

Star & Republican Banner

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"I WISH NO OTHER HERALD, NO OTHER SPEAKER OF MY LIVING ACTIONS, TO KEEP MINE HONOR FROM CORRUPTION."—SHAKS.

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CHERRYBROOK, Pa., MONDAY, SEPTEMBER 30, 1835.

[WHOLE NO. 295.]

THE GARLAND.

"With sweetest flowers curried,
From various gardens with care."
"We are such stuff
As dreams are made of."
All—truant Fancy—vagrant spirit—
Still tempting me to stray,
In many a vision wild, by night,
Or reverie, by day—
Stealing the moments that should be
More usefully employ'd,
With shadows that too briefly flee,
And leave a gloomy void.
How oft have I join'd thy way,
And strove to break thy chain,
And ever forc'd thee to obey
My reason's wiser reign!
But ah, too soon, with strength renew'd,
Or by besetting art,
Stern Reason's rule to quite subdued,
And thou hast all my heart.
With every spell, thou had'st thy thrall,
Feeling'st post de light,
And in the future, blending all
With hope and Pleasure's light—
And o'er to ecstasy potent charms
By magic's deepest power,
Thou did'st up Friendship's hollow'd forms,
To bless my dreaming hour.
Dull care, and gloomy sorrows, flee
Before that happy band—
As on we wander, gay and free,
Through scenes of fairy land,
Ah—then thy visions fade too fast,
For could'st thou dream remain,
And late to all so sweetly pass'd,
I would not wake again.
Chambersburg, Nov. 19, 1835. R.

AN AMUSING TREAT.

[No. XXIII.]

JAPHET, IN SEARCH OF A FATHER.

(CONTINUED FROM LAST.)

I had proceeded half a mile from the house, when I desired the servant to turn to a cross-road so as to gain Brentford; as soon as I arrived, the distance being only four miles, I ordered him to stop at a public house, saying that I would wait till the coach should pass by. I then gave him half a crown, and ordered him to go home. I went into the inn with my portmanteau, and was shown into a small parlour, where I remained about half an hour reflecting upon the best plan that I could adopt. Leaving the ale I had called for untasted, I paid for it, and, with my portmanteau on my shoulder, I walked away until I arrived at an old clothes shop. I told the Jew who kept it, that I required some clothes, and also wanted to dispose of my own portmanteau and all my effects. I had a great regard to deal with; but after much chaffering, for I now felt the full value of money, I purchased from him two pair of corduroy trousers, two waistcoats, four common shirts, four pairs of stockings, a smock frock, a pair of high-lows, and a common hat. For these I gave up all my portmanteau, with the exception of six silk handkerchiefs, and received fifty shillings, when I ought to have received at least ten pounds; but I could not well help myself, and I submitted to the extortion. I dressed myself in my more humble garments, securing my money in the pocket of my trousers, and procured a stick from the Jew to carry it on, however not without paying him three-pence for it, he observing that the stick "was not in de bargain." Thus attired, I had the appearance of a countryman well to do, and I set off through the long dirty main street at Brentford, quite undecided and indifferent as to the direction I should take. I walked about a mile, when I thought that it was better to come to some decision previous to my going further; and perceiving a bench in front of a public house, I went to it and sat down. I looked around, and it immediately came to my recollection that I was sitting on the very bench on which Timothy and I had stopped to eat our meal of pork, at our first outset upon our travels. Yes, it was the very same! Here sat I, and there sat Timothy, two heedless boys, with the paper containing the meat, the loaf of bread, and the pot of beer between us. Poor Timothy? I conjured up his unhappiness when he had received my note acquainting him with our future separation. I remembered his fidelity, his courage in defence, and his preservation of my life in Ireland, and a tear or two coursed down my cheek. I remained some time in a deep reverie, during which the various circumstances and adventures of my life were passed in a rapid panorama before me. I felt that I had little to plead in my own favour, much to condemn—that I had passed a life of fraud and deceit. I also could not forget that when I had returned to honesty, I had been scouted by the world. "And here I am," thought I, "once more with the world before me; and it is just that I should commence again, for I started in a wrong path. At least, now I can satisfactorily assert that I am deceiving nobody, and can deservedly receive no censure. I am Japhet Newland, and not a disguise." I felt happy with this reflection, and made a determination, whatever my future lot might be, that, at least, I would pursue the path of honesty. I then began to reflect upon another point, which was, whether I should bend my steps, and what I should do to gain my livelihood.

