

NO SIGN.

BY MRS. CASHEL HOEY.

CHAPTER IV.—(Continued.)

The examination of witnesses elicited nothing beyond the facts which have already been narrated. Great interest and importance attached to the evidence of Samuel Sullivan, the assistant at Dr. Mangan's dispensary at Farney. It proved to be very simple, rather damaging to the business character of Mr. Sullivan, but confirmatory of the theory of the counsel for the Crown. Mr. Sullivan admitted that Daly had had free access to the surgery during his stay at Athboyle in the previous year, that it was possible he might have abstracted drugs even of the kind which ought to have been most scrupulously kept out of the reach of any one but the dispensary doctor and himself; and that any such abstraction, if it had taken place, must have been carried out with a purpose considerably far ahead, for ten months had elapsed since Dominick Daly's removal from Athboyle to Narraghmore. On being questioned concerning his own relations with Daly in the interval between his removal to Narraghmore and the perpetration of the murder, Sullivan admitted that he had helped Daly to persuade his wife that he was endeavouring to find remedies—"cures," as the poor woman had expressed it—for her incurable disease. On two occasions he had sent him "real medicine, but quite harmless," for the purpose of being transmitted to Mrs. Daly; but of the last fatal experiment he knew nothing whatever. This, however, had no importance in the case; bicarbonate of soda was to be had anywhere.

A keen observer would have seen that the dark, wasted face of the prisoner twitched as if with pain, that his nostrils dilated and closed with his more laboured breathing, and that he lost control over the tale-telling mouth-muscles, while the hand upon the rail in front of him took a firmer hold of that barrier, a hold which blanched the knuckles and empurpled the finger-nails. What if they should ask this witness whether any other person, not of the Mangan family, had had access, later and more complete, to the deadly drugs in the unsafe surgery? What if Sullivan should name Katherine Farrell, wake up the rumour inside the court which had never slumbered outside it, suggest the truth to the prisoner's counsel, either as a flash of absolute conviction, or as a cunning and plausible possibility of defence, and all should be revealed? Daly passed through the agony of a hundred deaths in the throes of this terrible vision of the possible. At one moment there arose within his sick and sinking soul a desperate impulse to stop the trial, to say, "My lord, you are wasting your time, and these gentlemen their skill. My plea was a falsehood; I retract it. I am guilty." But this passed with the sense, almost simultaneously borne in upon him, by the voice, the manner of the witness—who never looked at him after the first glance of recognition—that Sam Sullivan fully believed in his guilt. This, in its turn, fortunate as he immediately recognized it to be, was a shock to him. With all the completeness of the conception which had come from his strength of will, it had not occurred to him, that Sullivan would help him by so genuine, but to the accused man's mind, so monstrous a credulity.

The examination proceeded, and the prisoner recognized, with intense perception external in some strange way to himself, calm as if exercised by another for another, in the centre stillness of the storm which was sweeping around him, that as Sullivan brought fact after fact out of his memory, each fact justified his belief in the aggregate meaning of them all. Circumstances had so favoured the prisoner's fixed resolution, that they formed a net of evidence without a dropped stitch in its meshes; and Daly's mental comment upon Sullivan's cross-examination was safely (!) concluded, was; "If Sam was not convinced of my guilt, he would have been a fool." His old companion and friend went down without a glance at the dark, wasted face in the dock, and with whatever there was of irresistible pity in his heart traversed by the bitter sense that he had been duped, and used as a tool by Daly.

The hours wore on, and the case was near its completion. The crowd inside and outside the Court-house had known no diminution in numbers or flagging of interest all day. Would it be concluded, or would it last over another day? It came to be understood that the Court would sit late, to conclude the case. The eminent criminal lawyer, counsel for the Crown, and the only a little less eminent criminal lawyer, counsel for the prisoner, were both exceedingly busy, and anxious to get away, as they probably would do, together, to-morrow morning; and the jury would naturally prefer not being locked up for the night. There was no talk of a "boot-eater" among them, and the case, for one so terrible and so important, was a very simple one. To an overwhelming mass of circumstantial evidence, direct and collateral, what had the counsel for the prisoner to oppose? Some testimony to character, and a few suggestions, which there was nothing to back, of round-about possibilities by which poison might have come into the victim's possession, rather than the direct and apparent means by which she really had received it. When his counsel began to speak for him, to do his best with such flimsy material, to work with the untrustworthy tools of appeal, persuasion, and reflections on the terrible responsibility of a rash and erroneous judgment, its irrevocable consequences, and the benignant latitude of doubt, Daly listened with agonized earnestness. Stronger than ever within him sprang up the yearning love of life, as he was at last face to face with his "chances." Sometimes he shifted his gaze for an instant from the man who was pleading for him, to the faces of the spectators, that he might learn how the pleading affected them, that he might gather what they thought of his chances; but only for an instant, it reverted to the central point. He could hardly hear at times, for all his listening, because of the ticking in the veins all over his body, and the heavy throbbing of his heart, which rocked his whole frame, he could not but fancy it must be visibly. How long might a man live and bear that? How soon must such destructive ravage amid its mysteries overthrow the mere human fabric, delivered up to the ruthless violence of its immortal tenant, thus turned rebel? Nevertheless, with all that raging strife within him, the man's will got the mastery, and enabled him to estimate his "chances" aright, to see how the truth, as he alone knew it, would be at once the solitary and the impossible solution of the falsehood, which all the efforts of his counsel were powerless to shake. And Dominick Daly saw that his "chances" were—none. When the whole dreadful performance was over, when the counsel for the Crown had replied, with contemptuous brevity, and the judge had delivered his charge to the jury with all becoming gravity; when the twelve jurymen left their box, taking his life in their hands, and he was about to be removed from the dock until he should be required to listen to their award; the spectators, gazing at him, saw a face like that of one dead, with eyes unclosed.

