

Poetry.

THE FALLEN GIRL.

Centless friendless, out in the street,
Hungry and homeless, with nothing to eat,
She who was once the beloved and admired—
She who had all that her heart had desired,
Now that she's fallen, wretched and poor,
Is pushed from the pavement as she sits by the
door,

Fallen too low to repent or to pray,
Say the Sisters of Mercy, as they pass on their
way,

Little they know what she suffers within,
As she thinks of her folly and the horrors of sin!
Nobody thinks, nobody knows,
Nobody cares where the sufferer goes,

She has travelled all day,
And the night has grown dark,
She has no where to stay,
She is sickened at heart.

The tears from her eyes that are falling like
rain,
Give ease to her heart and relief to her brain,
She has come to a bridge where the dark waters
roar,

She leans by the arch to travel no more?
She thinks of the future, she thinks of her home
She thinks of her childhood and feels she's alone
She thinks of her mother in grief and despair
But knows not her mother is pleading in prayer.

Her bosom is heaving, she's grasping for breath,
As she thinks of the future and the horrors of
death!

Frantic and wild she kneels down to pray,
Striving and thinking to know what to say.
Merciful God! in her grief she exclaims,
How shall I wash from my soul these dark stains?
Sins of omission that wrought my disgrace;
Sins of commission I cannot erase.
Merciful God! O where shall I fly?
I am hating to live; I am fearing to die.

Out on life's ocean I drift in the storm,
Oh! how I wish I had never been born!

Reckless and fearless, and desperately sad,
Has she fallen so low that none is so bad?
Off in the dark in the dead of the night,
Away from the living and out of their sight,
She travels all night and thinks she's alone,
Knows not that the angels are leading her home,
She lingers to rest in the dawn of the morn,
By the house and the home in which she was
born.

Her hand's to the bell, to ring in the hall,
She wonders if they will answer her call,
No: She won't ring; she clenches the door.
The bolt gives way and she steps on the floor.

The footstep is heard by a listening ear,
And a voice cries, "Mary is that you I hear,"
"Yes mother," that's all the sufferer can say,
Her mother to meet her hastens away;
She has spent the whole night in pleadings and
prayer,

And now she is thankful to know she is there,
The past is forgiven she's loved and caressed;
In the arms of her mother she weeps on her
breast,

Crying Mother, dear mother, I want to begin,
To tell you how far I have fallen in sin."

"Hush! tell it to Jesus when you are alone,
It's joy for your mother to have you come home.

"How happened it mother, on a night like the
last,

So dark and so dreary the door was not fast?
It never was fastened by night or by day,
Since you my dear Mary, wandered away.
For months, and for years I have prayed when
alone,

That you, my dear child, some day would come
home,
And the door was not fastened, believe me 'tis
true,
For fear you might think it was barred against
you,

Think not of the past, think not of your shame,
Your mother's a mother, she's always the same;
But think of our Father and his fostering care,
Who heard our dear mother and answered her
prayer."

Tales and Sketches.

THE OTHER SIDE.

NEW TRADES UNION STORY.

BY M. A. FORAN.

Pres. C. J. U.

CHAPTER XXVIII.

Following Relvason, Mrs. Tatam Mahoney was examined in chief, and then cross-examined after this manner:

Lanspere.—You say you have not seen or heard of your husband since the night of the fire?

Witness (crying).—Never saw or heard of him since.

Lanspere.—Did he say anything when you saw him about leaving the city unexpectedly?

Witness.—No sir, he said he would be back soon; he left the house about seven o'clock.

The prosecution seemed pleased at this answer, and the friends of the accused seemed equally depressed by it.

Lanspere.—When your husband left home did he have on a pair of shoes?

Counsel for State.—We object; this question can have no bearing on the case.

Lanspere (rising).—May it please the Court,

It has always been held, and will not be denied by me, that circumstantial evidence is competent to convict a murderer, and it is just as necessary to the welfare of society that such should be the case, as it is necessary that this monstrous execrable crime should be punished, but herein I feel bound to make a distinction that the learned counsel for the prosecution wish to ignore. Then I claim that it should first of all be proven by direct testimony, that the *corpus delicti* are the bodies of the men charged in the indictment to have been murdered by the prisoner. The prosecution have endeavored to prove that one of the *corpus delicti* was the body of Tatam Mahoney, and this they claim or will claim to have proven by a watch, which it is claimed belonged to the said Mahoney. Now in so far as it served their purpose, the prosecution has admitted, as a principle of law, that articles of raiment are legal evidences of identity. In this I fully agree with the learned counsel, and as we wish to prove that the body in question was not the body of Tatam Mahoney, we claim the same right to make articles of raiment a legal evidence of identification.

