CHAPTER TWENTY

The Second Murder Plot

"Now, what I want is, Facts."
—Hard Times

In her fictional role as Mademoiselle Hortense, Marie Manning lives on, but other monuments of her case have proved more fragile. Horsemonger Lane Gaol itself was torn down in 1880, leaving only the facade of the entrance lodge standing when J. Ashby-Sterry surveyed Dickensian locales in Southwark eight years later. Today all traces of the prison are gone, and where it once stood schoolchildren can be seen playing soccer in a recreational park; Minver Place and its memories have yielded to a glum-looking highrise apartment project. In 1930 archaeology brought the Mannings briefly to light again; on a cupboard shelf in a weights and measures building on Harper Road (formerly Horsemonger Lane), workmen discovered two tablets that proved to be the gravestones of the Mannings, which had been removed from the wall of the old prison’s courtyard and preserved unknown for generations. The stones now repose in the collection of the Cuming Museum in Southwark. But in another museum, Madame Tussaud’s, the Mannings have lost their place: the wax models of the once famous couple have been exiled to the repository of Tussaud’s older figures at Wookey Hole in Somerset.

With the passage of time Marie Manning’s reputation has worsened, and posterity has firmly identified her as the instigator and principal perpetrator of the Bermondsey Horror. Her own trial lawyer, Serjeant Ballantine, contributed to this judgment, for as he reflected in his memoirs on his unsuccessful defense, he wrote of his suspicion that “she was the power that really originated the deed of blood.” As we have seen, Marie is
The gravestone of Fred Manning. Reproduced by permission of the London Borough of Southwark: Cuming Museum.
The gravestone of Marie Manning. Reproduced by permission of the London Borough of Southwark: Cuming Museum.
one of the very few English criminals who have been given an entry in the *Dictionary of National Biography*, which relegates her husband to the fine print. A final blow to Marie’s already evil name was struck by F. Tennyson Jesse, the usually judicious high priestess of twentieth-century crime writing, who somehow was impelled to find a strain of sexual perversity in the crime. With no support in the record of the case or in the least responsible of the journalistic accounts, Miss Jesse wrote that Marie, whom she described as “that chubby and redoubtable Swiss with her broad, bland face and deeply dimpled mouth,” had incited her husband to the killing of O’Connor “to whom she made love over the grave that was already dug.” One only hopes that Miss Jesse did not literally mean that the meticulous Marie could be so overcome by passion that she would subject her elegant attire to the rigors of lovemaking on the floor of the back kitchen.

If the evidence introduced at the trial is consulted, it is not easy to see why the Victorians or their successors have chosen Marie as the dominant actor in the crime. Certainly, the proof against Fred appeared to be strong. The prosecution, building their case on the careful work of Scotland Yard, showed that: (1) Fred purchased the quicklime in which O’Connor’s body was encased; (2) he purchased a crowbar that could have been used to inflict O’Connor’s head injuries; and (3) he confessed to the police that he was present at the scene of the crime, though he equivocated as to his role in the murder and the disposition of the body.

To this solid judicial evidence public opinion could have added plausible theories as to Manning’s motivation and his predisposition for the crime. Theft was at least on the surface the most immediate motive, and it seemed that Fred had, in his dealings with Poole and Nightingale, been no stranger to robberies. And, though Fred had evidently borne with patience or indifference Marie’s longstanding affair with O’Connor, his temper seemed to flare from time to time, as in the ridiculous lawsuit against Patrick over the thirty shillings of lost rent. In any event, the desire to eliminate a sexual rival, even if not an automatic response in every husband’s breast, was surely an
instinct that the public can readily recognize. But tradition has refused to regard marital jealousy as the key to the Manning case and blames the crime on Marie.

Why did this happen? Surely the prosecution's case against Marie was much weaker than the damning proof against Fred. The evidence against Marie, and the failures of such evidence, may be summarized as follows:

1. Marie lived at 3 Minver Place as Fred's wife during the time that the crime was prepared and must have known about the preparations.
2. She received the crowbar at the house.
3. She may have tipped Richard Welsh, who had previously delivered the lime, although Welsh's story changed from hearing to hearing and ultimately he could not affirmatively identify her.
4. She purchased a shovel that was not physically suitable for digging O'Connor's grave. Moreover, the purchase was made only the day before the murder, whereas the prosecution's theory was that the murder had been premeditated and the grave dug long before the murder.
5. Marie never confessed any role in the murder. She never admitted that she was at Minver Place at the time of the murder, and the prosecution had no proof that she was there. If the testimony of James Coleman was correct, O'Connor had not yet arrived at the Mannings' house at 5:10, and the Armes sisters, who were not favorable to Marie, consistently placed her around 5:45 at O'Connor's lodgings. Police experiments had shown the distance between the two residences to be forty-two minutes on foot and thirty-five minutes by omnibus (assuming no wait at the bus stop). A cab could have made the trip in twenty-five minutes, but the police had not located any cabdriver who could testify to having carried Mrs. Manning on the evening of 9 August. Faced with this evidence, the attorney general was himself skeptical of his ability to convince the jury that Marie arrived at O'Connor's place after the murder with his keys in hand; he therefore
theorized, in his opening statement, that it was only on the following evening that she stole his property.

