

The
**Confessed
Crime**

LEO TOLSTOI

“VINTAGE SHORT MYSTERY CLASSICS”

Period Short Stories of Mystery, Crime & Intrigue

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We generally do not regard Leo Tolstoi (1828-1910) as a writer of crime or mystery fiction. His often was a gentle pen recounting parables of peasant folk. A veteran of the Crimean War, Tolstoi also wrote of soldiers and sinners at different levels of society. He is best known, of course, for his great novels War and Peace and Anna Karenina, as well as shorter works including The Cossacks and The Death of Ivan Ilyitch.

Much of Tolstoi’s writing bears the stamp of strong Christian influences. Tolstoi came to embrace particularly the principles of brotherly love, patient acceptance in the face of evil and, as exemplified in “The Confessed Crime,” forgiveness.

The Confessed Crime

In the town of Vladimir there lived a young merchant named Aksenoff, who possessed two shops and a house.

In person Aksenoff was ruddy, curly-haired, and altogether handsome. Moreover, he was a singer and wit of the first order. From his youth upward he had been given to drinking habits, and, when drunk, to brawling; yet, as soon as ever he married, he foreswore liquor, and only occasionally broke out in that direction.

One summer he was taking leave of his family before setting out for the fair at Nizhny, when his wife said to him:

“Ivan Dmitrievitch, do not go today. I had such an evil dram about you last night.”

But Aksenoff laughed and said:

“Are you afraid, then, that I am going to make too merry at the fair?”

“Nay,” she replied, “I hardly know *what* it is I am afraid of. Only, I saw such a dreadful thing in my dream! You were coming home from the town, and as you lifted your cap I could see that your hair had turned grey!”

Aksenoff laughed again.

“So much the better,” he said. “See now if I don’t drive some prudent bargains there, and bring you home some valuable presents.”

And he kissed his family and departed. Half-way on the road he fell in with another merchant of his acquaintance, and they stopped to spend the night together at an inn. They drank tea, and then went to bed in adjoining

rooms. Aksenoff, who was anything but a stay-abed, awoke in the middle of the night, and, since traveling was pleasanter while it was cool, aroused the ostler, and told him to put his horse in. Then he went into the office, settled up with the landlord, and departed.

After going about forty versts he stopped to bait his horse, and, having refreshed himself with a sleep in the lodge of the inn-yard, went indoors to dine on the verandah. He ordered a samovar of tea, laid hands upon a guitar, and proceeded to play it. Suddenly a troika hung with bells drove into the courtyard, and from the body of it alighted a tchinovnik and two soldiers. The man walked up to Aksenoff and asked him who he was and where he had come from, to which queries Aksenoff duly replied, and then inquired, in his turn, if the tchinovnik would care to join him in a samovar of tea. The official's only answer was to ply him with further questions—where he had slept last night, was he alone or with a merchant, had he seen the merchant in the morning before he left, why he had started so early, and so on. Aksenoff was a good deal surprised at being examined in this way, but told the official all he knew, and then said:

“Why do you want these particulars? I am neither a thief nor a highwayman, but a merchant travelling on business of my own, and have given no cause for being questioned like this.”

The tchinovnik merely called the soldiers to him and said:

“I am an ispravnik, and the reason I am questioning you is that the merchant in whose company you were last night has had his throat cut. Show me all your things; and do you” (here he turned to the soldiers) “search him.”

So Aksenoff was conducted indoors, and his trunk and hand-bag taken from him, opened and searched. Suddenly the ispravnik lifted a knife from the bag and cried:

“What is this knife of yours?”

Aksenoff stared, and saw that a blood-stained knife had been produced from his baggage. He was simply thunder-struck.

“And how comes there to be blood on the knife?” pursued the ispravnik.

Aksenoff tried to answer, but the words stuck in his throat.

“I—I do not know. I—I—that knife—does—does not belong to me at all,” he stammered at length; to which the ispravnik retorted:

“This morning the merchant was found murdered in his bed, and no one but you could have done it, for the door of the sleeping-hut was locked on the inside, and there was no one in it, besides him, but yourself. Now we find this blood-stained knife in your bag, and, in addition, your face betrays you. Tell me how you murdered this man and how much money you stole from him.”