But when, the jury having returned to their places, after an interval of only three-quarters of an hour, the prisoner was brought into court again, he stood up firmly, strongly, a fine man in his prime; and he held his head high, and looked out with his blue eyes, unflinching and unshamed. His two hands held the rail, but they neither trembled nor steadied themselves by any strain, and his dark wasted face was slightly tinged with colour. The long summer day was closing into the sweet, solemn, starlit summer night. The Court-house was lighted when they brought the prisoner back, and he stood up at his very best—not the nearest friend he had, not the woman who had done this, had ever seen him look more manly, brave, and full of life, than the court, the jury, and the crowd saw him then.

There passed but little change upon him as the verdict which found him "Guilty" was declared, and the usual question was put to him whether he had anything to say why sentence of death should not be pronounced against him? The colour did not fade from his cheek when he answered, speaking quite distinctly, and with marked respect—

"Nothing, my lord, except that my plea is the truth. I am not guilty."

Deep oppressive silence filled the court until the judge spoke. Daly took his hands from the rail, and clasping them loosely, bowed his head low and submissively while the judge sentenced him to be hanged by the neck until he should be dead; bowed it a little lower at the words "and may the Lord have mercy on your soul," and stood in that attitude for a full minute after it was all over. Then he roused himself, and the turnkey took him, not roughly, by the arm. As he obeyed the signal, he glanced for an instant into the Court again—his last look save one at a crowd of his fellow-creatures—and in that instant he saw the face of Father John O'Conner. The priest, jammed into a corner near the jury-box, was looking at the prisoner with such intense attention that he was altogether heedless of the pushing mass around him. His stern face was exceedingly pale, and his lips were moving unconsciously. Their eyes met, in that brief moment; the next Dominick Daly was on his way to the condemned cell, which should give him up only to the gallows.

(To be continued.)

CURRENT LITERATURE.

GERRIT SMITH.—A biography by Octavius Brooks Frothingham. New York: G. P. Putnam's Sons, 1878. Montreal: Dawson Brothers.

In an out of the way village of the State of New York, was born in the year 1797, a man, whose father made him a millionaire, and whose nature made him the friend of all men. Utica Astor, had invested in large tracts of land which made his son on attaining possession in 1822, as he had love of philanthropy, so that his estates increased yearly, and supplied the immense sums which for more than half a century he spent upon his theories. We have not space to recount his numerous projects nor to go into their history, but his name and character are known to most readers in Canada, and everything of a public nature aroused his sympathy and excited him to deeds of benevolence. Religion, Humanity, Slavery, Temperance, Social Questions, Politics and the War, alike occupied him, and few men have written so much, or with such earnestness. From 1820 to 1874 he was occupied in his schemes of benevolence, mistaken perhaps, but winning the love of all who knew the man.