6. Marie stole property of O'Connor's after his death using keys probably taken from his pocket; her willingness to take the property was essential to the criminal plot since she, but not Fred Manning, had free access to O'Connor's rooms.

The last point has power and lends considerable support to the jury's conviction of Marie, but still one wonders whether, in the absence of additional factors, the jury would have found it sufficient proof against her. The accepted social wisdom was that wives generally did what their husbands told them to, and a murderer might instruct his wife to steal without converting her into a murderess. The delicacy with which the legal significance of Marie's theft was regarded was suggested by the Observer article cited earlier: what convinced that newspaper that Marie was a murderess, rather than a dutiful accessory of her husband, was not that she stole O'Connor's property but that she did not share the proceeds of the theft with her husband. But Marie's decision to take off for Scotland with the loot might have been reached after the murder, and in fact the Lord Chief Baron had instructed the jury to disregard the Mannings' subsequent quarrels.

Whether or not it was right about how to assess the evidence of the theft, the Observer had put its finger on another key element that both the jury and posterity found crucial to the case against Marie: her strength of will and her repeated show of independence from her husband. In the courtroom and on the roof of Horsemonger Lane Gaol her fortitude shamed her husband's nervousness. She had been able to face the inquiries of the police at Minver Place while Fred hid. Not only had she run off with O'Connor's property, but she had had the unwifely audacity, according to the testimony of the stockbroker Stephens, to contemplate the making of stock transactions without her husband's knowledge. Moreover, Marie was a foreign wife, who, it was feared, had not learned the submissiveness of her English sisters.
But more than anything else it was Fred Manning's in-
criminating statements that damned Marie in court and ever
afterward. Despite the legal fiction that Chief Baron Pollock, by
his instruction to the jury, could induce them to disregard
Manning's allegations as evidence against Marie, it is not sen-
sible to suppose that the jury could obey him, particularly since
the statements, nailed home cruelly and unfairly by Serjeant
Wilkins in his closing arguments, had so much more to say of
Marie's role in the crime than of Fred's. In fact, Horace
Wyndham, in his article on the case in his collection *Feminine
Frailty*, wrote that it was doubtful that Marie could have been
convicted if she had won her application for a separate trial and
Fred's statements had accordingly become inadmissible.

To a significant extent, posterity's view of Marie as the
dominant party in the crime was strengthened by the release
after the trial of Manning's prison "confession" to Chaplain
Rowe. It is a fact that, when the confession first appeared in
print, newspapers expressed doubts as to the candor of
Manning's statements. But in the confession, which Rowe read
at a press conference held at noon on 13 November, shortly
after the execution, there seemed to be at last a chronologically
detailed narrative of the crime; Manning persisted in assigning
Marie responsibility for the instigation of the plot and the firing
of the pistol but now confessed that when he came down to the
cellar he found O'Connor still alive and moaning and hit him
with the ripping chisel because he had never liked him very
well. As the years went by, the contemporary reservations about
Manning's confession faded, together with memories of the
trial, and the short accounts of the case written since the late
nineteenth century seem to take the confession as gospel.

A copy of the original twenty-five page handwritten text of
the confession still survives in the collection of Madame
Tussaud's but has apparently been ignored by previous com-
mentators on the case. Dated 9 November 1849, the text was
written by Reverend Rowe based on Fred Manning's disclosures
to him; it is signed by Frederick George Manning, under the
following affidavit also in his handwriting: "I do hereby
solemnly declare that the foregoing account is [sic] written by
the Rev'd W S Rowe the Chaplian [sic] at my dictation is correct and true.”