Aksenoff vowed to God that he had not committed the deed, that, as a matter of fact, he had seen nothing of the merchant after taking tea with him, that he had nothing upon his person beyond 800 roubles of his own, and that the knife was not his. Yet his voice kept breaking, his face was deadly pale, and he shook with fear like a guilty man.

Despite his tears and protestations, the ispravnik ordered the soldiers to handcuff him and conduct him outside to the vehicle. All his baggage and money were taken from him, and he was dispatched to gaol in the

neighbouring town. Inquiries were made in Vladimir as to his character, and the inhabitants and merchants of the place unanimously testified that, although he had been a free drinker and roisterer from his boyhood up, he was nevertheless a most respectable man. Then the trial came on, and in the end he was convicted both of the murder and of stealing 20,000 roubles.

His wife was distracted about her husband, and hardly knew what to think about the affair. Nevertheless, although her children were all of them young—one, indeed, being still at the breast—she set off with them to the town where her husband was confined. At first she could not obtain permission to see him, but after petitioning the superior authorities, she was at length admitted to the prison. As soon as she caught sight of him dressed in prison clothes, fettered, and surrounded by criminals, she fell to the floor in a faint, and it was a long time before she recovered. Then she gathered her children about her, sat down with them by her husband's side, and began to tell him of domestic matters and to ask him about all that had happened to him. When he had told her she said:

“And what ought we to do now?”

“We must petition the Tsar,” he replied. “They cannot let an innocent man suffer.”

Then she broke it to him that she had already done so, and that the petition had been rejected. He said nothing, but sat looking at the floor. She went on:

“So, you see, it was not for nothing that I saw in my dream that your hair had turned grey. It is growing a little so already with your troubles. Ah, if only you had not gone that day!”

Then she began to stroke his hair as she added:

“My own darling Ivan, tell me, your wife, the truth. You did this deed, did you not?”

“That *you* should ever have thought it of me!” was all that Aksenoff could say as he covered his face with his hands and burst into tears. At that moment a soldier entered and said that it was time for the wife and her children to leave. So, for the last time, Aksenoff parted with his family.

When she had gone Aksenoff began to think over their conversation; and when he remembered that even his wife had thought him guilty and had actually asked him whether he had not murdered the merchant he said to himself:

“It is clear that God alone knows the truth. To Him only must I pray, and from Him only expect mercy.”

And from that moment Aksenoff abandoned all hope or thought of further petitions, and prayed only to God.

He had been sentenced to the knout and penal servitude, and the sentence was duly carried out. First he was flogged, and then, when the wounds from the knout had healed, he was dispatched with other convicts to Siberia.

In Siberia he lived in penal servitude for twenty-six years. The hair of his head turned as white as snow, and his beard grew long, straight, and grizzled. All his old cheerfulness left him, and he became bent, taciturn, and grave—yet constant always in his prayers to God.

In prison he learnt to make boots, and with the money thus earned he bought a Testament, and read it whenever there was sufficient light in the prison; while on feast days he went to the prison church, read the Gospel there, and sang in the choir, for his voice was still good. The authorities liked him for his quiet demeanour, while

his prison comrades respected him so much that they called him "Diediushka" and "the man of God." Whenever petitions were being drawn up in the prison his comrades always sent Aksenoff with them to the authorities, and whenever quarrels were afoot among the convicts they always appealed to him to settle them.

No one ever wrote to Aksenoff from home, so that he had no means of knowing whether his wife and children were alive or dead.

One day a batch of new convicts arrived at the prison, and in the evening the old prisoners gathered around the latest arrivals to ask them who they were, what town or village they had come from, and for what offences. Aksenoff likewise came and sat down upon a pallet near the newcomers, and listened, with his eyes upon the floor, to what one or another of the prisoners might be saying. One convict in particular—a tall, vigorous old man of sixty, with a grey, close-cropped beard—was relating the story of the offence for which he was arrested.

