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ELLEN DUNCAN.

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There are some griefs so deep and overwhelming, that even the best exertions of friendship and sympathy are unequal to the task of soothing or dispelling them. Such was the grief of Ellen Duncan, who was silently weeping in her lone cottage on the borders of Clare—a county at that time in a frightful state of anarchy and confusion. Owen Duncan, her husband, at the period about which our tale commences, resided in the cabin where he was born and reared, and to which, as well as a few acres of land adjoining, he had succeeded on the death of his father. They had not been long married, and never were husband and wife more attached. About this time outrages began to be perpetrated; and soon increased fearfully in number. Still Owen and Ellen lived happily, and without fear, as they were too poor for the marauders to dream of getting much booty by robbing; and their religion being known to be “the old religion of all or all,” in a warfare that was exclusively one of party, they were more protected than otherwise. Owen never was particularly thrifty; and as his means were small, was generally embarrassed, or rather somewhat pinched in circumstances. Notwithstanding this, however, he was as happy as a king; and according to his unlettered neighbors’ artless praise, “there wasn’t a readier hand, nor an opener heart in the wide world—that’s iv he had it—bud he hadn’t, an’ more was the pity.” His entire possessions consisted of the ground we have mentioned, most part of which was so rocky as to be entirely useless—a cow, a couple of pigs, and “the ould cabin,” which consisted of four mud walls, covered with thatch, in which was an opening, “to let in the day-light, an’ to let out the smoke.” In the interior there was no division, or separate apartment, as the one room contained their cooking materials, and all other necessities, beside their bed, which was placed close to the fire, and, of course, nearly under the opening in the roof. If any one spoke to Owen about the chances of rain coming down to where they slept, his universal answer was, “Shure we’re neither shugar nor salt, any how; an’ a dhrop or rain, or a thrifle of wind, was niver known to do any body harm—barrin’ it brought the typhus; bud God’s good, an’ orders all for the best.” Owen had been brought up in this way, and so as he could live by his labor, he never thought of needless luxuries; and Ellen, seeing him contented, was so herself.

For some months previous to the time of which we write, Owen’s affairs had been gradually getting worse and worse; and it was with no pleasing anticipations that he looked forward to his approaching rent day. His uneasiness he studiously kept a secret from his wife, and worked away seemingly with as much cheerfulness as ever, hoping for better days, and trusting in Providence! However, when within a week of the time that he expected a call from the agent, he found that with all his industry he had been only able to muster five and twenty shillings, and his rent was above five pounds. So, after a good deal of painful deliberation, he thought of selling his single cow, thinking that by redoubled exertion he might after a while be enabled to repurchase her; forgetting, that before the cow was sold was really the time to make the exertion.—A circumstance that greatly damped his ardor in this design was the idea of his wife’s not acquiescing in it; and one evening, as they sat together by the light of the wood and turf fire, he thus opened his mind—

“Ellen, ashore, it’s myself that’s sorry I haven’t a fine large cabin, an’ a power of money, to make you happier an’ comfortabler than you are.”

“Owen,” she interrupted, “don’t you know I’m very happy? an’ didn’t I often tell you, that it was the will of Providence that we shud be poor? So it’s sinful to be wishin’ for riches.”

“Bud, Ellen, a cushla, it’s growin’ worse wid us every day; an’ I’m afraid the trouble is goin’ to come on us. You know how hard the master’s new agent is—how he sould Paddy Murphy’s cow, an’ turned him out, because he couldn’t pay his rent; an’ I’m afraid I’ll have to sell ‘Black Bess,’ to prevent his doin’ the same wid us.”

“Well, Owen agra, we mustn’t murmur for our distresses; so do whatever you think right—times won’t be always as they are now.”

“Bud, Ellen,” said he, “you’re forgettin’ how you’ll miss the dhrop of milk, an’ the bit of fresh butter, fur whin we part wid the poor baste, you won’t have even them to comfort you.”

“Indeed, an’ iv I do miss them, Owen,” she answered, “shure it’s no matter, considerin’ the bein’ turned out of one’s home into the world. Remember the ould sayin’ ov, ‘out of two evils always chuse the laste?’ an’ so, darlint, jist do whatever you think is fur the best.”

