

## *The Mute Witness*

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One cold, raw morning in February, [Byrd] Du Peyster, a detective, received the intelligence of a fearful deed of crime which had been committed during the silent hours of the night just departed. The account of the deed was read by a boarder while the detective quietly sipped his coffee, and the man remarked as he put the paper on the chair beside him:

“There’s another entry for the book of mysteries. I am willing to bet one hundred dollars that the proverbial acumen of our best detectives will fail to discover the perpetrator of the crime on Cherry street. Gentlemen,” and the speaker fixed his eyes on Du Peyster, “gentlemen, just think of it! A villain enters the abode of a poor sewing [woman], whose only child is a mute, five years old. He comes to do a bloody deed, and his struggles with the widow evidently frightens the child, who runs away, and is found in the attic among a lot of rags. The murder committed, the man takes his departure. The widow’s meager savings are untouched, her bureau and stands unrifled. Nothing has been taken save life. That man, whoever he is, laughs at the detectives, and dares them to hunt him down and tell why he took the life of a poor sewing woman. I declare, gentlemen, that murder in this case will not out.”

The man’s words, directed at Du Peyster, did not elicit a sentence in reply. The detective continued to sip his coffee with an air that seemed to say to the man, “You can’t make me deliver an opinion.”

The other boarders, more communicative than the man hunter, discussed the case until a general conclusion was reached, to wit. That the murderer of the needle-woman would forever remain undiscovered. The first speaker felt proud of the conclusion reached, and passed the cigars around before the company left the table.

“I would suggest that we watch the developments in this case,” he said to the company at large. “It will suffice to amuse our curiosity, as well as to stimulate research into the mysterious,”

Byrd Du Peyster walked from the dining-room to his little chamber on the second floor, he picked up his hat and cane and immediately left the house.

He walked straight to the unpretentious building on Cherry street, wherein the murder of the night before had been committed. He found a swarm of the denizens of the quarter in front of the house, but two policemen stationed at the door kept them from rushing upstairs to the scene of the tragedy.

The detective, after pushing his way through the crowd, easily obtained admittance, and entered the death chamber, where he found a surgeon, two police captains and a newspaper reporter. The surgeon was examining the victim’s wound, which consisted of a knife thrust in the left breast. The keen steel had penetrated the left [ventricle] of the heart, rendering death instantaneous. But there were evidences of a struggle in the room. A chair which had seemingly been thrown backward was broken and pieces of woman’s work lay about the room.

Mrs. Nolan, the victim, was a woman about five and thirty years of age. Her husband had been dead near six years, and her mute son, Henry, was a posthumous child. She was a woman against whose fair name nothing had ever been alleged, and she plied the needle industriously night and day that her little family should not want for the blessings that she, despite her poverty, enjoyed. Her unfortunate son was the love of her life, and all of her motherly affection was centered upon him. A mute from birth, Mrs. Nolan could not expect to hear him speak her name, and the neighbors said she longed for the time when he might go to proper school and learn to write, that they might converse together.

Byrd Du Peyster, the detective, examined the apartment without obtaining any clew to the murderer, and the residence of the denizens of the neighborhood did not enlighten him to a satisfactory degree. A man was seen to enter Mrs. Nolan's house about eleven o'clock on the night of the crime. The witness to this was a man named John Starry, who did not bear a very good reputation for veracity, and his word did not go far with the detective. No one knew of any enemies that the widow possessed, while circumstances of the crime clearly proved that booty was not the murderer's object.

For perhaps the first time in his detective life, the little Huguenot was completely at fault. He returned to his room, and, with a cigar between his teeth, threw himself upon a couch. There he conjectured and built theories, which he destroyed, till he lit a second cigar, and watched the smoke float ceilingward and vanish like his ideas.

For one hour he did not rise, and he looked like a dozing man, for his eyes half shut, but [he] was far from asleep.

All at once he sprang from the couch.

"It is my only hope," he cried. "It may take years, but I can do nothing else. Something tells me that the dumb boy knows his mother's slayer, and he must be educated till he can write. I will do this, or, rather have it done. The great aim of my life now is the discovery of the murderer of Martha Nolan. The dumb shall speak, and it shall not be my fault if the dumb boy's words do not hang *him*."

Du Peyster left his room somewhat excited, and learned that Mrs. Nolan's son was already the ward of the city.

"I want that boy," the detective said to the commissioner of public charity. "I am interested in his case, and I will furnish him with a teacher who has had twenty years' experience teaching the deaf and dumb. Sir, that boy has a mission to perform, and in my hands only can he perform it."

The commissioners listened with patience to the detective, and the result of the interview was that Henry Nolan was placed under the care of a new guardian.

Having accomplished his object, Du Peyster placed the little mute in the care of a lady who had lately retired from the position as a teacher in the school for the deaf and dumb. This lady was

the detective's friend, and she promised to bestow great care upon the boy committed to her charge.

The boy was a bright little fellow for one so unfortunately situated, and took quite readily to his change of life. The detective visited him quite often, and brought him many toys that helped expand his mind.

After all, Henry Nolan might not be able to throw any light upon his mother's murderer; as he might have been frightened from the room by the [murderer's] first appearance. Du Peyster thought of this, but did not despair, and told his tutor to prosecute her task with vigor.

By and by it was discovered that the boy possessed a remarkable memory— that he seemed to forget nothing— and the detective, when told this, exclaimed:

“That boy is going to hang the man who killed his mother.”

At the end of a year Henry Nolan had made progress in the, to him, silent language; he had mastered the alphabet and was in the easy words.

