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THE AUSTRALIAN NEVER-NEVER JOHN MACKIE AUTHOR OF THE DEVILS PLAYGROUND AND SINNERS TWAIN

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AND COUNTY OF FALTON

"Now, Daly," I said, and tried to she thought. The next witness for the man's pocket and put them back a rivet those shifting blue eyes of his prosecution was the bottle nosed ex- Was it likely that if he had mur with mine, "if, as you tell me, you did, skipper, Dan Smythe. For some years and robbed Sexton and wanted not know anything about the murder he had imposed his unwelcome present purpose to tell that you believed John exaggerated form of speech. Farquharson, the reputed murderer of The sergeant drew from him that he he, John Farquharson, had murder

have been a telling one, but I had not March last. He "guessed" that he jecture gauged the depth of villainy and cupid- could swear positively that the prisoner But still I cheered Jack as best as if with evident reluctance:

ing your own case and the prisoner's, a the magistrate as to the meaning or nor I knew anything. thing I've no desire to do. As for steal- interpretation of the word "guess," that Before leaving my comrade I had ing out of the camp, as you call it, I "he didn't keer a cuss, and he couldn't satisfaction of learning that Smyt permission or any other person's, for pressed hisself anyhow!"

Here a very solemn faced individual was about to begin my cross examina- was pledged to produce him in a proper who sat on his heels in the back of the tion, it was noticeable that the appeartent, and who had once, when in very different circumstances, belonged to a debating society in the old country, under the impression that he was in "Codger's hall" listening to a debate. promptly shouted, "Hear, hear!" He was promptly suppressed by having his hat jammed down over his face. Daly continued: "If I suspected that

couldn't help my suspicions. Besides, I didn't think of the serious fix I was getting the prisoner into when mendidn't know that he committed the murder. I may have had some words, with the prisoner, but I hope there's no ill will borne on either side." Elsie Gordon's face and fancied there

she listened to the hypocritical speech

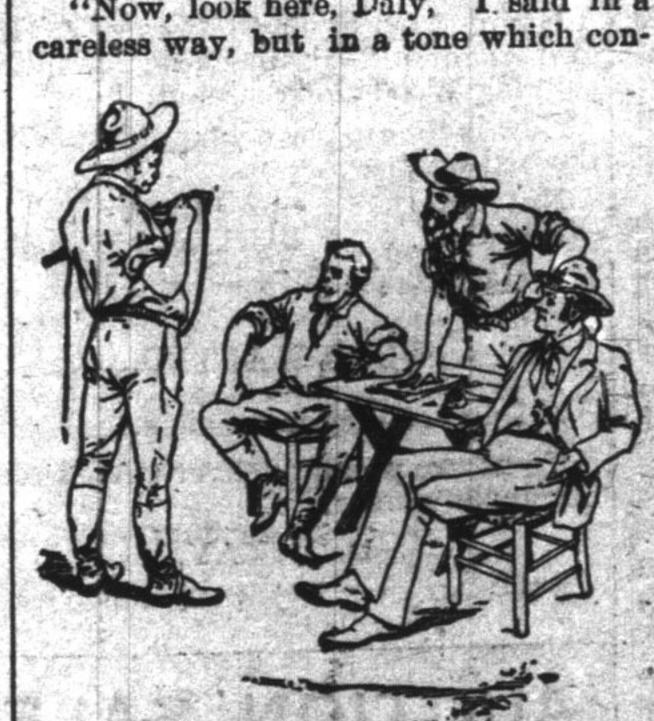
of her admirer, but still it could not

He fell down in a fit.

"Steady, Dan, steady! No use look-

altogether conceal a certain hint of pride as she gazed upon his cool, unchanging, devil may care countenance. I had no It was fortunate that I looked at her ance presented by the witness had straints on me while giving evidence. to communicate. Instinctively I fol- as the day was warm, some of them had questions on paper which I might ask lowed her gaze. It rested on my hat visited the hollow tree too often. As the witness, but he begged that helying on the bench alongside. I picked Smythe, the "respectable and vera- Savile-should first be sworn in as inaction might easily have passed unnoticed. It was as much as I could do rision even to that crowd. One tall, that this was her request, I at once as small, clear, firm handwriting. Though tive called out from the front ranks of of procedure. it contained what was not exactly a the spectators: revelation to me, still it showed that the writer knew more about this wit- ing over your left shoulder. He's not ness than she thought it discreet just really there, you know. You only think then to divulge and that her subtle you see him. No use anticipating the and went over to the courthouse, a sign our knowledge like a sword him to modify his views. As the note

directed I put the question, then with drew it. It was a strategical movement "Now, look here, Daly," I said in a means stand the careless way, but in a tone which con-



rades. As, sowever, the only other are tempt.

