

# **The Wine of Violence <sup>1</sup>**

by

**Neil S. Boardman**

**Reviewed by  
Robert M. Smith**

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**Reading a novel written in 1964 sometimes requires a Twenty First Century reader to ignore or suppress current knowledge and sensibilities. In *The Wine of Violence*, Neil S. Boardman delivers a murder mystery set in a fictional small town in Minnesota. Modern crime solving techniques, including information technology, DNA evidence, cell phones and the like are absent. Similarly, what is accepted or appropriate behavior as between men and women in the novel seem dated.**

**Nonetheless, the author takes an actual case from Austria in the 1880's and produces a story that still captures Minnesota values and parochial customs, especially small-town Minnesota. The author was born in Stillwater, so his local knowledge is genuine.<sup>2</sup>**

**The book is divided into three parts, each captioned a "confession." There are no chapters, and few natural**

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<sup>1</sup> Simon and Schuster, 319 pages (1964).

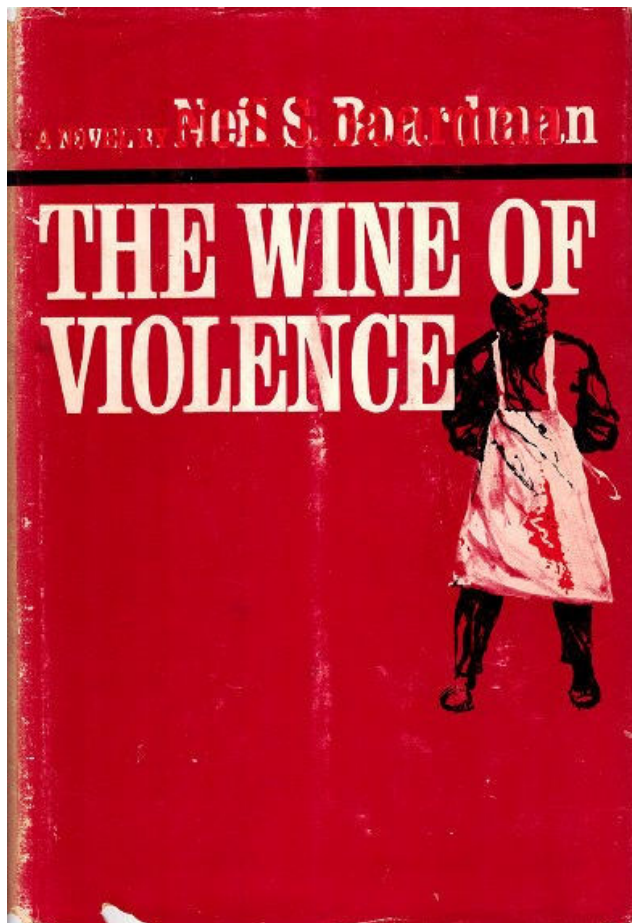
<sup>2</sup> By profession Neil S. Boardman was a librarian who worked in the St. Paul Public Library from 1934 to 1948, and in various positions at the Library of the University of Indiana in Bloomington from 1948 to his retirement in 1973. He died on November 21, 1974, at age 67.

He also wrote many short stories and an earlier novel, *The Long Home*, published by Harper & Brothers in 1948.

In a "Note" at the end of *The Wine of Violence*, he writes that "an excellent resume" of the actual case on which the novel is based appears in Theodore Reik's *The Unknown Murderer*, published by Prentice-Hall, Inc., in 1945.

breaks in the story line. So, it can be enjoyed more if the reader is willing to devote more time to each reading session, rather than a few pages at a time.

The story begins with "A Foreword By The Doctor" which provides background information, or at least local thinking, about many of the main characters in the novel. The tale unfolds very methodically, with great character development and often wry humor. Each of the residents of the town where the action occurs knows, or thinks he/she knows, everyone else's business. This leads the town to make assumptions as to what happened, rather than actual fact.



The doctor describes an unpopular local butcher, Howard Breckwine, as big, sullen, mean-tempered and often drunk. His unpopularity was due to his English descent, since the town was made up mostly of Scandinavians, Germans, Finns and Poles that "managed to congeal themselves into a kind of rude homogeneity." Breckwine was financially successful, the best and most skillful butcher within 50 miles and was, therefore, silently and passively resented for his independence. Breckwine had the unusual quality of being sickened by the smell of blood, which actually led

to his drinking. He got drunk so that he could tolerate the act of butchering an animal. His beverage of choice was sweet wine. Ultimately, he decided to give up butchering.