"So, my friends," he said, "you see that I have been sent here for nothing. All that I did was to take a post-boy's horse out of a sledge in an inn-yard. They arrested me, saying that I had stolen it. Of course I told them that my only object in taking the horse was to arrive the quicker at my journey's end, after which I should have returned it; yet they said, 'No, you have stolen it'—and that, too, without so much as knowing at the time where or how I had 'stolen' it! Well, I was tried, and, if only they could have got the necessary evidence, should have been here long ago. But they couldn't, so they packed me off contrary to the law. Ah, well," he added, "I have been in Siberia before—and didn't make a long stay there either."

“Where do you come from?” asked one of the other prisoners.

“From Vladimir, where I was a register burgher. My name is Makar, and my surname Semenovitch.”

Aksenoff raised his head at this, and asked him:

“Did you ever hear, in Vladimir, of some merchants called Aksenoff? Are they still alive?”

“How could I *not* hear of them? They are well-to-do people, although, unfortunately, their father is in Siberia. He is in the same plight as ourselves, in fact. But you—what was *your* crime?”

Aksenoff was not fond of talking about his own troubles, so he only sighed and said:

“I, for my sins, have now lived in penal servitude for twenty-six years.”

“But for *what* sins?” pursued Makar.

“For sins that earned me *this*,” replied Aksenoff, and would say no more. His comrades, however, went on to tell Makar the story of a merchant being murdered while travelling, of the knife being planted upon Aksenoff, and of the latter’s wrongful conviction for the deed.

When Makar heard this he stared at Aksenoff, clapped his hands to his knees, and exclaimed:

“Wonderful! Wonderful! But it has aged you, little father, a good deal.”

Yet, when asked what had surprised him so, and whether he had ever seen Aksenoff before, he would not answer but merely said:

“It is marvellous, my friends, what meetings take place in this world.”

Immediately the idea occurred to Aksenoff that possibly this man might know who had been the actual murderer. So he said:

“Did you ever hear of this affair before, Semenovitch, or see me before?”

“Did I ever hear of it before indeed? Why, the world rang with it at the time. Still, it all happened a long while ago, and if I heard much of it then, I have forgotten much of it now.”

“But did you ever chance to hear who really murdered the merchant?” pursued Aksenoff.

Makar smiled as he said:

“The man who murdered him must have been the man in whose bag the knife was found. If someone had planted the knife on you, you would not have been arrested (as you were) for the robbery as well. Besides, to plant the knife on you, the murderer would have had to stand by your very bedside, would he not?—in which case you would have heard him.”

As soon as Makar said this, Aksenoff began to suspect that Makar himself had been the actual murderer. He got up and moved away. All that night he could not sleep. Restlessness had him in its grip, and he began making mental pictures of the past. First there presented herself to his vision his wife, looking just as she had done when she saw him off for the last time to the fair. He could see her before him as though actually alive—could see her eyes and face, could hear her laughing and talking to him. Then he saw his children as they had been in those days—little things, one of them in a tiny fur jacket, and the youngest one sucking at its mother’s breast. Next he pictured himself as he was then—young and high-spir-

ited. He remembered sitting on the verandah and playing the guitar in the inn where he had been arrested. How light-hearted he was then! Next he went on to recall the place of execution where he had been flogged, the executioner, the crowd gathered around, the fetters, the other convicts, all his twenty-six years' life in prison, his old age. And such a spasm of despair shook him that he almost laid hands upon himself.

"And all because of that villain yonder," he thought to himself. Indeed, at that moment, his rage against Makar Semenovitch could almost have driven him to fall upon the man and avenge himself forever. The whole night long he recited his prayers, yet that could not calm him. Next day he never went near Makar nor looked at him.

Two more weeks passed. Aksenoff could not sleep at nights, and such restlessness would come upon him that he hardly knew what to do with himself. One night he was roaming about the prison when he saw some earth being thrown out from under one of the pallets. He stopped to look. Suddenly Makar Semenovitch leapt from beneath the bed and glared at him with a terrified air. Aksenoff was about to pass on, to avoid looking at him, when Makar seized him by the arm, and told him that he was digging a passage under the walls. The earth, he said, he conveyed outside each day in his boot-tops, and got rid of it on the roadway as they were being marched to work.

