

ARTHUR CONAN DOYLE
THE BRAVOES OF MARKET-DRAYTON

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THE BRAVOES OF MARKET-DRAYTON

To the north of the Wrekin, amid the rolling pastoral country which forms the borders of the counties of Shropshire and Staffordshire, there lies as fair a stretch of rustic England as could be found in the length and breadth of the land. Away to the south-east lie the great Staffordshire potteries; and farther south still, a long dusky pall marks the region of coal and of iron. On the banks of the Torn, however, there are sprinkled pretty country villages, and sleepy market towns which have altered little during the last hundred years, save that the mosses have grown longer, and the red bricks have faded into a more mellow tint. The traveller who in the days of our grandfathers was whirled through this beautiful region upon the box-seat of the Liverpool and Shrewsbury coach, was deeply impressed by the Arcadian simplicity of the peasants, and congratulated himself that innocence, long pushed out of the great cities, could still find a refuge amid these peaceful scenes. Most likely he would have smiled incredulously had

he been informed that neither in the dens of Whitechapel nor in the slums of Birmingham was morality so lax or human life so cheap as in the fair region which he was admiring.

How such a state of things came about is difficult now to determine. It may be that the very quiet and beauty of the place caused those precautions and safeguards to be relaxed which may nip crime in the bud. Sir Robert Peel's new police had not yet been established. Even in London the inefficient "Charley" still reigned supreme, and was only replaced by the more efficient Bow Street "runner" after the crime had been committed. It may be imagined, therefore, that among the cider orchards and sheep-walks of Shropshire the arm of Justice, however powerful to revenge, could do little to protect. No doubt, small offenses undetected had led to larger ones, and those to larger still, until, in the year 1828, a large portion of the peasant population were banded together to defeat the law and to screen each other from the consequence of their misdeeds. This secret society might have succeeded in its object, had it not been for the unparalleled and most unnatural villainy of one of its members, whose absolutely callous and selfish conduct throws into the shade even the cold-blooded cruelty of his companions.

In the year 1827 a fine-looking young peasant named Thomas Ellson, in the prime of his manhood, was arrested at Market-Drayton upon two charges—the one of stealing potatoes, and the other of sheep-lifting, which in those days was still a hanging matter. The case for the prosecution broke down at the last moment on account of the inexplicable absence of an important witness named James Harrison. The crier of the court having three times summoned the absentee without any response, the charge was dismissed, and Thomas Ellson discharged with a caution. A louder crier still would have been needed to arouse James Harrison, for he was lying at that moment foully murdered in a hastily scooped grave within a mile of the court-house.

It appears that the gang which infested the country had, amidst their countless vices, one questionable virtue in their grim fidelity to each other. No red Macgregor attempting to free a clansman from the

grasp of the Sassenach could have shown a more staunch and unscrupulous allegiance. The feeling was increased by the fact that the members of the league were generally connected with one another either by birth or marriage. When it became evident that Ellson's deliverance could only be wrought by the silencing of James Harrison, there appears to have been no hesitation as to the course to be followed.

The prime movers in the business were Ann Harris, who was the mother of Ellson by a former husband; and John Cox, his father-in-law. The latter was a fierce and turbulent old man, with two grown-up sons as savage as himself; while Mrs. Harris is described as being a ruddy-faced pleasant country woman, remarkable only for the brightness of her eyes. This pair of worthies having put their heads together, decided that James Harrison should be poisoned and that arsenic should be the drug. They applied, therefore, at several chemists', but without success. It is a remarkable commentary upon the general morality of Market-Drayton at this period that on applying at the local shop and being asked why she wanted arsenic, Mrs. Harris ingenuously answered that it was simply "to poison that scoundrel, James Harrison." The drug was refused; but the speech appears to have been passed by as a very ordinary one, for no steps were taken to inform the authorities or to warn the threatened man.

Being unable to effect their purpose in this manner, the mother and the father-in-law determined to resort to violence. Being old and feeble themselves, they resolved to hire assassins for the job, which appears to have been neither a difficult nor an expensive matter in those regions. For five pounds, three stout young men were procured who were prepared to deal in human lives as readily as any Italian bravo who ever handled a stiletto. Two of these were the sons of old Cox, John and Robert. The third was a young fellow named Pugh, who lodged in the same house as the proposed victim. The spectacle of three smock-frocked English yokels selling themselves at thirty-three shillings and fourpence a head to murder a man against whom they had no personal grudge is one which is happily unique in the annals of crime.

The men earned their blood-money. On the next evening, Pugh proposed to the unsuspecting Harrison that they should slip out together and steal bacon, an invitation which appears to have had a fatal seduction to the Draytonian of the period. Harrison accompanied him upon the expedition, and presently, in a lonely corner, they came upon the two Coxes. One of them was digging in a ditch. Harrison expressed some curiosity as to what work he could have on hand at that time of night. He little dreamed that it was his own grave upon which he was looking. Presently, Pugh seized him by the throat, John Cox tripped up his heels, and together they strangled him. They bundled the body into the hole, covered it carefully up, and calmly returned to their beds. Next morning, as already recorded, the court crier cried in vain, and Thomas Ellson became a free man once more.

Upon his liberation, his associates naturally enough explained to him with some exultation the means which they had adopted to silence the witness for the prosecution. The young Coxes, Pugh, and his mother all told him the same story. The unfortunate Mrs. Harris had already found occasion to regret the steps which she had taken, for Pugh, who appears to have been a most hardened young scoundrel, had already begun to extort money out of her on the strength of his knowledge. Robert Cox, too, had remarked to her with an oath: "If thee doesn't give me more money, I will fetch him and rear him up against thy door." The rustic villains seem to have seen their way to unlimited beer by working upon the feelings of the old country woman. One would think that the lowest depths of human infamy had been already plumbed in this matter; but it remained for Thomas Ellson, the rescued man, to cap all the iniquities of his companions. About a year after his release, he was apprehended upon a charge of fowl-stealing, and in order to escape the trifling punishment allotted to that offense, he instantly told the whole story of the doing away with James Harrison. Had his confession come from horror at their crime, it might have been laudable; but the whole circumstances of the case showed that it was merely a cold-blooded bid for the remission of a small sentence at the cost of the lives of his own mother and his associates. Deep as their guilt was, it had at least been incurred in order to save this heartless villain from the fate which he had well deserved.

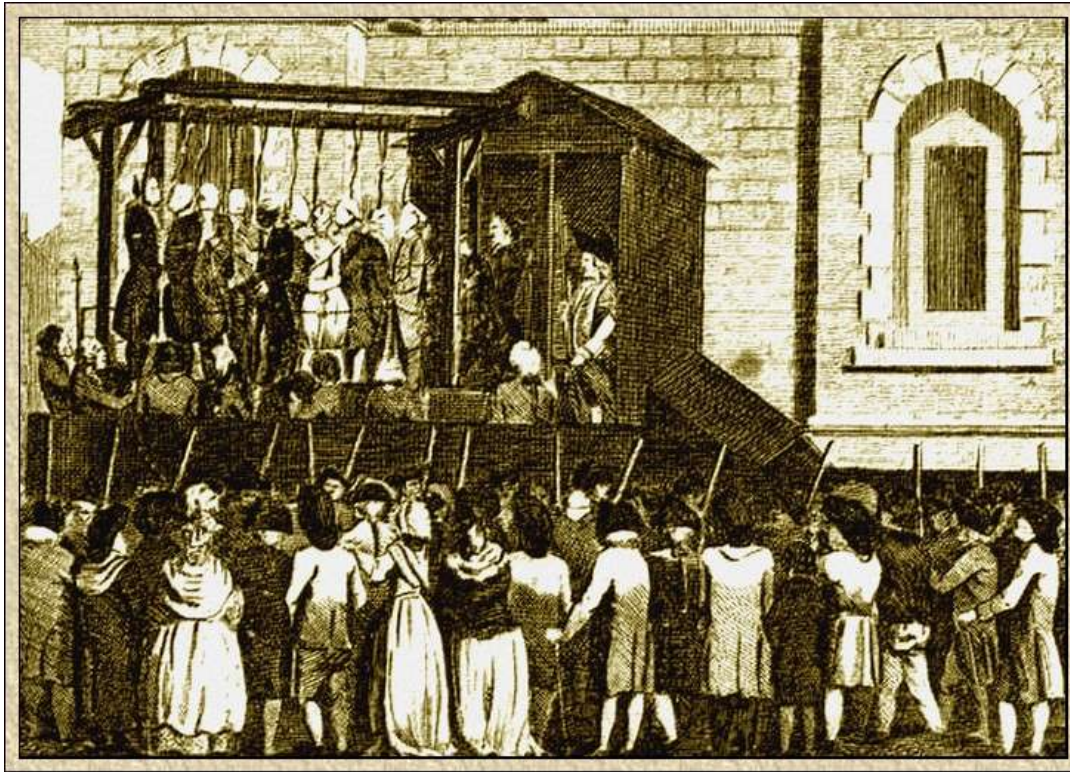
The trial which ensued excited the utmost interest in all parts of England. Ann Harris, John Cox the younger, Robert Cox, and James Pugh were all arraigned for the murder of James Harrison. The wretched remnant of mortality had been dug up from the ditch, and could only be recognized by the clothes and by the colour of the hair. The whole case against the accused rested upon the very flimsiest evidence, save for Thomas Ellson's statement, which was delivered with a clearness and precision which no cross-examination could shake. He recounted the various conversations in which the different prisoners, including his mother, had admitted their guilt, as calmly and as imperturbably as though there were nothing at stake upon it. From the time when Pugh "ticed un out o' feyther's house to steal some bacon," to the final tragedy, when he "gripped un by the throat," every detail came out in its due order. He met his mother's gaze steadily as he swore that she had confided to him that she had contributed fifty shillings towards the removing of the witness. No more repulsive spectacle has ever been witnessed in an English court of justice than this cold-blooded villain calmly swearing away the life of the woman who bore him, whose crime had arisen from her extravagant affection for him, and all to save himself from a temporary inconvenience.

Mr. Phillips, the counsel for the defense, did all that he could to shake Ellson's evidence; but though he aroused the loathing of the whole court by the skillful way in which he brought out the scoundrel's motives and character, he was unable to shake him as to his facts. A verdict of guilty was returned against the whole band, and sentence of death duly passed upon them.

On the 4th of July 1828 the awful punishment was actually carried out upon Pugh and the younger Cox, the two who had laid hands upon the deceased. Pugh declared that death was a relief to him, as Harrison was always, night and day, by his side. Cox, on the other hand, died sullenly, without any sign of repentance for the terrible crime for which his life was forfeited. Thomas Ellson was compelled to be present at the execution, as a warning to him to discontinue his evil practices.

Mrs. Harris and the elder Cox were carried across the seas, and passed the short remainder of their lives in the dreary convict barracks which stood upon the site of what is now the beautiful town of Sydney. The air of the Shropshire downs was the sweeter for the dispersal of the precious band; and it is on record that this salutary example brought it home to the rustics that the law was still a power in the land, and that, looking upon it as a mere commercial transaction, the trade of the bravo was not one which could flourish upon English soil.

THE "NEWGATE CALENDAR" ACCOUNT OF THE MARKET-DRAYTON MURDER TRIAL



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in *The
Complete
Newgate
Calendar*,
Navarre
Society,
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edition

The Newgate
"New Drop
Gallows"
designed for 9
simultaneous
executions.

ANN HARRIS, JOHN COX THE ELDER, JOHN COX THE YOUNGER,
ROBERT COX, AND JAMES PUGH Convicted of Murder.

The case of these diabolical criminals, as it was proved at the trial, which took place at Shrewsbury on the 2nd of August 1828, before Mr. Justice Gazelee, scarcely finds a parallel in the whole series which we present to our readers. It exhibits the dreadful features, of a mother and father-in-law combining to procure the commission of murder, to save their son from justice; and that son, the object of their solicitude, procuring the conviction of those by whose means he had been before saved from an ignominious end, for the offence to which they had made themselves parties on his behalf, to relieve himself from the due reward of further crime committed by himself.

It appeared that, in the neighbourhood of Market Drayton, on the borders of Shropshire and Staffordshire, there existed a dreadfully depraved set of people; and that a gang, to the amount, it was said, of from forty to sixty, was confederated for general purposes of plunder. The nucleus of this gang consisted of several persons, closely knit by ties of relationship, of connexion, and of neighbourhood, as well as of guilt; while the general depravity of the district enabled them, as occasion required, to add to their numbers, to almost any extent. One of these persons, by name Thomas Ellson, was in 1827 taken up for stealing potatoes; and, whilst in jail upon that charge, an accusation of sheep-stealing was brought against him. The chief evidence upon which this latter charge, a capital one, depended, was that of a man who had occasionally joined in the proceedings of the gang, named James Harrison. It became, therefore, the object of the friends of Ellson to get this man out of the way. First, they determined to poison him; and Ellson's father-in-law, John Cox, went to an apothecary's shop to buy arsenic for that purpose. The boy in the shop refused to sell it to him, unless some one else were by, which, as there was no one else in the house, could not then be the case; and Cox, probably not liking such formal proceedings, retired.

The next step was one of the most extraordinary in the whole case. Ann Harris, Ellson's mother, who had married a second husband of the name of Harris, went to a woman living in Drayton, whom she knew, and asked her if her husband were not going to Newcastle. The woman answered that he was. "I wish then," said Harris, "that he would buy me an ounce of arsenic." "What do you want it for?" "I want it to poison that damned scoundrel, James Harrison."— The woman upon this remonstrated — assured her it was a very wicked thing to poison James Harrison,— and, after some conversation, old Ann Harris went away, promising that she would not carry out her expressed intention.

Poison having failed, it was determined to have recourse to more direct means; and Ann Harris and old Cox subscribed fifty shillings apiece, to hire Cox's two sons, and a young fellow of the name of Pugh, to put Harrison to death! Harrison lodged in the house of Pugh's father, and, it was said, occupied the same bed with Pugh himself. On the night of the murder, Pugh, to use his own expression, "'ticed" Harrison out of the house, to go and steal some bacon. At a spot previously agreed upon, they met the two younger Coxes; and proceeding to a remote place, Pugh seized Harrison by the throat, while John Cox, the younger, took hold of his legs, and throwing him down, they strangled him. Meanwhile, Robert Cox was digging the grave!

The wretched man thus disposed of, everything remained perfectly quiet and unsuspected. It was generally supposed that he had gone out of the way to avoid giving evidence on Ellson's trial; though it seems very extraordinary that, after the latter had been acquitted, the non-return of Harrison excited no suspicion. No supposition of his death, however, appeared to have arisen, and the murder was discovered only by the means of Ellson himself. As soon as this fellow came out of jail, the Coxes, Pugh, and his mother, at various times, sometimes when several of them were together, and sometimes separately, told him all that had taken place, vaunting to him how they had saved him. The very night of his release, old Cox, one of his sons, and Pugh, bragged to him, that "if it had not been for them, he would not be there,"— and the next day, when he was at his mother's, Robert Cox came thither, and said

to her with oaths and abuse, "If thee doesn't give me more money, I will fetch him, and rear him up against thy door!"— alluding to the murdered man!

Nothing, however, transpired till towards the end of June 1828, when Ellson was taken up for stealing fowls, and then, in order to save himself from the punishment attending this offence (at the most seven years' transportation), he told all that the guilty persons had told him; and on his evidence they were apprehended.

Such are the facts of this revolting case; but we must describe some of the peculiarities of the trial itself.

The five prisoners were placed at the bar: old Ann Harris stood first;— she seemed what would ordinarily be called a smart old woman — her features were small and regularly formed, and her countenance was remarkable only for a pair of exceedingly keen and sparkling black eyes, the expression of which, however, was certainly in no degree indicative of ferocity. Old Cox stood next to her, and his countenance presented a most unpleasing, almost revolting, aspect. It was easy to believe the current story that he was at the head of the gang at Drayton — the very patriarch of all the thieves and scoundrels in that part of the country. He had, undoubtedly, brought his sons up to robbery as to a trade, and he had now hired them to commit murder! The two sons were next to him, and were not remarkable in their aspect. Pugh was last — and he was an ill-looking fellow enough, though not strikingly so.

As the trial proceeded, one of its peculiarities soon became apparent. This was that a vast proportion of the witnesses were of the closest kindred to the accused. And what was more horrid, was the fact of the father of the murdered man being called to speak to the identity of the body, which, having lain in the earth nearly a year, was so totally decomposed as to be recognizable only by the clothes; but to this the father added that "the colour of the hair was that of his son!"

It shocked all present greatly, when the father and mother of Pugh were called to speak to some minute facts with regard to the night on which Harrison was murdered, with reference to his leaving their house, where he lodged. The chief evidence was what the prisoners themselves had told to Ellson; but he being a person of execrable character, it was necessary to support his testimony by every corroborative circumstance that could be proved. Accordingly, in the early part of the trial, these wretched old people were brought forward to give testimony to facts bearing against their son's life: they were but very slight, but, as far as they went, they were confirmatory of the main story; and it is difficult to say whether the extreme coolness and composure with which the parents gave their evidence were not still more dreadful than if they had been violently affected.

Besides Ellson himself, there were also his wife, who was the daughter of one and the sister of two of the prisoners, and his sister, who was the daughter of another, called as witnesses! These young women also gave their evidence without strong emotion, although they certainly seemed far more impressed with the position in which they stood than the other witnesses named.

Ellson was calm, decided, and firm, to a degree which gave rise to unmingled disgust in every one who heard him. It will be recollected that the crime had been committed to save him — Pugh certainly committed the murder for hire; and the Coxes, perhaps, might have had some interests of their own mixed up with his;— but, even as regarded these last, the first object had been his escape; and his mother undoubtedly had dyed her hands in blood, solely to save her child.

The witness was a fine, well-looking fellow of about five-and-twenty — and, undoubtedly, until the severe cross-examination he underwent caused a struggle — though a perfectly successful one — to keep down his temper, his countenance was rather agreeable than otherwise. His story was clear, consecutive, and, no doubt, true. Each individual concerned in the transaction had, immediately on his release from jail, very naturally told to him, for whose sake it had been committed, all the circumstances

regarding the murder. Pugh appears to have been the most detailed in his account, and to have rather bragged that it was he who "'ticed un out o' feyther's house, to steal some bacon,"— and that it was he who had "gripped un by the throat." In some instances, the Coxes were present during these recitals, and at others they spoke of the subject to Ellson themselves. While this part of the evidence was going forward, the strongest horror was excited against the perpetrators of the crime — so treacherous as it was in its concoction, and so coldly cruel in the manner in which it was carried into effect. Moreover, the idea that Pugh certainly altogether, and the two young Coxes in great part, had committed this murder for hire was a circumstance of a character so new, and so awfully depraved, that the story carried the auditory along with it, and they forgot altogether the scoundrel who was telling it. But when he came to speak of his own mother, what must have been their sensations! Her guilt, dreadful as it was, almost disappeared; the thought could be only of the unnatural and ungrateful villain, who, to save himself from a light and temporary punishment, was thus giving to the gallows the mother who had born him, for a crime caused by her extravagant affection for him. He repeated twice or three times, in answer to the questions of the examining counsel, who felt it necessary to make the matter quite clear, that his mother had told him that she and old Cox had given fifty shillings a piece to have Harrison murdered. He said this as calmly as any other person would narrate any indifferent fact — and his mother's eyes were on his face all the time!

Mr. Charles Phillips cross-examined the witness at great length, very severely, and very skilfully: he drew from him that he had been in jail repeatedly, almost constantly, for theft of all kinds and descriptions; and he drove him into attempts to shuffle, very nearly approaching to prevarication, on several minor points, not connected with the case. But, regarding the case itself, he was not shaken at all; and although the universal sensation in the court must have been that of loathing and disgust for the mercenary cold- bloodedness of the proceedings to which he had had recourse, no serious doubt could for one moment be entertained that he was telling the truth.

The jury under these circumstances were compelled to return a verdict, consigning the wretched prisoners to a violent death.

The extreme sentence of the law was immediately passed upon the convicts, and their execution was appointed to take place on the following Monday, the 4th of the same month.

On the next day, a reprieve was granted in the case of Robert Cox, one of the sons, upon grounds which do not appear to have been well understood at the time, and he was transported for life. A respite for a week was also granted in the case of the elder Cox, and Ann Harris, who had been convicted only as accessories before the fact; but the awful punishment of death was left to be carried out in its due course upon Pugh, and John Cox the younger. The former, after his trial, declared his sense of the justice of his sentence, and that he regarded the termination of his career as a happy one, for that he constantly saw Harrison by his side; while the latter, with cold-blooded firmness, urged him to keep up his spirits, for that "he could die but once."

The execution had been appointed to take place at mid-day; and at a few minutes before twelve o'clock all the convicts, together with Ellson, were drawn up in the inner yard of the jail. Pugh and Cox were then pinioned; and while Ann Harris, old Cox, and his son Robert, were reconducted to the jail, Ellson was carried to a spot from which he must witness the conclusion of this dreadful scene. The authority by which this course was adopted, may well be doubted, for the miserable wretch was undoubtedly entitled to his discharge, as the indictment against him had been withdrawn; but it is probable that it was thought that the example afforded by such a proceeding might tend in some degree to check the thirst for crime, which appeared to exist in that district of the county.

The miserable convicts were directly afterwards led to the scaffold, dreadfully agitated, and uttering ejaculations imploring mercy for their sins; and all being in readiness, the drop fell, and they were launched into eternity.

The sentence of the wretched mother of Ellson, and of old Cox, was subsequently changed for that of transportation; and with this bare recitation of its facts, we shall close the scene upon this frightful case.

THE END

ARTHUR CONAN DOYLE
THE HOLOCAUST OF MANOR PLACE

TRANSCRIPT OF TRIAL

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THE HOLOCAUST OF MANOR PLACE

In the study of criminal psychology one is forced to the conclusion that the most dangerous of all types of mind is that of the inordinately selfish man. He is a man who has lost his sense of proportion. His own will and his own interest have blotted out for him the duty which he owes to the community. Impulsiveness, jealousy, vindictiveness are the fruitful parents of crime, but the insanity of selfishness is the most dangerous and also the most unlovely of them all. Sir Willoughby Patterne, the eternal type of all egoists, may be an amusing and harmless character as long as things go well with him, but let him be thwarted, let the thing which he desires be withheld from him, and the most monstrous results may follow. Huxley has said that a man in this life is for ever playing a game with an unseen opponent, who only makes his presence felt by exacting a penalty every time one makes a mistake in the game. The player who makes the mistake of selfishness may have a terrible forfeit to pay, but the unaccountable thing in the rules is that some, who are only spectators of his game, may have to help him in the paying. Read the Story of William Godfrey Youngman, and see how difficult it is to understand the rules under which these penalties are exacted. Learn also from it that selfishness is no harmless peccadillo, but that it is an evil root from which the most monstrous growths may spring.

About forty miles to the south of London, and close to the rather passé watering-place of Tunbridge Wells, there lies the little townlet of Wadhurst. It is situated within the borders of Sussex at a point which is close to the confines of Kent. The country is a rich pastoral one and the farmers are a flourishing race, for they are near enough to the Metropolis to take advantage of its mighty appetite. Among these farmers there lived in the year 1860 one Streeter, the master of a small homestead and the father of a fair daughter, Mary Wells Streeter. Mary was a strong, robust girl, some twenty years of age, skilled in all country work, and with some knowledge also of the town, for she had friends up there, and above all she had one friend, a young man of twenty-five, whom she had met upon one of her occasional visits, and who had admired her so that he had actually come down to Wadhurst after her, and had spent a night under her father's roof. The father had expressed no disapprobation of

the suitor, a brisk, masterful young fellow, a little vague in his description of his own occupation and prospects, but an excellent fireside companion. And so it came about that the deep, town-bred William Godfrey Youngman became engaged to the simple, country-bred Mary Wells Streeter, William knowing all about Mary, but Mary very little about William.

July the 29th of that year fell upon a Sunday, and Mary sat in the afternoon in the window of the farm-house parlour, with her bundle of love-letters upon her lap, reading them again and yet again. Outside was the little square of green lawn, fringed with the homely luxuriance of an English country garden, the high hollyhocks, the huge nodding sunflowers, the bushes of fuchsia, and the fragrant clumps of sweet William. Through the open lattice came the faint, delicate scent of the lilac and the long, low droning of the bees. The farmer had lain down to the plethoric sleep of the Sunday afternoon, and Mary had the room to herself. There were fifteen love-letters in all some shorter, some longer, some wholly delightful, some with scattered business allusions, which made her wrinkle her pretty brows. There was this matter of the insurance, for example, which had cost her lover so much anxiety until she had settled it. No doubt he knew more of the world than she, but still it was strange that she, so young and so hale, should be asked and again asked to prepare herself for death. Even in the flush of her love those scattered words struck a chill to her heart. 'Dearest girl,' he had written, 'I have filled up the paper now, and took it to the life insurance office, and they will write to Mrs. James Boric today to get an answer on Saturday. So you can go to the office with me before two o'clock on Monday.' And then again, only two days later, he had begun his letter: 'You promised me faithfully over and over again, and I expect you to keep your promise, that you would be mine, and that your friends would not know it until we were married; but now, dearest Mary, if you will only let Mrs. James Bone write to the insurance office at once and go with me to have your life insured on Monday morning next!' So ran the extracts from the letters, and they perplexed Mary as she read them. But it was all over now, and he should mingle business no longer with his love, for she had

yielded to his whim, and the insurance for £100 had been duly effected. It had cost her a quarterly payment of 10s. 4d., but it had seemed to please him, and so she would think of it no more.

There was a click of the garden-gate, and looking up she saw the porter from the station coming up the path with a note in his hand. Seeing her at the window he handed it in and departed, slyly smiling, a curious messenger of Cupid in his corduroys and clumping boots—a messenger of a grimmer god than Cupid, had he but known it. She had eagerly torn it open, and this was the message that she read:

'16, Manor Place, Newington, S.E. Saturday night, July 28th.

'My BELOVED POLLY,

'I have posted one letter to you this afternoon, but I find that I shall not have to go to Brighton tomorrow as I have had a letter from there with what I wanted inside of it, so, my dear girl, I have quite settled my business now and I am quite ready to see you now, therefore I send this letter to you. I will send this to London Bridge Station tomorrow morning by 6:30 o'clock and get the guard to take it to Wadhurst Station, to give it to the porter there, who will take it to your place. I can only give the guard something, so you can give the man who brings this a small sum. I shall expect to see you, my dear girl, on Monday morning by the first train. I will await your coming at London Bridge Station. I know the time the train arrives—a quarter to ten o'clock. I have promised to go to my uncle's tomorrow, so I cannot come down; but I will go with you home on Monday night or first thing Tuesday morning, and so return here again Tuesday night, to be ready to go anywhere on Wednesday; but you know all that I have told you, and I now expect that you will come up on Monday morning, when I shall be able to manage things as I expect to do. Excuse more now, my dearest Mary. I shall now go to bed to be up early tomorrow to take this letter. Bring or burn all your letters, my dear girl. Do not forget; and with kind love and respects to all I now sum up, awaiting to see you Monday morning a quarter to ten o'clock.

Believe me, ever your loving, affectionate,

WILLIAM GODFREY YOUNGMAN.'

A very pressing invitation this to a merry day in town; but there were certainly some curious phrases in it. What did he mean by saying that he would manage things as he expected to do? And why should she burn or bring her love-letters? There, at least, she was determined to disobey this masterful suitor who always 'expected' in so authoritative a fashion that she would do this or that. Her letters were much too precious to be disposed of in this off-hand fashion. She packed them back, sixteen of them now, into the little tin box in which she kept her simple treasures, and then ran to meet her father, whose step she heard upon the stairs, to tell him of her invitation and the treat which awaited her to-morrow.

At a quarter to ten next morning William Godfrey Youngman was waiting upon the platform of London Bridge Station to meet the Wadhurst train which was bringing his sweetheart up to town. No observer glancing down the straggling line of loiterers would have picked him out as the man whose name and odious fame would before another day was passed be household words to all the three million dwellers in London. In person he was of a goodly height and build, but commonplace in his appearance, and with a character which was only saved from insignificance through the colossal selfishness, tainted with insanity, which made him conceive that all things should bend before his needs and will. So distorted was his outlook that it even seemed to him that if he wished people to be deceived they must be deceived, and that the weakest device or excuse, if it came from him, would pass unquestioned. He had been a journeyman tailor, as his father was before him, but aspiring beyond this, he had sought and obtained a situation as footman to Dr. Duncan, of Covent Garden. Here he had served with credit for some time, but had finally resigned his post and had returned to his father's house, where for some time he had been living upon the hospitality of his hard-worked parents. He had talked vaguely of going into farming, and it was doubtless his short experience of Wadhurst with its sweet-smelling kine and Sussex breezes which had put the notion into his Cockney head.

But now the train rolls in, and there at a third-class window is Mary Streeter with her pink country cheeks, the pinker at the sight of her waiting lover. He takes her bag and they walk down the platform together amongst the crinolined women and baggy-trousered men whose pictures make the London of this date more strange to us than that of last century. He lives at Walworth, in South London, and a straw-strewn omnibus outside the station conveys them almost to the door. It was eleven o'clock when they arrived at Manor Place, where Youngman's family resided.

The household arrangements at Manor Place were peculiar. The architect having not yet evolved the flat in England, the people had attained the same result in another fashion. The tenant of a two-storied house resided upon the ground-floor, and then sub-let his first and second floors to other families. Thus, in the present instance, Mr. James Bevan occupied the ground, Mr. and Mrs. Beard the first, and the Youngman family the second, of the various floors of No. 16. Manor Place. The ceilings were thin and the stairs were in common, so it may be imagined that each family took a lively interest in the doings of its neighbour. Thus Mr. and Mrs. Beard of the first floor were well aware that young Youngman had brought his sweetheart home, and were even able through half-closed doors to catch a glimpse of her, and to report that his manner towards her was affectionate.

It was not a very large family to which he introduced her. The father departed to his tailoring at five o'clock every morning and returned at ten at night. There remained only the mother, a kindly, anxious, hard-working woman, and two younger sons aged eleven and seven. At eleven o'clock the boys were at school and the mother alone. She welcomed her country visitor, eyeing her meanwhile and summing her up as a mother would do when first she met the woman whom her son was likely to marry. They dined together, and then the two set forth to see something of the sights of London.

No record has been left of what the amusements were to which this singular couple turned: he with a savage, unrelenting purpose in his heart; she wondering at his abstracted manner, and chattering country gossip with the shadow of death already gathering thickly over her. One little incident has survived. One Edward Spicer, a bluff, outspoken publican who kept the Green Dragon in Bermondsey Street, knew Mary Streeter and her father. The couple called together at the inn, and Mary presented her lover. We have no means of knowing what repellent look mine host may have observed in the young man's face, or what malign trait he may have detected in his character, but he drew the girl aside and whispered that it was better for her to take a rope and hang herself in his skittle-alley than to marry such a man as that—a warning which seems to have met the same fate as most other warnings received by maidens of their lovers. In the evening they went to the theatre together to see one of Macready's tragedies.

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How could she know as she sat in the crowded pit, with her silent lover at her side, that her own tragedy was far grimmer than any upon the stage? It was eleven o'clock before they were back once more at Manor Place.

The hard-working tailor had now returned, and the household all supped together. Then they had to be divided for the night between the two bedrooms, which were all the family possessed. The mother, Mary, and the boy of seven occupied the front one. The father slept on his own board in the back one, and in a bed beside him lay the young man and the boy of eleven. So they settled down to sleep as commonplace a family as any in London, with little thought that within a day the attention of all the great city would be centred upon those two dingy rooms and upon the fates of their inmates.

The father woke in the very early hours, and saw in the dim light of the dawn the tall figure of his son standing in white beside his bed. To some sleepy remark that he was stirring early the youth muttered an excuse and lay

down once more. At five the tailor rose to his endless task, and at twenty minutes past he went down the stair and closed the hall door behind him. So passed away the only witness, and all that remains is conjecture and circumstantial evidence. No one will ever know the exact details of what occurred, and for the purpose of the chronicler it is as well, for such details will not bear to be too critically examined. The motives and mind of the murderer are of perennial interest to every student of human nature, but the vile record of his actual brutality may be allowed to pass away when the ends of justice have once been served by their recital.

I have said that on the floor under the Youngman's there lived a couple named Beard. At half-past five, a little after the time when the tailor had closed the hall door behind him, Mrs. Beard was disturbed by a sound which she took to be from children running up and down and playing. There was a light patter of feet on the floor above. But as she listened it struck her that there was something unusual in this romping at so early an hour, so she nudged her husband and asked him for his opinion. Then, as the two sat up in bed, straining their ears, there came from above them a gasping cry and the dull, soft thud of a falling body. Beard sprang out of bed and rushed upstairs until his head came upon the level of the Youngman's landing. He saw enough to send him shrieking down to Mr. Bevan upon the ground-floor. 'For God's sake, come here! There is murder!' he roared, fumbling with his shaking fingers at the handle of the landlord's bedroom.

His summons did not find the landlord entirely unprepared. That ill-boding thud had been loud enough to reach his ears. He sprang palpitating from his bed, and the two men in their nightdresses ascended the creaking staircase, their frightened faces lit up by the blaze of golden sunlight of a July morning. Again they do not seem to have got farther than the point from which they could see the landing. That confused huddle of white-clad figures littered over the passage, with those glaring smears and blotches, were more than their nerves could stand. They could count three lying there, stark dead upon the landing. And there was someone moving in the bedroom. It was coming towards them. With horror-dilated eyes they saw William Godfrey Youngman framed in the open doorway, his white nightdress brilliant with ghastly streaks and the sleeve hanging torn over his hand.

'Mr. Beard,' he cried, when he saw the two bloodless faces upon the stairs, 'for God's sake fetch a surgeon! I believe there is some alive yet!' Then, as they turned and ran down stairs again, he called after them the singular explanation to which he ever afterwards adhered. 'My mother has done all this,' he cried; 'she murdered my two brothers and my sweetheart, and I in self-defence believe that I have murdered her.'

The two men did not stop to discuss the question with him. They had both rushed to their rooms and huddled on some clothes. Then they ran out of the house in search of a surgeon and a policeman, leaving Youngman still standing on the stair repeating his strange explanation. How sweet the morning air must have seemed to them when they were once clear of the accursed house, and how the honest milkmen, with their swinging tins, must have stared at those two rushing and dishevelled figures. But they had not far to go. John Varney, of P Division, as solid and unimaginative as the law which he represents, was standing at the street corner, and he came clumping back with reassuring slowness and dignity.

'Oh, policeman, here is a sight! What shall I do?' cried Youngman, as he saw the glazed official hat coming up the stair.

Constable Varney is not shaken by that horrid cluster of death. His advice is practical and to the point.

'Go and dress yourself!' said he.

'I struck my mother; but it was in self defence,' cried the other. 'Would you not have done the same? It is the law.'

Constable Varney is not to be drawn into giving a legal opinion, but he is quite convinced that the best thing for Youngman to do is to put on some clothes.

And now a crowd had begun to assemble in the street, and another policeman and an inspector had arrived. It was clear that, whether Youngman's story was correct or not, he was a self-confessed homicide, and that the law must hold her grip of him. But when a dagger-shaped knife, splintered by the force of repeated blows, was found upon the floor, and Youngman had to confess that it belonged to him; when also it was observed that ferocious strength and energy were needed to produce the wounds inflicted, it became increasingly evident that, instead of being a mere victim of circumstances, this man was one of the criminals of a century. But all evidence must be circumstantial, for mother, sweetheart, brothers—the mouths of all were closed in the one indiscriminate butchery.

The horror and the apparent purposelessness of the deed roused public excitement and indignation to the highest pitch. The miserable sum for which poor Mary was insured appeared to be the sole motive of the crime; the prisoner's eagerness to have the business concluded, and his desire to have the letters destroyed in which he had urged it, forming the strongest evidence against him. At the same time, his calm assumption that things would be arranged as he wished them to be, and that the Argus Insurance Office would pay over the money to one who was neither husband nor relative of the deceased, pointed to an ignorance of the ways of business or a belief in his own powers of managing, which in either case resembled insanity. When in addition it came out at the trial that the family was sodden with lunacy upon both sides, that the wife's mother and the husband's brother were in asylums, and that the husband's father had been in an asylum, but had become 'tolerably sensible' before his death, it is doubtful whether the case should not have been judged upon medical rather than upon criminal grounds. In these more scientific and more humanitarian days it is perhaps doubtful whether Youngman would have been hanged, but there was never any doubt as to his fate in 1860.

The trial came off at the Central Criminal Court upon August 16th before Mr. Justice Williams. Few fresh details came out, save that the knife had been in prisoner's possession for some time. He had exhibited it once in a bar, upon which a bystander, with the good British love of law and order, had remarked that that was not a fit knife for any man to carry.

'Anybody,' said Youngman, in reply, 'has the right to carry such a knife if he thinks proper in his own defence.'

Perhaps the objector did not realize how near he may have been at that moment to getting its point between his ribs. Nothing serious against the prisoner's previous character came out at the trial, and he adhered steadfastly to his own account of the tragedy. In summing up, however, Justice Williams pointed out that if the prisoner's story were true it meant that he had disarmed his mother and got possession of the knife. What necessity was there, then, for him to kill her? and why should he deal her repeated wounds? This argument, and the fact that there were no stains upon the hands of the mother, prevailed with the jury, and sentence was duly passed upon the prisoner.

Youngman had shown an unmoved demeanour in the dock, but he gave signs of an irritable, and occasionally of a violent, temper in prison. His father visited him, and the prisoner burst instantly into fierce reproaches against his treatment of his family—reproaches for which there seem to have been no justification. Another thing which appeared to have galled him to the quick was the remark of the publican, which first reached his ears at the trial, to the effect that Mary had better hang herself in the skittle-yard than marry such a man. His self-esteem, the strongest trait in his nature, was cruelly wounded by such a speech.

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'Only one thing I wish,' he cried, furiously, 'that I could get hold of this man Spicer, for I would strike his head off.' The unnatural and bloodthirsty character of the threat is characteristic of the homicidal maniac. 'Do you suppose,' he added, with a fine touch of vanity, 'that a man of my determination and spirit would have heard these words used in my presence without striking the man who used them to the ground?'

But in spite of exhortation and persuasion he carried his secret with him to the grave. He never varied from the story which he had probably concocted before the event.

'Do not leave the world with a lie on your lips.' said the chaplain, as they walked to the scaffold.

'Well, if I wanted to tell a lie I would say that I did it.' was his retort. He hoped to the end with his serene self-belief that the story which he had put forward could not fail eventually to be accepted. Even on the scaffold he was on the alert for a reprieve.

It was on the 4th of September, a little more than a month after the commission of his crime, that he was led out in front of Horsemonger Gaol to suffer his punishment. A concourse of 30,000 people, many of whom had waited all night, raised a brutal howl at his appearance. It was remarked at the time that it was one of the very few instances of capital punishment in which no sympathizer or philanthropist of any sort could be found to raise a single voice against the death penalty. The man died quietly and coolly.

'Thank you, Mr. Jessopp,' said he to the chaplain, 'for your great kindness. See my brother and take my love to him, and all at home.'

And so, with the snick of a bolt and the jar of a rope, ended one of the most sanguinary, and also one of the most unaccountable, incidents in English criminal annals. That the man was guilty seems to admit no doubt, and yet it must be confessed that circumstantial evidence can never be absolutely convincing, and that it is only the critical student of such cases who realizes how often a damning chain of evidence may, by some slight change, be made to bear an entirely different interpretation.

TRANSCRIPT OF THE MANOR PLACE MURDER TRIAL

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[Proceedings Of The Old Bailey, 13th August 1860](#)

723. WILLIAM GODFREY YOUNGMAN (25), was indicted for the wilful murder of Mary Wells Streeter. He was also charged on the Coroner's Inquisition with the like offence.

MESSRS. CLERK *and* BEASLEY *conducted the Prosecution.*

JAMES BEVAN. I am a carman, and reside at 16, Manor-place, Walworth—I am the landlord of the house—I occupy the ground floor—the house consists of a first and second floor—the first floor is immediately above my rooms—on 31st July last Mr. Beard occupied the first floor—that consists of a front and a back room—there was Mr. Beard, his wife, and one son—the floor above that was occupied by Mr. Youngman—I believe his name to be John—he is the father of the prisoner—his family consisted of his wife and two little boys—the second floor consisted of two rooms, a front and a back one—I had known at that time that the prisoner had been there for a few days; for a holiday, I understood—I had seen him backwards and forwards before 31st

July—I believed him to be sleeping there—I remember the morning of 31st July—I was disturbed about ten minutes to 6, or something like that—I was then in bed, in the lower back room on the ground floor—I was disturbed by hearing a lumbering, as I supposed, on the top of the house; a lumbering, or heavy fell on the floor; a lumbering noise, as if something had fallen on the floor—the noise proceeded from the top of the house, as I supposed at the time, the second floor—as soon as I heard the noise I immediately jumped out of bed to hear and see what was amiss, and, before I could get to the door, Mr. Beard, who has the first floor, tapped at the door and said, "For God's sake come up stairs, here is murder;" that was before I had got out of my room—I immediately proceeded up stairs to see what was amiss—I went on to the top landing, the landing of the second floor, and I turned my head and saw the little boy—there is a staircase that ends with a landing, and a door on each side of the landing—a door opens on to the landing from each room; the doors front each other on the landing—I saw the little boy lying dead on the top floor—I did not take very particular notice of him—I believe him to be the eldest boy—I did not see any one else about—I came down stairs and dressed as quickly as I could, to get assistance—as I was about to proceed for the officer the prisoner was standing on the first staircase—that was the first time I saw him that morning—it was directly I came down stairs and dressed; after I had dressed—I was then about to proceed for the officers—I should think not two minutes had been occupied by my dressing—on coming out of my room dressed I saw the prisoner standing three parts of the way on the first staircase; the staircase leading from the ground floor to the first floor—he was standing at that time looking downwards; looking down stairs—that staircase does not face the front door—the stairs, face the passage which leads to the door—at the bot-tom of the stairs there is a long passage, quite through the house, and the staircase is in the middle of the passage—he had got nothing on then, only his shirt—he told me his mother had done all this.

