

CHAPTER XXIX

CONDEMNED TO DEATH

Half an hour passed in silence, which was broken only by the footsteps of the sentries as they tramped, or rather loitered, up and down, or by the occasional fall of some calcined masonry from the walls of the burnt-out house. What between the smell of smoke and dust, the heat of the sun on the tin roof above, and the red-hot embers of the house in front, the little room where Bessie was shut up grew almost unbearable, and she felt as though she should faint upon the sacks. Through one of the cracks in the waggon-house wall there blew a slight draught, and by this crack Bessie placed herself, leaning her head against the wall so as to get the full benefit of the air and to command a view of the place. Presently several of the Boers came into the waggon-house and pulled some of the carts and timber out of it, leaving one buck-waggon, however, placed along the wall on the side opposite to the crack through which Bessie was looking. Then they pulled the Scotch cart over to her side, laughing about something among themselves as they did so, and arranged it with its back turned towards the waggon, supporting the shafts upon a waggon-jack. Next, out of the farther corner of the place, they extracted an old saw-bench, and set it at the top of the open space. Then Bessie understood what they were doing: they were arranging a court, and the saw-bench was the judge's chair. So Frank Muller meant to carry out his threat!

Shortly after this all the Boers, except those who were keeping guard, filed into the place and began to clamber on to the buck-waggon, seating themselves with much rough joking in a double row upon the broad side rails. Next appeared Hans Coetzee, his head bound up in a bloody handkerchief. He was pale and shaky, but Bessie could see that he was but little the worse for his wound. Then came Frank Muller himself, looking white and very terrible, and as he came the men stopped their jokes and talking. Indeed it was curious to observe how strong was his ascendancy over them. As a rule, the weak part of Boer organisation is that it is practically impossible to persuade one Boer to pay deference to or obey another; but this was certainly not the case where Frank Muller was concerned.

Muller advanced without hesitation to the saw-bench at the top of the open space, and sat down on it, placing his rifle between his knees. After this there was a pause, and then Bessie saw her old uncle led forward by two armed Boers, who halted in the middle of the space, about three paces from the saw-bench, and stood one on either side of their prisoner. At the same time Hans Coetzee climbed into the Scotch cart, and Muller drew a note-book and a pencil from his pocket.

"Silence!" he said. "We are assembled here to try the Englishman, Silas Croft, by court-martial. The charges against him are that by word and deed, notably by continuing to fly the British flag after the country had been surrendered to the Republic, he has traitorously rebelled against the Government of this country. Further, that he has attempted

to murder a burgher of the Republic by shooting at him with a loaded rifle. If these charges are proved against him he will be liable to death, by martial law. Prisoner Croft, what do you answer to the charges against you?"

The old man, who seemed very quiet and composed, looked up at his judge, and then replied:

"I am an English subject. I only defended my house after you had murdered one of my servants. I deny your jurisdiction over me, and I refuse to plead."

Frank Muller made some notes in his pocket-book, and then said, "I overrule the prisoner's objection as to the jurisdiction of the court. As to the charges, we will now take evidence. Of the first charge no evidence is needed, for we all saw the flag flying. As to the second, Hans Coetzee, the assaulted burgher, will now give evidence. Hans Coetzee, do you swear, in the name of God and the Republic, to speak the truth, the whole truth, and nothing but the truth?"

"Almighty, yes," answered Hans from the cart on which he had enthroned himself, "so help me the dear Lord."

"Proceed, then."

"I was entering the house of the prisoner to arrest him, in obedience

to your worshipful commands, when the prisoner lifted a gun and fired at me. The bullet from the gun struck me upon the ear, cutting it and putting me to much pain and loss of blood. That is the evidence I have to give."

"That's right; that is not a lie," said some of the men on the waggon.

"Prisoner, have you any question to ask the witness?" said Muller.

"I have no question to ask; I deny your jurisdiction," said the old man with spirit.

"The prisoner declines to question the witness, and again pleads to the jurisdiction, a plea which I have overruled. Gentlemen, do you desire to hear any further evidence?"

"No, no."

"Do you find the prisoner guilty of the charges laid against him?"

"Yes, yes," from the waggon.

