

Written for The Prairie Farmer.
Guilty, or Not Guilty

by Eben E. Rexford

I.

“I can tell you this much, Kitty Warner, I’m not the man to be twisted around any woman’s little finger, as suits her fancy. You must either break off your flirtation with Max Fielding, or consider the engagement which has existed between us, null and void. I’ve stood on one side and looked on long enough. Everybody is talking about you and Fielding, and yesterday I overheard one man say to another in the street, ‘I wonder how Roosevelt likes the way matters are working? I should think he’d begin to get jealous!’ Such remarks are not very pleasant.”

“Ah?” Miss Warner said, with a trifle of sarcasm in her voice. “You are too sensitive, Paul! I don’t care what people say about *me*. They will talk, and I always think that when they are talking about me, they are letting some one else alone, and think no more about the matter. What’s the use?”

“You may laugh if you choose,” Paul Roosevelt answered, icily. “To me it is no laughing matter. If you have tired of me, say so, and you shall be released at once, I don’t want to intrude. If you prefer Max Fielding, you are welcome to him, and I shall not stand between you.”

“Very kind, indeed,” Kitty said, patting the woolly head of the King Charles spaniel.

“Kitty!” Paul’s tone was full of anger, “Will you tell me once for all whether you wish to be free from our engagement or not?”

“If you are so anxious to break it, I’ve no objections,” said Kitty, very coolly.

“The deuce!” exclaimed Paul in anger, “You’re enough to try the patience of a saint, and you know well enough I’m not one.”

“You’re just right, there,” answered Kitty, with a provoking laugh. “Saints never forget their politeness enough to swear in a lady’s presence.”

“Excuse me Kitty, I forgot myself, but really you provoked me so! If you knew how I disliked this Fielding you wouldn’t blame me for getting jealous.”

“That’s it,” answered Kitty. “You dislike him, and get angry with me because I don’t. Isn’t that so!”

“Not exactly,” answered Paul. “You won’t deny that you’ve flirted terribly with Fielding?”

“Just in fun, you know, Paul,” said Kitty, with a piquant smile.

“That may all be,” answered he, “but don’t you think you’ve carried it a little too far?”

“Pray, am I to confess all my sins to you, sir?” inquired Kitty, beginning to lose the coolness she had kept all along. “I was not aware that you had turned father confessor. If you have, just let me know the interesting fact, and when I have anything to confess I’ll come to you. It seems to me that you are overdoing your part, just a trifle.”

“I see there is no use having further conversation on this matter now,” he said, sternly, rising to go. “But please remember; if you care anything for me, or for my love, you will have nothing more to do with Max Fielding. I know him to be a low, unprincipled man, and not at all fit for any lady to associate with. Knowing this, you cannot wonder that your flirtation with him, if you choose to call it by that name, has displeased me. I don’t fancy having the name of my intended wife in everybody’s mouth, coupled with Max Fielding’s.”

“Good morning,” was the only reply Kitty vouchsafed when he had done.

“Good morning,” he answered as coolly as she had done, and bowed himself out.

A real, genuine lover’s quarrel you see. Paul Rosevelt and Kitty Warner had been engaged about a year. Everything had passed pleasantly between them, till Max Fielding came along. Then Kitty, who was naturally a little given to flirting, commenced a flirtation, which had led to coolness between her and Paul and at last to this quarrel. Paul was really deeply in love with her, and she knew it, and liked to tease him. But as she saw him go down the path that morning she thought with a little reproachful twinge of conscience, that perhaps she had gone too far.

“Good old Paul,” she said, tapping the carpet thoughtfully with her little foot; “I’ll tell him I’m sorry when he comes again, and we’ll make up.”

II.

Paul Rosevelt walked down the path feeling about as uncomfortable as a young man can very easily feel. He had called on Kitty with the view of getting some definite understanding of matters between them. But she had met all his attempts in that direction with a provoking coolness that angered him, and kept him in a state of tantalization. And how much wiser was he with regard to Kitty’s feelings and intentions than before!

The Warners lived a short distance out of Deeleith. A small park, so called by the Deeleith citizens, lay between the village and their residence, and the road between the two points ran through it.

