggle, was held, very justly, to be beyond the limits of belief.

Something must be said as to the character of the murder itself. The back parlor was used by Mrs. Mannering as a business room. A large upright desk stood in it, the top part of which opened laterally, revealing numerous pigeon-holes and drawers. Apparently Mrs. Mannering had been writing and looking over papers at the moment when she was attacked. Probably it being the end of the year she was examining her accounts and her returns of investments, for she occasionally operated in stocks, and uniformly in a manner that evinced a shrewd business capacity. The desk, at all events, stood open, and was littered with various documents; and its appearance indicated that it must have been opened by Mrs. Mannering herself. Other papers were scattered on the floor, doubtless as a result of the struggle. The curtain of the window—a heavy velvet falire on brass rings—was torn down; suggesting that Mrs. Mannering had tried to summon assistance in that direction, but had been dragged away. A small French table, with a German student-lamp stood upon it, had been overturned and broken and the lamp shattered. There were two doors to the room, one leading into the passageway, the other, a folding-door, opening upon the large front drawing-room. The panel of the first door was marked with a deep gash, actually penetrating through the wood; as if the murderer had aimed a blow at his victim, but had missed her and hit the door instead. He must have struck with frightful force. Lying at the foot of the other door the body of Mrs. Mannering was found. She was in a *dubebille*—a long robe of fine Japanese silk, trimmed with lace and lined with quilted satin. This was torn from the throat to her waist, and the front of it was drenched with blood. There were two wounds; one just above the collar bone on the right, penetrating downwards; the other the result of an upward thrust delivered at the heart. The fingers of her left hand also showed a cut on the inside, indicating that she had caught the blade of the knife in an effort to avert the blow. There was the print of a bloody hand on the wall above the body. The rings and bracelets which Mrs. Mannering habitually wore were missing, and her empty pocket-book was found on the floor. This seemed plain evidence that the motive of the murder had been robbery. But, on the other

hand, a drawer of the desk, which was half pulled out, was filled with bank notes and bonds to the amount of $20,000; and no one who had examined the desk (as it was plain, from the bloody thumb marks on several of the pages, the murderer had done) could have failed to notice it. Had the robbery of the jewels and the pocket-book been intended as a blind, to disguise another and true motive? If so, what was that motive? Was it to obtain possession of certain papers, which, for some reason, were of vital importance to the murderer? Hypotheses of this kind were formed at the time, but nothing conclusive was established in support of them. It was learned, however, that Mrs. Mannering never allowed any one, not even Madam Holzen, to see the documents in her desk; it was furnished with a patent lock of great strength, the key of which Mrs. Mannering always wore round her neck. This may have been merely ordinary prudence or it may of course have indicated the concealment of some weighty secret. But here, again, all was surmise.

There was little doubt as to the manner in which the murderer had obtained access to the house. He had passed through the empty house in the rear (on West Fourteenth street) had climbed the partition fence between the two yards, and had then forced the back door opening into the yard, the upper half of which was glass. He had probably lain in wait in the empty house until he was assured that the servants had taken their departure. The empty house, by the way, was in the charge of a care-taker; but this official was, for that occasion only, absent from his post, having an engagement to welcome the New Year elsewhere. Thus the holiday season in all respects favored the murderer's plans, and he seems to have calculated on the advantages it would afford him.

Let us return, for a moment, to the back parlor. On a chair beside the desk was found lying the knife or dagger with which, beyond question, the deed was accomplished. It was covered with dried blood, and was of a peculiar pattern. Such weapons are not manufactured in this country; the blade was broad and crooked and the bronze handle was embossed with quaint figures in low relief. Apparently it was of Japanese make. That it should have been left where it was, was at first deemed inexplicable, but further consideration suggested that it had been simply forgotten. The murderer, after committing his crime, had proceeded to an examination of the papers in the desk; and in order to do so with more care, had laid the dagger on the chair. After having concluded his search (and perhaps found what he sought), he had taken his departure without thinking of the knife, and if he remembered it afterwards, had not ventured to return for it. It was an invaluable piece of evidence of course, though (as it happened) it failed to capture the criminal.

