The Rifle

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Foul deeds will rise,
Though all the earth o'erwhelm them, to men's eyes.
[Shakespeare]

THE traveller who passes, during the summer or autumn months of the year, through the States of our union that lie west of the Ohio river, Indiana and Illinois in particular, will often pause in his journey, with feelings of irrepressible admiration, to gaze upon the ten thousand beauties which nature has spread through these regions with an uncommonly liberal hand. The majestic mountain, upholding the heavens on its cloudy top, does not, to be sure, arrest his astonished eye; and the roaring cataract, dashing from a dizzy height, and thundering down into whirling depths below, then rising again in upward showers, forms no part of the character of their quiet scenes. But the wide-spread prairie, level as some waveless lake, from whose fertile soil the grass springs up with a luxuriance unparalleled in any other part of our country, and whose beautiful green is besprinkled with myriads and myriads of flowers, ravishing the sight with their loveliness, and filling the air with their sweets; and, again, on either side of these immense savannas, standing arrayed, "like host to host opposed," the leafy forests, whose silence has not often been broken by the voice of man, and through whose verdant recesses the deer stalk in herds, with the boldness of primeval nature,—these are some of the scenes that call forth a passing tribute of praise from every beholder. Such is their summer aspect; but when winter "has taken angrily his waste inheritance," not even the painter's pencil can convey a just conception of the bleakness and desolation of the change. Then those extensive plains, lately covered with the infinitely diversified charms of nature, become one white unvaried waste; through the vistas of the naked trees, nothing meets the glance but snow; and if from the chilly monotony of earth, the wearied eye looks up to heaven, thick and heavy clouds, driven along upon the wind, seem overcharged to bursting, with the same frigid element. It was during the latter season that the incidents of our story took place.

About the middle of December, some ten or twelve years ago, before Illinois was admitted a sister State into the union, on the afternoon of a day that had been uncommonly severe, and during the morning of which there had occurred a light fall of snow, two persons were seen riding along one of the immense prairies, in a northern direction. The elder seemed advanced in years, and was dressed in the usual habiliments of the country. He wore a cap made of the skin of the otter, and a hunting-shirt of blue linsey-wolsey covered his body, descending nearly to the knees, and trimmed with red woollen fringe. It was fastened round the waist by a girdle of buckskin, to which was also appended a bullet pouch, made of the same material with the cap. His feet were covered with buckskin moccasins, and leggings of stout cloth were wrapped several times round his legs, fastened above the knee and at the ankle with strings of green worsted. The horse he bestrode was so small, that his rider's feet almost draggled on the ground, and he had that artificial gait, which is denominated rocking. The old man's hair fell in long and uncombed locks beneath his cap, and was white with the frosts of many winters; while the sallowness of his complexion gave proof of a long residence in those uncultivated parts of the country where the excessive vegetable decay, and the stagnation of large bodies of water, produce perennial agues. His companion was a young man, dressed according to the prevailing fashion of the cities of the eastern States, and his rosy cheeks, and bright blue eyes, evinced that

he had not suffered from the effects of climate. He was mounted on a spirited horse, and carried in his hand, the butt resting on his toe, a heavy looking rifle.

“Well, Doctor Rivington,” said the elder person, “I should no more ha’ looked to see one of you Yankees taking about wi’ you a rail Kentuck rifle, than I should ha’ thought I’d be riding myself without one. If I did’nt see it in your hands, I could almost swear that it’s Jim Buckhorn’s.”

“You have guessed correctly, Mr. Silversight,” replied the young physician; “I believe you know almost every rifle in this part of the territory.”

“Why, I have handled a power of ‘em in my time, Doctor,” said the old man, “and there a’n’t many good ones atwixt Sangano and the Mississip’, that I don’t know the vally on. I reckon, now, that same rifle seems to you but a clumsy sort of shooting-iron, but it’s brought down a smart chance of deer, first and last. That lock’s a rail screamer, and there a’n’t a truer bore, except mine, that I left down in the settlement, to get a new sight to—no, not atwixt this and Major Marsham’s. It carries just ninety-eight, and mine a little over ninety-four to the pound. Jim has used my bullets often, when we’ve been out hunting together.”