Paul was half way through the park when he met Max Fielding. Of course, with the morning’s conversation fresh in his mind, it was not to be wondered at that his greeting was cold and formal.

“Been up to see Miss Kitty, I suppose?” laughed Fielding, who seemed inclined to be talkative.

“I have been up to Mr. Warner’s,” answered Paul, coldly.

“Ah? I thought so! Now I’ll wager a dime you had a falling out with the young lady. Your looks seemed to show as much,” and a coarse laugh followed the remark.

“You are quite a physiognomist,” answered Paul, biting his lip to keep down his anger at the man’s insolence.

“Right, was I? I thought so,” said Fielding, who seemed to take it for granted, that, because Paul did not deny it, he had guessed the truth, as indeed he had.

“I did not admit the correctness of the surmises you hazarded,” answered Paul. “Even if you had been right, it does not concern you in the least, that I can see.”

“I’ll warrant I was mixed up in your quarrel, if you had one,” said Fielding. “You don’t suppose I’m, blind, do you? I’ve seen that you don’t like the way I was carrying on with Miss Warner—have seen it all along. I’ve met too many jealous men before now, not to know one when I come across him.”

“Sir,”—Paul’s tone was full of intense anger and scorn—“if you were a gentleman, you should answer for your insulting words? As you are not, I shall not demean myself by having anything to do with you. I warn you though, that if you ever dare to address me again as you have done this morning, I’ll horsewhip you! Be careful in future, or it’ll be worse for you; that’s all.”

“I’m not afraid of you,” answered Fielding, “I don’t fancy a horse-whipping, but I shan’t keep my mouth closed from fear of one.”

“Then you may get something worse than a horse-whipping,” answered Paul, with a meaning look into Fielding’s eyes. “I’m apt to get angry, and some times my temper gets the better of me. People receive their desserts some times. Did you ever hear of such a ting as a person’s being shot in such a way that made the one who shot him, something very like a murderer?”

Fielding turned pale as death. But he did not answer. His eyes dropped before Rosevelt’s gaze.

“I have warned you, so be careful,” said Paul, and turned and walked down the road toward the village.

Fielding went on slowly in the direction of the Warners’. When he was lost to view among the trees, a young man stepped out from a cluster of young bushes, and went toward Deepleith.

“A right smart sort of a quarrel,” he said to himself, as he stepped into the road. “I didn’t intend to play eaves-dropper, but could not get away without attracting attention, so I heard it all. I wonder who that Fielding is? Seems to me I have heard the name before.”

III.

Towards evening Paul Rosevelt quitted his office, and locked the door behind him. He was going for a walk. At first he had no definite idea where his walk would lead him, but went along without troubling himself about the direction he was taking. He was thinking busily, and walked fast. He was a little surprised, therefore, when he found himself outside the village, and not far from the park.

“It is cool there,” he said, “I’ll walk an hour under these pines. How lonesome they seem to be; somehow the sound of the wind in their tops makes me nervous.”

He strolled up and down among the pines until it grew to be quite dusk. Then he turned to retrace his steps toward the village. Just as he reached the road he heard a cry farther up in the direction of the residence of the Warners’, a loud, wild cry as of one in mortal agony. He could not distinguish the words, if any were used, but a quick intuition told him that someone was in distress, and he ran toward the spot from whence the sound had proceeded.

After that first wild, terrible cry, which rang in his ears as he ran, all was still. He heard nothing. The moon shone faintly, and Paul commenced to grope about among the shrubs and trees. Suddenly his hand touched something warm and wet. He held it up to the light. It was covered with blood!

“My God!” he cried, “can it be possible that murder has been committed?”

Paul staggered against a tree for support. Then he partially recovered himself, and proceeded to examine the body to see if life yet remained. He put his hand over the heart and started back horrified, for the warm blood was oozing from a wound which had been made there.

He heard the clatter of horses’ feet on the road, and would have called for help, but horror seemed to have frozen his tongue. A dog ran through the bushes, and commenced to bark at him.

“What’s the dog barking at?” said a voice. “Hold the horses, Jones, and I’ll go and see.”

Paul heard the steps of the approaching individual and turned to meet him, as he came through the undergrowth. The moon flashed out from behind a cloud with greater brilliancy than she had shone before.