Counsel for State.—Your Honor—
Judge (interrupting).—The question is proper and competent, (sharply) let the trial proceed.

Witness.—My husband never wore shoes to my knowledge.

An apostate member of the union was produced by the State to prove that Arbyght had threatened Tatam Mahoney's life. But in the cross-examination, he had to admit that Arbyght merely said he would "expose" Mahoney's treachery. (See Chapter XV.) This witness was also compelled to admit that in testifying as he did, he had violated a moral oath. His testimony did not injure the defence in any material manner.

It took two days to examine in chief and cross examine the witnesses for the State. The identification of the bodies was made a special point. Much time, of course, was wasted in arguing technical points of law, and deciding upon the admissibility and relevancy of direct and leading questions. The counsel for the State manifested an acrony rarely evinced by members of the bar, but when the prosecution had closed, it was generally conceded by the balance of the bar, who had listened to the trial, that their case was considerably obfuscated by legal points, which few were able to understand. Mr. Lanspere was a young lawyer, clear headed, full of common sense and common law, and everybody admitted that he had managed the cross-examination with admirable tact, ability, shrewdness and skill. His motto was keen trenchant brevity.

On the third day of the trial, after the Court had been opened, he arose and addressed the Court in substance as follows: "May it please your Honor; Gentlemen of the Jury: We are called upon to reply to a charge of murder, based, for the most part, upon conjectural, presumptive and improbable testimony. Facts have been proven, we admit, but when they are placed under the eye of practical analysis, or when viewed abstractly, they show no evidence of the commission of a crime. Circumstances have been proven, also, but they are so remote that they can have no bearing upon the case before you. In the first place, then, we deny that the prisoner has committed a murder, and in the next place we deny that a murder has been perpetrated at all. We also deny that the prisoner is guilty of arson. We in like manner deny every charge made in the indictment, and every statement made by the prosecution that in any manner reflects upon the prisoner. We shall prove to you, Gentlemen of the Jury, that it was absolutely impossible for the prisoner to fire the building in the space of time that elapsed during his going in and coming out of the shop, unless he ignited the naphtha stored there, and we shall prove that he had no knowledge of the existence of such a fluid in the shop, and that no one knew of its existence except Relvason, his clerk, the foreman, and the man that carted it there. We shall also prove that the prisoner had no knowledge of the self-shutting door, leading from the office to the shop, and that it was impossible for him to re-enter the office from the shop, where it is claimed that the fire originated. We have already shown that the bodies found and claimed to be those of Mahoney and Miller, had been dead at least a day before the fire occurred. In the evidence we shall produce we intend to prove that these bodies died a natural death and not a violent one. This we will prove by the testimony of reliable and able medical men who examined the bodies, not more than ten days ago. And hence they could not be the bodies of those who it is claimed were murdered. In support of this argument we will prove, as we have already, that Tatam Mahoney was never known to wear shoes, and that the body said to be his had shoes on when found. The prosecution has not explained this matter, although ample opportunity was given them to do so. Again, we will show that the prisoner did not organize an association of labor for the purpose set forth in the plea of the prosecution. It may be asked what the prisoner was doing at the shop or office at such a late hour, but we will show conclusively that he was there upon the invitation of Mr. Relvason; to confer with him upon a matter in dispute between that person and his men; that Mr. Tatam Mahoney came to him on the morning in question, and said to him that Mr. Relvason wished to see and speak to him; that he innocently and unsuspectingly went with the said Mahoney, and

with him entered the office; that Mahoney went from the office into the shop, in search of Mr. Relvason, as he said; that shortly after he did so the prisoner heard the shots already spoken of; that he then tried to enter the shop, but found the door closed and fastened; that he then ran into the yard and saw the fire, and acting upon a noble impulse he ran toward the gate to give an alarm, and was there arrested; that the pistol found upon him he knows nothing of, never saw it before. How it came in his pocket may be easily imagined in view of the manner in which he was decoyed to the shop, and the subsequent events that happened there. These facts, Gentlemen of the Jury, we are now prepared to substantiate beyond doubt or cavil."

