

he had lost ten minutes for nothing, and that Mr. O'Sullivan would very likely remember the interruption.

The question was repeated. Ellie replied :

"In the library, in the drawing-room, and in the great dining-room." There was a smaller dining-room used occasionally, when the family were few in number, or for special purposes.

"What members of the family were at home on the night of the 14th of December?"

Mr. Forensic objected, and quoted the case of *Stubbs v. Snubbs*—another ten minutes was lost. It made no matter to any one but the prisoner at the bar, who seemed to be the last person on whom any consideration was bestowed; and yet how precious every moment was to him. What if the case should not close that day, and if he should spend another night of mental agony and suspense?

The learned Judge ruled for the defence. Mr. Forensic requested he would make a note of it. He did so, and it reposes at present in his private memoranda.

The question was repeated, and Ellie replied :

"My Lord and Lady Elmsdale were at home, and the two young gentlemen arrived late in the evening, and Mr. Elmsdale——"

Her color visibly deepened as she said the last words, her tone was embarrassed, and the jury noticed it.

"I am informed that there was an attempt made at house-breaking on that night by the prisoner!"

Every one looked the amazement they felt. The line of defence opened by Mr. O'Sullivan for his clients was generally original, but it was something entirely new in the annals of jurisprudence to charge a man with house-breaking who was indicted for murder. No answer from Ellie. Mr. O'Sullivan did not expect one.

"At what hour did you go to make up the fire in the great dining-room?"

"It was after twelve, sir."

"Can you tell the hour exactly?"

"It was just two o'clock, sir."

"Can you swear to it?"

"Yes, sir. I heard the town clock, when Mr.——"

"When Mr. Elmsdale came into the room?"

"Yes."

"Now, remember you are on your oath, and your evidence is of the most serious importance to the ends of justice. For what purpose did Mr. Elmsdale come into the room?"

"I—Oh, sir! I can't tell."

"Did he come to look for you?"

"Yes."

"Did he ask you to marry him?"

"Yes, sir."

"Had he ever done so before?"

"Not exactly."

"Thank you, we understand. On your oath, did he ask you, in plain words, to marry him, on the night of December 14th, 18——?"

"He did, sir."

"Did he use any violence to you?"

"He took out his revolver."

The whole court was hushed, and the lowest words could be distinctly heard in any part of the building.

"Did he threaten to shoot you?"

"Yes, sir."

Ellie firmly believed that such was his intention.

"And how were you saved?"

"Ned broke in at the window, sir."

Mr. Justice Cantankerous interrupted gruffly: "Ned who?"

"Ned Rusheen, my Lord."

Even the Judge, who was more cantankerous in name and in manner than in heart and nature, was attracted by the girl's extreme modesty and gentleness. Ned's heart was beating very fast, the next question brought it down very low. It was asked by the Judge.

"The prisoner is a friend of yours, I suppose?"

"No, my Lord—I mean——" but she was not asked what she meant. Mr. O'Sullivan continued:

"I believe there are no window-shutters at Elmsdale Castle?"

"No, sir."

"Then, as I understand, a person standing outside could see into the room at night, when there was a light?"

"Yes."

"Were there curtains?"

"Yes, very heavy curtains." (Ellie knew it to her cost, and said it rather plaintively: she had had to take them down several times.)