“There has been a murder done here,” Paul said, as the man started back with an exclamation, “I was walking in the pines, lower down, when I heard a cry. I hurried up this way as fast as I could, and found this!”

“But did you see or hear no one?” asked the other, his face showing how horror-struck he was.

“I neither saw nor heard any one,” answered Paul.

“Jones, come here,” called the stranger to the other in the wagon.

“What’s up?” asked Jones, making his way through the bushes.

“Look and see,” answered the other.

“Murder, by all that’s good!” cried Jones, as his eyes fell on the bloody form of Fielding. And then, as though with a sudden suspicion, he raised them to Paul’s face, and regarded him intently.

Paul read what was passing in the mind of his observer, and grew cold and faint. Would they accuse him of this crime? His eyes fell on his hands—all wet with blood. That would go to show that he had been in close proximity to the victim.

“I thought perhaps life was not extinct, and put my hand on his heart to see,” he said, explaining the origin of the red stain on his hands.

“Ah?” said Mr. Jones, in a tone that told he was not wholly convinced. “We’d better take the body to the village, I guess.”

They lifted the corpse and carried it to the wagon. It was placed in the vehicle, and Jones mounted and drove slowly into Deepleith, followed by Mr. Marks and Paul, who saw that both Mr. Jones and Mr. Marks regarded him with a great deal of suspicion. And indeed he did not wonder, for when he thought the matter over he understood that circumstances went to prove that he was closely implicated in the crime.

The arrival of the three men with the body, caused the most intense excitement in the village. Every one was on the alert to learn something about the horrible affair. Jones and Marks told all they knew, and then signified that Paul could tell a great deal more. Paul saw the suspicious looks which were cast at him, and knew that his story was disbelieved. And he was not at all surprised when an officer stepped up and informed him that he was a prisoner, and must go to jail to await his examination which would take place next day.

IV.

The court room was crowded at an early hour. Such an excitement as prevailed was fearful. Paul’s guilt seemed certain in the minds of most people. Once in a while a person was found who avowed belief in his innocence, but such persons were few.

Paul was brought into the court room between two officers. As he passed up the aisle, he saw Kitty, who was sitting with her father. She was very pale, and her face showed traces of tears, and her eyes were red with weeping. She leaned towards him, as he passed, and whispered:

“I don’t believe you are guilty, Paul.”

He smiled—a sad smile it was, though, for his case looked dark—her belief in his innocence would help him to bear his trial better than anything else could.

The examination commenced. Marks was called first. He testified to finding the prisoner near the murdered man, with his hands covered with blood. The prisoner had not called out for help as any one naturally would do, on hearing any one near at hand; if innocent. Jones also testified to the truth of Mr. Marks' statement.

The next witness was the young man, John Lyon by name, who had overheard the quarrel between the prisoner and Fielding. He had lost a very valuable ring in the park, on the previous night, and had gone in search of it in the morning. Was returning to the road, after having found the ring, when the prisoner and Fielding met and commenced their conversation. Not wishing to disturb them, and not being able to get away without attracting their attention he had remained in the clump of bushes, and overheard the whole conversation. He repeated the last words of the prisoner on that occasion as nearly as he could. A thrill ran through the assembly when it comprehended the threat they contained:

“Then you may get something worse than a whipping! I am apt to get angry and let my temper get the upper hand of me. People sometimes receive their dues. Did you ever hear of a person's being shot in such a way that the one who shot him was about the same as a murderer?”

That was as near as the young man could remember the prisoner's words. Paul did not deny having uttered them.

It was proved conclusively that the prisoner had cherished hard feelings toward the deceased, on account of his having been on friendly terms with Miss Catherine Warner, the prisoner's betrothed. The prisoner had been heard to express his dislike of the murdered man several times.

At length Paul was permitted to speak. He acknowledged that circumstances were against him. He did not deny his dislike toward Fielding. He admitted the fact of his being angry at the attentions the later offered Miss Warner. He explained the words he had used at the conclusion of their quarrel in this way: Fielding had been cheating at cards, and was detected in the act. He was challenged, and the meeting came off, but before the second had counted the full number agreed on he fired, and his opponent fell. In a court of law such an act would be considered as murder, or something very like it. Paul had learned this occurrence of Fielding's past life, and it was to this he had referred, letting the man know that he held the power in his hands to bring him to justice.

