

# BEYOND RECALL.

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## CHAPTER VII. COMMITTED.

I was not less surprised than the rest of the passengers by the charge made against me. I think I joined them in a murmured exclamation of astonishment. The major's message had led me to expect apprehension for being concerned with the burglars in their attempt upon the house; but it had never entered my mind that the more serious crime might be attributed to me. How could I have committed the murder which had taken place ten or fifteen minutes after I had left the grounds?

This was neither the time nor the place to defend myself, and as a peremptory "Out ye get!" came from my old enemy the constable of Richmond Hill, I stepped out on to the platform. The officers on each side, with a light grip on my arms, pushed a passage through the crowd of porters and idlers who had run up to see what was the matter, and hurried me off to the adjacent station of the Underground Railway; warning me on the way that anything I might say would be taken in evidence against me. That was an unnecessary caution; I had nothing to say.

It was dark when we reached Richmond; nevertheless, a crowd flocked about as we marched quickly along the street, some running on in front to get a full look in my face as I came into the light of the gas. All seemed to know me. "They've got him!" "The fellow who shot the policeman last night!" was echoed from side to side. In the police station I was put in a raised dock and a bar closed me in. The inspector took the constable's deposition, and then turning to me asked my name.

"William Smith," I said, hoping that my real name might never be discovered.

"William Smith," said the inspector as he wrote, "alias what?"

I made no reply.

"Like the rest of your family, no address?" he continued.

"No."

Then a description of my personal appearance; my height was measured; I was searched and handed over to the warder.

"Do you want to communicate with any one?" he asked, as he led me into the cell.

"No. When shall I be tried?"

"You'll be took before the magistrate to-morrow."

There was a wooden bedstead at the end of the white-washed vault. I sat down on it, and set myself to think out how I should defend myself without casting suspicion on my wife or implicating the major, who had befriended us.

But I could see nothing clearly. What question would be put to me, or how I should answer them, I knew not. It was like fighting in the dark. I grew desperate with the sense of my own impotency, and as I buried my face in my hands I felt the blood pulsating in my temples as if it would burst my veins. At length, overcome with the physical exertion and the mental strain of the last twenty-four hours, I fell asleep. I sank unconsciously upon the plank bedstead, and there slept soundly till it was broad daylight. That did me good; I woke calm and clear headed. I saw at once that I had but to hold my tongue to save my wife. There was no power to make me betray her. I should be punished for my contumacy, doubtless; but I should bear my punishment alone, and it would be lessened by the reflection that I had done my duty by her. With these thoughts I ate my prison breakfast cheerfully when it was handed in through the square trap in the door. A good source in a bucket of water added to my vigor, so that I looked forward without dread to my coming examination only impatient of delay lest it should sap my resolution. There was a bible on the shelf that served as a table; I opened it at the Psalms, and centred my thoughts upon what I read. I was thus occupied when the key turned in the door. "My time has come," thought I, closing the book and putting it back in its place.

The door opened and a middle-aged gentleman in a black frock coat, closely buttoned up, bustled in, followed by the head warder. He had a thin, hatched face, close-cut sandy-grey whiskers, a long nose, and a pair of piercing eyes, deep sunk, under wonderfully mobile eyebrows of the same sandy-grey color as his whiskers.

They met as he came to a stand and looked me over in silence; then they went up, as he said, setting down his little black bag on the shelf—

"Your name is Wyndham."

"I don't wish my name to be known in connection with this affair. I call myself William Smith."

"Very good; I understand. Your name though is sure to come out at the trial. However, for the present, you are William Smith. My name is Beeton. I am a solicitor instructed to act in your defence."

"By whom?"

"A friend," he replied, with a most significant bend of his eyebrows.

My heart leapt; I knew that the friend was Hebe.

"Now we have no time to lose," he continued, briskly, taking off his gloves with a couple of jerks, and slipping them in his coat pocket. "We go before the magistrates in half an hour, and have to lay down our course of action beforehand."

Saying this, he opened his bag, and fished out a small blotting pad and a portable inkstand. The warder who had closed the door and stood in surveillance suggested that the sergeant might grant the use of a room.

