



CATHOLIC CHRONICLE.

VOL. XXV. MONTREAL, FRIDAY, JUNE 4, 1875. NO. 42.

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TALES OF THE JURY-ROOM. Eamus in jus. PLAUT. Pomilius, Act v. Dogberry. Are you good men, and true? Much ado about Nothing. BY GERALD GRIFFIN. AUTHOR OF "TALES OF THE MUNSTER FESTIVALS," ETC.

THE NINTH JURYMAN'S TALE. THE LAME TAILOR OF MACEL. "Or man, or spirit I answer thee! Behold me here—behold me!" "I was musing On things that are not of this world: aye dallying With dreams that others shrink from; communing With disembodied Nature in her den Of lonely desolation, silent and dark." Julian the Apostate.

CHAPTER IV.—(CONTINUED.) "Chenides," the stranger asked at length, "didst thou truly dream this, or dost thou know more of me and of my affairs than thou pretendest, in order to impose upon, and lead me into an explicit confidence?" "Caust thou think," I replied, "that I would compass my end so falsely. Thou hast my assurance, and my word at present is no better than my word that is past." "Well," he said, at length, "I do believe thee—and more—I thank thee for the interest thou showest in my fortunes. But once again observe, if thou wouldst have me continue to be thy friend, never, while thou livest, on any pretence, whether of benevolence or gratitude, or whatsoever cause, seek to know more of my affairs than I have given thee leave. For the present, be content with what thou hast learned already. And now to speak of thine own interests. Thy dress, and countenance, (for wisdom so begins to show itself in the features when it inhabits the head) tell me that thou hast been long a resident among the schools of Athens. Art thou yet weary of the long beards and the gowns of the philosophers?" "Not of their beards," I said, "but more or less so I confess of their brains. I have been even thinking seriously for some time past of returning to Macel, and resuming the practice of the needle and the shears. There is some positive utility in covering the bodies of men, though it be not so noble an employ as the attiring of their minds; but I have yet made so little progress in qualifying myself for the loftier profession that I am almost fain, already, to recur to that which I learned from my father. A whole coat for the body is at any time preferable to a pied and ragged patchwork for the mind, such as the greater number of our sophists furnish it with. And as to profit, an expert tailor can at any time earn more than an ordinary philosopher."

related. I will, therefore, hasten to the conclusion of my narrative, with as much speed as consistent with clearness, entreating thy patience, if I still seem tedious. I will not, therefore, run through the whole course of my researches at the schools of various philosophers, without being contented with any. Neither will I detain you with an account of my journey to Alexandria, my visits to the deserts of Scetis and Arsinoe, and the conversation I there held with those extraordinary recluses, who have taken up their abode amongst the deserts, and extensive marches of those regions. Nor will I detail to you the sojourn I made, for a few delightful days, in that wonderful city of the same land which is all inhabited by monks, who meet the traveller outside the city gates, and receive him with a hospitality that makes him long to live and die amongst them. Their simple manners, however, wounded my intellectual pride, for I had not yet done with the sophists. At length, being utterly offended with a Pythagorean teacher, who advised me to learn music, (as if at time of life it were necessary, in addition to the use of my needle, to learn to scrape the fiddle in order to arrive at wisdom,) I followed the advice of my unknown benefactor, and gave up my studies altogether, for the practice of a poor, but honest and useful trade.

CHAPTER V. For some time after I returned to my own country, where I set up a little shop, in the far-famed city of Maraca, a man paid no small penalty for the possessing a pair of ears. You must know that the Arians had begun to get footing in the place, and thence forward there was scarce a tongue in the city but went from morn to night like the mouths of so many village dogs at sight of a stranger. And it were well if all the discourse about religion had tended at all to improve the manners of the inhabitants; but the case was wofully the reverse, it had merely the effect of disturbing the general peace. These Arians had made their appearance, within my own time, on the occasion of a dispute respecting the election of a bishop in Alexandria, and for the time they were in existence, had made astonishing progress. They had already gained over the Emperor Constantius and Gallus, his cousin, whom he had made Cæsar, and carried it with a high hand over the Catholics, through many of the chief towns and cities of the empire, under the wing of the secular power.