COURT. *Q.* What were the words he used, as near as you can say? A. He said, "My mother has done all this; she has murdered my two brothers and my sweetheart, and I, in self-defence, believe I have murdered her."

MR. BEASLEY. *Q.* Was that all he said at the time? *A.* Yes—I then went for the police—I believe I heard the prisoner's father go out that morning about half-past five.

COURT. *Q.* You heard somebody go out? *A.* Yes; and believe it was he.

Cross-examined by MR. BEST. Q. Had the Youngmans lived long in your house? *A.* On 24th March they came to lodge with me—I am not much at home in the day-time—I go out in the morning and come back in the evening, calling in sometimes in the course of the day—I do not know but what Youngman and his wife lived on pretty tolerable good terms—perhaps occasionally I heard them have a word or two, but not enough for me to interfere.

COURT. *Q.* They had a word or two occasionally, but nothing particular? *A.* Nothing particular.

MR. BEST. *Q.* Did they seem to be pretty well off in the money way? *A.* Well, the man always paid me his rent, and so far I had nothing more to do with him; he paid me regularly 4s. a week—I was awoken by a lumbering noise—the noise was like a heavy fall on the floor, as if something heavy had fallen—I do not know how far the distance is from the room where I was sleeping to the landing where I saw the body of the boy; I never measured it—I cannot tell you—the floor of the second floor was not so high as this Court—I lived on the ground floor—I never measured the distance between the ground floor and this third floor where these people were living—it is about three parts of the height of this Court, I should say—when I went up to the landing the first time I saw no live person there; I did not go up on to the top of the landing, as soon as I saw the boy's body I turned down stairs—I saw the prisoner afterwards, not at that time, some portion of the way down stairs—I cannot say much as to his being collected and composed at the time—I should not think he was very collected at that time; I did not stop long enough to make any particular observation of the man.

FREDERICK HENRY CAIGER. I am a surveyor—I made this plan of the premises.

COURT. *Q.* Is it made to a scale? *A.* It is; I have not measured any heights, but I should say that from the floor of the ground floor to the floor of the second floor was about from twenty to twenty-one feet.

MR. CLERK. *Q.* I see by the plan there is a door to each room opening on to the landing? *A.* Opening inwards to the rooms from the landing—I am speaking of the second floor—the doors are exactly opposite each other—the two doors, when closed, are 5ft. 10 1/2 in. from one another, across the landing—from that landing of 5ft. 10 1/2 in. there is a narrow landing 2ft. 6in. wide—that goes toward the head of the stairs—that goes from the landing that is between the two doors towards the head of the stairs—2ft. 6in. is the width of each stair.

SUSANNAH BEARD. I am the wife of Philip Beard—I live with my husband at 16 Manor-place—we occupy the first floor—I have one little boy about 11 years old—I occupy the back room as a sleeping-room—the little boy slept in the same room—on the morning of Tuesday, 31st July, I should think it was nearly 6 o'clock when I awoke—a noise above my head awoke me—it was a sort of scuffling on the boards—I thought it was the children playing when I first awoke—I awoke my husband, thinking it was late—I heard a sort of lumbering as if something fell on to the boards after that; that was not till after I awoke my husband—I could not say what it sounded like, falling—it appeared to be as if something heavy had fallen on the boards—I thought it was in the bed-room; it seemed over my head—I could not say whether what I heard fall fell on the landing or in the room—my husband went to the bed-room door and went up the stairs—he then called out the "Murder!" and came down—he afterwards went up again with Mr. Bevan, the landlord—after he came down the second time I went to the door of our room and saw the prisoner on the stairs between the first and second floors—he either said, "Mr. Beard" or, "Mrs. Beard, my mother has done all this, she has murdered my sweetheart and my two little brothers, and, in selfdefence, I believe I have murdered her"—while my husband was dressing the prisoner called out from the stairs, "Mr. Beard, for God's sake fetch a surgeon, I believe there are some alive now"—when my husband was dressed he left the house—he and I went down stairs into the lower parlour—I locked my bed-room door, and locked my child in, and we went down below to the landlord's room, and my husband directly went for a doctor—I did not see the body of the young woman at all—I had seen a young woman come

to the house on the previous day, Monday, 30th July; I think it was pretty well 11 o'clock in the morning when she came—she came with the prisoner—I saw them again about 7 in the evening, going out, as I thought for a walk; they went as if they were going to the Walworth-road—I afterwards saw them return about 10 o'clock; they returned together, by themselves—I saw them come down stairs again about five minutes afterwards, that is I saw them outside the door as if they had come down stairs—I saw them come into the house again about a quarter of an hour afterwards; that would be about a quarter past 10.

Cross-examined. Q. Had you seen this young man before that day? *A.* Oh, yes; he had been staying at the house for a short time previously—he and the young woman seemed very friendly when they were at the door together at 10 o'clock—they seemed on affectionate terms with each other—when the prisoner addressed me on the stairs, and said, "This is my mother's doing," he seemed very much excited—on other occasions he was generally calm and quiet in his manner.

PHILIP WILLIAM BEARD. I am a carpenter and joiner—I and my wife occupy the first floor at 16 Manor-place—I remember the prisoner coming to the house, but I cannot say exactly what time he came—I had seen him there some days before 31st July—I had seen him in the house—I remember Sunday the 29th—I had some conversation with the prisoner that day in the yard—a little conversation passed on trivial affairs, and he told me that he had been a valet and footman, but that he had left that, and was going into the farming business—he did not say why he had left it—I did not see the young woman on the Monday night—on the Tuesday morning I was awake by my wife early; it was about 5 minutes before 6, or something like that—after she had awoken me I heard a sort of rumbling noise on the stairs, it appeared to be on the landing over me, it was like children running about, or something like that, I had heard the noise frequently before—I was on my landing—it seemed to come from the top floor above me—when I came out of my room I heard a slight scream, when I got to the foot of the stair—I went up stairs—the first thing I saw was a spot of blood on the stairs, on the fourth stair from the top, I did not notice any on any other—I went a little higher, and the first thing I saw was the little boy lying on the landing—I thought he was dead, he had his throat cut, and was lying on his back with his head

towards the stairs—I then went a little higher and there saw the female lying on the landing—I did not then know who she was—I found afterwards it was Mary Streeter—she was also lying dead, a little beyond the dead body of the boy—I did not observe any other body at that time—I was alarmed, and went down, and called up Mr. Bevan, the landlord—I then went up again with him, behind him; there was no one else with us; the inspector had not come at that time—when I had called the landlord I went up stairs and began to dress—I did not go up with him then, I went up to my own bed-room, I did not go up to the second floor then, not till the inspector came—he did not come till Mr. Bevan went for him—I did not go up any more till after the police had been—I went for a surgeon—I saw a policeman at the top of Manor-place, and I sent him down—I did not see anything more of the prisoner—he called me out of my bed-room after I had began to dress, he was then on the stain—he called me and said, "Mr. Beard, my mother has done it all, she has murdered my two little brothers and my sweetheart, and, in self-defence, I believe I have murdered her"—that was all he said then—I then went into my bed-room again, and finished dressing and he begged of me to go for a surgeon.

Cross-examined. *Q.* Did he say to you, "For God's sake go to a surgeon's, I think there is some of them alive now?" *A.* Yes—I was about five minutes in my room dressing myself—I dressed as speedily as I possibly could—I do not know whether my wife was present at this conversation on the stain—she was present in one instance, I believe, I did not see her—I have not known the prisoner for any time—I only just saw him backwards and forwards in the house—I never had any particular conversation with him—I was not at home most of the day—I was always out at work from 6 in the morning till 8 or 9 at night—I had no opportunity of observing how Mr. Youngman and his wife lived towards each other.

MR. CLERK. *Q.* Your wife used to be at home? *A.* Yes.

JOHN YOUNGMAN. I am the father of the prisoner—I resided on the second-floor of the house, 16, Manor-place, Wai worth—I can't say exactly how long I had been there—my wife, Elizabeth Youngman, also lived there, and my two sons, Thomas Neale Youngman, and Charles Youngman—Thomas was eleven years of age,

and Charles seven—in the month of July the prisoner came to live with me—he had before that been at service at Dr. Duncan's; that was the last place he had lived at—he was footman there—I do not recollect on what, day it was that he came to my lodgings, but I should suppose it was about a fortnight before the 31st July—he used to sleep in the back room, the same room that I slept in—Thomas, the eldest of the two boys, slept with him in the same bed—I slept on a bed made up on the shop-board—I am a tailor, but I work away from home along with a son who lives in the neighbourhood—my wife slept in the front room and the boy Charles with her—I am frequently away from home at my work, during the day; mostly all day—I go home to dinner very frequently; not at all times—I was away from morning till night, except sometimes when I went home to dinner—on Monday, 30th July, I came home about a quarter or twenty minutes after 10 at night, as near as I can bring it to mind—I did not see the young woman, Mary Streeter, at all that night—I saw my wife before I went to bed—the prisoner went, to bed that night as usual, in the room—I should think it wanted about twenty minutes to 11, at that time—I told him when he was ready I would put the light out, and he said he was all ready, and I put the light out and went to bed directly, and he at the same time—my boy, Thomas, was in bed when I got into bed; he was in the bed with the prisoner—I awoke in the morning, I consider, somewhere about 4 o'clock; I did not know the time because I had not a clock in my room; I imagine that was the time by the appearance of the morning—at that time I saw the prisoner at the foot of his bed—it was daylight; just the break of day—he was in the act of getting into bed—I supposed he had been to look at the clock—I believe the door of the room was not closed; it generally stood open, but I did not take that notice—I usually slept with the door about an inch open—I took no notice of it then—the door of the front room was always closed at night, to the best of my knowledge—I fell asleep again—I got up at 5 o'clock that morning—it was about twenty minutes after 5 when I left my room—I expected that the clock went 6, but in lieu of that it was 5 I found when I got out—the prisoner and Thomas were in bed at that time—I went to my son John's to work—I did not go into the front room before I left; the door of that room was closed—I was afterwards fetched from my son's—I should think it was about twenty minutes after 6—I came back to the house—I saw the body of the young woman, Mary Streeter—she was then dead—I had seen her before, three or four times, I believe—the first time I saw her I dare say might have been two years previous—she had not been in the habit of coming to our house

then—I saw her two or three times since—I saw her once or twice in July; that was at Manor-place—I do not think I saw her more than once in Manor-place—I saw her once at my son John's, along with William, and once at Manorplace with him—the prisoner had never said anything to me about his intended marriage—I understood it was to be the case, but he never acquainted me with it—a knife was shown to me on the morning of 31st July, by Lack the constable—this (*produced*) is it—I had seen that knife before that day—I saw it in my son John's shop—it was in the prisoner's possession—it was then quite whole, to the best of my knowledge; not broken as it is now—the prisoner was showing it to a man who was working at my son John's, and the man said it was not a fit knife to carry—the prisoner said anybody had a right to carry such a knife, if they thought proper, for their own protection—I should think this was about nine days or a fortnight before 31st July—I never saw him use the knife for any purpose—I never saw him show it at home to my wife; not to my recollection—as soon as I got back to the house on the morning in question, I called out, "Where is William?" he was then brought down in to the passage by the police; he was in custody—he said, "This is all mother's doings, father"—that was all he said—to the best of my knowledge the prisoner was not possessed of any property at this time; he had no money, except what he had from service—I believe he had been in Dr. Duncan's service for half a year—he was out of employment for some time before he went there—I cannot say for how long—it was as long as a year—I learnt so from him.

Q. Had he ever said anything to you about insuring the life of the young woman? *A.* I had heard it talked of; I don't think he ever said anything about it to me—I am not certain he did not; I have heard it repeated and talked of at different times—I heard it talked about at my son John's.

COURT. *Q.* You say he never mentioned it to you; but did you hear him mention that he was about insuring the life? *A.* Oh, yes; at different times—I heard him mention it at my son John's.

MR. CLERK. *Q.* Do you know the prisoner's handwriting? *A.* I think I should know it, but I am not sure; I am a very little writer myself—I saw the dead body of my wife and of my son Thomas, at the same time I saw the dead body of the young woman—I also saw the dead body of my youngest boy, Charles; I saw him last.

Cross-examined. Q. You say this insurance was talked about at your son John's; was that in the presence of several persons? *A.* Yes, openly—I should think that was something like nine days, or a fortnight, or a week before 31st July, and perhaps a day or two before, but I cannot bring it to mind—my wife's maiden name was Golden—I knew her mother quite well—she was a lunatic at the latter part of her life—she died in Peckham Asylum—a brother of my own also died a lunatic in Norwich Thorpe Asylum—none of my children have died in that way—my father, I believe, died tolerably sensible, but he had been in an asylum two or three times—I work for my son as a journeyman and receive journeyman's wages—I receive a pound a week, on an average; I am sometimes short of work—I was not short at this time; I had plenty doing just then—my wife and I lived upon tolerably good terms; we used to have more words about the children than anything else; I thought that she talked to them a good deal more than there was any occasion for—we quarrelled occasionally about the children—I thought she interfered with them too much—she used to correct them more than I thought she had any occasion for—she did not correct them particularly severely, but she corrected Thomas more than I thought she ought, because I thought Charles was quite as much or more in fault than Thomas—my wife and I did not sleep together at all times—we had not slept together for the last week previous to William coming to the house—that was because I wished to get to bed always when I got home of a night; and not only that, my wife was troubled with an inward complaint—she had a cancer in the womb; that was the reason why we did not sleep together—I sometimes took my breakfast at my son John's—I sometimes took my supper at home, not often—I supped at my son's, and sometimes I had no supper at all—I always took my tea at my son's when I was there—I did not go to any place of entertainment to spend my evenings, or to any public-house; and had not done so for a long time—I saw this knife when I was at my son John's house—I do not remember the prisoner saying that it was a good sort of knife for eating meals with—I cannot say that I ever heard him say that—I have seen him take his meals in the house, but I never saw him use that knife at all—I did not sup in the

house the night before 31st July—the front room was used for supper and meals; that was the room in which the family lived in the daytime—the point of this knife is broken off and the guard is also broken.

MR. CLERK. *Q.* When was it that your wife's mother died? *A.* 15 years ago, in October—I never visited her in the asylum but once—I can't say whether she was there 12 months or 2 years—I think she was between sixty and seventy when she died—my wife had never been confined in any asylum—I cannot say that I ever perceived any appearance of an unsound mind in her during our marriage—I never did—she was rather more kind to Charles than to Thomas—that has been a cause of difference, a cause of words between us—I have frequently told her that Charles was most in fault.

JOHN VARNEY (*Policeman, P 333*). I remember Beard speaking to me on the morning of 31st July—I went by myself to 16, Manor-place, Walworth, about 6 o'clock—I went into the house and went up stairs on to the second floor landing—when I went up there I saw three dead bodies on the landing; the first was a boy about 10 or 11 years old; the next was a female lying on her face; and another female a little to the left of her—the prisoner came to the door; he said, "Oh! policeman, here is a sight; what shall I do?"—he made a step to come towards me on the landing—he was standing at the back room door when he said that—he was stepping out on to the landing, and I said, "Go back into the room and put on your clothes"—he was not dressed; he was in his night-shirt; I noticed the right sleeve of the shirt was torn, and the wristband was hanging on his hand—I noticed that when he was standing at the door—the wristband appeared to hang on the back of his hand—the inspector arrived just then—I then left the prisoner with him and went into the front room—the prisoner did not say anything to me before the inspector came, further than what I have stated; he said his mother had done all this—he said that at the time that he said "Here is a sight; what shall I do?" he said, "My mother has done all this;" and when in the back room he said, "I struck my mother, but it was in self-defence, and would not you have done the same? that is law."

Crosi-examined. *Q.* You told him to go into his room and dress himself? *A.* Yes—at that time he was only in his shirt—I am sure I saw the wristband hanging down—after my coming into the front room he took off his shirt to put another one on, and at that time I missed the wristband of it; I could not find it anywhere—I am quite sure it was on when I saw him first—I have the shirt here.

JAMES DANN (*Police Inspector, P*). Shortly before 6 o'clock on the morning of 31st July I heard of what had taken place at Manor-place—I went to the house accompanied by a constable of the name of Lack—I went up the stall's—I saw the prisoner standing on the landing on the second floor—we were both on the landing—he said, "This is my mother's doing; she came to the bedside where my brother and I were sleeping; killed him, and made a stab at me, and I in my own defence wrenched the knife from her hand and killed her, if she is dead"—upon that, the constable Lack, pointing to the body of the young woman, said, "Was this young woman lying here when you killed your mother?"—the prisoner hesitated a little and then said, "I don't know"—at that time there were three bodies on the landing—the boy, Thomas Neale Youngman, was lying on his back—his head was close to the edge of the top stair—his feet were in a direction away from the stairs; towards the wall of the house; the opposite wall—he was in his night-shirt—the right leg was a little drawn up—there was a great deal of blood where the body of the boy was lying—I then observed the position of the young woman, Mary Streeter—she was lying on the landing with her head inside the back room door—I should say that her head was about a foot or thirteen inches inside the doorway—her feet were towards the front room door—the body was lying on the right side—she was in her night-dress—there was nothing on her feet; no slippers—there was a great deal of blood near where her head was lying—the blood had flowed from near her head under the door of the back room and under the foot of the bed in the back room; the Stream was about four feet six or seven inches in length—the breadth at the commencement was about fifteen inches, at the termination about six or seven—I then observed the body of the elder woman, Elizabeth Youngman—she was lying on the landing with her face downwards; on her stomach—her face was close to the thighs of the young woman; resting on the floor—the right shoulder of the elder woman rested on the legs of the young woman—the feet of Mrs. Youngman were inside the front room door—she was also in her night-dress; without slippers, or stockings, or

anything on her feet—I observed a great deal of blood where she was lying—most of it was close to her head and throat; it had spread some distance; several inches away from her—there was a pool of blood where she was lying; where her head was—I went into the front room and there saw the body of the youngest child—it was on a bed in the front room, outside the bed-clothes, quite dead—he was in his nightdress—he was lying on the right side than any other position—the feet were towards the head of the bed; and the head towards the foot—there was a great deal of blood on the bed—it had soaked through the counterpane, blanket, and sheet; and into the bed—the blood was just underneath where the child was lying; underneath the child's neck and shoulders—I observed the floor of that room—there was not any pool of blood anywhere on the floor in that room—I saw marks of blood in the room—some had been trodden into the room with a naked foot—the footmark was sufficiently distinct for me to be able to speak of its size—it appeared to be the foot of a grown-up person—I saw two footmarks of blood; both in the same direction—I mean that I saw two footsteps which had imprints of blood, which had left the marks of blood, both going in the same direction, from the door towards the bed where the child was lying—there was no smear of blood along the floor of that room—there was no other blood in the bed except that which I have mentioned as being underneath the head and shoulders of the child, and that which had soaked through the clothes—I examined the bed in the back room—there was an appearance of blood about that bed—there were three or four drops of blood on the sheet, and some smears of blood on the sheet—it appeared to have been wiped off a person's hands—there was no pool of blood about that bed—there was some blood that had run from the door under the foot of the bed, and there was some blood that had been trampled about the floor of the room; but no pool of blood in any part—when I first came to the house the prisoner was not dressed; he was in his night-shirt—his hands and feet were bloody; his night-shirt was very much stained with blood also—I did not see any wound about any part of his person—I did not examine him particularly, but I stripped him, and I did not see any wound—I saw the weapon after it was found—the prisoner was taken into custody—I did not see any cut on him when he was taken into custody; he did not complain of any—on the evening of the same day I went down to Wadhurst, to the residence of Mr. Streeter the father of the deceased—I received from Mr. Streeter a number of letters, which I have here—I have fifteen in all—six of these letters were read before the Magistrate—these (*produced*) are the six given in

evidence, and these (*produced*) are the nine—they are all here—on my return to town I saw a box at the police-station, in the possession of Superintendent Payne—I opened that box with a key which I found in the prisoner's possession—I there found the paper which I now produce—it is a policy of assurance—I have a piece of the guard of the knife which has been produced—the prisoners brother John gave it to me.

Cross-examined. Q. You have told us there were two footmarks leading into the front room? *A.* Two—the first I should say was about two feet inside the door; that is, as near as I can remember—the second was about two feet six inches further on; towards the bed—one was the right, and the other was the left foot—there were no more footsteps round the bed—there was too much blood just at the landing outside between the two doors, to trace any footmark there—when the prisoner had the conversation with Lack, myself, Lack, and Varney were present—when the question was put to him he was a little confused—he was not so all through—he was very little excited; not at all—he appeared confused when Lack put the question—he hesitated, as I have said—he was not confused during any other part of the time—he appeared to be quite collected.

DAVID LACK (*Policeman, P 132*). On the morning of 31st July I went with Mr. Dann to 16, Manor-place, Walworth, a few minutes before 6—I saw three bodies lying on the second landing—I found this knife—it was lying just between the two females; it was open as it is now, with the point and a piece of the guard broken off, and smeared with blood just the same as it is now—I picked it up—I saw the prisoner at this time—he spoke to me first—he pulled his right shirt-sleeve up and said, "Here is a job; my mother has done all this"—I said, "Where is your mother?" he pointed down to the elder female and said, "There she lies; I struck her in my own defence"—I said, "Was this young female lying here when you struck your mother?"—he hesitated for a moment and then said, "I do not know."

EDMUND PAYNE. I am superintendent of the P division of police—I obtained the box which was opened by inspector Dann at the house, 16, Manor- place—I found it in the back room on the top floor—I directed its removal to my office and went with it—when the prisoner was brought to the police-station on the morning of

31st July, I spoke to him about the knife which has been produced here—I said, "Do you know anything about that knife?"—Lack the constable had just shown the knife to me; I think that was in the presence of the prisoner—the prisoner's reply was, "It is my knife; it is what I had to cut my bread and cheese with"—I think I asked how long he had had it, and he said, "A few days," or "about a fortnight"—I did not expect at that time to be called as a witness, and I do not recollect distinctly whether it was in reply to me or of his own accord, but he said he had had it in his possession a few days or nearly a fortnight—I believe he used both expressions; first, "a few days," and I believe he afterwards said, "Nearly a fortnight."

JOHN VARNEY (*re-examined*). When I saw the prisoner on that morning at the house in Manor-place, I asked him where the young woman slept the previous night, and he said, "In the front room"—he said she had slept with his mother and his little brother, and the elder boy slept with himself in the back room

WILLIAM BARNARD BODDY. I am a surgeon, and practise at 3, Savillerow, Walworth—on the morning of Tuesday, 31st July, I was called to go to the house 16, Manor-place—that was, I should think, about 6 o'clock—Beard, the carpenter, the man who lives in the second floor, came to me—I went to the house immediately—I there found the bodies of four persons, who were dead—three were on the landing and the body of the little boy was on the bed in the front room—the bodies were all quite warm; as warm as if they had been alive; from animal heat—I examined the body of the young woman, Mary Wells Streeter, which was lying on the landing—I found a stab over her left breast which penetrated the cavity of the chest—there was also a wound on the throat; it was literally cut from ear to ear—that had been done with a very sharp and very strong instrument—the carotid artery and jugular vein on each side were divided; making a clean sweep through everything, down to the cervical vertebrae or bones of the neck—the wound had severed the windpipe and the gullet—such a wound would, I think, have caused instantaneous death; the cutting through the windpipe and the gullet would prevent a person from calling out; it would be quite impossible for a person to call out with such a wound—I think it must have required a strong arm to have inflicted that wound.

COURT. *Q.* That must, of course, depend upon the instrument? *A.* It would depend upon the instrument.

MR. CLERK. *Q.* What sort of person was the deceased? *A.* A young woman in good animal condition, I think—in no way emaciated, but healthy—she was anything but weak; I think she was healthy and strong—I then examined the body of the elder woman; she had three stabs altogether, two over the left shoulder-blade, one over the sternum or breast-bone, and a deep cut or stab behind the left side of the neck, which divided the carotid artery and jugular vein on the left side down to the cervical vertebra—that wound would have caused almost immediate death, perhaps not so instantaneous as with the other, who had her throat cut—I should not think it possible that the wounds either upon the young woman or the elder woman could have been inflicted by themselves, particularly upon the elder woman; it would be an impossibility—the elder woman seemed to be a person in tolerably good health, not particularly bulky or muscular, but tolerably healthy, I thought—she was not particularly strong certainly, rather inclined to be stout than thin—I did not discover any injury about the hands of either of the women—I then examined the body of the younger boy, Charles, who was lying on the bed in the front room—I discovered one wound over the chest-bone, and two small incised cuts on the left upper arm, and there was one deep plunging cut or stab through the back of the neck, which divided the bones of the neck and cut right through the spinal cord—that wound would have caused immediate death—a part of the gullet and windpipe was likewise wounded in the sweep of the knife; that would have quite prevented the child from crying out—I then examined the body of the elder boy, which was lying on the stairs; he had two cuts, one on the right angle of the lower lip, and one cut all round the throat, merely dividing the cutis, not the skin positively, but the small enveloping membrane—there were six stabs altogether, one on the right side of the neck and half way between the ear and the right shoulder, one over the left breast, another over the left breast about an inch and a half below the former, and more to the left side, and three stabs on the left side over the ribs—the three first fingers of the right hand at the extremities were cut through to the bone; the third finger of the left hand was likewise cut at its extremity quite into the bone—those were all the wounds—the one that entered the chest was the cause of death—there were two wounds on the chest; both were fatal wounds; one entered the pericardium, the enveloping membrane of the heart, that would be necessarily fatal, the other

penetrated the lungs—both wounds entered the lungs, the top as well as the bottom plunge, and both would be fatal—if the child had grasped a sharp instrument, the hands would have presented exactly the appearance that I discovered, if the weapon had been drawn through the hands—I see the knife that has been produced; the marks I saw were just such as I should have expected to find from such an instrument—all the wounds upon all the four bodies were inflicted with a sharp instrument; it must have been a very sharp, powerful instrument—I have seen this knife before; the point of it is broken—I apprehend that it was originally a sharp pointed instrument; such an instrument as that, if the point had been sharp, might have inflicted all the wounds I saw upon all the bodies—there was no mark upon any of the bodies of a struggle having taken place during life, except upon that of the child that was lying near the stairs; his were the only hands that were wounded.

Cross-examined, Q. If I understand you rightly the mother had one wound in the chest? *A.* Yes—if that wound had been inflicted first I think she would possibly have screamed; I think it is more than probable she would—she had four wounds—I think the mischief that was product on the boy's hand was from an attempt in struggling to relieve himself from some injury that was being inflicted upon him; the cuts presented the appearance as if they were inflicted when struggling with some person, putting his hands up to prevent his throat being cut—if those wounds on the boy had been inflicted with great rapidity he would have died almost immediately—the two in the chest would have caused nearly instant death—I think he might have had time to scream out; death would not have followed so rapidly as that; there would have been some moments between the infliction of the wound and death—I have had very little experience in cases of cancer of the womb—I have never known it to create delirium; it produces a great deal of emaciation if it is of long continuance—it is an extremely painful disease—I should not think the pain would affect the brain; it might occasionally, but not as a general rule—it is not taken as a symptom or consequence of disease of the womb—supposing that Mrs. Youngman had been in a state of delirium I think she was strong enough to have inflicted these blows.

MR. CLERK. *Q.* Had there been an attempt to cut the throat of the boy that was lying on the stairs? *A.* Yes.

COURT. *Q.* That was the wound on the throat you have described? *A.* Yes, the superficial cut—that led me to suppose that there had been an attempt to cut the throat; the mark was very defined all round the throat—I did not distinguish much difference as to size and bulk between Mrs. Youngman and Mary Streeter; the elder woman was the fatter of the two I think—there was no appearance whatever of any struggle on the part of Mary Streeter.

MARY ANN WOOTTON. I am in the service of Dr. Duncan, of Henriettastreet, Covent-garden—I know the prisoner; he was there a week before me—he left on 16th July last—he had been in Dr. Duncan's service three months, I believe; during that time I have seen him writing frequently—he used to write letters and poetry—the date of the letter I am looking at is the 21st June; I believe it is the prisoner's handwriting—this one of 18th Juue is his writing, and this of the 21st—I believe this letter of 13th July is in his handwriting; also these two on 16th, and this one of the 19th—to the best of my belief this one without a date is in his haudwriting—this letter of 21st is his, and also the one of the 28th.

JAMES ANDREW DUNCAN. I am a physician, residing at Henrietta-street, Covent-garden—the prisoner was in my service as a footman; he came to me on 18th April last, and quitted on 16 th July—I was in the habit of seeing him frequently; it was the greater part of his duty to wait on me.

Cross-examined. *Q.* Have you had any experience in cases of cancer? *A.* Yes: cancer in the womb is a most painful disease; it generally makes a patient very irritable—I should not set down delirium as one of its symptoms; it may come up as an accidental symptom—if there has been mania in a family and a disease is acting upon a person, it would be more likely to bring it on—I know a mania, described as homicidal mania, especially among women—one of the great features of that mania, is, that persons afflicted by it, most frequently attack those to whom they have the greatest affection—it generally occurs after confinement, where the mother, although she has the greatest affection for her child, cannot resist destroying it—I have read Dr. Taylor's work on homicidal mania—I agree with him when he says that individuals are liable to be seized by a

sudden impulse, when they will destroy persons to whom they are most strongly attached; but it is impossible to define what madness is; that is to say a person may have reason and know the wickedness of what he is going to commit, but yet be unable to resist the animal part of the functions, of the brain.

MR. CLERE. *Q.* Does cancer in the womb, where it exists, produce emaciation of the body? *A.* Yes; that is how the patient dies, from being completely worn out.

COURT. *Q.* Supposing a person not to be emaciated, does that indicate anything with respect to the state of the disease? *A.* That would show it was merely beginning, not advanced; that the disease had made but little progress—it might or it might not be attended with pain, then it would not necessarily follow the patient would be made more irritable—in my judgment if the disease had not got so far as to emaciate the patient, I don't think the pain would be such as to bring on delirium—the patient might, possibly have taken opium as a remedy for it, which would perhaps cause it.

EDWARD SPICE. I keep the Green Dragon public-house, Bermondsey-street, in the Borough—I knew the deceased Mary Streeter—on Monday, 23d July last, she came to my house on a visit; she came with the prisoner—she came in the afternoon and stayed there all night—on the next day, the 20th, the prisoner came, as near as I can recollect, about half-past 6 in the morning—Mary Streeter stayed four days at my house on a visit—she was an old friend of mine; I and her father Were brought up together—after partaking of breakfast on that morning, they went away together and returned again about 9 o'clock in the evening—he came down at half-past 5 the next morning—it rained on that day, and they stopped till 9 o'clock—on Thursday morning I called her out at 5 o'clock, and the prisoner came in about five minutes past 5—I had some conversation with him about the girl—I spoke to her first in the tap-room—I saw what I did not like in the man, and said to her in his presence, "Mary, I would sooner see you take a rope and hang yourself in the skittle ground, than marry a man like that"—I said to the prisoner, "What means have you got to support my girl?" "I called her my girl—he said, "I am independent"—I said, "What is your independency, was it left by a legacy? have you got anything to

show me, any paper?"—his reply was, "In houses"—I then asked him if they were in the country or London? "Various places in London—he said—I said, "Well, you must be a rich man," and said to deceased, "Now, Mary, take my advice, give him a total denial, have no more to do with him; go and seat yourself in my bar parlour, and I will take you home safe to your father"—the prisoner made no remark on that—he said he intended to take her either to Hastings or Brighton; I think it was Hastings he said.

Cross-examined. Q. He did not say to reside there? *A.* He said he was going to take lodgings there to keep her independent—I said, You must have a good income to support a young woman like this"—he said, he was a retired tailor—I did not know anything about his being a valet.

SAMUEL WELLS STREETER. I am a farmer in Essex—the deceased young woman was my daughter—the prisoner came to my house on Sunday, 8th July last, and stayed there one night; I had never seen him before—my daughter had never mentioned to me that he was paying his addresses to her—the prisoner had not mentioned it to me—when Inspector Dann came down to my house I gave him some letters that were locked up in my daughter's writing-desk.

Cross-examined. Q. I believe you had the misfortune to lose another of your daughters some time before? *A.* Yes; in May last—she was not married, she died of consumption—this girl had not been subject to any disease of the chest or anything of that kind.

THOMAS TANNER. I am clerk in the office of the Argus Insurance Company—on 19th July last I saw the prisoner at that office (he had had a form previously)—he brought a form of application with him; I have it here (*produced*)—this is one of the forms issued by our office; the name of William Godfrey Youngman was signed in my presence by the prisoner—he wrote the answer to question No. 18, it is "William Godfrey Youngman, 16, Manor Place, Newington, London, retired from the business of a tailor"—that is written opposite the question "Name and place of residence"—before he signed it I asked him what he was—he said he was no

trade—he came again on the following day, the 24th, accompanied by a young woman—she was examined by the medical officer, and a policy on her life was prepared—that is the policy (*produced*)—there is no attesting witness; that is the policy that was effected on that day—the premium was paid on 25th, 10s. 1d. for three months—the premiums are according to the wish of the parties; if they wish they can pay quarterly or half-yearly—in this case the prisoner expressed a wish to pay quarterly—I gave a receipt for the premium; I have it here, this is the first receipt—I believe the young woman paid the money.

(The following letters from the prisoner to the deceased were read; the first was dated 18th June, from Henrietta-street, Covent-garden; it contained some allusions to his long silence, and expressed a desire to renew his former intimacy with the deceased; the second was dated 21st June, acknowledging a reply to his first letter, and expressing a wish to see her when she came to town. Editor's note: Spelling errors in these letters are italicized.)

"8, Henrietta Street, Covent Garden, July 13th, 1860.

"My dearest Mary.—This comes with my kindest love to you, trusting you are well and happy; myself I am pretty well in health. Now, come to London, dear girl, on Monday next, the 23d, and stay till Mrs. Walker leaves her situation, then go back home again and come up again on Friday morning, 10th August, and I will come on 10th August to meet you, and shall stay at the lodgings I shall take for you and myself. I shall engage furnished lodgings for a week only, when I shall be able to settle all things and go down to your father and stay with him a day or two. You can lodge somewhere on the Friday you come up, and I, at our lodgings, so be ready for Saturday morning, when we will be married at St. Martin's, Charing Cross, on Saturday, August 11th next; I have published the banns of our marriage, last Wednesday, and it will be asked in church on Sunday next, and Sunday, 29th, for the third time. I gave warning to leave on Wednesday next, 11th, can leave on 10th of next month having a day's wages less; now you will have quite money enough, my dear, till after we are married, when I shall have plenty, but not till then; but you need only wear your black clothes, my dear girl, at

our wedding. I shall only wear black things and have no white gloves at all dearest; our coachman will stand as father for you, and I shall not require a bridesmaid unless you like, if so, our housemaid will come if she can, and we will go after we are married to Kew Gardens or somewhere, and breakfast before we are married, by ourselves. I think I want to assure your life when you come up on Monday week; it will be settled in the time you are here, two or three days; bring all your things when you come on 10th August; say to your mother you are going to stay with my Mends a fortnight and then look for a situation in the time. After we are married you can have all you wish for, so you will have enough money for the present time, as you do not want to buy anything; all the clothes you have will do for the present, till we are married, and on Wednesday, after we are man and wife for life, I shall take money enough to supply all your wants and wishes, so rest happy till then, my dearest girl. I will expect to see you then in London on Monday week, to assure your life and buy you the wedding-ring to give you to keep till the day I put it on your finger; the 11th August next must be the day, I cannot wait another day longer than that my dearest girl Buy nothing except you want it very much indeed, as I will buy you all you want the Wednesday after we are married on a certainty, but at the same time remember all I have told you. I am now awaiting to hear from you again; say you will do as I write by return of post—I am, dearest Mary, your ever affectionate lover, W. G. YOUNGMAN.—Kind respects to all friends, remember, do not forget what I have said; be careful keep all your letters looked up, so your mother and no one can see them, and bring them when you come here."

"8, Henrietta Street, Covent Garden, July 16th, 1860. "My beloved Polly.—I received your kind and most welcome letter this morning, and was glad to hear you were enjoying good health, myself I am pretty well in health, but am anxious to see you again; indeed I long for the 23d, Monday, to come to see you. I suppose you will stay as you said before with Mrs. Walker, at Gloucester-terrace, till she leaves, which you said would be on 26th of this month, that would be on Thursday week, so you could stay three or four days there, and I shall be, of course, there with you once a day at least, I have made up my mind to get away from here this week, so I shall be with you next week when you come. Since I gave notice to leave here last Wednesday, our people have spoken to me in such a manner that has not suited me, and I am certain to give Mrs. Duncan a good talking to

next time she goes on at me again, when I hope the Doctor will tell me to go at once, has then that is what I want, when I shall be paid my wages the same up to 11th August, when I shall go to my brother's and be able to do many things I want to do before we are married, dearest girl. I know I shall have a job to get a holiday when I want it if I stay here longer than this week, so I am in hopes of getting off from here this week, to-day; tonight I want Mrs. Duncan or the Doctor to talk to me, then I shall be ready to talk to them, and so be sent off. You understand, I am a little sharp in this. Now, my dearest Polly, I have a form to be filled up to take to the Life Assurance Company's office, that is, to answer all the written questions as asked on the printed forms, which is necessary should be done first. I know your name and address, but your occupation, I shall say you have (*none*)—you understand? But I want to know your place of birth, and date, and your certificate of birth is required to be taken to the office, just to let them see your right age; then, of course, I shall say single, and a spinster; then I want to know your father's and mother's ages, and also to know if you have ever been abroad; if so, where, and for what period of time; also, have you had the small-pox, or have you been vaccinated; have you ever had the gout, or spitting of blood, asthma, rupture, convulsions, fits of insanity, vertigo, habitual cough, disease of the lungs, complaint of the liver, or any other disease which tends to the shortening of life; let me know this, but I can say what I like, or you like, *has* any of these complaints, of *course*, would be against your having your life assured. Then it's asked, has any member of the family died of consumption; I think you said your sister died of that dreadful complaint; but I must say no to that answer. Then they want to know the name and residence of your medical attendant; you could say you had none, to that question; but the name and residence of an intimate friend is required to be referred to for general information, that is to say, they must have some one who knows you to write to, to ask *they* how long they have known you and your family, and are they healthy, and *his* your health been good, and *his* it so now, and to ask if any member of the family have died of any bad disorder, such as I have said; and you must tell the friend, whoever you get to do this for you, to make it out in the best manner he or she can, *has* you will also do; and let them say they are not a near relation, only a friend, if ever you are. You understand that, dearest girl, *has* all must be done in the best possible manner to have them assure your life, *has* they would not take you if they thought you were unhealthy, or any of your family had died of anything bad, or *where* any of them unhealthy, that would be, of *course*, against it, so, when

they write to your friend, let them give a good letter to them—he sure and manage that with them, and to answer the letter they send by return of post; so, when you come up on Monday next, all you will have to do will be to go with me to the Assurance Office, near the Bank of England, city, and see the, medical man there, then I can give you the money to pay the first premium upon your life, which will not be a large sum to assure 100*l.* in case you should die any death, which sum would be of use to your children or me, in that case, dearest girl; but it *his* a very good thing to do, and the duty of every mother, or wife, or father to assure their lives, if they can but spare a little to pay every quarter; see what distress often arises from friends not leaving any thing to their relations or dear friends when they die! You know the benefit of all this, therefore you will, of *course*, just send me the information I require of you, that I may take and fill up the form to take to the office, so they can write to your friend *has* I tell you. Write *has* soon *has* you can, I am anxious to get on with it before you come next Monday to London. Now, I am, with love ever to you, your loving, affectionate, WILLIAM GODFREY YOUNGMAN.—My kindest remembrance to your friends, and quick answer I hope to have, my most beloved girl; I am indeed anxious to get all these things settled, and look forward for the happy day when you will be mine for life. Adieu, dearest."

"16, Manor-place, Newington, London, S.