“I was unacquainted with the worth of the gun,” resumed Charles Rivington; “but stepping into the gunsmith’s this morning, I heard him lament that he had missed a chance of sending it out to Jimmy Buckhorn’s; so, intending to come this way, I offered to take charge of it myself. In this wilderness country, we must stand ready to do such little offices of friendship, Mr. Silversight.”

“‘Twas no doubt kindly meant, doctor, and Jim will be monstrous glad to git his piece agin,” said the hunter. “But my wonderment is, and I don’t mean no harm by it, how that tinker would trust such a screamer as that ‘ere with a Yankee doctor. Do give it to me; I ca’n’t ‘bide seeing a good rifle in a man’s hand that don’t know the vally on it.”

Doctor Rivington resigned the weapon with a good-humoured smile; for he had been some time in the country, and partly understood the love which a hunter always feels for a piece, of the character of that he had been carrying; he knew, too, though the old man’s manners were rough, there was nothing like roughness in his heart. Indeed, the very person who was loath to trust his young companion with a gun, intrinsically worth but a trifle, would nevertheless, as we shall presently see, have unhesitatingly placed in his charge, without witness or receipt, an uncounted or unlimited amount of money. The term Yankee, which we have heard him applying, in rather a contemptuous manner, was then, and for years after, used indiscriminately in reference to all such as emigrated from the States east of the Alleghany mountains. Handing his rifle across his horse to the old hunter, Charles Rivington observed, “I am glad you have offered to take it, Mr. Silversight, for there appears to be a storm coming up, and as I wish to reach Mr. Wentworth’s to-night, I can make the distance shorter, by crossing through the timber into the other prairie, before I get to Buckhorn’s.”

“Will you be going to town, to-morrow, Doctor?” asked Silversight.

“I shall.”

“Well, then, you can do me a good turn. Here,” said the old man, handing a little leathern bag, “is fifteen dollars in specie; and the rest, four hundred and eighty-five in Shawnee-town paper, is wrapped in this bit of rug. Want you to pay it into the land-office, to clear out old Richly’s land: I was going to take it in; but you’ll do just as well, and save me a long ride.”

The physician promised to attend to the business, and they kept on together, conversing about such subjects as the nature of the scene suggested, until they reached the place where the path, dividing, pursued opposite directions.

“This is my nearest way, I believe?” said Charles.

“It is,” answered the old man. “This first track, that we noticed awhile ago, lies on my route; so I’ll push my nag a little, soon as I load this rifle, and it may so be, that I’ll overtake company. Doctor, look here, and you’ll know how an old hunter loads his piece—it may stand you in stead some day; I put on a double patch, because my bullets are a leetle smaller than Jim’s, you mind I told you. There,” said he, as he shoved the ball into its place, and carefully poured some priming into the pan, “it’s done in quick time by them what have slept, year in and year out, with red Indians on every side of ‘em. Good night to ye, doctor; you needn’t lift the certificates—the register may as well keep ‘em till old Richly goes in himself.”

So saying, the two travellers parted, each urging his horse to greater speed, as the night threatened to set in dark and stormy. The old hunter, acknowledging to himself in mental soliloquy, that the doctor was “a right nice and cute young fellow, considering he was raised among Yankees,” rode briskly along the path. He had proceeded about four or five miles further on his way, when he perceived that the track he before observed turned aside: “So, so,” said he, “Slaymush has been out among the deer, to-day; I was in hopes ‘twas some one going up to the head-waters;” and he kept rocking along the road, when, directly, the report of a musket was heard reverberating through the night, and the old man, writhing and mortally wounded, fell from his horse, which, scared by the occurrence, ran wildly over the prairie. A form was seen a few minutes after, cautiously approaching the place, fearful lest his victim should not yet be dead; but apparently satisfied in this particular, by his motionless silence, he advanced, and proceeded immediately to examine the pockets of the deceased.