"Very comfortable here, thank you, warder," replied Mrs. Beeton, laying his writing material on the shelf, and seating himself before it on the block that serves prisoners for a chair. "Now, then, William Smith, you are charged with burglary and murder. You plead not guilty of course on both counts."

"Yes."

"What is your line of defence—with regard to the burglary, to begin with?"

"I have none."

He glanced up sidelong at me with one eye; the eyebrow was a note of interrogation. I had nothing to add.

"Do you deny being on the premises at the time of these events?" Here his eyebrows fell into a straight line like a dash, and seemed to imply the impolicy of that plea.

"No! I was there," said I.

"Then, how will you account for falling into the hands of the police?"

"I shall not attempt to account for it. I shall refuse to answer any questions as to that part of the business."

"You cannot hope for acquittal on the charge of burglary by that means."

"Whatever the consequences may be, I will say nothing whatever relating to the events that took place before my escape from the toolhouse."

"That is your fixed intention?"

"It is."

I thought there was a look of approval in the expansion of his eyebrows; there certainly was in his tone as he said, "Very good," and proceeded to write a few words.

"Now, William Smith, how do you propose to clear yourself on the other count?"

"By telling the simple truth," said I.

"Then out with it, and let me hear the whole story," said he, turning round full to the little shelf, and bending over his blotting pad, pen in hand.

I told him simply how I had found the rope ladder, how I had been overtaken by the housebreaker, how we had groped our way across the meadow and up the hill, and how we had then heard the shot which my companion attributed to Heeko. Mr. Beeton listened attentively, and jotted down a line or two now and then. There was character even in the man's long, thin ear. It moved like his eyebrow, and in its diverse twitching I fancied there was expression of astonishment, doubt, and satisfaction. When I came to the end, he turned round with a jerk, looked me straight in the face, and said—

"I believe every word you've said. Keep to that, and we'll get off on the graver charge, and perhaps—I say perhaps—on the lesser. But you must not expect to be acquitted by the magistrates. If they believe you as I do, they would not take upon themselves the responsibility of deciding in your favor. They'll send you up for trial."

"Very well," said I.

At this moment the sergeant came to say that I must be taken up at once to the court.

The inquiry was made with closed doors. The only witnesses present were Mr. Thane a doctor, the constable, and the detective who had apprehended me. I was surprised to find that the major was not there.

I recognised Mr. Thane rather by inner consciousness than by anything else. In the fog and darkness his features were indistinguishable; I had never seen his face before. Hebe's fear of him and his behavior when I was placed in his custody had led me to expect in him the appearance of a bully, for bullies I have found invariably cruel and cowardly. That heavy, red-faced, unhealthy-looking man with the heavy jaw, sensual mouth, and shifty, irritable eyes just answered to my preconception. As a vision of my wife, beautiful, sweet, and gentle, rose before my eyes, I wondered how she could owe her being to this man. Happily we have two parents, and the offspring may be as like the one and unlike the other as the delicate blossom of the tea rose to the briar on which it is grafted. As he caught sight of me he nodded his head fiercely in recognition, and spoke sharply to the gentleman by whom he sat.

The charge was read over, the doctor made a statement with regard to the murdered man, and then the constable Jennings was called upon to make his disposition.

Jennings told how he had seen me first waiting about on Richmond Hill, and how my behavior had led him to suspect that I was a bad character, and after no good; how he had followed me down to Ham Road, and there been joined by Saunders, the murdered constable, to whom he signalled with his whistle.

"Saunders told me," he proceeded, "that he had seen two suspicious characters hanging about Mr. Thane's house two or three days, so we thought we would take a look round the premises. Saunders said the fencing was being done up at the back of the grounds, and that was the likeliest place for any one to get in. We were going up by the wall on the Richmond side of the garden when we heard a glass smash inside, which led us to feel pretty sure there was something on."

"A bell glass was broken on the side border," said Mr. Thane.

It was the one I had struck with my foot in the dark.

Jennings, continuing his story, told how he and Saunders with difficulty, having to feel their way through the fog without using their bullseyes for fear of discovery, at length reached the house. There was a light at the back of the house in the first story.

