

The Secret Closet

A Detective's Story

“For murder, though it have no tongue, will speak with most miraculous organ.”

In the year 18—, John Smith—I use fictitious names—was indicted for the willful murder of Henry Thompson. The case was one of a most extraordinary nature, and the interest excited by it was almost unparalleled. The accused was a gentleman of considerable property, residing upon his own estate. A person, supposed to be an entire stranger to him, had late in a summer's day requested and obtained shelter and hospitality for the night. He had, it was supposed, after taking some light refreshment, retired to bed in perfect health, requesting to be awakened at an early hour the following morning. When the servant appointed to call him entered the room for that purpose he was found in his room perfectly dead, and from the appearance of the body it was obvious that he had been so for many hours. There was not the slightest mark of violence upon his person, and the countenance retained the same expression it had done during life.

Days and weeks passed on, and little further was discovered. In the meantime rumor had not been idle. Suspicions were vague indeed, and undefined, and were at first whispered and afterwards boldly expressed. The precise object of these suspicions was not clearly indicated; some implicated one person and some another, but they all pointed to Smith, the master of the house, as concerned in the death of the stranger, and, in fine, the magistrates were induced to commit Mr. Smith to jail to await his trial for the willful murder of Henry Thompson. As it was deemed essential to the attainment of justice to keep secret the examination of witnesses before the magistrates, all the information of which the public were in possession before the trial took place was that which I have narrated. Such was the state of things upon the morning of the trial.

The counsel for the prosecution opened this case to the jury in a manner that indicated very little expectation of a conviction. He began by imploring them to divest their minds of all that they had heard of before they came into the box; he entreated them to attend to the evidence, and judge from that alone.

It would be proved beyond the possibility of a doubt that the deceased died by poison—poison of a most subtle nature, most active in its operations and possessing the wonderful and dreadful quality of leaving no external mark by which its presence could be detected. The ingredients of which it was composed were of so sedative a nature that instead of the body on which it had been used exhibiting any contortions or marks of suffering, it left upon the features nothing but the calm and placid appearance of repose.

The prisoner's family consisted only of himself, a housekeeper and one man-servant. The man-servant slept in an out-house adjoining the stable, and did so on the night of Thompson's death. The prisoner slept at one end of the house and the housekeeper at the other, and the deceased had been put into a room adjoining the housekeeper's.

It would be proved by a person who happened to be passing by the house on the night in question, about three hours after midnight, that he had been induced to remain and watch from having his attention excited by the circumstance, then very unusual, of a light moving about the house at that late hour. The person would state most positively that he could distinctly see a figure, holding a light, go from the room in which the prisoner slept to the housekeeper's room and the light disappeared for a minute. Whether the two persons went into Thompson's room he could not see, as the window of that room looked another way; but in about a minute they returned, passing quietly along the house to Smith's room again, and in about five minutes the light was extinguished and he saw it no more.

Such was the evidence upon which the magistrate had committed Smith; and singular enough, since his committal the housekeeper had disappeared, nor could any trace of her be discovered.

Within the last week the witness who saw the light had been more particularly examined, and in order to refresh his memory had been placed at dark in the very spot where he stood that night, and another person was placed with him. The whole scene, as he described it, was acted over again, but it was utterly impossible, from the cause above mentioned, to assert, when the light disappeared, whether the parties had gone into Thompson's room. As if, however, to throw still deeper mystery over this extraordinary transaction, the witness persisted in adding a new feature to his former statement, that after the persons returned with the light into Smith's room, and before it was extinguished, he had twice perceived some dark object to intervene between the light and the window, almost as large as the surface of the window itself, and which he described by saying it appeared as if a door had been placed before the light.

Now in Smith's room there could be nothing which could account for this appearance; his bed was in a different part, and there was neither cupboard nor press in the room, which, but for the bed, was entirely empty, the room in which he dressed being a distance beyond.

He would state only one fact more (said the learned counsel), and, having done his duty, it would be for the jury to perform theirs.

