

CAROLINA CENTINEL.

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locked and unshut door. "Who is there?" a person answered. I am come Sir, from Mr. Watts, of Gerard's Hall, who is very ill, and wishes you to go immediately to see him; having attended Mr. Watts regularly for the last five years I had no apprehension of danger, consequently took off the door, and the man in the passage replied to me that I was very sorry that I could not go and see Mr. Watts then, being very unwell myself, but would endeavor to do

stautial case on the part of the defence.—When once such a case was set up, the ingenuity and vanity of man was interested in making it a complete one. When once a theory was hit upon, every possible act, either of caution or carelessness, of concealment or of display, might be worked, and nine times in ten was wrestled to a matter for support.

The formal proof in the case being admitted on the part of the Hops Company, Mr. Wakely's policy, the duty office, and man to set his house on fire; but, supposing the fact to be negatived, there did not appear to have been any motive which should lead Mr. Wakely to commit the crime imputed to him. The absence of all evidence as to motive, however, although a circumstance important for the consideration of a Jury, was not to be deemed conclusive of a cause; for it did sometimes happen that men committed the blackest crimes from motives known only to themselves, and which could never be fathomed by those whose

The iron hinge of the table was, by whetting on a tiled floor corner into a knife. With this bars were removed and a saw constructed, wood was concealed from the daily fuel to construct the ladders; La Tude's portmanteau contained twelve dozen of shirts and other articles of apparel, out of which they made the 1400 feet of rope. The bars in the chimney took six months to displace; and the whole of these preparations cost eighteen months' work, day and night. This moment of attempting their escape

The case excited very general interest, from the singular circumstances under which it was alleged that the fire had happened. The plaintiff's case was conducted by Mr. Denman, Mr. Curwood, Mr. Adolphus; and the defence by Mr. Marryat, Mr. Garney, and Mr. F. Pollock.

Mr. Adolphus opened the pleadings. A gentleman of the Special Jury felt himself bound to state that he was a Director of the Royal Exchange Assurance Company; perhaps that circumstance might be an objection to his serving on the Jury.

The Lord Chief Justice, after consulting the counsel for the plaintiff, said that there could be no objection.

Mr. Denman, in opening a case of extraordinary interest, would occupy very briefly the time of the court. The plaintiff was a young man of honorable character, a surgeon by profession, the son of a respectable and wealthy gentleman in Devonshire. After studying his profession with great credit to himself, and after having been for some time practising in this metropolis, he became tenant of a house at 1401, a year in Argyle-st. in the month of Dec. 1819, his next door neighbor Mr. Thompson, being his landlord. About this time he was paying his addresses to a young lady, the daughter of Mr. Goodchild, a gentleman of fortune, residing at Hammersmith, who highly approved his address, and consented to his marriage with his daughter in the month of Feb. 1820. Previous to his marriage he had insured the property in the house; at the office of the defendants, at the sum of 600*l.* but upon his marriage, in consequence of additional furniture, and other property purchased, he increased his policy to double the sum. He had originally taken the house of Mr. Archdeacon Wollaston, who was his predecessor, and of whom he had purchased the furniture of the house, when the reverend gentleman quitted the house. In the night of the 26th, or rather on the morning of the 27th of August, between 1 and 2 o'clock, a fire was discovered on the plaintiff's premises, the flames being seen gushing out of the parlor windows. The neighborhood rendered prompt assistance in extinguishing the flames; at that time the plaintiff's wife was from home, in consequence of indisposition; the only inhabitants of the house were the plaintiff and two servants, man and wife. The two latter, roused by the alarm, escaped from the flames in a state of nakedness. For a considerable time the plaintiff himself was missing, and it was supposed he had fallen a sacrifice to the flames; in three quarters of an hour however, after the flames broke out, he was found in the hall of Mr. Thompson's house, whither he had escaped from the flames by the back of his own house covered with blood, in an exhausted state, & so perturbed in mind, that it was found necessary to put him to bed in a neighboring house, where medical assistance was afforded him. When his senses became collected by these means, the story which Mr. Wakely told was this.—For some time previous to the fire he had been threatened by anonymous letters, that his house should be burnt and he himself assassinated, in consequence of its being supposed he was the surgeon who officiated in the decapitation of the unfortunate persons, Thistlewood and others, who had been executed for treason in the summer of last year. In the month of August, the plaintiff was afflicted with a disease in his eyes, and on the night of the 26th, he proposed to relieve the pain under which he labored by the application of leeches to his temples. He sent his servants to bed about 11 o'clock, and remained up till about half past 12, when he was preparing to retire to bed. After this the plaintiff gave the following account in his own words of what passed:

"I heard a knocking at the front door, upon which I lighted the candle in my bed candle stick; placed it on the seat in the passage and at the same time took out of it the key of the door, which I then un-

locked and unshut door. "Who is there?" a person answered. I am come Sir, from Mr. Watts, of Gerard's Hall, who is very ill, and wishes you to go immediately to see him; having attended Mr. Watts regularly for the last five years I had no apprehension of danger, consequently took off the door, and the man in the passage replied to me that I was very sorry that I could not go and see Mr. Watts then, being very unwell myself, but would endeavor to do you something myself, asking him which he preferred, beer or cider? choosing the latter, I took the candle from the seat in the passage (this place being sufficiently lighted, for the man's accommodation, by the candles in the parlour as the door was open,) and went into the dining-room to the cupboard for the key of the cider. I then went down to the kitchen to get a jug, but not finding one returned to the footman's pantry, where having obtained it, I proceeded to the cellar in the back court or area, and drew the cider, on my return into the passage, between the clock and the court door, and near to the foot of the stairs, I was knocked down, by a blow from behind upon the upper part of the right side of my head; whilst lying on the ground I received several kicks on different parts of my body, and believe I heard voices near me, but to this I cannot swear, being at the time in such a stupified state.—When on the ground, I also had inflicted on my chest two slight stabs. I cannot say how long I remained in a state of insensibility, but at length got sufficiently recovered to find that I was enveloped in flames, and a suffocating smoke; I attempted to stand but was prevented by weakness; I then crawled from the horrible danger that surrounded me into the back kitchen, where I again relapsed into a state of torpor, but presently awoke and perceived with horror, through the sky-light, flames issuing from the back windows of the house; I advanced a few steps, but found in the little court, a great quantity of burning pieces of wood, so by this way I had no hope of escape—the heat was intense—and the smoke insufferable—my situation cannot be described.—It was the very climax of horror—in my delirium I ran to the pump, in order to prevent the lead which was above me from melting, as I feared it would do so, and fall in a fluid state upon my head; but finding myself nearly suffocated, I miraculously hit on the expedient of getting up a fire screen, by means of which I was enabled to get hold of a beam, under the sky-light: I then broke the glass and went through, passed over the leads and fence wall between Mr. Thompson's house and mine, and went from thence into Mr. T's residence." This was Mr. Wakely's statement. From twelve o'clock, which was the time as near as he could guess, when the stranger came, until two o'clock, when he was found in the house of Mr. Thompson; he could give no account of himself; he supposed he must have lain during that time in a state of insensibility.

If he was asked, however, to what cause he could ascribe the mysterious visit of his secret enemy, he could upon that point, perhaps, furnish some clue to explanation. The jury could remember the execution of Thistlewood and his companions for treason. Owing to some infatuation which it was impossible to account for, a report had been spread, and generally accredited, that Mr. Wakely was the individual who, under a mask, had beheaded those persons; and, some of the crowd while witnessing the confagration had been heard to rejoice that punishment had overtaken the masked executioner. At all events, if the plaintiff was unable to give a full account of all that had befallen him on the night of the fire, the Jury would see the improbability, nay the impossibility, of his having raised that fire himself. Where great depravities presented themselves where a man risked his own life, the lives of his servants and his neighbours, something like an inducing motive would be looked for, in this case there was none. Mr. Wakely was standing in a situation of comfort, nay, of comparative opulence; he was rising fast into practice and reputation—the respected member of an honorable profession; and, so far from having any thing to gain by the destruction of his property, he would even after receiving 1,200*l.* from the defendants, stand in the situation of a very considerable loser. Mr. Denman concluded a very animated address, by cautioning the Jury against what he called a circum-

stantial case on the part of the defence.—When once such a case was set up, the ingenuity and vanity of man was interested in making it a complete one. When once a theory was hit upon, every possible act, either of caution or carelessness, of concealment or of display, might be worked, and nine times in ten was wrestled to a matter for support.

Stephen Lavender a Bow-street officer, saw the plaintiff more than a week after the fire; in some measure he stated the circumstances of that night.

Mr. Royd, appraiser to the Fire-office, received from Mr. Thompson a dressing gown, waistcoat, neckcloth, shirt, and a false collar, as those articles of apparel which were worn by Mr. Wakely on the night of the fire.—They remained now in the same condition that they were in then. Witness had caused a figure to be made to show how the clothes were worn.