"That was in my daughter's room. She burns a night light," explained Mr. Thane.

"There was also another on the second story on the north side."

"Those are the servants' rooms. I knew it," said Mr. Thane, eagerly.

"We tried all the windows and doors and found them closed. Saunders thought we had been heard by the burglars and had frightened them off; but just as we was about turning it up, I discovered a pair of nail boots against the conservatory door. Their boots there," he pointed to my boots standing on a chair.

"We then knew one of the gang must have been let in by some of the servants."

"I was sure of it!" broke in Mr. Thane.

"Packed every one of 'em off the moment after prayers this morning."

The clerk of the court quieted the excited gentleman with a gentle deprecatory movement of his pen; meanwhile my solicitor made a note, and his eyebrows twisted into a bracket that seemed to enclose a very important passage.

"Saunders and me," pursued Jennings, "knew the prisoner would come down by that door to let in his accomplices as soon as it was all clear and right inside, so we just drew off and stood handy behind a shrub. After about two hours, or may be three, we heard a scratch like a diamond going it, but we weren't certain, so we just waited on till we saw a glimmer of light in the conservatory. 'Come on,' says I to Saunders, and we crept up on our hands and knees, not to be seen, to the glass door. Presently the door opens, and we see two of 'em by an end of candle they had to light 'em, and one with a bag on his shoulders. We made a rush, and a struggle ensued, in which I received several bruises all over my person. We used our truncheons, and succeeded in getting

'em down. I had 'old of one, but it turned out to be Saunders; and Saunders had 'old of another, but it turned out to be me. However, we gave chase of the two others who had went off, we didn't know where, and I was making my way back to the house to see if it was all right there, when Mr. Thane called to me, and I then took prisoner into custody. I turned my light on his face and knew him at once. I will swear to him. Saunders then signalling me for help, I then left prisoner in custody of Mr. Thane, calling upon him in the name of the Queen."

"I had nothing on but my slippers and a dressing-gown," said Mr. Thane, appealing to the magistrates for commiseration.

The clerk pointed his pen at Jennings to proceed.

"I joined Saunders, who was up by the gap in the fence. He said he had seen the man with the bag. I said I would have a look for him along by the palings while he guarded the gap. I hadn't been gone above a couple of minutes, and I hadn't got far away, when Saunders again sang out to me, and at the same time I heard a struggle taking place. I turned on my lantern, and cried out I was coming."

"You ran to his assistance?"

"Yes, sir, and I ran up against a tree, it bein' so thick, which pulled me up for a moment. I heard the fighting pretty close at hand, and just as I started forwards I heard the pistol go off, and recognised the prisoner."

"How did you recognise the prisoner?" asked Mr. Beeton.

"Partly by the flash of his pistol, and partly by turning my lantern on him."

"How far was he from you at the time?"

"About as far as I am from you now, sir."

"That is about three yards."

"I won't swear to it."

"To the best of your belief, about three yards."

"Yes, sir, to the best of my belief."

"Yet the moment before you had run against a tree, after turning on your bullseye, owing to the fog being so thick that you couldn't see it."

"Saunders told you he had seen the man with the bag," said one of the magistrates; "had the prisoner got the bag when you saw him?"

Jennings paused a moment, and then, with the smile of self-gratification which a man has in avoiding a pitfall of cross-examination, he replied—

"It was the man who broke away first who had the bag; not the prisoner."

"Will you swear that the man had not got the bag?"

"Yes, I will swear to that."

"And you will swear that you recognized the prisoner at three yards by the flash of his pistol and the light of your lantern?" put in Mr. Beeton.

"I will swear to the prisoner being the man who fired the pistol."

I thought my solicitor's eyebrows would touch the parting of his hair, as with a gentle shake and a smile he bent down to make a note.

The next witness examined was Mr. Thane. Asked how he came to suffer his prisoner to escape, he explained that he was suffering from a complication of ailments, and had nothing on but slip shoes and a dressing gown, and that he had handed me over to Major Clevedon to look up in the toolhouse, under the belief that as a military man, and a man of great physical strength and vigor, the major was better able than he to guard a desperate ruffian like me.

"Where is Major Clevedon? Why is he not here?" asked one of the magistrates.