"My most beloved Mary.—I received your affectionate note this morning, but I must say I am very much hurt to find you state in your note that you do not wish to have your life assured; why, my dearest girl, why do you alter your mind? I have been to the office, have told them to write to your friend, Mrs. James Bone, for the information they require, they did so yesterday, and expect her to send them answer by return of post; and I told them you would come with me on Monday for the policy, so let Mrs. James Bone write to them *has* they wish, and that you will go with me and assure your life on Monday next *has* you said you would before. Why can you go from your word? You will never lose anything by assuring your life; will not die any sooner, my dear girl And as regards your father and mother not *liken* you to do so, you can do *has* you like without them preventing. Now, say no more to them about it, but come and do *has* I wish you to do. I shall, indeed, never forgive you if

you do not, *has* I, wish you to do so for a particular purpose, which I will tell you of. I will always pay for it, of *course*, and you will never lose anything by it. I intend to get a house for you and myself near or in Brighton next week, as it will, of *course*, be foolish for me to go there without you can go with me, even after you have assured your life; but if you will not do this, and will rather mind what your friends say to you about assuring your life, why I cannot think you would love me *has* I wish you would. You will never find any one to love you so again, and would you break my heart and not do *has* I wish you in this little thing? Why do you not do *has* you said? Can you cease to love me? Will you now refuse to do this which is for the good of those you leave behind when you should DIE? Surely, my dearest girl, you will still love me and do this, or how can I think you do love me if you refuse? no, I cannot believe you love me. Now, my dearest girl, I have nearly settled the assurance, I have left my situation, I have look for a house for us to live in, and with your consent I have published the bans of our marriage, and you have consented to be mine next Monday week. Now, can you break my heart and act like-this? do *has* I tell you, dearest girl, and I will do anything you wish to be done, only do *has* you have agreed to do, let me assure your life on Monday next, and be mine own dear wife the following Monday *has* you promised me in your letter, and every thing you wish for shall be yours. I shall have money enough to supply more than our wants. Next Wednesday or Thursday come and be mine, and we will have all this settled, and we will go down and see all your friends in a few days after things are Bettled. I want you to go to Brighton to get a house, where I wish to live with you, my dearest Polly. Do you love me still 1 if so, do as I wish and keep your promise; be sure and bring the certificate of your birth with you on Monday, and let Mrs. James Bone answer the letter to the Assurance Company to-day, if she has not done so yesterday, so they will get answer on Monday morning before you and I go there. They will not keep you a moment, ray dear girl, only be mine and do this and be happy. You cannot do wrong in this, you will never have cause to regret; pray do *has* I wish, come and do this on Monday; come, come to me, and be mine, you will never want for a thing while you live, believe me. I cannot but be hurt, hurt, indeed, if you do not comply with my request; do make me happy, do this, it will be all for your good. Write again so I can have a letter on Monday before you come up. Oh, my dearest girl, I know you will not break my heart, I that love you more than life; be mine and never will you want for anything, I swear; but say not a word to your friends till we are married, then they shall be made glad,

and we will have a jolly day near home; they will not be sorry for your having me, one that make a lady of you soon, and make you happy for life; one who loves you more than his life, and can you not do *has* he wished you to do I say yes, dearest Mary.—I am, -with love to you, hoping you are well and happy, your ever affectionate lover, and ever more I am your best Friend, believe me; but I am hurt, pray heal me, say you will do *has* I wish, my dearest girl, I am your dearest W. G. YOUNGMAN."

"16, Manor Place, Newington, July 19, 1860.

"My most beloved Mary.—I received your kind and most welcome letter this morning about 11 o'clock; I was expecting to get it by 8 o'clock, but you put Boro' in the address too much, so it was sent to the Boro' first, which caused it to be late; put the address only as above, dearest girl. I have filled up the paper now and took it to the Life Assurance Office, and they will write to Mrs. James Bone to-day to get answer on Saturday, so you can go with me to the office before 2 o'clock on Monday; when you come up you will arrive in London about half-past 9 o'clock on Monday morning, that was the time I arrived last Monday week. Do not, my dearest girl, say anything to your mother about what you are going to do, only say you are coming to see me and stay with me and my friends till you get a situation here in London; and I think you had better not bring all your things, only the most particular ones, the best you *has*. You will not want many things till we are married, *has* you will have some made or bought for you by me before we are married, but bring a few of your best things only, and, above all things, bring all your letters and papers, leave nothing of importance behind, *has* all little things you have I want to see, And I shall, of *course*, go to Brighton for a time after we are married, if not before; but I shall see you on Monday morning. You must bring the certificate of your birth with you, *has* it must be taken to the office on Monday next, before the quarter's premium is paid, and I wish it to be done next Monday morning. I will take lodgings for you and me when you come up on Monday. You need not go to Mrs. Walker's at all; keep with me and I will manage it all comfortable enough for you; don't bring all your things, you understand, and only the best bring with you, and if you can borrow a little money of your father, do so for a few days when I can give it you to send him back, you understand, *has* money is short with me till about this day week,

Thursday. But I want to see you, dearest, and get your life assured, and get many things settled before then; and we will both go down and see your father and mother and friends, and surprise them, in about a week or eight days after we are married; but I am now, even now, *has* much *has* husband to you, dear girl, do *has* I tell you, and I am, with love, ever and ever to you. Do not forget to bring your birth certificate, as you cannot assure your life without it. I hope you will let me have answer by return of post, my most beloved girl, and one on Monday as well, to meet you at the station, London Bridge on Monday. I am your dear and most affectionate, W. G. YOUNGMAN."—Kind remembrance to your friends. You might bring a little of your home-made butter, and some things with you, only do not say I told you, you understand, it will be for your good, my dearest girl, I am now waiting to see you.

"16, Manor Place, London, July 21, 1860.

My dearest Mary.—I received your letter this morning. I am very much hurt to find you say you will not have your life assured, after I have troubled, and you had promised me faithfully to have it done, and to be my own dear wife on Monday next, but Tuesday will do *has* well *has* Monday, my dear girl, only your father, and mother, or any one must not know it. You promised me faithfully, over and over again, and I expect you will keep your promise that you would be mine, and that your friends would not know it till we were married. But now, dearest Mary, if you will only let Mrs. James Bone write to the Assurance Office at once, and go with me to have your life assured on Monday morning next, I will settle with you, and after that his done your friends may know that we are going to be married. I will arrange all things, so you and myself can go down to your house, if possible, the same day we are married, so you need not bring any of your things up with you. Keep to your promise, my dear girl, and your friends shall know we are married the same day that we are, next Tuesday week, but I must have you first assure your life, *has* I have a great wish for you to do so, and cannot believe you love me unless you do, so cannot certainly think you do love me now. I sent this in haste that Mrs. James Bone may have time to write to them to-day, so the letter will get in London on Monday morning, first post, if not, and you come, bring the letter with you, and the certificate of your birth. Now, I am in earnest; I am keeping my

word; you have promised me, now if you love me do this. I am, your affectionate lover, ever till death,
WILLIAM GODFREY YOUNGMAN—For your own sake, dearest girl, do *has* I say. Adieu."

"16, Manor Place, Newington, Saturday night, July 28th, 1860,

My beloved Polly.—I have posted one letter to you this afternoon, but I find I shall not have to go to Brighton to-morrow, as X have had a letter from them with what I wanted inside of it; so, my dear girl, I have quite settled my business now, and I am quite ready to see you now, therefore I send this letter to you. I will take this to London Bridge station to-morrow morning, by a quarter past 6 o'clock, and get the guard to take it to Wadhurst station, to give it to the porter there, who will get a man to take it to your place. I can only give the guard something, so you can give the man who brings this a small sum. I shall expect to see you, my dearest girl, on Monday morning, by the first train. I will await your coming at London Bridge station. I know the time the train arrives, a quarter to ten o'clock. I have promised to go to my uncle's to-morrow, so I cannot come down, but I will go back home with you on Monday night, or first thing Tuesday, so return here again Tuesday night to be ready to go anywhere on Wednesday; but you know all I have told you, and I now expect you will come up on Monday morning, when I shall be able to manage things *has* I wish to do, Excuse more, my dearest Mary. I shall now go to bed to be up early in the morning to take this letter. Bring or bum all your letters, my dear girl; do not forget, and, with kind love to you and respects to all, I now sum up, waiting to see you Monday morning, a quarter to 10 o'clock. Believe me ever your loving, affectionate, WILLIAM GODFREY YOUNGMAN.—You know all I have told you, therefore come, dearest girl; come, I am anxious now to see you. Adieu for the present."

The form of proposal was then put in, and the answer to question 13 "Has any member of your family died of consumption?" was "No"—The policy of assurance was also put in, it was for 100l. effected by William Godfrey Youngman, of 16, Manor-place, Newington, retired tailor, on the life of Mary Wells Streeter, of

Hunter's hall, Wadhurst, Sussex, commencing on 25th July, and renewable quarterly. The receipt for the first quarter's premium 10s. 1d. was produced and read.

GUILTY— DEATH

THE END

ARTHUR CONAN DOYLE

**THE LOVE AFFAIR OF
GEORGE VINCENT PARKER**

ILLUSTRATED BY SIDNEY PAGET

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THE student of criminal annals will find upon classifying his cases that the two causes which are the most likely to incite a human being to the crime of murder are the lust of money and the black resentment of a disappointed love. Of these the latter are both rarer and more interesting, for they are subtler in their inception and deeper in their psychology. The mind can find no possible sympathy with the brutal greed and selfishness which weighs a purse against a life; but there is something more spiritual in the case of the man who is driven by jealousy and misery to a temporary madness of violence. To use the language of science it is the passionate as distinguished from the instinctive criminal type. The two classes of crime may be punished by the same severity, but we feel that they are not equally sordid, and that none of us is capable of saying how he might act if his affections and his self-respect were suddenly and cruelly outraged. Even when we indorse the verdict it is still possible to feel some shred of pity for the criminal. His offence has not been the result of a self-interested and cold-blooded plotting, but it has been the consequence—however monstrous and disproportionate—of a cause for which others were responsible. As an example of such a crime I would recite the circumstances connected with George Vincent Parker, making some alteration in the names of persons and of places wherever there is a possibility that pain might be inflicted by their disclosure.

Nearly forty years ago there lived in one of our Midland cities a certain Mr. Parker, who did a considerable business as a commission agent. He was an excellent man of affairs, and during those progressive years which intervened between the Crimean and the American wars his fortune increased rapidly.

He built himself a villa in a pleasant suburb outside the town, and being blessed with a charming and sympathetic wife there was every prospect that the evening of his days would be spent in happiness. The only trouble which he had to contend with was his inability to understand the character of his only son, or to determine what plans he should make for his future.

George Vincent Parker, the young man in question, was of a type which continually recurs and which verges always upon the tragic. By some trick of atavism he had no love for the great city and its roaring life, none for the weary round of business, and no ambition to share the rewards which successful business brings. He had no sympathy with his father's works or his father's ways, and the life of the office was hateful to him. This aversion to work could not, however, be ascribed to viciousness or indolence. It was innate and constitutional. In other directions his mind was alert and receptive. He loved music and showed a remarkable aptitude for it. He was an excellent linguist and had some taste in painting. In a word, he was a man of artistic temperament, with all the failings of nerve and of character which that temperament implies. In London he would have met hundreds of the same type, and would have found a congenial occupation in making small incursions into literature and dabbling in criticism. Among the cotton-brokers of the Midlands his position was at that time an isolated one, and his father could only shake his head and pronounce him to be quite unfit to carry on the family business. He was gentle in his disposition, reserved with strangers, but very popular among his few friends. Once or twice it had been remarked that he was capable of considerable bursts of passion when he thought himself ill-used.

This is a type of man for whom the practical workers of the world have no affection, but it is one which invariably appeals to the feminine nature. There is a certain helplessness about it and a naive appeal for sympathy to which a woman's heart readily responds—and it is the strongest, most vigorous woman who is the first to answer the appeal.

We do not know what other consolers this quiet dilettante may have found, but the details of one such connection have come down to us. It was at a musical evening at the house of a local doctor that he first

met Miss Mary Groves. The doctor was her uncle, and she had come to town to visit him, but her life was spent in attendance upon her grandfather, who was a very virile old gentleman, whose eighty years did not prevent him from fulfilling all the duties of a country gentleman, including those of the magisterial bench.

After the quiet of a secluded manor-house the girl in the first flush of her youth and her beauty enjoyed the life of the town, and seems to have been particularly attracted by this refined young musician, whose appearance and manners suggested that touch of romance for which a young girl craves. He on his side was drawn to her by her country freshness and by the sympathy which she showed for him. Before she returned to the Manor-house friendship had grown into love and the pair were engaged.

But the engagement was not looked upon with much favour by either of the families concerned. Old Parker had died, and his widow was left with sufficient means to live in comfort, but it became more imperative than ever that some profession should be found for the son. His invincible repugnance to business still stood in the way. On the other hand the young lady came of a good stock, and her relations, headed by the old country squire, objected to her marriage with a penniless young man of curious tastes and character. So for four years the engagement dragged along, during which the lovers corresponded continually, but seldom met. At the end of that time he was twenty-five and she was twenty-three, but the prospect of their union seemed as remote as ever. At last the prayers of her relatives overcame her constancy, and she took steps to break the tie which held them together. This she endeavoured to do by a change in the tone of her letters, and by ominous passages to prepare him for the coming blow.

On August 12th, 18— she wrote that she had met a clergyman who was the most delightful man she had ever seen in her life. 'He has been staying with us,' she said, 'and grandfather thought that he would just suit me, but that would not do.' This passage, in spite of the few lukewarm words of reassurance,

disturbed young Vincent Parker exceedingly. His mother testified afterwards to the extreme depression into which he was thrown, which was the less remarkable as he was a man who suffered from constitutional low spirits, and who always took the darkest view upon every subject. Another letter reached him next day which was more decided in its tone.

'I have a good deal to say to you, and it had better be said at once,' said she. 'My grandfather has found out about our correspondence, and is wild that there should be any obstacle to the match between the clergyman and me. I want you to release me that I may have it to say that I am free. Don't take this too hardly, in pity for me. I shall not marry if I can help it.'

This second letter had an overpowering effect. His state was such that his mother had to ask a family friend to sit up with him all night. He paced up and down in an extreme state of nervous excitement, bursting constantly into tears. When he lay down his hands and feet twitched convulsively. Morphia was administered, but without effect. He refused all food. He had the utmost difficulty in answering the letter, and when he did so next day it was with the help of the friend who had stayed with him all night. His answer was reasonable and also affectionate.

'My dearest Mary,' he said. 'Dearest you will always be to me. To say that I am not terribly cut up would be a lie, but at any rate you know that I am not the man to stand in your way. I answer nothing to your last letter except that I wish to hear from your own lips what your wishes are, and I will then accede to them. You know me too well to think that I would then give way to any unnecessary nonsense or sentimentalism. Before I leave England I wish to see you once again, and for the last time, though God knows what misery it gives me to say so. You will admit that my desire to see you is but natural. Say in your next where you will meet me. Ever, dearest Mary, your affectionate GEORGE.'

Next, day he wrote another letter in which he again implored her to give him an appointment, saying that any place between their house and Standwell, the nearest village, would do. 'I am ill and thoroughly upset, and I do not wonder that you are,' said he. 'We shall both be happier and better in mind as well as in body after this last interview. I shall be at your appointment, *coûte qu'il coûte*. Always your affectionate GEORGE.'

There seems to have been an answer to this letter actually making an appointment, for he wrote again upon Wednesday, the 19th. 'My dear Mary,' said he, 'I will only say here that I will arrive by the train you mention and that I hope, dear Mary, that you will not bother yourself unnecessarily about all this so far as I am concerned. For my own peace of mind I wish to see you, which I hope you won't think selfish. *Du reste* I only repeat what I have already said. I have but to hear from you what your wishes are and they shall be complied with. I have sufficient *savoir faire* not to make a bother about what cannot be helped. Don't let me be the cause of any row between you and your grandpapa. If you like to call at the inn I will not stir out until you come, but I leave this to your judgment.'

As Professor Owen would reconstruct an entire animal out of a single bone, so from this one little letter the man stands flagrantly revealed. The scraps of French, the self-conscious allusion to his own *savoir faire*, the florid assurances which mean nothing, they are all so many strokes in a subtle self-portrait.

Miss Groves had already repented the appointment which she had given him. There may have been some traits in this eccentric lover whom she had abandoned which recurred to her memory and warned her not to trust herself in his power.—'My dear George,' she wrote—and her letter must have crossed his last one—'I write this in the greatest haste to tell you not to come on any account. I leave here today, and can't tell when I can or shall be back. I do not wish to see you if it can possibly be avoided, and indeed there will be no chance now, so we had best end this state of suspense at once and say good-bye without seeing each other. I feel sure I could not stand the meeting. If you write once more within the

next three days I shall get it, but not later than that time without its being seen, for my letters are strictly watched and even opened. Yours truly, MARY.'

This letter seems to have brought any vague schemes which may have been already forming in the young man's mind to an immediate head. If he had only three days in which he might see her he could not afford to waste any time. On the same day he went to the county town, but as it was late he did not go on to Standwell, which was her station. The waiters at the Midland Hotel noticed his curious demeanour and his vacant eye. He wandered about the coffee-room muttering to himself, and although he ordered chops and tea he swallowed nothing but some brandy and soda. Next morning, August 21st, he took a ticket to Standwell and arrived there at half-past eleven. From Standwell Station to the Manor-house where Miss Groves resided with the old squire is two miles. There is an inn close to the station called "The Bull's Head." Vincent Parker called there and ordered some brandy. He then asked whether a note had been left for his, and seemed much disturbed upon hearing that there was none. Then, the time being about a quarter past twelve, he went off in the direction of the Manor-house.

About two miles upon the other side of the Manor-house, and four miles from the Bull's Head Inn, there is a thriving grammar school, the head master of which was a friend of the Groves family and had some slight acquaintance with Vincent Parker. The young man thought, therefore, that this would be the best place for him to apply for information, and he arrived at the school about half-past one. The head master was no doubt considerably astonished at the appearance of this dishevelled and brandy-smelling visitor, but he answered his questions with discretion and courtesy.

'I have called upon you,' said Parker, 'as a friend of Miss Groves. I suppose you know that there is an engagement between us?'

'I understood that there *was* an engagement, and that it had been broken off,' said the master.

'Yes,' Parker answered. 'she has written to me to break off the engagement and declines to see me. I want to know how matters stand.'

'Anything I may know,' said the master, 'is in confidence, and so I cannot tell you.'

'I will find it out sooner or later,' said Parker, and then asked who the clergyman was who had been staying at the Manor-house. The master acknowledged that there had been one, but refused to give the name. Parker then asked whether Miss Groves was at the Manor-house and if any coercion was being used to her. The other answered that she was at the Manor-house and that no coercion was being used.

'Sooner or later I must see her,' said Parker. 'I have written to release her from her engagement, but I must hear from her own lips that she gives me up. She is of age and must please herself. I know that I am not a good match, and I do not wish to stand in her way.'

The master then remarked that it was time for school, but that he should be free again at half-past four if Parker had anything more to say to him, and Parker left, promising to return. It is not known how he spent the next two hours, but he may have found some country inn in which he obtained some luncheon. At half-past four he was back at the school, and asked the master for advice as to how to act. The master suggested that his best course was to write a note to Miss Groves and to make an appointment with her for next morning.

'If you were to call at the house, perhaps Miss Groves would see you,' said this sympathetic and most injudicious master.

'I will do so and get it off my mind,' said Vincent Parker.

It was about five o'clock when he left the school, his manner at that time being perfectly calm and collected.

It was forty minutes later when the discarded lover arrived at the house of his sweetheart. He knocked at the door and asked for Miss Groves. She had probably seen him as he came down the drive, for she met him at the drawing-room door as he came in, and she invited him to come with her into the garden. Her heart was in her mouth, no doubt, lest her grandfather should see him and a scene ensue. It was safer to have him in the garden than in the house. They walked out, therefore, and half an hour later they were seen chatting quietly upon one of the benches. A little afterwards the maid went out and told Miss Groves that tea was ready. She came in alone, and it is suggestive of the views taken by the grandfather that there seems to have been no question about Parker coming in also to tea. She came out again into the garden and sat for a long time with the young man, after which they seem to have set off together for a stroll down the country lanes. What passed during that walk, what recriminations upon his part, what retorts upon hers, will never now be known. They were only once seen in the course of it. At about half-past eight o'clock a labourer, coming up a long lane which led from the high road to the Manor-house, saw a man and a woman walking together. As he passed them he recognised in the dusk that the lady was Miss Groves, the granddaughter of the squire. When he looked back he saw that they had stopped and were standing face to face conversing.

A very short time after this Reuben Conway, a workman, was passing down this lane when he heard a low sound of moaning. He stood listening, and in the silence of the country evening he became aware that this ominous sound was drawing nearer to him. A wall flanked one side of the lane, and as he stared about him his eye caught something moving slowly down the black shadow at the side. For a moment it must have seemed to him to be some wounded animal, but as he approached it he saw to his astonishment that it was a woman who was slowly stumbling along, guiding and supporting herself by her hand against the wall. With a cry of horror he found himself looking into the face of Miss Groves, glimmering white through the darkness.

'Take me home!' she whispered. 'Take me home! The gentleman down there has been murdering me.'

The horrified labourer put his arms round her, and carried her for about twenty yards towards home.

'Can you see anyone down the lane?' she asked, when he stopped for breath.

He looked, and through the dark tunnel of trees he saw a black figure moving slowly behind them. The labourer waited, still propping up the girl's head, until young Parker overtook them.

'Who has been murdering Miss Groves?' asked Reuben Conway.

'I have stabbed her,' said Parker, with the utmost coolness.

'Well, then, you had best help me to carry her home,' said the labourer. So down the dark lane moved that singular procession: the rustic and the lover, with the body of the dying girl between them.

'Poor Mary!' Parker muttered. 'Poor Mary! You should not have proved false to me!'

When they got as far as the lodge-gate Parker suggested that Reuben Conway should run and get something which might stanch the bleeding. He went, leaving these tragic lovers together for the last time. When he returned he found Parker holding something to her throat.

'Is she living?' he asked.

'She is,' said Parker.

'Oh, take me home!' wailed the poor girl. A little farther upon their dolorous journey they met two farmers, who helped them.

'Who has done this?' asked one of them.

'He knows and I know,' said Parker, gloomily. 'I am the man who has done this, and I shall be hanged for it. I have done it, and there is no question about that at all.'

These replies never seem to have brought insult or invective upon his head, for everyone appears to have been silenced by the overwhelming tragedy of the situation.

'I am dying!' gasped poor Mary, and they were the last words which she ever said. Inside the hall-gates they met the poor old squire running wildly up on some vague rumour of a disaster. The bearers stopped as they saw the white hair gleaming through the darkness.

'What is amiss?' he cried.

Parker said, calmly, 'It is your grand-daughter Mary murdered.'

'Who did it?' shrieked the old man.

'I did it.'

'Who are you?' he cried.

'My name is Vincent Parker.'

'Why did you do it?'

'She has deceived me, and the woman who deceives me must die.'

The calm concentration of his manner seems to have silenced all reproaches.

'I told her I would kill her,' said he, as they all entered the house together. 'She knew my temper.'

The body was carried into the kitchen and laid upon the table. In the meantime Parker had followed the bewildered and heart-broken old man into the drawing-room, and holding out a handful of things, including his watch and some money, he asked him if he would take care of them. The squire angrily refused. He then took two bundles of her letters out of his pocket— all that was left of their miserable love story.

'Will you take care of these?' said he. 'You may read them, burn them, do what you like with them. I don't wish them to be brought into court.'

The grandfather took the letters and they were duly burned.

And now the doctor and the policeman, the twin attendants upon violence, came hurrying down the avenue. Poor Mary was dead upon the kitchen table, with three great wounds upon her throat. How, with a severed carotid, she could have come so far or lived so long is one of the marvels of the case. As to the policeman, he had no trouble in looking for his prisoner. As he entered the room Parker walked towards him and said that he wished to give himself up for murdering a young lady. When asked if he were aware of the nature of the charge he said, 'Yes, quite so, and I will go with you quietly, only let me see her first.'

'What have you done with the knife?' asked the policeman.

Parker produced it from his pocket, a very ordinary one with a clasp blade. It is remarkable that two other penknives were afterwards found upon him. They took him into the kitchen and he looked at his victim.

'I am far happier now that I have done it than before, and I hope that she is.' said he.

This is the record of the murder of Mary Groves by Vincent Parker, a crime characterized by all that inconsequence and grim artlessness which distinguish fact from fiction. In fiction we make people say and do what we should conceive them to be likely to say or do, but in fact they say and do what no one would ever conceive to be likely. That those letters should be a prelude to a murder, or that after a murder the criminal should endeavour to stanch the wounds of his victim, or hold such a conversation as that described with the old squire, is what no human invention would hazard. One finds it very difficult on reading all the letters and weighing the facts to suppose that Vincent Parker came out that day with the preformed intention of killing his former sweetheart. But whether the dreadful idea was always there, or whether it came in some mad flash of passion provoked by their conversation, is what we shall

never know. It is certain that she could not have seen anything dangerous in him up to the very instant of the crime, or she would certainly have appealed to the labourer who passed them in the lane.

The case, which excited the utmost interest through the length and breadth of England, was tried before Baron Martin at the next assizes. There was no need to prove the guilt of the prisoner, since he openly gloried in it, but the whole question turned upon his sanity, and led to some curious complications which have caused the whole law upon the point to be reformed. His relations were called to show that madness was rampant in the family, and that out of ten cousins five were insane. His mother appeared in the witness-box contending with dreadful vehemence that her son was mad, and that her own marriage had been objected to on the ground of the madness latent in her blood. All the witnesses agreed that the prisoner was not an ill-tempered man, but sensitive, gentle, and accomplished, with a tendency to melancholy. The prison chaplain affirmed that he had held conversations with Parker, and that his moral perception seemed to be so entirely wanting that he hardly knew right from wrong. Two specialists in lunacy examined him, and said that they were of opinion that he was of unsound mind. The opinion was based upon the fact that the prisoner declared that he could not see that he had done any wrong.

'Miss Groves was promised to me,' said he, 'and therefore she was mine. I could do what I liked with her. Nothing short of a miracle will alter my convictions.'

The doctor attempted to argue with him. 'Suppose anyone took a picture from you, what steps would you take to recover it?' he asked.

'I should demand restitution,' said he 'if not, I should take the thief's life without compunction.'

The doctor pointed out that the law was there to be appealed to, but Parker answered that he had been born into the world without being consulted, and therefore he recognised the right of no man to judge

him. The doctor's conclusion was that his moral sense was more vitiated than any case that he had seen. That this constitutes madness would, however, be a dangerous doctrine to urge, since it means that if a man were only wicked enough he would be screened from the punishment of his wickedness.

Baron Martin summed up in a common-sense manner. He declared that the world was full of eccentric people, and that to grant them all the immunity of madness would be a public danger. To be mad within the meaning of the law a criminal should be in such a state as not to know that he has committed crime or incurred punishment. Now, it was clear that Parker did know this, since he had talked of being hanged. The Baron accordingly accepted the jury's finding of 'Guilty,' and sentenced the prisoner to death.

There the matter might very well have ended were it not for Baron Martin's conscientious scruples. His own ruling had been admirable, but the testimony of the mad doctors weighed heavily upon him, and his conscience was uneasy at the mere possibility that a man who was really not answerable for his actions should lose his life through his decision. It is probable that the thought kept him awake that night, for next morning he wrote to the Secretary of State, and told him that he shrank from the decision of such a case.

The Secretary of State, having carefully read the evidence and the judge's remarks, was about to confirm the decision of the latter, when, upon the very eve of the execution, there came a report from the gaol visitors— perfectly untrained observers—that Parker was showing undoubted signs of madness. This being so the Secretary of State had no choice but to postpone the execution, and to appoint a commission of four eminent alienists to report upon the condition of the prisoner. These four reported unanimously that he was perfectly sane. It is an unwritten law, however, that a prisoner once reprieved is never executed, so Vincent Parker's sentence was commuted to penal servitude for life—a decision which satisfied, upon the whole, the conscience of the public.

ARTHUR CONAN DOYLE
THE DEBATABLE CASE OF MRS. EMSLEY

**WITH ILLUSTRATIONS BY SIDNEY PAGET
AND A TRANSCRIPT OF THE EMSLEY MURDER TRIAL**

**Published in *The Strand Magazine*, May 1901
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THE DEBATABLE CASE OF MRS. EMSLEY

IN the fierce popular indignation which is excited by a sanguinary crime there is a tendency, in which judges and juries share, to brush aside or to treat as irrelevant those doubts the benefit of which is supposed to be one of the privileges of the accused. Lord Tenterden has whittled down the theory of doubt by declaring that a jury is justified in giving its verdict upon such evidence as it would accept to be final in any of the issues of life. But when one looks back and remembers how often one has been very sure and yet has erred in the issues of life, how often what has seemed certain has failed us, and that which appeared impossible has come to pass, we feel that if the criminal law has been conducted upon such principles it is probably itself the giant murderer of England. Far wiser is the contention that it is better that ninety-nine guilty should escape than that one innocent man should suffer, and that, therefore, if it can be claimed that there is one chance in a hundred in favour of the prisoner he is entitled to his acquittal. It cannot be doubted that if the Scotch verdict of 'Not proven,' which neither condemns nor acquits, had been permissible in England it would have been the outcome of many a case which, under our sterner law, has ended upon the scaffold. Such a verdict would, I fancy, have been hailed as a welcome compromise by the judge and the jury who investigated the singular circumstances which attended the case of Mrs. Mary Emsley.

The stranger in London who wanders away from the beaten paths and strays into the quarters in which the workers dwell is astounded by their widespread monotony, by the endless rows of uniform brick houses broken only by the corner public-houses and more infrequent chapels which are scattered amongst them. The expansion of the great city has been largely caused by the covering of district after district with these long lines of humble dwellings, and the years between the end of the Crimean War and 1860 saw great activity in this direction. Many small builders by continually mortgaging what they had done, and using the capital thus acquired to start fresh works which were themselves in turn

mortgaged, contrived to erect street after street, and eventually on account of the general rise of property to make considerable fortunes. Amongst these astute speculators there was one John Emsley, who, dying, left his numerous houses and various interests to his widow Mary.

Mary Emsley, now an old woman, had lived too long in a humble fashion to change her way of life. She was childless, and all the activities of her nature were centred upon the economical management of her property, and the collection of the weekly rents from the humble tenants who occupied them. A grim, stern, eccentric woman, she was an object of mingled dislike and curiosity among the inhabitants of Grove Road, Stepney, in which her house was situated. Her possessions extended over Stratford, Bow, and Bethnal Green, and in spite of her age she made long journeys, collecting, evicting, and managing, always showing a great capacity for the driving of a hard bargain. One of her small economies was that when she needed help in managing these widespread properties she preferred to employ irregular agents to engaging a salaried representative. There were many who did odd jobs for her, and among them were two men whose names were destined to become familiar to the public. The one was John Emms, a cobbler; the other George Mullins, a plasterer.

Mary Emsley, in spite of her wealth, lived entirely alone, save that on Saturdays a charwoman called to clean up the house. She showed also that extreme timidity and caution which are often characteristic of those who afterwards perish by violence—as if there lies in human nature some vague instinctive power of prophecy. It was with reluctance that she ever opened her door, and each visitor who approached her was reconnoitred from the window of her area. Her fortune would have permitted her to indulge herself with every luxury, but the house was a small one, consisting of two stories and a basement, with a

neglected back garden, and her mode of life was even simpler than her dwelling. It was a singular and most unnatural old age.

Mrs. Emsley was last seen alive upon the evening of Monday, August 13th, 1860. Upon that date, at seven o'clock, two neighbours perceived her sitting at her bedroom window. Next morning, shortly after ten, one of her irregular retainers called upon some matter of brass taps, but was unable to get any answer to his repeated knockings. During that Tuesday many visitors had the same experience, and the Wednesday and Thursday passed without any sign of life within the house. One would have thought that this would have aroused instant suspicions, but the neighbours were so accustomed to the widow's eccentricities that they were slow to be alarmed. It was only upon the Friday, when John Emms, the cobbler, found the same sinister silence prevailing in the house, that a fear of foul play came suddenly upon him. He ran round to Mr. Rose, her attorney, and Mr. Faith, who was a distant relation, and the three men returned to the house. On their way they picked up Police-constable Dillon, who accompanied them.

The front door was fastened and the windows snibbed, so the party made their way over the garden wall and so reached the back entrance, which they seem to have opened without difficulty. John Emms led the way, for he was intimately acquainted with the house. On the ground floor there was no sign of the old woman. The creak of their boots and the subdued whisper of their voices were the only sounds which broke the silence. They ascended the stair with a feeling of reassurance. Perhaps it was all right after all. It was quite probable that the eccentric widow might have gone on a visit. And then as they came upon the landing John Emms stood staring, and the others, peering past him, saw that which struck the hope from their hearts.

It was the footprint of a man dimly outlined in blood upon the wooden floor. The door of the front room was nearly closed, and this dreadful portent lay in front of it with the toes pointing away. The police-

constable pushed at the door, but something which lay behind it prevented it from opening. At last by their united efforts they effected an entrance. There lay the unfortunate old woman, her lank limbs all asprawl upon the floor, with two rolls of wall-paper under her arm and several others scattered in front of her. It was evident that the frightful blows which had crushed in her head had fallen upon her unforeseen, and had struck her senseless in an instant. She had none of that anticipation which is the only horror of death.

The news of the murder of so well known an inhabitant caused the utmost excitement in the neighbourhood, and every effort was made to detect the assassin. A Government reward of £100 was soon raised to £300, but without avail. A careful examination of the house failed to reveal anything which might serve as a reliable clue. It was difficult to determine the hour of the murder, for there was reason to think that the dead woman occasionally neglected to make her bed, so that the fact that the bed was unmade did not prove that it had been slept in. She was fully dressed, as she would be in the evening, and it was unlikely that she would be doing business with wall-papers in the early morning. On the whole, then, the evidence seemed to point to the crime having been committed upon the Monday evening some time after seven. There had been no forcing of doors or windows, and therefore the murderer had been admitted by Mrs. Emsley. It was not consistent with her habits that she should admit anyone whom she did not know at such an hour, and the presence of the wall-papers showed that it was someone with whom she had business to transact. So far the police could hardly go wrong. The murderer appeared to have gained little by his crime, for the only money in the house, £48, was found concealed in the cellar, and nothing was missing save a few articles of no value. For weeks the public

waited impatiently for an arrest, and for weeks the police remained silent though not inactive. Then an arrest was at last effected, and in a curiously dramatic fashion.

Amongst the numerous people who made small sums of money by helping the murdered woman there was one respectable-looking man, named George Mullins —rather over fifty years of age, with the straight back of a man who has at some period been well drilled. As a matter of fact, he had served in the Irish Constabulary, and had undergone many other curious experiences before he had settled down as a plasterer in the East-end of London. This man it was who called upon Sergeant Tanner, of the police, and laid before him a statement which promised to solve the whole mystery.

According to this account, Mullins had from the first been suspicious of Emms, the cobbler, and had taken steps to verify his suspicions, impelled partly by his love of justice and even more by his hope of the reward. The £300 bulked largely before his eyes. 'If this only goes right I'll take care of you,' said he, on his first interview with the police, and added, in allusion to his own former connection with the force, that he 'was clever at these matters.' So clever was he that his account of what he had seen and done gave the police an excellent clue upon which to act.

It appears that the cobbler dwelt in a small cottage at the edge of an old brick-field. On this brick-field, and about fifty yards from the cottage, there stood a crumbling outhouse which had been abandoned. Mullins, it seems, had for some time back been keeping a watchful eye upon Emms, and he had observed him carrying a paper parcel from his cottage and concealing it somewhere in the shed. 'Very likely,' said the astute Mullins, 'he is concealing some of the plunder which he has stolen.' To the police also the theory seemed not impossible, and so, on the following morning, three of them, with Mullins hanging at their heels, appeared at Emms's cottage, and searched both it and the shed. Their efforts, however, were in vain, and nothing was found.

This result was by no means satisfactory to the observant Mullins, who rated them soundly for not having half-searched the shed, and persuaded them to try again. They did so under his supervision, and this time with the best results. Behind a slab in the outhouse they came on a paper parcel of a very curious nature. It was tied up with coarse tape, and when opened disclosed another parcel tied with waxed string. Within were found three small spoons and one large one, two lenses, and a cheque drawn in favour of Mrs. Emsley, and known to have been paid to her upon the day of the murder. There was no doubt that the other articles had also belonged to the dead woman. The discovery was of the first importance then, and the whole party set off for the police-station, Emms covered with confusion and dismay, while Mullins swelled with all the pride of the successful amateur detective. But his triumph did not last long. At the police-station the inspector charged him with being himself concerned in the death of Mrs. Emsley.

'Is this the way that I am treated after giving you information?' he cried.

'If you are innocent no harm will befall you,' said the inspector, and he was duly committed for trial.

This dramatic turning of the tables caused the deepest public excitement, and the utmost abhorrence was everywhere expressed against the man who was charged not only with a very cold-blooded murder, but with a deliberate attempt to saddle another man with the guilt in the hope of receiving the reward. It was very soon seen that Emms at least was innocent, as he could prove the most convincing alibi. But if Emms was innocent who was guilty save the man who had placed the stolen articles in the outhouse? and who could this be save Mullins, who had informed the police that they were there? The case was prejudged by the public before ever the prisoner had appeared in the dock, and the evidence which the

police had prepared against him was not such as to cause them to change their opinion. A damning series of facts were arraigned in proof of their theory of the case, and they were laid before the jury by Serjeant Parry at the Central Criminal Court upon the 25th of October, about ten weeks after the murder.

At first sight the case against Mullins appeared to be irresistible. An examination of his rooms immediately after his arrest enabled the police to discover some tape upon his mantelpiece which corresponded very closely with the tape with which the parcel had been secured. There were thirty-two strands in each. There was also found a piece of cobbler's wax, such as would be needed to wax the string of the inner parcel. Cobbler's wax was not a substance which Mullins needed in his business, so that time theory of the prosecution was that he had simply procured it in order to throw suspicion upon the unfortunate cobbler. A plasterer's hammer, which might have inflicted the injuries, was also discovered upon the premises, and so was a spoon which corresponded closely to the spoons which Mrs. Emsley had lost. It was shown also that Mrs. Mullins had recently sold a small gold pencil-case to a neighbouring barman, and two witnesses were found to swear that this pencil-case belonged to Mrs. Emsley and had been in her possession a short time before her death. There was also discovered a pair of boots, one of which appeared to fit the impression upon the floor, and medical evidence attested that there was some human hair upon the sole of it. The same medical evidence swore to a blood mark upon the gold pencil which had been sold by Mrs. Mullins. It was proved by the charwoman, who came upon Saturdays, that when she had been in the house two days before the murder Mullins had called, bringing with him some rolls of wall-paper, and that he had been directed by Mrs. Emsley to carry it up to the room in which the tragedy afterwards occurred. Now, it was clear that Mrs. Emsley had been discussing wall-papers at the time that she was struck down, and what more natural than that it should have been with the person who had originally brought them? Again, it had been shown that during the day Mrs. Emsley had handed to Mullins a certain key. This key was found lying in the same room as the dead body, and the prosecution asked how it could have come there if Mullins did not bring it.

So far the police had undoubtedly a very strong case, and they endeavoured to make it more convincing still by producing evidence to show that Mullins had been seen both going to the crime and coming away from it. One, Raymond, was ready to swear that at eight o'clock that evening he had caught a glimpse of him in the street near Mrs. Emsley's. He was wearing a black billy-cock hat. A sailor was produced who testified that he had seen him at Stepney Green a little after five next morning. According to the sailor's account his attention was attracted by the nervous manner and excited appearance of the man whom he had met, and also by the fact that his pockets were very bulging. He was wearing a brown hat. When he heard of the murder he had of his own accord given information to the police, and he would swear that Mullins was the man whom he had seen.

This was the case as presented against the accused, and it was fortified by many smaller points of suspicion. One of them was that when he was giving the police information about Emms he had remarked that Emms was about the only man to whom Mrs. Emsley would open her door.

'Wouldn't she open it for you, Mullins?' asked the policeman.

'No,' said he. 'She would have called to me from the window of the area.'

This answer of his—which was shown to be untrue—told very heavily against him at the trial.

It was a grave task which Mr. Best had to perform when he rose to answer this complicated and widely-reaching indictment. He first of all endeavoured to establish an alibi by calling Mullins's children, who were ready to testify that he came home particularly early upon that particular Monday. Their evidence, however, was not very conclusive, and was shaken by the laundress, who showed that they were confusing one day with another. As regards the boot, the counsel pointed out that human hair was used by plasterers in their work, and he commented upon the failure of the prosecution to prove that there

was blood upon the very boot which was supposed to have produced the blood-print. He also showed as regards the bloodstain upon the pencil-case that the barman upon buying the pencil had carefully cleaned and polished it, so that if there was any blood upon it, it was certainly not that of Mrs. Emsley. He also commented upon the discrepancy of the evidence between Raymond, who saw the accused at eight in the evening in a black hat, and the sailor who met him at five in the morning in a brown one. If the theory of the prosecution was that the accused had spent the night in the house of the murdered woman, how came his hat to be changed? One or other or both the witnesses must be worthless. Besides, the sailor had met his mysterious stranger at Stepney Green, which was quite out of the line between the scene of the crime and Mullins's lodgings.

As to the bulging pockets, only a few small articles had been taken from the house, and they would certainly not cause the robbers pockets to bulge. There was no evidence either from Raymond or from the sailor that the prisoner was carrying the plasterer's hammer with which the deed was supposed to have been done.