“Damnation! muttered he at length, when a fruitless search was finished, “the old curmudgeon hasn’t got the money after all; and I’ve put a bullet through his head for nothing. I’m sure, I heard him say, in Brown’s tavern, down in the settlement, that old Richly give it to him to carry; well, it’s his own fault, for telling a bragging lie about it; and the grey-headed scoundrel won’t never jeer me again, for using a smooth-bore, before a whole company of Kentuck-squatters—it carried true enough to do his business. I’m sorry I dropped that flask, any how; but this powderhorn will make some amends,” grumbled the wretch, as he tore the article he spoke of from the breast, where it had hung for forty years. “What the devil have we here!” said he again, as he struck his foot against the rifle that the murdered man had dropped; “ho, ho,” discharging it into the air, “if the worst comes to worst, they’ll think his piece went off by accident, and shot him. But there’s no danger—it will snow by day light, and cover the trail; and the prairie-wolves will finish the job.”

Thus muttering, the ruffian remounted the animal he held by the bridle, and trotted across the prairie, nearly at right angles with the path, along which the unfortunate hunter had been travelling.

It was in a log-house, larger, and of rather more comfortable construction, than was usually seen in that wilderness country, beside a fire that sent a broad and crackling flame half way up the spacious chimney, that there was seated, on the evening of this atrocious murder, in addition to its ordinary inmates, the young physician from whom we have lately parted. His great-coat, hat, and overalls were laid aside, and he was conversing with that agreeable fluency, and pleased expression of countenance, which denoted that he was happy in the society around him. Opposite, and busily employed in knitting, sat a beautiful girl of eighteen. From her work, which seemed to engross an unusual portion of her attention, she every now and then would send a furtive glance to their guest, thus telling, in the silent language of love, the tale she never could have found words to utter. We say she was beautiful; and if a complexion so clear, that

The eloquent blood spoke through her cheek, and so distinctly wrought,

that we might say of her, her body thought;

if laughing blue eyes, lighted up by intelligence and affection; if smooth and glossy auburn ringlets; teeth white as the snow around her father's dwelling, and a person which, though not tall, was well formed and graceful;—if all these traits combined, constitute a claim to the epithet, it certainly belonged to her. She was modestly attired in a dress of no costly material; and the little feet that peeped from underneath it, were cloathed in white stockings of her own fabrication, and in shoes of too coarse a texture ever to have been purchased from the shelves of a fashionable city mechanic. Yet that same form had been arrayed in richer apparel, and had been followed by glances of warmer admiration, than perhaps ever fell to the share of those, who are ready to condemn her on account of her simple garb.

Catharine Wentworth was the daughter (at the time of our story, the only one,) of a gentleman who had formerly been a wealthy merchant in the city of New York; but to whom misfortune in business had suddenly befallen, and had stripped him of all his fortune. While surrounded by affluence, he had been considered remarkably meek and affable; but became proud and miserable in adversity: and not caring to remain among scenes that continually brought to mind the sad change in his condition, he emigrated, with his whole family, to the wilds of Illinois. He was actuated in part, no doubt, by a higher and better motive. At that time he was the father of another daughter. Louisa, older than Catharine, was fast falling a victim to that disease, which comes over the human form, like autumn over the earth, imparting to it additional graces, but too truly whispering that the winter of death is nigh. The medical attendant of the family, perhaps to favour the design which he knew Mr. Wentworth entertained, intimated that a change of climate was their only hope. The change was tried and failed, and the fair Louisa reposed beneath the turf of the prairie.

How strangely does the human mind accommodate itself to almost any situation! The man who

had spent his life hitherto in a sumptuous mansion, surrounded by all those elegances and means of enjoyment, which, in a large city, are always to be procured by fortune, now experienced, in a log cabin, divided into but four apartments, and those of the roughest kind, a degree of happiness that he had never known before. And well he might be happy; for he was rich, not in money, but in a better, a more enduring kind of wealth. His wife, two hardy and active sons, and his remaining daughter, Catharine, were all around him, smiling in contentment, and ruddy with health. We can only estimate our condition in this life by comparison with others; and his plantation was as large, and as well cultivated, his crops as abundant, his stock as good as any of the settlers on that prairie. He had still a better source of consolation: Louisa's death, the quiet of the country, and the natural wish of every active mind to create to itself modes of employment, had led him more frequently to read and search the sacred scriptures, than he had found leisure to do before; and this was attended, as it always is, with the happiest result, a knowledge and love of Him, "whom to know is life eternal." But we are digressing.