Muller made a further note in his book, and went on:

"Then, the prisoner having been found guilty of high treason and attempted murder, the only matter that remains is the question of

the punishment required to be meted out by the law to such wicked and horrible offences. Every man will give his verdict, having duly considered if there is any way by which, in accordance with the holy dictates of his conscience, and with the natural promptings to pity in his heart, he can extend mercy to the prisoner. As commandant and president of the court, the first vote lies with me; and I must tell you, gentlemen, that I feel the responsibility a very heavy one in the sight of God and my country; and I must also warn you not to be influenced or overruled by my decision, who am, like you, only a man, liable to err and be led away."

"Hear, hear," said the voices on the waggon as he paused to note the effect of his address.

"Gentlemen and burghers of the State, my natural promptings in this case are towards pity. The prisoner is an old man, who has lived many years amongst us like a brother. Indeed, he is a voortrekker, and, though an Englishman, one of the fathers of the land. Can we condemn such a one to a bloody grave, more especially as he has a niece dependent on him?"

"No, no!" they cried, in answer to this skilful touch upon the better strings in their nature.

"Gentlemen, those sentiments do you honour. My own heart cried but now, 'No, no. Whatever his sins have been, let the old man go free.' But then came reflection. True, the prisoner is old; but should not age have

taught him wisdom? Is that which is not to be forgiven to youth to be forgiven to the ripe experience of many years? May a man murder and be a traitor because he is old?"

"No, certainly not!" answered the chorus on the waggon.

"Then there is the second point. He was a voortrekker and a father to the land. Should he not therefore have known better than to betray it into the hands of the cruel, godless English? For, gentlemen, though that charge is not laid against him, we must remember, as throwing light upon his general character, that the prisoner was one of those vile men who betrayed the land to Shepstone. Is it not a most cruel and unnatural thing that a father should sell his own children into slavery?--that a father of the land should barter away its freedom? Therefore on this point too does justice temper mercy."

"That is so," echoed the chorus with particular enthusiasm, most of them having themselves been instrumental in bringing the annexation about.

"Then one more thing: this man has a niece, and it is the care of all good men to see that the young shall not be left destitute and friendless, lest they should grow up bad and become enemies to the well-being of the State. But in this case that will not be so, for the farm will go to the girl by law; and, indeed, she will be well rid of so desperate and godless an old man.

"And now, having set my reasons towards one side and the other before you, and having warned you fully to act each man according to his conscience, I give my vote. It is"--and in the midst of the most intense silence he paused and looked at old Silas, who never even quailed--"it is death."

There was a little hum of conversation, and poor Bessie, surveying the scene through the crack in the store-room wall, groaned in bitterness and despair of heart.

Then Hans Coetzee spoke. "It cut his bosom in two," he said, "to have to say a word against one to whom he had for many years been as a brother. But, then, what was he to do? The man had plotted evil against their land, the dear land that the dear Lord had given them, and which they and their fathers had on various occasions watered, and were still continuing to water, with their blood. What could be a fitting punishment for so black-hearted a traitor, and how would it be possible to insure the better behaviour of other damned Englishmen, unless they inflicted that punishment? There could, alas! be but one answer--though, personally speaking, he uttered it with many tears--and that answer was death."

After this there were no more speeches, but each man voted, according to his age, upon his name being called by the president. At first there was a little hesitation, for some among them were fond of old Silas, and loth to destroy him. But Frank Muller had played his game very well,

and, notwithstanding his appeals to their independence of judgment, they knew full surely what would happen to him who gave his vote against the president. So they swallowed their better feelings with all the ease for which such swallowing is noted, and one by one uttered the fatal word.

When they had all done Frank Muller addressed Silas:

"Prisoner, you have heard the judgment against you. I need not now recapitulate your crimes. You have had a fair and open trial by court-martial, such as our law directs. Have you anything to say why sentence of death should not be passed upon you in accordance with the judgment?"

Old Silas looked up with flashing eyes, and shook back his fringe of white hair like a lion at bay.