And now he produced two new and very important witnesses, whose evidence furnished another of those sudden surprises with which the case had abounded. Mrs. Barnes, who lived in Grove Road, opposite to the scene of the murder, was prepared to swear that at twenty minutes to ten on Tuesday morning—twelve hours after the time of the commission of the crime, according to the police theory—she saw someone moving paper-hangings in the top room, and that she also saw the right-hand window open a little way. Now, in either of these points she might be the victim of a delusion, but it is difficult to think that she was mistaken in them both. If there was really someone in the room at that hour, whether it was Mrs. Emsley or her assassin, in either case it proved the theory of the prosecution to be entirely mistaken.

The second piece of evidence was from Stephenson, a builder, who testified that upon that Tuesday morning he had seen one Rowland, also a builder, come out of some house with wall-papers in his hand. This was a little after ten o'clock. He could not swear to the house, but he thought that it was Mrs. Emsley's. Rowland was hurrying past him when he stopped him and asked him—they were acquaintances—whether he was in the paper line.

'Yes; didn't you know that?' said Rowland.

'No,' said Stephenson, 'else I should have given you a job or two.'

'Oh, yes, I was bred up to it,' said Rowland, and went on his way.

In answer to this Rowland appeared in the box and stated that he considered Stephenson to be half-witted. He acknowledged the meeting and the conversation, but asserted that it was several days before. As a matter of fact, he was engaged in papering the house next to Mrs. Emsley's, and it was from that that he had emerged.

So stood the issues when the Chief Baron entered upon the difficult task of summing up. Some of the evidence upon which the police had principally relied was brushed aside by him very lightly. As to the tape, most tape consisted of thirty-two strands, and it appeared to him that the two pieces were not exactly of one sort. Cobbler's wax was not an uncommon substance, and a plasterer could not be blamed for possessing a plasterer's hammer. The boot, too, was not so exactly like the blood-print that any conclusions could be drawn from it. The weak point of the defense was that it was almost certain that

Mullins hid the things in the shed. If he did not commit the crime, why did he not volunteer a statement as to how the things came into his possession? His remark that Mrs. Emsley would not open the door to him, when it was certain that she would do so, was very much against him. On the other hand, the conflicting evidence of the sailor and of the other man who had seen Mullins near the scene of the crime was not very convincing, nor did he consider the incident of the key to be at all conclusive, since the key might have been returned in the course of the day. On the whole, everything might be got round except the hiding of the parcel in the shed, and that was so exceedingly damning that, even without anything else, it amounted to a formidable case.

The jury deliberated for three hours and then brought in a verdict of 'Guilty,' in which the judge concurred. Some of his words, however, in passing sentence were such as to show that his mind was by no means convinced upon the point.

'If you can even now make it manifest that you are innocent of the charge,' said he, 'I do not doubt that every attention will be paid to any cogent proof laid before those with whom it rests to carry out the finding of the law.'

To allude to the possibility of a man's innocence and at the same time to condemn him to be hanged strikes the lay mind as being a rather barbarous and illogical proceeding. It is true that the cumulative force of the evidence against Mullins was very strong, and that investigation proved the man's antecedents to have been of the worst. But still, circumstantial evidence, even when it all points one way

and there is nothing to be urged upon the other side, cannot be received with too great caution, for it is nearly always possible to twist it to some other meaning.

In this case, even allowing that the evidence for an alibi furnished by Mullins's children was worthless, and allowing also that Mr. Stephenson's evidence may be set aside, there remains the positive and absolutely disinterested testimony of Mrs. Barnes, which would seem to show that even if Mullins did the crime he did it in an entirely different way to that which the police imagined. Besides, is it not on the face of it most improbable that a man should commit a murder at eight o'clock or so in the evening, should remain all night in the house with the body of his victim, that he should do this in the dark—for a light moving about the house would have been certainly remarked by the neighbours—that he should not escape during the darkness, but that he should wait for the full sunlight of an August morning before he emerged?

After reading the evidence one is left with an irresistible impression that, though Mullins was very likely guilty, the police were never able to establish the details of the crime, and that there was a risk of a miscarriage of justice when the death sentence was carried out.

There was much discussion among the legal profession at the time as to the sufficiency of the evidence, but the general public was quite satisfied, for the crime was such a shocking one that universal prejudice was excited against the accused. Mullins was hanged on the 19th of November, and he left a statement behind him reaffirming his own innocence. He never attempted to explain the circumstances which cost him his life, but he declared in his last hours that he believed Emms to be innocent of the murder, which some have taken to be a confession that he had himself placed the incriminating articles in the shed. Forty years have served to throw no fresh light upon the matter.

TRANSCRIPT OF THE EMSLEY MURDER TRIAL

[Proceedings Of The Old Bailey, 22nd October 1860](#)

Before Lord Chief Baron Pollock

Reference Number: t18601022-874

874. JAMES MULLINS (52), was indicted for the wilful murder of Mary Emsley; he was also charged on the coroner's inquisition with the like offence.

MR. SERJEANT PARRY, *with* MESSRS. CLERK *and* ORRIDGE
conducted the Prosecution.

WILLIAM ROSE. I am a solicitor residing in Victoria-park square—I knew Mrs. Mary Emsley, who lived at 9, Grove-road—she was a client of mine, and had been so for some years prior to her death—she was possessed of considerable house property in that neighbourhood—she collected a great part of her rents herself from weekly tenants—she lived alone, without any servant—I know a person of the name of Walter Emm—he occasionally assisted her in the collection of rents—On Friday, 17th August, Emm called on me and made a communication to me—I did not go with him, but sent him, and appointed to meet him at the house in Grove-road—I met Dillon there—the door of the house was fastened when we got there—we knocked at the front door and there was no admittance to be gained—I then desired the constable to get over the garden wall at the back—he did so, and said the door was open, and I went over the wall and followed him in the same way—we went through the house—we found no person on the ground floor—the door of the parlour was open, and the back window appeared to be a little open—there is a front and back parlour; they open from the one to the other, and form one room—we then went up on to the first floor—the door of the front bedroom on the first floor was open—that was the room used by the deceased as her bedroom—there is a small back room as well with lumber in it—the bed appeared not to have been slept in—we then went up stairs to the second floor—the door of the front room was open, and I there saw the body of Mrs. Emsley, with her head towards the landing, near the doorway—the body was lying so much in the doorway as to prevent the door from closing—you could scarcely enter the room without treading over the body—there was a bundle of papers for papering rooms in front of her, and two pieces of paper under her arm—Dr. Gill was then sent for at my request; he came almost immediately—the deceased remained in the position in which she was lying until the doctor came, at my request, she was not disturbed in any way—when I was there that day I noticed this key (*produced*)—it is a remarkable one—I saw it in the bedroom of the deceased, on the first floor—that is the room underneath that in which she was found dead—the key was on the table—there was a table in the bed-room next to the window, and I am not sure whether it was not in a basket, I think it was—there was some biscuit in the basket, and I think some other keys, but I noticed that key particularly on account of the bow being remarkable.

Cross-examined by MR. BEST (with MR. PALMER). Q. You have known the prisoner, I believe? *A.* I don't think I ever saw him till he was in custody; I think that was the first time I ever saw him; to my knowledge I had never seen him before—I think Mrs. Emsley had a person of the name of Rowland who assisted her in the collection of rents—I never heard of a man of the name of Wright—I am not sure that a person of the name of Wilson, of Ratcliffe, did not collect some rents—he is a tenant of hers—I have no personal knowledge of that—the fastening to the front door was a common lock and a latch-key lock—I looked at the street door and found that the door had been apparently pulled to—it was not fastened inside—there are bolts inside—those were not fastened—there did not appear to have been any force at all—there was a great quantity of blood about in this room where we found the deceased lying—not all over her; there was a pool of blood; I did not notice particularly as to any splashes about the room—the smell and appearance was so offensive I did not enter the room to examine it minutely.

EDWARD DILLON (*Police-sergeant, K 19*). On Friday, 17th August, I was called by a man, of the name of Emm, to No. 9, Grove-road—I went there and found Mr. Rose, Mr. Faith, Mr. Whitaker, and Mr. Biggs, waiting outside the house—I gained admittance at the next door, and passed over the back wall to the back yard of the deceased's house—I found the back door shut, on the latch—the front door was shut on the spring-lock, but not double-locked; it would double-lock—there were no bolts drawn—a person going out and pulling the front door after him would leave it securely latched—I next went into the back parlour, and saw the back window raised up four or five inches—the shutters were closed but not fastened; not bolted—I saw the front parlour window shutters down and the curtains drawn back—I went into the front parlour; the curtains were drawn back and the shutters open; the window was fastened by a catch above—I next proceeded to the first floor front room—I saw a bed there which did not appear to have been slept in recently; the bed was not made—the right hand window-blind in the room was drawn down and the left drawn up—I then went into the back room on the same floor, which was filled with lumber and a quantity of paper hangings—I then went up stairs, and saw the deceased

lying dead in the front room—that was on the floor above the front bed-room—the left hand window in the room was raised up a few inches, the right hand window was down—the deceased was lying on her left side, with her head against the door-post; her face was towards the boards, downwards, on the left side—there were a quantity of paper-hangings in that room and a quantity behind the deceased's back; there were several pieces near her head—I noticed the floor of the landing outside, and observed a footprint in the blood—I was not present when the piece of board was cut out—Dr. Gill was then sent for—I remained there till he came—everything was left in the same state as I have described it until Dr. Gill made his appearance—from the direction of the footprint the foot would be coming from the room—I examined all the bolts of the doors and shutters in the house—I discovered no marks whatever of any violent entry having been made—I afterwards made a search of the rooms below, and found a gold mourning ring between the bed-tick and mattress—the ring is in Court; my inspector has it—I found that in the first-floor, in the bed room; it bore the inscription of Samuel Emsley, Esq.—I also saw three half-pence in coppers on a chair—I gave the ring to Inspector Kerrison—I remained on the premises till I was relieved—the garden of the house is surrounded by walls—the gardens of the houses at the back of the houses in Grove-road abut on the garden of the house of the deceased on either side—there is no road between—the houses in Grove-street are at the back of the Grove-road houses—the back door of No. 9 has a glass window in it.

Cross-examined. *Q.* You went to this room where you found the deceased lying, did you observe whether there was much blood about it? *A.* A great quantity of blood—there were a great many splashes about the floor and the wall, as if the blood had spurted out from the person who had been struck.

MR. SERJEANT PARRY. *Q.* Did you notice the direction in which the blood appeared to have flowed? *A.* It appeared to have flowed in front of the woman from the position I found her in, and a great quantity splashed behind her.

SAMUEL LAWRENCE GILL. I am a member of the Edinburgh College of Physicians, and a surgeon of London—I was called in to see the deceased—I found her lying at full length on her left side, with the face turned a little more to the left, towards the boards—she was dressed—there was no sign of her having made any preparation for going to bed—the first wound which presented itself to my notice was a large opening in the back of the skull, extending deeply into the brain—I think that was the result of repeated blows—that wound alone was quite sufficient to account for death—there were a great number of minute portions of the skull carried completely within the brain and packed under the other portion of the skull, into the interior of the substance of the brain, and deposited within the upper portion of the skull—the posterior portion of the cerebrum would be immediately exposed to that injury, the posterior portion of the big brain, and of the little brain also, the opening was so large—there were several other wounds which would have caused death besides that one—the wound over the left ear would have caused death—it was a contused wound, and the whole of the temporal bone on that side was driven in; that also being in small fragments—there was also a blow above the other ear, that was a contused wound—there was no wound in the scalp on that side, but there had evidently been a heavy blow on that side—there was also what we should almost term a lacerated wound above the left eyebrow, and another, wound in the left ear, also a lacerated wound—before I saw this hammer (*produced*) I had formed an opinion as to the character of the instrument with which these blows were inflicted—the wound, which was the result of repeated blows, might have been inflicted with the blunt side of this hammer—I had an opportunity of seeing whether the hammer fitted the wound on the eyebrow; the blade, of the hammer corresponded with the length of that wound—I consider it was. such a wound as might have been inflicted by the thin end of that hammer—I noticed a quantity of blood; there was a pool on the floor which had flowed from the body, from one point, passing away from her into the room from the doorway—from the place where the head was, the room was. inclined—I noticed a mark of blood on the under part of her petticoat, but, of course, external, as the petticoat was drawn upwards over the head—it was a superficial smear—it appeared to me as if something had been wiped on it

Cross-examined. *Q.* Could you form any opinion from the appearance of the wounds which wound was inflicted first? *A.* It would be a mere matter of opinion, but I should rather think that the wound on the temple had been inflicted first; that appeared to have been one blow—the body was slightly decomposed when I saw it—the face was very slightly decomposed—I don't think the incised wound on the eyebrow was as much decomposed as the opposite side of the face—there were indications of decomposition going on, certainly—the effect of decomposition, under some circumstances, would be to cause a wound to expand, to gape—I don't consider that it was at all distended from decomposition, because it was comparatively dry—in this case the wound would gape slightly, certainly—I forget how long after my first examination this hammer was shown to me; I should think a week, perhaps more—I have not the slightest recollection; it might have been a fortnight; I don't bear it in mind—I did not compare the hammer with the body—I measured the wound over the eyebrow, and probed the depth of it with my finger—I form my opinion as to the instrument which inflicted the wounds from the appearance of the wounds and from being accustomed to see wounds inflicted by all sorts of instruments—a piece of iron, an iron bar, sharp at the end, would, undoubtedly produce such wounds as these—I should think it possible, certainly, that the wounds at the back of the head might have been done with a larger instrument than this—I considered they could have been done with a hammer—the wound at the back of the head was considerably greater than this part of the hammer; it was some inches in size—I should imagine that whatever instrument was used there would be a considerable quantity of blood on it.

MR. SERJEANT PARRY. *Q.* Could large wounds, larger than any single wound, have been inflicted by that hammer by repeated blows? *A.* By repeated blows—I measured the wound on the eyebrow; it was an inch and a half long—all I say is that this hammer might have inflicted the wounds—I gave it as my opinion when I saw the body that she had been dead, in all probability, three or four days—I saw her on Friday in the middle of the day—what I saw and observed was quite consistent with an attack on Monday, 13th August.

COURT. *Q.* You say her appearance was consistent with her being wounded on the Monday; that what happened to her might have happened on Monday? *A.* Quite likely—I could not fix within a day either way—it might have been on Monday evening, or Tuesday morning, or on the Sunday—it would depend on the state of the atmosphere.

ELIZABETH PASHLEY. I reside at 16, Grove-road, immediately opposite No. 9, where Mrs. Emsley used to live—I have lived there twelve years—I last saw her alive on Monday evening, August 13th, between 7 and 8 o'clock, sitting at her first-floor window—she usually went to bed about 10, or even before, I have seen her, but usually about 10—the shutters of her house were always closed by dusk—I never saw them open after dusk—I noticed her house about 12 o'clock on the night of 13th August—the shutters were open—my attention was attracted by it; I thought it remarkable—I observed the house early the next morning, about daybreak; it was not quite light—the shutters were not closed—the blinds were just the same as they were on the Monday—the first floor blind was down—the window even with it was up rather more than half-way—one blind was pulled down and the other blind was rather more than half-way up—there were no blinds on the second floor—one of the windows of the second floor was slightly open—I saw a person on the Wednesday knock at the door three times—I observed other persons knocking, but I do not know which days they were—when persons knocked at the door of the deceased she would open the first-floor window, where she usually sat, and look out and speak to them from the window—she would sometimes speak to them from the area, which is grated over—there was no access into the house by the area—she would only let those persons in who were in the habit of going there, or who worked then—if she knew them she would come down or answer them from the window, but she always looked out from the window first

Cross-examined. Q. There was nobody in the house with her? *A.* No; she never kept any servants in my experience—I do not know how many persons were in the habit of visiting her during the day—she was generally out in the day—only a very few work people went into the house—I can't say how many; not

so many as a dozen—she never had any tradespeople—I have seen a paperhanger go in—I have seen Mr. Rowland go in, and Mr. Emm—I do not know Mr. Wilson, or Mr. Wright—I have seen others go in but they would be persons who were bringing things to the house, and I know she knew them.

ELIZABETH FRANCES MUGGERIDGE. I live at 17, Grove-road, nearly opposite the house of the deceased, Mrs. Emsley—On Monday, 13th August, I saw her about 7 o'clock in the evening, sitting at her first-floor bedroom window—I did not observe her doing anything—I noticed the house again that night between 10 and 11—the parlour shutters were open and one of the curtains was drawn further back than usual, and the first-floor bedroom window was half-way up; the shutters being open at that time was an unusual circumstance—I had noticed it was her habit to close her shutters at dusk, had also observed that when persons called on her she would look out at the window or answer them up the area—on Wednesday morning, about 11 o'clock, I saw a man and woman call at the house—they knocked several times at the door and gained no admittance—I did not observe any one else particularly after that

WILLIAM SMITH. I am in Mr. Linsell's service, a draper in the Mile-end- road—I did not know Mrs. Emsley myself—I remember having to take a message there on Tuesday, the 14th August, about half-past 8 in the morning—I was sent by my master—I knocked at the door for about five minutes, loud, so that anybody must have heard, if there had been anybody in the house—I then went away and returned again in the evening between 8 and 9; I knocked again and failed to gain admittance—I looked through the key hole to see if I could see anybody.

JOHN COOK. I reside at Peckham, and am a builder—On 14th August, a little after 10 in the morning, I called at 9, Grove-road, at the house of Mrs. Emsley, about some paper hangings—I expected to buy some—I had received a note on the 10th, saying that she had some to dispose of—I knocked at the door

three times and got no admittance—I then walked away round the square, and about, and came again, knocked and got no admittance.

Cross-examined, Q. Had you known this old lady before? *A.* About two years—I had not had dealings with her for paper-hangings before this—I am building on her ground and therefore she often came to see me—I think it was the last day in July she was at my house.

EDWIN EMM. I am the son of Walter Thomas Emm, a shoemaker, living at Mr. Emsley's brick-fields, Bethnal-green—I knew the deceased—on Monday, 13th August last, I was sent by my father to her house for some brass taps—I did not go that day, I went on the following day and knocked at the door of the house.

RICHARD TANNER. I am a sergeant of the detective police—I know the prisoner; I have only known him since the murder—I was employed to investigate this murder, with Inspector Thornton and Sergeant Thomas—I had seen the prisoner previous to his making a communication to me, about 28th August, as near as I can recollect; it was the latter end of August—he was fetched from his lodgings by Sergeant Thomas, and Mr. Thornton and myself had a consultation with him in reference to the murder of Mrs. Emsley—we sent for him for the purpose of making inquiries—on Saturday, 8th September, about 6 o'clock, he came to my house in Wood-street, Westminster—he did not wear spectacles when he came to me—he said, "I am come to give you some information; I have been to Mr. Thornton's and he is out"—I asked him into my room and he said, "You know, Sergeant Tanner, that since I saw you and Inspector Thornton, I have had my suspicions about the man who committed the murder, and I have been watching him"—I said, "Before you go any farther, Mullins, who is it 1s.; he replied, "Emms"—I believe his name is Emm, but he said "Emms"—he said, "This morning I went to Emsley's brick-field at 5 o'clock, and I remained there watching Emms, pretending to be picking herbs, and between 8 and 9 o'clock I saw Emms come out of his house and go to a ruined cottage about fifty yards in front of his

house; he brought out from then a large parcel, took it indoors, remained about ten minutes, came out again, appeared to be looking about him, and he had a small parcel in his hand about the size of a pint pot; he went to a shed or a lean-to adjoining big own house, went inside, remained about two minutes, came out again with, out the parcel and went indoors"—I said, "What do you think the parcel contained?"—he said, "I can't tell"—I then left my own home with him and went to Mr. Thornton's residence which is close by—he said nothing else before we went to Mr. Thornton's—he said nothing about where the parcel was put, further than what I have stated—he did not then give any information about where the parcel was put—we went to Thornton's—he was not at home—I walked with him then as far as Palace-yard—I asked him if he would have some refreshment and he did; we had a glass of ale—when we came out, on parting he said, "Now don't go without me"—he desired to go that night—I said, "No, I can't go to-night"—I had a motive, Mr. Thornton was not there and he had charge of the case—I think I said, "Mr. Thornton is not at home; I can't go without him"—he then said, "Now don't go without me"—I said, "No, you know I have taken down the substance of your statement, in writing in a book, and no advantage shall be taken of your information; I hope you think we are beyond that"—he said, "Very well"—I said, "I will go with you tomorrow morning; I will send a sergeant for you, where shall I send for you?"—he said, "To 17, Oakum-street, Chelsea"—a reward had been offered at that time—I have got a bill (*producing one*) similar to those which were posted and placarded about—it was posted all over London; first a reward of 100*l.* and then of 300*l.*—Mullins was aware of the reward having been offered—he said on parting, "Don't go without me; if it comes off all right I will take care of you"—that is the substance of what passed between us that night—I went the next morning to Emsley's brick-field with Inspector Thornton, Sergeant Thomas, and the prisoner—we went in a cab—nothing passed with me, I was outside; Thornton and Thomas were inside with him—this plan (*produced*) appears very correct—there is a shed by the side of Emm's cottage in which ultimately the parcel was found—there is a ruined house shown here; that is about fifty yards from Emm's cottage—it was about midday on Sunday morning when we arrived there—the ruin is a perfect wreck; it is a very old dilapidated cottage, in fact, there is a hole in the wall where any person can go in—there is a door to

the shed by Emm's cottage, but the lower half of it is gone, there is only the top portion complete—it was open—it appears that anybody, at any time, could have got into that shed—at the time we arrived on that morning the shed was open, and there was a slab of stone just against the side of it—that is shown on the plan—this field, which is called Emsley's brick-field, is an open field; persons have no right there, but they can get in very easily—the palings appear to be knocked down—there is room enough for any person to go in—there is a gate also which I found open, but independent of that, there are gaps in the palings which appear to have been knocked down, and any person can get in—we arrived in Bonner's-lane, myself, Thornton, and Thomas were walking down Bonner's-lane, and through a gap in the place we saw Emm and a man standing in conversation—they were at the other end of the field from Emm's house, at the extreme end, I should say quite 200 yards—we told Mullins to remain as it were about here (*pointing to the plan*), out of the field entirely so as not to be seen—we all three went to Emm; he was called aside, and Mr. Thornton made some communication to him in my presence—he was told the accusation in substance, that Mullins had made—we did not tell him that Mullins had made it—I then went, by the direction' of Inspector Thornton, to Emm's house and searched it—I spoke to Mrs. Emm—Emm was not there then, he was left with Mr. Thornton—we looked in the shed and at that time found nothing—we then went back to Mr. Thornton to report the result of our mission, and at that period Mullins appeared in the field, within fifty yards of us—I found Thornton and Emm had advanced to the ruined cottage; they were standing in front of it—at the time I saw Mullins in the field I went to him, and on my approach he said, "You have not half searched the place, she (meaning, I suppose, Mm. Emm) had her back to you all the while; come, I will show you where I think it is put"—I said, "No, not now; we don't want Emm to know you are the informant," and in the conversation we walked round between a stack of bricks and another old shed which is in the field—we halted four or five yards in front of the identical shed which he alluded to as where he saw Emm put the parcel, and he said, "There, look now, go and pull down that b—slab and turn up those bricks"—I looked at him and retired with him from the spot—I did not go towards the shed—I came back some twenty yards—I spoke to Sergeant Thomas and desired him to go and pull down the stone, at the same time telling Mullins to go

to the Rising Sail and wait for me—Thomas went to the stone and returned to where Thornton, Emm, and I were—Thornton and Emm were still in front of the ruin—I saw Thomas pull the stone on one side, and saw him bring out the parcel—the slab is shown on the plan, we had simply to pull the stone forward and take it out; anyone could have placed it there without going into the shed—the parcel was opened in the presence of Emm—I cannot speak to its condition so well as Thomas; he handled it and undid it—I did not handle it in its original state—I saw it opened and saw what it contained—this is the outer paper; it was tied round the same as it is now, with this piece of tape—it is a piece of tape which might form an apron string or anything of that sort; besides that there was an inner parcel—this is it, it was tied as it is now, with a piece of shoemaker's waxed string—it contained some pieces of newspaper, some blotting paper, one metal table spoon, and three metal tea spoons, and these two lenses or magnifying glasses; two of the spoons are lettered "W. P."—besides these there was a cheque for 10*l.* on the Bank of London—this is it—that cheque is described in the handbill as a cheque drawn by Pickering and Carrier on the Bank of London, dated August 14th, 1860—those were all the contents of the parcel—I was then directed to fetch Mullins back from the public-house, which I did, leaving Thornton, Thomas, and Emm still in front of the ruined shed—Mullins came back and stood in front of an old waggon that was there—he said, "Have you found anything?"—he appeared delighted, rubbed his hands, and laughed, and said, "Have you found any b—money?"—I said; "Thomas has found something, I cannot tell you what; Emm is very ill"—he appeared to laugh, rubbed his hands and said, "Oh, of course he would be"—I was then told to take him to the station in Arbour-square, which I did—Emm was also taken—he was there charged and Mullins also—he was charged by Inspector Thornton, in my presence, the charge was taken down in writing—the charge sheet is not here—it would be at Scotland-yard now—upon being charged, Mullins said, "Is this the way I am to be served, after giving information?"—I searched him—I found that his shoe was tied with a piece of waxed string—I have it here; it is waxed with cobbler's wax—the string round the parcel is waxed with cobbler's wax—I also found on him a pocket-book and some spectacles, but nothing material to this case; the spectacles were

in his pocket—I afterwards went to 33, Barnsley-street, where he occupied a room—I there found a piece of tape, which I produce.

COURT. *Q.* Has that piece of tape been examined so as to ascertain the number of threads it contains?

A. It was examined by several gentlemen on the coroner's jury who were drapers; I have not counted the number of threads in it—Inspector Thornton was originally a draper—the piece of tape at the extreme end of the parcel, I thought corresponded with this piece—they appear to me to be the same tape—I think the short piece at the end of the parcel, and this piece, correspond; they appear to be exactly the same kind of tape.

MR. SERJEANT PARRY. *Q.* I believe you also produce a piece of wax that you found on the chimney piece in the prisoner's room? *A.* Thomas found that in my presence—I saw him take it from the chimney-piece—I was also with Mr. Thornton when he found the hammer.

Cross-examined, Q. If understand you rightly, you had been in communication with the prisoner as early as 28th August? *A.* I think about that time—a reward had been offered then; 300*l.*—the whole of the reward had been offered then—it was offered on the 24th.

COURT. *Q.* The 300*l.* had been offered before you had any communication with the prisoner? *A.* Yes.

MR. BEST. *Q.* You have told us that you left him outside the field while you went to search the shed. *A.* Yes; I supposed him during that time to be where I had directed him to wait, outside the field—when I afterward saw him coming towards the shed, he was about fifty or sixty yards from it; he could not from where he was, have seen what we had done inside the shed—he could see us enter the shed—we remained there two minutes probably, then he came up to us—he did not first call our attention to the bricks which were lying about—he did not mention anything about searching some bricks previous to

telling us about the slab—I am sure he did not, or about searching some wood—he afterwards said "Turn up those bricks"—that was before we had found the parcel—Emm is by trade a shoemaker—I found his tools in his house; his daughter was at work—I examined his tools; I believe a shoemaker's hammer was amongst them; I am not quite sure—I believe shoemakers use a hammer in their trade—Sergeant Thomas searched that portion of the house.

WILLIAM THOMAS. I am a sergeant of the detective police—On Sunday morning, 9th September, in consequence of instructions from Inspector Thornton, I went to 17, Oakum-street, Chelsea, between 10 and 11 in the day; I found the prisoner there—he came out of the house; I was just behind him—I took a turn and met him, and beckoned to him when he saw me, and he followed me into the Brompton-road—he spoke first to me, he said "Thomas, I took you to be Tanner"—he said "You know that I am very clever in these matters, I have been working hard, day and night to discover the murderer of Mrs. Emsley, and I have found him out"—I said, "Who do you suspect?"—he said, "The man Emm, who gave evidence on the coroner's inquest; he was suspected; no one had better opportunity, as he was in the habit of taking small sums of money, and would be admitted by Mrs. Emsley at any time"—I said, "Mullins, would she admit you V—he said, "Oh, no, she would answer me from the window, and up the area"—he said nothing more at that time—I had seen him before and spoken to him before—I had not know him for any number of years—I went with him to Scotland-yard, and then went with him, Inspector Thornton, and Tanner, to Bethnal-green—as we were going along in the cab, the prisoner and Thornton were in conversation, and after they had stopped, I said, "Mullins, what sort of a parcel did you see Emm place in the shed?"—he jumped up, put his hand into his coat pocket, and withdrew a handkerchief, and rolled it up to about the same size as the parcel, and said, "That is about the size."

COURT. *Q.* And was that the size? *A.* Yes; I afterwards found that to be the size.

MR. CLERK. *Q.* Was he telling Thornton in the cab what he had seen Emm do? *A.* Thornton and the prisoner were in conversation, but I did not bear all they said—When we got to the brick-field we went into the brickfield—I went to the shed that had been spoken of, adjoining the house—I looked into the shed, but did not disturb anything; I merely looked into it—after that I went into the house and searched there; I saw some papers relating to some property between the deceased and Emm—I then returned to Inspector Thornton, and at that time Mullins made his appearance in the field—I had taken him up Bonner's-lane, out of sight of Emm's place altogether, and said, "Mullins, remain here till we send for you"—that was about 150 yards from the place where I next saw him—he had some conversation with Tanner in the field—I did not hear what passed—Tanner then spoke to me, and from what he said I went again to the shed, and removed a flagstone that was just inside the door, and there I found a parcel, tied round with tape—it was behind the stone, between the stone and the wall—at the bottom there were some bricks and rubbish—the stone was buried about three or four inches outside and inside—the parcel was on the top of the bricks, between the wall and the stone—the bricks were not visible from outside, in the field, until I had removed the stone, not what was behind the stone, not in the middle, where the parcel was—the stone was two inches from the wall at the bottom part—it was standing nearly against the wall, it leant towards the wall—the brick rubbish was between the bottom of the stone and the wall—the brick rubbish was not visible when I was outside in the field—when I took the parcel I brought it to where Thornton was standing in the field—I spoke to Emm first, before I untied the parcel—Mullins was not near enough to hear what was said—I opened the parcel in Tanner's presence—it contained some spoons, a cheque for 10*l.* and two lenses—I afterwards went to 33, Barnsley-street, I went to the back room on the ground floor in that house—I had been in that room before—the prisoner lived there; I had seen him there—I there found a small bit of shoemaker's wax and a small bit of twine, together on the mantelpiece—I produce them—the street door of the house opens by a small bit of twine; anybody can open it from the outside—the door of the prisoner's room was locked—I had not the key with me; I broke it open—I afterwards went to the house, 17, Oakum-street, from which I had seen the prisoner come—a person named Kelly is the landlady of that house—I went

into a back room there where I found the prisoner's wife, and in that room I found a spoon, which I produce, it has on the back of it the letters W. P.

Cross-examined. *Q.* That is the ordinary trade mark, is it not? *A.* I believe so—I believe it is the maker's mark—the spoons are ordinary sort of German metal spoons, generally in use—there is a slight difference between the appearance of the spoon found at the prisoner's house, and the spoons found in the parcel—I should say the one found in the house was worn more than those found in the parcel—two of those in the parcel are alike, and one of those in the parcel and the one found in the house are just the same pattern—when I come to look at the bowls they are a different shape (*examining them*)—three are alike; the one found in the house is similar to this—they are German silver—I first went to the house in Barnsley-street, on Tuesday, 28th August—it is a very small backroom where the prisoner lived, not very clean—I saw no one there besides himself—there was a person living up stairs, an invalid, whose name I do not know—there was no one down stairs—I do not know how many rooms there are upstairs, there are three down—the prisoner occupied one, no one occupied the others—that was the only room occupied down stairs.

DR. GILL (*re-examined*). I have examined the ends of the two pieces of tape produced—I have carefully counted the number of strands in them—Tanner was present—he counted them before me, not letting me know the number he counted; there are thirty-three strands in each.

COURT. *Q.* So that those two pieces are pieces of the same sort of tape? *A.* They are in my opinion—that is all I can say.

MR. BEST. *Q.* You are not engaged in the manufacture of tape, I suppose? *A.* No; I have been in the habit of examining all fabrics, I examine all things that I feel an interest in, under the microscope—I am in the habit of examining cotton, silk, or anything, for my own private investigation.

MR. SERJEANT PARRY. *Q.* It is a very beautiful investigation sometimes, is it not, to examine fabrics? *A.* It is exceedingly beautiful.

STEPHEN THORNTON. I am an inspector of the detective police—On Saturday, 8th September, the prisoner called at my house—on the following morning I went with Tanner, Thomas, and the prisoner, to Bethnal-green—as we went along, the prisoner said he had been watching Emm, who had been living in Mr. Emsley's brick-field, Bethnal-green, for some time, and on Saturday, about half-past 8 in the morning, he saw him come out of his house, go to a ruin or shed, about fifty yards from his house, bring out a parcel, and, looking about him, go into his own house, that he was there a few minutes, then came out with a smaller parcel, and went to a shed or lean-to adjoining his own house, and was there about a minute, and then came out without the parcel—he said the parcel that he fetched from his own house was a small parcel about the size of a pint pot—I went to that brickfield—directions were given to Thomas to search in the shed and the house—the parcel was afterwards brought to me—Emm was not in good health at that time; he seemed to be labouring from illness, and suffering—had given instructions to Mullins as to where he was to remain—I told him to remain outside the brick-field, and if we wanted him we would send for him—I saw him in the brick-field at the extreme or northeast end of the brick-field shortly after—some ten minutes afterwards he came up to within twenty-five yards of where I was standing, and I sent Tanner to take him away—I saw the parcel opened, and the contents have been produced here—I afterwards went to the house in Barnsley-street, and found this plasterer's hammer, which has been produced—I found it lying with other tools, I believe, on the floor in the room.

Cross-examined. *Q.* The hammer was quite open, I believe, not concealed? *A.* It was lying on the floor—there was no concealment about it—I examined it directly, and found it nearly in the same state as it is now—there was some plaster on it—it was not so clean as it is now—it appeared to me as if it had been used—I have been engaged in giving directions about this case the whole time, but part of the time I have been on leave—I have not received any communication that a person was seen to come out

of the deceased's house on the Tuesday morning—in consequence of something I have made inquiries about one or two persons besides Mullins, previous to his being apprehended.

MR. SERJEANT PARRY. *Q.* Since his apprehension, have you made inquiry about any other person? *A.* No; I have not.

JOHN JOSHUA CARRIER. I am one of the firm of Pickering and Co. 4, Suffolk- street, Cambridge- road—I knew the deceased Mrs. Emsley—I last saw her alive on Monday, 13th August last—I drew this cheque, and paid it to her—I gave it to her—it is dated 14th August; it should have been the 13th—it is an error in the date—it is a mistake I made in drawing it.

COURT. *Q.* Are you quite sure you drew it on the 13th? *A.* Quite sure, and gave it her myself on the same morning.

Cross-examined. *Q.* What time did you give it her? *A.* About 12 o'clock; it might have been a little before 12.

COURT. *Q.* How long had you been a tenant of Mrs. Emsley's? *A.* About eighteen years, the old and new firm together—I am not aware that she kept a banker—I do not know anything about that; I did not know that she did—I paid her on other occasions, sometimes by cheque, and sometimes money; more frequently by cheque—I do not know what became of the cheques after she had them—we never crossed the cheques; it was always an open cheque that I gave her—I cannot say now whether in looking over our accounts I ever ascertained when the cheques came into our bankers as paid—I know nothing about it.

MR. SERJEANT PARRY. *Q.* This cheque has never been through your bankers; it has never been paid?
A. Never.

JOSEPH BIGGS. I live at Connaught-row, Bethnal-green. I was well acquainted with Mrs. Mary Emsley during the last four years, I think this is the fourth summer—I knew her husband before, from about the year 1820—I was in the habit of calling upon her in general once a week, since she lived in Grove-road—I used to call there on Sunday evening mostly—I called there on Sunday, 12th August, the day before this calamitous affair—I was to have gone there on the Tuesday to see Mr. Cook, he being an acquaintance of mine—I did not go at the time appointed; instead of going at 11, it was about half-past 1—I could not get in—I have seen some plate which the deceased deposited with me; I did not see it from the time of her depositing it with me, until the time she wanted to take something out of it, I had not any farther knowledge of it—I kept it secured as she tied it up—she took back some of that; a few articles to sell, such as a silver snuff-box, a lady's pencil-case, and a silver watch, and gold pins with coloured stones—she took away a silver pencil-case with her about four months ago, I think, somewhere early in the summer; I cannot call to mind the time exactly; it was about four months, it might have been more or less—I did not see that pencil-case afterwards until I saw it at the police court, or rather until Tanner showed it to me—I believe that this (*produced*) was the pencil-case which she took away with her, and for this reason; when she took it out of the parcel, (indeed I did not know it was there before,) she said "Here is a pencil-case, seeming to say, "Would you like to have it?"—that was how I understood her—I took hold of it and said, "Oh, it is an old-fashioned concern"—the point was thin, very much bent, more so than it is now—that has been put in order—I said I did not think I should—"I don't think it is of much use, it appears to be very much broke"—she said, "I don't suppose it is;" and consequently took it back again with her—I observed the head of the pencil-case at the time; it was a round head like this; I believe this to be the very pencil-case—I saw some lenses of a telescope in her possession, something like four weeks before her decease, when she gave them to me to look at,

saying, "Here are two glasses, which do you think magnifies the most?" and so on—these appear to me to be the very two glasses; I remember one was much better than the other—I believe they are the same.

Cross-examined. *Q.* Then this pencil-case is not in the same state as when it left you? *A.* It is not—it looked much older then—I believe it is the same—at the time it was shown to me, I was not aware that any one was charged with the murder—they brought it to me and said "Do you know anything of this?"—I knew nothing at all about its being sold, or bought, or the least thing, not a word—of course I said, "Yes"—there is nothing I can positively swear to about it, any more than that I believe it to be the very same—the old lady was fond of selling her articles that she took away with her—I believe she was fond of money, and was in the habit of converting the things into money—these two lenses are two simple glasses—I believe them to be the two; of course I could not say there are not two others like them—I never to my knowledge saw any like them before—I know she had two like these—I am not accustomed to look at lenses.

MR. SERJEANT PARRY. *Q.* You believe the pencil and the lenses to have belonged to this old lady? *A.* I believe they did; conscientiously.

ELIZABETH GOETZ. I am the wife of Joseph Goetz, of 18, Bamsley-street, Bethnal-green—I was the niece of Mrs. Emsley—I know the prisoner—I know that he was in the habit of working at times for my aunt—I remember hearing of the murder of my aunt on the Friday—I had seen her on the Monday before that at my house; she dined with me on that day—she left me at a quarter to 2 o'clock—while she was there the prisoner came there for some keys; he came first for a box lock—my aunt gave him some keys—he came twice or three times that day—he asked for keys each time—he came and said it was a key wanted, not a box; I gave him four or five keys, and he came back with several which would not do, and he had a few more—I recognize this key, it is one that was amongst the keys that I gave to Mullins—that was on the Monday that my aunt was murdered—I next saw that key at my aunt's house

on the Sunday following—that was after the murder—I believe these to be the same tea-spoons that I have seen my aunt use—I have noticed one of them bent in the handle; this one (*pointing it out*)—I noticed that the last time that I tea'd in that house—I saw it about four weeks before the murder—I believe these spoons to have belonged to my aunt—I know a pencil-case that she had; it is before me; I recognize it—it appears to be a pencil-case that she used at my house several times—there is nothing particular about it that I had noticed before—I think I had seen it a few weeks before 13th August, at my house—my aunt was accustomed to visit me; she never came into Bamsley-street without coming—I am aware that there were no tea-spoons left in her house after the murder—I could not find a tea-spoon to use for my breakfast, not one of any description.

Cross-examined. Q. When did you examine the house? *A.* I was called in on Friday, and on Saturday morning I had breakfast there, and I could not find a tea-spoon—that was the first time I looked for spoons—I did not find any—I looked for them in a table-drawer in the kitchen, and on the dresser; they were usually kept amongst the tea-things in the kitchen—I have seen three or four spoons there at a time—I have seen more than those, but not in that house; I have seen silver spoons, but not in that house—I do not know how long the old lady was in the habit of using the pencil-case; I have seen it on and off, for some time—I have seen it a long time, perhaps four years, before—she was not in the habit of using it constantly but at different times I have seen it—I have known the prisoner about six or seven months at the outside, to the best of my recollection—I have known him as being, generally speaking, employed by my aunt—he was at work for her during that period, when there was any work to do—he was the person she employed usually to carry out her plastering jobs, and so on—since the last man died Mullins generally did the work—she had a large number of houses, and consequently there was a great deal of work to be done, constant work—when she has been staying at my house, he has called there to see her, and received his orders from her, frequently—by her orders I told him to call on that very Monday for the lock to put on a door—I gave him a box-lock first—my aunt left my house that day about a quarter to 2 o'clock—Mullins had been there from 10 to 12 o'clock, during that time—I can't say

exactly at what time—he did not come back again about 2 o'clock—I am quite positive he never came to the house after my aunt left; not till Wednesday—he left, and went away to get some keys for another door—he left with my aunt—that was the third time of his leaving—he had been to and fro with keys, fitting to other doors—my aunt had other business to do, and he went away with the keys by himself; and after the third time he went away with my aunt from the door, down to the house where he lived.