**The doctor also describes Breckwine's former wife, who had a son from a previous marriage, and Breckwine's girlfriend, Helen Miscola. Breckwine's former wife was considered a "martyr", while Ms. Miscola was considered a tramp, of loose morals and had a child with Breckwine after his divorce. Breckwine did not have a criminal history, but while he was considered to be violent, the town's residents credited him with keeping his physical brutality toward his stepson, former wife and his girlfriend "within the family".**

**Yet, despite his reputation and his history, Breckwine was able to marry a second time, to Ruth Combs, a local woman, who had just been released from the State Hospital. The doctor writing the Foreword authorized her release from the hospital and gave whatever consent was necessary to allow her to marry. The residents thought she was not "all there" mentally and crazy to marry Breckwine, but the doctor thought she was like a saint, immune from malice and not at all mentally ill. She was considered simple, but lovely and had a quality about her that made men fall in love with her.**

**In their first meeting, Ruth was in the hospital, Breckwine was there on business, but drunk, and Ruth asked him why he needed to drink. He replied, "If I quit the bottle will you marry me?"**

**She said she might, so long as he really quit. He did quit, and upon her release from the hospital he again asked her to marry him.**

**Then the doctor describes their marriage. It took place in the largest church in town, and was well attended by the local townsfolk, although most of them were uninvited. They anticipated something unexpected to happen. It did. During the service, the minister gave a moralizing sermon directed only at Ruth, basically calling her a sinner. The sermon had a devastating effect on Ruth,**

and Breckwine reacted by telling the minister to “go to hell”, calling him the devil and even questioned the legitimacy of the marriage. Breckwine was assured of the marriage’s legitimacy by a local lawyer, Larry Goard. On getting such advice, Breckwine took a quarter from his pocket, flipped it to Goard, and said “Thanks for the advice; there’s your fee.” Needless to say, this was the biggest scandal in town for 2 years.

Two years later, Helen Miscola is found in a local barn, recently rented by Breckwine, pregnant and with her head crushed by a meat cleaver. She went to Breckwine’s house the night before the murder and demanded money from him. Everyone in town suspected that Breckwine was guilty. In fact, no one in town could imagine that anyone else could be guilty.

The local constable and the sheriff investigated. They learn that the deceased visited Breckwine on the night of the murder and that Breckwine went to the local tavern and purchased a gallon of wine. Breckwine himself blamed his stepson as the culprit, but the investigators and towns-folk dismissed the suggestion as nonsense.

While the criminal inquiry goes on, various people in town are also being questioned by a Minneapolis insurance investigator, who is looking into a suspicious fire that took place at Breckwine’s barn four years earlier. Breckwine had submitted and collected upon a fire insurance claim. No arson charges were ever brought. The investigator learns all about Breckwine and his dealings with the town’s folk, and everyone seems to know that the investigator is looking into the rumors surrounding Breckwine.

The evidence presented at the inquest was entirely circumstantial or implied. There was no eye witness to the crime, and the murder weapon was not produced. The accusation by Breckwine against his stepson was considered to be the most damaging piece of evidence against

him, since the claim was deemed bizarre and, therefore, must be an outrageous lie to cover up his own misdeeds.

It seems the only person in town who liked him, and believed in his innocence, was his wife, who knew that her husband got drunk the night of the incident despite having "cured" him of his alcoholism, yet had faith he was wrongly accused.

The inquest took place in the chapel of a mortuary, conducted by the county attorney in front of six local citizens. Breckwine was represented by Larry Goard. At the inquest, it was proved that Ms. Miscola was dead, that she had been murdered, and that she was pregnant at the time of death. A neighbor testified that she went to Breckwine's house the next day, thought that Breckwine looked hung over, and was worried that Breckwine might murder his wife too. The neighbor's testimony was considered impressive and powerful because she was well thought of in the community and thought to be as close to a friend as the Breckwines had in town. The sheriff provided the jury with details of his investigation, including the "absurd" accusation against the stepson. The rumor of this accusation had already spread throughout the town, but the sheriff's statement of it was met with derision and laughter by the attendees at the inquest. The only question asked of the stepson was whether he had any information to provide as to Ms. Miscola's death, and he replied, "no."

