

## **CHAPTER VII. THE MATERIALS IN THE DEFENSE.**

ON our way to the chairs allotted to us in the magistrate's court, we passed the platform on which the prisoners were standing together.

Silas took no notice of us. Ambrose made a friendly sign of recognition, and then rested his hand on the "bar" in front of him. As she passed beneath him, Naomi was just tall enough to reach his hand on tiptoe. She took it. "I know you are innocent," she whispered, and gave him one look of loving encouragement as she followed me to her place. Ambrose never lost his self-control. I may have been wrong; but I thought this a bad sign.

The case, as stated for the prosecution, told strongly against the suspected men.

Ambrose and Silas Meadowcroft were charged with the murder of John Jago (by means of the stick or by use of some other weapon), and with the deliberate destruction of the body by throwing it into the quicklime. In proof of this latter assertion, the knife which the deceased habitually carried about him, and the metal buttons which were known to belong to his coat, were produced. It was argued that these indestructible substances, and some fragments of the larger bones had alone escaped the action of the burning lime. Having produced medical witnesses to support this theory by declaring the bones to be human, and having thus circumstantially asserted the discovery of the remains in the kiln, the prosecution next proceeded to prove that the missing man had been murdered by the two brothers, and had been by them thrown into the quicklime as a means of concealing their guilt.

Witness after witness deposed to the inveterate enmity against the deceased displayed by Ambrose and Silas. The threatening language they habitually used toward him; their violent quarrels with him, which had become a public scandal throughout the neighborhood, and which had ended (on one occasion at least) in a blow; the disgraceful scene which had taken place under my window; and the restoration to Ambrose, on the morning of the fatal quarrel, of the very stick which had been found among the remains of the dead man--these facts and events, and a host of minor circumstances besides, sworn to by witnesses whose credit was unimpeachable, pointed with terrible directness to the conclusion at which the prosecution had arrived.

I looked at the brothers as the weight of the evidence pressed more and more heavily against them. To outward view at least, Ambrose still maintained his self-possession. It was far otherwise with Silas. Abject terror showed itself in his ghastly face; in his great knotty hands, clinging convulsively to the bar at which he stood; in his staring eyes, fixed in vacant horror on each witness who appeared. Public feeling judged him on the spot. There he stood, self-betrayed already, in the popular opinion, as a guilty man!

The one point gained in cross-examination by the defense related to the charred bones.

Pressed on this point, a majority of the medical witnesses admitted that their examination had been a hurried one; and that it was just possible that the bones might yet prove to be the remains of an animal, and not of a man. The presiding magistrate decided upon this that a second examination should be made, and that the number of the medical experts should be increased.

Here the preliminary proceedings ended. The prisoners were remanded for three days.

The prostration of Silas, at the close of the inquiry, was so complete, that it was found necessary to have two men to support him on his leaving the court. Ambrose leaned over the bar to speak to Naomi before he followed the jailer out. "Wait," he whispered, confidently, "till they hear what I have to say!" Naomi kissed her hand to him affectionately, and turned to me with the bright tears in her eyes.

"Why don't they hear what he has to say at once?" she asked. "Anybody can see that Ambrose is innocent. It's a crying shame, sir, to send him back to prison. Don't you think so yourself?"

If I had confessed what I really thought, I should have said that Ambrose had proved nothing to my mind, except that he possessed rare powers of self-control. It was impossible to acknowledge this to my little friend. I diverted her mind from the question of her lover's innocence by proposing that we should get the necessary order, and visit him in his prison on the next day. Naomi dried her tears, and gave me a little grateful squeeze of the hand.

"Oh my! what a good fellow you are!" cried the outspoken American girl. "When your time comes to be married, sir, I guess the woman won't repent

saying yes to you!"

Mr. Meadowcroft preserved unbroken silence as we walked back to the farm on either side of his invalid-chair. His last reserves of resolution seemed to have given way under the overwhelming strain laid on them by the proceedings in court. His daughter, in stern indulgence to Naomi, mercifully permitted her opinion to glimmer on us only through the medium of quotation from Scripture texts. If the texts meant anything, they meant that she had foreseen all that had happened; and that the one sad aspect of the case, to her mind, was the death of John Jago, unprepared to meet his end.

I obtained the order of admission to the prison the next morning.

We found Ambrose still confident of the favorable result, for his brother and for himself, of the inquiry before the magistrate. He seemed to be almost as eager to tell, as Naomi was to hear, the true story of what had happened at the limekiln. The authorities of the prison--present, of course, at the interview--warned him to remember that what he said might be taken down in writing, and produced against him in court.

"Take it down, gentlemen, and welcome," Ambrose replied. "I have nothing to fear; I am only telling the truth."

With that he turned to Naomi, and began his narrative, as nearly as I can remember, in these words:

"I may as well make a clean breast of it at starting, my girl. After Mr. Lefrank left us that morning, I asked Silas how he came by my stick. In telling me how, Silas also told me of the words that had passed between him and John Jago under Mr. Lefrank's window. I was angry and jealous; and I own it freely, Naomi, I thought the worst that could be thought about you and John."

Here Naomi stopped him without ceremony.

"Was that what made you speak to me as you spoke when we found you at the wood?" she asked.

"Yes."

"And was that what made you leave me, when you went away to Narrabee, without giving me a kiss at parting?"

"It was."

"Beg my pardon for it before you say a word more."

"I beg your pardon."

"Say you are ashamed of yourself."