Tomy winned my position and his Absalom!" resuch as to follow up that question, but out speaking. He was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. He was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. He was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken ticles of wearing apparel he possessed written on the debauched face, then I out speaking. The was evidently taken to the was evidentl

with her over to the camp.

for a certainty. I had seen him, now

come into this township on the fact by an unduly accentuated, and into the pockets of the man-kill had seen John Farquharson and Sexton Sexton? The case was fast become This was a bold shot and ought to together at the Clencurry on the 9th of a mystery even to me and baffled con

ity which lay under that smooth, smil- in the bex was the identical John Far- could. As to who the witness was that ing face of his and that bland, plausi- quharson he had seen with Sexton on Norah Mackenzie spoke of bringing forble tongue. He looked down and said the Cloncurry, no matter what he called ward, something told me it would himself now. He "guessed, reckoned unwise to ask questions. Regardi "In trying to harm me you're harm- and calc'lated," when interrogated by Dan Smythe's antecedents neither Jo wasn't aware that I'd first to ask your see it mattered a darn as to how he ex- had recovered from his fit, though fee

ing "rather queer," as the consta When the sergeant sat down and I who had him in charge said, and wh condition in the afternoon. Then I went over to the camp, where

in the dusky shade of a great leafy tree, some little distance removed from t others, I saw Norah Mackenzie enter taining the two magistrates. I got pannikin of tea from Savile. Daly was regretted the position in which he found himself. Gordon informed me that felt like giving him his money and tel ing him to go, but the circumstance hardly justified this summary mode procedure. As it would have defeat my project-dim, it must be confesse of ultimate fulfillment—for eventual discovering the murderer of Sexton, commended his views on this point. Then I had a talk with Savile and Gorme that the witness Miss Mackenzie

had referred to was a black boy, at prestoo minutely at present into particalars, as doing so might only put rehumor that was in the crowd. Possibly, Smythe's employ. He handed me some me by his astuteness. After his example of the solution of the solut cious witness" had, in addition to a terpreter, and that no questions should shoulder every few minutes, it was lit- When Savile told me that he had talked travel stained, cadaverous looking na- quiesced to this rather one sided for

-CHAPTER XL A MYSTELLOUS WITNESS.

The two magistrates left the camp inevitable. He'll get you one day, sure nal that the trial was about to recommence. We returned to the marquee, looked. It was a remarkable procession. "Sergeant, have that man arrested and the prisoner was once more brought for contempt of court," cried the mag- in. It was quite evident that the greater elegant poodle, in a knowing and dig- seeing that Norah Mackenzie had seemfor contempt of court, cried the magin. It was quite evident that the greater
istrate. This was promptly done, to the
istrate. This was promptly done, to the
number of the spectators in court had
fact that he had a personal interest in
it, when my attention was attracted by
Savile sat down, "I want you to think no small amusement and evident gratino small amusement and evident gratification of the crowd. The offender was dined, for they did not present quite so the matter on hand. He sported a cherthe respectable and veracious Mr. Dana minute, and to be careful of what you neation of the crowd. The orderly and intelligent an appearance ry colored ribbon tied round his forenot popular. He had been the forcible orderly and intelligent an appearance ry colored ribbon tied round his foreiel Smythe. This worthy was truly not say. Don't you think you made a misnot popular. He had been the forcing as they had done in the morning. There lock. No came Savile with a look of in a proper condition to give evidence take when you said you were at the

was a tendency among them to indulge It was quite evident that Smythe in faceticus personal remarks in a tone was in that conditon bordering on what of voice hardly permissible in a court is felicitously termed "the horrors." of justice. In fact, one or two had Still, I could not shake the stubborn lapsed into that condition of mind in pertinacity of this witness, who clung which it seemed they only vaguely realto his assertion that the prisoner was ized that they were there at all, and no other than the John Farquharson then only for a very brief period indeed. he had seen with Sexton, the murdered These lucid intervals were even more man. Just then I found on looking noticeable than the periods of imbecildown that another small piece of paper ity, for they were inclined to assert had been put into my hat. Instinctive- their right to be present when nobcdy ly I knew what it was and who had dreamed of disputing it and to state that used it to be put there. I picked it they would very much like to be shown up carelessly and read, "Ask Smythe the man who said otherwise.

what he did with the half caste boy Some bush wag having told the blacks Freddy he used to have with him, and and they in their childlike innocence the fairly shook as if horror had been some animal fascinated by the some chance resemblance, and that it is have an opportunity of examining either to be hanged or burned alive preternatural gravity on his round and eyes of a snake, he could not free him-Smythe later on in order to confront that afternoon, after the fashion of the glowing closely, that afternoon, after the fashion of the glowing face, and following closely, was that he had owned a half caste boy, half caste. "Now, look ners, Daly," I said.