The family of Mr. Wentworth, with the addition of Charles Rivington, (whom, indeed, we might almost speak of as one of its members, for, on the coming new year's day, he was to receive the hand of their "saucy Kate," as the happy parents fondly called her,) were gathered round the fireside, conversing cheerfully on every topic that presented itself, when a light tap was heard at the door, and Mr. Rumley, the deputy-sheriff of the county, entered the apartment. He apologized for his intrusion, by saying, that having had business to attend to at a cabin farther up the prairie, which detained him longer than he expected, he should not be able, on account of the darkness of the night, to return to town until the following morning; he therefore hoped that he might be accommodated with a bed. His request was, of course, readily complied with.

He was a tall, dark person, dressed much in the manner of the unfortunate hunter, except that his leggings were of buckskin. He had lost an eye when a young man, in a scuffle with an Indian, two of whom sprung upon him from an ambush; this, with a deep scar upon his forehead, received in a tavern-brawl at New Orleans, two or three years before, and the wrinkles that age, or more likely, his manner of life, had ploughed, gave to his countenance a sinister and disagreeable expression. At this time, the haggard appearance of his face was increased, either from having been a long while exposed to the cold, or from some latent sickness working on him, for his lip quivered, and was of a bloodless hue, and he was remarkably pale. Charles Rivington, who often met him in his rides, was the first to notice the change from his usual appearance.

"You look pale and fatigued, Mr. Rumley; I hope you are not unwell?"

"No, sir—that is—yes, I do feel a little sickish; and should be glad to go to bed, if it's convenient,'' answered Mr. Rumley.

"Perhaps there is something we can do for you, sir?" said the maternal Mrs. Wentworth.

"No, ma'am, I thank ye. I reckon a good night's sleep will be best for me; it's what cures all my ailings."

And in compliance with his wish the guest was shown to his apartment.

One by one the different members of this peaceful family sought their pillows, till soon Charles Rivington and the blushing Catharine were left sole occupants of the room.

But though alone, they were not lonely; he had many an interesting tale to whisper into the maiden's ear, (for it was almost a week since they met,) and she, though something of a chatterbox, when none but her mother and brothers were present, on this occasion betrayed a wonderful aptitude for listening. The hours glided happily away; and the gray morning was already advancing, when the happy young man, imprinting a good-night kiss upon her cheek, left her to those sweet dreams which slumber bestows only on the young and innocent.

It was late in the afternoon of the following day, that Charles Rivington, being returned to the town where he resided, was seated in his office, employed in counting a roll of notes, a pile of dollars lying, at the same time, on the table before him, when three men abruptly entered the apartment.

"You are our prisoner," cried the foremost of the party. "By heavens, Jim! look there; there's the very money itself. I can swear to that pouch."

And here he rudely seized our hero by the collar.

"Stand back, sir, and lay hold of me at your peril," returned Charles Rivington, sternly, as, shaking the man from him, he gave him a blow that sent him to the other side of the office; "What is it that you have to say? If I am to be made prisoner, produce your warrant."

"You may as well submit quietly, Doctor Rivington," said another of the party, who was a constable. "You perhaps can explain every thing; but you must come with us before Squire Lawton. This is my authority, (showing a paper,) and it is only necessary to say that suspicion rests on you, as the murderer of old Silversight, who was found shot through the head, on the road this morning."

"Is it possible?—poor old man! has he really been killed! When I parted from him last night he was not only well, but seemed in excellent spirits," said the doctor.

"He parted from him last night! mark that, Buckhorn," said the one who had just received so severe a repulse from our hero, and whose name was Carlock. "He left him in excellent spirits! mark what the villain says!"