the very idea was irksome. As a mountebank, a juggler, a quack doctor—I spurned the very idea. It was a system of fraud and deceit. What then could I do? I could not dig, to beg I was ashamed. I must trust to the chapter of accidents, and considering how helpless I was, it was but a broken reed. At all events, I had a sufficient sum of money, upwards of twenty pounds, to exist with economy upon for some time. I was interrupted by a voice calling out, "Halloa! my lad, come and hold this horse a moment." I looked up and perceived a person on horse-back looking at me. "Do you hear, or are you stupid?" cried the man. My first feeling was to knock him down for his impudence, but a nerving impulse, reminding me of my situation and appearance, and I rose and walked towards the horse. The gentleman, for such he was in appearance, dismounted, and throwing the rein on the horse's neck, told me to stand by him for half a minute. He went into a respectable looking house opposite the inn, and remained nearly half an hour, during which I was becoming very impatient, and kept an anxious eye upon my bundle, which lay on the seat. At last he came out, and mounting his horse, looked in my face with some degree of surprise. "Why, what are you?" said he, as he pulled out a sixpence, and flung it to me.

I was again nearly forgetting myself, affronted at the idea of sixpence being offered to me; but I recovered myself, saying, as I took it, "A poor labouring man, sir."

"What, with those hands?" said he looking at them as I took the money; and then looking at my face, he continued, "I think we have met before, my lad—I cannot be sure; you know best—I am a Bow street magistrate."

In a moment I remembered that he was the very magistrate before whom I had twice made my appearance. I coloured deeply, and made no reply.

"Well, my lad, I'm not on the bench now, and this sixpence you have earned honestly. I trust you will continue in the right path. Be careful—I have sharp eyes." So saying, he rode off.

I never felt more mortified. It was evident that he considered me as one who was acting a part for unworthy purposes; perhaps one of the swell mob or a flash pick-pocket rusticated until some hue and cry was over. "Well, well," thought I, "as I took up a lump of dirt and rubbed over my shen white hands, 'tis my fate to be believed when I deceive, and to be mistrusted when I am acting honestly;" and I returned to the bench for my bundle, which—was gone. I stared with astonishment. "Is it possible?" thought I. "How dishonest people are! Well, I will not carry another for the present. They might as well have left my stick." So thinking, and without any great degree of annoyance at the loss, I turned from the bench and walked away I knew not whither. It was now getting dark, but I quite forgot that it was necessary to look out for a lodging; the fact is, that I had been completely upset by the observations of the magistrate, and the theft of my bundle; and in a sort of brown study, from which I was occasionally recalled for a moment by stumbling over various obstructions. I continued my walk on the pathway until I was two or three miles away from Brentford. I was within a mile of Hounslow when I was roused by the groans of some person, and it being now dark, I looked round, trying to catch by the ear the direction in which to offer my assistance. They proceeded from the other side of a hedge, and I crawled through, where I found a man lying on the ground, covered with blood about the head, and breathing heavily. I untied his neckcloth, and as well as I could, examined his condition. I bound his handkerchief round his head, and perceiving that the position in which he was lying was very unfavorable, his head and shoulders being very low than his body, I was dragging the body round so as to raise those parts, when I heard footsteps and voices. Shortly after four people burst through the hedge and surrounded me.

"That is him, I'll swear to it," cried an immense stout man, seizing me; "that is the other fellow who attacked me, and ran away. He has come to get off his accomplice, and now we've just nicked them both."

"You are very much mistaken," replied I, "and you have no need to hold me so tight. I heard the man groan, and I came to his assistance."

"That gammon won't do," replied one of them, who was a constable: "you'll come along with us, and we may as well put on them *darbies*," continued he, producing a pair of handcuffs.