Within a few days there had been found in the prisoner's house the stopper of a small bottle of a very singular appearance. It was apparently of foreign manufacture, and was described by the medical men as being used by chemists to preserve those liquids which are most likely to lose their virtues by exposure to the air. To whom it belonged, or to what use it had been applied, there was no evidence to show.

Such was the address of the counsel for the prosecution, and during its delivery I had earnestly watched the countenance of the prisoner, who had listened, too, with deep attention. Twice only did I perceive that it produced in him the slightest emotion. When the disappearance of the housekeeper was mentioned a smile, as of scorn, passed over his lips, and the notice of the discovery of the stopper obviously excited an interest, and, I

thought, an apprehension, but it quickly subsided. I need not detail the evidence that was given for the prosecution; it amounted in substance to that which the counsel stated, nor was it varied in any particular. The stopper was produced and proved to be found in the house, but no attempt was made to trace it to the prisoner's possession or even knowledge.

When the case was closed the learned judge, addressing the counsel for the prosecution, said he thought there was hardly sufficient evidence to call upon the prisoner for his defense, and if the jury were of that opinion they would at once stop the case. Upon this observation from the judge the jury turned round for a moment, and then intimated their acquiescence in his honor's views of the evidence. The counsel folded up their briefs, and a verdict of acquittal was about to be taken, when the prisoner addressed the court. He urged the court to permit him to state his case to the jury and to call his housekeeper with so much earnestness and was seconded so ably by his counsel, that the judge, though very much against his inclination and contrary to his usual habit, gave way and yielded to the request.

The prisoner then addressed the jury, and entreated their patience for a short time. He repeated to them that he never could be satisfied to be acquitted merely because the evidence was not conclusive, and pledged himself in a very short time, by the few observations he should make to obtain their verdict upon much higher grounds—upon the impossibility of his being guilty of the awful crime.

Of the stopper which had been found he declaimed all knowledge; declared most solemnly that he had never seen it before it was produced in court, and, he asked, could the fact of its being in his house only a few days ago, when hundreds of people had been there, produce upon an impartial mind even a moment's prejudice against him? One fact, and only one, has been proved, to which it was possible for him to give an answer—the fact of his having gone to the bed-room of his housekeeper on the night in question.

He had been subject for many years of his life to sudden fits of illness; he had been seized with one on that occasion, and had gone to her to procure her assistance in lighting a fire. She had returned with him to his room for that purpose, he having waited for a minute in the passage while she put on her clothes, which would account for the momentary disappearances of the light, and after she had remained in his room for a few minutes, finding himself better, he had dismissed her, and retired again to bed, from which he had not risen when he was informed of the death of his guest. It had been said that, after his committal to prison his housekeeper had disappeared. He avowed that, finding his enemies determined if possible, to accomplish his ruin, he had thought it probable that they might tamper with his servant: he had therefore kept her out of the way—but for what purpose? Not to prevent her testimony being given, for she was now under the care of his solicitor, and would instantly appear for the purpose of confirming, as far as she was concerned, the statement which he had just made.

Such was the prisoner's address, which produced a powerful effect. It was delivered in a firm and impressive manner, and its simplicity and artlessness gave it an appearance of

truth. The housekeeper was then put in the box and examined by the counsel of the prisoner. According to the custom of that time, almost universal, of excluding witnesses from court until their testimony was required, she had been kept at a house near at hand, and she had not heard a single word of the trial. There was nothing remarkable in her manner or appearance; she might have been about thirty-five or a little more, with regular though not agreeable features, and an air perfectly free from embarrassment. She repeated, almost in the prisoner's own words, the story of his having called her up, and she having accompanied him to his room, adding that after leaving him she had retired to her own room and had been awakened by a man-servant in the morning with an account of the traveler's death.

She had now to undergo a cross examination; and I may as well state here, what, though not known to me till afterwards, will assist the reader in understanding the following scene: The counselor for the prosecution had, in his own mind, attached considerable importance to the circumstances mentioned by the witness who saw the light, that while the prisoner and housekeeper were in the room of the former, something like a door had intervened between the window and the candle, which was totally irreconcilable with the appearance of the room when examined, and he had half persuaded himself that there must be a secret closet which had escaped the officers of justice, the opening of which would account for the appearance alluded to, and the existence of which might, discover the property which had so mysteriously vanished.

