

venerable a city as any raven could desire to dwell in, it is not a lively town by any means, in a general way. A quiet, saintly, solemn spot, indeed, it is; excellently adapted for a sinner to pass his last days in—although he would probably find them among the longest in his life—and peculiarly adapted to that end in its very great benefit of (episcopal) clergy; but for a hale young gentleman of nineteen to find himself therein at nine o'clock on a fine summer morning, with nothing to do, and all the day to do it in, was an embarrassing circumstance.

'Nothing going on, as usual, I suppose?' inquired I, with a yawn at the waiter, when I had finished a vast refection.

'Going on, sir? Yessir. City very gay, indeed, sir, just now. Assizes, sir, sitting. Murder case—very interesting for a young gentleman like yourself, indeed, sir.'

'How do you know what is interesting?' retorted I, with the indignation of hobbledoyhood at having its manhood called in question. 'Young gentleman, indeed! I am a man, sir. But what about this murder? Is the prisoner convicted?'

'Convicted, sir? Nossir; not yet, sir. We hope he will be convicted this morning, sir. It's a very bad case, indeed, sir. A journeyman carpenter, one Robert Moles, have been and murdered a toll-keeper—killed him in the dead of night, sir, with a hatchet; and his wife's the witness against him.'

'That's very horrible,' remarked I. 'I didn't know a wife could give evidence.'

'Nossir, not his wife, sir; it's the toll-keeper's wife, sir. She swears to this Moles, although it happened two months ago or more, sir. Murder will out, they say; and how true it is! He'll be hung in front of the jail, sir, in a hopen place upon an 'ill, so as almost everybody will be able to see it, bless ye!'

'I should like to hear the end of this trial—very much, indeed, waiter.'

'Should you, sir? fuddling his chin. 'It couldn't be done, sir—it could not be done; the court is crowded into a mash already. To be sure, I've got a —. But no, sir, it could not be done.'

'I suppose it's merely a question of How much?' said I, taking out my purse. 'Didn't you say you had a —?'

'A cousin as is a javelin-man, yessir. Well, I don't know but what it might be done, sir, if you'll just wait till I've cleared away. There, they're at it already!'

While he spoke, a fanfare of trumpets without proclaimed that the judges were about to take their seats, and in a few minutes the waiter and I were among the crowd. The javelin-man, turning out to be amenable to reason and the ties of relationship, as well as not averse to a small pecuniary recompense, I soon found standing-room for myself in the court-house, where every seat had been engaged for hours before. As I had been informed, the proceedings were all but concluded, save some unimportant indirect evidence, and the speech of the prisoner's counsel. This gentleman had been assigned to the accused by the court, since he had not provided himself with any advocate, nor attempted to meet the tremendous charge laid against him, except by a simple denial. All that had been elicited from him since his apprehension, it seemed, was this: that the toll-keeper's wife was mistaken in his identity, but that he had led a wandering life of late, and could not produce any person to prove an alibi; that he was in Dorsetshire when the murder was done, miles away from the scene of its commission; but at what place on the particular day in question—the 5th of March—he could not recall to mind. This, taken in connection with strong condemnatory evidence, it was clear, would go sadly against him with the jury, as a lame defence indeed; although, as it struck me who had only gleaned this much from a bystander, nothing was more natural than that a journeyman carpenter, who was not likely to have kept a diary, should not recollect what place he had tramped through upon any particular date. Why, where had I myself been on the 5th of March? thought I. It took me several minutes to remember, and I only did so by recollecting that I had left Dorsetshire on the day following, partly in consequence of some alterations going on at home. Dorsetshire, by the by, did the prisoner say? Why, surely I had seen that face somewhere before, which was now turned anxiously and hurriedly around the court, and now, as if ashamed of meeting so many eyes, concealed in his tremulous hands! Robert Moles! No, I had certainly never heard that name; and yet I began to watch the poor fellow with a singular interest, begotten of the increasing conviction that he was not altogether a stranger to me.

