

CHAPTER XXXI.

THE TRIAL CONCLUDED.

I DO not know how much interest the "gentle reader" may feel in Bud. But I venture to hope that there are some Buddhists among my readers who will wish the contradictoriness of his actions explained. The first dash of disappointment had well-nigh upset him. And when a man concludes to throw overboard his good resolutions, he always seeks to avoid the witness of those resolutions. Hence Bud, after that distressful Tuesday evening on which Miss Martha had given him "the sack," wished to see Ralph less than any one else. And yet when he came to suspect Small's villainy, his whole nature revolted at it. But having broken with Ralph, he thought it best to maintain an attitude of apparent hostility, that he might act as a detective, and, perhaps, save his friend from the mischief that threatened him. As soon as he heard of Ralph's arrest he determined to make Walter Johnson tell his own secret in court, because he knew that it would be best for

Ralph that Walter should tell it. Bud's telling at second-hand would not be conclusive. And he sincerely desired to save Walter from prison. For Walter Johnson was the victim of Dr. Small, or of Dr. Small and such novels as "The Pirate's Bride," "Claude Duval," "The Wild Rover of the West Indies," and the cheap biographies of such men as Murrell. Small found him with his imagination inflamed by the history of such heroes, and opened to him the path to glory for which he longed.

The whole morning after Ralph's arrest Bud was working on Walter's conscience and his fears. The poor fellow, unable to act for himself, was torn asunder between the old ascendancy of Small and the new ascendancy of Bud Means. Bud finally frightened him, by the fear of the penitentiary, into going to the place of trial. But once inside the door, and once in sight of Small, who was more to him than God, or, rather, more to him than the devil—for the devil was Walter's God, or, perhaps, I should say, Walter's God was a devil—once in sight of Small, he refused to move an inch farther. And Bud, after all his perseverance, was about to give up in sheer despair.

Fortunately, just at that moment Small's desire to relieve himself from the taint of suspicion and to crush Ralph as completely as possible, made him

overshoot the mark by asking that Walter be called to the stand, as we have before recounted. He knew that he had no tool so supple as the cowardly Walter. In the very language of the request, he had given Walter an intimation of what he wanted him to swear to. Walter listened to Small's words as to his doom. He felt that he should die of indecision. The perdition of a man of his stamp is to have to make up his mind. Such men generally fall back on some one more positive, and take all their resolutions ready-made. But here Walter must decide for himself. For the constable was already calling his name; the court, the spectators, and, most of all, Dr. Small, were waiting for him. He moved forward mechanically through the dense crowd, Bud following part of the way to whisper, "Tell the truth or go to penitentiary." Walter shook and shivered at this. The witness with difficulty held up his hand long enough to be sworn.

"Please tell the court," said Bronson, "whether you know anything of the whereabouts of Dr. Small on the night of the robbery at Peter Schroeder's."

Small had detected Walter's agitation, and, taking alarm, had edged his way around so as to stand full in Walter's sight, and there, with keen, magnetic eye on the weak orbs of the young man, he

was able to assume his old position, and sway the fellow absolutely.

"On the night of the robbery"—Walter's voice was weak, but he seemed to be reading his answer out of Small's eyes—"on the night of the robbery Dr. Small came home before——" here the witness stopped and shook and shivered again. For Bud, detecting the effect of Small's gaze, had pushed his great hulk in front of Small, and had fastened his eyes on Walter with a look that said, "Tell the truth or go to penitentiary."

"I can't, I can't. O God! What shall I do?" the witness exclaimed, answering the look of Bud. For it seemed to him that Bud had spoken. To the people and the court this agitation was inexplicable. Squire Hawkins's wig got awry, his glass eye turned in toward his nose, and he had great difficulty in keeping his teeth from falling out. The excitement became painfully intense. Ralph was on his feet, looking at the witness, and feeling that somehow Bud and Dr. Small—his good angel and his demon—were playing an awful game, of which he was the stake. The crowd swayed to and fro, but remained utterly silent, waiting to hear the least whisper from the witness, who stood trembling a moment with his hands over his face, and then fainted.

The fainting of a person in a crowd is a signal for everybody else to make fools of themselves. There was a rush toward the fainting man, there was a cry for water. Everybody asked everybody else to open the window, and everybody wished everybody else to stand back and give him air. But nobody opened the window, and nobody stood back. The only perfectly cool man in the room was Small. With a quiet air of professional authority he pushed forward and felt the patient's pulse, remarking to the court that he thought it was a sudden attack of fever with delirium. When Walter revived, Dr. Small would have removed him, but Ralph insisted that his testimony should be heard. Under pretense of watching his patient, Small kept close to him. And Walter began the same old story about Dr. Small's having arrived at the office before eleven o'clock, when Bud came up behind the doctor and fastened his eyes on the witness with the same significant look, and Walter, with visions of the penitentiary before him halted, stammered, and seemed about to faint again.