After this conversation, it was agreed on by both that Owen should set out the next day by one for the town, to try and dispose of the “cow,

the crathur;” and although poverty had begun to grind them a little, still they had enough to eat, and slept tranquilly. However, it so happened, that the very morning on which he had appointed to set out, “Black Bess” was seized for a long arrears of a tax that had not been either asked or paid there for some time, and driven off, with many others belonging to his neighbours, to be sold. Now you must know, good reader, that there is a feeling interwoven, as it were, in the Irish nature, that will doggedly resist any thing that it conceives in the slightest or most remote degree oppressive or unjust; and that feeling then completely usurped all others in Owen’s mind. He went amongst his friends, and they consoled with one another about their grievances; there was many a promise exchanged, that they would stand by each other in their future resistance to what they considered an unlawful impost. When the rent-day came, by disposing of his two pigs, and by borrowing a little, he was enabled to pay the full amount, and thus protract for some time the fear “of bein’ turned out on the world.”

Some days after, the whole country was in a tumult—Daly, “the proctor,” was found murdered in the centre of the high road; and there was no clue perceptible, by which the perpetrators of the crime could be discovered. The very day before, Owen had borrowed the gamekeeper’s gun, to go, as he said, to a wild, mountainous part of the country to shoot hares; and from this circumstance, and his not having returned the day after, a strong feeling of suspicion against him was in the minds of most. In fact, on the very evening that we have represented Ellen sitting in tears, the police had come to the cabin in search of him; and their report to the magistrate was, that he had absconded. His wife was in a miserable state of mind, and her whole soul was tortured with conflicting emotions. Owen’s long absence, as well as his borrowing the gun, seemed to bespeak his guilt; and yet, when she recollected the gentleness of his manner, and his hitherto blameless life, she could not deem him so, no matter how circumstances seemed against him. But then, the harrowing idea that it might be, came in to blast these newly formed hopes, and her state of suspense was one of deep and acute misery.

She was sitting, as we have said, alone; the fire, that had consisted of two or three sods of turf heaped upon the floor, had almost entirely gone out; the stools and benches were tossed negligently here and there; and the appearance of the entire apartment was quite different from its usual neat and tidy trim. Her head was bent a little, and her hands were clasped tightly round her knees, while her body was swaying to and fro, as if the agitation of her mind would not allow of its repose. Her eyes were dry, but red from former weeping; and she was occasionally muttering, “No, he can’t be guilty!”—“Owen commit a murder!—It must be an untruth!”—and such like expressions. Gradually, as she thus thought aloud, her motions became more rapid, and her cheeks were no longer dry, while the light that entered through the open door becoming suddenly shaded, she turned round, and raised her fearful eyes to question the intruder. She sprang eagerly forward, and hung on his neck, (for it was Owen himself), while she joyfully exclaimed—

“Oh, heaven be praised, yer come back at last, to give the lie to all their reports, an’ to prove yer innocence.”

“Ellen, my darlint,” he answered, “I knew you’d be glad to get me back,” and he kissed again and again her burning lips; “but what do you mane, a cushla?—What reports do you spake ov, an’ ov what am I accused?”

“Oh, thin, Owen, I’m glad you didn’t even hear ov id; an’ the polis here sarchin’ the house to make you pres’ner. Shure, avick, Bill Daly, the proctor, that sazed poor Black Bess, was murdered the very mornin’ you went to shoot the hares; an’ on account ov yer borrowin’ the gun, an’ threatenin’ him the day ov the sale, they said it was you that done id; bud I gev thim all the lie, fur I knew you wor innocent. Now, Owen, a hagar, you look tired, sit down, an’ I’ll get you somethin’ to ate. Och, bud I’m glad that yer returned safe!”

The overjoyed wife soon heaped fresh turf on the fire, and partly blowing, partly fanning it into a flame, hung a large iron pot over it, from a hook firmly fixed in the wall. While these preparations were going forward, Owen laid aside his rough outside coat, and going to the door, looked out, as if in irresolution.

“Ellen,” at length said he, turning suddenly round, “I’m thinkin’ that I’d better go to the polis barrack an’ surrinder—or rather, see what they have to say agin me; as I’m an innocent man, I’ve no dhread; an’ if I wait till they come an’ take me, it’ll look as iv I was afraid.”

