

TALES OF THE JURY ROOM

By Gerald Griffin THE ELEVENTH JURYMANS TALE

THE PROPHCY

It may be imagined that Morris's feelings must have been during this dialogue, in which he found he was reputed not only as the murderer of Sergeant Robinson, but the leader and prime mover of the principal outrages which had occurred in Clare since the commencement of the disturbances. The large escort of horse and foot sent to accompany him to Ennis at the dawn of day, gave him a still more vivid impression of the importance attached to his capture, and it may be supposed the sensation created on his arrival in that town did not contribute to lessen it.

The perilous condition of the country for some months had induced the government to send down a special commission for the immediate trial of such as were made prisoners, and their summary punishment if convicted. The court held its sittings daily, and it not infrequently happened, that a person was indicted, tried, convicted, and executed before sunset, for an offence committed on the previous night, or perhaps on the very same morning. There appeared to be some prospect of this decisive manner of proceeding in the case of the unfortunate Morris. The court was open at the time he arrived in Ennis, and as soon as it was known that one of the murderers of Sergeant Robinson was taken, indictments were directed to be laid before the grand jury, that if true bills were found, the trial might take place immediately.

Morris, in the meantime, was lying upon straw in his gloomy cell, endeavouring with what resignation he could to reconcile himself to the awful fate which, however innocent, he well knew in such apprehensive times was awaiting him, when heavy footsteps at the door startled him. The key grated in the rusty lock, and as the door opened, and the dull beams of light from the barred window fell upon the form of the person who was entering, he recognized his old and detested tormentor, Will Wiley. They gazed upon one another silently, but with very different feelings, for some moments, when the humpback at length said in a compassionate tone, and with an air of feigned concern:

"God save ye, Morris."

"If it's the same to you, Misther Wiley," returned Morris, "I'd as live have the prayers of any one else."

"May be so, aragal," observed Will, "may be so—why then, dear knows, whatever you think about it, I'm sorry for you thorough."

"Eyah, let me alone."

"'Tis a bad business, I'm afeard, Morris!"

"Was it to bring me that comfort you're come to see me, Misther Wiley?"

"'Tis to hear this now, and you not havin' in the whole country, a greater friend than myself. Many's the night you'd ha' been dragged out o' your bed by the arnee, only for me, and you know that."

"Well, well, no matter; sure I'm not sayin' agin it; but if you're a friend of mine, as you're sayin', you'll answer me one question."

"Gondhoutha! why wouldn't I?"

"Well, then, tell me, for what crime is it I'm med a prisoner of in this way?"

"'Al-lu-lu! is it that your axing me," exclaimed the cobbler, elevating his voice in utter astonishment.

"Sure 'twas for the murder of the sergeant and the sodgers at Clondegad, wasn't it?"

"And who is it swears agin me, about it," continued Morris quietly.

"The whole country that was looking at you, I hear."

"I had nothing to do with it, Will!"

"Nothing to do with it," iterated the humpback in renewed astonishment, "eyah, don't be afeard, I'm not going to turn king's evidence agin you."

"I'm saying nothin but the truth, as if I was at my death hour," returned the prisoner solemnly.

"Murder! hear to this, now! Sure the whole world was looking at you at the head of the Terry's light-brown horse, as you were riding from Ballinacree to Clondegad. I had a woman myself say, see you cuttin off the head of the sergeant at the latter end, with one back-handed blow of your sword."

"'Tis no use my sayen a word one way or another, sure I know that," replied Morris, "but I wasn't there for all that."

"Well, well, no matter, I don't want to pump you, dear knows there's evidence enough agin you whether you were there or not, and 'tis hanging matter you know that of course?"

"'Tis pleasant to be reminded of it at any rate, Mr. Wiley."

"So I thought," said the humpback coolly, "I was afeard, perhaps, then, rascally peelers might be consailing it from you. Dear knows, 'twas when I was gettin up this mornin' it struck me. The poor boy, siz I to myself, the vagabones will take him by surprise, if there isn't some friend to tell him of his danger, and the rope that's prepared for him."

"I'm much beholden to you, no doubt, returned Morris, as a cold creeping came over him, "but you may spare yourself any more trouble about me."