Indignant at the insult, I suddenly broke from him who held me, and darting at the constable, knocked him down, and then took to my heels across the ploughed field. The whole four pursued, but I rather gained upon them, and was in hopes to make my escape. I ran for a gap I perceived in the hedge, and sprang over it without minding the old adage, of "look before you leap;" for, when on the other side, I found myself in a deep and stagnant pit of water and mud. I sank over head, and with difficulty extricated myself from the mud at the bottom, and when at the surface I was equally embarrassed with the weeds at the top, among which I floundered. In the meantime, my pursuers, warned by the loud splash, had passed when they came to the hedge, and perceiving my situation, were at the edge of the pit watching for my coming out. All resistance was useless. I was benumbed with cold and exhausted by my struggles,

and when I gained the bank I surrendered at discretion. The handcuffs were now put on without resistance on my part, and I was led away to Hounslow by the two constables, while the others returned to secure the wounded man. On my arrival I was thrust into the clank, or lock-up house, as the magistrates would not meet that evening, and there I was left to my reflections. Previously, however, to this, I was searched, and my money, amounting, as I before stated, to upwards of twenty pounds, taken from me by the constables, and what I had quite forgotten, a diamond solitaire ring, which I had intended to have left with my other bijouterie for Timothy, but in my hurry, when I left London, I had allowed to remain upon my finger. The jail was a square building, with two unglazed windows secured with thick iron bars, and the rain having beat in, it was more like a pound for cattle, for it was not even paved, and the ground was three or four inches deep in mud. There was no sent in it, and there I was the whole of the night walking up and down shivering in my wet clothes, in a state of mind almost bordering upon insanity. Reflect upon what was likely to happen, I could not. I only ran over the past. I remembered what I had been, and cruelly felt the situation I then was in. Had I deserved it? I thought not. "Oh! father, father," exclaimed I, bitterly, "see to what your son is brought—handcuffed as a felon! God have mercy on my brain, for I feel that it is wandering.—Father, father—alas, I have none!—had you left me at the asylum, without any clue, or hopes of a clue, to my hereafter being reclaimed, it would have been kindness; I should then have been happy and contented in some obscure situation; but you raised hopes only to perish, and imaginations which have led to my destruction. Sacred is the duty of a parent, and heavy must be the account of those who desert their children, and are required by Heaven to render up an account of the important trust. Consider, thou, oh father, but now behold thy son! God Almighty!—but I will not curse you, father. No, no,"—and I burst into tears, and leaning against the damp walls of the prison, I wept long and bitterly.

The day at last broke, and the sun rose and poured his beaming rays through the bars of the windows. I looked at myself, and was shocked at my appearance; my smock-frock was covered with black mud, my clothes were equally disfigured. I had lost my hat when in the water, and I felt the dry mud cracking on my cheeks. I put my hands up to my head, and I pulled a quantity of duck-weed out of my matted and tangled hair. I thought of the appearance I should make when summoned before the magistrates, and how much it would go against me. "Good God," thought I, "who, of all the world of fashion—who, of all those who once caught my salutation so eagerly—who, of all those worldly-minded girls, who smiled upon me but one short twelve-month since, would imagine, or believe, that Japhet Newland could ever have sunk so low—and how has he fallen! Alas! because he would be honest, and had strength of mind enough to adhere to his resolution. Well, well, God's will be done: I care not for life; but still an ignominious death—to go out of the world like a dog, and that too without finding out who is my father." And I put my fettered hands up and pressed my burning brow, and remained in a sort of apathetic sullen mood, until I was startled by the opening of the door, and the appearance of the constables. They led me out among a crowd, through which, with difficulty, they could force their way, and followed by the majority of the population of Hounslow, who made their complimentary remarks upon the *footpad*. The large stout man was then called up to give his evidence, and deposed as follows:

That he was walking to Hounslow from Brentford, whither he had been to purchase some clothes, when he was accosted by two fellows in smock-frocks, one of whom carried a bundle in his left hand. They asked him what o'clock it was; and he took out his watch to tell them, when he received a blow from the one with the bundle, (this one, sir, said he, pointing to me,) on the back of his head, at the same time the other, (the wounded man who was now in custody,) snatched his watch. That at the time he had also bought a bag of shot, fourteen pounds weight, which he had, for the convenience of carrying, tied up with the clothes in the bundle; and perceiving that he was about to be robbed, he had swung his bundle round his head, and with the weight of the shot, had knocked down the man who had snatched at his watch. He then turned to the other (me) who backed from him, and struck at him with his stick. (The stick was here produced, and when I cast my eye on it, I was horrified to perceive that it was the very stick which I had bought of the Jew, for three-pence, to carry my bundle on.) He had closed in with me, and was wresting the stick out of my hand, when the other man, who had recovered his legs, again attacked him with another stick. In the scuffle he had obtained my stick, and I had wrested from him his bundle, with which, as soon as he had knocked down my partner, I ran off. That he beat my partner until he was insensible, and then found that I had left my own bundle, which in the affray I had thrown on one side. He then made the best of his way to Hounslow to give the information. His return and finding me with the other man is already known to the readers.

