

THE HUMAN SIDE

By ARCHIE P. MCKISHNIE

THE VERDICT.

THE young prisoner gazed pensively beyond the sea of curious faces to one of the narrow court-house windows. A ray of late September sunlight shifted across its drab sill, clutching it and peering in as though loath to enter. To the man's strained, fanciful mind the sunbeam was like young life peering fearfully into a dark grave. The prisoner knew that he was innocent of the crime but he knew that circumstantial evidence would convict him. He offered no defence. His eyes never left the narrow window. It seemed as though he were outside there with the shifting, clutching sunbeam, gazing in on his young shackled life, which was being tried. Once only during his trial did he try to concentrate his eyes on those faces turned toward him; they appeared to him but white splashes on a grey background. Once he looked toward the judge's seat, and when the mists lifted a little, he saw a frail, white-haired man sitting there, his face hidden in his hands. Then the prisoner's head sank on the breast and throughout the remainder of his trial he sat thinking. Thinking of old scenes and old faces fifteen years behind him. He thought of the home he had left and of his father, too a judge. Something about that frail, white-haired man, he had seen a moment through the mists, had stirred these memories. He was glad those old scenes lay far, far away, glad that the name he now bore was not the name— He awoke with a start. The hazy September sunbeam had entered his grave and crept across to him and kissed his face. It dispelled the mists and he could see— could see—

He saw the old judge rise and turn toward the jury. He heard a voice ask in a whisper: "Who is he?" and another voice answer, "The presiding judge is ill. It is Judge Walters." Then the prisoner sat, his teeth clenched, his face greyish white and listened to the judge charge the jury: "And you, gentlemen, having heard the evidence, must decide whether a young life shall pay the penalty of this crime. The evidence points strongly against the prisoner; I charge you to weigh it carefully and at the same time to remember that it is largely if not wholly circumstantial. You have a terrible responsibility resting upon you. You—"

The old judge paused and half turned toward the prisoner. Something had impelled him to look. Perhaps it was the sunbeam that had crept from the prisoner to him and rested upon his face. For a moment judge and prisoner looked into each other's eyes; then the old man turned once more to the jury. As he made his concluding remarks the tears streamed down his cheeks.

"I charge you, gentlemen, that you are not to allow the dictates of sympathy to guide you, neither are you to temper justice with mercy. Some of you may have sons who are wanderers from home. If so, you must forget them, until you have discharged your duty to the law. Gentlemen, we await your verdict."

The jury retired and the murmur of excited voices filled the courtroom. The old judge sat, his face buried in his hands. The sunbeam had crept back to the window-sill and the prisoner's gaze followed it. Once more the mists enveloped his soul.

When the jury filed in and took their seats, the judge lifted his head and spoke.

"Gentlemen of the jury, have you arrived at a verdict?"

"We have, your honour."

"Do you find the prisoner guilty or not guilty?"

"Not guilty."

"Prisoner at the bar, you are discharged."

But the prisoner at the bar did not look away from the window. So the old judge came down to where he sat and took him by the hand and led him from the chill and the mists out into the brightness. And so they passed, father and son, back to the old scenes.

* * *

IN THAT OLDEN GOLDEN TIME.

Ho, I was the Indian chieftain,
In that olden, golden time;
And the wee papoose I carried
Was a little boy of mine.

Our tent was a sunset's glory,
Our forest a rose-tree high;
And we rode the rock me saddle,
On the pony of rock-a-by.

Rode 'long the babbling waters,
Bridged by the moon's white beams;
The long, dim trail of the gloaming,
Toward the wigwam's rest and dreams.

Ho, I was the Indian chieftain,
And that little boy of mine,
Was the wee papoose I carried,
In that olden golden time.

THE LATEST MARCHÉ MILITAIRE.

A STIRRING composition for the piano, composed in honour of the Tercentenary of Quebec City by Dr. Albert Ham, organist of St. James' Cathedral, Toronto, and conductor of the National Chorus, has just been published under the title *Canada*. It is in rhythm and theme worthy of the occasion and gracefully interweaves melodies of British and French tradition. *Le Drapeau de Carillon* comes in effectively as trio and the march closes fortissimo with the *Maple Leaf Forever*.

THE MAN WITH THE SPADE.

"What are the chickens laughin' for?" said Suburbs with a spade.

"To see you dig, to see you dig," the City Cynic said.

"What makes 'em wait, what makes 'em wait?" said Suburbs with a spade.

"They're waitin' for the seed you plant," the City Cynic said.

For they love a country garden, with room to scratch and play;

They hope you'll keep on diggin' and a-rakin' clods away,

An' when you start to plantin' vegetables they'll be gay,

For they're ready to start scratchin' in the mornin'!

"What are the roosters crowin' for?" said Suburbs with a spade.

"And hear the hens a-cacklin'!" "Oh, yes!" the Cynic said;

"They're glad to see those packages of seed you brought from town,

An' so they're sendin' tidings of the good things up and down!"

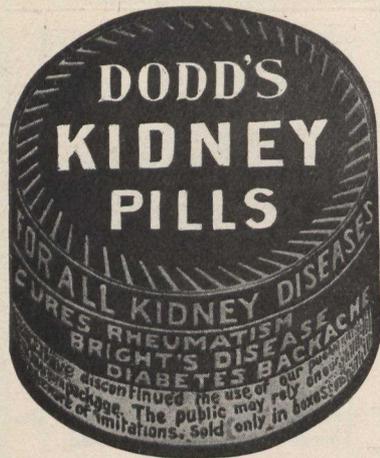
For they know you'll never see 'em when another sun shall rise,

Although it's growin' weather and the summer's in the skies;

It's buying feed for chickens every seed a fellow buys,

For they're ready to start scratchin' in the mornin'!

—Bentstow Bard.



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