At the outset, indeed, it was thought that the dagger, being Japanese, could not be traced to any source in this country, but the ingenuity of a detective quite reversed this judgment. It occurred to him that there were in New York a number of shops for the sale of Japanese curiosities, and that possibly this dagger had been bought at one of these. Accordingly he made inquiries at all likely places, and was at length rewarded by finding a salesman in an Oriental shop on Broadway, who distinctly remembered having sold the weapon to a gentleman three days before the murder. He described this personage with some minuteness. He was a tallish man, of slender and sinewy figure, with dark mustache and side-whiskers and gray hair. His nose was a pronounced aquiline, of the Wellington type; his chin long and pointed. He wore eyeglasses, and was fashionably dressed; and the salesman particularly noticed that his scarf pin was a large carbuncle, set in a star of gold.

Meanwhile, inquiry among the late Mrs. Mannering's servants had revealed an important fact, which seemed to tally completely with the evidence of a salesman. It appeared that, on the afternoon of the 30th of December, about 4 o'clock, a man called at Mrs. Mannering's house, who announced himself as a book agent, and desired to see the lady. The housemaid, who admitted him, assured him that Mrs. Mannering never bought books; but, the man being persistent, she finally consulted with the butler, who came up and spoke to the man in his turn, and was at last induced to go up stairs and ask his mistress for directions, which were to send the man about his business. But the butler and the housemaid had both had a good opportunity to examine him, and their description o f him was strikingly like the portrait drawn by the salesman of the purchaser of the dagger. He had gray hair, dark mustache and whiskers, a prominent nose, and wore spectacles. His dress they characterized as "shabby," and they would by no means allow him to be a "gentleman." These discoveries, however, were deemed immaterial; a man with such a crime in view would naturally disguise himself. He had evidently wished to reconnoiter his ground, and had manifestly succeeded in his intention.

The police now fancied their hare as good as caught. His description was telegraphed all over the country and he was looked out for everywhere except among the book agents; for no one was simple enough to suppose that his appearance in that character had been anything more than a ruse. No one, that is, except the detective already mentioned, who saw no reason to assume that a man who hawked books was necessarily incapable of the crime, and thought it might at any rate be worth while to make a few investigations on that basis. The result was the arrest within twenty-four hours and in the immediate neighborhood of West Thirteenth street of a man with gray hair, dark whiskers and a prominent nose, who was quietly engaged in obtaining subscriptions to a certain book and who made no attempt to conceal the fact that he had made an ineffectual effort to enroll Mrs. Mannering among his subscribers. He professed great surprise at his arrest, and great consternation when informed of its cause; but presently seemed to recover his self-possession, and remarked quietly that, as he would prove he didn't do it, he regretted his detention only on account of the loss of time it would occasion. Evidently he was a hardened and audacious criminal.

It was at this juncture that my connection with the case began. The man gave his name as Peter Warton, and mentioned a well-known firm of New York publishers as his employers. Upon inquiry his name was found upon their books, and the book agent clerk admitted, not without visible reluctance, that he had engaged the man several weeks before and had found him an able canvasser. Now, it so happened that, for several years past, I have had the charge of the firm's legal business; and as they felt it to be to their interest to vindicate Mr. Peter Warton if possible, it devolved upon me to act as his counsel. I lost no time in having an interview with the man, and he told me a very straight story. I cannot say that I was very agreeably impressed with Peter; he was not neat in his person, and his language and behavior lacked refinement and sweetness. Nevertheless, it struck me that in this matter he was telling the truth. His defense, as I have said, was an alibi, and he appeared to have the serenest confidence in his ability to substantiate it. A strong point in his favor (with me at least) was my inability to conceive how anybody—even a Broadway salesman—could ever have mistaken Peter, under whatever disguise of finery, for a fashionable gentleman; and I fully anticipated that the salesman would fail to identify him.