"There needs no jeering about it," replied Buckhorn. "Doctor Rivington, you tended me in my bad fever last spring, and again when I had the chills in the fall, and you stuck by me truer than any friend I've had since my old mother died, except this ere rifle; and I am monstrous sorry I found it where I did. It may so be that you've got a clear conscience yet; but whether or no, though old Silversight and me has hunted together many and many's the day, you shall have fair play any how, damn me if you shan't. That 'ere money looks bad; if it had been a fair fight, we mought a hushed it up somehow or 'nother."

Our hero, while Buckhorn was speaking, had time to reflect that if Silversight were indeed dead, circumstances would really authorize his arrest. The rifle, which he was known to have carried with him from town, had been found, it seems, beside the murdered body. The money that the unfortunate man had entrusted to him, was discovered in his possession; and how could it be proved for what purpose it had been given to him? As these thoughts rushed rapidly through his mind, he turned to the officer, and observed,

"Mr. Pyke, I yield myself your prisoner. I perceive there are some circumstances that cause suspicion to rest on me. I must rely, for awhile upon the character which, I trust, I have acquired since my residence among you, for honour and fair dealing, until I shall be enabled to prove my innocence, or till heaven places in the hands of justice the real perpetrator of the deed."

So saying, he gathered up the money from the table, and departed with the officer and his companions, to the house of Mr. Lawton, who, being a justice of the peace, had issued a warrant for his apprehension.

"I have always been glad to see you heretofore, Doctor Rivington," said the magistrate, politely, on the appearance of that person before him, "and should be so now, were it not that you are charged with a crime, which, if proved, will call down the severest vengeance of the law. I hope and believe, however, that you can establish your innocence. Where were you, sir, on the afternoon of yesterday?"

"I went out to visit some patients, meaning to continue my ride as far as Mr. Buckhorn's; and took his rifle with me, from the gunsmith's, with the intention of stopping and leaving it; but I met with old Mr. Silversight at the cross-roads, who was going up from the New Settlements, and he offered to take charge of it. I gave it to him. We parted at the Fork, and I crossed over to Mr. Wentworth's."

"Did Mr. Silversight continue on his journey, having Jim Buckhorn's rifle with him?" asked the justice.

"Yes, sir; but before we separated he gave me this money," (handing the notes and specie to the magistrate,) "requesting me to pay it into the land-office today, to clear out Mr. Richly's land. He said there were five hundred dollars in all, and I was counting it when arrested."

"There is a most unfortunate coincidence of circumstance against you, Doctor. The man is found murdered, the rifle which you were known to have carried laying near him, and you arrived in town on the next day, with the money of the deceased in your possession. The poor old man's horse going home without his rider, excited alarm; Buckhorn and Carlock, with other neighbours, sat out upon the track; they found the murdered victim, stark and bloody, lying on the snow, which was scarcely whiter than his aged head; they divided—some bearing the body back, while the others followed on the trail; it led them to Mr. Wentworth's, where you acknowledge you passed the night; they there inquired what person made the track which they had followed, and were answered it was you; they continued on your trail until they arrived in town: they make affidavit of these facts, and procure a warrant for your arrest; when, to complete

the chain of evidence, you are found counting the spoils of the murdered man. Now, sir, what answer can you make to these appalling circumstances?"

"They are appalling, indeed, sir," said our hero; "and I can only reply to them—I am innocent. If the poor man was murdered, the one who did it must certainly have left tracks; and I fear they have fallen upon his trail and taken it for mine. But it is in my power to prove that I had no weapons with me, except that unlucky rifle, and the gunsmith will testify that he gave me no balls with it."

"The gunsmith has already been before me," said Mr. Lawton, "for I was loath to have you apprehended, except on an application backed by such proof as could not be rejected. He states that when he gave you the gun, the lock had been repaired and polished, and that since that time it has certainly been discharged. I am sorry to do it, but my duty compels me to commit you."

