

# Cambria Freeman.

L. M. PIKE, Editor and Publisher.

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VOLUME 5.

EBENSBURG, PA., SATURDAY, MARCH 25, 1871.

NUMBER 9.

WINTER, 1871.  
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## THE PROPHECY FULFILLED.

A TALE FOUNDED ON FACT.

Some time more than half a century ago, a person, in going along Holborn, might have seen, near the corner of one of the thoroughfares which diverge towards Russell Square, the respectable looking shop of a glover and haberdasher named James Harvey, a man generally esteemed by his neighbors; and who was usually considered well-to-do in the world. Like many London tradesmen, Harvey was originally from the country. He had come up to town when a poor lad to push his fortune, and by dint of steadiness and civility, and a small property left him by a distant relation, he had been able to get into business on his own account, and to attain the most important element of success in London—"a connection." Shortly after setting up in the world, he married a young woman from his native town, to whom he had been engaged ever since his school days; and at the time our narrative commences he was the father of three children.

James Harvey's establishment was one of the best frequented of its class in the street. You could never pass without seeing customers going in and out. There was evidently not a little business going forward. But although, to all appearance, a flourishing concern, the proprietor of the establishment was surprised to find that he was continually pinched in his circumstances. No matter what was the amount of business transacted over the counter, he never got any richer.

At the period referred to shopkeeping had not attained the degree of organization, with respect to clerks and cashiers, which now distinguishes the great houses of trade. The primitive till was not yet superseded. This was the weak point in Harvey's arrangements; and not to make a needless number of words about it, the poor man was regularly rubbed by a shopman, whose dexterity in pitching a guinea into the drawer, so as to make it jump, unperceived, with a jerk into his hand, was worthy of Herr Dobler, or any other master of the sublime art of jugglery.

Good natured and unsuspecting, perhaps also not sufficiently vigilant, Harvey was long in discovering how he was pilaged. Cartwright, the name of the person who was preying on his employer, was not a young man. He was between forty and fifty years of age, and had been in various situations, where he had always given satisfaction, except on the score of being somewhat gay and somewhat irritable. Privately he was a man of loose habits, and for years his extravagance had been paid for by property chandlery abstracted from his too confiding employer. Slow to believe in the reality of such wickedness, Mr. Harvey could, with difficulty entertain the suspicion which began to dawn on his mind. At length all doubt was at an end. He detected Cartwright in the very act of carrying off goods to a very large amount. The man was tried for the offence, but through a technical informality in the indictment, acquitted.

Unable to find employment, and with a character gone, the liberated thief became a savage, revengeful and desperate. Instead of imputing his fall to his own irregularities, he considered his late unfortunate employer as the cause of his ruin; and now he bent all the energies of his dark nature to destroy the reputation of the man who had betrayed and plundered. Of all the beings self-delivered to the rule of unscrupulous malignity, with whom it has been my fate to come professionally in contact, I never knew one so utterly fiendish as this discomfited pilferer. Fringed with his imaginary wrongs, he formed the determination to labor, even if it were for years, to ruin his victim. Nothing short of death should divert him from this the darling object of his existence.

Animated by these diabolical passions, Cartwright proceeded to do his work. Harvey, he had too good reasons to know, was in debt to persons who had made him advances; and by means of artfully concocted anonymous letters, evidently written by some one conversant with the matters on which he wrote, he succeeded in alarming the haberdasher's creditors. The consequences were—demands of immediate payment, and, in spite of the doctor's explanations and promises, heavy law expenses, ruinous sacrifices, and ultimate bankruptcy. It may seem almost too marvellous for belief, but the story of this terrible revenge and its consequences is no fiction. Every incident in my narrative is true, and the whole may be found in hard outline in the records of the courts with which a few years ago I was familiar.

The humiliated and distressed feelings of Harvey and his family may be left to the imagination. When he found himself a ruined man, I dare say his mental sufferings were sufficiently acute. Yet he did not sit down in despair. There established himself in business in England appeared hopeless; but America presented itself as a scene where industry might find a reward; and by the kindness of some of his friends, he was enabled to make preparations to emigrate with his wife and children. Towards the end of February he quitted London for one of the great seaports, where he was to embark for Boston. On arriving there with his family, Mr. Harvey took up his abode at a principal hotel. This, in a man of

straightened means, was doubtless imprudent; but he afterwards attempted to explain the circumstances by saying, that as the ship in which he had engaged his passage was to sail on the day after his arrival, he had preferred incurring a slight additional expense rather than that his wife—who was now with falling spirits, nursing an infant—should be exposed to coarse associations and personal discomfort. In the expectation of being only one night in the hotel, Harvey was unfortunately disappointed. Ship-masters, especially those commanding emigrant vessels, were then habitual promise-breakers; and although each succeeding sun was to light them on their way, it was fully a fortnight before the ship stood out to sea. By that time a second and more dire reverse had occurred in the fortunes of the luckless Harvey.