That was all he had to say.

He sat down, pale and calm. Some believed his story, and many did not have faith in it, but regarded it as a cleverly got up piece of fiction.

No one had been seen going towards the park after four o'clock on the day of the murder, except the prisoner, and a woman in black. Who this woman was no one knew, and she had not been seen afterward. Probably she had nothing to do with the deed.

So the examination closed. Paul Rosevelt was remanded to jail, to await his trial at the next session of the circuit court, which would be held in about two weeks.

After the examination the coroner brought in the verdict. "Killed by some person, who not definitely known."

A surgeon examined the body and produced from the wound the point of a dagger. It was about an inch in length, and had been broken off by some sudden wrench on the part of the person holding the weapon. The examination of the body had not taken place previous to the investigation of the prisoner, owing to the absence of the village surgeon. As no weapon was found upon Paul, or about the scene of the tragedy, people concluded that he must have thrown it away, after committing the terrible deed.

[Concluded next week.]

V.

Two days after the examination of the prisoner, Detective Baker came up from the city, in answer to a telegram he had received from Kitty Warner.

Kitty told him everything from beginning to end, about the matter, or as far as it had gone at least.

"The only thing we have to work on is the woman in black, so far as I can see," said Kitty in conclusion. "Something tells me she committed the deed; I have been sure of it ever since they related the fact of such a person's being seen going toward the Park. What makes me so certain, I don't know. I thought best to send for you and let you work the matter up, if there is anything to work up. Most people laugh at me for entertaining such an absurd idea, but I can't help it. We can try, and if we fail—then we shall have the satisfaction of knowing we have done our best to prove Paul Rosevelt's innocence."

"Who saw this woman?" asked Baker, thoughtfully.

"A man living in the edge of the village," was their reply.

"I should like to see him, and get a description of her," said the detective.

"We'll drive down after dinner," said Kitty.

And after dinner she and Mr. Baker drove down to the residence of the man who had seen the woman in black.

"Mr. Calfort, we have come to get a description of the woman you saw going to the Park on the say of the murder," said Kitty, after introducing the gentleman.

"I don't know as I can give much of a description of her," answered Colfort; "she was tall, and had very brilliant, black eyes. I noticed them particularly and remember thinking them unusually large and bright. Her features were quite regular, and complexion dark. That is as much of a

description as I can give, as I did not pay much attention to her; I noticed her eyes, however, as I have told you. And yes—there was another thing about her face which attracted my attention, a red mark over one eye, the left I think, something like a scar. This I saw in connection with her eyes, which had the intense brightness I have spoken of. That is all.”

“I have thought of something which may help us in getting a clue,” said Kitty. “As yet, we have nothing to show that this woman was in any way concerned in Mr. Fielding’s affairs, or that she knew anything about him. He used to carry several photographs in a small pocket diary. Some of these I have seen, but not all of them. If he had ever been intimately acquainted with this woman, there is a possibility that he had her picture. We can go over to the hotel where his effects are. If her picture is there, Mr. Calfort will be able to identify it. Should such be the case, there will be a great deal gained, for then we shall know that she was or had been in some way connected with the murdered man. Now we know nothing about it.”

“You are *right*,” answered the detective.

Accordingly they drove to the National Hotel.

The pocket diary was produced. It contained several pictures, and some old letters, but there was nothing connected with the woman Mr. Calfort had seen.

“Here is a letter with something stiff inside,” said the detective. “Let’s examine it.”

He opened the letter and a photograph fell out. Mr. Calfort picked it up, and at first glance, exclaimed:

“The right one is found at last! This is the picture of the woman, tallying exactly with my description, even to the mark above the eye.”

It was indeed so. The mark he had spoken of showed distinctly, and the eyes seemed to glow with intense brilliancy.

“Read the letter. It may be from her,” suggested Kitty, whose heart beat fast with sudden hope. One clue was found.

