

has vanished from the hill-side bushes, the alders of the swamp and the lanes of the forest, but I still remember those old hunting days, and if I chose to recall any portions of my life, my shooting excursions are those which I would like to go over.

"Several years passed thus with nothing to disturb the harmony of our relations. Meantime settlers kept pouring in and the purely American element gathered strength by reinforcements from Kentucky and Virginia. Even at this early period your grandfather predicted that St. Louis would become the great city of America, and I was disposed to agree with him.

"One day as I was riding past your grandfather's gate, on my return home from the city, I heard a voice calling on me to stop.

"Hitch up, Paladine," said your grandfather, who had come forward to meet me. "You are just the person I want to see."

"I dismounted and we both walked into the house.

"What news in the city?"

"None in particular. I went in on business."

"You heard nothing of the contest then?"

"No. What contest, Florival?"

"My friend then went on to explain that there was to be an election for some municipal office or other—a very inferior office, as I now remember—and that the choice lay between a small grocer named Chamart and a certain Evans who was conveyancer and real estate agent. In ordinary circumstances the election would have attracted no attention, but somehow or other it was made the pretext for a war of nationalities.

"In a mixed community like ours it was natural enough that distinctions of birth should be kept up. There had all along been a Creole party and an American party, as well in public affairs as in social life. On more occasions than one this rivalry had broken out with some violence, but the intelligent men of both sides understood that it was their mutual interest to smother it as much as possible, and until then there had been no general outbreak.

"At this election, however, the parties came in presence again and seemed determined to measure their strength. Excitement ran high, and, for the first time, the quiet little western city was destined to be the theatre of an election row. I had absolutely heard nothing of all this till I was informed of it by my friend Florival. But I was by no means surprised. I had long expected such a result. I foresaw that a pitched battle was inevitable at some time or other.

"We must back Chamart," said your grandfather.

"I laughed and answered that I doubted whether the game was worth the candle.

"But a principle is at stake," said Florival.

"Chamart is a low fellow," I replied.

"Evans is the sworn enemy of the Creoles."

"But he is a fine man. I have had many dealings with him, and I always found him very genteel."

"I observed that my friend was getting excited. He appeared annoyed at my contradicting him. I therefore begged of him to go over the whole ground coolly with me, by which I hoped that we should soon understand each other. A few moments of serious conference proved to me that we were likely to be more separated in opinion than I ever imagined we could be.

"I must remark here that politics had already crossed the Alleghanies, and invaded even the remote city of Laclede.

"The echoes of the war that was raging on the Atlantic seaboard between Jefferson and Adams were caught up on the banks of the Mississippi and sent inland into the far back woods. The American settlers in Missouri were all Democrats or Republicans, as they were called in those days. The Creoles, on the other hand, were Federalists or Whigs. The reason they assigned for this preference was that they believed the Republicans were hostile to the French and Spanish descendants, and that the vaunted conservatism of the Whigs meant justice and equal rights to men of every race. I could never account for this hallucination, which exists even to the present day. I have known Creoles to vote for Clay against Polk simply because they believed that the latter wanted to drive all 'foreigners' out of the country."

"I wonder what the Creoles, who lived only a few years after M. Paladine spoke these words, thought of their theory when they saw their favourite Whig party inaugurate Native Americanism and Know-Nothingism!"

"As for me," continued M. Paladine, "I was an out-and-out Jeffersonian. The purchase of Louisiana appeared to me to give Jefferson a personal claim on my gratitude. That was my first attraction to him. But I had others. I admired his principles. Indeed, Thomas Jefferson was the oracle of my youth as he is still the idol of my old age. I regard him as the first American statesman. I set him not after, but alongside George Washington. The latter won our independence; the former gained our freedom. The distinction is worth remembering. Jefferson delivered our infant institutions from a peril as great as that which threatened our infant army after the battle of Brandywine. He saved us from the hybrid monarchy of Hamilton, the oligarchic exclusiveness of Adams and the feudalism of Fisher Ames. He was the true father of the people. He pointed out their rights, fought for them and finally secured them. The election of Jefferson to the Presidency was the definite establishment of popular govern-

ment. Before that, under the two administrations of Washington and the administration of John Adams, it was vacillation, compromise, uncertainty, and, without the intervention of Jefferson, all might have crumbled into anarchy.

"The Declaration of Independence is the most wonderful document ever penned by man. Not for what it says, but for what it suggests; not for its mere theory, but for the practical benefactions which have flowed from it. The illuminated sheepskin of Runnymede was only a partial concession, as the event has proved; The Rights of Man have been only half recognized; The Declaration of Independence has 'changed the face of the earth'—at least on one continent.

"Its preamble subverts all our preconceived notions of moral philosophy. In a few lines it destroys whole chapters of Grotius and Wolff. You cannot argue against it, for it is not syllogistic. It is even despotic in its positiveness. It allows of no contradiction. It looks elementary, but if you begin to analyze it you are startled at the mazes into which it draws you. It deals boldly in first principles. It is oracular. And yet the popular conscience has taken it up, understood it and practised it. There remains only one fulfillment—the extinction of slavery in our country—and then truly may the parchment be hung up with rites in the Holy of Holies."