Cartwright, whose appetite for vengeance was not whetted by his first success, had never lost sight of the movements of his victim; and now he had followed him to the place of his embarkation with an eager but undefined purpose of working him some further and more deadly mischief. Stealthily he hovered about the house which sheltered the unconscious object of his malicious hate, plotting, as he afterwards confessed, the wildest schemes for satiating his revenge. Several times he made excuses for calling at the hotel, in the hope of observing the nature of the premises, taking care, however, to avoid being seen by Mr. Harvey or his family. A fortnight passed away, and the day of the departure of the emigrants arrived without the slightest opportunity occurring for the gratification of his purposes. The ship was leaving her berth; most of the passengers were on board; Mrs. Harvey and the children, with nearly the whole of the luggage, were already safely in the vessel; Mr. Harvey only remained on shore to purchase some trifling articles, and to settle his bill at the hotel on removing his last trunk. Cartwright had tracked him all day; he could not attack him in the street, and he finally followed him to the hotel, in order to wreak his vengeance on him in his private apartment, of the situation of which he had informed himself.

Harvey entered the hotel first, and before Cartwright came up, he had gone down a passage into the bar to settle the bill which he had incurred for the last two days. Not aware of this circumstance, Cartwright, in the bustle which prevailed, went up stairs to Mr. Harvey's bedroom and parlor, in neither of which, to his surprise, did he find the occupant; and he turned away discomfited. Passing along towards the eld's staircase, he perceived a room of which the door was open, and that on the table there lay a gold watch and appendages. Nobody was in the apartment; the gentleman who occupied it had only a few moments before gone to his bedchamber for a brief space. Quick as lightning a diabolical thought passed through the brain of the villain, who had been recalled to his original intention. He recollected that he had seen a trunk in Harvey's room, and that the keys hung in the lock. An inconceivably short space of time served for him to seize the watch, to deposit it at the bottom of Harvey's trunk, and to quit the hotel by a back stair, which led by a short cut to the harbor. The whole transaction was done unperceived, and the watch at least departed unnoticed.

Having finished his business at the bar, Mr. Harvey repaired to his room, locked his trunk, which, being of a small and handy size, he mounted on his shoulder, and proceeded to leave the house by the back stair, in order to get as quickly as possible to the vessel. Little recked he of the interruption which was to be presented to his departure. He had got as far as the foot of the stairs with his luggage, when he was overtaken by a waiter, who declared that he was going to leave the house clandestinely without settling accounts. It is proper to mention that Mr. Harvey had incurred the enmity of this particular waiter in consequence of having, out of his slender resources, given him too small a gratuity on the occasion of paying a former bill, and not aware of the second bill being settled, the waiter was rather glad to have an opportunity of charging him with a fraudulent design. In vain Mr. Harvey remonstrated, saying he had paid for everything. The waiter would not believe his statement, and detained him till he should hear better about it.

"Let me go, follow; I insist upon it," said Mr. Harvey, bearing with indignation. "I am already too late."

"Not a step till I ask master if accounts are squared."

At this moment, while the altercation was at the hottest, a terrible ringing of the bells was heard, and above stairs was a loud noise of voices, and of feet running to and fro. A chambermaid came hurriedly down the stair, exclaiming that some one had stolen a gold watch from No. 17, and that nobody ought to leave the house till it was found. The landlord also, moved by the hurricane which had been raised, made his appearance at the spot where Harvey was interrupted in his exit.

"What on earth is all this noise about, John?" inquired the landlord of the waiter.

"Why, sir, I thought it rather strange for any gentleman to leave the house by the back way, carrying his own portmanteau, and so I was making a little breeze

about it, fearing he had not paid his bill, when all of a sudden Sully rushes down the stairs and says as how No. 17 has missed his gold watch, and that his one should quit the hotel."

No. 17, an old dry looking military gentleman, in a particularly high passion, now showed himself on the scene, uttering terrible threats of legal proceedings against the house for the loss he had sustained. Harvey was stupefied and indignant, yet he could hardly help smiling at the pother. "What," said he, "have I to do with all this? I have paid for everything; I am surely entitled to go away if I like. Remember, that if I lose my passage to Boston, you shall answer for it."

"I very much regret detaining you, sir," replied the keeper of the hotel; but you hear there has been a robbery committed within the last few minutes and as it will be proper to search every one in the house, surely you, who are on the point of departure, will have no objections to be searched first and then be at liberty to go?"