I looked across at Norah Mackenzie.

With the peculiar to his kind, was a dark whom rumor said he had beaten to walk peculiar to his kind, was a dark walk peculiar to his kind, was a dark walk peculiar to his kind, was a dark whom rumor said he had beaten to walk peculiar to his kind, was a dark whom rumor said he had beaten to death. The presence of this half caste woice that quivered with trepidation whom rumor said he had beaten to walk peculiar to his kind, was a dark whom rumor said he had beaten to walk peculiar to his kind, was a dark whom rumor said he had beaten to walk peculiar to his kind, was a dark whom rumor said he had beaten to walk peculiar to his kind, was a dark whom rumor said he had beaten to walk peculiar to his kind, was a dark walk peculiar to his kind, "do you remember buying a horse and But her dark eyes did not betray the Christian white ladies could not have cotton shirt about two sizes too large therefore filled him with a superstitious whined: paying for it in Queensland bank notes workings of her mind. I fancied, howpaying for it in Queensiand pank notes in May last?'

In May last?'

And here I found the right chord had been struck. In a second there was a startled, scared look in his eyes as he startled, scared look in his eyes as he replied hastily and significantly:

The beau of the party, who had boasted of the nightshirt and the tall hast was now colipsed by another coli questions that have nothing to do with he had done with the half caste boy. a refuse heap an old pair of trooper's bred black fellow. The approach of the long boots and stalked about in them to two was the signal for a break in the —Danay Smythe," answered the half the case. Can't you ask me something two was the signal for a break that'll be a sight easier to answer?"

The witness glared at me with wide the admiration and envy of his commonotony of the proceedings. had been open, fearful eyes for a moment with- rades. As, however, the only other ar- "It's Savile and his Absalom!" re- tempt.

Jackenzie to give her evidence. presence there as a witness before that point of the joke. motley crew. They became orderly and After a few technicalities in regard

blacks the person of John Farquharson,' At this the gallant old party-he of

longer than I could help. It was a myself who thought him a handsome who, after having been forcibly ejected

such a place, among those time worn, red cotton kerchief tied round his head a weak moment. rough looking men, many of whom, gave him a bizarre appearance. upon a time they might even have claimed acquaintanceship with her. She stood there as calmly and as self pos- boy proudly replied. sessed as she might have done in her father's drawing room, only perhape there was a subdued and simple earnes ness in her speech which betrayed the fact that she felt the gravity of the position and of the charge against the

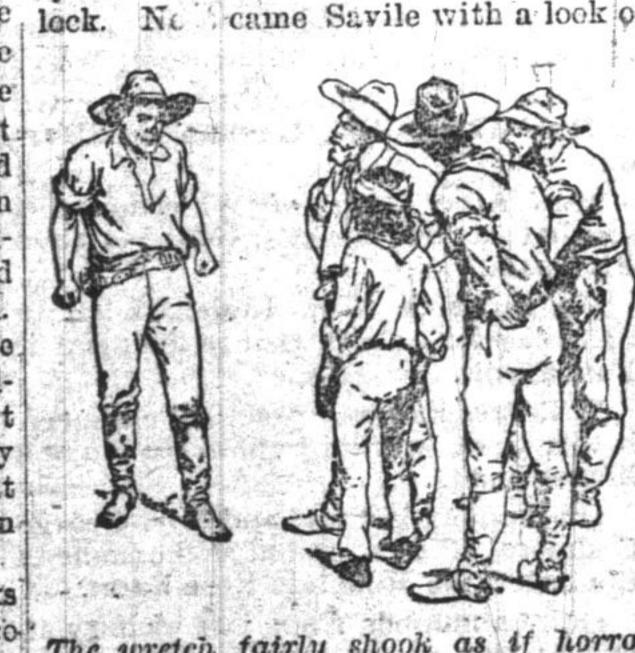
One thing noteworthy about her evidence was that, without having to ask her concerning certain points which was somewhat unwilling to do, seemed to divine my reluctance and answered the questions just as I would have desired had I worded thexi differ-