The evidence went on and concluded; the counsel for the prisoner did his best, but his speech was, of necessity, an appeal to mercy rather than to justice. All that had been confided to him by his client was this: that the young man was a vagabond, who had deserted his parents, and run away from his indentures, and was so far deserving of little pity; that he had, however, only been vicious, and not criminal; as for the murder with which he was now charged, the commission of such a hideous outrage had never entered his brain.

'Did the lad look like a murderer? Or did he not rather resemble the Prodigal Son, penitent for his misdeeds indeed, but not weighed down by the blood of a fellow-creature?'

All this was powerfully enough expressed, but it was not evidence; and the jury, without retiring from the box, pronounced the young man 'Guilty,' amid a silence which seemed to corroborate the verdict. Then the judge put on the terrible black cap, and solemnly inquired for the last time whether Robert Moles had any reason to urge why sentence should not be passed upon him.

'My lord,' replied the led in a singularly low soft voice, which recalled the utterer to my recollection on the instant, 'I am wholly innocent of the dreadful crime of which I am accused, although I confess I see in the doom that is about to be passed upon me a fit recompense for my wickedness and disobedience. I was, however, until informed of it by the officer who took me into custody, as ignorant of this poor man's existence as of his death.'

'My lord,' cried I, speaking with an energy and distinctness that astonished myself, 'this young man has spoken the truth, as I can testify.'

There was a tremendous sensation in the court at this announcement, and it was some minutes before I was allowed to take my place in the witness-box. The counsel for the crown objected to my becoming evidence at that period of the proceedings at all, and threw himself into the legal question with all the indignation which he had previously exhibited against the practice of midnight murder; but eventually the court overruled him, and I was sworn.

I stated that I did not know the prisoner by name, but that I could swear to his identity. I described how, upon the 5th of March last, the local builder, being in want of hands, had hired the accused to assist in the construction of a bow-window in the drawing-room of our house in Dorsetshire.

The counsel for the prosecution, affecting to disbelieve my sudden recognition of the prisoner, here requested to know whether any particular circumstance had recalled him to my mind, or whether I had only a vague and general recollection of him.

'I had only that,' I confessed, 'until the prisoner spoke: his voice is peculiar, and I remember very distinctly to have heard it upon the occasion I speak of; he had the misfortune to tread upon his foot-rule and break it, while at work upon the window, and I overheard him lamenting that occurrence.'

Here the counsel for the accused reminded the court that a broken foot-rule had been found upon the prisoner's person, at the time of his apprehension.

Within some five minutes, in short, the feelings of judge, jury, and spectators entirely changed; and the poor young fellow at the bar, instead of having sentence of death passed upon him, found himself, through my means, set very soon at liberty. He came over to me at the inn to express his sense of my prompt interference, and to beg to know how he might shew his gratitude. 'I am not so mean a fellow as I seem,' said he; 'and I hope, by God's blessing, to be yet a credit to the parents to whom I have behaved so ill.'

'What is your real name?' inquired I, struck by a sudden impulse.

'My real name,' replied the young man, blushing deeply, 'is Courtenay, and my home, where I hope to be to-night, is at Cowles Farm, across the Esc.'

And so I had not been called so mysteriously at four o'clock in the morning, without a good and sufficient reason, after all.



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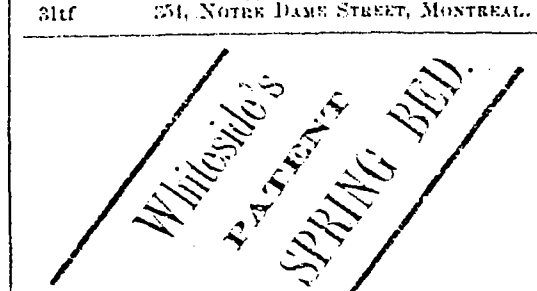
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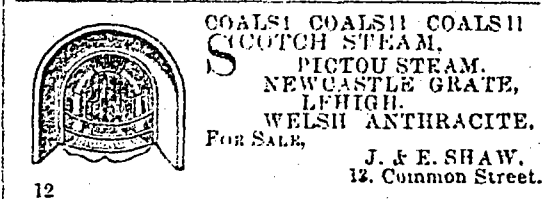
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