Both parties were, however, soon led to forget their immediate dissensions, in the dread of a more appalling foe. An event which occurred about this time, and which I learned in the following manner, occasioned a change in the position of public affairs, the importance of which was soon felt throughout the empire. I had been fatigued almost to death by an Arian goldsmith, who came into my shop, ostensibly to have a rent in his cloak repaired, but in reality to worry me with theology. When he had departed, I walked some distance outside the city, where in a little grove near the river, a christian church had been erected. It was a festival day with them, and numbers were crowding towards the walled enclosure that surrounded the consecrated building. Never having entered one of those churches in my life, I felt desirous to see the interior and mingled with the throng. On entering the court, or open space before the front of the building, I was much struck by the neatness, and, (even with my remembrance of Athens) elegance of the structure. A handsome peristyle ran along the walls of the enclosure, supporting galleries, access to which was afforded through a wooden trellice, which connected the columns of the peristyle. In those galleries were numbers of catechumens, as they were called or persons who received the first instructions. In the centre, opposite the entrance of the church, were fountains, in which many washed before they entered. The front of the building itself, facing the east, rose to a majestic height, and gave admission to the people, through three doors, that in the middle, much loftier and wider than the others, all adorned with minute and elaborate sculpture. Within, a double row of columns, much loftier than those without, separated the centre of the church from the two narrow passages, or galleries, on either side, were numerous windows of opened trellice work admitted abundant light, without excluding air. At the further end was a semicircular balustrade which separated the altar and the seats of the clergy, from those of the rest of the people. Before the porch, several public penitents lay prostrate, beseeching the prayers of those who entered, or came out.

I remained standing near one of the columns of the peristyle without. While thus placed, the conversation of some persons, who sat within the adjoining recess, was heard distinctly where I stood. Perceiving that it related to public affairs, I made no difficulty of listening. "Hast thou heard the news that arrived in Maraca this morning?" said one. "They say that Gallus Cæsar has been put to death." "I heard so," replied a second. "The Arians have had something to do with that." "Not an iota. It was a matter of treason. They said the Emperor suspected him of some design upon the government. The Arians have no cause to rejoice at it. It is well known he was their friend, though not so open as Constantius himself."

"Few will grieve for him at Antioch," said a third. "He was beginning to lean heavy enough upon the towns around him, when Constantius sent for him." "And who is it thought will be Cæsar, in his stead?" "Most like, his brother Julian, if Constantius be still disposed to place any trust in his own blood." "Why, they say he's a Hellenist." "Nay, that was but talk, because he wore a beard, and loved to converse in the manner of the philosophers. Betwixt ourselves, there may be more reasons than one, for his disrelishing the rumour. It would be somewhat dangerous part for him to play before Constantius, although he be an Arian; or Gallus, either, while he was alive, and wielded the power of the Cæsars."

The opening of the church doors put an end to their conversation. I took a little notice, but ere long the course of public events began to recall it to my mind. Julian, the brother of Gallus, was created Cæsar in his room, and sent to Gaul. From day to day, and year to year, my open shop door gave me opportunities of hearing how matters were carried on. There were strange rumours respecting the new Cæsar. He had married Helena, the sister of the Emperor, and many said he entertained designs similar to those for which Gallus, lost his life. But the sequel is known to the world. Julian rebelled in Gaul, the army declared him Augustus, in opposition to Constantius—the latter died leaving him in peaceable possession of the title which he had already usurped by violence. It was some years after, that a forced levy was held throughout the provinces, in order to assist the war which Julian had declared against the Persians. As not even the aid of a tailor was to be despised in such a crisis, I was one of the new conscripts. It was an unpopular war. The long concealed sentiments of Julian had burst out soon after his elevation to the throne, and by the pen, and by the sword, by all the means that a crafty genius and powerful self-command could furnish him with, he exerted himself to overturn the rising edifice of Christianity, and to re-establish Paganism, or Hellenism, (as it was the fashion then to call it) upon its ruins. The Christians, however, were not entirely disheartened by his attempts. When he prohibited them from reading the old classic authors, through which alone a knowledge of grammar was acquired, the Apollonaries wrote dramas to supply the want, and by his more direct persecution they opposed the shield of an invincible endurance. The expedition to Persia had, for a time compelled him to put a period to his designs, but he did not engage in it without menaces, which made his return an anticipation full of terror to the larger portion of his subjects. It was on the twenty-sixth of June, that our forces were attacked in the rear by a large body of the enemy. That part of the legion to which I belonged, was amongst the first who felt the shock, and I grieve to say, for a space, yielded to it. Our troop was dispersed, many of them disabled, or killed, and the rest compelled to fly. Before the sounds of pursuit had ceased, I reached a small grove on the banks of a running stream. Here I sat on the ground, exhausted in mind and body, and began to meditate on my wasted years—on a life merely occupied in consuming day after day, without having any settled or definitive object in view, without laboring for any certain end. But then came the old query, what that aim should be?—Money I cared not for it; fame—what should a lame tailor do, looking for it—or do with it, when he had got it?—and what else. While I mused, the sounds of battle again drew nigh—I started up and beheld at a distance, a horseman, apparently wounded, galloping at full speed in the direction of the little grove, where I stood. As he approached, the effects of his hurt began to be more apparent, for he bent forward over the neck of his steed. Fearing he was an enemy, I lay concealed, but soon recognized the armour of the Roman soldiery. As he passed the grove, the horse staggered and fell, and the rider was thrown forward to some distance on the plain. Instinctively, I ran to his assistance. His attitude and appearance, as I drew near, struck me with a kind of bewildered recollection, as if it suddenly floated on my mind that I had somewhere, on some deeply interesting occasion, witnessed the whole scene before. He was lying on his left side, apparently motionless, except that with one hand he strove to pluck forth a Persian arrow, which was buried in his right, half way up the shaft, and immediately over the situation of the liver. My glance next fell upon the countenance. It was one, though disfigured with gore, pale from loss of blood, and distorted with the workings of a hundred dreadful passions, which could not be mistaken. It was my old acquaintance of Macel and of Athens, my unknown friend and benefactor. I raised him from the earth, and supported his head for some time upon my knee. By degrees, recollection returned, and he gazed wildly and fixedly for some moments on my features. "What has happened?" he said: "what place is this?" "Be at ease," I answered; "thou art in the hands of a friend. Thou art safe."