As to that, however, I was mistaken. The ceremony took place on the evening of the same day—Jan. 3, Peter was placed in a line with a score of other prisoners on one side of the room. The salesman entered, and almost instantly pointed his finger at my poor client, and exclaimed loudly and decidedly, "That's him!" He added, in reply to inquiries that "he ain't dressed like he was; and he looks older and smaller somehow; but, bless you! I'll know that face again anywhere, and nothing can't deceive me on that!"

This looked badly for Peter, and he was himself put out of countenance by it, and seemed for the first time to realize his danger. And yet when the dagger was suddenly and unexpectedly shown to him, not so much as the quiver of an eyelid betrayed the consciousness of guilt; he looked at the thing with a preoccupied air, and looked away again with indifference. When he was informed that it was with that weapon that the murder was committed, he replied quietly, "Then I ain't got nothing to do with it," and relapsed into silence. The police were astounded at his brazen impudence; but I could not help thinking that innocence is the greatest impudence of all.

Peter was remanded to the Tombs, whither I accompanied him, and saw him safely locked into his cell for the night.

"It'll be all right to-morrow, sir, won't it?" said he.

"I hope so," said I. "Your alibi will be tried to-morrow, at all events."

"I'm solid on that, I guess," was the reply, "but I'd like to know what the shop-keeping fellow could have been thinking of!"

"If you are innocent, that needn't worry you," I said; but perhaps I did not feel quite the confidence that my words implied. If he bought the dagger it would be difficult to make a jury believe that he had not committed the murder; for he made no attempt to ideny his identity with the man who had called at Mrs. Mannering's.

It was about half-past 7 in the evening when I left the gaol, and, as the weather was clear, I determined to walk up town. The summons of the witnesses had been issues, and there was nothing further to be done in the case until the next morning. I had met with many perplexing incidents in my legal career, but never with one that perplexed me more than this. I did not believe that Peter Warton was guilty, and yet, had I been the judge of the case I should have felt many misgivings in the face of the evidence against him. "That shop-keeping fellow" was an awkward stumbling block.

Meditating on these matters I made my way up Broadway, the lower part of which was tolerably free from pedestrians at that hour, and walking quickly, was soon within sight of the Metropolitan hotel. There was a spectacular drama of some kind that was enjoying an interminable run at Niblo's, and I yielded to a sudden whim and went in. It was the first thing of the kind I had seen since my college days and it had the good effect of making me forget, for the time, the troubles of Peter Warton. The house was filled to its full capacity, and the audience was in excellent humor. My seat was on the side aisle to the left, the third from the corner, and five rows back from the orchestra. I laughed and applauded with the rest, and allowed my fancy to

carry me away to the regions of good fairies, evil magicians, innocent lovers, and mischief-making clowns. When, at length, we arrived at the realms of golden bliss, garnished with innumerable pretty rainbow drapery. I could hardly believe three hours had passed. But it was 11 o'clock when the curtain fell, and the audience rose in its seats and began putting on coats and wraps, and moving to depart.

I also stood up, but was obliged to wait for my neighbors, one of whom, a stout lady, was a long time in getting into her cloak and protecting her throat with a muffler. Meanwhile, my eyes rested idly on the mass of people in front of me, who were slowly filing out.

All at once my attention was attracted by the back of a gentleman who stood in the front row of seats, out to the orchestra. I was distant from him not more than fifteen feet and could see him distinctly. There was nothing especially noticeable about him, and yet, for some reason, I could not take my eyes off him. He was rather tall, and slightly built, and his bearing had an almost youthful alertness, though I could see that his whiskers were gray. He had put on his hat, and the back of his head was in shadow; but it seemed to me, nevertheless, that his hair was darker than his beard.

"What is it that puzzles me about that fellow!" said I to myself. "Do I know him? Have I ever seen him before?"