The detective spread out the sheet and read:

“DEAR MAX: I am tired of waiting for you to come after me. You keep putting me off, and bidding me wait, wait! When will you get matters settled to your satisfaction? If it were not so far, I would go to you, but I haven’t money enough to take me there. I know you would be angry with me for doing so, but I can’t bear this suspense. Already three months have passed since the time you set for our marriage, and now the time seems to be as far off as it did six months ago. Martha tries to make me believe you never mean to marry me, but I can’t believe that! I should go crazy if I did. You’ll wonder how I learned where you were. I found an old piece of the paper printed in the village where you stop, and it told about a party some one had given, and mentioned your name. Don’t be angry with me for writing, but I am so tired of this waiting. If I

don't hear from you before a great while, I shall begin to believe some of the terrible things Martha says. When I think—what if they should be so?—I hardly know what I am about.

Do write and tell me when you will come, and when we shall be married.

JOYCE DORMER.”

“The same name as that on the back of the picture,” said Baker, laying down the picture.

“To me the matter seems clear enough. Fielding had made this Joyce Dormer believe that he intended to marry her, and then left her. She probably got tired of waiting for him, and came up to see him. In a fit of passion, and probably beside herself when she discovered his perfidy, she killed him. The theory certainly looks plausible.”

The letter had been mailed at “Topham, Georgia, August 7th, 18—.” “That was nearly three months ago,” said Baker. “I am going down to Topham.”

And that afternoon, after seeing the lawyer employed to defend the case, he left for Georgia.

On reaching Topham he made inquiry for the Dormers. He was told that no such people lived there. Was it possible that he was to be baffled?

“Do you know anything about a man by the name of Fielding?” he asked.

“Yes a man by that name had spent several weeks there. He had boarded with an old lady by the name of Coomer.

Could they show him the way to Mrs. Coomer's?

Baker followed the directions given him, and found himself at a small cottage on the edge of the village.

Mrs. Coomer was in; she was an elderly lady of the old stamp.

Mr. Baker began at the matter in hand at once.

“You had a boarder some time ago by the name Fielding, I believe?”

“Yes,” answered Mrs. Coomer, a flash of anger in her eyes at the mention of Fielding's name. “A greater [villain] never lived, neither, or I'm greatly mistaken. He'll git what he deserves some day, I reckon.”

“Do you know any one by the name of Dormer—Joyce Dormer?” was Baker's next inquiry.

“Yes,” answered Mrs. Coomer; “my two girls went off to school last spring, and as I didn't want to stay alone, they sent out a girl from the city to keep me company. Her name was Joyce Dormer, but folks round here got it that she was a relative of mine, and called her Coomer. I

don't know anything about her before she came here. This Fielding courted her up, and made believe he intended to marry her some day. I don't believe he had any such idea, and told her so. He stayed five or six weeks, and then went north, pretending that he had some business that he must attend to. He promised to come back soon, but I haven't any idea he even intended to."

"Do you know where she is now?" inquired Baker.

No, Mrs. Coomer—the "Martha" spoken of in the letter found in Fielding's pocket diary—did not know where Miss Dormer was. She had left there some two months before for the city. That was all she knew about her. Very likely her daughters could tell him more about her.

"The city," in this case, meant Milledgeville. To "the city," then, Baker went. The Misses Coomer had seen Joyce Dormer after her return to the city, but knew nothing of her whereabouts at that time. She had been employed in a clothing store as saleswoman, previous to going to Topham, and had no friends or relatives that they knew of.

Baker was at a loss what to do. He had learned a good deal, but where was Joyce Dormer? Where should he look for her?

VI.

Kitty waited from day to day for tidings from detective Baker. Two or three times he telegraphed to Deepleith, telling them that he had not found the woman he was in search of, but had learned a good deal which threw light on the matter. He instructed them to have copies of the photograph taken, and other detectives sent out in different parts of the country, with directions to search everywhere for the woman.

These instructions were obeyed to the letter. Rewards were offered for the detection of Miss Dormer, wherever she might be, and bills announcing the fact were posted up all over the country.

The time passed away, and the session of the annual court began. The case of the State vs. Roosevelt was the last on the docket.