"From what?" he asked suddenly, clasping my hand, and looking eagerly into my eyes. "Who art thou? What! Chenides? Methought—O, that a dream! or was it a dream?"—he continued, waving one hand before his eyes, as if to dispel a mist which gathered upon them, while with the other, he still clutched mine with the iron grasp of death. "But now, I thought I was a conqueror—hosts fled before me—I tell thee it was no dream—I saw it—I saw the Persian banner fall before me—I heard the shrieks of their wounded—the tramp of their flying cavalry—I saw the host in rout and tumult—and our eagle soar triumphant amid the storm of battle. I exulted I cast myself loose upon the tide of conquest—'twas mine—'twas mine of the false Armenian treachery, and the prayers of the Gallians—all was mine—O misery and death!—even in the very whirl of triumph—I felt a something graze my arm—and a pain upon my side—and my horse turned short—and—he! there it is again—here—here—behold!"—and feeling the shaft with one hand, while he gazed with a horrid smile upon the dabbled and bloody feather. "I knew it was no dream—thou art there yet—messenger of ruin—fast—fast fixed—ah! ha—ha!"

And with a burst of frantic laughter, he endeavoured to tear it from the wound; but his arm lacked strength, and he sank back exhausted after wounding his fingers to the bone, in the effort to draw forth the steel. "Chenides!" he continued, more calmly, after a pause, "I remember thee now—thou wert with me in Gaul—among the Parisii." "In Athens," I replied; "and earlier, in Cappadocia."

"Cappadocia?"—ah!—I remember—there it was first—this wound—what says the Tuscan—the presages still unfavorable? then, hark you—Mars is no god—I call Jove to witness, that I will never sacrifice to him again—nine victims die without a blow—and the tenth unfavorable. No; Mars is false and powerless. I will break his images, when the war is ended. Is it Eusebius that should twine me with rebellion? he continued, with the same hurried and tumultuous utterance. "Eusebius the

Arian?—ha! Thou proud bishop! go wash thy hands at the fountain of Nice, and when thou seest no taint of the Arian impudence upon them, then come and taunt me with forgetting what I learned at Macel. Away with thee, paricide! What, thou shalt lift thy heel against Rome, and yet bid me not sacrifice? What care I for thy taunts?"—Here he was hurried forward into a paroxysm of fury, which rendered it impossible to follow him with any distinctness. "They dream of triumph now," he said, after another pause, "but I will banish them yet. Tell me," he added, with a look of hardness, mingled with anxiety, "how do they name this place? I was once advised to beware of Phrygia: we are far from Phrygia."