Mr. Farrant, the magistrate, deposed that Mr. Wakely voluntarily attended him when this business was investigated. The clothes were not produced before him at that time.

Mr. Thompson said the clothes in question were produced before him, and he delivered them afterwards to Mr. Royd. Cross-examined.—The plaintiff's hands were not cut as if by glass; he did not examine them to see that they were dirty and his clothes were wet; his hands were not certainly cut; it was a dry night; there had been no rain.

A figure large as life, dressed in the clothes worn by the plaintiff on the night of the fire was then produced.

Lavender's examination was then resumed. He found on the clothes some cuts; there was one on the collar of the coat but none on the body of it; there were two through the waistcoat, one in the centre of the last side, two inches from the middle button hole; it appeared to be about half an inch in width, and cut with something excessively sharp; there were two cuts in the shirt, which did not immediately correspond with those in the waistcoat; there was one in the shirt which did not correspond with either of those in the waistcoat; one of the cuts in the waistcoat was horizontal, and the other perpendicular; there was a considerable stain like blood on the shirt; but there was no stain whatever on the waistcoat corresponding with that on the shirt; there was no stain where the waistcoat was cut; there was a small stain on the upper part of the waistcoat. Witness has frequently seen the stains made by blood; in his judgment, the stains on the shirt made with blood and water; there was one small spot at the end of the handkerchief, which was evidently blood itself; it was five or six days after the transaction that he saw the clothes; if it had been blood flowing from a wound it would have been of a much deeper color, on the waistcoat there was a cut just below the second button on the outside, which was horizontal; the cut immediately under it was larger than the one outside, but evidently made with the same instrument; if that had been a stab, he was of opinion that would not be the case; there were several perforations in the shirt, none of which correspond with the cut last mentioned, the perforations appeared to have been made with something fine and small at the point, but there was no blood on any of them; as far as one could give an opinion, he had no doubt that all the stains on the shirt were blood and water.

Mr. T. Harding, a surgeon of Walworth, gave it as his opinion that the stain on the neckcloth produced was blood, but that the stains on the shirt were something of a lighter color than blood alone.

The Lord Chief Justice told the Jury that the plaintiff's claim was resisted upon two grounds:—first, that by making a fraudulent claim, in point of amount he had forfeited all benefit from his policy; and, second, that the fire at his house had not been accidental but contrived and raised by his own wilful conduct. If it could be made out that the property in the plaintiff's house fell very short, not of the sum alleged in this case to have been lost, but of the sum insured, then there would seem to be some motive which might induce a dishonest

man to set his house on fire; but, supposing the fact to be negatived, there did not appear to have been any motive which should lead Mr. Wakely to commit the crime imputed to him. The absence of all evidence as to motive, however, although a circumstance important for the consideration of a Jury, was not to be deemed conclusive of a cause; for it did sometimes happen that men committed the blackest crimes from motives known only to themselves, and which could never be fathomed by those whose

the evidence as to the property in Mr. Wakely's possession, and they would consider how far, upon this evidence, his statement of his claim was likely to be a just one, and estimating the value of the furniture claimed for, they would remember that the greater part of it had been purchased from an outgoing tenant, and had therefore been probably obtained at a reasonable rate.—His Lordship then detailed the whole of the evidence to the Jury, and commented upon those parts of it which appeared to him most important.

The Jury after retiring for about a quarter of an hour, found for the plaintiff—Damages 1,200*l.*

The plaintiff, who is a young man of genteel appearance, was in Court the whole day. The trial lasted from half past nine in the morning, until seven in the evening. The verdict was received with general applause by the auditory.

From the Literary Gazette.

HENRY M. DE LA TUDE.

In the year 1749, Henry M. de la Tude, son of a Knight of the order of St. Louis, was sent to the Bastille, for the grave offence of having sported with the feelings of Madame Pompadour, the celebrated mistress of Louis XV. With the thoughtless warm enthusiasm of a young man, he had it seems attached himself to this woman in defence of her character, against the fanatics of the day. He wished to do her some ostensibly good office, and sighed to render himself of consequence in her esteem. Having heard that she was unhappy from the apprehension of poison, La Tude waited on Pompadour, at Versailles, to acquaint her that he had seen a parcel put into the post office addressed for her; and at the same time expressed his suspicions relative to the contents of it, and cautioned the Marchioness to beware. The parcel arrived of course La Tude having himself put it into the post office; but the powder proved on chemical experiment perfectly innocent. The result gave the marchioness an insight into La Tude's design; and, offended at his presumption, she had him sent to the Bastille as an imposter.