The evidence for the defence was then produced, and in the main seemed to corroborate the plea set up by Mr. Lanspere in almost every particular. Many of the witnesses for the prosecution were also subpoenaed for the defence. Relvason denied flatly having sent for Arbyght, but could not deny that he had, to a certain extent, persecuted the prisoner. The defence proved this fact so thoroughly, that Relvason was afraid to deny it. When the evidence was all in, the case closed, and the prosecuting attorney made the opening argument, which was followed by a masterly effort by one of his colleagues; Mr. Lanspere then addressed the jury for four hours. His argument was plain, practical and logical, mixed with occasional bursts of impassioned eloquence and pathos, and spiced with keen thrusts of cutting satire. When he sat down a loud murmur of approbation ran through the room. The judge frowned, the sheriff threatened, and the crier cried until order was restored. The remaining counsel for the State now made the closing argument, which was very long, verbose, very learned, ponderous, and abounded in citations and quotations innumerable. The charge of the Judge was brief, pointed and impartial.

The jury retired, and the crowded court room was soon comparatively empty; the Judge continued to call the docket until another case was found wherein both sides were ready to proceed, and everything went on as before.

Twelve hours rolled wearily away, but no verdict had yet been rendered. Many were the conclusions as to what it would be, the most general opinion being that the prisoner would be acquitted.

Twenty, thirty, thirty-six hours, still no verdict.

Forty hours—the jury came into the Court, reported through their foreman that they could not agree, and were discharged, and thus it ended.

It was afterwards learned that the two farmers were the only jurors who favored acquittal, and but for them the prisoner had been hanged. The honest, intelligent farmer is the only real representative juror in the country.

It was now determined on by the defence to move for a change of venue.

When it was understood that the jury had disagreed, Bertha went home almost broken in spirit. She had worked hard, and almost expected a favorable termination of the case; her hopes in this direction were heightened since the close of the trial, as every one whose legal or common sense judgment was worth estimating, claimed that the case was fairly won by the defence; then to have the jury disagree, and a verdict, justly earned, snatched away, was exasperating in the extreme. Bertha lay awake nearly all that night. She thought and thought until something like an inspiration darted through her mind. Under such circumstances as these it has often been noticed that the female mind has a remarkable, almost a supernatural power, for divining or arriving at conclusions that show traces of wisdom of an order far above the scope of ordinary mortals. She formed a plan before she fell asleep which she next day confided to the sergeant, who, when he heard it, pronounced it capital, admirable, a *coup de main* in fact, but he feared Arbyght would stubbornly refuse to enter into the compact, besides he thought it was impracticable, as well as decidedly dangerous, and would ruin the prisoner should it fail. Bertha pressed the matter warmly and constantly upon the sergeant's attention, until he consented to aid her in the scheme. The next thing was to obtain her brother's consent. He opposed the idea with inflexible obstinacy for a long time, but he finally yielded through the vehement, impetuous urgency with which his sister and Paul Geldamo pressed the matter. It may be here remarked that during the trial and ever since his imprisonment, Paul Geldamo was his constant, and next to Bertha, his best friend.

One morning the startling intelligence that Arbyght had escaped from prison astounded and astonished the good people of the city. Those who believed him blameless before shook their heads doubtfully, and seemed willing to admit guilt now. If he was innocent, why should he seek to avoid the issue? "The righteous are bold as a lion," wrote the inspired writer, and if the prisoner was righteous he would not have fled. He was guilty, hence fearful, and therefore he cowardly fled from justice. Thus argued the press; thus argued the public, with very few exceptions. Bertha bore all this calmly, and said nothing in extenuation of the act. Many of his friends claimed the breaking jail justifiable, since justice in his case was a farce. The next great question that occupied public attention was

the manner of the escape. But here an *clair-voisance* was evidently needed, as the whole affair was mysteriously, occultly, awfully obscure; there was about it a complexity of intricacy that baffled the most astute detectives who were engaged to work up the case, but who, after exhausting all their ingenuity, proved no better than guessing conjecturalists. The escape was planned by the prisoner himself; he was a thorough mechanic, practically in one branch, theoretically in nearly all branches, besides he was deeply versed in mathematical lore, being in reality a natural geometrician; he could, by the eye alone, determine the height of a building, tree, or other object, the length of a line or pole, the breadth of a door or board, so closely, that in his school-boy days he was known as the "Guesser." On the blackboard, he could draw a line of any required length, and never deviate the sixteenth of an inch. As phrenologists would say, form and size were unusually large and very much developed in him.