His object, therefore, was to obtain from the housekeeper (the only person except the prisoner who could give any clue to this) such information as he could get, without alarming her by any direct inquiry on the subject, which as she should not know how much or how little the inquiry had brought to light, and by himself treating the matter as immaterial, he might lead her to consider it in the same light and by this means draw forth all she knew. After some unimportant questions he asked her, in a tone and manner calculated rather to awaken confidence than to excite distrust:

“During the time you were in Mr. Smith's room you stated that the candle stood on the table in the center of the room?”

“Yes.”

“Was the closet, or cupboard, or whatever you call it, opened once or twice while it stood there?”

A pause; no answer.

“I will call it to your recollection. After Mr. Smith had taken the medicine out of the closet, did he shut the door, or did it remain open?”

“He shut it.”

“Then it was opened again for the purpose of replacing the bottle, was it?”

“It was.”

“Do you recollect how long it was open that last time?”

“Not above a minute.”

“The door when open would be exactly between the light and the window, would it not?”

“It would.”

“I forget whether you said the closet was on the right or left hand side of the window.”

“The left.”

“Would the door of the closet make any noise in opening it?”

“None.”

“Can you speak positively to the fact? Have you ever opened it yourself, or seen Smith open it?”

“I never opened it myself.”

“Did you ever keep the keys?”

“Never.”

“Who did?”

“Mr. Smith, always.”

At this moment the witness chanced to turn her eyes toward the spot where the prisoner stood, and the effect was almost electrical. A cold damp sweat stood upon his brow; his face had lost all its color. She no sooner saw him that she shrieked and fainted. The consequences of her answers flashed across her mind.

She had been so thoroughly deceived by the manner of the advocate, and by the little importance he seemed to attach to her statements, that she had been led on by one question to another till she had told him all he wanted to know.

During the interval (occasioned by her illness) in the proceedings the solicitor left the court. It was between 4 and 5 o'clock when the judge resumed his seat upon the bench, the prisoner his station at the bar, and the housekeeper hers in the witness-box. The court in the interval had remained crowded with spectators, scarce one of whom had left his place, lest during his absence it should be seized by some one else.

The cross-examining counsel then addressed the witness:

“I have a few more questions to ask you, but beware that you answer them truly, for your own life depends upon a thread. Do you know this stopper?”

“I do.”

“To whom does it belong?”

“To Mr. Smith.”

“When did you see it last?”

“On the night of Mr. Thompson’s death.”

At this moment the solicitor for the prosecution entered the court, bringing with him, upon a tray, a watch, two money-bags, a jewel-case, a pocket-book, and a bottle of the same manufacture of the stopper, and having no cork in it. The tray was placed upon a table in sight of the prisoner and witness and from that moment not a doubt remained in the mind of any man of the guilt of the prisoner.

A few words will bring my tale to a close. The house where the murder had been committed was between nine and ten miles distant. The solicitor, as soon as the cross-examination had discovered the existence of the closet and its situation, had set off on horseback with two sheriff’s officers, and after pulling down part of the wall of the house, detected the place of concealment.

The search was well rewarded, the whole of the property belonging to Mr. Thompson was found there, amounting in value to several thousand pounds; and to leave no doubt a bottle was discovered which the medical man instantly pronounced to contain the very identical poison which had caused the death of the unfortunate Thompson. The result is too obvious to need explanation.

The case presents, perhaps, the unparalleled instance of a man accused of murder showing such a defense as to induce the judge and jury to concur in a verdict of acquittal, but persisted in calling a witness to make his innocence more emphatic, and was upon the testimony of that very witness convicted and executed.

The same plot of this story appears in “The Verdant Juror” by Sylvanus Cobb, Jr., published in *The New York Ledger*, September 11, 1869

The Minneapolis [MN] Tribune, February 20, 1881

Via Newspapers.com