La Tude with great ingenuity effected his escape from prison; and feeling unconscious of any crime demanding severity of punishment, he went, and voluntarily surrendered himself to the king. Unfortunate man! Victim of the caprice and cruelty of a woman! The unfeeling marchioness, piqued at his placing more confidence in the king than herself, made such representations to his Majesty that he ordered La Tude back to the same prison, and to be immured in one of its most dreary chambers—a dungeon! where another prisoner of the name of Delegré, was also confined by order of the marchioness.

Yet even from the impregnable fortress of barbarity, where no wealth could bribe—where no instrument of any kind was allowed, did La Tude and his companions, without money and unpaid, effect their escape.

They had neither scissors, knives, nor any edged instrument; and for an hundred guineas, the turnkey would not supply them with an ounce of thread. Upon making the calculations of the difficulties to be encountered, they found that they required fourteen hundred feet of cordage; two ladders of wood and rope, from twenty to twenty-five feet long, and another of an hundred and eight feet in length. It was necessary to displace several iron grates from the chimney; and in one night to make a hole in the wall several feet thick at the distance of only 15 feet from a sentinel. The wooden ladder and that of rope when made must be concealed; and the officers, accompanied by the turnkeys, came to visit & search them several times a week. They had to make and do all these things to accomplish their design and they had nothing but their hands to effect it with. The hand, to those who knew its use, is the instrument of all instruments.—

Being now on the top, they drew up the rest of the ladder; and then descended at once on the platform serving as a counterpoise to each other.—They next fixed the ladder to a piece of cannon, and let it gently into the fosse; which means they descended with their iron bars, wooden ladder and all their equipage.—During all this time the sentinel was not more than ten fathoms from them, walking upon the corridor.

This prevented them from getting up to it, to go into the garden, as they first intended; they therefore were under the necessity of making use of their iron bars. They proceeded straight to the wall which separates the fosse of the Bastille from that of the garden St. Antoine, between the garden and the governor's house. In this place there formerly had been a little fosse, a fathom wide, one or two feet deep, but now the water was up to the arm pits.

The moment La Tude began to make a hole between two stones to introduce their iron bars as levers, the round major passed by with his great lantern, at the distance of ten or twelve feet over their heads. To prevent their being discovered, they sunk up to their chins in the water; this ceremony they were obliged to repeat every half hour when the round came by. At length one large stone was removed from the wall; they attacked a second, and afterwards a third, with equal success; so that before midnight they had displaced several cartloads of stone; and in less than six hours had entirely pierced the wall, which was more than four feet and a half thick. They drew the portmanteau through the hole, abandoning every thing else without regret. They then descended into the deep fosse of the gate St. Antoine; whence, after a narrow escape from perishing, they got upon dry ground, and took refuge at the abbey of St. Germain des Pres.

La Tude fled to Holland; but on the demand of the king of France he was given up by the Dutch government, conducted to the Bastille, and more closely confined than ever.

On the death of Madame Pompadour, La Tude was informed of it by a writing placed up at a window in the street, in consequence of some papers he had thrown from the Bastille tower. Most of the prisoners in the Bastille, were on this occasion liberated. The Minister, Sartine, however, refused to set La Tude free, except on a condition which the unfortunate man, thinking derogatory to his honor would not accede to, and he was still doomed by the remorseless revenge of that monster of inhumanity, to remain a prisoner ten feet under ground, clad in tatters, with a beard reaching to his breast, no bed but straw, no provision but bread and water, overrun with vermin! Such alas! continued for many years the wretched situation of the unfortunate La Tude; whose only crime was having offended the favorite of his sovereign!

The ultimate liberation of La Tude is not the least wonderful part of the story. A woman named Le Gros, walking abroad in 1781, saw lying in the corner, a packet of papers, that had the appearance of having been tumbled in the dirt. She took it up, and returning home, read the contents. It proved to be a memorial, stating part of the misfortunes of the Sieur La Tude, prisoner in a dungeon ten feet under ground, on an allowance of bread and water, for thirty-four years! The good woman was moved with compassion at the recital of such cruel suffering, and was incessant in her applications on his behalf to persons of rank; till at last she obtained his liberation on the 13th of March, 1784, through the influence of Baron Breteuil, who accompanied the glad tidings with a grant to La Tude of a pension of four hundred livres.

FROM A LONDON JUNE MAGAZINE.

SIR JOHN PURCELL.

In the year 1811, the house of Sir John Purcell, of Highfort in Dublin, was attacked by a desperate gang of robbers, who force the windows of the parlour