Her examination being finished, she don. The former somewhat briefly told I then explained it was needless to

women left the court. I called upon Savile, and that seem-It was fortunate that I looked at her aroused the latent and playful spirit of Suffice it that this boy had once been in ingly simple one somewhat surprised nation he asked permission and with

Gordon was next examined. It is unnecessary to particularize the evidence piece of paper, which, unobserved, I unfolded and read. I had not seen it put folded and read. I had not seen it put ugly trick of glancing over his left there, but such were the distractions where the distractions over his left when Savile told me that he had talked by the saving the savile told me that he had talked by the savile talked by the savile talked trate would be quite justified in comuneasy and merely asked my witness a Smythe?" few unimportant questions so as to give Savile time to bring his, Suddenly some of the members of the court, who had become a little wearied of the proceedings, evinced a lively interest in the approach of some person or persons who hibited an astute presence of mind. came from the direction of our camp.

Leading the way came Samson, that the result of the examination was to be, request



and doesn't intend any Delilah to get

After giving my own evidence and As the court, with the utmost good by the sergeant, I called upon Miss roared again at this sally Savile felt it I can never forget the effect of her smile, although he could not see the

respectful to a degree. Only once a gal- to the mode of procedure had been dislant old bushman who in a fit of ab- cussed I represented that as the half sentmindedness had dined in two differ- caste had been brought up principally ent places rather forgot himself. This with the blacks and could but imper gentleman had a reputation for dandy- feetly talk English, if the bench permitsm because he wore a boiled shirt and ted, I would question him through Saa clean handkerchief tied round his vile, who had special knowledge of his neck. It occurred when, in answer to a peculiar pigeon English, and thus the repeated question acced by the ser- possibility of any misunderstanding geant of the witness, "if she could actu- would be prevented. This was agreed ally swear her father had recognized in upon, and Savile was sworn in as in-

In the scene which follows it will the what he says anyhow." therefore be understood that the ques- | And now the magistrate, who had all tions put to the witness by Savile were throughout the case heard both sides first communicated to the latter by me. impartially, remarked somewhat dryly: The half caste stood with his back to the boiled shirt—had thought it incum- the court, facing his interpreter. I no- it proper to take this black fellow's, as bent on his reputation to applaud and ticed he had all the natural good looks you call him, evidence your protest is raise a feeble "Hip, hip" - But he of his kind, the handsome Caucasian ill timed. I don't see why you should features and the large, dreamy, dark object to it. I myself feel rather curious I asked only a few leading questions eyes which seem to speak of a soul that in regard to Mr. Smythe's antecedents." of this witness, not wishing to keep her is, alas, too seldom there. There were 'Hear, hear!' again interjected the subjected to the scrutiny of that court doubtless many others present besides gentleman of sporting proclivities,

though rough in exterior and even in "What is your name?" asked the "have that man arrested!" manner, had not always been so. Once magistrate, forgetting that he had sworn an interpreter. "Name b'longin to me, Freddy," the

"Have you no surname, my lad?" If he had asked him this in Greek, it would have conveyed just as much meaning to the witness. "What name that young man jab-

ber?" asked the puzzled half caste, turning to Savile for an explanation. The troopers promptly suppressed the swered: outbreak on the part of the spectators, and the magistrate, who was no longer young, did not resent the imputation low gif' him shirt, nor tobac, baal that concerning his years. Savile explained. fellow gif' him thixithpence. That felcamp, your worship. I apologize for the low"- Here the half caste paused, witness' way of putting things I may say, your worship, that all along he's

only been known as Freddy." "Oh! Then Freddy is your name?" take up the time of the court by ques- remarked the magistrate. Then you tioning Miss Mackenzie's maid and must understand, my lad, that you have limb. I began to fear that he would ent with Percy and Scruton, the drov-ers, who were then on the Macarthur. which was quite unnecessory—what the which was quite unnecessory—what the nothing but the truth, and if you say ed to have struck Savile. I must excuse him, he explained, going former had said. At this Elsie Gordon what is not true the great God will looked somewhat surprised. Then the cause you to be burned in the big fire riedly to the boy. "But perhaps the when you die. Hold up your hand." The half caste held up a brown hand. But it was here decided that the youth must not make a mockery of the oath by have an easy time with this untutored taking it in the regular way. The matter was compromised by Freddy saying question him. He had not asked many