"Say nothing about this," he went on, "and I will take you with me; but if, on the other hand, you inform—well, I will never let you go until I have killed you."

As Aksenoff looked upon the man who had wronged him so terribly his whole form trembled with rage. He withdrew his arm from the other's grasp and said:

"I have nothing to gain by escaping, nor could you kill me again. You did that long ago. As to whether or no I inform against you, that will be as God may put it into my heart."

Next day, when the prisoners were being marched to work, some soldiers noticed that Makar Semenovitch was strewing earth upon the ground. This led to the prison being searched and the hole discovered. The Governor arrived, and began to question every man in turn, in the hope of finding out who had made the hole. All of them denied it. Those who knew the truth would not betray Makar, since they knew that for such an offence as that he would be nearly flogged to death. Then the Governor turned to Aksenoff. He knew that Aksenoff was a truthful man, and therefore said:

"Old man, you are one of those who speak the truth. Tell me now, before God, who did this thing."

Makar was standing by, looking as if he had nothing to do with it; yet he kept his eyes fixed upon the Governor, and never glanced at Aksenoff. Aksenoff's hands and lips were trembling, and it was some time before he could get a word out. All the while he was thinking to himself:

"If I shield him, I shall be pardoning the man who ruined me. Why should I do that? Let him pay at last for all my suffering. Yet, if I denounce him, it means that he will be flogged. What, too, if my suspicions of him should be wrong? And, in any case, should I feel any the easier after it?"

The Governor spoke again. "Tell me the truth, old man," he said. "Who dug this hole?"

Aksenoff looked for a moment at Makar and answered: "I cannot tell you, your Excellency. God does not bid me do so, so I will not. Do with me as you please. I am in your power."

And, in spite of all the Governor's threats, Aksenoff would say nothing more; so that they never discovered who had dug the hole.

The same night, as Aksenoff was lying on his pallet, half-asleep and half-awake, he heard someone approach him and sit down at the foot of the bed. He peered through the darkness and recognized Makar.

"What more do you want with me?" he said. "Why are you there at all?"

Makar returned no answer, so Aksenoff raised himself a little and repeated:

"What do you want? Away with you, or I will call the soldiers!"

Then Makar leant over towards him and said in a whisper:

"Ivan Dmitrievitch, pardon me!"

"Pardon you for what?" asked Aksenoff.

"Because it was I who murdered the merchant and then planted the knife on you. I meant to murder you too, but a noise arose in the courtyard, and I thrust the knife into your bag and escaped out of the window again."

Aksenoff said nothing, for, indeed, he knew not what to say. Presently Makar slipped from the pallet, crouched on the floor, and went on:

"Ivan Dmitrievitch, pardon me, pardon me, for the love of God! I am going to confess to the murder of the

merchant, and then they will pardon you and let you go home."

But Aksenoff answered:

"It were easy enough for you to speak, yet what could I suffer more? Moreover, where could I go? My wife is dead, and my children will have forgotten me. I should have nowhere for the sole of my foot to rest."

Still crouching upon the floor, Makar beat his head against it as he repeated:

"Ivan Dmitrievitch, pardon me, pardon me! Even if I had been knouted, the blows would not have hurt me as does the sight of you now. To think that you could still have compassion upon me—and would not say—! Pardon me, for Christ's sake, abandoned villain though I am!—" and he burst into tears.

When Aksenoff heard Makar weeping he too wept and said:

"May God pardon you! It may be that I am a hundred times worse than you."

And on the instant his heart grew lighter. He ceased to yearn for home, and felt as if he never wished to leave the prison. All that he thought of henceforth was his latter end.

Nevertheless, in spite of what Aksenoff had said, Makar confessed to the murder. Yet, when the official order came for Aksenoff to return home, he had passed to the last home of all.

—*LEO TOLSTOI*

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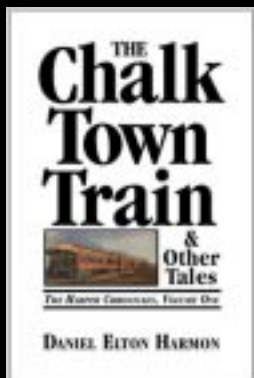
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