I was so transported by the enthusiasm of M. Paladine, that I offered the remnants of my glass to the memory of Thomas Jefferson.

My old friend was delighted.

## X.

## THE JURY DISAGREES.

"Entertaining such views, I found myself naturally at variance with the majority of my fellow-Creoles," said M. Paladine, after a considerable pause. "I need not say that Florival was a Federalist; that he was outspoken in his opinions, and that he was looked up to by his party. On the occasion just alluded to, when he discovered that I was not disposed to enter so warily into the contest as he was, he reproached me with my Democratic tendencies, and insinuated that I was not playing the part of a patriot. I answered with some warmth. I was every bit as absolute and hot-headed as your grandfather, and, of course, a controversy on so combustible a subject as that of the Chamart-Evans election could have no other than disagreeable results. I take credit to myself for having kept my temper within certain bounds. Florival tried to do the same, but he used some very offensive expressions against me. To prevent a complete outbreak, I cut short the interview. We parted on good terms, but from that day a coolness sprang up between us, which went on increasing till it culminated in a violent and painful rupture.

"I may add that from the same occasion a prejudice was conceived and propagated against me in the community. I was accused of being an infidel, an atheist. It was said that I had imbibed all the worst principles of the French revolution; that I had been initiated into all the refinements of Parisian vice, that my whole philosophy consisted in the enjoyment of sense, and that I recognized no other authority than my own passions.

"Precisely the same charges—*sic parris compere magna solchum*—were made against Jefferson, because of his sojourn in France during the first period of the French revolution. And when I had the honour of visiting the venerable statesman in 1821, at Monticello, he told me with a cheery smile that I would not outlive these accusations any more than he had done.

"Alas! he told me true, as the painful events even of these days can testify.

"My final outbreak with Florival was brought about in this way. It was five years after the first incident just narrated that I found myself a jurymen on an intricate case of murder. Florival was on the same jury and acted as our foreman. During the trial, which lasted many days, owing to the fact that several of the witnesses could speak nothing but French, and that their testimony had to be translated to the court in English, much to the annoyance of everybody concerned, Florival and I were on speaking terms, and, indeed, he several times demanded my advice in the discharge of his duties as foreman. At length the depositions were all taken, the lawyers had all spoken, and the judge, a raw-boned Kentuckian, ugly and clever, had delivered his charge and the case was solemnly left to the jury. We retired to our room for deliberation, and the court remained open to await our verdict. At the end of an hour a messenger came to inquire from the judge how we stood. He was instructed to make answer that there was no prospect of our agreeing before the regular hour for adjournment. Hearing which, the judge dismissed the court, and we were locked up for the night. You have never served on a jury, should it be a civic duty which, of course, should not be shirked when imposed upon us, but beseech your guardian genius not to be summoned too often, especially in complicated cases of life and death.

"That evening, when we had gone over the evidence together in a summary way and there appeared traces of dissent among us, we deferred further study of it until we had refreshed our fagged and weary bodies. I remember I enjoyed that evening meal immensely, and was particularly disposed to be in good humour. I exchanged several words with Florival across the

table, and he, too, appeared to me to be in his usual fine spirits. It was quite dusk when we got through our supper; the table was cleared, and candles were produced. Then the usher, in the sly, mock-modest fashion peculiar to all ushers from the throne-room and the vestry down to the dissecting-room and the hotel dining-hall, half opened the door, and inquired if we needed anything else.

"I shall always recall the ring of Florival's voice as he answered:

"Nothing else except this: You will tell my man to be here with the carriage to-morrow morning at ten o'clock. Our minds will be made up by that time; we will deliver our verdict, and I will drive home immediately. I don't intend to remain immured here one second longer than I can help."

"We then resumed our deliberations. The copious supper must have cleared the intellects of my fellow-jurymen, for whereas before they were divided in opinion, now they all rallied without resistance to the decision of the foreman. All except two who hesitated to pronounce a definite judgment one way or the other. As for me, I declared point blank that I was opposed to the views of the majority. I noticed a blackness gathering about the long lashes of Florival as he announced in a loud, rasping voice:

"So we stand nine for acquittal and three against."

"We are not precisely against it," said my two colleagues timidly.

"Then try to know your own minds," replied the autocratic foreman, "and be quick about it. You can't hang fire in this way."

"The sharp sally so disconcerted the feeble-minded men—I believe, however, that the feeble-minded men make the best jurymen, after all—that they leaped to a conclusion in a marvelously short time. Florival gave them a summary rehearsal of the evidence; the other jurymen grouped around them with persuasive nudges and convincing noddings of the head, and before I had well completed the study of human nature which the little scene presented, my two allies had turned tail, surrendering at discretion.

"From the way that Florival then advanced on me, I felt that a storm was coming. He said:

"You will withdraw your objections now, Paladine, and make the verdict unanimous. The thing will go by acclamation, let us say."