There was something so perfectly reasonable in all this, that Harvey stepped into an adjoining parlor, and threw open his trunk for inspection, never doubting that his innocence would be immediately manifest.

The waiter, whose mean rapacity had been the cause of the detention, acted as examiner. He pulled one article after another out of the trunk, and at length—horror of horrors! held up the missing watch with a look of triumph and scorn.

"Who put that there?" cried Harvey, in an agony of mind which can be better imagined than described. "Who has done me this previous wrong? I know nothing as to how the watch came into my trunk."

No one answered this appeal. All present stood for a moment in gloomy silence.

"Sir," said the landlord to Harvey, on recovering from his surprise, "I am sorry for you. For the sake of a miserable trifle, you have brought ruin and disgrace on yourself. This is a matter which concerns the honor of my house, and cannot stop here. However much it is against my feelings, you must go before a magistrate."

"By all means," added No. 17, with the importance of an injured man. "A pretty thing that one's watch is not safe in a house like this."

John, sent Boots for a constable, and Harvey sat with his head leaning on his hand. A deadly cold perspiration trickled down his brow. His heart swelled and beat as if it would burst. What should he do? His whole prospects were in an instant blighted. "Oh! God do not desert a frail and unhappy being; give me strength to face this new and terrible misfortune. Was a prayer he internally uttered. A little revived, he started to his feet, and addressing himself to the landlord, he said, "Take me to a magistrate instantly, and let us have this diabolical plot unraveled. I court inquiry into my character and conduct."

knows that we have a London lawyer staying here, he has advised the poor woman to come and consult you about the case."

"Well, I'll see what can be done.—Please desire the lady to step in."

A lady was shortly shown in. She had been pretty, and was so still, but anxiety was pictured in her pale countenance. Her dress was plain, but not elegant; and altogether she had a neat and engaging appearance.

"Be so good as to sit down," said I, bowing; "and tell me all you would like to say."

The poor woman burst into tears; but afterwards recovering herself, she told me pretty near the whole of her history and that of her husband.

Lawyers have occasion to see so much duplicity, that I did not all at once give assent to the idea of Harvey being innocent of the crime of which he stood charged.

"There is something perfectly inexplicable in the case," I observed, "and it would require sifting. Your husband, I hope, has always borne a good character?"

"Perfectly so. He was no doubt unfortunate in business; but he got his certificate on his first examination; and there are many who would testify to his brightness." And here again my client broke into tears, as if overwhelmed with her recollections and prospects.

"I think I recollect Mr. Harvey's shop," said I soothingly. "It seemed a very respectable concern; and we must see what can be done. Keep up your spirits; the only fear I have arises from the fear of Judge A—being on the bench. He is usually considered severe, and if exculpatory evidence fail, your husband may run the risk of being transported." A word of more terrific import, with which I was about to conclude, struck unperceived in my throat. "Have you employed an attorney?" I added.

"No; I have done nothing as yet, but apply to you, to beg of you to be my husband's counsel."

"Well, that must be looked to. I shall speak to a local agent, to prepare and work out the case; and we shall all do our utmost to get an acquittal. Tomorrow I will call on your husband in prison."

Many thanks were offered by the unfortunate lady, and she withdrew.

I am not going to inflict on the reader a detailed account of this remarkable trial, which turned, as barristers would say, on a beautiful point of circumstantial evidence. Along with the attorney, a sharp enough person in his way, I examined various parties at the hotel, and made myself acquainted with the nature of the premises. The more dark and mysterious—always supposing Harvey's innocence—always the whole case appear. There was not one redeeming trait in the affair, except Harvey's previous good character; and good character, by the law of England, goes for nothing in opposition to facts proved to the satisfaction of a jury. It was likewise most unfortunate that A—was to be the presiding judge—this man possessed great forensic acquirements, and was of spotless private character; but, like the majority of the lawyers of that day—when it was no extraordinary thing to hang twenty men in a morning at Newgate—he was a staunch stickler for the gallows as the only effectual reformer and safeguard of the social state. At this time he was but partially recovered from a long and severe indisposition, and the traces of recent suffering were distinctly apparent on his pale and passionless features.

The jury was not disposed to retire—After communing a few minutes together, one of them stood up and delivered the verdict: it was *Guilty!* The judge assumed the crowning badge of the judicial potentate—the black cap; and the clerk of arraigns asked the prisoner at the bar, in the usual form, if he had anything to urge why sentence of death should not be passed upon him.