"Freddy baal gammon. Me savey big to his astonishment, that he had unacit up and in the crown found a small black eye, a strip of sticking plaster piece of paper, which, unobserved, I unown case. He sat down in a bewildered "That's good; you can proceed," said the magistrate. "Oh, by the way, you

mitting the prisoner for trial. I became want to confront him with Mr. "I should like him to be present when the witness is examined," I admitted. poodles and a predilection for paper snakes and Chinese puzzles Savile ex-

> I was wondering how Savile had managed to pick up this boy and what Smythe, and the magistrate granted my ly round the tent as if expecting to find | March last?" some one at his elbow whom he did not suppose I must have been misparticularly wish to see. This incited took," was the cowed and whining reput a stop to with difficulty. When he been later than that." case would have to be again adjourned. leg over the other with the air of a man The wretched ex-skipper of the ketch who says "the game is up."

caste significantly and in a tone of con- you—in the meantime. As he sat down he was evidently

his vanity and love of authorization.

It would only weary the reader to now, he's a broth of a bhoy as you may that fellow Mista Mackenzie bin send knew his case was hopeless. When he are detail the particulars of the trial. I well be proud of, Savile, and, faith, but a detail the particulars of the trial. I well be proud of, Savile, and, faith, but a bullocky from Tarragong alonga at down it was my turn. tion to appear," said the magistrate, opened the case for the defense, saying doesn't he take after his father?" an- Gibson come up here."

prisoner once before, seeing him on the amining him."

Savile pushed his way to the front and the says—as I dare say you've already heard my case it was needless for me to twigged—that in March last, on the comment upon it. I was not quite sure and now the little crowd was being twigged—that in March last, on the comment upon it. I was not quite sure Robinson river. Are you prepared that the ist the factor of the sight of this unfortunate wretch's misery. But fits are not uncommon in the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the sake of appearance of the vicinity of back block shanties. In the paused—for the vicinity of back block shanties are not uncommon in the paused—for the vicinity of back block shanties. In the paused—for the paus

against this black fellow's eviden ing taken at all. It perhaps matters lit

unique sight to see that well bred and youth, although his skin was darker for a like offense, had once more stolen beautiful girl standing, facing me, in than a half caste's generally is, and the into the tent, only to forget himself in

"Corporal." cried the magistrate. But as the offender happened to be a personal friend of the magistrate's he was doubtless released later on and fined the drinks. Order had to be main tained in court, particularly when the

man's credit was good. "Well, Freddy," Savile repeated, "that one Danny Smythe been good master alonga you?" The half caste seemed to mesmerize Smythe with his great eyes as he an-

"That fellow plenty coolah, alonga me-plenty killum me-baal that fel "He has lived mostly in the blacks' low bad, bad, man. One time that felraised one hand fearfully to his head as if touching the mark of an old scar, and as if overpowered by some terrible

recollection. "That will do, Freddy," I said hur-

sergeant might like to ask you some The sergeant, thinking that he would son of the bush, straightway began to questions before he discovered, much countably succeeded in damaging his

fashion, and muttered something about "the devil being in the boy." When the half caste came to put his mark to his evidence he again excited the amusement of the appreciative audience, for he nearly upset the ink pot. Then dabbling his fingers in the ink he In spite of an infatuation for French drew them across his face. When I looked for him again in the crowd, he had vanished as completely as if he had only been a passing shadow. I asked permission to cross examine

I had got my clew. "And, now, Mr. Smythe," I asked as in a court of justice. He glared fartive- Cloncurry on or about the 9th of

several of the spectators to pass jocular ply, his eyes wandering around as if but unkind remarks, which were only looking for some one; "it must have caught sight of the half caste, I feared The sergeant threw down the papers he would have another fit and that the he had been holding, and crossed one

Alacrity fairly shook as if horror strick- "And now, look at the prisoner en. If he had seen the ghost of some again,' I continued. "You see, one is one whom he had murdered, he could liable to make mistakes. Looking at not have betrayed greater far. As for him closely, isn't it possible that when the half caste, he slowly turned his great this morning you spoke of seeing him at

"D-d-don't-begosh! I reckon 1

harson," I sneered. "I have done with

sess the key to it, and his come yet. He had, nowthe white flag, and I
fortress had capitulated.

The work of the many side now. fer fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice." The serge and the fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice." The serge and the fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice." The serge and the fly net, a young constable made a dart stricken voice. "When shall we three fly net, a young constable made a dart stricken voice." The serge and the fly net, a young co would like to examine the his vanity and love of admiration. tones, but with a nasal drone. "Shure, seven fingers) "all a same time when what he said had little weight. He

"I think you said you only met the "you will have an opportunity for ex- with all due deference that the police of the said with a bread brong on the said with a brong on