The next evidence who came forward was the Jew, from whom I had bought the clothes and sold my own. He narrated all that had occurred, and swore to the clothes in bundle left by the footpad, and to the stick which he had sold to me. The constable then produced the money found about my person and the diamond solitaire ring, stating my attempt to escape when I was seized. The magistrate then asked me whether I had any thing to say in my defence, cautioning me not to commit myself.

I replied, that I was innocent; that it was true that I had sold my own clothes, and had purchased those of the Jew, as well as the stick; that I had been asked to hold the horse of a gentleman when sitting on a bench opposite a public house, and that some one had stolen my bundle and my stick. That I had walked on towards Hounslow, and in assisting a fellow-creature, whom I certainly had considered as having been attacked by others, I had merely yielded to the common feelings of humanity—that I was seized when performing that duty, and should willingly have accompanied them to the magistrate's had not they attempted to put on handcuffs, at which my feelings were roused, and I knocked the constable down, and made my attempt to escape.

"Certainly, a very ingenious defence," observed one of the magistrates; "pray, where—?" At this moment the door opened, and in came the very gentleman, the magistrate at Bow-street, whose horse I had held. "Good morning, Mr. Norman, you have just come in time to render us your assistance. We have a very deep head to deal with here, or else a very injured person, I cannot tell which. Do us the favor to read over these informations and the defence of the prisoner, previous to our asking him more questions."

The Bow-street magistrate complied, and then turned to me, but I was so disgusted with mud that he could not recognize me.

"You are the gentleman, sir, who asked me to hold your horse," said I. "I call you to witness, that that part of my assertion is true."

"I do now recollect that you are the person," replied he, "and you may recollect the observation I made relative to your hands, when you stated that you were a poor countryman."

"I do, sir, perfectly," replied I.

"Perhaps then you will inform us by what means a diamond ring and twenty pounds in money come into your possession?"

"Honestly, sir," replied I.

"Will you state, as you are a poor countryman, with whom you worked last—what parish you belong to—and whom you can bring forward in proof of good character?"

"I certainly shall not answer those questions," replied I; "if I chose I might so do, and satisfactorily."

"What is your name?"

"I cannot answer that question either, sir," replied I.

"I told you yesterday, that we had met before; was it not at Bow-street?"

"I am surprised at your asking a question, sir, from the bench, to which, if I answered, the reply might reflect me considerably. I am here in a false position, and cannot well help myself. I have no friends that I should call, for I should blush that they should see me in such a state, and under such imputations."

"Your relations, young man, would certainly not be backward. Who is your father?"

"My father!" exclaimed I, raising up my hands and eyes. "My father! Merciful God—if he could only see me here—see to what he has reduced his unhappy son, and I covered my face, and sobbed convulsively."

"It is indeed a pity, a great pity," observed one of the magistrates, "such a fine young man, and evidently, by his demeanor and language, well bred up; but I believe," said he turning to the others, "we have but one course; what say you, Mr. Norman?"

"I'm afraid that my opinion coincides with yours, and that the grand jury will not hesitate to find a bill, as the case stands at present. Let us, however, ask the witness Armstrong one question. Do you positively swear to this young man being one of the persons who attacked you?"

"It was not very light at the time, sir, and both the men had their faces smutted; but it was a person just his size, and dressed in the same way, as near as I can recollect."

"You cannot, therefore, swear to his identity?"

"No, sir; but to the best of my knowledge and belief, he is the man."

"Take that evidence down as important," said Mr. Norman, "it will assist him at his trial."