"Not so far," said the voice of a peasant, whom the sight of the wounded man so far from the scene of contest, had attracted to the spot. "This place is so named of long standing." The sufferer, aghast with terror, turned to look upon the speaker, but the latter, perceiving the Roman cavalry approach at a distance, disappeared amongst the trees. In a few minutes a number of horsemen galloped to the spot, amongst whom I beheld some eunuchs of the Emperor's palace, as I afterwards learned (for, being a new conscript, I had as yet seen little of the camp,) and Ammianus Marcellianus, his historian. Their demeanour, as they drew nigh enough to recognize the wounded soldier, was sufficient to confirm the suspicion which the appearance and language of the unknown had now excited within my mind. He who had so long perplexed me as a friend and benefactor, was indeed, the all-dreaded Julian, at whose very name the Christians of the province and of the state had learned to shudder—the Apostate Augustus—he who had torn down the labarum of Constantine, to restore the blood stained eagle of the Cæsars in its stead!

With looks and exclamations of astonishment, the attendants raised him from the ground, and proceeded to convey him slowly to the camp. I saw him no more, but the memory of his dying looks and his last tones of agony and passion, for a long time haunted my mind with an influence, which I vainly strove to banish. Thou knowest my subsequent history, and the peace and joy which were soon diffused throughout the empire, under the happy reign of Jovian, a successor in every way so entirely the opposite of the most feared and little lamented Julian. Under his banner, the again triumphant labarum, thou art now about to seek that western city, where Julian first raised the standard of rebellion, and commenced a career so brief, and so disastrous, to others and himself. At thy desire, I send this narrative as a parting gift. Even a centurion may sometimes derive instruction from the adventures of so insignificant a being as the Lame Tailor of Macel.

"Well, gentlemen," exclaimed one of the company, as the Ninth Juror took off his spectacles and returned the manuscript to his coat pocket, "I think we have had quite enough of Greek. 'Tis a very learned story, and with many hard words, and we ought to be thankful that 'tis over." "Oh, certainly," said another, "I protest I don't know when I felt more pleasure at the conclusion of any story; and if that be not a sign of a well wrought catastrophe, I don't know what is." "But what I'm most uneasy about," said a third, with a sly wink at his neighbor, "is the condition of the poor concierge at the Palais des Thermes, if the minister of the Interior should ever come to hear that so valuable a document was purloined by a tourist!" "I shouldn't wonder," cried a fourth, "if it were the ground of something very unpleasant taking place between the French and English governments."

"Ob, I trust not," replied a fifth; "I'm sure our friend would readily restore the manuscript, rather than that it should endanger the national peace." "It is all a proof," added a sixth, "of the great advantages of travelling. How long might one of us poor fellows, be rambling from bog to bog in this unfortunate country, without lighting on so valuable and entertaining a relic of departed times!" "Aye," exclaimed a seventh, "but what good would all that be, without a classical education?" "Gentlemen," said the Ninth Juror, after listening to these jests for some time, in good-humoured silence, "you are pleased to be merry upon my tale, and are heartily welcome; but a man can only do his best. All I have to say, is, that I hope you may hear no worse."

The Ninth Juror then proclaimed his incapacity to sing, and was preparing to acquit himself by the payment of the fine, when the attention of the whole party was suddenly arrested by a disturbance in the street, which at so early an hour naturally awakened their curiosity. The noise which had attracted the attention of the Jurors proceeded from a house, which, though at a considerable distance, was yet partly within view of the window. Crowding around the latter, the Jurors were enabled by the faint light of morning, (which seemed to indicate that the sun was thinking of rousing himself and beginning his day's work) to descry a section of a clause, drawn up, as if awaiting orders from within. Lights gleamed occasionally in the windows, passing rapidly to and fro, as if preparations were on foot for a journey of unusual length. The interest of the Jurors was heightened to the utmost, when one of them announced that the house in which they saw the lights was the residence of the fair plaintiff. In a short time the hall door opened, the figure of a gentleman, attired in a fur-collared frock and travelling cap, appeared, followed by a slighter figure, closely muffled, which, imperfectly as it was seen by our incarcereated Story-tellers, there was no mistaking for that of a lady. Could it be the Plaintiff herself? And if so, where was she going at that hour in the morning leaving her suit still *sub judice*—a suit, too, which involved so many more important interests than the mere private happiness of the parties immediately concerned. These were questions of that very extensive class, which are much more easily asked than answered; so that after a few conjectures, left the matter in the same condition in which it stood before they were made, the Jurors philosophically dismissed the subject from their minds, and sitting once more around the fire, proceeded to pay attention to the tale of the Tenth Juror. This he delivered in the following words:—

THE TENTH JURYMAN'S TALE. ANTRIM JACK, AND HIS GENERAL. "I say the tale, as 'twas said to me." Scott.