Gerrit Smith, said Dr. Channing, was "A man worthy of all honour for his overflowing munificence, for his calm yet invincible moral courage, for his Christian liberality, embracing men of every sect and name, and for his deep, active inexhaustible sympathy with the sinful, suffering and oppressed." A glowing description and a true one, and yet, like many another good man, he was not a successful one. Born to the possession of immense wealth, endowed with the ability to manage and increase it, looking upon it as a trust to be used for the benefit of humanity, and sousing it with a single-mindedness and conscientious determination that have made his name a synonym for philanthropy, he did not to all outward appearance accomplish anything that will remain a permanent factor in the increase of good in this world, except to show by his life that honesty, charity, singleness of mind and fixity of purpose can exist in the life of the nineteenth century, and that there are yet men whose ideas of the practical duties of Christianity are so strong, so deep-rooted, and so cogent that they are willing to follow that hard saying "Sell all that thou hast and give to the poor." The material effect of Gerrit Smith's life does not, as we have intimated, in our opinion amount to much, for the idealism of the man caused him to lose the very opportunities that he thought to make so much of, his generosity, childlike confidence and patience were imposed upon, his complete self-reliance, the result being that, though, as his biographer says, "Nature made him a philanthropist and wealth enabled him to do what philanthropists love to do," his negro colonies wasted away, fraud, idleness, and lack of public spirit were encouraged, and his bounty might as well have been sown broadcast on the fields. And yet it is well to read this life to understand the innate nobility of spirit, the simplicity, the hospitality, the tolerance, the dignity and the sweetness of the man. He was no shallow thinker, but had acuteness and force of intellect, although he was not deeply read, and gathered food for his brain rather from the actualities of life, as he found told by Mr. Frothingham that in Smith's library there was little or nothing of pure literature, philosophy, natural or metaphysical, none of the world's great thinkers, no science, no drama, no fiction, no travel, strongest in digests, reports, diplomatic correspondence and "that semilived and theorized in the present, and how little likely to be successful the one unaided human mind would be, when trying to cope with great social, political and religious problems which have puzzled the world for centuries. Mr. Frothingham has given us two interpretations of this strange life to choose from, the utilitarian view of it and the spiritual view; he himself does not venture an opinion as to which his readers should take; but if there be anything real in the stimulus to a higher ideal, a better endeavour, obedience to the lessons of the New Testament, and in the furtherance of the sentiments of compassion, benevolence, kindness and same spirit and to avoid his mistakes. Whether utilitarianism be folly or not is not our purpose to enquire; we do not agree with those who would simply judge of the merits of a life from its apparent conformity or nonconformity to a written rule and who leave out of sight the results arising incidentally from it, enough lessons taught, enough help given, enough encouragement of the weak and strengthening of the feeble to warrant us in saying that his life as the life of the founder of the system which inspired Gerrit Smith ended in a paradox.

As to the book itself, it is rather an expression of its subject's sentiments, a treatise upon his doctrines, an examination of his theories than a biography, for we miss much of the detail, and cause us to feel that we know him as well as his thoughts. And in a life like Gerrit Smith's it is all the more important that the every day being, the person who lives his theories, Mr. Frothingham has written an essay on Gerrit Smith containing necessarily much about his history, more about his ideas, and a little about his individuality, but hardly a very successful and his own comments thereon; his book is thoughtful, critical and impartial, much more impartial than might have been thought, and those who take an interest in social problems, and in the men who try to solve them, will find it both of interest and value.

DANIEL THE BELOVED.—By the Rev. W. M. Taylor, D.D. New York: Harper & Brothers. Montreal: Dawson Bros.

Dr. Taylor has set himself to pass in review the chief events in the life of Daniel by a course of Sunday evening lectures. These lectures form a good size and neat volume. It would be difficult to say anything now about Daniel, and Dr. Taylor is scarcely the man to do it; still, the lectures are good and very useful. The analysis of the character of Daniel is in the great and moving drama of the prophet's life are well portrayed, the scene at Belshazzar's feast especially. A little more imagination, which would have added intensity to the of that as it is.

The exegesis is carefully considered and clearly rendered. Dr. Taylor has, wisely, abmany obscure passages in the Book of Daniel, preferring to offer what is useful and accurate. We do not mean that he has simply skimmed the surface, or shirked difficulties, for in some places there is evidence of very considerable reading, besides original thinking, but he has avoided the rocks on which many less careful than he, and less modest, have split.

But the usefulness of the volume lies in its thoroughly practical nature. The lessons from days that have been are brought to bear upon the days that are. Religion is shown, not simply as a thing to be admired, to be formulated into creeds, and built up into systems, but to be lived by men whose feet are in the common dust of life, and who have to pace the daily round

We commend Dr. Taylor's lectures to clergymen, for they will see a part of the secret of a successful ministry; also, to students, that they may gain some notion of the work before them, and the way to do it; but most of all to young men, that they may find inspiration to do good and act uprightly, and the full assurance that a good life is a great life, based on strength and crowned with beauty.

A young American preacher, whose aspirations for celebrity as a preacher were only equalled by his want of all the essential elements except confidence, and who was finally discontinued from the work, was once discoursing on the expansive character of the human mind, and from satchelite to satchelite, and from saraphene to saraphene, and from cherrybeam to cherrybeam and from thence to the center of the doom of heaven."—*Curiosities of the Pulpit*.