“True fur you, agra,” she answered; “but it’s time enough yit a bit—no one knows ov yer bein’ here. You look slaved, an’ had better rest yerself, an’ ate a pratee or two. I have no

milk ov my own to offer you now, but I’ll go an’ thry an’ get a dhrop from a neighbor.”

When Ellen returned with a little wooden noggin full, her husband was sitting warming his hands over the fire; and it was then she recollected that he had not brought back the gun with him; besides, when she cast a glance at his clothes, they were soiled with mud and clay, and torn in many places. But these circumstances did not for a moment operate in her mind against him, for she knew from the very manner of his first question, and the innocence of his exclamation, that the accusations and suspicions were all false. Even though he had not attempted to explain the cause of his protracted absence, she felt conscious that it was not guilt, and forbore to ask any questions about it. It was he first opened the subject, as they sat together over their frugal meal.

“Ellen,” said he, “sence I saw you last, I wint through a dale ov hardship; an’ I little thought, on my return, that I’d be accused ov so black a crime.”

“Och, shure enough, Owen darlint; but I hope it’ll be all fur the best. I little thought I’d see the day that you’d be suspected ov murder.”

“Well, Ellen aroon, all’s in it, it can’t be helped. Bud as I was sayin’—whin I left this, I cut across by Shemus Doyle’s, an’ so up into the mountain, where I knew the hares were coorsin’ about in plenty. I shot two or three ov thim; an’ as night began to fall, I was thinkin’ ov comin’ home, whin I heard the barkin’ ov a dog a little farther up, in the wild part, where I niver venthured afore. I dunna what prompted me to folly id; bud, any how, I did, an’ wint on farther an’ farther. Well, Ellen agra, I at last come to a deep valley, full up a most ov furze an’ brambles, an’ I seen a black thing runnin’ down the edge ov id. It was so far off, I thought it was a hare, an’ so I lets fly, an’ it rowled over an’ over. Whin I dhrew near, what was it bud a purty black spaniel; an’ you may be shure I was sorry fur shootin’ it, an’ makin’ such a mistake. I lays down the gun, an’ takes id in my arms, an’ the poor crathur licked the hand that shot it. Thin suddenly there comes up three strange min, an’ sazin’ me as if I wor a child, they carried me down wid them, cursin’ an’ abusin’ me all the way. As they made me take a solemn oath not to reveale what I saw there, I can’t tell you any more; but they thrated me badly, an’ it was only yestherday I escaped.”

“Well, Owen, a hagar, we ought to be thankful that you’re back here safe; but do you think the magistrate will be satisfied with this story—they are always anxious to do justice, but they must be satisfied.”

“In throth, they are, machree; but shure I’ll sware to id; an’ besides, you know, the raal murderer may be discovered—for God never lets it, or all other crimes, go about unpunished.—An’ now I’ll jist go to the barracks at onst, an’ be outov suspinse.”

Ere Duncan had concluded this sentence, the tramp of feet was heard outside, and in a few seconds the cabin was full of armed men, who came to take him prisoner. He had been seen entering his cabin; and they immediately, i.e., as soon as they could muster a party, set out to make him captive. As he was known to most of them, and did not make the slightest attempt at resistance, they treated him gently, but bound his hands firmly behind his back, and took every necessary precaution. Though Ellen, while it seemed at a distance, had conversed calmly about his surrender, she was violently agitated at the appearance of the armed force. She clung to her husband’s knees, and refused to part from him, wildly exclaiming, “He’s innocent! My husband’s innocent!” and when all was prepared, she walked by his side to the magistrate’s house, (a distance of three miles) her choking sobs and burning tears attesting the violence of her uncontrolled feelings. A short examination was gone through there; and the circumstantial evidence that was adduced made the case look very serious. One man positively swore, that he had seen Duncan pass by in the morning, in the direction where the body was found, and that he was armed with a gun. Another, that in about an hour afterwards he had heard a shot, but supposed it was some person cursing, and that the report was just where the body was found, and where Owen had been seen proceeding to. His only cov having been seized by Daly, a threat that he was heard uttering, and his absence from home, was duly commented on; and finally, he was committed to prison to abide his trial at the Ennis Assizes. While all this was going forward, Ellen’s emotions were most agonizing. She stared wildly at the magistrate and the two witnesses; and as the evidence was proceeded with, she sometimes hastily put back her hair, as if she thought she were under the influence of a dream. But when his final committal was made out, and her mind glanced rapidly at the concurrent testimony, and the danger of Owen, she rushed forward, and flinging her arms round him, wildly exclaimed—

“They sha’n’t part us—they sha’n’t tear us asunder! No, no, Owen, I will go wid you to prison! Oh, is id come to this wid us?—You to be dirragged from home, accused ov murder—and I—I—Father of marcies, keep me in my sinses—I’m goin’ mad—wild, wild mad!”