Poor Harvey! I durst scarcely look at him. As the dread ominous words fell on his ear, he was grasping nervously with shaking hands at the front of the dock. He appeared stunned, bewildered, as a man but half awakened from a hideous dream might be supposed to look—He had comprehended, though he had scarcely heard the verdict; for on the instant, the voice which but a few years before sung to him by the brook side, was ringing in his brain, and he could recognize the little pattering feet of his children, as sobbing and clinging to their shrieking mother's dress, she and they were hurried out of court. The clerk, after a painful pause, repeated the solemn formula. By a strong effort the doomed man mastered his agitation; his pale countenance lighted up with indignation, firm and self-possessed, he thus replied to the fearful interrogatory:

"Much could I say, in the name, not of mercy, but of justice, why the sentence about to be passed on me should not be pronounced; but nothing, alas! that will avail me with you, pride blinded ministers of death. You fashion to yourselves—out of your own vain conceits do you fashion—modes and instruments, by the aid of which you only imagine to invest yourselves with attributes which belong only to omniscience; and now I warn you—and it is a voice from the tomb, in whose shadow I already stand, which addresses you—that you are about to commit a most cruel and deliberate murder."

He paused, and the jury looked into each other's eyes for the courage they could not find in their own hearts. The voice of conscience spoke, but was only for a few moments audible. The suggestions that what grave politicians, learned judges, and all classes of "respectability" sanctioned, could not be wrong, much less murderous or cruel, silenced the "still small" tones, and tranquillized the startled jurors.

"Prisoner at the bar," said the judge with his cold, calm voice of destiny, "I cannot listen to such observations; you have been found guilty of a heinous offence by a jury of your countrymen after a patient trial. With that finding I need scarcely say I entirely agree. I am satisfied of your guilt as if I had seen you commit the act with my own bodily eyes. The circumstance of your being a person who, from habits and education, should have been above committing so base a crime, only aggravates your guilt. However, no matter who or what you have been, you must expiate your offence on the scaffold. The law has very properly, for the safety of society, decreed the punishment of death for such crimes: our only and plain duty is to execute that law."

The prisoner did not reply; he was leaning with his elbows on the front of the dock, his bowed face covered with his outspread hands; and the judge passed sentence of death in the accustomed form. The court then rose, and a turnkey placed his hand upon the prisoner's arm to lead him away. Sadly he uncovered his face, drew himself up to his full height—he was a remarkably tall man—and glared fiercely round upon the audience, like a wild animal at bay—"My lord!" he cried, or rather shouted, in an excited voice. The judge motioned impatiently to the jailer, and strong hands impelled the prisoner from the front of the dock. Bursting from them, he again sprang forward, his arms outstretched whilst his glittering eyes seemed to hold the judge spell-bound, he exclaimed, "My lord, before another month has passed away, you will appear at the bar of another world, to answer for the life, the innocent life, which God bestowed upon me, but which you have impiously cast away as a thing of naught and scorn!" He ceased, and was at once borne off. The court, in some confusion, hastily departed. It was thought at the time that the judge's falling health had suggested the prophecy to the prisoner. It only excited a few days' wonder, and was forgotten.

The position of a barrister in such circumstances is always painful. I need hardly say that my own feelings were of a very distressing kind. Consoling that if the unfortunate man really was guilty, he was at least not deserving of capital punishment, I exerted myself to procure a reprieve. In the first place I waited privately on the judge; but he would listen to no proposal for a respite. Along with a number of individuals—chiefly of the Society of Friends—I petitioned the crown for a commutation of the sentence. But being unaccompanied with a recommendation from the judge, the prayer of our petition was of course disregarded; the law, it was said, must take its course. How much cruelty has been exercised under that remorseless expression?

I would willingly pass over the succeeding events. Unable to save his life, I endeavored to soothe the remaining hours of the doomed convict, and frequently visited him in the condemned cell. The more I saw of him the deeper grew my sympathy in his case, which was that of no vulgar felon. "I have been a most unfortunate man," said he one day to me. "A destiny towards ruin in fortune and in life has pursued me. I feel as if deserted by God and by man; yet I know, or at least persuade myself, that Heaven will one day vindicate my innocence of this foul charge. To think of being hanged like a dog for a crime at which my soul revolts! Great is the crime of those imbecile jurors and that false and hard-hearted judge who, thus, by an irreversable decree, consign a fellow mortal to a death of violence and disgrace. Oh God, help me—help me to sustain that bitter, bitter hour!" And then the poor man would throw himself on his bed and weep.

But the parting with his wife and children. What can describe that terrible interview? They knelt in prayer, their supplicating entreaties suffused in tears, and with hands clasped convulsively together. The scene was too harrowing and awful for the eye of a stranger. I rushed from the cell, and buried myself in my lodgings, whence I did not remove till all was over. Next day James Harvey, a victim of circumstantial evidence, and of a barbarous criminal code, perished on the scaffold.