At length it came on. For several days nothing had been heard from Baker. The lawyer was in a perfect flutter of excitement. No one knew where the detective was, and now he was wanted, with such evidence as he possessed for the defendant's cause.

The trial was full of interest, and people from far and near crowded the court room. The theory regarding the woman in black and her connection with the murder, had gained ground, and many who had at first considered Paul's guilt established beyond the shadow of a doubt, began to change their opinion.

The last day of the trial came. Lawyer Broughton was in a fever of anxiety. Where was Baker?

A telegram was handed in during the latter part of the morning session. A line only, but it was sufficient to bring a glow of anticipated triumph to the lawyer's face:—

“Hold on; am all right. Have found her. Will be there tonight.
BAKER.”

The lawyer passed the telegram to the friends of the defendant. Hope sprang up. The communication was certainly encouraging.

The examination of witnesses for the defendant progressed very slowly, under Lawyer Broughton's management. It was found impossible to close the trial that day, and the court adjourned till ten next morning.

The rumor spread like wild-fire that Baker was in town, with the real murderer. At eight o'clock the court room was filled to overflowing, and at ten the trial began again.

When the detective was called to the stand the excitement was intense. He began his story and told what we already know relative to the discovery of the photograph of the woman Mr. Calfort had seen going toward the Park; of the letter in the pocket-diary; of his visit to Topham, and the facts of Fielding's intimacy with the woman seen by Mr. Calfort; of his visit to Milledgeville, and of his search for the missing woman. Mr. Calfort was called to the stand and testified that the photograph found in Fielding's diary was the exact picture of the woman he had seen going toward the Park. Mrs. Coomer, who had been summoned to appear, related the story she had told Baker, relative to Fielding's courtship of Joyce Dormer, and of the apparent desertion of the latter by her pretended lover.

The letter was produced and read in court. It corroborated Mrs. Coomer's evidence in every particular.

Baker again took the stand. He began where he had left off, and continued his story. He told of his fruitless search; how that when just about to give up in despair, he had heard of an insane woman in an out-of-the-way place, who was continually talking of some deed she had committed not long before, and exulting over her revenge. He set off to visit this woman, and found, at last, the very person he was in search of, not twenty miles from the scene of the murder. He found in her possession a broken dagger. This he produced and it was compared with the piece taken from the wound. They fitted exactly!

Mrs. Danvers was called. She deposed that some two weeks before, a woman had come to her house at about four in the morning, evidently nearly exhausted with a long and severe walk, as her dress was wet with dew and her thin shoes worn and tattered from contact with rough stones and rocky roads. She had asked to be allowed to rest for awhile. Mrs. Danvers had got her something to eat, and insisted on her lying down, and trying to rest. The stranger had done so and awoke in delirium. For several days she had kept her bed, unable to be about, raving constantly of some deed she had committed, and talking of her revenge. Mrs. Danvers had found the broken dagger in her clothes, but the woman would not trust it out of her possession, saying that it had proved itself her best friend, and had avenged her wrongs. She had often talked of Fielding, and

of Topham, and Mrs. Coomer, but Mrs. Danvers could make out nothing from her sayings. After she had got able to be about, her reason seemed to come and go. Sometimes she was rational, at such times she was very reserved and uncommunicative; when her insane spell came on she talked of nothing but her wrongs and the manner in which she had avenged them.

The last witness was Joyce Dormer herself. She came into court between two officers. She was placed in the stand and Lawyer Broughton questioned her. As might be expected, her answers were vague, and in accord with the deranged state of her mind. Nothing satisfactory was elicited until the lawyer suggested that Mrs. Coomer should endeavor to gain some information. That lady came forward and passed to the side of the woman in the witness box. A sudden gleam of intelligence lighted up the face of the latter.

“I told you I would have revenge if what you suspected was true,” she said, a fierce, wild gleam of triumph in her eyes. “It was all true! he told me he would never marry me, and bade me go about my business. Then I struck him, and he fell. I turned and ran away—and ran—and I don’t know when I stopped! I don’t know whether I stopped at all, do you?” and the light of reason faded out of her eyes, and an insane glitter took its place.

What need to tell more? Paul Roosevelt was acquitted, and Kitty—why Kitty is his wife, that’s all.

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