“Ellen!” said Owen, gently unwinding her arms, and kissing her forehead, while a scalding tear fell from his eye on her cheek—“Ellen, ashore machree! don’t be overcome. There’s a good girl, dhry yer eyes. That God that knows I’m guiltless, I’ll bring me safe through all. May His blessin’ be on you, my poor colleen, till me meet agin! You know you can come an’ see me. Heaven purtect you, Ellen, a lanna!—Heaven purtect you!”

When he was finally removed, she seemed to lose all power, and but for the arm of a bystander would have fallen to the ground. It was not without assistance that she was at length enabled to reach her cabin.

It was strange how man’s feelings and powers are swayed by outward circumstances, and how his pride and strength may be entirely overcome by disheartening appearances! So it was with Owen; although constantly visited in prison by his faithful wife—although conscious of his own innocence—and although daily receiving assurances of hope from a numerous circle of friends—yet still his spirit drooped; the gloom of imprisonment, the idea of danger, the ignominy of public execution, and all the horrors of innocent conviction, gradually wore away his mental strength; and when the assize time approached, he was but a thin shadow of the former bluff, healthy Owen Duncan. In so short a time as this, can care and harrowing thought exhibit its influence on the human frame!

Never was there a finer or more heavenly morning than that which ushered in the day of trial. The court-house was crowded to suffocation, the mob outside fearfully numerous, and never before, perhaps, was Ennis in such a state of feverish excitement. Daly’s murder was sought in the minds of all, in comparison with Duncan’s accusation. Alas! the former was an occurrence of too frequent repetition, to be very much thought of; but the latter—namely, Owen’s being suspected—was a subject of the extremest wonder. His former high character—his sobriety—his quietness, and his being a native of the town, in some measure accounted for this latter feeling; and there was an inward conviction in most men’s minds, that he was guiltless of the crime for which he was accused. Although the court-house was crowded, yet when the prisoner was called to the bar, a pin could be heard to drop in any part of the place. There was a single female figure leaning on the arm of an aged and silver-haired, though hale and healthy countryman, within a few feet of the dock; and as the prisoner advanced, and laying his hand on the iron railing, confronted the judges and the court, she slowly raised the hood of the cloak, in which she was completely muffled, and gazed long and earnestly on his face. There was in that wistful look, a fear—a hope—an undying tenderness; and when his eye met hers, there was a proud, yet soft and warm expression in its glance, that re-assured her sinking heart. As she looked round on the court, and the many strange faces, and all the striking paraphernalia of justice, a slight shudder crept silently over her face, and she clung closer to her companion, as if to ask for all the protection he could afford. It was Ellen and her father, who came, the former summoned as a witness, and the latter to accompany and support the daughter of his aged heart.

Duncan was arraigned; and on being asked the usual question of “guilty, or not guilty?” he answered in a clear, calm voice, “Not guilty, my Lord!” and the trial proceeded. The same evidence that was given at the magistrate’s house was a second time repeated; and, evidently, its train of circumstances made a deep impression on the court. While the first part of the examination was going forward, Ellen remained as motionless as a statue, scarcely daring to move or breathe; but when the depositions went more and more against Owen, her respirations became quick, short, and gaspish; and when the crier desired her to get up on the table, it was with difficulty that she obeyed him. When seated, she gazed timidly round on the crowd of counsellors and the judges, as though to bespeak their sympathy; but then, not meeting a single glance from which to glean even the shadow of hope, she covered her face with her hands. A moment or two elapsed, and she grew more assured, and the counsel for the Crown proceeded with the examination.

“Ellen Duncan, is not that your name?” was the first question.

“It is, Sir,” she shringly answered, without raising her eyes.

“Do you know the prisoner at the bar?”

“Do I know the pres’ner at the bar?” she reiterated; “do I know Owen Duncan? Shure, isn’t he my own husband?”