"I am ashamed of myself," Ambrose answered penitently.

"Now you may go on," said Naomi. "Now I'm satisfied."

Ambrose went on.

"We were on our way to the clearing at the other side of the wood while Silas was talking to me; and, as ill luck would have it, we took the path that led by the limekiln. Turning the corner, we met John Jago on his way to Narrabee. I was too angry, I tell you, to let him pass quietly. I gave him a bit of my mind. His blood was up too, I suppose; and he spoke out, on his side, as freely as I did. I own I threatened him with the stick; but I'll swear to it I meant him no harm. You know--after dressing Silas's hand--that John Jago is ready with his knife. He comes from out West, where they are always ready with one weapon or another handy in their pockets. It's likely enough he didn't mean to harm me, either; but how could I be sure of that? When he stepped up to me, and showed his weapon, I dropped the stick, and closed with him. With one hand I wrenched the knife away from him; and with the other I caught him by the collar of his rotten old coat, and gave him a shaking that made his bones rattle in his skin. A big piece of the cloth came away in my hand. I shied it into the quicklime close by us, and I pitched the knife after the cloth; and, if Silas hadn't stopped me, I think it's likely I might have shied John Jago himself into the lime next. As it was, Silas kept hold of me. Silas shouted out to him, 'Be off with you! and don't come back again, if you don't want to be burned in the kiln!' He stood looking at us for a minute, fetching his breath, and holding his torn coat round him. Then he spoke with a deadly-quiet voice and a deadly-quiet look: 'Many a true word, Mr. Silas,' he says, 'is spoken in jest. I shall not come back again.' He turned about, and left us. We stood staring at each other like a couple of fools. 'You don't think he means it?' I says. 'Bosh!' says Silas. 'He's too sweet on Naomi not to come back.' What's the matter now, Naomi?"

I had noticed it too. She started and turned pale, when Ambrose repeated to her what Silas had said to him.

"Nothing is the matter," Naomi answered. "Your brother has no right to take liberties with my name. Go on. Did Silas say any more while he was about it?"

"Yes; he looked into the kiln; and he says, 'What made you throw away the knife, Ambrose?'--'How does a man know why he does anything,' I says, 'when he does it in a passion?'--'It's a ripping good knife,' says Silas; 'in your place, I should have kept it.' I picked up the stick off the ground. 'Who says I've lost it yet?' I answered him; and with that I got up on the side of the kiln, and began sounding for the knife, to bring it, you know, by means of the stick, within easy reach of a shovel, or some such thing. 'Give us your hand,' I says to Silas. 'Let me stretch out a bit and I'll have it in no time.' Instead of finding the knife, I came nigh to falling myself into the burning lime. The vapor overpowered me, I suppose. All I know is, I turned giddy, and dropped the stick in the kiln. I should have followed the stick to a dead certainty, but for Silas pulling me back by the hand. 'Let it be,' says Silas. 'If I hadn't had hold of you, John Jago's knife would have been the death of you, after all!' He led me away by the arm, and we went on together on the road to the wood. We stopped where you found us, and sat down on the felled tree. We had a little more talk about John Jago. It ended in our agreeing to wait and see what happened, and to keep our own counsel in the meantime. You and Mr. Lefrank came upon us, Naomi, while we were still talking; and you guessed right when you guessed that we had a secret from you. You know the secret now."

There he stopped. I put a question to him--the first that I had asked yet.

"Had you or your brother any fear at that time of the charge which has since been brought against you?" I said.

"No such thought entered our heads, sir," Ambrose answered. "How could we foresee that the neighbors would search the kiln, and say what they have said of us? All we feared was, that the old man might hear of the quarrel, and be bitterer against us than ever. I was the more anxious of the two to keep things secret, because I had Naomi to consider as well as the old man. Put yourself in my place, and you will own, sir, that the prospect at home was not a pleasant one for me, if John Jago really kept away from the farm, and if it came out that it was all my doing."

(This was certainly an explanation of his conduct; but it was not satisfactory to my mind.)

"As you believe, then," I went on, "John Jago has carried out his threat of not returning to the farm? According to you, he is now alive, and in hiding somewhere?"

"Certainly!" said Ambrose.

"Certainly!" repeated Naomi.

"Do you believe the report that he was seen traveling on the railway to New York?"

"I believe it firmly, sir; and, what is more, I believe I was on his track. I was only too anxious to find him; and I say I could have found him if they would have let me stay in New York."

I looked at Naomi.

"I believe it too," she said. "John Jago is keeping away."

"Do you suppose he is afraid of Ambrose and Silas?"

She hesitated.

"He may be afraid of them," she replied, with a strong emphasis on the word "may."

"But you don't think it likely?"

She hesitated again. I pressed her again.

"Do you think there is any other motive for his absence?"

Her eyes dropped to the floor. She answered obstinately, almost doggedly,

"I can't say."

I addressed myself to Ambrose.

"Have you anything more to tell us?" I asked.

"No," he said. "I have told you all I know about it."

I rose to speak to the lawyer whose services I had retained. He had helped

us to get the order of admission, and he had accompanied us to the prison. Seated apart he had kept silence throughout, attentively watching the effect of Ambrose Meadowcroft's narrative on the officers of the prison and on me.

"Is this the defense?" I inquired, in a whisper.

"This is the defense, Mr. Lefrank. What do you think, between ourselves?"

"Between ourselves, I think the magistrate will commit them for trial."

"On the charge of murder?"

"Yes, on the charge of murder."