ELIZABETH GEORGE. I live at 8, Cutworth-street, Bethnal-green—I knew the deceased Mrs. Emsley—I had attended her for 18 months as a charwoman—she had no other attendant than me, that I know of—I was in the habit of going to the house on Saturdays—she slept in the one-pair front room—when any one called on her, her habit was to look out from the area, or to look out of the window if it was dusk, before she answered them—that was what she did when I was there—I was last there before the murder on the Saturday, as Mrs. Emsley was supposed to be murdered on the Monday—on the Saturday before that she had received a lot of paperhangings—they were put up stairs in the two-pair front and back rooms—Mullins carried them up; no one else—I had seen him there before several times—I knew that he did work for Mrs. Emsley, and he was in the habit of coming on a Saturday to be paid for the work he had done—I saw him there on the Saturday before the murder was supposed to be committed—he was then paid about 6s. by the deceased—she took the money from her pocket—she gave me the money to examine it, to take to the door to see if there were any sovereigns in it—it was about dusk, 7 o'clock—she said it was to look if there were any sovereigns in it—Mullins was not near enough to hear that remark of hers—there were no sovereigns—he left at 7 o'clock—I remained till past 10 o'clock, my usual time—I have seen three tea-spoons—these are exactly like them, but I cannot swear they are the same—they are exactly the same sort—there were but three kept in the kitchen—I last saw them on the Saturday—when I left at 10 o'clock I left them there.

Cross-examined. Q. You attended her as charwoman weekly? *A.* Yes; she employed no other servant—she was an old lady, very penurious in her habits—she was never in the habit of carrying any sovereigns

in her pocket, to my knowledge—she did not live in a very humble way—it was a very respectable house, a large house—her mode of living was humble, not extravagant—I have known her 17 years, when she was first married to Mr. Emsley—during that time I never saw her with much money in her pocket—some times I saw a couple of bags on the mantel-piece, about as large as my fist, but I never saw them untied—I saw them when I went, but they were not there again—I did not see any bags on the mantel-piece on this Saturday evening—I partly cleaned that room on the Saturday—an old gentleman came on the Saturday of the name of Green—he lived up at the Park—there was also a short man came to look at the paper—I believe that to be Mr. Wright, in the Mile-end-road—I did not know him at the time—a man also came about 12 o'clock with a bundle of paperhangings—she had a great many paperhangings—she was not in the habit, till latterly, of selling them, not till a week or two before her death—a week or two before she died she had several persons call upon her about paperhangings—I never saw but this Mr. Wright.

MR. SERJEANT PARRY. *Q.* Did Wright go away while you were there? *A.* Yes—Mr. Green is 50 or 60 years old—I do not know whether the other person bought some—Mrs. Emsley took him up stairs—I do not know whether he bought any—he passed out—he went away while I was there—this was on the Saturday—the old lady used to carry a small basket in collecting her rents, and put the money into a leather bag.

COURT. *Q.* Had she any banker? *A.* Yes; she went to the bank—I heard say she did bank; she banked with the Bank of England.

MR. BEST. *Q.* Did you ever go to the Bank of England for her? *A.* No; when the gentleman called about the paperhangings the old lady, as he left, seemed to say that he was to call another time—I did not distinctly hear—I only passed on the stairs.

WALTER THOMAS EMM. I am a shoemaker by trade—I reside at a little cottage in Emsley's brick-field, Globe-town, Bethnal-green—I know the prisoner—I have know him from, I think, about the beginning of last February—he has visited at my house—he has had meals there—he has had tea three or four times at the house in the brick-field, and I think he has had meat and bread too there, after dinner when he has called in—I think it was about four weeks before 13th August, the day of the murder, that he had been at my cottage, but I saw him in Barnsley-street two days in that week—I had to fetch him on the Thursday before the 13th August for the old lady, to move a slab-stone in one of the houses in Barnsley-street, in the back yard—I saw him on the Friday before the murder, in the afternoon—I was frequently in the habit of seeing him—he worked for me—he worked for Mrs. Emsley, and I had to see him—I was employed by Mrs. Emsley to collect her rents, and I took jobs from her—I remember Thornton, and Thomas, and Tanner coming to me at the brick-field—that was on Sunday, 9th September, I think—I was then taken in custody—I did not know what the charge was—I was charged with having a parcel there belonging to Mrs. Emsley.

Q. We have heard that a parcel was found by Serjeant Thomas, behind a slab in an out-house of your cottage; did you put it there? *A.* No; I had not anything whatever to do with that parcel—I had never seen that parcel before it was produced in my presence by Thomas—I was aware that a reward had been offered—I saw the old lady on the afternoon of Monday, 13th August, about 2 o'clock, at the end of Barnsley-street—that was the last time I saw her alive—after I left Mrs. Emsley on Monday, 13th August, I went into one of the houses to see a plumber, and from there I went home—I got home about half-past 3—I then stopped at home till 6 o'clock, or a little after 6; then I went with Mr. Rowland to Bethnal-green workhouse—I stopped there for some time, till Rowland, and my wife, and a Mrs. Buckle came out—I then went on to the field again with them—I wanted Rowland to drive me to Stratford—I was on the field some length of time—I could not catch the pony to get it harnessed; that took me some time—then I went to Mr. Rumble, the owner of the pony, to see if he would come and catch it, and when I came back again Rowland and my wife, and some one else, had caught the pony—I started about

9 o'clock to go to Bromley and Stratford—it might be two or three minutes past 9, I am not exactly confident what time exactly it was—I think I got home to Globe-town about half-past 11 o'clock—my wife went with me to Stratford, and a woman of the name of Buckle; and Rumble, the owner of the pony, drove me there—we were the four that went—I have a toll-ticket that I had on that day; this is it (*produced*)—the date is the 13th of the 8th month.

Q. On the solemn oath that you have taken to tell the truth, had you anything to do with the murder of this old lady? *A.* No I had not—I remember the day I was taken into custody, when the parcel was found—on the previous day, Saturday, I think it was about half-past 9 when I got up—I was not well that day, or I should have been up before—I went out of the cottage that day, I think, about a quarter or twenty minutes past 10—I had not left the cottage before that at all—my daughter was in the cottage that morning—she works for me—she binds, and works on the seat—my wife was in the cottage that morning—I know a shed about 40 or 50 yards from my cottage—I did not go there that morning—I did not put any parcel there—I did not go into the shed that morning by the side of my cottage—I only went to the shed on the right side—that is—a water- closet—I went there—I returned in two or three minutes—I then remained in the house working till my dinner was ready—I was not outside any more—I collected rents for the old lady, at Stratford—that was my business that night—I went there by Mrs. Emsley's orders at 2 o'clock that day when I saw her, because I did not send my boy on Saturday—it was one house I went to, to receive 1*l.*—I did not receive the 1*l.*—I went for that purpose—I did not call at Mrs. Emsley's house after that till the following Wednesday, 15th August—I called for her to go with me to Stratford—I found no admittance to the house—afterwards, in consequence of what I had heard, I acquainted Mr. Rose, at his private house, at 8 o'clock on the following Friday morning, that I could not obtain admission to the house.

Cross-examined. Q. How often did you go on the Wednesday to this house? *A.* On Wednesday, the 15th, I went in the afternoon, and then, as I came home from Stratford, at half-past 9 in the evening—I

knocked in the afternoon; there was no answer—I knocked again at night at half-past 9—I did not stop there, because it was raining—I sent my wife on the Thursday morning—I went on Thursday evening myself—I knocked again; there was no answer—Mr. Whitaker, a relative of Mrs. Emsley's, lives close by there, across in the Bow-road—I can't say that I thought there was something the matter with the old lady; when I knocked twice on the Wednesday—on the Thursday night I should say I did—I did not go and tell any one then that I could not get in—I spoke to the next-door neighbour, at No. 8, who came home while I was standing there—I said, "Have you seen Mrs. Emsley to-day?"—he said, "No, I have been out all day"—he looked at my wife and said, "Why, you were here this morning"—my wife had told me she had knocked in the morning—I said, "I have been knocking now for some time; it is very strange; I was knocking here at half-past 9 last night"—he said, "Oh! then she came home late"—with that I turned to my wife and said, "Well, we had better let this be; we will call one of the youngsters up in the morning, and send them to the house, and see whether we find the house in the same position as it is now; if we find the house in the same position then I will let all that I know who know Mrs. Emsley know of it"—for that reason I called the girl up at 6 o'clock, and sent her to the house—she came home again to me, and I got my breakfast, and then I called on Mr. Rose, and told him all that had gone on—I then recollected that the boy could not get admittance on the Tuesday, and I told Mr. Rose of it—from there I sent one of the children to Mr. Biggs, and I went to Brook-street, Ratcliff, to a Mr. Churchley, thinking he might have seen Mrs. Emsley—I did not know that the old lady was subject to fits, and that she had a swimming in the head about three or four weeks previous to her being murdered—I don't think I have said that I thought she was in a fit when I called on the Wednesday—I am sure I did not say so—I could not have said such a thing as that—if I had thought that, I could have got a ladder and got into the house—I did not allege, as a reason for not telling her relatives, that I thought she was in a fit—I am sure of that—I was in the habit of going sometimes three times a week to Stratford to collect those rents, Monday, Wednesday, and Saturday—I used to take the old lady the rents as soon as I got back—I never went on a Wednesday but what I did receive some rents—on Mondays and Saturdays I did not have to call at her house—I dare say that this was the only occasion within the last month or so that I

went down in a vehicle to collect these rents, but I have often been to Stratford in a vehicle—I don't know that I received tickets from the turnpike-keeper always—sometimes the driver of the cart did—it has not always been the same that drove me—when I have received them I have not taken any notice whether I have kept them, for I did not think they would be of any use to me—I found this one in my pocket—I did not think it would be any use to me—I found it in my waistcoat pocket—you are obliged to have them, because you go through two or three bars, and are obliged to sing out the number—I can't say whether I wore that waistcoat from that time up to the time I found the ticket; sometimes I put on one and sometimes another—I have got, perhaps, half-a-dozen waistcoats or more—I put on one, a thick waistcoat suitable for a chilly night, and a thin one if it is warm—I asked the carman if he had this ticket and I felt in my pockets to see if I had got it, and I found it in one of my pockets—I can't say when—it was after my apprehension that I found it; after I was locked up—this was not the first time I have ever said anything about this ticket—I took it, I think, the first week after I was liberated—I took it to Mr. Wontner—Mr. Wontner told me to take care of it—I did not produce it before the magistrate; it was never asked for—I had it there ready if asked for—Mr. Wontner had it, and he gave it me back again, and told me to take care of it—Rowland was the name of one of the persons with me that evening—he was with me up to about 9 o'clock, but Rumble, Buckle, and my wife were the parties that went with me to Stratford—I cannot tell you when I first saw Rowland after that, for I often saw him—I saw him shortly after I was released, but he told the officers, and told Mr. Young, the same day I was locked up, before I was released, that Rumble and Buckle were with me—he knew it the day before I was discharged—it was not told in my presence—I was locked up when Rowland had got Rumble and Buckle to prove that I was there—they had not been examined then—I was not well when I saw Mullins on the Friday previous to the murder—that was a month before I was taken—I had been on and off in an ill state, the whole of that time—I had not been lying in bed till half-past 9 each morning from the time I saw Mullins first till I was taken, but in between I had—I have not been up as early as 5 o'clock—I am confident of that—I got up as early as 8 o'clock within a day or two of my being taken in custody, not earlier than 8 I am quite sure; never on any occasion that I now think of, I don't think I have been up

before 8, I know that I have not; it is above thinking, I know I was not up before 8—there was nothing for me to look after on the field; for that reason I should not have to get up—I carry on the trade of a shoemaker.

MARY ANN BUCKLE. I live at Holly-bush-gardens, Bethnal-green-road—I remember going with Emm on a Monday down to Stratford—I had been at the workhouse that day with Mrs. Emm—Mrs. Emm and I went first—Mr. Rowland came while we were there—I do not know exactly what day of the month it was; it was the 13th August I suppose; the day it was expected that the old lady was murdered—it was, as near as I can say, about half-past 6 o'clock that day, that I saw Rowland—Walter Emm was waiting outside the Union when we came out—I saw him there—I afterwards went down in a cart to Stratford with Emm and his wife—Rumble drove us—when we got back to Mr. English's it was nearly half-past 11—he lives in Park-street, Bethnal-green—Emm was with us all that time—we stopped at Mr. English's about five minutes.

Cross-examined. Q. When were you first asked, and by whom, about this evening that you went to Stratford with Emm? A. At Arbour-square; last Tuesday, week I think—I had not been asked before—I recollected going down to Stratford on that particular day, because they said it was 13th August that the old lady was murdered—I did not hear, I think, before the Sunday that the old lady was murdered—I heard that Emm was taken in custody and charged with the murder—I knew that he was out with us that evening—I did not tell anybody so, his wife was with us at the same time—I did not hear of his being taken till the Monday morning as he was taken on the Sunday—I then went to Mrs. Emm and she was gone out—I saw her on the Monday night—I went to her house and saw him—I believe I spoke first—I can hardly recollect the words I said to him—I said, "Mr. Emm, I heard you were taken up for Mrs. Emsley"—he said, "Yes;" he was out on bail—he said, "Do you remember Monday, 13th August, I was with you at Stratford?"—I did not say anything about it—I have been at Stratford since, but never before—I went on the Tuesday after this, along with Mrs. Emm—Mr. Rowland was not with me either

time—he was not with me on the Monday, only when he was in with us at the workhouse—I, Mr. and Mrs. Emm, and Mr. Rumble went to Stratford—on the Tuesday I, and Mr. and Mrs. Emm, and Mr. Rowland went, not Mr. Rumble; I think it was Mr. Rowland—I am quite sure it was Rowland—we walked down there on the Tuesday; we did not go in any vehicle.

COURT. *Q.* Who was with you on Monday? *A.* Mr. and Mrs. Emm, myself and Mr. Rumble—we started to go down there at ten minutes past 9 when we were at the end of White-horse-lane, when we got to the toll, and it was about half-past 11 when we were back in at Mr. English's—we all came back together, and Mr. and Mrs. Emm and his eldest daughter went with me to my place, and Mr. Rumble went home.

MR. CLARK. *Q.* Had you gone down to see about a house? *A.* Yes, to collect some rents; and we went to see a house that was there to let—there were two at the time, and the lady shewed us one house, and we said we did not like the house; we thought the other one was the best—I walked down on the Tuesday to see the house again, and paid a deposit on it on the Monday night.

THOMAS RUMBLE. I live at Digby-street, Grove-lane, Bethnal-green, and a carman—I know Emm well—I keep my horse in his field—I remember Monday night, 13th August—I went out with him that night—the little boy came round to me first—I did not go round to his place; the little boy came round to me and said he could not catch the pony, and his father could not, and his father came round—I sent my little boy round with the father and they caught the pony—it was about 8 o'clock when he came round to me—about 9 o'clock, when the pony was caught, it was put in the cart opposite my place, and Mr. and Mrs. Emm, and Mrs. Buckle, and I got into the cart—I drove them from there to Bromley—Mr. and Mrs. Emm got out of the cart at Bromley, and Mrs. Buckle and I sat in the cart—after that we went on to Stratford—we got back, not to Mr. Emm's house, but to the beershop just at the top of the street, about half-past 11.

Cross-examined. Q. Do you remember Emm being taken up by the police? *A.* Yes, on the Sunday—I heard of it on the Sunday, because I was in the field in the afternoon—I can't say when my attention was first called to the day upon which I drove him and his wife down to Stratford—it was on the day when Mr. Emm was taken in the field; that is all I know; I don't know the day—I speak with certainty as to the day I went down to Stratford; it was on the 13th.

COURT. *Q.* How do you know that; have you any book in which you entered any charge against him, or anything of that sort? *A.* No; I am confident it was Monday.

MR. BEST. *Q.* Might it have been the Monday before? *A.* No, it was Monday the 13th—I know it by the toll-ticket—I took the toll- ticket, and I believe I passed it into Mr. Emm's hands—I cannot say that I have sees it since—I saw the date on the toll-ticket—I know that was the very day I went through the gate—I always get a ticket when I go through the gate—I have been through a good many times before and since; I always had tickets—I have got one in my pocket now but I do not know the date of it—I can't say who first spoke to me about that particular day after Emm was taken in custody—Mr. Tanner and Thomas came to let me know about it—I can't say the day of the month they came to me; it was a very few days after Emm was taken; I can't say what day—they both came together—I can't say which spoke to me first—I can't say whether they did or not speak to me before I said anything to them—I believe they said to me, "Do you remember the day you drove Emm down to Stratford?"—they said, "Do you remember driving Emm down on Monday, 13th August last?"—it was not from what they said that I remembered the day; because the toll-ticket, as I told you before, told me the day of the month; I remember the night very well—when the man gave the toll-ticket to me I passed it to Emm, and I saw the number of it then—that was the first time I saw the date, and I did not take any notice of it till Tanner and Thomas came to me—they did not put it to me as Monday, August 13th; I can't say whether I or they said it.

MR. SERJEANT PARRY. *Q.* Have you any other reason for remembering the night than what you have told us? *A.* No—I first heard of the murder on the Friday, I believe—I believe it was supposed to have been committed on Monday, the 13th—I have driven Mrs. Buckle down to Stratford before—I drove her in company with Mr. and Mrs. Emm on that night, 13th August—I never drove her down to Stratford before that, to my knowledge—that was the first night I ever drove her down.

ANN EMM. I am the wife of Walter Thomas Emm—I remember my husband being taken into custody on the Sunday—he got up on the morning of the Saturday before that, about half-past 9—he was very ill on Friday—I am quite sure he did not get up till half-past 9—he only went out of the cottage to the water-closet and in again, and I was at the door when he went outside—that was on the Saturday morning—my husband could not have gone out to the shed by the side of our house, or have gone to the ruin, between 8 and 9 o'clock, without my knowing it, and I am sure he did not—I remember Monday, 13th August—I remember going to Stratford—I was at my father's, at the Union, before I went down to Stratford—Mrs. Buckle went with me—Mr. Rowland and my husband came shortly afterwards—it was pretty well 7 o'clock in the afternoon when they came to me—Mr. Rumble went down to Stratford—from 7 o'clock that afternoon till I returned from Stratford, I was with my husband—I went to Stratford about 9 at night—Mrs. Buckle, Mr. Rumble, and my husband went with me—Rowland did not go with us—he left us when we got into the cart—I am quite sure this was Monday, 13th August

Cross-Examined. *Q.* When did you first remember that was the day you went to Stratford? *A.* I knew it was on the 13th we went to Stratford, because of going to get some rent for the old lady—I used to go to Bromley getting rents of little houses there, and then accompany my husband to Stratford—I was in the habit of going on other days—I remember this particular Monday the 13th, because it was the day I went to see my father before I went—I went to see him several times, but I did not go to Stratford the same day, afterwards: that I am sure of—it was the Monday, as we found Mrs. Emsley was dead on the following Friday—it was before, not after my husband was taken in custody, that it came to my

recollection; of course I was aware it was the 13th that I went—I know we all four went together to Stratford on that day—I should have known it was that particular Monday, if my husband had not been apprehended, because we rode there in a cart on the Monday—I have thought of it a good many times since—my husband is naturally a very ailing man; he often gets up late—he was very seldom out of the place unless I knew where he was going, or what for—I usually get up first—I am generally up as soon as he is—I generally know where he goes to when he goes out of the house; he tells me if he is going anywhere particular—he never goes away without saying where he is going.

SUSANNAH EMM. I am the daughter of Walter Emm—I live with him in the cottage in the brick-field—I remember the Monday morning on which the police came to our house, and took my father into custody—my father had been in a very bad state of health the day before—he had his breakfast in bed—I give it to him at about a quarter to 9—he was then in bed—I assist him in his business—I work by the window against the shed—there are five windows to the cottage, two down stairs and three up—if a person goes from the door to the shed, they must pass the window where I was sitting at work—after I gave my father his breakfast at a quarter to 9, I was sitting at work at the window all the day, barring when I got up to my meals—my father did not go by the window to that shed while I was at work there—he could not have gone by without my seeing him—I could also see from the window the ruined cottage in the field—nobody went there from our cottage that morning—I was at work in the cottage all the day, except the time I was at my meals—I know the prisoner by sight—he has had meals at our house sometimes—in the course of that Saturday morning on which my father was in bed I saw Mullins in the brick-field—that was about half-past 2 in the afternoon—he was at the back of the school wall, right straight across the field from the window—the school is right at the opposite end of the field to our cottage—I see the cottage here (*referring to the plan*)—it was somewhere about here that I saw the prisoner at half-past 2—this is the window where I was sitting—when I saw the prisoner in the brick-field about half-past 2, he was walking along, looking down on the ground as if he was looking for something.

Cross-examined. Q. How far off was he? *A.* He was three parts across the field—shoemaking is the work I follow at this window—I can look out of the window and make shoes as well; because I am not looking at the shoes perhaps every minute in the day—I look out of the window very often—I always look about the field—anybody could go to the shed without my seeing them, but not to the ruin—I do not always have my eyes fixed on the shed; on the ruin I do, but not on the shed—I look at the ruin always, because it is right level with the window—I went to work that morning before I gave my father his breakfast; and I sat at the window at work all day afterwards—I was there the day before, Friday, and the day before that—I worked all the week—I always work at the window.

MR. SERJEANT PARRY. *Q.* The shed where you heard of the parcel being found, is on the left of your window? *A.* Yes; therefore a person might come this way to it without my seeing them—if a person went from the door of our cottage they could not go to the shed without my seeing them.

WALTER THOMAS EMM, JUN. I remember my father being taken in custody—I am ten years old—my father was taken in custody on the Sunday—I know the prisoner Mullins—I had seen him before that Sunday—I saw him in the field on Friday, lying down with a handkerchief up to his eyes—he was lying at the back of the school wall—I saw him there about half an hour—I went away then to mind my pigs—I saw him again on Saturday, he came up towards some mound where they were putting down some drain pipes, and walked back again—it was a heap of sand in the middle of the field—he stayed there about half an hour—I did not see him there again.

Cross-examined. Q. Had you seen him there any days before? *A.* Yes; I saw him one or two weeks—he was getting herbs; picking up something off the ground—there were not persons putting drains down when he went up to this place by the sand; they were making a road there, there were eight men there—he did not go close to them, because there was a mound they were knocking down—he did not go and

look at them; he walked up towards the mound, and then he walked back again—I do not know whether they could see him—he knew me.

MR. SERJEANT PARRY. *Q.* What were you doing there? *A.* I was minding my father's pigs.

JOHN RAYMOND. I am a tailor by business, and reside at 12, Oxfordsquare—I remember the night of 13th August—I know the Grove-road—I did not know and never saw Mrs. Emeley—at the corner of Grove-road there is a public-house, of the sign of the Earl of Aberdeen—there is a urinal by the side of it; about twelve feet from it—I remember being there on the evening of 13th August, about ten minutes to 8 o'clock—there was a man there and I waited—I was facing the urinal so as to see any one that came out—I saw the man that came out; it was the prisoner—he went round the corner of the Aberdeen; going round the corner, and turning to the right, would lead to the house No. 9, on the right hand side of the way.

COURT. *Q.* How far would the place be from the house No. 9? *A.* About four hundred and twenty yards as near as possible.

MR. SERJEANT PARRY. *Q.* Have you measured it? *A.* No; it is merely guess.

Cross-examined. *Q.* You are a tailor? *A.* Yes; a journeyman tailor; not a jobbing tailor—I am a coat maker—I work for Mr. James Cook, of 63, Shoreditch—he was the last person—in 1847, I worked for Stevens and Clark—I have not been working for anybody since—I have been working nine years for the person who employed me—I work for him now; I am quite sure—I am not obliged to send for my work at all—I go to and for the premises for my work—I went to Scotland-yard on the Friday previous to the last examination of the prisoner—the prisoner had been examined twice, I believe, previously to my

going to Scotland-yard—I had heard of it—I read the newspapers; I had not read the account of the examination in the newspapers, never but once.

COURT. *Q.* Did you know the prison by sight? *A.* I never saw him in my life—I did not know him by name—I identified him simply by seeing the account of the examination in the papers, and I was satisfied that the man I saw come out of the urinal was the man charged with the murder—that was the way in which I imagined the case—having read the papers and seen that he was termed a plasterer by trade, and seeing the person come out of the urinal I saw that that man was a plasterer—I first saw him so as to identify him on 2d October, at the police-court in Arbour-square.

MR. BEST. *Q.* You say you saw something in the papers about his being a plasterer, did you also see a description of what he was like? *A.* No, I did not, I am quite sure—I observed that he was a plasterer by the coat he wore and the billy-cocked hat—he looked like a man engaged in that capacity returning home from his work at that hour of the night—I only caught a casual glance of him as he came out of the urinal—I observed his face—I did not take the trouble to count how many persons there were in the room with the prisoner when I saw him at Arbour-square—he was among a great many more; these might have been twenty—he was not in the court, but in a room at the door of the court—I was taken there to see if I could point out the man I saw in the urinal—he had not then got on a plasterer's coat and a billy-cocked hat—I swore to him by his feature—I did see his features on the night in question, not longer perhaps than for two or three minutes—the man gave me every opportunity of looking at his countenance from what I was told and what I saw in the papers, I was satisfied that the man I had seen in the retiring-place was the man who was charged with the murder—I do not always notice the persons I see, but I was standing in this position (*folding his arms*) waiting to go in, and the man as he came out looked straight at me, up and down—it was not a casual glance that I had, the man gave me every opportunity of looking at his features, he seemed to be struck with my appearance—he stood and looked

at me—I did not describe the appearance of the man before I went to the police court, not to a single person.

MR. SERJEANT PARRY. *Q.* When you went to the police-court was the prisoner at all pointed out to you, or did you select him from a number of other persons? *A.* I selected him instantly the door was opened—he was not pointed out to me at all.

Q. Have you any doubt at all, on the oath you have taken, that he is the man? *A.* I know I am on the charge of murder, and that, on the part of her Majesty, if I had had the least doubt previous to my going in, I should have given the prisoner the benefit thereof—he came out of the urinal and looked me in the face—I was close to him—I had a full opportunity of seeing him.

MR. BEST. *Q.* What officer went with you into the room where the prisoner was? *A.* Serjeant Tanner—I should imagine there were from fifteen to twenty persons there—I could not positively swear there were twenty—I am positively certain there were fifteen—they were men and women, apparently prisoners, charged with various offences, waiting to go before the magistrate.

MR. BEST to RICHARD TANNER. *Q.* Did you accompany the lost witness into the room? *A.* Yes; I suppose there were about twelve or fifteen persons there—it is rather difficult to tell the number of persons really in the room—there were probably three or four men of about the same age as the prisoner—I told the witness to follow me, that there would be a number of persons, to look about him, and if he saw the prisoner to say so—he stopped me and told me that the prisoner, who was then sitting down at the end of the room, was the man he had seen come out of the urinal and turn down the Grove-road.

COURT. *Q.* Was he long in coming to that conclusion? *A.* Not more than a minute.

MR. BEST. *Q.* You have seen the prisoner on several occasions, have you ever seen him with a billy-cocked hat? *A.* I never saw him but twice before he was a prisoner—I never saw him with anything of that description.

MR. SERJEANT PARRY. *Q.* Did you in any way point out the prisoner, or suggest, or direct the witness in reference to him? *A.* No; what he did was perfectly spontaneous.

Prisoner. *Q.* Had he not the opportunity of seeing me on previous days at Arbour-square? *A.* Certainly; if he had been there.

COURT. *Q.* According to the practice would the witness be entitled to any part of the reward for giving evidence on this occasion? *A.* I think not—I have known a reward to be divided between witnesses in a case.

JOHN MITCHELL. I am a seaman—I also work at the docks—I live at Hoxton—I was working at the docks on Monday, 13th, and Tuesday, 14th August—I left my house at 4 o'clock on Tuesday morning to go to my work—on my way to the docks I passed through Stepney-green—it might be about five minutes to 5, as I was going down from the top of the Green—as I was going through the Green towards the docks I saw a man coming up the Green towards me, he was on the same side of the road as myself, the right side—there was nothing about the man at first to attract my attention, but on a closer approach he trembled—he seemed in a state of very nervous excitement—he had a flush on his cheek, he trembled, and his lips quivered—he was on the kerb and I was on the right, and he made a cross-walk and came aside of me, and as he came close to me I took my hands out of my pocket and he made a falter and trembled, and he stepped on my left and I turned round and had a look at his back afterwards—I had an opportunity of seeing his face distinctly as he came towards me—I took particular remark of all his feature—the prisoner is the man—his pockets were very bulky, particularly the right-

hand pocket—I know the Grove-road—I suppose where I met the man would be about three-quarters of a mile from there—I know Barnsley-street—it would be a circuitous route to come that way from Grove-road to Barnsley-street—the Mile-end-road would be the direct way.

Cross-examined. *Q.* I believe you were quite frightened at the man, were you not? *A.* He rather alarmed me, but he did not frighten me much; I got out of his road—I stepped on one side; seeing a man in that state, of course it alarmed me; you would have been alarmed if you had been there—he had on corduroy trousers, a brown wide-awake, and a kind of a drab tweed coat, with shooting pockets, and the pockets were loaded up to the mouth, at least the mouth gaped; there was something heavy in the bottom of them—both the pockets quite bulged out, very largely indeed—he seemed to labour under the weight he was carrying—he Seemed to labour that way that it excited my suspicion that he had done something bad—it was as though he was carrying something very bulky.

Q. When did you give any information of what you had seen? *A.* I took no more notice of it till I heard of the murder on the Friday; I saw posted up at a newsvendor's the atrocious murder of an old lady, but I did not know in what part of Stepney it was; and about a week after that I went through the Grove-road and made inquiry about what was the matter, and they told me that was where the old lady was murdered, and then I directly calculated that it was the party I had seen that morning—I went and gave information to the police two or three days after, at the Robert-street station—I do not know the date—I think it was the inspector I went to; he had pen and ink before him, but whether he took heed of it or not I did not know—I went and gave information on the tuesday as the prisoner was in custody on the Monday—I heard that a man had been taken into custody, and according to the description of him I took it to be the party I had seen—I did not hear a description of him from anybody, but I heard many people talking about him, and by that I thought he was the party—I did not go to see the prisoner until I saw him at the House of Detention; that was on the Saturday as he was in custody on the Monday—I then saw the prisoner—he was in his cell by himself—nobody showed him to me; the turnkey took me round

and opened every door—I saw no man completely to resemble the man but the prisoner—I saw about thirty—when the door was opened he stood sideways, all the others faced out—it was not that that made me think something was not right—I knew his features again directly, by the description I gave of him—I could not be mistaken in him—I did not go by what I heard from other people—I had been talking about this with lots of other people; before the murder was discovered and afterwards—I am a dock labourer—I was brought up a seaman—I have to be at my work at six o'clock, and I have to walk four miles and a half—I belong to the transporting gang, that remove the ships from one part to another—I heard of the reward that had been offered—that was not before I gave the information—I did not do it for the reward—I expect to be rewarded for it.

MR. SERJEANT PARRY. *Q.* What opportunity had you of seeing the prisoner?—how long do you think you saw him when you met him in Stepney-green? *A.* It might be about five minutes—I was abreast of Mr. Spill's manufactory when I saw the man coming up—he was about abreast of College-terrace—I suppose that might be 300 yards from me—he was coming up in my direction for about five minutes—I did not have that opportunity of seeing his features, not till he got closer—I remarked to myself I wondered who he was.

Q. What opportunity had you of seeing his face when he came up to you? *A.* By his ghastly appearance—when I went to the House of Detention there was nobody there but two turnkeys and one gentleman—neither of those persons pointed out the prisoner to me in any way—they opened thirty cells; I went through them all and eventually selected this man—I do not know whether a wide-awake and a billy-cocked hat are the same.

STEPHEN THORNTON (*re-examined*). A billy-cock and a wide-awake are the same thing.

WILLIAM ROWLAND. I live at 25, Barnaley-street, Bethnal-green, and am a paper-hanger—I was in the habit of doing work for Mrs. Emsley—I was for some years warrant officer, at Worship-street police court—I saw Mrs. Emsley at my house on 13th August last, and paid her some money, about 2l.—I never saw her afterwards—I know the prisoner—I know him as working for Mrs. Emsley occasionally—I saw him on Monday, 13th, about the middle of the day, somewhere about 1 or 2 o'clock, two I think it was, in Temple-terrace, close by Barnsley- street—I did not see him again till the Wednesday—he was to do some work for me on the Monday—I gave him directions to do it and expected he would have completed it on the Monday, but he did not till the Wednesday—he did not come to work on the Tuesday—he came on the Wednesday—I saw him at the job on the Wednesday—I said nothing to him that day—he completed the work—I saw him again on the Friday—he came to me and asked me to assist him in doing some work—I said, "I cannot very well afford the time, as I have got some other job"—he said, "If you will I will come and assist you," and he did come and assist me in the morning, and then I went to Gaffney's, the cooper's, and on the road I met a person who asked me, in Mullins's presence, "Have you heard that an old lady has been murdered in Grove-road?" I said, "No, I have not," and the party said, "I hope it is not Mrs. Emsley"—I noticed Mullins at that time—I noticed a tremor come over him, and a slight alteration of the features—I then went on with him to Gaffney's and finished his job—I found his work was done in a very strange manner, the paper was all turned upside down, and his mode of doing things was more like a person that was imbecile than anything else—after finishing what I agreed to do for him I left, and just afterwards I heard it confirmed that it was Mrs. Emsley that was murdered—I then went back to the cooper's where he was at work, called him out, and said, "Mullins, I want to speak to you; it is Mrs. Emsley that is murdered"—I then saw a very remarkable change in the man—he said, "Is it? come outside," in a nervous irritable way—he seemed excited, very much indeed—he said, "Come, and have some drink"—there was a public house about two doors off, and he said, "Let us have some rum, you like rum"—I do not like rum particularly, however, I did have some with him, and then I noticed that his appearance indicated something very extraordinary; he was pale, and he shook and trembled, which gave me a notion at the time that there

was something very wrong about him—I next saw him on Wednesday, 5th September, previous to the apprehension of Emm on the Sunday—I met him about half-past 8 o'clock in the evening—I said to him, "Mullins, they have not found out the murderer of Mrs. Emsley; have you heard anything of the murder of Mrs. Emsley?"—he said, "No; "Nor have I, "I said—he said he was going to get something for his supper—I said, "I am going round here; "he said, "I will walk with you"—we went into a house to see a person, but did not see him—when we came out the prisoner said, "Let us have some spirits, I want some spirits, "and we did have a small drop of gin—I then went out of the house with him and I said, "Mullins, I suspect a man very strongly, and I have got him in my mind's eye now, and I will not lose sight of him till the perpetrator of this diabolical murder has been discovered"—he then assumed a very ghastly appearance; a pallor came over him, a death-like hue, and he said, "I suspect the man likewise, and I am watching him now"—I said, "I believe, Mullins, the man I suspect is not the man you suspect"—he then wanted to leave me, although he had said he was going my way—I said, "I thought you were going to get something for your supper?"—he said, "No, I shall not have any supper now"—then I put another question to him respecting the removal of the paper at Mrs. Emsley's house, which had been deposited in the parlour and which was taken up into the second floor—he said, "Some man helped me to move it"—I said, "Who was that man?"—he said, "I can't describe the man"—I said, "Why, can't you describe the man that helped you for an hour and a half, you being an old officer?"—he said, "No, I can't"—I said, "I can hardly believe you"—he then said, "I will leave you, I won't go any further with you, "and there I left him—I had known him before for nearly three months—I had heard of him before that, but did not know him personally—I know Mrs. Emm—on 13th August, the very day in question, I went with her to the workhouse to see a relation of hers, an old gentleman that I have known many years—her husband was with her—we went there about half-past 6, and stopped there till it was getting dark; at that time it was dark about half-past 7; we could hardly see in the ward where the old man was lying—she remained with me the whole of the time, and Emm was there—about ten minutes past 9, that same night, they went away with a man who is here, the driver of the cart—Mrs. Emm, Mrs. Buckley, and Walter Emm, four of them, went away in the cart—I saw them depart; they were going to

Stratford—they wanted me to go, but I said, no, I had other business—I saw them depart about ten minutes past 9 that same night.

Cross-examined. Q. Mulling is a plasterer by trade is he not, not a paperhanger? *A.* Well, I don't know exactly what he is; he was represented to me to be a plasterer, and I believe he is—it is not difficult to put up paperhangings—as a business it is nothing, you may learn it in about six months—I don't believe Mullins is a paper-hanger; not a tradesman—I have had several conversations with him about this poor old lady—I know he was in the habit of going to her place, and working for her—I was also in the habit of being employed by her—I was sorry to hear of her death, because I lose something by it; I felt grieved that a woman should be murdered in that way, and so would any man with any feeling—I did not see the prisoner from the 13th till the 15th—I saw him once or twice afterwards—I had no other conversation with him after the 5th September, that was the last; that was after the murder had been found out—the other conversation was before it was discovered—I saw him about the neighbourhood several times during that period—it was not because the carpenters had not finished their work that he did not finish the job, there were no carpenters employed—there was some patch-work to finish to the ceilings in some small houses, which was work that required to be done directly, as it puts them to inconvenience, and I expected him to do it—the old paper had not to be taken off, not as far as he was concerned.

Q. Do you remember what sort of a hat he wore generally? *A.* Yes, sometimes a hat and sometimes a peaked cap—when I saw him about 2 o'clock on the Monday I believe he had his hat or cap on; I really cannot tell now—I never saw him wear a billy-cock hat—I have never given any information against a man named Smith about this murder—I spoke before the Coroner of the man having some quarrel with Mrs. Emsley—that was before I know anything about this charge, it was after she was found murdered—I did not give information about Smith, I merely said that he had had a quarrel with Mrs. Emsley and the matter was referred to me—she said to me, "This man wants to rob me, Mr. Rowland, of

a 50*l.* note"—I said, "No, I don't think he does"—she had detained his rent-book and he was trying to get it and seized her basket—he was a tenant of Mrs. Emsley—I know him, he is a lame man and walks with a crutch—I settled the matter between them amicably, I found that Mrs. Emsley was wrong and the tenant was right; but she made use of an exclamation, "This man wants to rob me of a 50*l.* note, and I have got it here"—I did not tell the Coroner I had important evidence to give—I said I had evidence to give respecting the customs and habits of the late Mrs. Emsley—I was not examined then; I think not till the third time.

MR. SERJEANT PARRY. *Q.* Do I understand you to say that this dispute whatever it was, between Mrs. Emsley and Smith was amicably settled? *A.* Yes, and they parted on friendly terms, at least they were both satisfied—Smith is a man of about forty-six years of age.

ISAAC TYRRELL. I live at 1, Temple-terrace, Bethnal-green—I know the prisoner, he has worked at my house, not for me—I remember his working there on Monday, 13th August, pointing tiles and repairing the ceiling of the front-room—I saw him at work on that day—he had a hammer that he was working with—he knocked the ceiling down with a hammer—this (*produced*) is something like the hammer.

COURT. *Q.* Is that the common hammer that is used by a plasterer? *A.* It is.

MR. SERJEANT PARRY. *Q.* Do you remember what time he left his work? *A.* About 6 in the evening; it was not finished—I had not given directions as to its being finished—I had nothing whatever to do with it—he came next on the Wednesday, not before—he did not come at all on the Tuesday.

Cross-examined. *Q.* I believe he could not finish in consequence of some carpenter's work being required to be done? *A.* Oh, no; he could have finished—he wanted some cement for the tiles on the

copper; he could have done that—I can't say whether he got any cement that day; I did not see him—I believe there was none there on the Monday—he had other tools with him, he had a trowel—he did not leave them behind, he took them away with him, I am confident of that—there were no boards given him to be fastened down by a carpenter, not in my house—a piece of board was given him on the Thursday to put on the trap door leading to the copper—that was not finished till the Thursday; the cement was put on on the Wednesday. THOMAS PRIOR. I am barman at the Royal Oak public-house, Keppelstreet, Chelsea—On Friday, 7th September last, I bought a pencil-case of the prisoner's wife—this is the one (*produced*)—the point of the pencilcase was bent nearly flat when I bought it—I straightened it—it was very dirty indeed—I cleaned it with rotten stone.

ANN COOPER. I am a widow living at 12, Little Orford-street, Chelsea—I know the prisoner—he, his wife and family, lodged at my house—he has five children; they left my house on 26th August—after they left Inspector Thornton came there—I saw him find a boot—I had seen that boot before; I saw it thrown out of Mullins' window on the Sunday afternoon, as they left in the evening—it was in the dust-hole when Thornton found it—this is the boot (*produced*). *Cross-examined.* *Q.* What part of the house were you in when you say this boot came out of the window? *A.* In the first-floor back room, looking into the yard—there are three rooms up stairs and two down, and a kitchen; it came out of the back parlour window—I was shaking a cloth out of the window from a young man's table who had been having breakfast—it was not Charles Shirley, he was not in the house at that time.

COURT. *Q.* Was the back parlour a room occupied by the prisoner? *A.* That was the room occupied by him.

MR. BEST. *Q.* Who occupied the other rooms? *A.* A person of the name of Cowper occupied the front parlour—he had been there about a week—a young man named Levick also lived in the house; he left on the following Saturday—there was no other person living there—I think Cowper served in a china-

ware shop, but I don't know exactly; the other man used to drive a coal cart, his employer is a coal and coke merchant—I am sure there was no man of the name of Shirley there—I have seen a young man of that name there once or twice whilst Mullins was there.