“Do you recollect the night of the twenty-first of September?”

“I do, Sir.”

“Can you swear to whether your husband was at home on that night or not?”

Her voice faltered a little as she answered in the negative; and on the presiding judge repeating the question, with the addition of, “Did he return at all next day?” it seemed as if she first thought that her answers might criminate him still farther, and clasping her hands convulsively together, and raising her face to the bench, while the scalding tears chased each other down her sunken cheek, she passionately exclaimed—

“Oh, for the love of heaven, don’t ask me any thing that’ll be worse for him! Don’t, counsellor, jewel, don’t!—don’t ask me to sware any thing that’ll do him harm; for I can’t know what I’m sayin’ now, as the heart within me is growin’ wake.”

After a few cheering expressions from the bench, who evidently were much moved by her simply energetic language and action, she was asked whether she could tell the Court where her husband spent that and the following nights; and with all the eagerness that an instantaneously formed idea of serving him could give, she answered—

“Oh, yis! yis! my Lord, I can. He was in the mountains shootin’ wid Phil Doran’s gun, an’ he was sazed by some men, that made him stop wid thim, an’ take an oath not to reveale who they wor, an’ they thrated him badly; so after three days he made his escape, an’ come home to the cabin, whin he was taken by the polis.”

“One word more, and you may go down—What was done with that gun?”

The judge’s hard and unmoved tone of voice seemed to bring insupporting to her mind, and she trembled from head to foot as she falteringly answered—

“The wild boys in the mountain kep’ it, my Lord, an’ so he couldn’t bring id home wid him. But indeed, my Lord, indeed he’s innocent—I’ll swear he never done id! Fur, oh! iv you knew the tinderness ov his heart—he that niver hurt a fly! Don’t be hard on him, for the love ov marcy, an’ I’ll pray for you night an’ day.”

This was the last question she was asked; and having left the table, and regained her former position by her father’s side, she listened with motionless intensity to the judge’s “charge.” He recapitulated the evidence—dwelt on the strong circumstances that seemed to bespeak his guilt—spoke of the mournful increase of crime—of laws, and life, and property being at stake—and finally closed his address with a sentence expressive of the extreme improbability of the prisoner’s defence; for he, on being asked if he had any thing further to say, replied in the negative, only asserting, in the most solemn manner, his innocence of the charge.

The jury retired, and Ellen’s hard, short breathings, alone told that she existed. Her head was thrown back, her lips apart, and slightly quivering, and her eyes fixedly gazing on the empty box, with an anxious and wild stare of hope and suspense. Owen’s face was very pale, and his lips livid—there was the slightest perceptible emotion about the muscles of his mouth, but his eye quailed not, and his broad brow had the impress of an unquenched spirit as firmly fixed as ever on its marble front. A quarter of an hour elapsed, and still the same agonising suspense—another, and the jury returned not—five minutes, and they re-entered. Ellen’s heart beat as if it would burst her bosom; and Owen’s pale cheek became a little more flushed, and his eye full of anxiety. The foreman in a measured, feelingless tone pronounced the word “Guilty!” and a thrill of horror passed through the entire court, while that sickness which agonises the very depths of the soul convulsed Owen’s face with a momentary spasm, and he faltered, “God’s will be done.” The judge slowly drew on the black cap, and still Ellen moved not—it seemed as if her very blood within her veins was frozen, and that her life’s pulses no more could execute their functions! No man, however brave or hardened, can view the near approach of certain death, and be unmoved; and as that old man, in tremulous tones, uttered the dread fiat of his fate, Owen’s eyes seemed actually to sink within his head—the veins of his brow swelled and grew black, and his hands grasped the iron rail that surrounded the dock, as though he would force his fingers through it. When all was over, and the fearful cap drawn off, Ellen seemed only then to awake to consciousness. Her eyes slowly opened to their fullest extent—their expression of despair was absolutely frightful—a low, gurgling, half-choking sob forced itself from between her lips, and ere a hand could be outstretched to save her, she fell, as if quickly dashed to the ground by no mortal power—her piercing shriek of agony ringing through the court-house, with a fearful, prolonged cadence.

Evening approached, and the busy crowd of idlers had passed away, some to brood over what they had seen, and others to forget, in the bustle