"I have nothing to say. If you will do murder, do it, black-hearted villain that you are! I might point to my grey hairs, to my murdered servant, to my home that took me ten years to build--destroyed by you! I might tell you how I have been a good citizen and lived peaceably and neighbourly in the land for more than twenty years--ay, and done kindness after kindness to many of you who are going to butcher me in cold blood! But I will not. Shoot me if you will, and may my death lie heavy on your heads. This morning I would have said that my country would avenge me; I cannot say that now, for England has deserted us, and I have no country. Therefore I leave the vengeance in the hands of God,

who never fails to avenge, though sometimes He waits for long to do it. I am not afraid of you. Shoot me--now if you like. I have lost my honour, my home, and my country; why should I not lose my life also?"

Frank Muller fixed his cold eyes upon the old man's quivering face and smiled a dreadful smile of triumph.

"Prisoner, it is now my duty in the name of God and the Republic, to sentence you to be shot to-morrow at dawn, and may the Almighty forgive you your wickedness and have mercy upon your soul.

"Let the prisoner be removed, and let a man ride full speed to the empty house on the hillside, where the Englishman with the red beard used to live, one hour this side of Wakkerstroom, and bring back with him the clergyman he will find waiting there, that the prisoner may be offered his ministrations. Also let two men be set to dig the prisoner's grave in the burial-place at the back of the house."

The guards laid their hands upon the old man's shoulders, and he turned and went with them without a word. Through her crack in the wall Bessie watched him go till the dear old head with its fringe of white hairs and the bent frame were no more visible. Then at last, benumbed and exhausted by the horrors she was passing through, her faculties failed her, and she fell forward in a faint there upon the sacks.

Meanwhile Muller was writing the death-warrant on a sheet of his

pocket-book. At the foot he left a space for his own signature, but for reasons of his own he did not sign. What he did do was to pass the book round to be countersigned by all who had formed the court in this mock trial, his object being to implicate every one there present in the judicial murder by the direct and incontrovertible evidence of his sign-manual. Now, Boers are simple pastoral folk, but they are not quite so simple as to be deceived by a move like this, and hereon followed a very instructive little scene. To a man they had been willing enough to give their verdict for the execution of Silas, but they were by no means prepared to record it in black and white. As soon as they understood the object of their feared and respected commandant, a general desire manifested itself to make themselves individually and collectively scarce. Suddenly they found that they had business outside, to which each and all of them must attend. Already they had escaped from their extemporised jury-box, and, headed by the redoubtable Hans, were approaching the entrance to the waggon-house, when Frank Muller perceived their design, and roared in a voice of thunder:

"Stop! Not a man leaves this place till the warrant is signed."

Instantly they halted, and began to look innocent and converse.

"Hans Coetzee, come here and sign," said Muller again, whereon that unfortunate advanced with as good a grace as he could muster, murmuring to himself curses, not loud but deep, upon the head of "that devil of a man, Frank Muller."

However, there was no help for it, so, with a sickly smile, he put his name to the fatal document in big and shaky letters. Then Muller called another man, who instantly tried to shirk on the ground that his education had been neglected, and that he could not write, an excuse which availed him little, for Frank Muller quietly wrote his name for him, leaving a space for his mark. After this there was no more trouble, and in five minutes the back of the warrant was covered with the sprawling signatures of the various members of the court.

One by one the men went, till at last Muller was left alone, seated on the saw-bench, his head sunk upon his breast, in one hand holding the warrant, while with the other he stroked his golden beard. Presently he ceased stroking his beard and sat for some minutes perfectly still--so still that he might have been carved in stone. By this time the afternoon sun had sunk behind the hill and the deep waggon-house was full of shadow that seemed to gather round him and invest him with a sombre, mysterious grandeur. He looked like a King of Evil, for Evil has her princes as well as Good, whom she stamps with an imperial seal of power, and crowns with a diadem of her own, and among these Frank Muller was surely great. A little smile of triumph played upon his beautiful cruel face, a little light danced within his cold eyes and ran down the yellow beard. At that moment he might have sat for a portrait of his master, the devil.

Presently he awoke from his reverie. "I have her!" he said to himself; "I have her in a vice! She cannot escape me; she cannot let the old man die! Those curs have served my purpose well; they are as easy to play on as a fiddle, and I am a good player. Yes, and now we are getting to the end of the tune."