

Circumstantial Evidence,
or
The Fatal Resemblance

—
by Mary Grace Halpine
—

The quiet village of Barton was thrown into a state of horror and excitement by the cold blooded murder of one of its most respected citizens, who was found in a grove about half a mile from his house, shot through the chest. He lived long enough to reveal the name of his murderer, which sent a deeper thrill of horror through the community than the event itself.

The physician who was summoned to his aid, a personal friend of the deceased, saw at a glance, that medical skill was useless. After striving in vain to staunch the flow of blood, he bent his ear to the pale lips, saying:

“Tell me, if you can, who it was that shot you?”

The dying man turned his fast glazing eyes upon a young man who was standing a few feet from him—a look of terrible reproach piercing through the gathering mists of death:

“Richard Blake!”

As he said this, his daughter Susan, who was kneeling beside him, sprang to her feet exclaiming:

“No—oh, no! it can not be! He did not hear your question aright, doctor.—Ask him again.”

Doubting himself whether his ears had not deceived him. Dr. Grey said:

“My dear friend, this is a terrible charge—do you mean to say that Richard Blake is your murderer?”

There was a death-like stillness among the group that surrounded him; every ear was strained to catch the reply:

“Yes!”

With the utterances of this one fatal sentence the spirit departed.

Unable to endure this accumulation of horrors, the daughter of the murdered man and the betrothed of the accused fell senseless upon the body of her departed father.

As for the young man so solemnly accused by the lips now rigid in death, he stood dumb and motionless, in reality by horror and amazement, but as those present believed, by the smittings of a guilty conscience.

When the officers of the law approached to take him into custody, he submitted without resistance or the least remonstrance.

When Susan Huxton awoke from her deathlike swoon, and recalled her father's dying words, the conviction sank heavily upon her heart that, maddened by the taunts and reproaches of the choleric old man, Richard had given him the wound that had terminated so fatally. But her very first interview with him dispelled this terrible fear, and she expressed the firmest convictions of his entire innocence. This siding with one universally believed to be her father's murderer, was severely commented upon by the community; but in spite of this the heroic girl remained firm and steadfast, cheering and sustaining the mind of the prisoner by the assurance that his innocence would yet be proved.

As the day for the trial approached, she roused herself from the grief occasioned by the loss of one of the most indulgent of fathers; the best of counsel obtained and every means taken to unravel the mystery that surrounded the whole of this intricate affair.

What tended to increase the popular feeling of indignation against the accused, was the fact of his near kinship to the deceased; he being the orphan son of his only sister, reared and educated by him with all the care and tenderness of a father. When Richard grew from an active, bright-eyed boy to a strong, stately youth, seemingly endowed with more than usual excellent qualities, of both head and heart, the old gentleman not only viewed the attachment that sprang up between him and his daughter, without disapprobation, but with evident pleasure. It is true that of late there had been some trouble between them, on account of Richard's determination to abandon the profession of medicine, to which he had been educated, to become an artist, for which he had a strong inclination and no little genius, but no one acquainted with the parties anticipated any serious difficulty.

The papers had sent an account of this terrible tragedy throughout the country, and the painful circumstances attending it, made the trial one of peculiar interest. It had spread a deep gloom over the community where it had occurred.—The deceased, though he had been noted for the wildness of his early manhood, had been universally beloved and respected. Though somewhat hasty in temper, he was generous and public spirited, and ever ready to lend a helping hand to the needy and unfortunate. As for the prisoner, with the exception of two years spent in a neighboring university, he had grown up in their midst. Some of those now to sit in judgment upon him had known him when he was a happy boy, and as he grew in years, had pointed him out to their sons as an example worthy of their imitation.

The dying words of the deceased had made a strong impression on the community, still there were many who entertained the hope that, upon the trial something would be developed which, if it did not prove his innocence would at least palliate his guilt.

A murmur of pity arose from the dense crowd that filled the court room as the prisoner was brought in. Confinement and anxiety had done the work of years; that pale, haggard face, looked little like the glad smile and eager glance so familiar to many of them in other days. He evidently felt keenly the ignominy of his position, for his cheek flushed and his glance wavered beneath the curious eyes that were fixed upon him. But it was but for a moment. Raising his eyes they fell upon the pale countenance of his betrothed. Had it been possible, very gladly would Susan have taken a seat at his side; sharing his shame and proving to all the world her conviction of his innocence. As it was she gave him a reassuring smile, which endued him with strength and fortitude to pass through the ordeal before him.

The counsel for the accused left no stone unturned, no effort untried to destroy the array of evidence that was brought forward—but as the trial proceeded, the hopes that some had cherished grew fainter and fainter, until a number who took a personal interest in the prisoner, and who supposed he had committed the deed in the heat of passion, urged him to confess and throw himself upon the mercy of the court. But this the accused, persisting in his innocence, steadfastly refused to do.

Besides the dying declaration of the murdered man, which was sufficient, in itself, to convict him, there were other circumstances that were strongly against him. A neighbor had overheard a violent altercation between the prisoner and the deceased only the day before, in which the latter had said, “that if he persisted in his design he should not marry a daughter of his.” Another testified to seeing them walk by his house together only a short time before the murder was committed. The accused did not deny this. According to his own account, he met the deceased just as he was coming out of the gate, and they walked along together until they came to a cross road, where they separated, the prisoner taking the one that led to the village, and the deceased proceeding further on, for the purpose of looking at some land he had just purchased. He stated, also, that is, allusion was made to the subject they had differed upon; his uncle’s manner being unusually friendly, so much so as to create a strong impression on his mind that he regretted and was desirous of atoning for his intemperate language the day before.