"If the court please," said Bronson, "this witness is evidently intimidated by that stout young man," pointing to Bud. "I have seen him twice interrupt witness's testimony by casting threatening looks at

him. I trust the court will have him removed from the court-room."

After a few moments' consultation, during which Squire Hawkins held his wig in place with one hand and alternately adjusted his eye and his spectacles with the other, the magistrates, who were utterly bewildered by the turn things were taking, decided that it could do no harm, and that it was best to try the experiment of removing Bud. Perhaps Johnson would then be able to get through with his testimony. The constable therefore asked Bud if he would please leave the room. Bud cast one last look at the witness and walked out like a captive bear.

Ralph stood watching the receding form of Bud. The emergency had made him as cool as Small ever was. Bud stopped at the door, where he was completely out of sight of the witness, concealed by the excited spectators, who stood on the benches to see what was going on in front.

"The witness will please proceed," said Bronson.

"If the court please"—it was Ralph who spoke—"I believe I have as much at stake in this trial as any one. That witness is evidently intimidated. But not by Mr. Means. I ask that Dr. Small be removed out of sight of the witness."

"A most extraordinary request, truly." This

was what Small's bland countenance said; he did not open his lips.

"It's no more than fair," said Squire Hawkins, adjusting his wig, "that the witness be relieved of everything that anybody might think affects his veracity in this matter."

Dr. Small, giving Walter one friendly, appealing look, moved back by the door, and stood alongside Bud, as meek, quiet, and disinterested as any man in the house.

"The witness will now proceed with his testimony." This time it was Squire Hawkins who spoke. Bronson had been attacked with a suspicion that this witness was not just what he wanted, and had relapsed into silence.

Walter's struggle was by no means ended by the disappearance of Small and Bud. There came the recollection of his mother's stern face—a face which had never been a motive toward the right, but only a goad to deception. What would she say if he should confess? Just as he had recovered himself, and was about to repeat the old lie which had twice died upon his lips at the sight of Bud's look, he caught sight of another face, which made him tremble again. It was the lofty and terrible countenance of Mr. Soden. One might have thought, from the expression it wore, that the seven last

vials were in his hands, the seven apocalyptic trumpets waiting for his lips, and the seven thunders sitting upon his eyebrows. The moment that Walter saw him he smelled the brimstone on his own garments, he felt himself upon the crumbling brink of the precipice, with perdition below him. Now I am sure that "Brother Sodoms" were not made wholly in vain. There are plenty of mean-spirited men like Walter Johnson, whose feeble consciences need all the support they can get from the fear of perdition, and who are incapable of any other conception of it than a coarse and materialistic one. Let us set it down to the credit of Brother Sodom, with his stiff stock, his thunderous face, and his awful walk, that his influence over Walter was on the side of truth.

"Please proceed," said Squire Hawkins to Walter. The Squire's wig lay on one side, he had forgotten to adjust his eye, and he leaned forward, tremulous with interest.

"Well, then," said Walter, looking not at the court nor at Bronson nor at the prisoner, but furtively at Mr. Soden—"well, then, if I must"—and Mr. Soden's awful face seemed to answer that he surely must—"well, then, I hope you won't send me to prison"—this to Squire Hawkins, whose face reassured him—"but, oh! I don't see how I can!"

But one look at Mr. Soden assured him that he could and that he must, and so, with an agony painful to the spectators, he told the story in drib-lets. How, while yet in Lewisburg, he had been made a member of a gang of which Small was chief; how they concealed from him the names of all the band except six, of whom the Joneses and Small were three.

Here there was a scuffle at the door. The court demanded silence.

"Dr. Small's trying to git out, plague take him," said Bud, who stood with his back planted against the door. "I'd like the court to send and git his trunk afore he has a chance to burn up all the papers that's in it."

"Constable, you will arrest Dr. Small, Peter Jones, and William Jones. Send two deputies to bring Small's trunk into court," said Squire Underwood.

The prosecuting attorney was silent.

Walter then told of the robbery at Schroeder's, told where he and Small had whittled the fence while the Joneses entered the house, and confirmed Ralph's story by telling how they had seen Ralph in a fence-corner, and how they had met the basket-maker on the hill.

"To be sure," said the old man, who had not

ventured to hold up his head, after he was arrested, until Walter began his testimony.

Walter felt inclined to stop, but he could not do it, for there stood Mr. Soden, looking to him like a messenger from the skies, or the bottomless pit, sent to extort the last word from his guilty soul. He felt that he was making a clean breast of it—at the risk of perdition, with the penitentiary thrown in, if he faltered. And so he told the whole thing as though it had been the day of doom, and by the time he was through, Small's trunk was in court.