It is needless to dwell longer on this examination. Our hero was committed for trial, and so strong were the proofs adduced against him, that the worthy magistrate, and indeed the whole neighbourhood, could scarcely hesitate to believe him guilty. When the sun arose that morning, Charles Rivington was one of the happiest of men. Loving and beloved, his business increasing, his name respected, and the time rapidly approaching which was to bind him to his Catharine in the tender relationship of marriage—he looked back upon the glorious orb, as it burst up through the eastern heaven, with an eye of almost kindred brightness. How changed the scene at its setting! its last rays fell upon him through the iron-guarded window of a prison. Yet, could we examine into the soul of that young man as he lay in one corner of the small and noisome apartment, on a bed of straw, that had been spread for a former inmate, we should find, perhaps, that though surrounded by the greatest danger—the danger of dying an ignominious death, and of having a blot left for ever on his memory, he was still serene and happy. And why was this? He had a companion in that dreary place, whose acquaintance had been sought in the hours of prosperity, and who now, in the darkness of trouble, would not depart; a companion that can cheer us amid the revilings of the world, can pierce through the bars of a dungeon, and whisper to the desponding spirit, "Blessed are they that mourn, for they shall be comforted."

Charles Rivington was one of the too small number of young men who are not ashamed to be religious; and verily he had his reward! The mere worldling, similarly situated, would have been loud in imprecations, or dumb with agony; but he, upborne by conscious innocence, and knowing that not a sparrow falls to the ground without the will of our heavenly Father, humbled himself in prayer before that Being, "who is mighty to save unto the uttermost and he arose from the exercise with those tranquillized and invigorated feelings which are its invariable result.

Nearly two years had elapsed since our hero emigrated to that western region. He was the youngest, and, at the time of our narrative, the only son of a widowed mother, who had been doomed to follow successively to the grave, a husband, a lovely daughter, her eldest born, and two fine and promising boys. Sick of the scene where death had made such havock, and crushed so many fragrant buds of promise, she consented to accompany her sole remaining child to a place, where the newness of the country seemed to hold forth greater prospect of success, than was afforded to a young practitioner among the overstocked population of a city. Hitherto their expectations had been amply realized. He who tempers the wind to the shorn lamb, provided for

the wounded heart of that Christian widow a balm of sweetest efficacy. Her son was such a child as mothers pray for; he strove, by redoubled filial attentions, to supply the place of the lost ones to his parent; and her eyes seldom rested on his manly form, that they did not become watery, from the overfulness of gratified, maternal love. Their family misfortunes had rendered his mind uncommonly ductile; and it was she who planted there those seeds of righteousness, which, as we have seen, sprang up and brought forth goodly fruit.

On the afternoon of her son's commitment, she was sitting in the parlour of the pleasant little house which they occupied, when Judy, an Irish girl, who had lived long in the family, remaining with them through all their troubles, came running, almost breathless, into the apartment.

"Och, mistress; and the Lord bless you!" she cried, as soon as she was able to speak, "and presarve your old heart from breaking—but I've got bad news for ye."

"How often, Judy, must I repeat to you," said the pious old lady, interrupting her, "that it is extremely wrong to use the name of your Maker so familarly on all occasions: 'the Lord will not hold him guiltless that taketh his name in vain.'"

"Botheration, ma'am, but I've no time to 'tend to that now—" "Judy!" interrupted Mrs. Rivington again, "how can you speak so? —"

"Ma'am, will you plase to hear me?" roared out the servant, at length fully restored to her voice; "are ye going to sit here praching, and let them murder Mr. Charles?"

"Charles! gracious Providence!" ejaculated the mother, catching the alarm of the menial; "what is the matter—surely nothing evil has happened to him?"

"Oh! nothing at all, at all, mistress!" responded Judy, striving to speak calmly, that she might not too suddenly alarm the trembling parent; then, unable to control her feelings, she sobbed out, "my poor, dear young master's in prison."

"In prison!" exclaimed the astonished mother, turning quickly to the weeping girl, and grasping her arm; "Judy," she said, with the earnestness of agonized apprehension, "tell me the whole truth—you have seen me bear calamity before— what does this mean?"

"Ah! madam, jist be quiet," returned the anxious servant; "it's only one of them drunken hunters what's kilt himself, and the blackguards want to lay it to poor Mr. Charles, because he's a Yankee, as they call it, and that's jist the whole of it."