On close examination, two variations appear between the original and published versions that cast further doubt about the reliability of the document in fixing Marie’s role in the crime. The first difference is the location of Fred’s confession that he had wielded the crowbar. In the newspaper version this crucial admission appears in its proper chronological place in the narrative—after Marie came upstairs and told Fred that she had shot O’Connor. But in the manuscript, Fred’s acceptance of responsibility for the blows of the crowbar is tacked on at the very end of the statement immediately before the signatures. This concluding passage reads: “I have one thing further to add.—On the fatal day after my wife had shot O’Connor, I went downstairs and found him lying as I have described in a pencil sketch, he was moaning. I never liked him much, and I beat in his skull with the ripping chisel. I have no more to say.” It therefore seems clear that far from spilling out an orderly account of the full history of the crime in a spirit of contrition, Manning withheld until the last possible moment the admission of any active role on his own part, thereby rendering more suspect his charges against his wife that occupy most of the document.

This rearrangement of the order of the confession, which appears in all the newspapers I have consulted, is puzzling. It seems that this alteration must be attributed to Reverend Rowe himself, since he is reported to have “read” the confession to the press and since minor variations among the various newspaper versions indicate that they do not all derive from the notes of a single shorthand reporter who might otherwise be suspected of editorial tinkering with the sequence of the confession. Why would Chaplain Rowe have made this revision? Perhaps he was so moved by his final success in obtaining Manning’s admission of guilt that he could not resist the temptation to change its location so as to lend added credibility to the document. It might be more charitable to assume that the placement of Manning’s admission in its proper time frame was intended to make the statement more coherent to the press and its readers,
Fred Manning's sketch of O'Connor's body in the kitchen. The sketch accompanies the manuscript of his "confession" to Reverend Rowe. Note the words "Shoot at his spot." Courtesy Madame Tussaud's Archive, London.
but this explanation is less than satisfactory since another passage about Manning’s participation in the burial is, even in the newspaper versions, left dangling in the latter part of the statement after the description of Manning’s flight to Jersey.

The second variation between the manuscript of the confession and its published version is equally puzzling and much more troublesome. As we have seen, a major weakness in the theory attributing the pistol shot to Marie was the real uncertainty that Marie was at 3 Minver Place when O’Connor arrived. In the published version of Manning’s confession, three critical points in the chronology of 9 August are purportedly fixed: (1) O’Connor is said to have arrived at 3 Minver Place at “ten minutes past five”; (2) at the time Marie persuaded him to go downstairs, O’Connor “had been in the house twenty minutes”; and (3) Marie left home “within ten minutes after the murder viz. 20 minutes to six.” Even on its own terms this chronology is flatly inconsistent with the testimony of the Armes sisters, for Marie could not have left Minver Place at 5:40 and arrived at O’Connor’s lodgings five minutes later, at 5:45, when the sisters claimed to have seen her at their door. But when the manuscript is consulted, matters become worse, for there Chaplain Rowe recorded Manning as having stated that the time of O’Connor’s arrival at Minver Place was “1/2 past 5.” If this later arrival time is correct, then Marie, in order to leave at 5:40, “ten minutes after the murder,” would have been required, in a single instant, to greet O’Connor at the door, inveigle him downstairs, and shoot him. Moreover, if Marie’s departure time is right, this supersonic activity would have been contradicted by the statement elsewhere in the confession that O’Connor had been in the house for twenty minutes before he went downstairs. If, on the other hand, O’Connor arrived at 5:30 and was in fact shot twenty minutes later, and Marie left home ten minutes after the murder, then the confession had erred on her time of departure, which could not have been earlier than 6:00, fifteen minutes after the Armes sisters had seen her at Patrick’s lodgings.

The change in O’Connor’s arrival time cannot be attributed to inaccurate shorthand reporting of Rowe’s interview, since all
the newspapers I have reviewed made the same change to ten minutes past five. It is unlikely that, even if we allow for the possible excitement of the moment, Reverend Rowe could have accidentally misread the manuscript to the press, for the words “1/2 past 5” are plainly written. The most plausible explanation is that Rowe made the editorial decision to move the arrival time twenty minutes back in order to harmonize it with the other statements in the confession that Marie left home at 5:40 and that a total of thirty minutes had elapsed between O’Connor’s arrival and her departure. In any event, the newspapers’ version, by placing O’Connor’s arrival earlier, lent greater credibility to Fred’s charge that Marie fired the gun.

It is only fitting that the altered version of Fred’s prison confession permanently established Marie’s reputation as the criminal mainly responsible for O’Connor’s death, since his earlier statements to the police had sealed her fate in the courtroom. His allegations against her began at the moment of his arrest, but as certain enigmatic features of the case are reflected upon, the possibility emerges that the charges made by Fred against Marie were not the spontaneous responses of a trapped fugitive or a hostile reaction to Marie’s having fled with the fruits of the crime. Instead, it appears that Fred had planned from the outset that, if the murder was discovered, the sole blame would fall on his wife. While the plot against Patrick O’Connor went forward, Fred was revolving in his unintelligent mind a second murder plot, a strategy to use Marie as a shield between himself and Mr. Calcraft.