"No trouble in life, Morris, not the laste," continued the imperturbable Will, "I couldn't have it on my conscience, when I seen the informations, and I knew your life was sworn away, to keep you in the dark about it. The dear lad, siz I to myself, sorrow a bit but he's as good as dead, lung already—'tis a pity not to let him know it."

Morris clasped his hands together, compressed his lips firmly, and with much obvious efforts suppressed any stronger indications of the feelings excited by his reflections on the fate to which the humpback was so anxiously directing his attention.

"The villains," continued the cobbler, "the villains, siz I, they'll not give him time to get the clergy itself. 'God help me Will," exclaimed Morris, overcome at length, by the terrific anticipations against which he was endeavoring to contend, "I believe I'm done for."

"True for you, Morris," observed Will compassionately, "I would be a sin to desave you about it, there isn't a man brought to the bar in these times but is found guilty, and then they're taken away to Cork for transportation, or straight up to execution, as the case may be."

"Would there be any hope of my being transported, Will?" inquired the unfortunate prisoner catching at the alternative.

"Is it transportation for murder?" Al-lu-lu: what is it you're dramen of?"

The humpback uttered these words in a tone of astonishment which completely extinguished all hope in the heart of poor Morris. Pale and faint he had been sitting up on some straw in a corner of the cell ever since the entrance of his visitor, musing what fortitude he possessed to support him during the dialogue, but his timid nature was unequal to the effort and unable any longer to restrain his emotions, he fell back in a burst of tears.

"Shame on you, Morris—shame on a courageous body like you," said his unrelenting tormentor, "'tisn't sich a hard death ather all."

"Ove! ove! ove!" were the only expressions that escaped the miserable prisoner in reply, as he employed himself in clasping and unclasping his hands unconsciously.

"I had a cousin of my own," continued the humpback, "that received ather the first time he was hanged by being bled, and faix he told me 'twan't so bad at all—and 'tis asier now I hear, since they're hung by the drop—you're standen this way on a floor like, the signal is given, slap your feet from under your feet—down you go with a jerk, and you're dead in a minit—Eyah! hanging's an asy death."

"Ove! ove!"

"If it's the disgrace you're menden, may be as there's army law in the country, if good interest was made with the judge or the government, they'd shoot you instead."

"Murder! murder!"

"Well, well, as you wish, Morris—'tis hard to please you about it. You never shooten, as the arnee say, suppose? There's a grave dug, as it may be near the windy there, and the prisoner has his eyes bandaged, and is med to kneel down by the edge of it, and there's a body of sodgers, standen as it may be here, fire what they calls a volley upon him. He tumbles into the grave—they turn the sods over him and there's an end of the business. In hanging to do be sure there's a great deal in having a good hand, but of the two, I'd myself prefer shooten, as the arnee say, death. If you wish Morris, I'll spake to the chief to know if anything can be done about it."

Morris started up on the straw, as if he had been struck by the galvanic battery, and seizing the humpback's hands in his own, with a desperate energy of manner, exclaimed, "hear to me, Will Wiley, this once, and the heavens bless you. If you want to me a favor, don't interfere in any way whatsoever between me and my end—let me live or die as God pleases—I don't want to have any more to say to you."

"Eyah! anything you wish—there's no harm done I hope," returned the humpback as he moved toward the door, "good-bye, a-gra; but that's true," he continued, turning back as if something now had occurred to him, "I was near forgotten; do you remember the pleasant November eve we spent together long ago, when we were boys, and the fortunes the old dummy told for us?"

Morris groaned deeply.

"I just thought of it dear knows—on account of the fortune she tould for you comen to pass this way—'tis so astonishing. I remember it as if 'twas only yesterday. She drew a gallows in the ashes for Peter Nocten and another for you, betokening, as I tould ye at the time, that ye'd both be hanged."

Morris gave another groan.

"Well, well, I'll bound my tongue sure—dear knows, one can hardly say a second word you take it to heart so, I'm blest if I'd come to see you at all, if it wasn't that I knew you had no other friend near you—'tis

so distressing. Howsomever, it'll never be said I deserted you in your misfortune, Morris. No—no—I'll come again, if I hear any news that I might be of plasen to you—such as the nature of the execution and things of that kind that you'd be wishen to know."