I was not left much longer in doubt. The gentleman turned slowly, and cast a leisurely glance over the house. Finally his eyes met mine, and for a moment we looked straight in each other's faces. Then he turned away, and resumed his progress towards the exit.

"Who was he! There was no doubt in my mind as to who he was. There was no mistaking him. I had recognized him completely and on the instant. The gray whiskers, the aquiline nose, the long-pointed chin, the dark hair. Who could he be but my client, Peter Warton!"

His dress, however, was changed. Instead of the shabby and dingy garment of the book agent, he was clad in a double-breasted Chesterfield coat of the latest fashion, over which he wore a handsome top-coat with fur collar and cuffs. A well-brushed silk hat was on his head, and his scarf, of dark blue satin, was fastened by a pin consisting of a simple large carbuncle, set in a star of gold. And he had also put on the polished and easy air of a cultivated man of the world.

The thing was so astounding that at first I did not take in its full significance. I had left Peter Warton in his cell at the Tombs less than four hours ago, and here he was, almost within arm's reach of me at Niblo's. How had he got out of gaol? Where and when had he put on those fine clothes? Why had he affected not to recognize me when our eyes met? Here were the facts, and yet it was physically impossible they should be true—or was the whole affair an illusion of my brain! No; for there was Peter Warton, still in sight; he was close to the door. But, before going out, he turned again, looked at me steadily for an instant, then quietly pushed open the door and sauntered out.

As soon as he was gone, I realized the error I had made in not getting at him at once. With frantic haste I now fought my way through the crowd into the lobby, and ran round, hoping to interrupt

him on the other side. But he was nowhere to be seen. I inquired of the ushers whether they had noticed a person of his description, but they could tell me nothing. I walked through the corridor and reading rooms of the hotel, but no Peter Warton. He was gone for good.

I hastened across to the Bowery, jumped into a horse car (the Elevated did not then exist) and lost no time in getting back to the Tombs. I asked to see Peter Warton.

"Too late now, sir, he's locked up for the night."

"Are you sure he is locked up?"

"Well, I should be surprised if he wasn't!"

"Will you do me the favor to go and see? I have a particular reason for asking—it may change the whole aspect of his case."

I finally prevailed upon the man to go. He came back with the information that Peter was there, and that he was fast asleep. Did I want anything more?

"That is quite enough," I replied. "Peter Warton is as innocent as I am, and I have seen the real murderer." And leaving the gaoler to digest this news at his leisure, I lodged my information with the police, and then went home and to bed.

I need not say that Peter Warton was discharged the next day, his alibi being found quite correct, even without the help of the singular testimony I was able to offer. His personal resemblance to the real murderer was by far the most extraordinary incident of this kind I ever met with; though, possibly, had they been placed side by side, some differences might have been traced. But this desirable consummation was never realized. Peter's gentlemanly double was never captured, and I think he never will be. For, a week or two ago, I came upon the following paragraph, extracted from a Western newspaper:

"A STRAIGHT TIP FOR A NOVELIST— Philip Leroz, the gambler, who died here last week, is said formerly to have been the husband of a wealthy and beautiful woman. He treated her badly, and she finally left him, running away with a man greatly her senior, by the name of Mainwaring (pronounced Mannering) who was a self-made man, rich but uneducated. They are supposed to have gone East. Leroz remained in possession of his wife's fortune. But it seems that before marrying her he had committed a forgery for a large amount and his wife had documents in her possession proving this, and used them to force him to pay her the income of her curate. It may be remembered that a lady by the name of Mannering was mysteriously murdered in New York some years ago. From certain evidence in the hands of the authorities, there seems no reason to suspect that Leroz may have been the murderer. It is certain that for a long time after the date he was in the enjoyment of ample funds. At all events a good story might be written on the subject, and we make a present to the idea to the 'Coming Novelist.'"

THE END

The Milwaukee Sentinel, March 15, 1885