In the "year of the troubles," a term by which the memorable year '98 of Irish history is distinguished in the traditions of the peasantry, there was among the ranks of the insurgents, a man named O'Dwyer, who made himself formidable to the king's troops by the most extraordinary and skilful application of those arts of warfare, for the most part irregular in their nature, which were peculiar to the united Irishmen. This man was the son of a country farmer. He was first placed at the head of a small party, among the rebels, and, though perfectly illiterate, in a very short time, partly by the force of his character, but a good deal by the success which attended every scheme which he devised to entrap and annoy the military, was distinguished by the title of General among them. In this new capacity, his ingenuity and military talent became more conspicuous, and every day parties of the regular troops were either defeated in open contest, or cut off by some subtle stratagem. Nothing could equal his danger on those occasions, when he chose to exhibit himself openly, and they were entirely unprepared for the craft with which he eluded their pursuit, when driven to the expedient of concealment. In every circumstance, except regularity of discipline, he seemed completely superior to them; and after a long and weary contest, they felt the contempt with which they had at first regarded him give way in the end, to the dearly bought, but wiser conviction, that he was so. He and his followers seemed never to tire. After having given him chase for the greater part of a day, and having hunted him to his fastnesses in the county of Wicklow, the military in returning to their encampment were often set upon in the act of cooking their victuals—fired at from behind the hedges—many of them wounded—some killed, and all thrown into such disorder, as to destroy all unity of purpose among them. On some occasions they were even obliged to give up their encampment, food and all, to their merciless and ever restless foes.

These circumstances, the harassing nature of the duty they had to perform, the losses they had already sustained, and the constant and unrelenting spirit of their enemy made it no less a matter of feeling than of interest with the military to have him arrested. This feeling animated every man of them, and made them much more zealous in their aim, than a mere sense of duty or the hope of profit by his capture would have ever done. Various were the expedients resorted to, to effect this most desirable end; but every one of them was completely defeated by his vigilance; and so great was his tact and skill, that while they every day had to grieve over the loss of some of the most valuable of their own men, they could scarcely ever boast of having taken even a single one of his followers. As the troops became injured to this kind of warfare, they gradually acquired a portion of the tact and skill for which their enemy was so much distinguished, and this circumstance brought him latterly into much greater difficulties than usual; nevertheless, narrow as all his escapes were, he always did escape, and this often occurred when the soldiers imagined they had him quite within their grasp, and there seemed no possibility of his delivrance. These straits into which he was now and then put, usually alternated with attempts on his part to put them into the same difficulties, which were similar to the others in every respect, except that they were generally successful. This game in which one side were all the losers, was played for some months, and at the end of this time, when every expedient seemed exhausted, and the military engaged in this service were fairly foot-sore, and worn down with constant hardship, it was judged right by the commanding officer to persuade him to submit on terms, which, the nature of them being communicated to him by an emissary dispatched for that purpose, he at once agreed to accept. He dismissed his followers, laid down his arms, and was conveyed to Kilmalham gaol, under a promise of security to his life and person.

The Governor of Kilmalham prison, from whom we have indirectly obtained this account, describes him as a man of extraordinary muscular strength. His figure approached the gigantic, with shoulders enormously broad, great brawny arms, and large, though sinewy legs. His countenance on which fear had never traced a line, was not remarkable for austerity in its quiet mood, but it was usually full of a changing expression, which flew from severe to gay with a rapidity and force that indicated a quick sensibility, and a current of strong and rapid thought. He could in an instant light it up with the most engaging signs of good will, and in the next hang on it a monace of dreadful meaning. He seemed sensible of this quality in himself, and often during his stay in the prison, used to amuse himself in trying its effect on the more timid of those visitors who were prompted by the fame of his desperate character to see him. The accounts which were brought him by the Governor, of the different impressions of him, evident in the conversation of the visitors, as they departed, seemed infinitely to excite his mirth. These impressions being extremely agreeable, or terrific, according to the mode in which he chose to exhibit himself. He was at all time a fellow of infinite humour, enjoyed conversation very much, and often carried forgetfulness to the hearts of the less fortunate inmates of the prison, with the relation of his adventures, by which many an evening hour was got rid of, which would otherwise have passed wearily. The qualities to which his delivrance seemed owing in many difficulties were, a spirit that never sunk in any emergency, and that instinctive and instant perception of the best course in such cases, commonly called presence of mind, which so far out-steps all reasoning, and which he seemed to possess in the highest degree possible. These qualities, combined with the greatest fertility in strategical devices, showed a genius that would have been dazzling under a better education, and in a better cause. On one occasion, in the latter part of the contest we have described, after a hot pursuit, in which all his followers were dispersed, his flight was directed