Morris raised his face from the straw in which it was buried, and looked suspiciously at the humpback, whose countenance at the moment presented an expression to which it would have been difficult to give an interpretation. The eyes were staring, and all the features struggling and convulsed, as if with an effort to subdue some almost irresistible emotions. Having succeeded in composing it to an appropriate expression of sympathy, he uttered faintly, (overcome apparently by his feelings, as he turned once more to the door.) "Good-bye, Morris—good-bye, a-gra," and withdrew.

"'Tis asy enough with you, you unhangd vagabond," exclaimed the prisoner, continuing to gaze in the direction of his departed visitor with an indignant expression, which had been gradually kindling within the last few minutes. "'Tis asy enough with you, earnen your blood money—you destroy an informer—but your day will come yet."

There was but little time for further reflection on the subject, when he heard a growing bustle outside—the tramp of military—the grunting of arms—the loud voices of officers and police, and the locking and unlocking of doors. The sounds gradually approached his cell, the door was pushed in, and a crowd of policemen, with fresh prisoners, entered. The latter were handcuffed, and the face and hands of one were soiled with blood. He looked depressed and jaded as if some desperate struggle; but his eye, as it wandered round the dark vaulted dungeon to which he was about to be consigned, betrayed no expression of fear. Morris gazed on him with intense interest for a few moments, as if struck by some strange recognition; a deadly paleness began to overspread his countenance, his eyes grew fixed and staring, his jaw fell, his very breath seemed to be choked, as he remembered the last words of the humpback, for his early friend and companion, Peter Nocten, stood before him.

Peter beheld Morris with equal astonishment, but gave no further token of recognition than a look of mute surprise before the police, proceeding to open the handcuffs, stood between them. A gentleman in coloured clothes who accompanied the chief constable, and appeared to be a magistrate, immediately directed all the prisoners, including Morris, to be placed against the wall in a line, and the witnesses to be then brought in to identify those who were engaged in the murder of Sergeant Robinson at Clondegad. As soon as the former were arrayed, the witness, a soldier of the 5th Regiment, a policeman and his wife, were accordingly introduced, and proceeded to examine their countenances and dress with great circumspection. It was a moment of deep suspense, as the witness walked backward and forward slowly before the anxious prisoners, now pausing as if caught by some faint recognition, now passing to another and to another. It appeared for a time, as if they were wholly at a loss, and unable to identify any of them. At length the policeman's wife made an unusually long pause before Morris, looked at his face steadily, and observing that he was deadly pale and trembled visibly, she inquired if he was Peter Nocten, who she had known a servant of mine, said my entertainer, and mistaking between me and my namesake, Captain O'Kelly of Ballinvoher, whose servant she really did see, she unhesitatingly exclaimed he was one of the murderers, and that she remembered him well, as he was the man who rode back from the fight to Ballinacree that morning, and hallooed the people to come out and join 'em. Although Morris had previously entertained little hope of escape, this unexpected declaration of the woman quite astonished him. He stood silent and motionless as a marble statue before his accuser, and listened to the dialogue between her and the magistrate which followed without evincing any sign of animation. He was at length aroused from his trance by a singular incident. While the female witness was making her deposition, the soldier of the 5th Regiment who accompanied her, was stating to the chief constable his inability to swear positively to any of the prisoners, but mentioned that he shot one of his assailants in the back of the leg, as he was making a retreat, and suggested the propriety of ascertaining whether any of them had a wound in that situation. An examination was immediately instituted, and as chance directed, Peter Nocten was the last who underwent the scrutiny. As soon as the leg was bared, the policeman gave a loud cry of exultation, exclaiming, "we have him, we have him—here it is—the mark of the bullet." And true enough, there appeared in the fleshy part of the leg, the marks of two wounds, one apparently where the ball entered, and the other where it had passed out. The soldier and the policeman's wife also, now that their attention was more particularly directed to Peter, thought unable to identify his features, began to recollect the colour and quality of his clothes, declaring that the most fierce and forward of the party wore precisely a similar description of dress. It was in vain that Peter declared his total innocence, or asserted that the marks were from wounds received by the bite of