(To be continued.)

RACHEL AND AIXA;

OR,

The Hebrew and the Moorish Maidens.

AN INTERESTING HISTORICAL TALE.

CHAPTER XXXIII.—The Levites.

The night in which Burdett departed with his company, Don Pedro, in order to soothe the sadness of his heart, strolled through the streets of the city, accompanied by Blas and Perez, his other foster-brothers having remained in the Castle of Larrac with Rachel.

He was desirous of knowing if the new expedition, on account of the tax it had been necessary to levy, had excited discontent among the people; and if, as Burdett had asserted, the calumnies spread against him, as the murderer of Blanche of Bourbon, had raised the popular hatred against him.

Disguised, therefore, as a fisherman, he left the monastery after the curfew, and bent his steps towards the quarter inhabited by the humbler classes.

The night was dark and foggy, and he passed along for sometime without any incident awakening his attention. All was quiet; not a shadow, not a human being was to be seen but themselves, and they had decided to return, when they discovered that, misled by the darkness of the night, they had lost their way; and after wandering about, making vain efforts to regain it, they found themselves in a solitary little street, the houses of which were half-destroyed, as if they had been given to fire and pillage.

At length they came out on a spacious square, and Don Pedro perceiving a large building blackened by fire, exclaimed, "Surely this must be the Jewry of Bordeaux; here is an old synagogue that appears to have suffered as disastrous a siege as the temple of Jerusalem. But this is easily accounted for; the Jews of Bordeaux having been sentenced to banishment, the quarter is now inhabited only by a few fanatics, who, rather than quit the home of their ancestors, have paid an enormous ransom to my noble ally for the privilege of shutting themselves up in this old asylum, like bats in a cavern."

Blas expressed a desire to quit the silent and desolate quarter, and Don Pedro, after rallying him on his want of courage, was preparing to retrace his steps, when he suddenly stopped, for, silently marching in the shade, they saw ten men dressed in long white robes, with naked feet, bending their steps towards the synagogue.

Arrested by curiosity, and the danger of being discovered in so suspicious a place, they waited quietly against the wall of the synagogue, and observed, with anxious and profound attention, the movements of the procession.

He who walked at the head of the band stopped before the old edifice, and, noiselessly opening the gate, made his companions enter in turn, counting them, and addressing to each a single word, "*Sophetim*," in a whisper, so as to be heard only by him whose hand he held. The initiated answered by another word of the same number of syllables, but equally unintelligible to the astounded listeners; and all having gone through this formula, the chief entered last and carefully closed the door.

"I sought adventures," said Don Pedro, "and here is one most singular; it seems to me that something horrible is about to happen in this synagogue;" he therefore determined to await the event. Just as he came to this conclusion, a feeble light appeared through the windows. By the aid of his companions, Don Pedro managed to reach the ledge of the window, from which he gazed eagerly into the interior of the synagogue. It was a melancholy scene of grandeur in ruins. Brazen vessels lay broken around, and before the altar stood the chief of the band; turning to his companions, he addressed them in a low, sad voice:—"Ministers of vengeance, we have found a night propitious to our meeting; we have been able to escape those devouring lions, whose claws are ever ready to clutch the people of Zion." After a long and gloomy description of the persecutions they had suffered at the hands of the Christians, he concluded thus:—"But ought the rage of the Gentiles to surprise us, when from the very bosom of our tribes arise, like serpents, the

traitor and impious, disowning the faith of their fathers, and extending a sacrilegious hand to the enemy."

A deep murmur escaped the Levites at these last words, and Don Pedro, struck by a sudden idea, listened with increased attention to the Jew, whose preamble had but little interested him.