The evidence was taken down, and then my commitment to the county jail was made out. I was put into a cart between two constables and driven off. On my arrival I was put into a cell, and my money returned to me, but the ring was deposed that it might be advertised. At last I was freed from the manacles, and when I brought the prison dress to put on in lieu of my own clothes, I requested leave from the jailer to wash myself, which was granted, and strange to say, so once accustomed had I been to such a state of filth, that I felt a degree of happiness, as I returned from the pump in the prison yard, and put on the prison dress almost with pleasure; for degrading as it was, at all events, it was new and clean. I then returned to my cell and was left to my meditations. Now that my examination and commitment was over, I became more composed and was able to reflect coolly. I perceived the great danger of my situation—how strong the evidence was against me—and how little chance I had of escape. As I was sending to Lord Windermere, Mr. Masterton, or those who formerly were acquainted with me, my pride forbade it—I would sooner have perished. Besides, their evidence as to my former situa-

tion in life, although it would satisfactorily account for my possessing the money and the ring, and for my disposing of my portmanteau, all strong presumptive evidence against me, would not destroy the evidence brought forward as to the robbery, which appeared to be so very conclusive to the bench of magistrates. My only chance appeared to be in the footpad, who had not escaped, acknowledging that I was not his accomplice, and I felt how much I was interested in his recovery, as well as his constable. The assizes I knew were near at hand, and I anxiously awaited the return of the jailer, to make a few inquiries. At night he looked through the small square cut out of the top of the door of the cell, for it was his duty to go the rounds and ascertain if all his prisoners were safe. I then asked him if I might be allowed to make a few purchases, such as pens, ink and parchment, but on his suspicion, this was not denied, although it would have been to those who were condemned to imprisonment and hard labor for their offences; and he volunteered to procure them for me the next morning. I then wished him a good night, and my cheek burnt with my mistress. Worn out with fatigue and distress of mind, I slept soundly, without dreaming, until daylight next morning. As I awoke, and my scattered senses were returning, I had a confused idea that there was something which weighed heavily on my mind, which sleep had banished from my memory. "What is it?" thought I; and I opened my eyes, so did I remember that I, Japhet Newland, who but two nights before was pressing the dew of luxury in the same habitation as I do of Clare and her lovely child, was now on a mattress in the cell of a prison, under a guard which threatened me with an ignominious death. I rose, and sat on the bed, for I had not time to dress, and I thought I would write to my father, should I write to him? No, no! why should I make him miserable? It was to suffer, it should be under an assumed name.—But what name? Here I was interrupted by the jailer, who opened the door, and desired me to roll up my mattress and bed clothes, that they might be taken to the custom-house taken out of the cell during the day.

My first inquiry was, if the man who had been so much hurt was in the jail.

"Yes, he is here, and recovered his senses." The doctor says: "will do very well."

"Has he made any confession?" enquired I.

"The jailer made no reply."

"I ask that question," continued I, "because if he acknowledges you was his accomplice, I shall be set at liberty."

"Very likely," replied the man sarcastically—"the fact is, there is no occasion for king's evidence in this case, or you might get off by crossing the water; so you must trust to your luck. The grand jury meet to-day, and I will let you know whether a true bill is found against you or not."

"What is the name of the other man?" enquired I.

"Well, you are a good one to put a face on the matter, I will say. You would almost persuade me, with that innocent look of yours, that you know nothing about the business."

"Nor do I," replied I.

"You will be fortunate if you can prove as much, that's all."

"Still you have not answered my question—what is the other man's name?"

"Well, replied the jailer, laughing, "since you are determined to tell me, I will tell you. His name is Bill Ogle, alias Swamping Bill. I suppose you never heard that name before?"

"I certainly never did," replied I.

"Perhaps you do not know your own name? yet I can tell you, for Bill Ogle has blown out upon you so far."

"Indeed," replied I; "and what name has he given to me?"

"Why, to do him justice, it wasn't until he saw a copy of the deposition before the magistrate, and heard how you were nabbed in trying to help him off, that he did tell it; and then he said, well, Bill Maddox always was a true un, and I'm mortally sorry that he's in for it, by looking after me. Now do you know your own name?"

"Certainly do not," replied I.

"Well, did you ever hear of one who went by the name of Philip Maddox?"

"I never did," replied I; "and I am glad that Ogle has disclosed so much."

"Well, I never before met with a man who didn't know his own name, or had the face to say so, and expect to be believed; but never mind, you are right to be cautious, with the halter looking you in the face."

"O God!" exclaimed I, throwing myself on the bed, and covering up my face, "give me strength to bear even that, if so it must be."