a dog, when he was a boy. It was in vain that Morris corroborated his assertions. Both were listened to, with equal incredulity by the magistrate, who, to all they were urging in denial, replied with a disbelieving smile, "oh no doubt!" "very well!" "very ingenious!" "hope it may answer;" "must send you to trial for all that." Satisfied in fact that he had now got hold of the right man, he directed the removal of the other prisoners, and the handcuffs being replaced on Morris and Peter, consigned them to their present place of confinement. When the door of the cell was closed, the party paused outside, and the prisoners distinctly heard the chief constable cautioning the jailor, "to keep a sharp look out, and before he locked them up for the night, to search closely for any instrument of self-destruction which might be concealed about their persons. Let that little desperado Moran," he continued, "be especially looked after, as from the position he holds among the Terry's light-brown is most important he should be made an example of."

"The Lord protect us," ejaculated Morris, "did any one ever hear the like?"

"'Tis all up with us," observed Peter. "We have no more chance of escape, than if the grass was growing green over us this moment."

"Oh! vo! vo!"

"Eyah! What's the use of grieve? may be 'tis all for the better."

"God help us," responded Morris faintly.

"I thought once, Morris, the world wasn't so dark as it looks to me, now," said Peter, "I had my cabin, my garden of potates, and my acre of corn. I had the love of a little girl that hadn't her equals on this wide earth, and two little craythurs were playen like kittens about the floor with me. Oh! mavrone, I was the happy man then Morris—and what am I now?"

"Maybe you wouldn't suffer ather all, ero," replied his fellow-prisoner, "suffer, is it," ejaculated Peter, "do you think I matter anything they can do to me now. No, no; I suffered whatever any crathur on this airth could suffer in the loss of all that wor near and dear to me, and death cannot frighten me now."

"Was it to lose the wife you did, agr?" inquired Morris compassionately.

"The wife—the son—the daughter—all—all—the Morris, and here I stand alone in the world, and have it naked, as naked I could be, and I don't know how to get any comfort—wait, and I'll tell you the rest of the story, 'tis a short one. I held my little farm asy, and paid the rent regular, until an election come in the country, and I voted against my landlord for the sake of emancipation. From that day out he never had the same face for me, and I knew well my ruin wasn't far off. There was an old abatement he med me in the farm some years before, when the times grew hard. This abatement he now brought agin me as an arreer, and ordered me to pay up at wanst. I couldn't do it, ov course, and got immediate notice to quit. On the following 25th of March, in cold stormy weather, the whole of us were turned out to be the ditch side, and the cabin was levelled before our faces. I made a shed against a bank on the highroad with a few sticks and sods, and the neighbors, God bless 'em, sent us the potatoes, but the cold was the yet brought the fever to us, and my darlen wife and my poor Dinny died. The little girl, too, though she recovered for a time, was never the same after. From that time out she had a cough, and heezing like, and a bright color kem in her cheek, and she waisted away day after day! Of if you were to see her, Morris, and to think of what she was!"

Peter's voice faltered for a moment, and he appeared to struggle with some intense emotion at length recovering himself he continued:

"Night and day I watched the little craythur, and got medicine for her, and gev her goat's milk be the doctor's orders, and every whole hupporth the neighbors said was good for her; but 'twas all of no avail. She grew worse and worse, and had heavy pspirations on her, and was talking wild-like in her sleep at night, and the cough and the pain in the side wor kilen. If you were on't to see her, Morris, the little craythur looked up to me, after a violent fit, 'twould go to your very heart. 'I wish I was in heaven, daddy,' she used to say sometimes, and her lip tremblin', 'for then I'd have no more pain! Well why, she grew so bad at last, I was obliged to give up the work and sit by the sod of straw constant, minding her, not knowing the moment she'd draw the breath. As I was watching this way last night, sometimes raising and settling her up when the oppression 'ud come on her, sometimes fixing the sods closer in the covering over her head, for the weather was wet and stormy, I thought I heard the sound of footsteps, like the tramp of sodgers, between the gusts. I found I was right enough, for in a few minutes the shed in which I was surrounded, the door was thrown in, and a policeman stooped down, desiring me to come out and settling her up when the oppression 'ud come on her, sometimes fixing the sods closer in the covering over her head, for the weather was wet and stormy, I thought I heard the sound of footsteps, like the tramp of sodgers, between the gusts. 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