

## *An Unexpected Witness*

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A Startling Court Scene

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An Old Contributor  
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On my last visit to Mississippi I arrived one pleasant Autumn evening at the village of Deepwoods, having come in the stage that day from Moody Creek. I found the inn well filled, and learned that the circuit court was in session there. At the supper table I found the judge and some half dozen lawyers, besides the county officers and numerous visitors who had come to attend the trials. I had some business to transact with a merchant in the place, whose name was Landor Wallace, and I made up my mind to call upon him during the evening. I knew where his store was, and after tea I walked down to the place. The building was all fast, however, and I turned my steps toward his dwelling. I knocked at the door, and my summons was answered by a black woman. I asked her if Mr. Wallace was at home. She looked into my face a few moments, and then burst into tears.

“He’s to hum, but he’s dead!” she sobbed, with much effort.

I managed to learn from the negress that Wallace had been murdered three days before, and that his murderer would be tried on the morrow. Under such circumstances I could not disturb any other of the family, and having gathered from the slave the leading particulars I left the door and returned to the inn. There I learned some further matters touching the murder, but those who understood the matter fully were busy, and I was forced to wait until tomorrow for a clear knowledge of the case.

Though the murder had been committed so recently, the body having not yet been buried, yet as court was in session, and the accused and witness on hand, the trial was to take place immediately.

On the following morning I entered the courtroom with the crowd, and the first case which came up was that of the murder of Landor Wallace. The accused was a young man, not over twenty-five, named Edward Demarton. He had been employed for several years as Wallace’s chief clerk, and was one of the most capable youths in the country. I had had some dealings with him, and had learned to love and respect him. He was lightly built, remarkably handsome, and bore himself with a native pride, which, while it gave him firmness and dignity, never made him haughty or overbearing. He was an orphan of French descent and had been born and reared in New Orleans. As he sat in the prisoner’s box I could see him plainly. He was very pale, and seemed to suffer much; yet he did not look like a guilty man. I could not believe that he had ever committed a murder. He was too brave and honorable for that.

At length the trial commenced. The witnesses came on and gave their testimony, and my heart sank within me as I found how strongly the tide of circumstances set against him. It was proved that he had wished to marry with Landor Wallace’s niece, a young girl named Isabel Wallace and that the uncle had objected. From this a quarrel had ensued, and the youth had left Wallace’s

service. It was furthermore proved that Demarton had challenged Wallace to fight a duel, and that the merchant had refused on the ground that he could not consent to meet one whom he still regarded in the light of a son. Then it was proved that the youth was very wroth at this, and that he swore Mr. Wallace, should “either fight or suffer the consequences.” He was determined to have satisfaction.

On the morning of the murder the merchant started on horseback for Dantonville, and in half an hour afterwards the prisoner mounted his horse, and started after him, saying, as he leaped into the saddle, that he “would easily overtake Mr. Wallace.” And then he added, in the presence of three witnesses, who swore to the words:—“I can settle our trouble on the road to Dantonville as anywhere!” This was at six o’clock in the evening. At nine o’clock, a man named Harold—Drunk Harold, he was called—was coming from Dantonville, and in a small piece of wood through which the road ran, he came upon the body of Landor Wallace, and at the same time he saw Edward Demarton riding away from the spot. The moon was shining brightly, and he recognized the prisoner very plainly. He leaped from his saddle, and found the merchant senseless, and bleeding freely from several deep wounds. Close by he found a silver-handled bowie knife which had been proved to be the prisoner’s property. The knife was covered with blood, and the physicians had decided that the wounds had been made with it. The murdered man had also received a blow upon the head which was nearly sufficient to kill.

This Drunk Harold was a hard-looking customer. He was a stout, broad-shouldered man, somewhere about forty years of age, with dark, coarse, animal features, and looked the perfect villain. In defense it was proved that Harold had had some difficulty with the prisoner, and that he had sworn to have revenge; but this amounted to but little.

Surely the case seemed very clear against the prisoner. He had had difficulty with the murdered man—challenged him to mortal combat—sworn to have revenge—followed him on the road to Dantonville with the avowed purpose of settling the *trouble*—been seen to flee from the bleeding body—his knife found all bloody by the murdered man’s side—and, when he was apprehended, his own hands and clothes were bespattered with blood! Were not these circumstances conclusive? At all events, so they were generally received.

At length Edward Demarton was permitted to tell his story. He arose, and though he was pale and wan, yet his voice was firm. He first called upon God to witness that he spoke the truth, and then he went on. He said on the afternoon before the murder he had spent over two hours with Mr. Wallace; and that their difficulty had been settled, and that the merchant had then explained to him that his only objection to the marriage of Isabel had been the fact that he had promised her father, on his dying bed, that she should not be married until she was twenty years of age.

“We made our differences all up at that time,” continued Demarton, “and Mr. Wallace asked me if I would come back into his service. He said if I had been willing to have asked the reason of his refusal of Isabel’s hand he would have given it, but I was hot and impetuous, and he was a little nettled by it, so he resolved to tell me nothing. He had just asked me if I would come back into his service when someone entered the store who wished to see him. I told him I had planned to go to Dantonville that evening, but would call on him when I returned. He said he had got to go to Dantonville, too, and bade me call on him in that place, at the same time signifying that we

could arrange matters there. After that I went over by the lake, and when I came back I learned that Mr. Wallace had been gone half an hour. I got my horse ready at once, and when about to start I did make the remarks which have been sworn too; but made them jokingly, in view of the friendly meeting we were to have, little thinking of what was to occur. I rode off, and at the distance of some ten miles, in the little wood, I found Mr. Wallace's horse standing by the side of the road. A little further on I found the merchant weltering in his blood. I leaped from my saddle and knelt down by the side of the body. I turned the face up and called his name several times. The flesh was yet warm, but life seemed extinct. I got my hands and clothes thus bespattered with blood, but I thought not of that. When I found that life was gone, and that I could not well handle the body alone, I remounted my horse and started back for help.