The jailer looked at me for a time. "I don't know what to make of him—he puzzles me quite, certainly. 'Yes it's his mistake.'"

"It is a mistake," replied I, rising; "but whether the mistake will be found out until too late, is another point. However, it is of little consequence. What have I to live for—unless to find out who is my father?"

"Find out your father! what's in the wind now? Well, it looks very comprehensive altogether. But did not you say you wished me to get you something?"

"Yes," replied I; and I gave him some money, with directions to purchase no implements for writing, some scented wax, a tooth-brush, and tooth powder, eau de Cologne, hair brush and comb, razors, small looking glass, and various implements for my toilet.

"I'll be a run world," said the man, repeating what I asked for, as I put means in his hand.

"I've purchased many an article for a prisoner, but never heard of such rattles as these; however, that be all the same. You will have them, though what *ho de calum* is I can't tell, nor dang me if I shall recollect—not poison, be it, for that is not allowed in the prison?"

"No, no," replied I, indulging in momentary mirth at the idea; "you may enquire, and you will find that it's only taken by ladies who are troubled with the vapours."

"Now I shall have thought that you'd have spent your money in the cook-shop, which is so much more natural. However, we all have our fancies," so saying, he quitted the cell, and locked the door.

It may appear strange to the reader that I sent for the above mentioned articles, but habit is so cast nature, and although, two days before, when I set out on my pilgrimage, I had resolved to discard these superfluous articles, yet now in my distress I felt as if they would comfort me. That evening, after reciting a few misdeeds on the part of the good-tempered jailer, by writing down what I wanted on the paper which he had procured me, I obtained all that I required. The next morning he informed me that the grand jury had found a true bill against me, and that on the Saturday the assizes would be held. He also brought me the list of trials, and I found that mine would be one of the last, and would not probably come on until Monday or Tuesday. I requested him to send for a good tailor, as I wished to be dressed in a proper manner, previous to appearing in court. As a prisoner is allowed to go into court in his own clothes instead of the jail dress, this was consented to, and when the man came, I was very particular in my directions, so much so, that it surprised him. He also procured me the other arti-

cles I required to complete my dress, and on Saturday night I had them all ready, for I was twenty days in waiting, as I had not had time to have passed certainly. I attended prayer, but my thoughts were elsewhere—how succeed could it be otherwise? Who can control his thoughts? He may attempt so to do, but the attempt is all that can be made. He cannot command them. They're nothing, my mind was in a state of gyration, whirling round from one thing to the other, until I was greatly from intensity of feeling.

On Monday morning the jailer came and asked me whether I would have my trial. I replied in the negative. "You will be called about twelve o'clock, I hear," continued he; "it is now ten, and there is only one more trial held a dozen laws."

"Good God!" thought I, "and am I mixed up with such deeds as these? I dressed myself with the utmost care and precision, and never was more successful. My clothes were clean, and fit well. About one o'clock I was summoned by the jailer, and led between him and another to the court-house, and placed in the dock. At first my eyes swam, and I could distinguish nothing, but gradually I recovered. I looked round, for I had called up my courage. My eyes wandered from him, from the man to the well-dressed ladies who sat in the gallery above; behind me I did not look, I had seen enough, and my cheek burnt with shame. At last I looked at my fellow culprit, who stood beside me, and his eyes at the same time met mine. He was dressed in the jail clothes, of pepper and salt coarse cloth. He was a tough, vulgar, brutal looking man; but his eye was brilliant, his complexion was dark, and his face was adorned with whiskers. "Good heavens," thought I, "who will ever imagine or credit that we have been associates?"

"The man stared at me, bit his lip, and smiled with contempt, but made no further remark.—The indictment having been read, the clerk of the court cried out, "You, Benjamin Ogle, having heard the charge, say, guilty or not guilty?"

"Not guilty," replied the man, to my astonishment.

"You, Philip Maddox, guilty or not guilty?"

"I did not answer," replied the jailer.

"Prisoner," observed the judge, in a mild voice, "you must answer, guilty or not guilty. It is merely a form."

"My lord," replied I, "my name is not Philip Maddox."

"That is the name given in the indictment by the evidence of your fellow-prisoner," observed the judge; "your real name we cannot pretend to know. It is sufficient, that you answer to the question of whether you, the prisoner, are guilty or not guilty."