With what impatience Du Peyster watched his progress, the reader may imagine, as the detective's whole life seemed centered upon the object already mentioned. Meanwhile he had not abated his search for the murderer; but his hunt had gone unrewarded, and without the boy's advancement he seemed as far from success as he was at the discovery of the crime.

It was late in the fall that the mute's teacher told the detective that he was learning to write. Du Peyster's heart leaped in his bosom, and he could not control his excitement. Naturally he was a calm man, but at certain times, since the murder on Cherry street, he had acted like another person, and his superiors had noticed a change in him. From the chief and every other member of the force he had scrupulously kept all information concerning the whereabouts of Henry Nolan. If his great undertaking should fail, his associates should not laugh at him; should it succeed, he would laugh at them, for they had long since given over the hunt for the murderer.

That he might talk with his charge, the keen little Huguenot had learned the mute's alphabet, and thus materially helped the teacher in Henry's education. By and by the boy brought him specimens of his first attempts at writing, and Du Peyster brought a magnificent little engine with cars attached, to the house.

One night he entered the house and discovered that Miss Hurley, leaving the boy alone. The present just spoken of had stimulated the mute's ambition, and he showed the detective some fair copies. Then, with his heart in his throat, Du Peyster began to question him about that one terrible night in his history. At the second question, in which was spelled his mother's name, the boy started, and the detective saw that he was recalling events connected with her. He seemed to be awakening from a dream, but was unable to put his thoughts together, and Du Peyster said:

“I must wait awhile. The boy knows something. It will pay me to wait!”

And so another year rolled away, and Henry Nolan was eight years old.

But when the detective again thought of questioning the boy, a malarious disease interfered and he saw the mute hovering between life and death.

For weeks the boy suffered, and the detective saw that in the end death would gain the victory. The attending physician told him that medical skill could not save his *Protégé*; and he felt his hopes one by one fly away.

It was a dark night in December, and the streets of New York were white with snow. The air was crisp and cold, and the wind rattled those shutters from the Battery to the northmost limits of the city.

In a small room sat Byrd Du Peyster and Nettie Hurley. On a bed at their side lay the pale emaciated form of Henry Nolan. A strange light sparkled in his eyes, and he looked like a person very near the gates of death. And they were not far away; for he knew that he would never see the dawn of another day.

At last his eyes became fastened on the detective, who, seeing the strange stare, rose to his feet and looked down upon the sufferer.

This action seemed to satisfy the mute, and the next moment he was spelling with his fingers:

“I tell you now,” his fingers said, and in a hasty voice the detective summoned Nettie to his side.

“It’s coming, Nettie— coming at last!” he exclaimed, and then the pair watched the mute’s skeleton fingers as they said:

“A tall man did it. I saw him before I run away. He had a red mark over his right eye, like a scar. He turned the light down before he struck mother, and knocked her from her chair. This is all I know.”

With the last word falling from his fingers, the mute sank back exhausted, and Du Peyster looked at the teacher.

“Poor boy! he’s told enough!” he said. “What he has said is sufficient to hang a certain man in this city.”

“What do you mean, Byrd?” cried Nettie Hurley, grasping the detective’s arm. “Do you know anything about the man with the scar?”

“Do I know anything about him, Nettie? Indeed I do!”

“What, Byrd? tell me!”

“Not now, girl. Let us attend to little Silence. See how weak he is. Why, I do not think he is living!”

Henry Nolan did look like a dead child; but he suddenly roused himself, and his fingers began to spell again.

“Good-bye! I am going to hear and talk now!” they said.

Then the head fell back again, and Du Peyester, who lowered his head heard the last throb of the [mute’s] heart.

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It was nine o’clock in the morning of the next day when Byrd Du Peyster entered one of the large pharmacies of the city. Approaching a clerk he remarked that he wished to see Turoyal Smiley on private business, and was shown to the elegantly furnished counting room.

The apartment was occupied by one man who was Turoyal Smiley, the head of the well-known firm of Smiley, Bridgeman & Co.

“To who am I indebted for this visit?” asked the lord of the counting room, turning from the *Herald* to survey his visitor from head to foot. “To Byrd Du Peyster, a detective,” replied the caller, quietly, dropping unasked into a chair. “Well, Mr. Du Peyster, what can I do for you?” asked the pharmacist, turning slightly pale. “Have my clerks sold poison again?”

“They have not, to my knowledge,” was the detective’s reply. “Mr. Smiley, I want to know why you entered Martha Nolan’s house one night three years ago and basely took her life.”

The next moment the paper fell from the druggist’s hands, and he was on his feet looking more like a ghost than a man.

“Martha Nolan, did you say?” he gasped.

“Yes sir. You killed her!”

“Who told you?”

“The only witness to the deed— her dumb boy. I want to know why you did it?”

For the space of a minute there was silence in the counting-room. At the end of that time the druggist dropped into his chair and said:

“She knew me in Ohio— knew my crime committed there. I was afraid of her— knew that she would not take my money, and so I did the deed that night. I write you my confession.”

The druggist wheeled his chair and opened his writing desk.

“I knew it would come to this,” he murmured. “I had almost forgotten about her boy!”

Byrd Du Peyster saw him open the desk, but did not watch him closely.

All at once something touched his arm. He started, and saw the druggist’s hand clutching a vial, while his face had assumed a color almost indescribable. The detective sprang to his feet and sounded an alarm.

A moment later several white faced clerks entered the counting-room; and hastened to the head of the firm, from whose nerveless hand the half-empty vial of [prussic] acid had fallen.

The tragedy was finished, for Turoyal Smiley was dead.

On his desk lay his brief but terrible confession, which startled all who read it in the evening papers.

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