Breckwine himself testified, admitting that Ms. Miscola came to his house uninvited, that he gave her some money, that she told him she was pregnant and was going to tell everyone that he was the father, but such a claim was a lie. He said she referred to his stepson as her "darling" and was going to see him. He denied harming her, but admitted buying some wine that night and having a few drinks before falling asleep. If his lawyer provided any assistance, it was nowhere apparent in the text.

**At the inquest there were also two surprise witnesses from the public gallery that offered testimony to make sure the record was correct and complete. One was Breckwine's mother-in-law, who lived next to them. She volunteered that she saw Ms. Miscola leaving Breckwine's house on the night in question, and she heard her son-in-law say, "Someday I'm gonna kill that divilish woman." The other witness was Breckwine's longtime employee at his butcher shop, who testified that an extra meat cleaver kept at the store was missing from the shop. The result was inevitable. The inquest jury decided that Breckwine murdered Helen Miscola, and he was arrested and taken to jail.**

**A court trial – not a jury trial - follows. Rarely would an actual criminal defendant waive a jury trial. Yet, the judge had a hobby of studying famous murder cases, so all sides believed that he would be fair. Breckwine continued to use Goard as his lawyer, even though he knew that Goard was not a criminal law specialist. The judge was clearly biased in that he had written a paper asserting that most murders were committed by "the most likely person using the handiest weapon" and the judge had adhered to this idea throughout his career.**

**The town's people believed that a verdict of guilty was inevitable, and the courtroom was packed each day with spectators. The basic facts, which presented a circumstantial case, were adduced at trial. The coroner, who called himself a doctor, but was not an M.D., testified as to the time of death, but without the benefit of an autopsy. No pathologist examined the deceased's body. The coroner claimed such measures were "not necessary".**

**Goard actually did a good job cross examining the various witnesses called by the prosecution, but had no character witnesses to testify on Breckwine's behalf. Instead, he called a couple of witnesses that had been subpoenaed by the prosecution to show that they also had**

**the opportunity to have committed the crime. Then Goard called Breckwine's stepson to try to trace his movements during the time in question to show that he, too, had the opportunity to have committed the murder. However, the judge stopped Goard from pursuing this theory, stating the boy was not on trial, and ordered a halt to this line of questioning.**

**Finally, Breckwine himself was called to testify on his own behalf. He denied killing the deceased and asserted his innocence. His explanations and testimony were thoughtful and sincere. But on cross examination, Breckwine admitted that he had struck Ms. Miscola once or twice in the past. He continued, "but she deserved it".**

**"Did she deserve to be killed too?"**

**"Yes she did! She deserved to be killed!"**

**Later, asked why he chose that night to drink enough alcohol to pass out, Breckwine stated,**

**"If I told you what it was you wouldn't believe me anyhow. I couldn't prove it; I've found that out. I can't prove anything. I don't know anything. I have a headache; I feel sick; I would like not to answer any more questions. You can do anything you want with me; I won't defend myself. Whatever you say to me from now on, I'll answer yes."**

**After that, both sides rested.**

**The proceedings follow an almost inevitable path, and the accused seems to accept the realities of his predicament. He understood the place where he lived and showed no resentment toward anyone.**

**In the final section of the book, the mystery is solved, and the cold truth revealed. Breckwine's wife, Ruth, in her**

**dealings with the insurance investigator and the locals, is instrumental in uncovering the truth.**

**Throughout the book, Ruth often read Bible verses to her mother, and the author takes one verse from Proverbs for the title of the book. That verse instructs them to avoid evil men,**

**“For they eat the bread of wickedness, and drink the wine of violence.  
But the path of the just is as the shining light...”**

**As it turns out, the investigation, trial and its after-effects cause the whole town to shine a light on the realities of its own conceits, suppositions and accepted wisdoms. The novel demonstrates how injustice can easily result from ignorance, narrow-mindedness and prejudice in a small town.**

**Although the general outlines of the plot are described in this review, rest assured that there are many more fine details and developments to be enjoyed by the reader. *The Wine of Violence* is absorbing, well written and recommended to anyone interested in the legal fiction genre.**

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**Robert M. Smith, a graduate of the University of Minnesota College of Liberal Arts (1974) and University of Minnesota Law School (1977), practiced law as a solo practitioner from 1977 to 2017. He died on February 25, 2019, at age 67.**

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**Posted MLHP: June 21, 2018.**