Three weeks afterwards the court arrived at a populous city in the west of England. It had in the interval visited another prison town, and there Judge A— had left three for execution. The trials of these men, however, I had not attended. So shocked had been my feelings by the mournful event which had taken place at—, that I had gone into Wales for the sake of change of scene. After remaining about for a fortnight amidst the wild scenes of Carnarvonshire, I took the stage for the city which I knew the court was to visit, and arrived on the day previous to the opening of the assizes.

"Well, are we to have a heavy calendar?" I inquired next morning of a brother barrister on entering the court.

"Rather light for a March assize," replied the impatient counsel as he bustled onward. "There's Cartwright's case—highway robbery—in which I am for the prosecution—he'll swing for it, and perhaps four or five others."

"A good hanging judge is A—," said the under-sheriff, who at this moment joined us, rubbing his hands, as if pleased with the prospect of a few executions. "No chance of the prophecy ever coming true, I suppose?"

"Not in the least," replied the bustling counsel. "He never looked better. His illness has gone completely off. And this day's work will brighten him up."

Cartwright's trial came on. I had never seen the man before, and was not aware that this was the same person whom Harvey had incidentally told me he had discovered for theft; the truth being, that till the next morning of his existence, that unfortunate man had not known how much he had been a sacrifice to this wretch's malice.

The crime of which the villain now stood accused was that of robbing a farmer of the palfrey sum of eight shillings, in the neighborhood of Ilfracombe. He pleaded not guilty, but put in no defence. A verdict was recorded against him, and in due time A— sentenced him to be hanged. An expression of fiendish malignancy gleamed over the haggard features of the felon as he used leave to address a few words to the court. He was granted. Leaning forward, and raising his heavy-eyelid eyes to the judge, he thus began: "There is something on my mind, my lord—a dreadful crime—which, as I am to die for the next morning, I took from the farmer, I may as well confess. You may remember Harvey, my lord, whom you hanged the other day at—?"

"What of him, fellow?" replied the judge, his features flushing crimson.

"Why, my lord, only this—that he was as innocent of the crime for which you hanged him as the child yet unborn. I did the deed! I put the wretch in the stocks! And to the unspeakable honor of the entire court be related the full particulars of the transaction, the origin of his grudge against Harvey, and his delight on bringing him to the gallows."

"Fellow, execrable villain!" gasped the judge in extreme excitement.

"Gently done, though! Was it not my lord?" replied the villain, with bitter irony. "The evidence, you know, was irresistible; the crime as clear as the sun at noonday; and if, in such plain cases, the law and necessary law was not enforced, society would be dissolved, and there would be no security for property! These were your words, I think. How on that occasion I admired your lordship's judgment and eloquence! Society would be dissolved if an innocent man were not hanged! He! that—that capital—capital!"

"Remove the prisoner!" shouted the sheriff. An officer was about to do so; but the judge motioned him to desist. The lordship's features worked convulsively. He seemed striving to speak, but the words would not come.

"I suppose, my lord," continued Cartwright, in a low and hissing tone, as the shadow of unutterable despair grew and settled on his face—"I suppose you know that his wife destroyed herself. The coroner's jury said she had fallen accidentally into the water. I know better. She drowned herself under the agonies of a broken heart! I saw her corpse, with the dead baby in its arms; and then I felt—knew—that I was lost!—Lost, doomed to everlasting perdition! But, my lord!—and here the wretch broke into a hoarse yell and terror—"we shall go down together—down to where your deserts are known. A—h—h! that pinches you, does it? Hand of a judge! legal murderer!—coward! I spit and spit upon thee!"

The rest of the appalling objurgation was inarticulate, as the monster, foaming and spluttering, was dragged by an officer from the dock.

Judge A— had fallen forward on his face, fainting and speechless with the violence of his emotions. The black cap had dropped from his brow. His hands were stretched out across the bench, and various members of the bar rushed to his assistance. The court broke up in frightful commotion.

Two days after the county paper had the following announcement:

"Died, at the Royal Hotel, —, on the 27th instant, Judge A—, from an attack of fever supervening from a disorder from which he had but imperfectly recovered."

The prophecy was fulfilled!

A YOUNG LADY at Indianapolis was endeavoring to impress upon the minds of her Sunday scholars the sin and terrible punishment of Nebuchadnezzar, and when she said that for seven years he ate grass just like a cow, she was astonished by a little girl who asked, "Did he give milk?"

Out to my washer woman—\$2 60.