Here a new hubbub took place at the door. It was none other than the crazy pauper, Tom Bifield, who personated General Andrew Jackson in the poor-house. He had caught some inkling of the trial, and had escaped in Bill Jones's absence. His red plume was flying, and in his tattered and filthy garb he was indeed a picturesque figure.

"Squar," said he, elbowing his way through the crowd, "I kin tell you somethin'. I'm General Andrew Jackson. Lost my head at Bueny Visty. This head growed on. It a'n't good fer much. One side's tater. But t'other's sound as a nut. Now, I kind give you information."

Bronson, with the quick perceptions of a politician, had begun to see which way future winds

would probably blow. "If the court please," he said, "this man is not wholly sane, but we might get valuable information out of him. I suggest that his testimony be taken for what it is worth."

"No, you don't swar me," broke in the lunatic. "Not if I knows myself. You see, when a feller's got one side of his head tater, he's mighty onsartain like. You don't swar me, fer I can't tell what minute the tater side'll begin to talk. I'm talkin' out of the lef' side now, and I'm all right. But you don't swar me. But ef you'll send some of your constables out to the barn at the pore-house and look under the hay-mow in the north-east corner, you'll find some things maybe as has been a-missin' fer some time. And that a'n't out of the tater side, nuther."

Meantime Bud did not rest. Hearing the nature of the testimony given by Hank Banta before he entered, he attacked Hank and vowed he'd send him to prison if he didn't make a clean breast. Hank was a thorough coward, and, now that his friends were prisoners, was ready enough to tell the truth if he could be protected from prosecution. Seeing the disposition of the prosecuting attorney, Bud got from him a promise that he would do what he could to protect Hank. That worthy then took the stand, confessed his lie, and even told the in-

ducement which Mr. Pete Jones had offered him to perjure himself.

"To be sure," said Pearson.

Squire Hawkins, turning his right eye upon him, while the left looked at the ceiling, said: "Be careful, Mr. Pearson, or I shall have to punish you for contempt."

"Why, Squar, I didn't know 'twas any sin to hev a healthy contemp' fer sech a thief as Jones!"

The Squire looked at Mr. Pearson severely, and the latter, feeling that he had committed some offense without knowing it, subsided into silence.

Bronson now had a keen sense of the direction of the gale.

"If the court please," said he, "I have tried to do my duty in this case. It was my duty to prosecute Mr. Hartsook, however much I might feel assured that he was innocent, and that he would be able to prove his innocence. I now enter a *nolle* in his case and that of John Pearson, and I ask that this court adjourn until to-morrow, in order to give me time to examine the evidence in the case of the other parties under arrest. I am proud to think that my efforts have been the means of sifting the matter to the bottom, of freeing Mr. Hartsook from suspicion, and of detecting the real criminals."

"Ugh!" said Mr. Pearson, who conceived a great dislike to Bronson.

"The court," said Squire Hawkins, "congratulates Mr. Hartsook on his triumphant acquittal. He is discharged from the bar of this court, and from the bar of public sentiment, without a suspicion of guilt. Constable, discharge Ralph Hartsook and John Pearson."

Old Jack Means, who had always had a warm side for the master, now proposed three cheers for Mr. Hartsook, and they were given with a will by the people who would have hanged him an hour before.

Mrs. Means gave it as her opinion that "Jack Means allers wuz a fool!"

"This court," said Dr. Underwood, "has one other duty to perform before adjourning for the day. Recall Hannah Thomson."

"I jist started her on ahead to git supper and milk the cows," said Mrs. Means. "A'n't a-goin' to have her loafin' here all day."

"Constable, recall her. This court can not adjourn until she returns!"

Hannah had gone but a little way, and was soon in the presence of the court, trembling for fear of some new calamity.

"Hannah Thomson"—it was Squire Underwood

who spoke—"Hannah Thomson, this court wishes to ask you one or two questions."

"Yes, sir," but her voice died to a whisper.

"How old did you say you were?"

"Eighteen, sir, last October."

"Can you prove your age?"

"Yes, sir—by my mother."

"For how long are you bound to Mr. Means?"

"Till I'm twenty-one."

"This court feels in duty bound to inform you that, according to the laws of Indiana, a woman is of age at eighteen, and as no indenture could be made binding after you had reached your majority, you are the victim of a deception. You are free, and if it can be proven that you have been defrauded by a willful deception, a suit for damages will lie."

"Ugh!" said Mrs. Means. "You're a purty court, a'n't you, Dr. Underwood?"

"Be careful, Mrs. Means, or I shall have to fine you for contempt of court."