A clue to Fred’s plot against Marie turned up on the day of the hanging, when newspapers reported that the missing crowbar had finally been found. It was stated that, through information supplied by Manning to Reverend Rowe, the implement had been discovered, carefully wrapped up in a brown paper parcel, at the railroad station at Lewes, a town in the south of England near Brighton. According to the Daily News, human hair and spots of blood were plainly discernible on the crowbar and there was “very little doubt, from the appearance, that it was the instrument by which O’Connor’s death was finally effected.” The Times was certain that Manning had left the
weapon in one of the railway carriages while on his way to escape to Jersey from Southampton.

Mr. Weatherhead, a clerk on the Brighton Railway, was reported to have brought the crowbar up to "the London authorities" on the day before the execution. Obviously, none of the "authorities" thought that the new evidence had any bearing on the appeal of Marie Manning for clemency. Yet the Times and other sources reported a most curious detail about the parcel in which the crowbar was wrapped: it bore the address "Mrs. Smith, passenger from Brighton to Lewes."

It does not seem possible that the crowbar found at Lewes station had been planted there by a third party as a prank, since there is documentary confirmation of the fact that the police were led to it as a result of Manning's revelations to Chaplain Rowe. The manuscript of Manning's confession (in a portion not included in the newspaper versions) states: "The Ripping Chisel I left at the Brighton Station at Brighton tied in Brown paper on the 10th August (Friday) together with an old Brown umbrella with the top of the handle off. These things were left as two parcels in the name of ______ of Lewes to be left till called for." This statement asserts that Manning disposed of the crowbar, not on his way to Jersey as the Times had supposed, but on the day after the murder. It will be noted that Rowe left blank the name in which the parcel was left. If the newspaper accounts are correct, the missing name was "Mrs. Smith." Why had Manning chosen that name? Although the murder had not been discovered on 10 August when Manning claimed to have deposited the crowbar and Mrs. Manning was not arrested as "Mrs. Smith" until after his flight to Jersey, the couple may have prearranged the use of the Smith name while they were still together at Minver Place. Therefore, assuming that the press report of the label is accurate, there is reason to believe that Manning had attempted, in the deposit of the "ripping chisel," to implicate Marie in its possession. When he wrote a woman's name on the parcel, he was still unaccused and hoped to heap the full blame for the murder on his wife. Perhaps the blank left in Rowe's manuscript of the confession reflects Manning's
reluctance to admit his cowardice in putting Marie's brand on
the blunt instrument.

Manning's use of the name "Mrs. Smith" on the wrapping of
the crowbar suggests that at least by the day after the murder he
had formed an intention to blame the murder on Marie. But if
one looks back from this vantage point at certain of the
evidence at the trial that is otherwise inexplicable, it seems likely
that the intention to betray Marie had crystallized at the very
beginning of Fred's murder plans. It must be granted that there
is a danger of overrationalizing Manning's thinking, for a man
who conceived that changing his address to 7 Weston Street in a
note endorsement was an effective disguise was not a clever
planner. But perhaps it was Manning's very stupidity that led
him to take the following steps to maximize Marie's apparent
participation in the murder:

1. He arranged that Marie, and not he, would receive the
delivery of lime.

2. He directed the delivery man, Danby, to carry the crowbar
to his home, where Marie met the man at the door, and
thereby enabled him to identify her from the witness
stand. Fred did this even though he had intercepted
Danby in the open street, ordered the tool to be wrapped,
and could have carried it home himself.

3. He caused Marie to send O'Connor an unnecessary flurry
of letters of invitation in order to build up documentary
evidence against her. Ballantine had actually suggested
this theory to the jury in his closing argument, but it
obviously made no great impression on them or on
courtroom observers. Yet, there is much to be said for it.
The letter of 8 August ultimately served no purpose other
than evidence, since it was posted so late that it never
arrived until the day after the dinner to which O'Connor
was invited. The letter of 9 August was also pointless.
Since O'Connor called at Minver Place late in the evening
of 8 August, the Mannings could have asked him then to
return for dinner the next evening. It was suggested in the
press that they had not done so for fear that Mr. Walsh, who accompanied him, would hear the invitation and would suspect the Mannings when O'Connor disappeared. But the fact is that, after O'Connor's murder, Marie Manning never denied the dinner invitation of 9 August and in fact claimed as an alibi that she went searching for O'Connor when he did not arrive at the appointed hour. Another possible explanation for the Mannings' failure to extend their final invitation orally might be that O'Connor appeared intoxicated or ill, but he was well enough to find his way home alone.