MR. PARRY. *Q.* Who was he? did you know anything about him? *A.* I did not know much about him—I believe his father is a calenderer, a calico glazer, or something of that sort, not a plasterer—he is about twentyfive or twenty-six years of age—Mullins did not sleep at home regularly—I believe he once told me that his work laid over at Stepney, it was his habit to go out on a Monday and return on Saturday night—his wife and children were most of the time at home—I believe Mrs. Mullins used to go oat washing.

STEPHEN THORNTON (*re-examined*). I found this boot in the dust-hole described by Mrs. Cooper at the house 12, Orford-street, Marlborough-road, Chelsea—I gave instructions for a piece of the landing to be cut out on the second-floor of the house 9, Grove-road—it was done and I produce it—Sergeant Tanner actually cut it out—there is a foot mark of blood on it, of the left boot of a man, coming from the room.

WILLIAM THOMAS (*re-examined*). I was present when the piece of wood was cut out of the landing—this is the piece, it was taken from the landing on the second-floor; the top of the house.

STEPHEN THORNTON (*re-examined*). The marks on it are marks of blood—I had to wash the boot, it was in a very filthy state, it laid about two feet in the ashes—I have made a comparison of the boot with the marks on this piece of the landing—there are two nails near the toe that seem to correspond exactly, and there is a licking up of the blood in the centre of the boot which appears to me a hole that would gather up the blood and leave the impression that appears to be left on that board—there is a double row of nails on the left side of the boot, and there are two nails more especially very prominent in the boot as

there is on the board; if you turn the boot on to the impression you will see the two nails speak of—in washing the boot a great portion of the heel fell off; it was in a filthy state—all manner of filth had been thrown into the dust-hole.

Cross-examined. Q. Did you put this pencil mark round the impression? *A.* No; I think Dr. Gill did it—I had seen the marks repeatedly—these two nails in the shoe were strong in my mind—it was that which made me bring the boot away having an idea of what such an impression would leave in the warm blood—Tanner cut the mark out—a board was previously nailed over it by one of the officers—I saw it nailed over with instructions that it should be preserved.

RICHARD TANNER (*re-examined*). The piece of wood which Thornton has produced is in the same state that it was when it was first observed at the house, with the exception of the pencil mark round it, that was made by Dr. Gill in my presence—I cut it out myself—I understand the terms billycock and wide-awake to mean the same thing—in London they are generally called wide-awakes, in Staffordshire and those parts, I have heard they are called billy-cocks.

MR. BEST. *Q.* I believe you were not at the house the first time the footmark was discovered? *A.* I was the first detective at the house, Dillon was there before me, it was pointed out to me by inspector Kerrison.

WALTER KERRISON (*Police-inspector*). I produce a knife which I found in the pocket of the deceased—I searched her pockets in the morning—I saw Dillon find a ring; this is it (*produced*) it was found between the mattress and the bed—I observed some marks of blood on the landing of the room—I called Dr. Gill's attention to them—this is the piece of board that was cut out of that landing—with the exception of the pencil mark, it is in the same state as when I first observed it—I found nothing in the old lady's pockets but this knife—I found no money or anything of the kind.

DR. GILL (*re-examined*). I have examined this boot with a powerful magnifying glass—I found one hair between the welt and the sole in this broken side, the best part of it was packed within the boot; I found another hair on the surface, and a third here—I am of opinion that they were human hairs—I think I can produce them now—part of them were cut up to put under the microscope, and part of them Dr. Letheby cut up.

COURT. *Q.* Do you say that they are certainly human hairs? *A.* Certainly—I ascertained that, by means of the microscope—my experience enables me to say that they are human hairs—I could tell what colour they were—they were much the same colour as Mrs. Emsley's hair—I had some of her hair in my possession to compare the two—I compared the hairs with what I actually took from her head—they appeared to correspond in colour.

MR. SERJEANT PARRY. *Q.* You cannot of course say more than that? *A.* No one could say more than that—human hair is used for plaster and mortar; there is no doubt of that—I examined the pencil case that has been produced—I saw a spot on it which I imagined to be blood—it was on the edge—I asked Dr. Ansell to examine it with me, and we examined it together under the microscope—in my judgment that spot was blood—a microscope is an infallible test as far as regards the proof of blood—it is believed to be so.

MR. BEST. *Q.* You cannot tell whether that blood was human blood or not, I believe? *A.* Certainly not.

MR. SERJEANT PARRY. *Q.* Unfortunately at present there is no test by which you can detect human blood from other blood, is there? *A.* No.

COURT. *Q.* Where is the mark you speak of? *A.* Along the line of the opening of the pencil case; between that and the head.

ROBERT WENT (*Policeman, K 160*). After the discovery of the murder I searched the coal cellar at the house, 9, Grove-road—in the coal cellar under the coal, I found a tin box—it was wrapped up in part of a handkerchief—I found in the box 16*l.* 2*s.* in silver, and 32*l.* in gold.

JAMES WRIGHT. I am an estate and house agent—I cany on my business in Bow-road—I called on Mrs. Emsley about some paper-hangings on Saturday, the 11th, to the best of my knowledge; the Saturday previous to the murder—I saw her in the evening about 6 o'clock—I remained with her, I dare say, an hour; not looking at the papers all the time—I went up stairs—when I first went in the passage, the charwoman who has been examined, opened the door—that was the last time I saw the old lady—there was another person in the house at the time—I saw a person sitting on the stairs—that was the person whom I saw at the Coroner's jury—his name is Mullins—I see him here now—it is the prisoner.

Cross-examined. Q. Where do you live?—in the neighbourhood? *A.* About two hundred yards from the place—I was not at the house at all on Tuesday, the 14th, I am quite positive—I do not know a man of the name of Stevenson—I am quite positive that I never entered the house after the Saturday—not at all in the afternoon of Tuesday—that I am quite positive of.

MR. SERJEANT PARRY. *Q.* Is there any pretence for suggesting that you were ever near the house after the Saturday? *A.* Not any—I know the old lady before—I had done several things for her.

ELIZABETH FUKÉ. I am married, and live at 17 1/2, James-street, Commercial-road, East—that house belonged to the late Mrs. Emsley—I was tenant of a house of hers at No. 14, in that street—I know the prisoner—I remember hearing of this murder—he came to my house a few days before 13th August, to set a copper—that was, I believe, about twelve days before 13th August—when he came, he said Mrs. Elmsley was a miserable old wretch; that she sent men about to do work, but she did not always find them in materials to do it with—I asked him what he required and he said some cement—I asked him

what quantity, he said, "About a peck"—I gave him the money and he went for it, and when he returned he further said that he had been at her house that morning; that she was sitting down to breakfast which he would not have sat down to himself, she would not even allow herself as much as a farthing's worth of milk to put in her tea; she was drinking it without, but I need not take any notice of it to her; it was a great pity such a miserable old wretch should be allowed to live.

Cross-examined. Q. Was that alluding to her penurious habits, and mode of life? you did not think he was going to murder her, from that? *A.* No; I believed it was in allusion to her penurious habits.

The following Witnesses were called for the Defence.

MARY MULLINS On 13th August last, I resided with my mother, at 12, Orford-street, Chelsea—my father lived at Barnsley-street at that time—two of my brothers, James and Thomas, lived at home with my mother—there was another, John, he used to be down with my father; he sometimes used to come up to mother's—I have seen this pencil-case with my brother James, in June and July, in his possession—I do not know, where my brother James is now—he is a sailor—I saw it in June last—I have seen it several times since at my mother's house, in August, and about a fortnight before my father was taken—I have had frequent opportunities of observing it—I have had it in my hand several times—I believe this to be the pencilcase I have seen with my brother.

Cross-examined by MR. SERJEANT PARRY. Q. When did you first hear of the murder? *A.* I can't exactly say the day of the month—it was on Saturday—I read of it in the papers—I was in a situation at 9, Sloane-terrae, Chelsea, with Mr. Gibson—I have seen Mrs. Emsley once or twice—I know that my father worked for her—I had not seen my father before I heard of the murder—I saw him on the Saturday night, that was after the murder; I was dismissed the same day by Mr. Gibson from his service; on the Monday after my father was taken—he was taken on the Sunday—it was in September that I was

dismissed—I was dismissed from my situation because my master read of it in the paper—that was all—I swear that—that is all the reason I can give—he told me I had better go, as my father had been taken, as he did not like to have me in the house.

Q. Was nothing said about removing a stone in the kitchen? *A.* Yes; I dropped a shilling there—the reason I was dismissed was not because I had been found removing a stone in the kitchen, and been supposed to be hiding something—it was after that, when I was paid my wages, when master told me to go—mistress paid me in the kitchen, and I dropped a shilling down by the side of the fire-place—there was a little girl came in, she saw me removing the stone—I told her to hold the candle while I removed it; she told my master after I had left—the removal of the stone was not the cause of my being dismissed—I found the shilling—no one was present when I found it—the little girl who held the light did not see me pick it up; she was called away—the bell rang for her to go up stairs—I did not find the shilling in anybody's presence—I was not dismissed for removing the stone because it was supposed I was hiding something—the master, when I took the papers up in the morning, read of it in the newspapers—he did not tell me for an hour after, for one of the young ladies was ill, and he was afraid it might disturb them, so he called me out, and told me to meet him in Sloane-street; and he asked me if I had heard about my father; he said he had seen it in the newspapers, and it was very bad, and he wished me to leave—I had got the stone up before the little girl came into the kitchen—I called her to hold the candle for me—she was accidentally called away, and did not see me find the shilling; I did not tell her not to say anything about it—I did not tell her I would give her sixpence if she did not say anything about it—I can't say exactly what time in the day it was that this stone was being removed, a little after 2 o'clock, I think—I was dismissed on the Monday after my father was taken; about 4 o'clock I think it was; between 3 and 4 o'clock—I was lifting the stone about 2 o'clock, and I was dismissed between 3 and 4 o'clock—it was after the master had told me to leave, that I was lifting the stone; I had to get my clothes and things—I last saw my brother James in July, or the beginning of August; in July I think it was—I had not seen him for some time before the murder; he did not leave home since the

murder; he left some time before—I have seen this pencil-case with my brother James—I have two other brothers, John and Thomas—John used to sleep sometimes at my mother's, sometimes down at my father's; both of them, John and Thomas, slept sometimes in my mother's room, and sometimes with my father—my father used to come home very seldom; only on the Saturday—he was not in the habit of sleeping with us; only on Saturday night or Sunday—my brother went down in the country, and he heard of my brother coming home from sea, and came to see him, and he remained at home till some time after my brother came home from sea—my brother came home from sea in May—in August John and Thomas were living generally with my mother—Thomas was in a situation at a green-grocer's, in Marlborough-road, Chelsea—he was an errand-boy—he used to go there regularly every day, and slept at home—when I was out of a situation I used to sleep at home—I went to see my father on the Saturday after the murder, because I was anxious to hear about it; I was anxious to hear about Mrs. Emsley, seeing it in the papers—he did not send or come to me, I went to him, to my mother's—I was paid 12*l.* a year by Mr. Gibson—I can't say exactly how much it was that I received on the Monday when I was dismissed—it was not so much as a pound—it was 17*s.* or 18*s.* I am not sure which—I was only there for a short time—the slab that I was removing, was in the back kitchen, by the side of the fire-place; there was a hole by the side of the fender—Mr. Gibson's is a large house.

THOMAS MULLINS. I live at No. 1, Rose-court, East Smithfield—I am about sixteen years old—I work at light labouring—I have once assisted my father in his trade—I have been to see him in Barnsley- street—I stayed with him there—I remember Monday, 13th August last—I was staying with him in Barnsley-street that day, at No. 33—my brother John was staying with him besides me—I was doing nothing that day—I was at home all day—my father was out at work—I remember what time he came home that evening from his work, it was about a quarter-past 7—he stayed in the house after that, and did not go out any more after that—he slept there—he slept in a little bed by himself, and I and my brother slept together in the same room—I got up in the morning about half-past 7—my father, after he got up, went and water-washed the passage ceiling, and stopped the nail holes—he was at work doing

that till about 12 o'clock; he then came in and had his dinner about 12, and went out about half-past 12—I did not go with him—I do not know this boot at all—I have never seen it—I never saw my father with a boot like that—I clean my father's boots sometimes—I know what a billy-cock hat is—I never saw my father wear one of those—one generally hears it called by that name—it is a round hat—it is the same thing as a wide-awake—he had not a brown wide-awake on the Monday evening at all, he had his hat.

Cross-examined by MR. SERJEANT PARKY. Q. When did you last see your brother James? *A.* About three mouths ago from this time as near as I can judge—I perfectly remember the time of the murder; he was then at home.

Q. When did he leave home? *A.* Oh, he was not at home; I made a mistake—I said just now that he was at home—he left home about three or four weeks before the supposed murder.

Q. If you knew that, what made you tell me that he was at home? *A.* I bethought myself; it ran in my mind—I have been spoken to about whether my brother was at home or not at the time of the murder—it has not been very much spoken of in our family whether he was at home or not—I have heard it spoken of, because some persons asked me—I made a mistake when I said that he was at home—he never wore a wide-awake hat—there was not such a thing as a wide-awake hat in the family—he went to sea—I do not know where he is—he went in the "Mechanic"—I don't know where for; New York—I was not in work at the time of the murder—I have worked in the Marlborough-road—I was not working there in August—I can swear I was with my father on the 13th—I was not at work at a green-grocer's in Marlborough-road in August—Yes, I dare say I was; the very day I left I came down to my father's.

COURT. *Q.* Were you at work in Marlborough-road at a green-grocer's in the month of August? *A.* I do not know; I don't recollect.

MR. SERJEANT PARRY. *Q.* Just now you said the very day you left you came down to your father's? *A.* I came down to my father's—it was on a Sunday morning that I left, and I came down on Monday to my father's—I can't answer whether I was at work at this green-grocer's on Sunday, 12th August—I have done work since 13th August, at Mr. Pinnock's—I have only been there one day, that is all the work I can recollect that I have done since 13th August—that is all that I have done since 13th August—I do recollect—before the 12th August I was at work at a green-grocer's in Marlborough-road, all that part of August up to the 12th—Pinnock is the name of the green-grocer—I was also at work for him two Saturdays ago—that is all the work I have done—I had been at work for him about six months before, and I have done one job for him since—I was dismissed—I was not sent away—I left myself, of my own accord—I did not have any other situation—I was not sent away, I am quite sure—I am quite sure I left on 12th August—I did not go with my father on the 13th—I was at Barasley-street all day on 13th August—I was there about 12 o'clock in the day time—no one went with me, only myself; that was all—my brother John was down in the room in Barnsley-street—I slept at home on the Sunday night with my father, in Orford-street—that was on the Sunday night—my father was at home on the Sunday—he left home on the Monday morning about six o'clock—no one went with him—I went to Barnsley-street at 12 o'clock in the day—I did nothing there all day—I went there to see my father, and to see how he got on with his work—that was not the reason I gave up my situation—I did not shut myself in the room all day—my brother John was there when I got there—he and I were in the room all day together; at 12 o'clock we were—I went out, but I was not long out—my brother did not go with me; he stayed in—he had slept in Barnsley-street the night before, by himself—he is older than I—I did not know that from him; I knew it by myself—I was there with him—no, not the night before; I was there all the day with him, and he slept there—I know he slept there on the Sunday night, because I went home, and my brother did not sleep with me, and when I went down there on the Monday morning he was there—I slept with my mother in Orford-street on the Sunday night—my brother John was not there—he slept at Barnsley-street—he was not doing any work at that time—he was not in work at all, neither of us—he was looking after work, he went there being near the docks—I went out for about a

quarter of an hour—I have no remembrance what time of the day that was—it was about the middle of the day—I dined that day in Barnsley-street, with my father and brother—I am sure my father dined there; we had some bread and meat for dinner—we dined about one o'clock—my father came home to have his dinner—I don't recollect at what time he came home to his dinner—there was no table in the room when I was there—there was one chair—there was no bed forme to lie on—I and my brother did not sleep on the bare floor—there were some canes there on the floor, that they make chairs of—they were on the bed and we took them off the bed and put them on the floor—the bed is a mere tressel with a sacking; my father slept there—that is the little bed I spoke of just now—my father remained in after coming home about a quarter to 7—we had our supper afterwards—I had some bread and tea for supper—my brother and I went to bed at 9 o'clock—I did not go to sleep—I was not awake all night—we did not go to sleep till my father got into bed—I went to sleep about 12 o'clock—I went to bed about 9 and went to sleep about 12—I could not go to sleep—I do not know what time my father went to sleep—he went to bed at the same time we did—I could not go to sleep till my father came to bed—he came to bed at 9 o'clock.

Q. Why could you not go to sleep before 12 o'clock? *A.* Because I could I not—I am really in earnest in saying that—I did not go away the next day—I remained in Barnsley-street the whole of the next day, Tuesday—I slept with I my father again on Tuesday night—I continued to sleep there till about Thursday, and then I went home again—my brother John was in the same room—I went out once on the Tuesday for a quarter of an hour again, not much more—the room is a very small room on the ground-floor—I and my brother remained in that room the whole of Monday and Tuesday—I got there on Monday, about 12 o'clock; alone—I first heard of the murder on Saturday evening—I then remembered that I had slept there on the Monday night—when I first heard of the murder on the Saturday evening I remembered that I had slept there on the Monday night—I first heard of the murder when my father came home—there was a row in the house with Mrs. Emsley and another woman, I was in the room—that was, I believe, on the Monday—a row in No. 33, Barnsley-street—that was one of Mrs. Emsley's

houses—there were some children used to sleep in the room; Mrs. Musick's—they slept in the room my father occupied—I can't recollect where they slept on the Monday night—they did not sleep with me—I do not know about their sleeping in the same room; I don't recollect it—those children are about seven or eight years old; the eldest—there are three children—I can't recollect whether they slept in the room that same night—I don't recollect whether they did on the Tuesday night—I have slept in the same room with those children, in Barnsley-street—I can't tell whether they slept with me on the Monday night—I don't know whether my brother can—I can't tell you—I don't recollect whether they slept there on the Tuesday, or on the Wednesday or Thursday.

COURT. *Q.* When did you last sleep in Barnsley-street? *A.* On Wednesday night—I never went there any more after—I came up to look after work—I last slept in Barnsley-street on the Wednesday after 13th August—there was a Mrs. Musick, the mother of these children, who slept there—I had slept there before the Monday—I was in the habit of sleeping then sometimes.

MR. SERJEANT PARRY. *Q.* Did you sleep there on the Saturday night before the Monday? *A.* No—Mrs. Emsley did not turn Mrs. Musick out—she ordered her to go—she stayed there by my father's permission while he was away—when my father was up at Brompton she used to sleep in the same room—that is what I have been told—I have never slept in the same room when she has been sleeping there—I do not know where she slept on the night of 13th August—I believe she was in the house—when my father was there she used to sleep in the back kitchen, and her children used sometimes to sleep in my father's room.

Q. I will again ask you how you came to know, on the Saturday following the murder, that the murder was committed on Monday, 13th August; how was your attention called to the date? *A.* Well, hearing of the row, in Barnsley-street on the Monday when I was there—I did not know that the murder was committed on the Monday night; I did not say it had been committed on the Monday night—no one

asked me on the Saturday whether I remembered having slept there on the Monday—I understood by the papers that the murder was committed on the 13th—I heard that on the Saturday evening; I heard that it was committed on the Monday or Tuesday.

MR. BEST. *Q.* When you heard of this murder having been committed did you remember the row in Barnsley-street? *A.* Yes—it was from that that I remembered being in Barnsley-street on the Monday—the bed of rushes was not a very comfortable bed; I could not go to sleep because it was so hard.

JOHN MULLINS. I am the son of the prisoner, and live at No. 1, Rose- court, East Smithfield—I am a labourer—at present I am out of employ—when I am employed it is at the docks—I remember my father living at 33, Barnsley-street, right well; I lived there with him—I was there on Monday, 13th August last—my father was there on that day, and my brother, the last witness—my father went out at his regular time in the morning, a little after 8, after breakfast—he came home again about 12, I should say, and had his dinner; he then went to work again—I next saw him at 7 o'clock; it might want a few minutes to 7—he came into the room where I was—he had his supper at 8 o'clock and went to bed at 9—I went to bed there—I slept in that room—my father slept in the bed—I did not go to sleep for some time after I went to bed; it is not every time you can go to sleep when you lie down—I got up in the morning about the same time, half-past 7—my father got up, he had his breakfast a little after 8 o'clock, and then he water washed the passage and stopped the nail-holes—at 12 o'clock he came in to his dinner, and at half-past 12 he told me he was going to Cambridge-road to work there; he then left—I never saw this boot in all my life—I know right well what a billy-cock hat is—it is what they wear in Ireland—my father never wore one of those.

Cross-examined by MR. SERJEANT PARRY. *Q.* Did you ever wear one? *A.* At times, in Ireland, I might have one for about a month—I am not at work now—I was not at work at the time I spoke of in August—I have not been at work since—I should say it was about four months since I was at work in

the docks; during that time I have done nothing, because my health would not allow me—I have lived with my father during that time in Barnsley-street, and at Brompton, in Orford-street—I went there once or twice—my father slept at home on the night of the murder—I mean in Little Orford-street.

Q. You said just now that he got up about 8, his usual time, on the Monday morning, is that so? *A.* You speak a little too fast for me; I recollect my father getting up on Monday morning, 13th August—if you speak a little easier I shall understand you.

COURT. *Q.* Where did you sleep on Monday night, 13th August? *A.* At 33, Barnsley-street.

MR. SERJEANT PARRY. *Q.* You are quite sure of that? *A.* On Monday night I slept in Barnsley-street; and on Sunday night, with my father—he had his breakfast on Monday morning, I recollect that.

Q. Who slept with your father on the Sunday night besides yourself?

A. On Sunday night? he used to go home of a Saturday night.

Q. Never mind what he used to do; you say you slept with your father on the Sunday night, at Barnsley-street, who slept with you? *A.* On Sunday night? you are mistaken, you spoke too fast; I did not understand what you said.

Q. You said distinctly that you slept with your father in Barnsley-street, and that your father got up to breakfast at 8 o'clock in the morning, is that true or false? *A.* You say, where he had his breakfast on Monday morning, don't you? well, he had it in Oakum-street, no, not in Oakum-street, at 33, Barnsley-street.

COURT. *Q.* On Monday morning he had his breakfast in Barnsley- street, is that so? *A.* On Monday morning had he his breakfast in Barnsley-street? he used to go away on Monday morning from Oakum- steet.

MR. SERJEANT PARRY. *Q.* Were you at home all day on the Monday, it seems to puzzle you about the breakfast? *A.* No, it does not puzzle me—I cannot say whether he did breakfast in Barnsley-street on the Monday morning—he used to come home on Saturday night to his own place—to the best of my knowledge I was at 33, Barnsley-street on the Sunday night—I did not sleep there on the Tuesday night; I went up to Little Orford-street—I can't say how long I stayed there; my father was out at work on the Monday and I was in the room along with my brother Thomas—on Sunday night I think I slept with myself—if I said I slept with my father I was mistaken—I did not do any work on Monday—I did not go out the whole of the day—I sat in the little room all day reading an almanack, that was all that there was there—there was a little bedstead in the room, only one—my brother Thomas slept with me on the Monday night—I know three little children of the name of Musick—they used to sleep in the kitchen—they have; slept in my father's room—on Monday night they slept in the kitchen—I won't swear that they did; they must either have slept in the room or in the kitchen—I swear they slept in the house, I used to hear them asking their mother for a good many things—I did not leave the house till Tuesday evening—I remained in the house all day doing nothing—there were other persons in the house at 33, Barnsley-street—I know a young woman named Brimson—I think Mrs. Musick saw my father water-washing the passage and stopping the nail-holes; she was in and out—I don't know where she is now; we can't find her; she is put out of the way, there is no doubt about it—I remember right well when my brother went to sea, it was in July—I cannot tell where these children slept on the night in question, except that they slept in the house.

MR. BEST. *Q.* Have you tried to find Mrs. Musick? *A.* Yes, we have made inquiries about her and cannot find her out—I had no billy-cock hat on this Monday.

CAROLINE BARNES. I live at Laurestine-cottage, Grove-road—I know No. 9, Grove-road, where Mrs. Emsley lived—my house is nearly opposite to that house—I remember Monday, 13th August last—I saw Mrs. Emsley, on that day—I saw the house on the Tuesday morning—I saw some one moving the paper on the Tuesday morning—the paper was very white outside, paper-hangings—it was in the top room—it was about twenty minutes to 10 o'clock when I saw this—I saw the right hand window of the top room open a little way, which attracted my attention—I saw the window move; it attracted me being opened; I saw it opening—I could not tell who the person was that was in the room.

Cross-examined by MR. SERJEANT PARRY. Q. When was your attention first called to this matter; when did you hear of the murder? *A.* On the Friday—I told Mr. Rose about this; I said I supposed it to be Mrs. Emsley, but I did not see the old lady—I said I had not seen her since I saw her moving the paper—I supposed it to be her; I did not take any notice—I was very busy at the time—it was about twenty minutes to 10 on the Tuesday.

MR. BEST. *Q.* I believe you gave evidence of this before the coroner? *A.* I did.

JAMES STEVENSON. I am a builder, and reside at 3, Library-road, Oldford—I had occasion to go to Grove-road on Tuesday morning, 14th August last—I called at 3, Grove-road, at the house of a man named Piper—I did not see him, but I saw his family, and left a message for him—that was just turned half-past 10 o'clock—since I heard of the circumstance I have noticed the house where Mrs. Emsley used to live, No. 9, Grove-road—I had not noticed it previously—I passed by that house about half-past 9 o'clock, or a few minutes later that morning—I went round into the Grove-road, and left a message for Mr. Piper, the plasterer, and after leaving there I walked on the other side of the way towards Bow station, undecided whether I should go home by bus or not—after I had walked a few paces towards the Bow-railway station I looked down the Bow-road, and in looking down the Bow-road I saw a tall man coming out of a garden there with some paper under his arm—whether it was three or four pieces I

cannot be positive—he was coming out of a garden apparently about the number of the house, No. 9—I then returned, and walked a few paces towards the city of London, and as I was walking I looked down the Grove-road again, and saw the person coming towards the Mile-end-road or Bow-road, some people call it one and some the other—after that I crossed over the road, one door from the Grove- road, and then I made up my mind to go home—I was walking towards home, and had just turned the corner to go down the Grove-road when I met the party face to face, nearly in each other's arms—I said, "Hallo, what, are you in the paper line?"—he said, "Yes, "in a flurried manner (*speaking in a faltering tone*)—I thought it might be from my coming on him all of a sudden—he said, "Yes, didn't you know that?"—I said, "No, I didn't know it; had I known it I could have given you a job, for I have got about 180 pieces of paper being hung"—he said, "Oh, yes, I have served my time at it"—"Well," I said, "I shall want some more done by and by, and the first job I have I know where you live, in Barnsley-street, Bethnal-green."

COURT. *Q.* Then you knew the man? *A.* Yes, I knew him well, it was Mr. Rowland.

MR. BEST. *Q.* Did you give any information of this to any one? *A.* Not till some days afterwards—I told my sister-in-law—on the Saturday afternoon I went to Mr. Rose, the solicitor of Mrs. Emsley, and made him acquainted with it—that was the day after the murder was made known—I heard of it on the Friday, and on the Saturday I went and made him acquainted with it—he recommended me to go to Scotland-yard—I did not go that evening, but I went next morning, Monday; and gave information to Sergeant Tanner, and from that Sergeant Tanner and Inspector Thornton came to my house, and after that Inspector Kerrison, and I was summoned on the inquest, but was not examined. I gave in a written statement at the time to Sergeant Tanner.

Cross-examined by MR. SERJEANT PARRY. *Q.* I don't know whether you were aware that there was a house being papered next door to the deceased's? *A.* No, I did not know anything about that—I did not

even know that she lived there until after the affair—I do not know whether that was so or not—this was on the Tuesday morning, 14th August—I did not recognize Mr. Rowland until I came upon him as I have described—I did not know previously that he was a paper-hanger by trade—I only knew it from what he stated.

MICHAEL GAFFNET. I live at 7, Queen's-row, Cambridge-road, Bethnalgreen—I know the prisoner—he was doing work for me in August—I remember Tuesday, 14th August—he came to work for me on that day—he came about 1 o'clock—I had never seen him before the Monday when he came to look at the work.

Cross-examined by MR. SERJEANT PARRY. Q. What time do you say he was working for you? *A.* It was about 1 o'clock on the Tuesday when he came—he had not been at work on the Monday for me—he only came to look at the work—I asked him when he would be there, so as I might clear the things out of the way for him, and he said he would be there on the Tuesday morning—he did not name the time, but he came about 1 o'clock in the day.

MR. SERJEANT PARRY in reply re-called

WILLIAM ROWLAND. I know James Stevenson the builder; I see him in Court—I did not see him in Grove-road on 14th August last—I was not near the place—several witnesses can prove that I was some two miles from there at the time, and the whole of the day—I did not come out of any house there—perhaps it may be necessary to explain that I saw Mr. Stevenson some time previous, nearly a week before, and I then had some paper under my arm—I have known him for some years, and I know he is a man labouring under some impressions, in fact, I have the impression that he was not quite right in his mind.

CAROLINE BRIMSON. I am single—I work in a laundry—I have an aunt who lodged at 33, Barnsley-street—Mrs. Musick used sometimes to attend upon her, she is an invalid—she is not bed ridden, but she was so for nine months—Mrs. Musick used to attend upon her—in consequence of Mrs. Musick going away, I went to Barnsley-street to attend upon my aunt—I had just left service—I went on the Tuesday—I do not know the day of the month, but it was on the Tuesday as Mrs. Emsley was supposed to be murdered on the Monday—I am quite sure of that—I went there at 10 o'clock in the morning—I was there the whole of that day and the next, and have been there ever since—I know the two young men, the Mullins, I saw them there—I saw one on the Tuesday, the shortest one (*Thomas*)—the other one was not there at all on the Tuesday—he was there on the Tuesday'week; the following Tuesday—I remember the place being waterI washed—I was there at the time, because the prisoner borrowed my aunt's pail to do it with—the prisoner water-washed the place on the Thursday, not on the Tuesday, but Thursday—that was not the first time I had seen the prisoner there—I saw him on the Tuesday morning between 9 and 10 o'clock—I am quite sure the water-washing was on the Thursday.

Cross-examined by MR. BEST. *Q.* Were you attending upon your aunt at this time? *A.* Yes, I was principally engaged with my aunt during the day, I when I had nothing to do at the laundry—my aunt had the up stairs apartmeats—I was up and down—I did not go in and out of Mullins's room—I was never in his room in my life—he washed the passage—on the Thursday, it was a wash of a yellowish cast—I did not notice whether it, was first white-washed on the Saturday.

MR. SERJEANT PARRY. *Q.* Did Mullins do anything at all on the Tuesday in the way of water-washing? *A.* No.

GUILTY.— DEATH

THE END

ARTHUR CONAN DOYLE

THE CASE OF MR GEORGE EDALJI

Note. Arthur Conan Doyle's famous article on the Edalji case was first published in *The Daily Telegraph* on January 11 and 12, 1907, and reprinted in *The New York Times* on February 2 and 3, 1907. The text given here is the one from *The New York Times*, which included an addendum entitled "Latest Facts Bearing on the Edalji Case."

In addition to Arthur Conan Doyle's famous article, this e-book includes supplementary material in the form of a transcript of the speech on the Edalji case delivered in the House of Commons on July 18, 1907 by Alfred Emmott, 1st Baron Emmott, Liberal Member of Parliament for Oldham, and an excerpt from Bernard O'Donnell's book *Cavalcade of Justice* (1952).

A transcript of the Edalji trial could not be found on the Internet. For a fairly detailed description of the court proceedings see D. Michael Risinger's article ["Boxes in Boxes: Julian Barnes, Conan Doyle, Sherlock Holmes and the Edalji Case"](#) in *International Commentary on Evidence*, Volume 4, Issue 2, 2006.

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PART 1.—THE CASE OF MR GEORGE EDALJI
BY
ARTHUR CONAN DOYLE

George Edalji

THE first sight which I ever had of Mr. George Edalji was enough in itself to convince me both of the extreme improbability of his being guilty of the crime for which he was condemned, and to suggest some at least of the reasons which had led to his being suspected.

He had come to my hotel by appointment, but I had been delayed, and he was passing the time by reading the paper. I recognized my man by his dark face, so I stood and observed him. He held the paper close to his eyes and rather sideways, proving not only a high degree of myopia, but marked astigmatism. The idea of such a man scouring fields at night and assaulting cattle while avoiding the police was ludicrous to any one who can imagine what the world looks like to eyes with myopia of eight dioptries—the exact value of Mr. Edalji's myopia, according to Mr. Kenneth Scott of Manchester. But such a condition, so hopelessly bad that no glasses availed in the open air gave the sufferer a vacant, bulge-eyed, staring appearance, which, when taken with his dark skin, must have made him seem a very queer man to the eyes of an English village, and therefore to be associated with any queer event. There, in a single physical defect, lay the moral certainty of his innocence, and the reason why he should become the scapegoat.

Before seeing him I had read the considerable literature which had been sent to me about his case. After seeing him I read still more, saw or wrote to every one who could in any way throw light upon the matter, and finally visited Wyrley and had a useful day's work upon the spot. The upshot of my whole research has been to introduce me to a chain of circumstances which seem so extraordinary that they are far beyond the invention of

the writer of fiction. At all times in my inquiries I have kept before my mind the supreme necessity of following truth rather than any preconceived theory, and I was always prepared to examine any point against the accused with as much care as if it made for his innocence, but I have felt at last that it was an insult to my intelligence to hold out any longer against the certainty that there has been an inconceivable miscarriage of justice.

Let me tell the strange story from the beginning. I hope that the effect of my narrative will be to raise such a wave of feeling in this country as will make some public reconsideration of this case inevitable, for I am convinced that such reconsideration can only end in his complete acquittal and to his restoration to the rank of that honourable profession from which he has so unjustly been removed.

The story begins as far back as the year 1874, when the Rev. S. Edalji, a Church of England clergyman of Parsee origin, was married to Miss C. Stoneham. An uncle of the bride, as I understand it, held the gift of the living of Great Wyrley, which was a parish, half agricultural and half mining, about six miles from Walsall in Staffordshire. Through his uncle's influence Mr. Edalji became vicar of Great Wyrley, a cure which he has now held for thirty-one years, living a blameless life in the sight of all men. Placed in the exceedingly difficult position of a coloured clergyman in an English parish, he seems to have conducted himself with dignity and discretion. The only time that I can ever find that any local feeling was raised against him was during elections, for he was a strong Liberal in politics, and had been known to lend the church school-room for meetings. Some bitterness was aroused among the baser local politicians by this action.

There were three surviving children from this union—George, who was born in 1876; Horace in 1879; and Maud in 1882. Of these Horace received a government post and was absent at the time when the long persecution to which the family had been subjected culminated in the tragedy which overwhelmed his brother.

The Edalji Family

In the year 1888, George Edalji being at that time 12 years of age, a number of threatening letters were received at the vicarage. The aid of the police was called, and an arrest was made. This was of the servant-maid at the vicarage, one Elizabeth Foster, who was accused, among other things, of writing up ribald sentences about her employers on outhouses and buildings. She was tried at Cannock in 1889, but her solicitor pleaded that it was all a foolish joke, and she was bound over to keep the peace. An attempt has been made to contend that she was not guilty, but I take it that no barrister could make such an admission without his client's consent. She and her friends were animated afterwards by bitter feelings of revenge, and there is good reason to believe that in this incident of 1888 is to be found the seed which led to the trouble of 1893-1895 and the subsequent trouble of 1903. The 1892-1895 letters openly championed Elizabeth Foster; the 1903 ones had no direct allusion to her, but a scurrilous postcard on August 4 contained the words: "Why not go on with your old game of writing things on walls?" this being the very offence Elizabeth Foster was charged with. The reader must remember that in 1888 George Edalji was a schoolboy of 12, and that the letters received at that date were in a formed handwriting, which could not possibly have been his.

In 1892 the second singular outbreak of anonymous letters began, some of which were published in the Staffordshire newspapers at the time by Mr. Edalji, in the hope that their style and contents might discover the writer. Many were directed to the vicarage, but many others were sent to different people in the vicinity, so malevolent and so ingenious that it seemed as if a very demon of mischief were endeavouring to set the parish by the ears. They were posted at Walsall, Cannock, and various other towns, but bore internal evidence of a common origin, and were all tainted with the Elizabeth Foster incident. They lasted for three years, and as they were accompanied by a long series of hoaxes it is really wonderful that they did not accomplish their proclaimed purpose, which was to drive their victim off his head.

On examination of such of these letters as I have been able to see, their prevailing characteristics are:

1. A malignant, diabolical hatred of the whole Edalji family, the 16-17-18-year-old George coming in for his fair share of the gross abuse. This hatred is insane in its intensity, and yet so coldly resolute that three years of constant persecution caused no mitigation. Here are extracts to illustrate the point: "I swear by God that I will murder George Edalji soon. The only thing that I care about in this world is revenge, revenge, revenge, sweet revenge, I long for, then I shall be happy in hell." "Every day, every hour, my hatred is growing against George Edalji." "Do you thing, you Pharisee, that because you are a parson God will absolve you from your iniquities?" "May the Lord strike me dead if I don't murder George Edalji." "Your damned wife." "Your horrid little girl." "I will descend into the infernal regions, showering curses upon you all." Such are a few of the phrases in which maniacal hatred of the Edalji family is shown.

2. The second characteristic of the letters is a frantic admiration, real or feigned, for the local police. There was a Sergeant Upton on duty in Cannock, who is eulogised in this way: "Ha, ha, hurrah for Upton! Good old Upton! Blessed Upton! Good old Upton! Upton is blessed! Dear old Upton!"

"Stand up, stand up for Upton,
Ye soldiers of the cross.
Lift high your royal banner,
It must not suffer loss."

"The following in this district we love truly—the police of Cannock in general." Again: "I love Upton. I love him better than life, because for my sake he lost promotion."

3. The third characteristic of these letters, besides hatred of Edalji and eulogy of the police, is real or simulated religious mania, taking the form, in some portions of the same letter, that the writer claims to be God, and in others that he is eternally lost in Hell. So consistent is this that it is hard to doubt that there was a real streak of madness in the writer.

4. The fourth remarkable characteristic of the letters is the intimacy of the writer with the names and affairs of the people in the district. As many as twenty names will sometimes be given, most of them with opprobrious epithets attached. No one can read them and doubt that the writer lived in the immediate neighbourhood, and was intimately acquainted with the people of whom he spoke.

One would imagine that under these circumstances there would be little difficulty in tracing the letters to their source, but, as a matter of fact, the handwriting was never recognised nor was the culprit discovered. The opinion was strongly held, however, by those who were most concerned, that there was a connexion with the former incident, and that the letters were done by some male ally or allies of the discharged maid.

While these letters had been circulating the life of the Edaljis had, as I have already said, been made miserable by a series of most ingenious and daring hoaxes, many of which might have seemed comic had it not been for the tragedy of such a persecution. In all sorts of papers the curious wants of the Rev. S. Edalji of Great Wyrley broke out by letter and by advertisement. Forgery caused no qualms to the hidden conspirator. Mr. Edalji became in these effusions an enterprising matrimonial agent, with a number of ladies, their charms and fortunes most realistically catalogued, whom he was ready to dispose of to any eligible bachelor. His house was advertised to be let for the most extraordinary purposes. His servant girl was summoned over to Wolverhampton to view the dead body of a non-existent sister supposed to be lying in a public house. Tradespeople brought cartloads of unordered good to the vicarage. A unfortunate parson from Norwich flew across to Great Wyrley on the urgent summons of the Rev. Shapurji Edalji, only to find himself the victim of a forgery. Finally, to the confusion of any one who imagines that the youth George Edalji was annoying himself and playing tricks upon his own people, there came a forged apology in the public press, beginning with the words: "We, the undersigned, G.E.T. Edalji and Frederick Brookes, both residing in the parish of Great Wyrley, do hereby declare that we were the sole authors and writers of certain offensive and anonymous letters received by various persons during the last twelve months." The apology then goes on to express regret for utterances against the favourite protégé of the unknown, Upton, the Sergeant of Police at Cannock, and also against

Elizabeth Foster. This pretended apology was, of course, at once disowned by the Edaljis, and must, I think, convince any reasonable man, if there were already any room for doubt, that the Edaljis were not persecuting themselves in this maddening fashion.

Before leaving this subject of the anonymous letters of 1893, which breathe revenge against the Edalji family, I should like to quote and strongly emphasise two expressions which have a lurid meaning when taken with the actual outcome of the future.

On March 17, 1893, this real or pretended maniac says in a letter to the father:

"Before the end of this year your kid will be either in the graveyard or disgraced for life." Later, in the same letter, he says: "Do you think that when we want we cannot copy your kid's writing?"

Within ten years of the receipt of that letter the "kid," or George Edalji, had, indeed, been disgraced for life, and anonymous letters which imitated his handwriting had played a part in his downfall. It is difficult after this to doubt that the schemer of 1893 was identical with the writer of the letters of 1903.