The clerk explained that the major had left the Cedars, where he had been staying as a visitor, and that he was not to be found at his London address.

"Yes, he left my house yesterday morning early," said Mr. Thane. "I think it right to state that I was exceedingly annoyed by his want of proper care in guarding the prisoner after I had confided him to his care. I looked upon it as a breach of trust which might involve me in serious difficulties. It was, in my opinion, not the conduct of an officer and a gentleman, and I told him so."

"And he left your house at once?" said a magistrate, who had himself the air of an old military man.

There was some further discussion, and then I was asked what I had to say in reply to the charge made against me; whereupon my solicitor rose and said that we reserved our defence.

That left the magistrates no course but to commit me for trial; and committed I was there and then.

## CHAPTER VIII.

INTERVIEWED BY MY SOLICITOR.

I was taken to the House of Correction at Wandsworth, to await my trial at the next assizes to be held at the Old Bailey. The same afternoon Mr. Beeton came bustling into my cell in company with a stolid warder.

"We have no time to lose, William Smith," said he; "the assizes open on the thirteenth."

"I'm glad of it," said I. "I wish it were all over and my fate decided."

"It must be an anxious time for you, of course; but you may look forward with confidence to an acquittal on both counts."

"Do you really think so?" I asked, in a tone of mingled hope and doubt.

"With regard to the graver charge, I have not the slightest doubt. No jury in the world would convict you of murder on the unsupported evidence of that man Jennings. His animus is obvious. You made an enemy of him by rejecting his friendly advance on Richmond Hill. He set you down for a bad lot, and his opinion was confirmed by finding you attempting to escape from the house. He may be honestly convinced that you did shoot his comrade Saunders, but it's clearly the hallucination of a man dominated by confirmed prejudice. What man, outside of fiction, could recognize another by the flash of a pistol, and that through nine feet of dense fog? What murderer, after killing his antagonist, would wait for the light of a bullseye to be turned on his face? Police Constable Jennings is convicted by his own lie. That part of his evidence which is true is equally in your favor. The lie will acquit you of murder; the truth will acquit you of being concerned in the burglary. His statement with regard to finding your boots at the conservatory door, the doors and shutters all fast below, and the light in the servants' window is worth a Jew's eye—and more—to you. Of course, you are still resolved to refuse any explanation of your being in the house."

Here he paused in putting his gloves into his pocket, and bent his brows with an expression of the most fixed determination.

"Yes," I answered, firmly. "Nothing on earth shall make me say a word about that."

"For your own sake, I think that course advisable," he said, impressively. "Of course, contempt of court is punishable, but that is a trifle. The judge will disapprove, but the jury will be influenced in your favor, by your refusal to implicate, and probably bring into disgrace the person—whosoever that person may be—whom you were visiting at this time. Well, new to business."

With this he seated himself, and for the best part of two hours he sat there cross-examining me, as if he believed me guilty, taking down my replies, and making marginal notes upon them. Then he had not finished.

The next day he came again.

"William Smith," he began, on this occasion, "I am instructed to tell you that the person you visited at the Cedars is prepared to come forward at the time, and give a full explanation, and supply a satisfactory reason for your being there on the night of the murder. I need not tell you that this statement must exonerate you entirely on the charge of being there with burglarious intent."

My eyes filled with tears, and I could not speak for the emotion that choked me, as I thought of the sacrifice my dear wife was prepared to make for me.

"The person goes further than that even," continued Mr. Beeton, "and will most certainly make that statement, unless you expressly forbid it."

"I do forbid it," I cried, vehemently.

"Quite right, William Smith. I myself have forbidden it in your interests and in my own—for my professional reputation is concerned in getting you off. And I say once more emphatically, that your most expedient course at the trial will be the close adherence to that reticence you yourself suggested. Naturally the person in question is in very terrible anxiety concerning your fate. My hands will be strengthened considerably if I can convey to this person a decision on your part which may obviate a rash outburst at the trial on the part of that person."

"Will she be there," I gasped.

"I fear nothing will keep that person away. Our chief hope lies in that person keeping silent."