The defense called up a number of witnesses, who bore testimony as to the character for steadiness and integrity that the accused had borne from his youth up, and the kindness and tenderness of his heart. His closing plea was a masterpiece of oratory; he placed every favorable circumstance before the jury in its most favorable light; concluding with an appeal to them in behalf of his unhappy client, the eloquence and pathos of which touched the sternest heart among them.

The Judge, in summing up the case, destroyed the effect of this in a measure. He warned the jury that while they were to allow the benefit of every doubt, they were not to forget that mercy to the criminal is often cruelty to the community; that biased by neither pity or prejudice, they were to decide the case according to the evidence placed before them, leaving to the executive the prerogative of mercy.

The jury returned from their brief deliberation. There was a breathless hush as the clerk put the usual question:

“What say you, Mr. Foreman? Do you find the prisoner at the bar guilty or not guilty?”

“Guilty!”

There was a slight bustle at the other end of the room, and then the insensible form of a woman was borne out. This did not escape the notice of the prisoner; his eye followed it to the door, and, as it disappeared, his feelings found audible expression in a low moan of smothered agony.

The prisoner was then remanded, and the people dispersed with saddened hearts to their homes.

The night before the day on which he was to be sentenced, Richard Blake escaped, it was suspected, through the connivance, at least of one of the officers of the jail, though nothing could be proved against him. A large reward was offered for his apprehension, and every effort made to that end.

Susan Huxton sat in the solitude of her chamber, her deep mourning attire rendering still more conspicuous the change that had been wrought in the once joyous and blooming girl. A day and a half had elapsed since Richard’s escape, and she began to breathe more easily; he had had time to reach the sea coast, and must now be beyond the reach of danger.

Suddenly she heard a murmuring sound as of many voices. Stepping out upon the veranda, she looked down the street. She saw quite a crowd of people following a wagon, in which were three men.

A bare-legged boy, running on before, paused in front of the house.

“Hurrah!” he shouted, swinging in the air his crownless hat, “they’ve caught him!”

“Caught who?” she inquired.

“Richard Blake, the murderer!”

Slowly the dust-laden wagon approached the spot where she stood. Yes, there he was, heavy manacled, his disordered dress showing that he had not yielded without a powerful struggle. His hat was pushed down over his eyes so that she could not see his features.

As she gazed the sickness of despair settled down upon the heart of the wretched girl. It was not given her to see that by this apparent frustration of her last hope, God was about to bring “light out of darkness.”

The next morning the prisoner was brought before the court to receive the sentence of the law. Ever since his capture, he had not only maintained a sullen silence, but persisted in keeping his face concealed from view. Now, for the first time, he raised his head and looked around with a glance of defiance.

The Judge started, while a murmur of surprise arose from those who were nearest to him. The height, the figure, the complexion, the shape of the head were almost identical, but those bloodshot eyes and distorted features bore no resemblance to Richard Blake's!

He drew himself up and glared about him like a wild animal at bay.

"Hell-hounds!" he hissed between his shut teeth; "so you have found me!—But you shall not gloat upon me on the scaffold, as you're gloating on me now! Thus—thus I defy you!"

As he said this he plunged a dagger he had managed to conceal, to the hilt in his side.

In an instant all was terror and confusion. Medical aid was procured for the wounded man, but it was unavailing; he lingered until night, and then died, but not until he had confessed that he had committed the crime of which an innocent man had been convicted.

Subsequent developments revealed the startling fact that he was a natural son of the murdered man. Years ago Dr. Huxton had won and betrayed the love and trust of an innocent, confiding girl. But he soon wearied of her, and on the eve of his marriage sent the mother and her child into a distant State; quieting his conscience by settling upon them sufficient, at least, to keep them from actual want.

Deprived of the restraining influence of a father, and inheriting, no doubt, the lawless passions of which he was the offspring, the boy grew into wayward, headstrong youth. Sensitive and high-spirited he felt keenly his unfortunate position; the taunts and slights to which it often subjected him sinking as he grew older, deeper and deeper into his heart. He formed strong attachment for the daughter of a man who prided himself upon his family standing and was rejected on account of the stain of his birth. This had a most unhappy effect on him. He shut himself up from society, brooding over it until his naturally morbid condition of mind took the form of actual disease, and which finally culminated in the fatal deed by which, to use his own words, he "avenged his own and his mother's wrongs."

In the mean time, Richard Blake had sought the asylum of a foreign shore, and it was some months before he received the intelligence of his complete exoneration from the crime laid to his charge.—After a year's absence, he returned to reward, with the devotion of his life, the noble girl who had been faithful to him through evil and good report. His old friends gathered around him, anxious to do all in their power to make him forget the past; but he determined, for his wife's sake, no less than his own, to leave for awhile the scenes that reminded them of so much that it was painful for them to remember.

He went to Italy, where he now is, a promising and successful artist, with a happy family springing around him.

Thus, after years of prosperity and honor, did the secret sin of Dr. Huxton's youth find him out; one of the many exemplifications of the old and significant saying:

"God's mills grind slow; but they grind exceedingly small."

The Spirit of Democracy [Woodsfield, Monroe County, Ohio], October 16, 1866