"Let us hasten then," said one of the Levites, "let us not give the spies of the Gentiles time to surprise us."

"Thou art right, Jacob," replied the chief, without appearing hurt at this suggestion. "Assure thyself, then, that no Christian lurks about the synagogue. Woe to him who would assist at this judgement! He will have run his race."

The Levite obeyed, and having searched every corner of the synagogue, he returned, saying, "Brethren, all is quiet; not even a wandering dog is to be seen about the temple."

The candlestick with seven golden branches upon the altar now emitted a brighter light, and the Levites having thrown back their cowls, Don Pedro uttered a low cry of surprise and alarm at recognising, in the dark and wrinkled countenance of the chief, the features of the frantic Zedekiah, whom he concluded had been, along with Samuel, swallowed up in the storm on the sands. He turned away his eyes with an expression of superstitious terror, and his looks rested on another Jew who leaned against the altar, and in whom he recognised his former treasurer, Samuel Ben Levi.

When his surprise had in some measure subsided, and he was again enabled to turn towards the singular scene, Zedekiah was still addressing the Levites.

He preached the judgment of God against some woman whom he resigned "A daughter of Belial," and his denunciations were confirmed by the other Jews.

Although no name had been mentioned in this vague appeal, the limbs of Don Pedro shook with horror, as his thoughts turned to Rachel, lest the sanguinary vengeance of these fanatics should reach his well-beloved.

"You will then be the avengers of Heaven," cried Zedekiah, addressing the band, "since you are about to condemn this daughter of our race, whom we mistook for a piece of fine gold, but who is only a base counterfeit. She has not stolen the treasures of her brethren—she has not sold their clothes to Babylonians—but she has betrayed the truth, which is more precious than silver and jewels. God is with us, since he has protected us in our nocturnal meeting in the synagogue."

At that moment Don Pedro saw old Ben Levi totter towards Zedekiah, as if his eyes were suddenly opened, and he no longer doubted that the question was respecting Rachel.

"Why hast thou brought me here, brother?" said the old man, "hast thou deceived me, to make me fall into thy snare?"

But Zedekiah, without deigning to answer him, continued his oration. "Yes, God is with us! for, by a miracle, He saved me and Samuel Ben Levi, in that terrible hurricane where so many Christian knights perished; and I vowed, if saved, to devote my life to the accomplishment of the holy work for which we are assembled. That infamous woman must die."

"What is her name?" demanded Samuel, making an effort to appear calm, although his attenuated body shook like an aspen leaf, and his lips trembled convulsively.

"Her name would defile our lips," answered Zedekiah. "Her name ought to be erased from our memory, but Jacob is going to place before you the waxen image that represents her, so that our brethren of Bordeaux who have not yet seen her, may be able to recognise her. It is that image we are all going to destroy this day with the broken stones of the synagogue, awaiting the day when we can slay the criminal herself."

Jacob then placed on the altar a waxen image, about two feet high, habited like the Jewesses of Andalusia.

This coarse figure attracted the curiosity of Don Pedro, and he leaned forward, at the risk of being discovered, and sought to recognise the features, while his forehead was bathed in a cold perspiration.

As to Samuel, he sprang forward, in order to overthrow the image; but, at a sign from Zedekiah, Jacob stopped him, and pushed him violently from the altar.

"That woman," continued Zedekiah, "is unworthy to wear the costume of our pure and chaste daughters. She is dishonoured in loving a Christian; she has revealed the secret of her brethren; in short, by abjuring the faith of the living God, she has rendered us the laughing-stock of our enemies, Jacob, remove the raiment she has defiled."

The Levite quickly tore the veil from the image, which then appeared dressed as a Christian lady. He now lighted in a brazen basin an essence, which emitted a pale bluish light. This flame glimmered for some instants, and then expired; but it had lasted long enough for Don Pedro, as well as Ben Levi, to recognise in the figure a coarse resemblance to Rachel. It was only by an extreme effort that the king could restrain the cry of grief and indignation that was escaping from his lips.

"Judges, you have seen the countenance of the daughter of Belial," said Zedekiah, in a cold tone of voice, "and will be able to recognise her among a thousand."

"Yes!" answered the eight Levites.

"What is the punishment that the law of God enjoins against apostates?" demanded he.