"Tell her," I said, "that if my life depended upon it, I would not have her break that secret."

"I will tell her that your life does depend upon her keeping the secret, William Smith."

And so he sat down as before, and went on with his interminable questioning; but for some time I could not fix my ideas upon that subject, for thinking of my dear Hebe, her suffering and her love. Nor could I think of anything else when he had gone, and that night I slept as sweetly on my wooden bed as if all my troubles were ended.

The person who is so greatly interested in you," said Mr. Beeton the next day, "wishes to see you."

I could not repress a cry of joy. Oh, if I could only see her once more, only let her see how much I loved her now, I should not mind what sentence was passed upon me.

"But I have begged that person to forego the meeting. Better meet afterwards than run the risk of never meeting again."

My heart sank like a stone in my breast.

"It is most dangerous and inadvisable. Why? Because, to obtain a sanction from the authorities, we should have to show that the cause of justice was furthered by by this meeting, which could only be done by revealing the fact on which your very life depends. If you respect the future happiness of that person, you must decline the interview."

It was a hard struggle to agree to this, but I was persuaded by my good solicitor to forego that one happiness—possibly the last that might be offered.

Mr. Beeton brightened up considerably when I had made the sacrifice.

"I will give you my reasons after the trial, if happily, they do not come out in the course of it," said he.

I sat upon my bed dejected, picturing to myself how she might have rendered my cell a very paradise by her presence.

"The prosecution are getting a great show of witnesses, but they can do us no harm," he said. "Amongst them they have got the woman in whose house you lodged. Your old clothes will probably be brought to you in order that you may be identified more fully. Put 'em on. You'll look more like a servant's visitor in them than in your new clothes."

He was not quite so bright the next day. "They have subpoenaed Major Clevedon," he said, his brows wrinkling as if he felt a twinge of toothache. "I've seen him, and I don't quite like the look of him."

Nothing could have more surprised me than this statement.

"As a witness," he explained, answering my look of astonishment. "No, I do not like the look of him."

"If you knew all," I said, "you would think otherwise. He has proved incontrovertibly his devotion to—"

"Yes, I know whom you mean," he said drawing his hand down his long jaws, and caressing his chin reflectively. "I know also that a want of caution on his part might involve him in this affair, with very serious consequences to himself. He might even lay himself open to the charge of being an accessory. Nevertheless, I do not like the looks of him. What do you know about him, William Smith?"

"No more than I have told you half a dozen times."

"I mean, what is your personal opinion of the major's character?"

"I think him a chivalrous gentleman."

"M, ycs; that's just what I feared. Your chivalrous men stick at nothing—never weigh the consequences of an act where their principles are concerned."

"Their's not to reason why; Their's but to do or die."

I should never have dreamed of this hard headed man of law quoting poetry.

"If he hadn't been a chivalrous man he would have kept out of the way till this trial was over; instead of which he goes day after day to his club, looking for his subpoena, I suppose. Well, come on; we must finish this morning. Your case will be called to-morrow, and we will hope for the best. If that old idiot had only crossed the Channel," he murmured, hardly audibly, as he flicked off his gloves.

The stolid warder who was ever present at our consultations had taken a kindly

view of my case, and descended now and then to jocosity. In this spirit he came into my cell early the following morning and said—

"She's come for you?"

"She!" I exclaimed, thinking of my wife, and springing to my feet wild with joy.

"Maria!"

"Maria!" I echoed, in perplexity.

"I can see you're not an old hand," he said. "I should have said your carriage is at the door. Well, I wish you luck," he added, giving me his hand.

Then two officers came and led me off to the van that was to carry me to Newgate.

(TO BE CONTINUED.)