But the people, who were in the cheering humor, cheered Hannah and the justices, and then cheered Ralph again. Granny Sanders shook hands with him, and allers knowed he'd come out right. It allers 'peared like as if Dr. Small warn't jist the sort to tie to, you know. And old John Pearson

went home, after drinking two or three glasses of Welch's whisky, keeping time to an imaginary triumphal march, and feeling prouder than he had ever felt since he fit the Britishers under Scott at Lundy's Lane. He told his wife that the master had jist knocked the hind-sights offen that air young lawyer from Lewisburg.

Walter was held to bail that he might appear as a witness, and Ralph might have sent his aunt a Roland for an Oliver. But he only sent a note to his uncle, asking him to go Walter's bail. If he had been resentful, he could not have wished for a more complete revenge than the day had brought.

CHAPTER XXXII.

AFTER THE BATTLE.

NOTHING can be more demoralizing in the long run than lynch law. And yet lynch law often originates in a burst of generous indignation which is not willing to suffer a bold oppressor to escape by means of corrupt and cowardly courts. It is oftener born of fear. Both motives powerfully agitated the people of the region round about Clifty as night drew on after Ralph's acquittal. They were justly indignant that Ralph had been made the victim of such a conspiracy, and they were frightened at the unseen danger to the community from such a band as that of Small's. It was certain that they did not know the full extent of the danger as yet. And what Small might do with a jury, or what Pete Jones might do with a sheriff, was a question. I must not detain the reader to tell how the mob rose. Nobody knows how such things come about. Their origin is as inexplicable as that of an earthquake. But, at any rate, a rope was twice put round Small's neck during that night, and both

times Small was saved only by the nerve and address of Ralph, who had learned how unjust mob law may be. As for Small, he neither trembled when they were ready to hang him, nor looked relieved when he was saved, nor showed the slightest flush of penitence or gratitude. He bore himself in a quiet, gentlemanly way throughout, like the admirable villain that he was.

He waived a preliminary examination the next day; his father went his bail, and he forfeited bail and disappeared from the county and from the horizon of my story. Two reports concerning Small have been in circulation—one that he was running a faro-bank in San Francisco, the other that he was curing consumption in New York by some quack process. If this latter were true, it would leave it an open question whether Ralph did well to save him from the gallows. Pete Jones and Bill, as usually happens to the rougher villains, went to prison, and when their terms had expired moved to Pike County, Missouri.

But it is about Hannah that you wish to hear, and that I wish to tell. She went straight from the court-room to Flat Creek, climbed to her chamber, packed in a handkerchief all her earthly goods, consisting chiefly of a few family relics, and turned her back on the house of Means forever. At the

gate she met the old woman, who shook her fist in the girl's face and gave her a parting benediction in the words: "You mis'able, ongrateful critter you, go 'long. I'm glad to be shed of you!" At the barn she met Bud, and he told her good-by with a little huskiness in his voice, while a tear glistened in her eyes. Bud had been a friend in need, and such a friend one does not leave without a pang.

"Where are you going? Can I——"

"No, no!" And with that she hastened on, afraid that Bud would offer to hitch up the roan colt. And she did not want to add to his domestic unhappiness by compromising him in that way.

It was dusk and was raining when she left. The hours were long, the road was lonely, and after the revelations of that day it did not seem wholly safe. But from the moment that she found herself free, her heart had been ready to break with an impatient homesickness. What though there might be robbers in the woods? What though there were ten rough miles to travel? What though the rain was in her face? What though she had not tasted food since the morning of that exciting day? Flat Creek and bondage were behind; freedom, mother, Shocky, and home were before her, and her feet grew lighter with the thought. And if she needed any other joy, it was to know that the master was

clear. And he would come? And so she traversed the weary distance, and so she inquired and found the house, the beautiful, homely old house of beautiful, homely old Nancy Sawyer, and knocked, and was admitted, and fell down, faint and weary, at her blind mother's feet, and laid her tired head in her mother's lap and wept and wept like a child, and said, "O mother! I'm free! I'm free!" while the mother's tears baptized her face, and the mother's trembling fingers combed out her tresses. And Shocky stood by her and cried: "I knowed God wouldn't forget you, Hanner!"

Hannah was ready now to do anything by which she could support her mother and Shocky. She was strong, and inured to toil. She was willing and cheerful, and she would gladly have gone to service if by that means she could have supported the family. And, for that matter her mother was already able nearly to support herself by her knitting. But Hannah had been carefully educated when young, and at that moment the old public schools were being organized into a graded school, and the good minister, who shall be nameless, because he is, perhaps, still living in Indiana, and who in Methodist parlance was called "the preacher-in-charge of Lewisburg Station"—this good minister and Miss Nancy Sawyer got Hannah a place as

teacher in the primary department. And then a little house with four rooms was rented, and a little, a very little furniture was put into it, and the old, sweet home was established again. The father was gone, never to come back again. But the rest were here. And somehow Hannah kept waiting for somebody else to come.