If Fred's confessions and his apparent plotting against Marie are put aside, as they should be, we are left with the central, unyielding mystery of the case: to what degree did Marie participate in the crime and what was the motivation of her conduct in relation to the crime and in her flight from her husband? It seems a fair speculation that at some point before the crime was committed Marie (1) became aware of the murder plan; (2) decided at the very least not to warn O'Connor; and (3) may also have resolved to steal his securities. The development of the murder plot against O'Connor shows signs of hesitation and uncertainty on the part of the Mannings, and it seems most likely that Fred conceived the idea and had some difficulty winning Marie's acquiescence, either because of her conflicting feelings about O'Connor or her doubts as to the ability of her incompetent husband to translate his ideas into effective action. Despite the contemporary rumors or guesses, we simply do not know why she fell out with O'Connor. Crook that he was, it is tempting to think that he had played fast and loose with her investments, but the Armes sisters had apparently never heard any quarrel as the lovers gazed at O'Connor's railway securities. The report that he was planning to desert her for another woman was romantic, but their liaison did not seem passionate; and O'Connor was not so old that Marie could have thought that his marriage would cheat her of an expectancy of inheritance in the near future. It may be that, seemingly trapped without exit in a degrading relation with two
unsavory men, Marie finally saw that in the enmity of Fred to Patrick there was a hope of escape from them both. She had fled from her husband before, and perhaps as soon as she acquiesced in his plan to murder O'Connor, she silently made up her mind to leave him for the last time. If that was so, then three plots may have moved forward simultaneously: the murder plot against Patrick, Fred's clumsy plot to place sole blame on Marie that hanged her but did not save him, and Marie's plot to cheat her husband of the proceeds of the crime and to flee to a new independence. Under no analysis of the case does Marie, the betrayer of an old friend and lover, appear as a sympathetic character except in the loneliness of her defense against the double forces arrayed by the prosecution and Serjeant Wilkins; and if Dickens may overdraw her villainy in Bleak House, it is easier to accept his exaggeration of her vice than John Forster's gallows romance.

But still her trial, because of the abuse of her husband's incriminating statements against her, was unfair, and her hanging was an anomaly under legal concepts prevailing at the time. In an article that appeared shortly after the execution, the Illustrated London News reported that it had been able to discover only one earlier English case in which a woman had been hanged for assisting her husband in a murder:

Probably the only instance on record in the English calendar of a man and his wife being executed together for murder, is that of Michael Van Berghen, a foreigner, and Katherine his wife, who were both hanged, with their servant, in East Smithfield, in 1700, for an affair of a similar character to that of the Mannings, and committed not far from the same locality. Van Berghen and his wife kept a public-house on the Thames side, opposite Rotherhithe; their victim was a gentleman named Oliver Norris, who was entrapped into their house, and there robbed and murdered by them. . . . the horrid affair . . . created great sensa-

In both the Greenacre and Good cases, two of the recent murder sensations of Homicide Fair, mistresses of the murderer had been treated more leniently than Marie Manning. It will be recalled that Sarah Gale, Greenacre's
mistress, was charged only as an accessory after the fact and transported for life, though she had apparently cleaned the murder house to conceal the crime, had shared the spoils, and had made statements to friends indicating that she encouraged Greenacre to commit the murder. And in the case of Molly “Good,” even the charges against her for assisting her lover’s flight were eventually dropped. But the Crown faced a dilemma in the case of Marie Manning. She was clearly guilty of concealing the murder and forwarding its purpose by stealing O’Connor’s property, but, since she was the murderer’s wife, the common law did not permit her prosecution as an accessory after the fact. She could obviously have been charged with theft, but the Crown, its hand greatly strengthened by Manning’s statements, decided on the unusual step of charging her with actual participation in her husband’s crime.

In discussing the denial of Marie’s application for a trial by a mixed jury, the Observer had been alone in noting the paradox that had Marie lived with Fred Manning as his mistress she would have benefited by the right to a separate trial that was denied her as a wife. An even more dramatic paradox arose from the distinction the common law made between mistress and wife in the matter of criminal responsibility. If Marie had never exchanged her fatal wedding vows with Fred at St. James’s Church in Piccadilly, she would very likely have been prosecuted, like Sarah Gale, as an accessory after the fact and would then have escaped the gallows.

For the Observer was right. In a murder case in 1849, it was better to be an English mistress than an English wife.