## WILL SEE THE NORTHWEST

### And Write It up for the English Papers

Mr. John Ennis, manager of the *Aika* line at Liverpool, Eng.; Mr. Archer Baker, C.P.R. traffic agent in Europe but resident in the same city, and T. Moore, proprietor of *The Land and Water*, a weekly journal which is running *The Field* very closely as the English country gentleman's newspaper, arrived in Ottawa the other day and had a meeting with the Deputy Minister of Agriculture the same afternoon. The three gentlemen are about to take an extended tour through the Canadian North-west. Mr. Baker is well known in Canada, he having formerly resided here for a number of years as superintendent of the eastern division of the C.P.R. Company. Mr. Ennis was in Canada nine years ago, but has never visited the territories. He says that he has so much to do with passenger traffic to the Dominion that he thinks it only right that he should know something of the capabilities of our great North-west country from actual observation in order that he might speak with authority upon the subject. Mr. Moore was out here 13 years ago when he was editor and proprietor of *The Irish Farmer*. On his return to the mother country he wrote a description of the Dominion, which was afterwards published in pamphlet form. The result of his observation this year will be embraced in a series of articles in *Land and Water*.

### He Wanted His Revenge.

Micky Cavan, who has just arrived in London, was suffering from the toothache, so he rushed into a dentist and said: "Plase, sorr, it's murdered Oi am wid the toothache. Will ye kindly take the blayguard av a tooth cut av my pore mouth?"

"How long have you had it?" inquired the dentist.

"About twenty years, sorr."

"Twenty years! You misunderstand me. I mean the toothache, not the tooth."

"Oh, indade! Oive had it for a wake, more or less; but, ginirally spakin', more, sir," said Micky, ruefully.

"And which tooth is it that troubles you, my man?" the dentist asked.

"The wan furnist the lasht on the top back row av the right side, sorr."

The puzzled dentist requested Micky to place his finger on the afflicted tooth, which he did. The dentist, after examining, said:

"This will be a very tough job, my man, and I strongly advise you to take gas."

"Take gas?" exclaimed Micky, whose thoughts immediately reverted to street lamps. "Shure, ye are joking wid me, sorr. How could Oi take gas?"

"Inhale, mhale," said the dentist impatiently.

"In ale?" roared the horrified Irishman.

"Niver! Nor in gin, whisky, or anything else! Let me go ye haythen! It's ather murtherin' me ye would be!"

However, after a great deal of other the dentist succeeded in making matters a little clear to the bewildered Micky, who then asked: "Will it hurrat the tooth, sorr?"

"Oh, no, there won't be any pain at all."

"O'im sorry for that," said Micky, looking inexpressibly disappointed.

"Sorry?" ejaculated the dentist, with great surprise.

"Yis, sorr. Ye see sorr, it's this way. This blayguard av a tooth has bin drivin' me mad wid pain for a whole wake; so Oi shud loike ye to hurt it a bit whin ye pull it out, sorr, jist by way of revingin'!"

### Mostly About Women.

Three savings banks in New Hampshire have women treasurers.

The world's typewriter record of 182 words a minute is held by a woman.

Miss Willard estimates 4,000 vocations open to women, and there were but 36 in 1876.

Of the public school teachers in the United States more than 65 per cent. are women.

Mrs. F. B. Mapp, of Milledgeville, Ga., has been made an honorary member of the Inventive Society, of Paris, and has also received from the society a diploma and a gold medal for her invention of a bread raiser.

Miss Alice Cavanaugh, of Dawson county, Mon., superintends the county schools in an area of 30,000 square miles, and Miss Finnegan, of Choteau county, has an almost equally extensive territory, comprising 27,000 acres.

Mrs. Juana Neal, of California, on a salary of \$10,000, has been placed in charge of the woman's department of insurance by two leading companies of New York. Her position empowers her to organize and enlarge the work in the Pacific coast States.

Miss Ume Teuda, a young Japanese girl who graduated from Bryne Mawr College last June, is endeavouring to secure funds for the establishment of a scholarship for Japanese girls at some college in America. Her brother has been educated as a civil engineer in this country, and returns to his own country to practice his profession.

### Ask the Driver.

An Irishman, who traded in snallware, kept a donkey cart, with which he visited the different villages. On one occasion he came to a bridge where a toll was levied. He found to his disappointment he had not enough money to pay it.

A bright thought struck him. He unharnessed the donkey, and put it into the cart. Then getting between the shafts himself he pulled the cart with the donkey standing in it on to the bridge.

In due course he was hailed by the toll collector. "Her, man," cried the latter, "whaur's your toll?"

"Begorra," said the Irishman, "jast ask the Droiver."