Among the many hoaxes and annoyances practiced during those years was the continual laying of objects within the vicarage grounds and on the window-sills or under the doors, done with such audacity that the culprit was more than once, nearly caught in the act. There was one of these incidents which I must allude to at some length, though it was trivial in itself, it has considerable importance as forming a link between the outrages of 1893 and of 1903, and also because it shows for the first time the very strong suspicion which Captain the Honorable G.A. Anson, Chief Constable of Staffordshire—influenced no doubt by those reports of his subordinates, which he may of may not have too readily believed—has shown toward George Edalji. Personally I have met with nothing but frankness and courtesy from Captain the Honorable G.A. Anson during the course

of my investigation, and if in the search after truth I have to criticise any word or action of his, I can assure him that it is with regret and only in pursuit of what seems to me to be a clear duty. ·

The Vicarage at Wyrley

On Dec. 12, 1902, at the very beginning of the series of hoaxes, a large key was discovered lying upon the vicarage door-step. This key was handed to the police, who, after diligent search, found it was a key which had been taken from Walsall Grammar School. The reason why I say that this incident has an important bearing upon the connection between the outrages of 1893 and those of 1903 is that the very first letter in the latter series proclaimed the writer to be a scholar at Walsall Grammar School. Granting that he could no longer be a scholar there if he were concerned in the hoaxes of 1893, it is still an argument that the same motive power lay behind each, since we find Walsall Grammar School obtruding itself in each case.

The incident of the key was brought before the chief constable of the county, who seems at once to have concluded that young George Edalji was the culprit. George Edalji was not a scholar at the Walsall School, having been brought up at Rugeley, and there does not appear to have been the slightest reason to suppose that he had procured a key from this six-miles-distant school and laid it on his own doorstep. However, here is a queer-looking boy, and here are queer doings, and here is a zealous constable, the very Upton whose praises were later to be so enthusiastically voiced by the writer of the letters. Some report was made, and the chief constable believed it. He took the course of writing in his own hand, over his own name, in an attempt to bluff the boy into a confession. Under date Jan. 23, 1898, he says to the father, in a letter which now lies before me: "Will you please ask your son George from whom the key was obtained which was found on your doorstep on Dec. 12? The key was stolen, but if it can be shown that the whole thing was due to some idle freak or practical joke I should not be inclined to allow any police proceedings to be taken in regard to it. If, however, the persons concerned in the removal of the key refuse to make any explanation of the subject, I must necessarily treat the matter in all seriousness as a theft. I may say at once that I shall not pretend to believe any protestations of ignorance which your son may make about the key. My information on the subject does not come from the police."

Considering the diabolical ingenuity of the hoaxer, it would seem probable that the information came directly or indirectly from him. In any case, it seems to have been false, or, at least, incapable of proof, as is shown by the fact that after these threats from the chief constable no action was taken. But the point to be noted is that as early as 1893, when Edalji was only 17, we have the police force of Staffordshire, through the mouth of their chief, making charges against him, and declaring in advance that they will not believe any protestation of innocence. Two years later, on July 25, 1895, the chief constable goes even further. Still writing to the father, he says: "I did not tell Mr. Perry that I know the name of the offender," (the writer of the letters and author of the hoaxes, "though I told him that I had my suspicions. I prefer to keep my suspicions to myself until I am able to prove them, and I trust to be able to obtain a dose of penal servitude for the offender; as, although great care has apparently been exercised to avoid, as far as possible, anything which would constitute any serious offense in law, the person who writes the letters has overreached himself in two or three instances, in such a manner as to render him liable to the most serious punishment. I have no doubt that the offender will be detected."

Now, it must be admitted that this is a rather sinister letter. It follows after eighteen months upon the previous one in which he accuses George Edalji by name. The letter was drawn from him by the father's complaint of gossip in the neighborhood, and the allusion to the skill of the offender in keeping within the law has a special meaning, in view of the fact that young Edalji was already a law student. Without mentioning a name, he assures Edalji's father that the culprit may get a dose of penal servitude. No doubt the chief constable honestly meant every word he said, and thought that he had excellent reasons for his conclusions; but the point is that if the Staffordshire police took this attitude toward young Edalji in 1895, what chance of impartiality had he in 1903, when a culprit was wanted for an entirely new set of crimes? It is evident that their minds were steeped in prejudice against him, and that they were in the mood to view his actions in the darkest light.

At the end of 1895 this persecution ceased. Letters and hoaxes were suddenly switched off? From that date till 1903 peace reigned in Wyrley. But George Edalji was resident at the vicarage all the time. Had he been the

culprit there was no reason for change. But in 1903 the troubles broke out in a far more dangerous form than ever.

It was on Feb. 2, 1903, that the first serious outrage occurred at Wyrley. On that date a valuable horse belonging to Joseph Holmes was found to have been ripped up during the night. Two months later, on April 2, a cob belonging to Mr. Thomas was treated in a similar fashion, and a month after that a cow of Mrs. Bungay's was killed in the same way. Within a fortnight a horse of Badgers was terribly mutilated, and on the same day some sheep were killed. On June 6 two cows suffered the same fate, and three weeks later two valuable horses belonging to the Quinton Colliery Company were also destroyed. Next in order in this monstrous series of barbarities was the killing of a pony at Great Wyrley Colliery, for which George Edalji was arrested and convicted. His disappearance from the scene made no difference at all to the sequence of outrages, for on Sept. 21, between his arrest and his trial, another horse was disemboweled, and, as if expressly to confute the views of those who might say that this outrage was committed by confederates in order to affect the trial, the most diabolical deed of all was committed, after Edalji's conviction, on Nov. 3, when a horse and mare were found mutilated in the same field, an additional touch of horror being added by the discovery of a newly born foal some little distance from the mare.

Three months later, on Feb. 8, 1904., another horse was found to be injured, and finally, on March 24. two sheep and a lamb were found mutilated, and a rough miner called Farrington was convicted upon entirely circumstantial evidence and condemned to three years. Now here the results of the police are absolutely illogical and incompatible. Their theory was that of a moonlighting gang. Edalji is condemned as one member of it, Farrington as another. But no possible connection can be proved or was ever suggested between Edalji and Farrington—the one a rude, illiterate miner, the other the son of the vicar and a rising professional man; the one a loafer at public houses, the other a total abstainer. It is certainly suggestive, presuming that Farrington did do the deed for which he was convicted, that he was employed at the Wyrley Colliery, and may have had to pass in going to his work that very pony which Edalji was supposed to have injured. It is also, it must be admitted,

suggestive that while Edalji's imprisonment had no effect upon the outrages, Farrington was at once followed by their complete cessation. How monstrous, then, to contend, as the Home Office has done, that no new facts have arisen to justify a revision of Edalji's case. At the same time I do not mean to imply Farrington's guilt, of which I have grave doubts, but merely that, as compared with Edalji, a strong case could be made out against him.

Now let me, before examining the outrage of Aug. 17, 1903, which proved so fatal to Edalji, give some account of the fresh epidemic of letters which broke out in the district. They were synchronous with the actual outrages, and there were details in them which made it possible, though by no means certain, that they were written by some one who was actually concerned in the crimes.

It cannot be said that there is absolute proof that the letters of 1903 were by the same hand as those of 1895, but there are points about their phrasing, about their audacity and violence of language, and finally, about the attentions which they bestow upon the Edalji family, which seem to point to a common origin. Only in this case the Rev. Edalji escapes, and it is the son—the same son who has been menaced in the first series with disgrace for life—who receives some of the communications and is referred to in the others. I may say that this series of letters presents various handwritings, all of which differ from the 1895 letters, but as the original persecutor was fond of boasting that he could change his handwriting, and even that he could imitate that of George Edalji, the variance need not be taken too seriously.

And now for the letters. They were signed by various names, but the more important purported to come from a young schoolboy named Greatorex. This youth denied all knowledge of them, and was actually away in the Isle of Man when some of them were written, as well as on Aug. 17, the date of the Wyrley outrage. It is a curious fact that this youth, in going up to Walsall every day to school, traveled with a certain number of school-fellows upon the same errand, and that the names of some of these school-fellows do find their way into these letters. In the same carriage traveled young Edalji upon some few occasions. "I have known accused by sight for three or

four years," said Greatorax at the trial; "he has traveled in the same compartment with me and my schoolmates going to Walsall. This has not occurred many times during the last twelve months—about a dozen times, in fact." Now, at first sight one would think this was a point for the police, as on the presumption that Edalji wrote these anonymous letters it would account for the familiarity with these youths displayed in them. But since Edalji always went to business by the 7:30 train in the morning, and the boys took the same train every day, to find himself in their company twelve times in one year was really rather more seldom than one would expect. He drifted into their compartment as into any other, and he seems to have been in their company but not of it. Yet the anonymous letter writer knew that group of boys well, and the police by proving that George Edalji might have known them, seemed to make a distinct point against him.

The "Greatorax" letters to the police are all to the effect that the writer is a member of the gang for maiming cattle, that George Edalji is another member, and that he (Greatorax) is prepared to give away the gang if certain conditions are complied with. "I have got a dare-devil face and can run well, and when they formed that gang at Wyrley they got me to join. I knew all about horses and beasts and how to catch them best; ... they said they would do me in if I funked it, so I did, and caught them both lying down at ten minutes to 3, and they roused up, and then I caught each under the belly, but they didn't spurt much blood, and one ran away, but the other fell.... Now I'll tell you who are in the gang, but you can't prove it without me. There is one named ——, from Wyrley, and a porter who they call ——, and he's had to stay away, and there's Edalji, the lawyer.... Now I have not told you who is at the back of them all, and I shan't unless you promise to do nothing at me. It is not true we always do it when the moon is young, and the one Edalji killed on April 11 was full moon." (It is worth mentioning here that there was no outrage at all within a week of that date.) "I've never been locked up yet, and I don't think any of the others have, except the Captain, so I guess they'll get off light."

I would draw attention in passing to the artistic touch of "ten minutes to three." This is realism overdone, as no mutilator on a dark night could readily consult his watch or care to remember the exact hour to a minute. But it

corresponds closely to the remarkable power of imaginative detail—a rather rare gift—shown in the hoaxes of 1893-5.

In the next letter, also to the police, the unknown refers to his previous communication, but is a good deal more truculent and abusive than before. "There will be merry times at Wyrley in November," he says. "when they start on little girls, for they will do twenty wenches like the horse before next March. Don't think you are likely to catch them cutting the beasts; they go too quiet, and lie low for hours, till your men have gone. ...Mr. Edalji, him they said was locked up, is going to Brum on Sunday night to see the Captain, near Northfield, about how it's to be carried on with so many detectives about, and I believe they are going to do some cows in the daytime instead of at night. ...I think they are going to kill beasts nearer here soon, and I know Cross Keys Farm and West Cannock Farm are the two first on the list. ...You bloated blackguard, I will shoot you with father's gun through your thick head if you come in my way or go sneaking to any of my pals."

This letter was addressed. like the last, to:

The Sergeant,
Police Station,
Hednesford
Staffordshire,

bearing a Walsall postmark of July 10, 1903. Edalji is openly accused of the crimes in the letters, and yet the police put forward the theory that he himself wrote them, and founded upon the last sentence of them, which I have quoted, that second charge, which sounded so formidable in his indictment, viz., of threatening to murder Sergt. Robinson.

A few days previously a second police officer, Mr. Rowley of Bridgetown, had received another letter, evidently from the same hand. Here the detail as to the method of the crime is more realistic than ever, though no accusations against others are made. I quote this letter In extenso:

"Sir: A party whose initials you will guess will be bringing a new hook home by train from Walsall on Wednesday night, and he will have it in his special long pocket under his coat, and if you or your pals can get his coat pulled aside a bit you'll get sight of it, as it's an inch and a half longer than the one he threw out of sight when he heard some one a-slopin it after him this morning. He will come by that after five or six, or if he don't come home to-morrow he is sure on Thursday, an you have made a mistake not keeping all the plain clothesmen at hand. You sent them away too soon. Why, just think, he did it close where two of them were hiding only a few days gone by. But, Sir, he has got eagle eyes, and his ears is as sharp as a razor, and he is as fleet of foot as a fox, an as noiseless, an he crawls on all fours up to the poor beasts, an fondles them a bit, an then he pulls the hook smart across 'em, an out their entrails fly before they guess they are hurt. You want 100 detectives to run him in red-handed, because he is so fly, an knows every nook an corner. You know who it is, an I can prove it, but until £100 reward is offered for a conviction I shan't split no more."

There is, it must be admitted, striking realism in this account also, but a hook—unless it were a billhook or horticulture hook—could not under any circumstances have inflicted the injuries.

It seems absurd enough that these letters incriminating himself in such violent terms should be attributed to young Edalji, but the climax is reached when a most offensive postcard, handed in at Edalji's own business office, is also sworn to by the expert employed by the police as being in Edalji's own writing. This vile effusion, which cannot be reproduced in full, accuses Edalji of guilty relations with a certain lady, ending up with the words, "Rather go back to your old game of writing anonymous letters and killing cows and writing on walls."

Now this postcard was posted at Wolverhampton on Aug. 4, 1903. As luck would have it, Edalji and his sister had gone upon an excursion to Aberystwith that day, and were absent from very early morning till late at night. Here is the declaration of the station official upon the point:

On the night of 4th of August, 1903, and early morning of the 5th I was on duty at Rugeley Town Station, and spoke to Mr. George Edalji and his sister, who were in the train on their return from Aberystwith.

WILLIAM BULLOCK,
Porter-Signalman, Rugeley Town Station.

The station master at Wyrley has made a similar declaration.

It is certain, then, that this postcard could not have been by him, even had the insulting contents not made the supposition absurd. And yet it is included in that list of anonymous letters which the police maintained, and the expert declared, to be in Edalji's own handwriting. If this incident is not enough in itself to break down the whole case, so far as the authorship of the letters goes, then I ask, what in this world would be sufficient to demonstrate its absurdity?

Before leaving this postcard, let me say that it was advanced for the prosecution that if a card were posted at certain country boxes to be found within two and a half miles of Wyrley they would not be cleared till evening, and so would have the Wolverhampton mark of the next day. Thus the card might have been posted in one of these out-of-the-way boxes on the 3d and yet bear the mark of the 4th. This, however, will not do. The card has the Wolverhampton mark of the evening of the 4th, and was actually delivered in Birmingham on the morning of the 5th. Even granting that one day was Bank Holiday, you cannot stretch the dislocation of the postal service to the point that what was posted on the 3d took two days to go twenty miles.

Now during these six months, while Edalji was receiving these scurrilous letters, and while the police were receiving others accusing the young lawyer, you will naturally ask why did he not take some steps himself to prove his innocence and to find out the writer? He did, as a matter of fact, everything in his power. He offered a reward of £25 in the public press—a reward, according to the police theory, for his own apprehension. He showed the police the letters which he received, and he took a keen interest in the capture of the criminals, making the very sensible suggestion that bloodhounds should be used. It seems hardly conceivable that the prejudice of the police had risen to such a point that both these facts were alleged as suspicious circumstances against him, as though he were endeavoring to worm himself into their confidence, and so find out what measures they were taking for the capture of the offender. I am quite prepared to find that in these dialogues the quick-witted youth showed some impatience at their constant blunders, and that the result was to increase the very great malevolence with which they appear to have regarded him, ever since their chief declared, in 1895, "I shall not pretend to believe any protestations of ignorance which your son may make"

And now, having dealt with the letters of 1903, let me, before I proceed to the particular outrage for which Edalji was arrested and convicted, say a few words as to the personality of this unfortunate young man, who was, according to the police theory, an active member, if not the leading spirit, of a gang of village ruffians. Any one more absurdly constructed to play the role could not be imagined. In the first place he is a total abstainer, which in itself hardly seems to commend him to such a gang. He does not smoke. He is very shy and nervous. He is a most distinguished student, having won the highest legal prizes within his reach, and written at his early age a handbook of railway law. Finally, he is as blind as the proverbial bat, but the bat has the advantage of finding its way in the dark, which would be very difficult for him. To find a pony in a dark field, or, indeed, to find the field itself, unless it were easily approached, would be a hard task, while to avoid a lurking watcher would be absolutely impossible. I have myself practiced as an oculist, but I can never remember correcting so high a degree of astigmatic myopia as that which afflicts Mr. Edalji. "Like all myopics, Mr. Edalji," said an expert, "must find it at all times difficult to see clearly any objects more than a few inches off, and in dusk it would be practically impossible for him to find his way about any place with which he was

not perfectly familiar." Fearing lest it might be thought that he was feigning blindness, I asked Mr. Kenneth Scott of Manchester Square to paralyze the accommodation by atropine, and then to take the result by means which were independent of the patient. Here is his report:

Right eye -8.75 Diop Spher.
 -1.15 Diop cylind axis 90°.
Left eye -8.25 Diop Spher.

"I am prepared to testify as to the accuracy of the above under oath," says Mr. Kenneth Scott.

As to what such figures mean, I will bring it home to the uninitiated by saying that glass made up to that prescription would cause the normal healthy eye to see the world as Edalji's eyes always see it. I am prepared to have such a glass made up, and if any defender of the police will put it on at night, and will make his way over the route the accused is alleged to have taken inside of an hour, I will admit that what seems to me absolutely impossible could be done. I may add that this blindness is a permanent structural condition, the same in 1903 as in 1900. I appeal to the practising oculists of this country, and I ask whether there is one of them who would not admit that such a condition of the eyes would make such a performance practically impossible, and that the circumstance must add enormously to a defense which is already overwhelmingly strong. And yet this all-important point was never made at the trial.

It is this studious youth, who touches neither alcohol nor tobacco, and is so blind that he gropes his way in the dusk, who is the dangerous barbarian who scours the country at night, ripping up horses. Is it not perfectly clear, looking at his strange, swarthy face and bulging eyes, that it is not the village ruffian, but rather the unfortunate village scapegoat, who stands before you?

I have brought the narrative down to the Aug. 17 outrage. At this period twenty constables and detectives had been brought into the district, and several, acting, I presume, upon orders from higher quarters, watched the vicarage at night

On Aug. 17 Edalji, following his own account, returned from his day's work at Birmingham—he had started in practice there as a lawyer—and reached his home about 6:30. He transacted some business, put on a blue serge coat, and then walked down to the bootmaker's in the village, where he arrived about 8:35, according to the independent evidence of John Hands, the tradesman in question. His supper would not be ready before 9:30, and until that hour he took a walk round, being seen by various people. His household depose to his return before supper time, and their testimony is confirmed by the statement of Walter Whitehouse, who saw the accused enter the vicarage at 9:25. After supper Edalji retired to bed in the same room as his father, the pair having shared an apartment for seventeen years. The old vicar was a light sleeper, his son was within a few feet of him, the whole house was locked up, and the outside watched by constables, who saw no one leave it. To show how close the inspection was, I may quote the words of Sergt. Robinson, who said: "I saw four men observing it when I was there. ...I could see the front door and side door. I should say no one could get out on the side I was watching without my seeing." This was before the night of the outrage, but it is inconceivable that if there was so close a watch then, there was none on the 17th.

By the police evidence there were no less than twenty men scattered about waiting for the offender. I may add at this point some surprise has been expressed that the vicar should sleep in the same room as his son with the door locked. They slept thus, and had done so for years, so that the daughter, whose health was precarious, might sleep with the mother, and the service of the house, there being only the one maid, should be minimized. Absurd emphasis has been placed by the police upon the door being locked at night. I can only suppose that the innuendo is that the vicar locked the door to keep his son from roving. Do we not all know that it is the commonest thing for nervous people to lock their doors whether alone or not, and Mr. Edalji has been in the habit of doing so all his long life. I have evidence that Mr. Edalji always locked his door before he slept with

his son, and that he has continued to lock his door after his son left him. If, then—to revert to the evidence—it is possible for a person in this world to establish an alibi, it was successfully established by Edalji that night from 9:30 onward. Granting the perfectly absurd supposition that the old vicar connived at his son slipping out at night and ripping up cattle, you have still the outside police to deal with. On no possible supposition can George Edalji have gone out after 9:30.

And yet upon that night a pony had been destroyed at the Great Wyrley Colliery. Sergt. Parsons gave evidence that he saw the pony, apparently all right, at 11 o'clock at night. It was very dark, but he was not far off it. It was a wild night, with rain coming in squalls. The rain began about 12, and cleared about dawn, being very heavy at times. On the 18th, at 6:20. a lad named Henry Garrett, going to his work at the colliery, observed that the pony was injured. "It had a cut on the side," he said. "The blood was trickling from the wound. It was dropping pretty quickly."

The alarm was at once given. Constables appeared upon the scene. By 8:30 Mr. Lewis, a veterinary surgeon, was on the spot. "The wound," he deposed, "was quite fresh, and could not have been done further than six hours from the time he saw it." The least learned of laymen might be sure that if the pony was standing bleeding freely at 6 it could not have been so all night, as the drain must have exhausted it. And here, on the top of this obvious consideration, is the opinion of the surgeon that the injury was inflicted within six hours. Where George Edalji was during those six hours has already been shown beyond all possible dispute: so the whole bottom has dropped out of the case; but none the less the indefatigable police went on with their prearranged campaign.

That it was prearranged is evident, since it was not on account of evidence, but in search of evidence, that the constables raided the vicarage. The young lawyer had already started for his day's work in Birmingham. The startled parents were ordered to produce all the young man's clothing. The mother was asked for his dagger, but could produce nothing more formidable than a botany spud. A hunt was made for weapons, and a set of razors

belonging to the vicar was seized. Some were said to be wet—a not uncommon condition for razors in the morning. Dark spots were perceived upon the back of one, but they proved upon chemical examination to be rust stains. Twelve men quartered the small garden, but nothing was found.

The clothes, however, were a more serious matter. One coat was seized by the police and declared to be damp. This is vigorously denied by the vicar, who handled the coat before it was removed. Damp is, of course, a relative term, and all garments may give some feeling of dampness after a rainy night, when the whole atmosphere is humid but if the condition had been caused by being out in the wild weather which prevailed that night it is certain that the coat would have been not damp but sopping wet. The coat, however, was not one which Edalji used outside, and the evidence of Mr. Hands was called to show that he had not worn it the night before. It was an old house coat, so stained and worn that it is not likely that an ambitious young professional man would, even in the lamp light, walk in the streets and show himself to his neighbors in such a garment. But it was these very stains which naturally attracted the attention of the police. There were some whitish stains—surely these must be the saliva of the unfortunate animal. They were duly tested and proved to be starch stains, probably from fish sauce or bread and milk. But there was something still more ominous upon this unhappy coat. There were, according to Inspector Campbell, "dark red or brown stains, right cuff much more stained than the left. There were other stains on each sleeve, further up, reddish brown or white. The coat was damp. ...There are other spots and stains upon it."

Now, the police try to make two points here: That the coat was damp and that there were stains which might have been the traces of the crime upon it. Each point is good in itself; but, unfortunately they are incompatible and mutually destructive. If the coat were damp, and if these marks were bloodstains contracted during the night then those stains were damp also, and the Inspector had only to touch them and then to raise his crimson ringer in the air to silence all criticism. But since he could not do so it is clear that the stains were not fresh; They fell twelve hours later into the capable hands of the police surgeon, and the sanguinary smears conjured up by the evidence of the constable diminished with absurd swiftness until they became "two stains in the

centre of the right cuff, each about the size of a three-penny bit." This was declared by Dr. Butter to be mammalian blood. He found no more blood at all. How these small stains came there it is difficult to trace—as difficult as to trace a stain which I see now upon the sleeve of my own house jacket as I look down. A splash the gravy of underdone meat might well produce it. At any rate, it may most safely be said that the most adept operator who ever lived would not rip up horse with a razor upon a dark night and have only two three-penny-bit spots of blood to show for it. The idea is beyond argument.

But now, having exhausted the white stains and the dark stains, we come to the most damning portion of the whole indictment, though a careful consideration may change one's view as to who it is who is damned by it. The police claimed that they discovered horsehairs upon the coat. "On the sleeve, says Inspector Campbell, "I found brownish hairs, which look like horsehairs. There are some on now." Now, let us listen to the very clear statement of the vicar upon the subject. I transcribe in full:

"On Aug. 18, 1903, they called at the vicarage at about 8 o'clock in the morning, and in compliance with their request Mrs. Edalji showed them a number of garments belonging to her son, George Edalji. As soon as they saw the old coat they began to examine it, and Inspector Campbell put his finger upon one place and said that there was a hair there. Mrs. Edalji told him that it was not a hair, but a thread, and Miss Edalji, who was present then, remarked that it looked like a 'roving.' This was all that Inspector Campbell had said to them about the hair before I came down. When I saw him he told me that he had found horsehairs upon the coat. The coat was then spread out upon the desk in the study. I asked him to point out the place where the hairs were to be seen. He pointed out, a lower part of the coat, and said. 'There's a horsehair there.' I examined the place and said, 'There is no hair here at all.' Some further conversation followed, and then suddenly he put his finger upon another place on the coat nearer to where I was standing, and, drawing two straight lines with his finger, he said, 'Look here, Mr. Edalji, there's horsehair here.' I looked at the place for a moment, and in order to have more light upon it I took up the coat with both my hands and drew nearer to the window, and after carefully

examining it I said to him, 'There is, to be sure, no hair here; it is a clear surface.' He then said that he wanted to take the coat with him, and I said, 'You can take the coat. I am satisfied there is no horsehair upon it.'

"Now I have said it over and over again, and I say it here once more, that there was absolutely no horsehair upon the coat. If there had been any I could not have failed to see it, and both Mrs. Edalji and Miss Edalji looked at the coat at the same time, and saw no hair of any sort upon it."

Incidentally it may be mentioned in connection with this statement, in which Miss Edalji entirely concurs, that we have the evidence of Miss Foxley, formerly of Newnham College, and then head mistress of the High School, that Miss Edalji was an exceedingly competent scientific observer. She adds, "Wilful misstatement on her part is as impossible in itself as it is inconsistent with her high principles and frank, straightforward character."

Now here is a clear conflict of evidence between two groups of interested people—the constables on the one hand, eager to build up their case; the household on the other, eager to confute this terrible accusation. Let us suppose the two statements balance each other. But is it not evident that there was only one course open for the police how to establish their point, and that if they did not avail themselves of it they put themselves out of court? Their obvious course was then and there to send for a referee—the police doctor, or any other doctor—and picking samples of the hair from the coat to have sealed them in an envelope, calling the newcomer to witness when and where they had been obtained. Such a proceeding must silence all doubt. But they did nothing of the kind. What they actually did do was to carry off the coat upon which three reputable witnesses have sworn there were no hairs. The coat then disappears from view for twelve hours. In the meantime the pony has been put out of its pain, and a portion of its hide was cut off with the hairs attached, and also secured by the police. The coat had been taken at eight in the morning. It was seen by Dr. Butter, the police surgeon at nine in the evening. At that hour Dr. Butter picked twenty-nine undoubted obvious horsehairs from its surface.

The prosecution have here to break their way through two strong lines of defense, each within the other. On the one hand, if Edalji had done the crime the evening before, it was his blue serge coat, and not his house coat, that he wore; as is shown by the independent evidence of Mr. Hands. In the second line of defense is the oath of the family that there were no hairs in the morning, which is strengthened by the failure of the police to demonstrate then and there a fact which could have been so easily and completely demonstrated. But now we are faced by the undoubted fact that the hairs were there, upon the cuffs and the left breast, by evening. Why was the coat not taken straight to the surgeon? Why was a piece of the animal's hide sent for before the coat was shown to Dr. Butter? One need not fly to extreme conclusions. It is to be remembered that the mere carrying of the hide and coat together may have caused the transference of hairs, or that the officers may themselves have gathered hairs on their clothes while examining the pony, and so unconsciously transferred them to the coat. But the fact that the hairs were found just on the cuffs and breast will still recur in the mind. It would be sad indeed to commit one injustice while trying to correct another, but when the inevitable inquiry comes this incident must form a salient point of it.

There is one test which occurs to one's mind. Did the hairs correspond with the type, color, and texture of the hairs on the sample of hide? If they did, then they were beyond all question conveyed from the sample to the coat. The cut was down on the belly, and the portion taken off was from the side of the cut. The under-hair of a horse differs greatly from longer, darker, harsher hair of the sides. A miscreant leaning against a horse would get the side hairs. If all the hairs on the coat were short belly hairs, then there is a suggestive fact for the inquiry. Dr. Butter must have compared their appearance.

Since writing the above I have been able to get the words of Dr. Butter's evidence. They are quoted: "Numerous hairs on the jacket, which were similar in color, length, and structure to those on the piece of skin cut from the horse" In that case I say confidently—and all reflection must confirm it—that these hairs could not possibly be from the general body of the pony, but must have been transferred, no doubt unconsciously, from that particular piece of skin. With all desire to be charitable, the incident leaves a most unpleasant impression upon the mind.

If one could for one moment conceive one's self performing this barbarity, one would not expect to find hairs upon one's coat; There is no necessary connection at all. Anxious to avoid the gush of blood, one would imagine that one would hold off the animal with the flat of one bend and attack it with the other. To lean one's coat against its side would be to bring one's trousers and boots in danger of being soaked in blood.

So much for the saliva stains, the blood stains, and the hairs. There remain the questions of the trousers and the boots. The trousers were said by the police to be damp and stained with dark mud around the bottom. The boots were very wet. The boots were the same ones which Edalji had admittedly used during his sixty-minutes' walk upon the evening before. It was fine in the evening, but there had been heavy rain during the day, and puddles everywhere. Of course his boots were wet. The trousers were not a pair used the evening before, according to the family. No attempt was made to show blood marks on boots or trousers, though Mr. Sewell, a well-known veterinary surgeon deposed afterward that in making such an incision a skilled operator would wear an apron to prevent his clothes from being soaked. It is an interesting point, brought out by the evidence of some of the witnesses of the prosecution, that the mud at the place of outrage was yellow-red, a mixture of clay and sand, quite distinct from the road mud, which the police claim to have seen upon the trousers.

And now we come to the farce of the footprints. The outrage had occurred just outside a large colliery, and hundreds of miners going to their work had swarmed along every approach, in order to see the pony. The soft, wet soil was trampled up by them from 6 o'clock onward: yet on 4 o'clock of that afternoon, eight hours after the seizure of the boots, we have Campbell endeavoring to trace a similarity in tracks. The particular boot was worn at the heel, a fairly common condition, and some tracks among the multitude were down at the heel, and why should not the one be caused by the other? No cast was taken of the tracks. They were not photographed. They were not cut out for expert comparison. So little were they valued by Inspector Campbell that he did not even mention them to the Magistrates on the 19th. But in retrospect they grew more valuable, and they bulked large at the trial.

Now, once again, the police are trying to make a point which in itself would help them, but which is incompatible with their other points. Their original theory was that the crime was done before 9:30. There was heavy rain on and off all night. It is perfectly clear that any well-marked footsteps must have been left after the rain stopped, or when it had nearly stopped. Even granting that the earth was soft enough, as it was, to take footprints before then, this heavy rain would blur them to a point that would make identification by a worn-down heel absurd. What becomes, then, of all this elaborate business of the footmarks? Every point in this case simply crumbles to pieces as you touch it.

How formidable it all sounds—wet razor, blood on razor, blood and saliva and hair on coat, wet boots, footmark corresponding to boot—and yet how absolutely futile it all is when examined. There is not one single item which will bear serious criticism. Let us pass, however, from these material clues to those more subtle ones which the bearing or remarks of the youth may have furnished. These will bear examination even less than the others. As he waited upon the platform for the 7:30 train an ex-constable, now as innkeeper, named Markhew, came up to him and asked him to stay, as Inspector Campbell wished to see him. At the same moment some one announced that a fresh outrage had been committed, upon which Markhew says that Edalji turned away and smiled. Now, it is perfectly clear that a guilty man would have been much alarmed by the news that the police wished to see him, and that he would have done anything but smile on hearing of the outrage. Edalji's account is that Markhew said: "Can't you give yourself a holiday for one day?" on which Edalji smiled. Which is the more probable version I leave to the reader. The incident was referred to by the prosecuting counsel as "the prisoner's extraordinary conduct at the station."

He went to his office in Birmingham, and there, later in the day, he was arrested by the police.

On the way to the station, after his arrest, this unfortunate youth made another deadly remark: "I am not surprised at this. I have been expecting it for some time." It is not a very natural remark for a guilty man to make, if you come to think of it; but it is an extremely probable one from a man who believes that the police

have a down him, and who is aware that he has been accused by name in malignant anonymous letters. What else would he have said? Next day and the following Monday he was before the Magistrates, where the police evidence, as already set forth was given.

The magisterial proceedings lasted till Sept. 4, off and on, when a prima facie case was made out, and the prisoner committed to the Staffordshire Quarter Sessions. How far a case of this importance should have been referred to any less tribunal than the Assizes I leave to legal opinion. Again the criminal made a remark which rose up in judgment against him. "I won't have bail," said he to Police Constable Meredith. "and when the next horse is killed it will not be by me."

In commenting upon this, Mr. Disturnal, the prosecuting counsel, said; "In refusing bail the prisoner made use of a very significant observation, and it went to suggest that the prisoner knew perfectly well what he was about when he refused bail." The inference here is that it was prearranged that a friend of Edalji's would do a fresh crime, in order to clear him. Was there ever a more unfair utterance! It was. "Heads I win, tails you lose!" If no crimes occur, then it is clear we have the villain under lock and key. If crimes do occur, then it is clear that he is deep in conspiracy with others. As a matter of fact, both Edalji's decision to remain in gaol and his remark were the most proper and natural things in the world. He believed that there was a strong conspiracy against him. In the face of the letters he had every reason to believe so. So long as he was in his cell he was safe, he thought, from this conspiracy. Perhaps another crime would be committed, and in that case, he thought, in the innocence of his heart, that it would clear him, In his wildest dreams he could never have imagined that such a crime would be fitted in as a link in the chain against him.

A crime was committed, and it occurred upon Sept. 21, between Edalji's committal and trial, whilst he lay in Stafford Gaol. The facts are these: Harry Green was the nineteen—year-old son of a farmer who lived somewhere between the vicarage and the scene of the outrage for which Edalji was convicted. He and Edalji knew each other slightly, as neighbors in the country must do, but how slight was their acquaintance may he

shown by the fact that when, in the course, of my inquiry. I asked Edalji what Green's writing was like, he had to admit that he had never seen it. Consider the utter want of common ground between the two men, the purblind, studious, teetotal young lawyer of twenty-seven, and the young Yeomanry trooper of nineteen, one of a set of boisterous young fellows, who made a centre of mirth and also of mischief at each annual training. Edalji entered no public house, and was at work from early morning to late at night. Where was there room for that blood-brotherhood which would make the one man risk any danger and sacrifice his own horse for the sake of the other?

Green's charger was found disemboweled. It was not a very valuable animal. In one estimate it is placed at five pounds. Whether it was insured or not there is a conflict of evidence. For days there were scare and conjecture. Then, at the end of that time, it was known that Green had signed a confession which admitted that he had himself killed his own horse. That confession undoubtedly exists, but Green, having had a week or two to think things over, and having in the meantime got a ticket to South Africa, suddenly went back on his own confession, and declared, with much circumstantiality of detail, that he had not done it, and that the confession had been bullied out of him by the police. One or other statement of Green's must be a falsehood, and I have sufficient reason myself, in the shape of evidence which has been set before me, to form a very clear opinion what the actual facts of the case were. When a final clearing of the case arrives, and there is a renewed inquiry on the basis that Edalji is innocent, and that the actual perpetrators have never been punished, there are many facts which may be laid before the authority who conducts it. Meanwhile the task which lies immediately before me is not to show who committed the crimes—though that, I think, is by no means an insuperable problem—but that Edalji did not and could not have committed them. I will leave young Green there, with his two contradictory statements, and I will confine myself to his relation with the case, whichever of the statements is true.

And, first of all, here are the police who claim to hold his written confession. Then why did they not prosecute? It will not do to say, that it is not a crime to kill your own horse. It is not a crime to shoot your own horse from

humane motives, but it is at all times a crime, as the Society for the Prevention of Cruelty to Animals would very quickly show, to disembowel a horse on a dark night, be it fifty times your own. Here is an outrage of the same sort which has convulsed the countryside for so many months. It is brought home by his own confession to the offender, and yet the police refuse to prosecute and connive at the man's flight from the country. But why? If it was not that the prosecution of Green would bring out facts which would interfere with the successful prosecution of Edalji, then, again, I ask, why?

Far be it from me to be unjust to the police, but again it is their own really extraordinary behavior which drives one to seek for hypotheses. The Home Office says that all inquiry has been made in this case, and that everything has been investigated and the matter closed. That is the official answer I received only a fortnight ago. Then can the Home Office give any good reason why Green was not prosecuted? The point is a very vital one.

Green was present at Edalji's trial, was not called, and left afterward for South Africa. He had been subpoenaed by the police, and that, no doubt, was what prevented the defense from calling him. But had they done so, and had he spoken in public as he has spoken in private, there would have been an end of all possibility, according to my information, of the great miscarriage which ensued.

It may be noted before leaving this extraordinary incident that the reason given by Green in his confession was that the horse had to be killed, having been injured in the Yeomanry training, but nowhere has he ever said a word to suggest that he was acting in collusion with George Edalji.

And now at last we come to the trial. Here, as at every point of this extraordinary case, there are irregularities which will be more fitly dealt with by a lawyer. Suffice it that though the case was of such importance that it is generally thought that it should not have been at Quarter Sessions at all, it was at the lesser of the courts which make up that tribunal that it was at last tried. In Court A a skilled lawyer presided. Sir Reginald Hardy, who

conducted Court B, had no legal training. I have not a word to say against his desire to be impartial and fair, but here was a young man, accused of one of a series of crimes for which the whole country was longing to find some one who might be made an example of. The jury would naturally have the same feelings as their fellow-citizens. Hence it was peculiarly necessary to have a cold legal mind to cool their ardor and keep them on firm ground of fact, far from prejudice and emotion. Yet it was in the court of the layman that the case was tried.

The ground over which the prosecution advanced is already familiar to the reader. We have the clothes which have now become "wet." They were merely "damp" in the previous inquiry, and we have the word of the vicar that this dampness was imperceptible to him, coupled with the fact that any bloodstains would then have been liquid. We have the down-at-heel boot, which was fitted into impressions which must have been made after rain, whereas the whole police theory was that the crime was committed before the rain. We have the bloodstains which sank from smears in to two threepenny-bit patches, and we have the hairs which made their appearance thirteen hours after the coat had been in the hands of the police, and after it had been associated with the strip of horse's hide. Then came the letters. There was a strong probability that whoever wrote the letters knew something of the crimes. What matter that the letters actually accused Edalji himself and vilified him in all sorts of ways? What matter that one villainous postcard in the same writing as the others was posted at Wolverhampton when he was at Aberystwith? What matter that in the original series of anonymous letters the writer had said: "Do you think we cannot imitate your kid's writing?"

None of these things weighed as compared with the expression of opinion by an expert that the letters were in George Edalji's own witting. As the unfortunate prisoner listened to such an opinion he must have felt that he was in some nightmare dream. And who was the expert who expressed these views which weighed so heavily with the jury? It was Mr. Thomas Gurrin. And what is the record of Mr. Thomas Gurrin? His nemesis was soon to come. Within a year he had to present himself before the Beck Committee, and admit the terrible fact that through his evidence an innocent man had suffered prolonged incarceration. Does this fact alone not convince my readers that an entire reconsideration of the Edalji case is a most pressing public duty?

There is absolutely the whole evidence—the coat-boot-razor business, the letter business. the so-called incriminating expression which I have already analyzed, and the one fact, which I admit did really deserve consideration, that a group or schoolboys with whom once a month young Edalji may have traveled were known also to the writer of the letters. That is all. I have shown what each link is worth. And on that evidence a young gentleman, distinguished already in an honorable profession, was torn from his family, suffered all the indignities of a convict, was immured for three of the best years of his life, was struck from the roll on which with such industry and self-denial he had written his name, and had every torture made ten-fold more bitter by the thought of the vicar at home, of his mother and of his sister, so peculiarly sensitive, from their position in the church, to the scoff and the derision of those around them. It is a tale which makes a man hot with indignation as he reads it.

One word as to the evidence of the family, upon which so much depends. It has been asserted that it was given in a peculiar way, which shook the confidence of the jury. I have had some experience of the Edaljis, and I can say with confidence that what seemed peculiar to the jury arose from extreme anxiety to speak the absolute, exact truth. An experienced barrister who knew them well remarked to me that they were the most precisely truthful people he had ever met—"bad witnesses," he added, "as they are so conscientious that they lay undue stress upon any point of doubt."

It must be admitted that the defense was not as strong as it might have been made, which does not seem to have been due to any shortcomings of the counsel so much as to a deficiency in the supply of information. The fact is that the consciousness of innocence was in this case a danger, as it caused some slackness in guarding every point. So far as I can find, the whole story of the early persecutions of 1888 and of 1893-5 was not gone into, nor was their probable connection with that of 1903 pointed out. The blindness of Edalji, a most vital fact, was not supported by an array of evidence; indeed, I think that it was hardly mentioned at all. At all points one finds things which might have been better, but even granting that, one cannot but feel the amazement, which Sir

George Lewis has voiced, when the jury brought in "Guilty," and Sir Reginald Hardy sentenced the prisoner to seven years.