"This was spoken not in a tone of inquiry, but with an air of command. I took offence at once, though I struggled to restrain myself, as I answered:

"I can't change my mind that way, Florival, whatever others may do. If you give new arguments I may alter my mind; otherwise I will hold to my opinion."

"But we can't argue all night," he said, testily.

"No. We can argue to-morrow, however, and the day after, if need be," I replied.

"That won't do. We have already been locked up for a fortnight. The case is clear. Our business is suffering from our absence. I give you half an hour to decide."

"And saying this he stalked away to the other end of the room. I walked quietly to the window, threw up the sash—it was a fine autumn evening—lighted a cigar and sat down to enjoy a smoke, and watch the brown shadows creep over the bright colours of the landscape. I don't know how long I remained there, for the stillness of the outside world, the low buzz of voices inside, the fatigues of the day, and possibly the subtle fumes of the gentle nicotine, had all combined to set me asleep. I was startled out of my nap by a rude stroke on the shoulder and the roar of an angry voice at my ear.

"It is ten o'clock. We are going to bed. I want your answer."

"I was very indignant. Turning full upon your grandfather, Carey, I said to him with great warmth:

"See here, Florival. This rough game must stop. I won't allow myself to be bullied in this way by you or anybody else."

"I am foreman of this jury and have a right to speak and act," he answered, stamping on the floor.

"You mistake your powers as foreman," I said, somewhat amused at the assumption.

"These consist merely in presiding at our deliberations and announcing our verdict to the court. But even if your powers were more absolute, this would not dispense you from acting as a gentleman towards gentlemen."

"Florival's attitude now becoming threatening, I arose from my seat and continued:

"I have already told you that I am prepared to discuss the merits of the case with you, as in duty bound. If your views persuade me, I hope I have conscience enough to defer to your judgment."

"Conscience!" muttered Florival, curling his lip.

"But," I added, "I will not submit to your dictation or your insult, as others have done."

"Hi! hi!" exclaimed several of the jurymen, closing in upon me with angry gestures. I moved from them and facing my adversary, said:

"If I were disposed to make mischief, Florival, and were it not that you lean toward acquittal, which in itself is a merciful act, I might denounce you to the judge as having used undue influence to force the jury to your thinking, with indecent haste, and for the avowed purpose of getting away from here by ten o'clock to-morrow morning."

"And I," shouted he, "will denounce you to the judge for making a factious opposition to "

verdict of acquittal from personal motives of hidden guilt. You know more about the dead woman than you care the world should know. You would have the prisoner hanged so as to hush up forever his knowledge of your connection with the circumstances which have led to the deed of blood."

"This was too much. I lost my head completely. I rushed up to Florival and slapped him on the cheek. The blow must have stung as if given by a glove of steel, for the blood spurted.

"Florival was a more powerful man than I. Wrought to fury, as he then was, he might have crushed me to death. He contented himself with seizing a chair and felling me to the floor. Recovering at once, I drew from my pocket a long poniard which I had brought with me from Paris, rose with a leap and flew at Florival, aiming directly for his heart. If I had reached him—and would to God I had—"

Here the old man, fighting his youthful battle over again, had risen in his excitement and was being wrought into one of his ungovernable fits of passion, when Ory sprang forward and threw her arms around his neck.

"Oh, do not say those terrible words, dearest papa. You are fatiguing yourself going over the history of those ancient troubles. Let us stop here."

I had been listening in rapt attention all the while to the narrative of M. Paladine, made intensely real by his animated gesticulation and the varied intonations of his fine voice. My cigar had long since gone out between my fingers, and my head had fallen on my breast. When I heard the fierce imprecation and saw the movement of Ory, more beautiful now, in her pleading face and the involuntary graceful curves of her body, as she clung to her father's neck, than ever I had yet seen her, I arose also, and approached a step or two.

"Ory is right, sir. This whole subject is painful to you. Please recall no more of it."

The old man gently disengaged himself from his daughter's embrace and walked to the window. He said nothing, but his excitement had not subsided. He looked out over his garden and up at the fading sky. He then drummed on the window pane. Ory and I stood beside each other, painfully waiting for the issue.

"Ah! there she is," exclaimed he at length, half turning toward us and pointing out with his left hand. "Do you see the moon rising over the edge of Cantin Bluff? The twilight is past. It is the most dangerous hour of the old man. The hour when shadows chase each other, the shadows and the spectres of a guilty past. And no light then. The sun is down and the moon is not yet up, nor a solitary star when the nights are dark. There! the moon is shining clear into my face. I am better. The paroxysm is gone. Pardon me, Carey, for the vengeful wish which I uttered against your grandfather. I buried it in his grave, some years ago, and would not revive it now. Pardon me."

I pleaded, of course, that I counted for nothing in the matter; that it was himself he should look to. Ory likewise implored him to suspend his narrative and take a little rest.

The old gentleman consented so far as to listen patiently to his daughter's arrangements for tea. We were to have a light repast served in the study; Ory was to prepare the toast for us with her own hands, and while she was doing so her father would wind up his story or such part of it, at least, as he wished to tell me that evening.

M. Paladine smiled and approved.

(To be continued.)

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