"Not guilty, my lord, most certainly," replied I, placing my hand to my heart, and bowing to him.

The trial proceeded: Armstrong was the principal evidence. To my person he would not swear. The Jew proved my selling my clothes, and purchasing those found in the bundle, and the stick, of which Armstrong possessed himself. "The clothes I had on at the time of my capture were produced in court. As for Ogle, his case was decisive. We were then called upon for our defence. Ogle's was very short. "He had been accustomed to fit all his life—was walking to Hounslow, and had fallen down in a fit. It must have been somebody else who had committed the crime, and had made off, and he had been picked up in a mistake." This defence appeared to make no other impression than a ridiculous indignation at the barefaced assertion. I was then called on for mine.

"My lord," said I, "I have no defence to make, except that which I ascertained before the magistrates, that I was performing an act of charity towards a fellow creature, and was, through that, supposed to be an accomplice. Arraigned before so many upon a charge, at the bare accusation of which my blood boils, I cannot, and will not, allow those who might prize what I call my life, and the circumstances which induced me to take up the disguise in which I was taken, to appear in my behalf. I am unfortunate, but not guilty. One only chance appears to be open to me, which is, in the candour of the party who now stands by me. If he will say to the court that he never saw me before, I will submit without murmur to my sentence."

"I'm sorry that you've put that question, my boy," replied the man, "for I have seen you before;" and the wretch chuckled with suppressed laughter.

I was so astonished, so thunderstruck with this assertion, that I held down my head, and made no reply. The judge then summed up the evidence to me, pointing out to them, that that of Ogle's guilt there could be no doubt, and of mine he was sorry to say little. "But they must bear in mind that the witness Armstrong could not swear to my person. The jury must not leave the box, consulted together a short time, and brought in a verdict of guilty against Benjamin Ogle and Philip Maddox. I heard no more—the judge sentenced us both to execution. He instructed as young and prepossessing a person as I had ever seen to suffer for such an offence: he pointed out the necessity of condign punishment, and gave us no hopes of pardon or clemency. But I heard him not—I did not fall, but I was in a state of stupor. At last, he wound up his sentence by praying us to prepare ourselves for the awful change by an appeal to that heavenly Father—"Father!" exclaimed I, in a voice which terrified the court. "Did you say my father? O God! where is he? a d I fell down in a fit. The handkerchiefs of the ladies were applied to my face, the whole court were moved. I had by my appearance, excited considerable interest, and the judge, who had a faltering, subdued voice, desired that the prisoners might be removed.

"Stop one minute, my good fellow," said Ogle to the jailer, while others were taking me out of the court. "My lord, I've something rather important to say. Why I did not say it before, you shall hear. You are a judge, to condemn the guilty, and release the innocent. We are told that there is a trial law in an English jury, but this I say, that many a man is hung, who has left the bench, and how the law was condemned that poor young man to die. I could have prevented it if I had chosen to do so before. I would not, that I might prove how little there is of justice. He had nothing to do with the robbery—Philip Maddox was the man, and he is not Philip Maddox. He said that he never saw me before, nor I believe that he ever did. As sure as I shall hang, he is innocent."

"It was but now that when you appeared to by him, you stated that you had seen him before."

"So I did, and I told the truth—I had seen him before. I saw him go to hold the gentleman's horse, but I did not see him. I stole his bundle and his stick, which he left on the bench, and how the law was found in our possession. Now you have the truth, and you may either acknowledge that there is little justice by eating your own words, and letting him free, or you may hang him rather than acknowledge that you are wrong. At events, his blood will now be on your hands, and not on mine. If Philip Maddox had not turned tail like a coward, I should not have been here; so I tell the truth to save him who was doing me a kind act, and to let him swing who left me in the lurch."

The judge desired that the statement might be taken down, that further enquiry might be made, intimating to the jury, that I should be respited for the present; but of all this I was ignorant.—As there was no placing confidence in the assertion of such a man as Ogle, it was considered necessary that he should repeat his assertions at the last hour of his existence, and the jailer was ordered not to state what had passed to me, as he might excite false hopes.

When I recovered from my fit, I found myself in the jailer's parlour, and as soon as I was able to walk, I was locked up in a condemned cell.—