Now, once again, let me state the double dilemma of the police, before I leave this portion of my statement. Either Edalji did the crime before 10 o'clock that night or after 10 o'clock that night. The latter case must be laughed out of a common-sense court by the fact that his father, the vicar, spent the night within a few feet of him, that the small vicarage was bolted and barred, no one being heard to leave it, and that the police watchers outside saw no one leave it. If that does not establish an alibi, what could? On the other hand, supposing that he did it before 10 or rather before 9:30, the time of his return home. You have to face the supposition that after returning from a long day's work in Birmingham. he sallied out in a coat which he was only known to wear in the house, performed a commonplace mission at the bootshop in the village, then, blind as he was, hurried off for three-quarters of a mile through difficult, tortuous ways, with fences to climb and railway lines to cross (I can answer for it, having myself trod every foot of it) to commit a ghastly and meaningless crime, entirely foreign to his studious and abstinent nature; that he then hurried back another three—quarters of a mile to the vicarage, arrived so composed and tidy as to attract no attention, and sat down quietly to the family supper, the whole expedition from the first to the last being under an hour.

The mere statement of this alternative supposition seems grotesque enough, but on the top of the inherent improbability you are up against the hard facts that the pony was bleeding freely in the morning, and could not have so bled all night, that the veterinary surgeon deposed that the wound could not possibly be more than six hours old, no other veterinary surgeon being called to contradict this statement, and that the footprints on which the police relied were worthless unless left after the rain, which began at twelve. Add to this that the pony was seen standing apparently all right by the police themselves at 11 o'clock, and the case then seems to me to be overpoweringly convincing. Take whichever supposition you like, and I say that it is demonstrably false, and an insult to common sense to suppose that George Edalji committed the crime for which, through the action of the

Staffordshire police, the error of an expert, and the gross stupidity of a jury, he has been made to suffer so cruelly.

I do not know that there is much to add, save bare recital of the events which have occurred since then. After Edalji's conviction the outrages continued unabated, and the epidemic of anonymous letters raged as ever. The November outrage upon Mr. Stanley's horses was never traced, but there was some good local information as to the author or that crime, and a widespread conviction in the district, which may have been utterly unjust, that the police were not too anxious to push the matter, as any conviction would certainly disturb the one which they had already obtained. This incident, also, will furnish some evidence for the coming inquiry. Finally, in March, 1904, a man, named Farrington, was convicted for injuring some sheep. No attempt has ever been made to trace any connection between this man and Edalji.

In the Green case not only was there no attempt to prove complicity between Green and Edalji, but I have evidence to show that the police had a most positive statement from Green that he had nothing to do with Edalji, obtained under circumstances which make it perfectly convincing. And yet, in face of this fact, Mr. Disturnal, the mouthpiece of the police at the trial, was permitted to say, referring to this outrage: "The letters which would be read would show that the writer of them was not acting alone, but in conjunction with some other people, and he put it to the jury, what was more likely than that, if there was a gang operating in the way suggested, one of its members would commit a similar outrage in order to create evidence for the defense?" Counsel, no doubt, spoke according to his instructions; but what are we to think of those from whom such instructions issued, since they had the clearest proof that there was no connection between Green and Edalji! Such incidents shake one's confidence in British Justice to the very foundations, for it is clear that the jury, already prejudiced by the nature of the crimes, were hoodwinked into giving their conviction.

A few words as to the sequel. The friends of the prisoner, organized and headed by Mr. R.D. Yelverton (late Chief Justice of the Bahamas), to whose long, ceaseless, and unselfish exertions Edalji will owe so much when

the hour of triumph comes, drew up a memorial to the Home Secretary, setting forth some of the facts as here recorded. This petition for reconsideration was signed by 10,000 people, including hundreds of lawyers and many K.C.'s, and was reinforced by the strongest letters testifying to Edalji's character from men who must have known him intimately, including Mr. Denning, his schoolmaster; Mr. Ludlow, the solicitor with whom he was for five years articled; the Honorary Secretary and Reader of the Birmingham Law Society, and many others. Now, every man of the world will admit that the school-master's testimony is of very great importance, for any traits of cruelty will show themselves most clearly at that age. This is what Mr. Denning says: "During the five years your son George was here I have never known him to commit any acts of cruelty or unkindness. I have always found him a thoroughly upright and well-principled youth, in whom I could place every confidence." Grier, his schoolmate, writes: "He was several years older than myself, but always treated me with great kindness. I never knew him cruel to any animal, and from what I knew of him then—for I came to know him well—I should say he was quite incapable of any act of cruelty." How foolish the loose gossip and surmise of Stafford seem in the face of page after page of testimonials such as these!

The memorial had no effect, and some inquiry should certainly be made as to how its fate was determined. It would be indeed a vicious circle if a police prosecution, when doubted, is referred back again to the police for report. I cannot imagine anything more absurd and unjust; in an Oriental despotism than this. And yet any superficial independent investigation, or even a careful perusal of the memorial must have convinced any reasonable human being. The friends of Edalji, headed by Mr. Yelverton, naturally demanded to see the dossier at the Home Office, but, as in the Beck case, the seekers after justice were denied access to the very documents which they needed in order to prove their case and confute their opponents.

I have said it was as in the Beck case. I might well have gone to a more classic example. for in all its details this seems to me to form a kind of squalid Dreyfus case. The parallel is extraordinarily close. You have a Parsee, instead of a Jew, with a promising career blighted, in each case the degradation from a profession and the campaign for redress and restoration, in each case questions of forgery and handwriting arise, with Esterhazy in

the one, and the anonymous writer in the other. Finally, I regret to say, that in the one case you have a have a clique of French officials going from excess to excess in order to cover an initial mistake, and that in the other you have the Staffordshire police acting in the way I have described.

And that brings me to what is the most painful part of my statement, and one which I would be most glad to shirk were it possible for me to do so. No account of the case is complete which does not deal with the attitude taken up by Captain Anson, Chief Constable of Staffordshire, against this unhappy man. It must, I suppose, have taken its root in those far-off days from 1892 to 1895, when Edalji was little more than a boy, and when Sergeant Upton, for reasons which make a tale by themselves, sent reports against him to his superior at Stafford. It was at that early date that Captain Anson delivered those two memorable dicta: "You may tell your son at once that I will not believe any profession of ignorance," and "I will endeavor to get the offender a dose of penal servitude."

Now, I have no doubt Captain Anson was quite honest in his dislike and unconscious of his own prejudice. It would be folly to think otherwise. But men in his position have no right to yield to such feelings. They are too powerful, others are too weak, and the consequences are too terrible. As I trace the course of events this dislike of their chief's filtered down until it came to imbue the whole force, and when they had George Edalji they did not give him the most elementary justice, as is shown by the fact that they did not prosecute Green at a time when his prosecution would have endangered the case against Edalji.

I do not know what subsequent reports prevented justice from being done at the Home Office—there lies the wickedness of the concealed dossier)—but this I do know, that, instead of leaving the fallen man alone, every possible effort was made after the conviction to blacken his character, and that of his father, so as to frighten off any one who might be inclined to investigate his case. When Mr. Yelverton first took it up, he had a letter over Capt. Anson's own signature, saying, under date Nov. 8, 1903: "It is right to tell you that you will find it a simple waste of time to attempt to prove that Edalji could not, owing to his position and alleged good character,

have been guilty of writing offensive and abominable letters. His father is as well aware as I am of his proclivities in the direction of anonymous writing, and several other people have personal knowledge on the same subject?"

Now, both Edalji and his father declare on oath that the former never wrote an anonymous letter in his life, and on being applied to by Mr. Yelverton for the names of the "several other people" no answer was received. Consider that this letter was written immediately after the conviction, and that it was intended to nip in the bud the movement in the direction of mercy. It is certainly a little like kicking a man when he is down.

Since I took up the case I have myself had a considerable correspondence with Capt. Anson. I find myself placed in a difficult position as regards these letters, for while the first was marked "Confidential," the others have no reserve. One naturally supposes that when a public official writes upon a public matter to a perfect stranger the contents are for the public. No doubt one might also add, that when an English gentleman makes most damaging assertions about other people he is prepared to confront these people, and to make good his words. Yet the letters are so courteous to me personally that it makes it exceedingly difficult for me to use them for the purpose of illustrating my thesis—viz., the strong opinion which Capt. Anson had formed against the Edalji family. One curious example of this is that during fifteen years that the vicarage has been a centre of debate, the chief constable has never once visited the spot or taken counsel personally with the inmates.

For three years George Edalji endured the privations of Lewes and of Portland. At the end of that time the indefatigable Mr. Yelverton woke the case up again, and *Truth* had an excellent series of articles demonstrating the impossibility of the man's guilt. Then the case took a new turn, as irregular and illogical as those which had preceded it. At the end of his third year, out of seven, the young man, though in good health, was suddenly released without pardon. Evidently the authorities were shaken, and compromised with their conscience in this fashion. But this cannot be final. The man is guilty, or he is not. If he is he deserves every day of his seven

years. If he is not, then we must have apology, pardon, and restitution. There can obviously be no middle ground between these extremes.

And what else is needed besides this tardy justice to George Edalji? I should say that several points suggest themselves for the consideration of any small committee. One is the reorganization of the Staffordshire Constabulary from end to end; a second is an inquiry into any irregularity of procedure at Quarter Sessions; the third and most important is a stringent inquiry as to who is the responsible man at the Home Office, and what is the punishment for his delinquency, when in this case, as in that of Beck, justice has to wait for years upon the threshold and none will raise the latch. Until each and all of these questions is settled a dark stain will remain upon the administrative annals of this country.

I have every sympathy with those who deprecate public agitations of this kind on the ground that they weaken the power of the forces which make for law and order, by shaking the confidence of the public. No doubt they do so. But every effort has been made in this case to avoid this deplorable necessity. Repeated applications for justice under both administrations have met with the usual official commonplaces, or have been referred back to those who are obviously interested parties.

Amid the complexity of life and the limitations of intelligence any man may do an injustice, but how is it possible to go on again and again reiterating the same one? If the continuation of the outrages, the continuation of the anonymous letters, the discredit cast upon Gurrin as an expert, the confession of a culprit that he had done a similar outrage, and, finally the exposition of Edalji's blindness, do not present new facts to modify a jury's conclusion, what possible new fact would do so? But the door is shut in our faces. Now we turn to the last tribunal of all, a tribunal which never errs when the facts are fairly laid before them, and we ask the public of Great Britain whether this thing is to go on.

ARTHUR CONAN DOYLE, Undershaw, Hindhead, January, 1907.

ADDENDUM:

LATEST FACTS BEARING ON THE EDALJI CASE

The agitation undertaken by Sir Arthur Conan Doyle has brought out a statement from Henry Labouchère detailing his part and that of *Truth*, in the freeing of Mr. Edalji—for it seems that the releasing of the prisoner at the end of the third year of his sentence was due to representations made by Labouchère. The latter's attention was first directed to the case by a gentleman who had himself begun an investigation of it with a prejudice against the prisoner, the idea being to show that the police had conducted themselves in a manner free from all blame. The gentleman went to Great Wyrley, collected his information at first hand, and arrived at the conclusion that the prisoner had been greatly wronged. He sent the result of his investigation to *Truth*, begging that the case might be taken up by it. The editor was reluctant, but inquiries satisfied him that gross injustice had really been done. Many facts were then (1905) published in Mr. Labouchère's paper, and an application was made by the editor to the Home Secretary for permission to inspect the anonymous letters put in by the prosecution at the trial. The application was refused, but afterward Mr. Akers-Douglas explained privately that he could not, as Home Secretary, officially recognize the locus standi on the part of a journalist, adding that it Mr. Labouchère, M.P., chose to lay a statement before him it would receive consideration—at all events so far as it related to new matter which had come to light.

Mr. Labouchère thereupon prepared a statement in his capacity or a member of Parliament, but upon it Mr. Akers-Douglas declared that the Home Office was unable to alter its decision upon the justice of the prisoner's conviction. He admitted himself impressed, however, with the argument that as the man Farrington has only been sentenced to three years' penal servitude, a seven-year sentence imposed upon Mr. Edalji for an alleged offense or precisely the same character was unduly severe. He had therefore decided to order Edalji's release at the end of three years—the term for which Farrington was sentenced.

Mr. Labouchère regrets, therefore, that Sir Conan Doyle had fallen into the error—though the matter is a side issue—of charging the Home Office with "irregular and illogical" action as a compromise with its conscience.

On the change of Government Mr. Labouchère tried again to get the facts before Mr. Gladstone, (Mr. Herbert Gladstone,) now Home Secretary, but was refused an interview.

Sir Conan Doyle he now secured a promise of a personal interview with Mr. Gladstone on the case, It appears that the agitation following the efforts of Sir Conan has warned the Home Office that the temper of the English people over the injustice done Mr. Edalji is such that the Government must at last heed it.

Sir Conan is already in communication with Mr. Gladstone, before whom a complete statement of the case has been laid. It is expected that if a definite step is not taken by the Home Office before the end of the present week, the friends of Edalji will at once press for a direct answer.

PART 2.— ALFRED EMMOTT, 1ST BARON EMMOTT, ON THE EDALJI CASE

The following is excerpted from the book *Speeches Delivered in the House of Commons and Elsewhere, 1906-1909* by F.E. Smith, M.P., published by Henry Young & Sons, Liverpool, 1910.

JULY 18, 1907.

[In 1903, a series of outrages upon horses and cattle were committed in the neighbourhood of Great Wyrley, in Staffordshire. The police were completely baffled, and for some months were unable to effect an arrest. On August 18, George Edalji, a young solicitor, son of the vicar of Great Wyrley, was arrested and subsequently committed for trial to the Staffordshire Quarter Sessions on the charge of wounding a horse on the night of August 17 or the morning of August 18. His trial commenced on October 20, and lasted four days. During the course of the proceedings the prosecution changed the case to be presented to the jury in two important respects. In the first place, they started with the theory that he committed the outrage on the evening of August 17, during the time that he was admittedly out of doors, viz. from 8 till 9.30. The case ultimately left to the jury was that, though he did not return to his home until 9.30 on the evening of the 17th, and left it again before 7.45 on the following morning to go to his office at Birmingham, he got up between those hours, went out, and committed the outrage between 2 and 3 o'clock in the morning. In the second place, the case originally put forward was that all the outrages were committed by the same person, but, as an outrage was committed while Edalji was in prison awaiting trial, it became necessary for the prosecution to submit to the jury that they were the work of a gang. Simultaneously with the commission of the outrages, a number of anonymous letters had been received by the police, and the prosecution suggested that these letters were written by Edalji, though several of them accused him of committing the outrages. The jury apparently took the view that he did write them, and this appears to have influenced them in finding him guilty of the offence with which he was charged.

He was sentenced to seven years' penal servitude. Numerous petitions were addressed to the Home Secretary on his behalf, and on October 6, 1905 Mr. Akers-Douglas reduced the sentence to one of three years' penal servitude. During 1906, the case was thoroughly investigated by several independent persons, notably Mr. Labouchere and Sir Arthur Conan Doyle. In February 1907, Mr. Herbert Gladstone appointed a committee, consisting of Sir Arthur Wilson, Mr. J.L. Wharton, and Sir Albert de Rutzen, to inquire into the case. They found that the conviction ought not to have taken place, but that, being unable to disagree with what they took to be the finding of the jury that Edalji was the writer of the letters of 1903, they considered that, assuming him to be an innocent man, he had to some extent brought his troubles upon himself. They regarded the case as an exceptional one, but considered that the view they had taken of it would not warrant the Home Office in interfering with the conviction, having regard to the principles acted upon by that Office in such cases. After consideration of the committee's report, Mr. Herbert Gladstone decided to advise His Majesty to grant a free pardon to Edalji, but refused to grant him any compensation.

The following speech was delivered in the House of Commons on July 18, 1907, in the course of the discussion of the Home Office vote in Committee.]

MR. EMMOTT, SIR,—I wish to direct attention to an entirely different subject; but one which has been repeatedly discussed by question and answer across the floor of the House. I refer, as the Committee is probably aware, to what has become known as the Edalji case. If one were to attempt to explain the whole of the case adequately, it would certainly take at least two days to do it; and I shall devote myself, not to that object, but to the modest object of convincing the Committee that there is a *prima facie* case that, even in regard to the reparation which the Home Office has recently made, there has been a very grave miscarriage of justice on the findings of the Committee which the right hon. gentleman[†] himself appointed. It is in no sense a party question, for if there is any reflection at all upon the Home Office, that reflection, at least to some extent, attaches to the office in the days when it was presided over by my right hon. friend.[‡] I mention this to show that there is no hope and no intention of making party capital out of the question. The only charge against the

Home Office, as an office, is against the practice which has been adopted for many years of not interfering with sentences unless some fresh evidence presents itself. That being their principle, it is clear that the Home Office under the presidency neither of the right hon. gentleman nor of his predecessor, could give very great relief in such a case as the Edalji case. When the Criminal Appeal Bill was under discussion, the right hon. gentleman spoke with contempt of newspaper commissioners.

[†] Mr. Herbert Gladstone (Home Secretary).

[‡] Mr. Akers-Douglas (Home Secretary, 1902-1905).

Mr. GLADSTONE: Not with contempt.

Mr. F. E. SMITH: I thought that that was the tenor of the right hon. gentleman's observations. The only comment I have to make with regard to that is that the reparation which has already been made first, the admission that Edalji was entitled to have a grossly excessive sentence of seven years reduced to three years, and, secondly, that there exist adequate reasons for giving him a free pardon was brought about by the agitation which took place in the newspaper press, and in which Mr. Labouchere and Sir Arthur Conan Doyle were conspicuous and disinterested figures. I have no right whatever to claim any of the credit for exculpating Edalji, or for the reduction of the sentence which my right hon. friend [†] thought was just. The credit belongs to Mr. Labouchere and Sir Arthur Doyle, and I had no share in it.

[†] Mr. Akers-Douglas.

Passing from the subject of newspapers, let me ask the House to consider what were the circumstances under which the only charge which still survives the charge of having written certain anonymous letters first came to be made. The Rev. S. Edalji, who twenty-seven years ago became vicar of Great Wyrley, and who is the father of Mr. George Edalji, is a Parsee by origin, occupying the anomalous position of a clergyman in the Church of

England, and unlikely to be much in sympathy with a provincial community. The Rev. S. Edalji, Mrs. Edalji, and Miss Edalji were witnesses against whose credibility no one has ever made any allegation. The family, however, for a considerable number of years past, had bitter, powerful, and rancorous enemies in the parish in which they lived. The material circumstances in connection with these anonymous letters are that from 1892 to 1896 a series of anonymous letters was addressed to Mr. Edalji, the father—letters which were couched in an extraordinary vein, and which presented many points of analogy to the letters of a later date of which the right hon. gentleman [†] still says that Edalji was the author. It is impossible to form a judgment on the later anonymous letters without forming a judgment on the letters which preceded them.

[†] Mr. Herbert Gladstone.

The first step, in fact, which the Committee must grasp is that the first letters bore great marks of resemblance to the later ones; that they were, on the face of them, the work of a man determined to injure the younger Edalji, and disclosed every symptom of a disordered mind. The first letters were in the handwriting of an adult, and were written when George Edalji was sixteen or seventeen years of age. They were written to the father. One of them read as follows:

"MY DEAR SHAPARJE, I have great pleasure in informing you that it is now our intention to renew the persecution of the Vicar of Great Wyrley.... revenge, revenge on you.... I have to-day posted in your name postcards of a most hellish nature.... you are sure to be arrested. Yours in Satan."

On 17th March 1892 the following letter was received:

"I swear by God that I will murder George Edalji and F.B. soon; the only thing I care about in this world is revenge, revenge, sweet revenge, then I shall be happy, yes happy, in hell, in hell, in hell.... Now I seldom bet, but I will bet this time that your kid and F.B. will before the end of this year be either in the graveyard or

disgraced for life.... I do not think Hell is such a bad place after all and I long, yes I long, to be there rolling in the flames of Hell-fire that shall never be quenched.... never, never, never. I know that I am lost, oh, oh, oh, Christ, Christ, Christ help me! Oh, I am lost, God have mercy, Christ help. Every day, every hour, my hatred is growing against George Edalji and F.B. If I could get into an empty railway compartment with them I would do for them both."

I do not think any one acquainted with the psychology of crime would say that the author of those letters was George Edalji, aged seventeen, and of unimpeached sanity. About this time advertisements of a scurrilous character reflecting upon the family were inserted in the papers, which were extremely annoying to the Rev. S. Edalji. From 1892 to 1896 this first series of anonymous letters continued, but none were received from 1896 to 1903. There was complete silence during that period. The man who wrote the letters may have been in gaol or in a lunatic asylum, or may have changed his home.

I ask the Committee to form a picture of what George Edalji was in 1903. In the first place, he was aged twenty-eight years, a man of studious habits, who had left the Rugeley grammar school with a good character from every teacher, and proceeded to the Mason College at Birmingham to study law. He left that college without a single testimonial which was not honourable to him. He gained prizes and scholarships, and at the age of twenty-eight he produced a book upon railway law which bore every evidence both of industry and capacity. No charge whatever had been brought against him; on the contrary, he had received testimonials as to moral character from every man who had had opportunities of judging him from day to day observation. The only circumstance which had been or could be alleged against him was that at the age of twenty-eight he was in pecuniary difficulties—a not uncommon circumstance in the case of men of his position in life qualifying for an expensive profession.

In February, 1903, horrible cattle-maiming began in the neighbourhood in which he resided. Then there commenced a second list of anonymous letters, addressed this time to the police. The suggested authorship of

the second series of anonymous letters is the only justification for the stigma which the right hon. gentleman [†] continues to impose on this unfortunate man. [Some cries of "Oh."] The right hon. gentleman's own Committee has found that, at the time these outrages took place, the police in the district were universally discredited, because of their failure to discover the offender. The Committee said: "The police were extremely anxious to bring the offender to justice, having been baffled on every side." The right hon. gentleman says that he will not clear the character of this man or give him compensation, because he thinks some tribunal may find that he has written these letters. I invite hon. members to read the first of these letters. It was written to the police in March 1903.

[†] Mr. Herbert Gladstone.

"I know all about horses and beasts, and how to catch them best. I had never done none before till these two horses near the line at Wyrley.... I caught them both lying down at ten to three and they roused up and I caught them each under the belly, but they didn't spurt much blood.... I know all the Edaljis. It is not true we always do it when moon young, and the one Edalji killed on 11th April was full moon night."

The second letter, on which the expert, Mr. Gurrin, expressed his opinion, which this competent lawyer was supposed to have written to the police, began—

"Edalji is going to Brum on Sunday night to see the Captain near Northfield about how its to be carried on with so many detectives about, and I believe they are going to do some cows in the day time. You bloated blackguard, I will shoot you with father's gun through your thick head if you come my way. I don't remember writing this letter, but I may have."

No tribunal up to the present time has ever found that he wrote those letters. How can the writing of such a letter as the second be imputed to a sane man? I challenge the right hon. gentleman[†] to state what could have been the motive. The third letter was sent to a boy in the village, and said—

"Colonel Bridgeman has granted a warrant to arrest you for killing cattle. There is a warrant for George Edalji and F.W. I have warned Edalji.... told him what to do to save yourselves."

[†] Mr. Herbert Gladstone.

If the case were founded on those two letters, it is complete against the hypothesis on which the right hon. gentleman has chosen to base himself. But there was a postcard also, and incredible as it may seem the expert Gurrin committed himself to the view that Edalji was not only the author of those three letters, but also of this postcard, which was addressed to himself at the solicitor's office where he worked, and where every one could read it. It was couched in terms so foul and shameful that I should not be tolerated if I read them; I will only say that it charged Edalji with having committed acts of immorality with a lady justly and universally respected in the neighbourhood. We are asked to believe that such a charge could have been brought against himself by a man to whom insanity has never been imputed. It is suggested that the authorship of these anonymous letters was brought home to Edalji at the trial. The right hon. gentleman's own Committee has pointed out that this Edalji case was one of very great inherent difficulty. The trial was before a lay bench presided over, not by the ordinary chairman, but by the deputy-chairman—of whom in his private capacity I speak with respect—assisted by no legal advice to guide him through the maze of these difficulties, with no clerk even sitting there, but with the occasional assistance of a member of the junior bar, who was not able to remain in Court during the whole of the hearing of these difficult and intricate charges. The trial of Edalji was most unsatisfactory. There were two indictments preferred against him. One charged him with killing a pony; the other with the authorship of the letters. I will say at once that if the second charge had been tried by the jury, the case for further inquiry would have been incomparably weaker. In fact the prosecution decided to abandon it, or at any rate did not

proceed upon it, and confined themselves to the charge of wounding. It was a charge of wounding; but no specific issue was left to the jury, and we are asked by the right hon. gentleman's Committee to infer that the jury thought that Edalji wrote these letters. I know that no consideration will influence this Committee so much as the disquieting possibility that this man, after all, may be completely innocent of the horrible offence with which he was charged. I do not propose to argue that this is so; I have had too much experience of criminal cases to insult the intelligence of the Committee by attempting within the space of an hour to treat fully a case, the trial of which occupied two or three days. I will confront the right hon. gentleman with one most sinister and disquieting passage from the report of his Committee—

"The police carried out their investigations, not for the purpose of finding out who was the guilty party, but for the purpose of finding out evidence against Edalji."

Those who have conducted prosecutions on police evidence know the appalling risks which arise, where the police approach a case with a preconceived conviction of the guilt of the accused, and there is no one who has ever practised at the Criminal Bar to whom the preliminary finding of the right hon. gentleman's Committee is not full of cause for anxiety. The Committee declared that it was doubtful if the jury would have convicted at all, if they had not been, in some way, influenced by the anonymous letters. They said: "The conviction was unsatisfactory, and after a full consideration of all the facts, we cannot agree with the verdict of the jury." It is a principle of English law that if the prosecution fail to substantiate the charge and prove the prisoner guilty, he is to be treated as innocent of the offence with which he is charged, and I protest that the findings of the right hon. gentleman's Committee amount to this, that with all the cruelty and consequential injuries which were involved, you imprisoned for three years a man on whom, on your own showing, you had no right to lay a hand.

What is the justification for that? The only justification suggested either by the right hon. gentleman's Committee, or by the right hon. gentleman himself, is that Edalji wrote those letters. I make no attack on the intelligence or honesty of the expert witness, Gurrin, who gave evidence upon the handwriting. I believe he

intended to give honest evidence; but he is discredited by the evidence he gave in reference to handwriting in the Beck case. The right hon. gentleman should remember the opinion expressed by the great expert in handwriting who was called by Maître Labori in the Dreyfus trial, and who, like Sir Forrest Fulton, regarded evidence as to handwriting at all times with the greatest suspicion.

What is, in effect, the position of the Home Office? The jury found the man guilty on no other charge than that of killing the pony. Now, the one point upon which a jury are competent to pronounce is whether a man is or is not guilty of such a charge, but a question which they are least competent to decide is whether a man wrote certain letters the calligraphy of which is disputed. The right hon. gentleman has bound himself to some supposed finding of the jury upon an issue upon which they were not competent to pronounce an opinion, and did not in fact pronounce one, while overruling their actual decision on a matter well within their competence. If it is true that there never was a finding that Edalji wrote these letters, may I ask whence the findings came which made it impossible for the right hon. gentleman to relieve the man from the stigmas I will say nothing at the moment about compensation which destroyed his whole professional career as finally as if the original verdict of the jury had stood. I wish to speak of members of the Committee with profound respect, but with even greater respect of the criticisms and comments of the most experienced and able judge who sat in the Court of Appeal, when he was nominated for the Committee. I will read what Sir Robert Romer said.

Mr. GLADSTONE: The letter of Sir Robert Romer was written after he became a member of the Committee.

Mr. F.E. SMITH: It is not disputed that Sir Robert Romer wrote this letter, and he is not a man to change his mind. The letter said—

"It appears to me that, if such an inquiry is embarked upon, it must be done according to the ordinary rules of procedure governing a criminal trial. It ought to be public, or not at all. Witnesses ought to be examined and cross-examined."

If that had been done there would have been very little heard of the Edalji case. That view was not adopted, and, as far as the authorship of those letters is concerned, the Committee will hardly credit that there was not any finding by the right hon. gentleman's Committee which showed that they ever brought their own judgment to bear on the question whether Edalji wrote the letters or not. They said: " We are unable to disagree with what we take to be the finding of the jury as to the letters." They assumed the finding of the jury, and said they were unable to disagree with it. They said: " We are not prepared to dissent from the finding at which we think that the jury arrived."

It is not pretended that this Committee, eminent though its members were, had any particular knowledge of handwriting, and, obviously, they never brought to bear on the authorship of the letters their own independent judgment. They purported to found themselves on a supposed verdict of the jury which was never given. On internal evidence, it is incredible that Edalji ever wrote these letters; secondly, no tribunal ever found that he wrote them; thirdly, no tribunal ever tried him for writing them. I commend that to the attention of the right hon. gentleman, with the reminder that the man was besmirched with the insinuation that he wrote the letters, and was refused any inquiry as to whether he wrote them or not.

While Edalji was in gaol, a horse was killed by ripping. A man called Green confessed to that outrage. The police knew that he had confessed. Inspector Campbell, with Green's confession in his pocket, was asked, "Have you found out who did it?" He answered, "No, sir," and afterwards said, "I beg your pardon, we have an idea." "Has nobody admitted that he did it?" he was asked, and when further asked, "Is he in Court?" the answer was "Yes." Will it be believed that this man Green was permitted to leave the country a few weeks afterwards, and no charge was brought against him, and that he was never arrested? On the 2nd November, eight days after the conviction, two horses were mutilated in the same way; and on 24th March following, two ewes and a lamb had their throats cut, and a man was convicted for that offence. The prosecution then adopted the suggestion that Edalji was a member of a gang. I will confront the right hon. gentleman with the evidence of his own Committee, who reported: "Of the existence of a gang there appears to be no evidence." In Staffordshire the

opinion was that those who imprison their fellow-subjects incur some small responsibility, and the recurrence of these outrages shocked the public conscience. Consequently a petition signed by 10,000 persons was presented to the Home Secretary asking for a reconsideration of the case, and a Mr. Yelverton wrote to the chief constable of the district, the official directly responsible for the conduct of the police. The chief constable, in reply, wrote

"November 8, 1903.

"DEAR SIR, I beg to acknowledge your further letter inclosing some more testimonials to George Edalji's general good character. It is right to tell you that you will find it a simple waste of time to attempt to prove that George Edalji could not, owing to his position and alleged good character, have been guilty of writing offensive and abominable letters. His father is as well aware as I am of his proclivities in the direction of anonymous letter-writing, and several other people have personal knowledge on the same subject."

The Committee will realise now why I laid stress on the unblemished reputation of the elder Edalji. The statement made by the chief constable was not only false in itself, but it was repudiated by Mr. Edalji. He wrote back at once and said these were most serious allegations, and challenged the chief constable to produce the name of a single man who would come forward and substantiate the allegation that his son wrote those letters. The chief constable did not see fit to answer that letter. Is it not evident that this is a case which cries aloud for inquiry? This very gentleman was the man who made repeated representations to the Home Office since the conviction of Edalji, and I ask, What sort of representations were they likely to be? Were they likely to be of such a character as to lead to a fair consideration of the case by the Home Office? The right hon. gentleman, [†] in his speech on the Criminal Appeal Bill, said there was a reason for not disclosing those representations. Will he say whether they were in the prisoner's interest? Did they not repeat the charges made to Mr. Yelverton?

[†] Mr. Herbert Gladstone.

Mr. Edalji, being able to detect this particular insinuation, communicated with the right hon. gentleman, and asked whether the chief constable had supplied him with any evidence, in addition to that adduced at the trial, for the purpose of supporting the case against his son. I should have thought that the father's petition was a reasonable one, when he asked whether there was any fresh evidence to the sifting of which he might devote his scanty resources, in order to vindicate his son's character. The right hon. gentleman replied that it would be contrary to the practice of the Department to communicate the contents of reports made to him by the police in connection with applications for the exercise of the prerogative of mercy, as all such reports were of a strictly confidential character. The right hon. gentleman was specifically asked whether there was any information in addition to what was adduced at the trial for the purpose of supporting the case for the prosecution. Is there any hon. member on the benches opposite who would cheer the proposition that the Home Office is entitled to withhold from Mr. Edalji, sen., any additional evidence supporting the case for the prosecution? If I had an opportunity, I would gladly test in the Division Lobby, whether that is the view of the Committee as a whole.

What has become of the indignation aroused in this country by the Dreyfus case? I recall a time when we involved ourselves in our own virtue, and talked of the secret *dossier* in France. In connection with the Criminal Appeal Bill, it was stated that in the interest of prisoners, inquiries were constantly being made of a confidential character, and that information was given, only because it was confidential. That line of defence will not help the right hon. gentleman, so far as his refusal disclosed in this document is concerned. I spoke of the secret *dossier*; we have also the *chose jugée*, and for the "honour of the army" have only to substitute the "honour of the police."

I do not rest the case of Edalji in the least upon compensation. The House may judge what his claim to compensation is. His career has been destroyed; he has been in prison three years, and his father, from the resources of an indigent clergyman, has spent £600 in legal expenses. The strength of the case does not lie in the claim for monetary compensation, but in the claim of a citizen of this country that his character shall be vindicated or destroyed by a public inquiry. There has been no public inquiry. I would abandon, and I believe

that Edalji would abandon, the question of compensation, if the Home Secretary would give an opportunity for a public inquiry at which the police could be examined and cross-examined with the Press present. It is to the House of Commons, and the House of Commons alone, that the right hon. gentleman can be made responsible. It is to the House of Commons that Edalji makes the last appeal, which the circumstances of the case permit him to make. I do not believe that the House of Commons, if the case is properly put to them, will turn deaf ears to such an appeal. Should they so treat it, it is only left for this unhappy young man, brooding over his ruined career, the long-drawn years of his imprisonment, and his branded name, to draw such consolation as he can from the reflection, *civis Britannicus sum*.

PART 3.— CAVALCADE OF JUSTICE

BERNARD O'DONNELL ON THE EDALJI CASE

The following account of the Edalji case appeared in Bernard O'Donnell's book *Cavalcade of Justice*, published by The Macmillan Company, New York, 1952

From murder we turn to a crime of a different sort.

The Great Wyrley Cattle Maiming Mystery, as it became known, resulted in the imprisonment of a man whom I am proud to count as a friend, and on whose behalf I assisted the late Sir Arthur Conan Doyle in trying to obtain a sum of money in compensation for the years of penal servitude he underwent as a result of his wrongful conviction.

It was in February 1903 that a valuable horse belonging to a Mr Holmes was found to have been ripped up during the night in a field at Wyrley, in Staffordshire. Two months later, another horse was similarly treated, while less than a month elapsed before a cow was hacked to death in the same way. In June, two more cows were slain and a horse was terribly mutilated. Three weeks later two horses belonging to the Quinton Colliery Company were ripped up; this was followed by the killing of a pony at the Great Wyrley Colliery. During these outrages, police from all over the country, assisted by hundred of villagers from the neighbouring districts, kept watch.

No trace of the marauder was found, despite the fact that, time after time, the editor of a Wolverhampton newspaper received a number of anonymous letters. The writer of these expressed contempt and hatred for the local police, whom he called "bluebottles", and announced that further cattle maiming would take place on certain specified dates.

These letters were written without punctuation and in an obviously disguised hand, but without doubt by the same person. They declared that, within a given time and within a certain radius, horses, cattle and sheep would be ripped up. After the receipt of these letters, more animals were found dead, mutilated with a savage brutality, and the police were moved to even greater efforts to run the perpetrator to earth.

That it was somebody who knew the locality well was clear, for some of the maimings occurred in out-of-the-way places. It was a singular thing, too, that it was not the police who discovered the outrages, although they were often in the vicinity when they occurred. The discoveries were always reported to them.

It would take too long to enumerate all the details which led to the arrest of George Edalji, a young Parsee solicitor practising at Birmingham, and son of the Vicar of Great Wyrley. Suffice it to say that George Edalji was committed for trial at the Staffordshire Assizes. He refused to have bail, declaring that if in the meantime other maimings occurred it would prove that he was not responsible.

And between the time of Edalji 's committal and his appearance at the Assizes a maiming did take place. A youth to whom the horse belonged, however, confessed that he himself had killed the animal; later he retracted the confession, stating that it had been bullied out of him by the police.

Edalji came to trial, and after a hearing of four days he was found guilty and sentenced to seven years penal servitude. He was also struck off the Roll of Solicitors.

Almost immediately after the conviction, and while he was in prison, letters were received by the police and the Wolverhampton newspaper, declaring the young solicitor to be innocent of the maiming outrages, and saying that the writer of the letters and his "gang" had committed them. These letters were in the same unpunctuated handwriting as the letters which Mr Gurrin, a famous handwriting expert of that day, declared at the trial had been written by Edalji. The new letters were signed "G.H. Darby," who described himself as "Captain of the

Wyrley gang." In one of them, "to prove his words," he said that on a given night in a stated locality two horses would be maimed.

Investigations were set afoot, and Great Wyrley was searched, people being interrogated on a wholesale scale in the effort to trace the identity of the mysterious writer. On the night indicated, police surrounded the district mentioned in the letter, just as they had done on previous occasions when Edalji was suspected of having committed the outrages. Not even a rat could have penetrated the cordon that was placed round the spot.

Nevertheless, two horses were maimed exactly as prophesied.

Three months later another horse was injured; in March 1904 two sheep and a lamb were mutilated. From time to time other "Darby" letters were received by police and Press. In some of them attacks on women and children were threatened, and the reign of terror that followed was even greater than it had been before the imprisonment of Edalji. The maiming of cattle continued, but the identity of the maimer was an undiscovered mystery.

At length in 1907, after Edalji had served three-and-a-half years of his sentence, the Home Secretary ordered his release, and he came back into the world, penniless, without a profession, and rankling under the injustice he had suffered. He wrote a series of articles for a Sunday paper called the *Umpire*, now the *Sunday Empire News*, on which I was crime reporter for over a quarter-of-a-century, again protesting his innocence, and asking that something should be done to make this clear.

He sent copies to Dr Conan Doyle, as he then was, and that fine gentleman, with all the skill of his fictional Sherlock Holmes, took up the case and made careful personal investigations which convinced him of Edalji's innocence. He wrote a series of articles for the *Daily Telegraph* in which he set out the nature of his inquiries

and the conclusion he had come to. These articles created such a tremendous sensation that they were reprinted in pamphlet form and sold on the kerbside at one penny.

England rang with the wrongs of George Edalji. Another paper, *Truth*, took up the matter, and Sir George Lewis, the world-famous solicitor, joined issue. He demanded the setting-up of a Government Committee to examine the report.

His demand was successful, and the committee consisted of Sir Arthur Wilson, the Honourable Lloyd Wharton and Sir Albert de Rutzen. While strong in their condemnation of Edalji's conviction, and stating that they could find no evidence to connect him with the maimings, they believed him to be the writer of the anonymous letters, and he had himself therefore contributed to the miscarriage of justice.

As a result of their findings, Mr Gladstone, then the Home Secretary, ordered that a free pardon be granted to Edalji; and as the latter put it to me later on, when I was engaged with Conan Doyle in trying to obtain compensation for his wrongful imprisonment, "Let there be no mistake as to what a free pardon means. It is not that one has been let off a part of one's sentence because the authorities think one has been sufficiently punished. It is not a sympathetic consideration at all. It means this: That certain new facts have come to their knowledge which make it absolutely clear to them that the convicted person could have had nothing to do with the crime for which he was sentenced."

As though to emphasise this fact, the Law Society, so jealous of the professional integrity of the legal fraternity, reinstated George Edalji on the Roll of Solicitors with permission to practise again. For nearly fifty years he carried on his professional activities. I saw him shortly before I wrote this chapter, and he was still in practice.

Letters from the mysterious G.H. Darby continued to arrive from time to time throughout the following years. There were also other cattle maimings, though they were not so frequent. Then a series of poison-pen letters

were sent to various people in the Staffordshire area. They were obscene in character and contained threats of murder.

At length, not long after the Brighton Trunk Murder in 1934, a labourer was charged before the Wednesbury Magistrates' Bench with sending obscene and menacing letters through the post. He had worked at Darlaston for some thirty years, and because he put a cross against anything he had to sign, he had always given the impression that he could not write.

In one of the letters, written to the police, he told them that if they wanted to find the missing head in the Brighton torso crime, they should dig in the garden of a certain woman. As Mr Ernest Brown, who prosecuted, told the court: "Letters were sent to many people of good standing in the district and other counties, to judges, and even to members of the Royal Family. The communications despatched were filthy and vile."

Superintendent Hall, of the Wednesbury Police, produced a postcard which had been found near a colliery in August 1903, and another envelope, postmarked October 1903, addressed to the editor of a local newspaper.

"The handwriting on those two communications," stated the police officer, "was the same as the prisoner's."

Other exhibits produced showed that over all the years that these letters had been arriving, the handwriting of this man "had not varied one iota."

The prisoner, who admitted writing the letters, was committed for trial at the Staffordshire Assizes, those same Assizes where Edalji had been convicted over thirty years before. He was sentenced to three years penal servitude. There was never anything beyond the "Captain Darby" letters to connect Knowles with the maiming outrages, and both Mr Edalji and the police are quite convinced of his innocence of the crimes, but no study of the Edalji case is complete without those letters being taken into account.

If I seem to have laboured the story of Edalji, I have done so because of the extraordinary and unparalleled circumstances which surrounded it. It has always been a matter of personal regret to me that no compensation was ever granted to this much-wronged man.

THE END