“It has been urged that if I had really sought help I would have ridden on towards Dantonville, where I could have found it within half a mile rather than towards a point where there was no house for over six miles. But I could not stop to think then. My first instinct was towards home, and I followed it. I had gone four miles when my horse fell. He was too lame to trot. Soon afterwards I was overtaken by Drunk Harold and another man, who arrested me for the murder. With regard to the knife—the knife found was mine, and it had been stolen from me that day.”

The youth sat down as he ceased speaking, and the judge shook his head.

“Anyone can invent a story like that,” he said, in his charge to the jury, “but no one could have invented the circumstances which bear against the prisoner.”

In short there seemed to be no hope for the youth. Though people pitied him, yet I could see that they shook their heads dubiously when he [pled] his innocence.

The judge had summed the evidence all up, making it more strong against the prisoner than before if possible, and the jury were upon the point of retiring, when a sudden commotion was perceptible at the door, and in a moment more a young girl, or maiden, rushed into the courtroom, with her long chestnut hair floating wildly in the wind, her bosom heaving deeply, and her eyes fairly burning with intense eagerness. It was Isabel Wallace. She was a beautiful girl; tall, straight, and nobly proportioned; with a face of striking loveliness, and a form at once voluptuous and queenly. She cast one quick glance upon the prisoner, full of love, eagerness, and hope and then turning to the judge she cried,—

“Is he tried yet, sir?—Is he found guilty?”

“Not yet—but he soon will be,” answered the judge, overcoming his astonishment as quickly as possible for the benefit of his dignity.

“Oh! He's innocent! He's innocent!” the fair girl exclaimed. “He's not the murderer. Ho! officers, seize upon Dunk Harold, and see that he does not escape! Quick! Quick!”

Even as the maiden entered the room Harold had moved nearer to the door, and as these last words were uttered he made a rush for the street; but a stout boatman in the doorway held him

until the sheriff came up, The fellow struggled hard, but a pair of iron cuffs were soon placed upon his wrists, and he was carried back.

“Now,” continued the girl, turning to the judge, “will you send whom you please to take my uncle’s words down? *He is alive!*”

At these words Edward Demarton started to his feet and uttered a cry of joy. But his feelings quickly overcame him, and he sank fainting back. As soon as the first outburst of astonishment consequent upon this startling intelligence had passed, Isabel explained what had happened. She said two physicians were with her uncle, and that he had revived from his lethargic sleep, and that he had his senses perfectly, and that he wished to give to the proper persons an account of the assault which had been made upon him.

The court was adjourned at once, and then the judge himself, accompanied by three of the lawyers and the foreman of the jury, went to the merchant’s house. They found the wounded man very weak; and the physicians said he could not live long. As soon as the newcomers were arranged about his bed, he related to them as follows:—

He said that on the day he started for Dantonville he saw young Demarton at his store, and that all difference between them was there made up, and also that he promised to meet him in Dantonville. He started alone on horseback, having first packed away five thousand dollars, which he was to carry with him. It was dusk when he started, and in half an hour it was fairly night, only there was a bright moon. When he reached the little wood, he was overtaken by Drunk Harold. He felt a sudden fear that Harold meant to rob him, for he (Harold) had seen him packing the money away in his pocketbook. So he made a move for his pistol, but before he could reach it, Harold gave him a blow on the head with a short club, which knocked him from his horse. He remembered well of the villain’s stabbing him several times, and he knew, too, when he took the money from his pocket. He could remember nothing more until he had come to his senses on the morning of the then present day.

The physicians said that the sufferer had been in a sort of cataleptic state, induced by one of the stabs, and partly aided by the blow on the head. His account was taken down, word for word, by one of the lawyers, and duly witnessed; while the two physicians swore that the man was in possession of full sense and sound mind. With these attested documents, the party returned to the courtroom.

The court was quickly opened, and ere long the jury returned a verdict of acquittal for Edward Demarton, and thereupon the joy of the spectators burst forth in a shout, which the court tried not to stop.

Mr. Drunk Harold was soon put upon trial for the murder, and duly convicted of the crime. When he found that all was known, he made a full confession. He confessed that he did the deed, and that he did it for the money. He knew that young Demarton was going on the same road, so he contrived to steal the youth’s knife, meaning to fasten the murder upon him, and but for the wonderful interposition of the Power which had held the murdered man for a witness, the scheme would have succeeded.

Mr. Wallace lived until noon of the next day, and before he died he had placed the hand of his lovely niece within the grasp of Edward Demarton, and bade them live together upon his bounty. He had no family of his own, and to Isabel he left all his property; but it was with the understanding that Edward should manage it for her, and be her companion for life. Though there was deep sorrow in the loss of so kind and generous an uncle, yet there was joy in the thought that she had now a noble, loving husband.

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