"My boy accused of murder! my honourable, my pious boy! Father of mercies!" said the pale and agitated mother, sinking on her knees, "if this withered heart is doomed to receive another wound, if my last earthly prop is to be torn from me, oh! do thou give me strength to bear this greatest of affliction, and enable me to say, thy will, not mine, be done!" She rose with renewed composure, and turning to her maid, "Get me my hat and shawl, Judy," said she; "I'm glad it is no worse: this is but a passing cloud; for he is innocent, and his innocence will soon be manifest.

I feared lest he might be sick, or thrown from his horse; but the Lord be praised, who hath not tried his servant beyond her strength."

Such was the language of the exemplary Mrs. Rivington, as she walked out that evening, with the intention of visiting her son in prison. We will not accompany her: their meeting was such as will be anticipated, from their enlightened and pious characters; and though the good woman was alarmed by the strength of the circumstances adduced against her beloved boy, yet not for a moment was her faith in the justice of the Almighty so shaken, as to permit a fear that the guiltless would suffer. But leaving them mutually striving to strengthen and encourage each other, we will ask of our readers to accompany us into the kitchen of Doctor Rivington's house, whither Judy immediately returned on the departure of her mistress.

"She's a noble-hearted woman, that's what she is," said the girl, whose admiration was excited by the Christian firmness she had seen exhibited; "she's jist the right sort of mother for sich a swait young gentleman as he is; and you, Jimmy," (turning to Buckhorn, who sat with a sorrowing countenance in a corner,) "ye're a pretty blackguard, arn't ye, to be going to give information 'ginst a man who you know niver did harm in his born days. Ah! git along with ye—I 'm fairly sick of ye!"

"But, Judy, when we found the rifle lying by the dead body," answered the distressed young man, "I very natur'ly said to Carlock, that that was the best trail we could have; for I knowed old Silversight had been down in the New Settlement; and so, says I, the man what got this ere rifle from Drills, must be the murderer but if I 'd a-know'd it was the doctor took it out, miss-fire! but I 'd a-held my peace, if I never could shoot buck agin till I told it. I hardly b'lieve he killed the old fellow now."

"Now, 'pon my honour, ye're a great fool," responded the indignant Judy; "you hardly b'lieve it, do you?—I tell you what, Jimmy Buckhorn, the man as comes a courting to me, if I set ever so much by him, should niver git my consent, if he was the means of putting the dear young gentleman in limbo, till he contrived ways and means to git him clare again. You don't b'lieve he's guilty! Arrah now, Jimmy, I've told you afore, I'd a sort of liking for you—but I'd sooner b'leive you had murdered the poor old vagabond, in cold blood, than that Mr. Charles did it, if he was ever so provoked."

Buckhorn rose from his seat, when the fluent and handsome Irish girl finished her speech, and taking her hand, "Judy," said he, "my nag is tired down, but I'll git Bob Millar's. I'll go down and see the doctor at the jail winder, and find which way he went out to the head waters; then I'll follow up his trail from town, and see where he cut off to old Wentworth's; for it's sartain he slept there; and it may turn out, that that villain's and his trail are two different ones. If so be that's the truth, I'll keep the scent 'till I find out who the rail ruffian is—and there's no time to be lost; for it may come up to snow, and that will fill up the tracks in short order. So, Judy, give me your hand; and there," continued he, kissing the blushing girl's lips, "there I'll find out who the scamp is; or, in case that's impossible, if Doctor Rivington does'nt git clare, it shall be his own fault."

A heavy fall of snow did unfortunately occur that night, leaving the wide prairies as white and smooth as unwritten paper; and consequently depriving our calumniated hero of the most obvious, and apparently of every mode of substantiating his innocence. His confidence, however, in the divine protection was undiminished; and nightly, from the silence of his cell, went up the inaudible aspirations of a soul, that firmly relied on the goodness and justice of its prayer-hearing Father. Nor did those pious orisons ascend unaccompanied through the still vault of night, to the Almighty's ear: the aged mother's contrite heart was poured out in an agony of prayers; the parents of his affianced bride, knelt often before the throne of heaven for the welfare of their slandered boy, as in their affection they called him; and the blue eyes of Catharine wept supplications, and her pure and innocent heart, hitherto untouched by sorrow, except on the occasion of her sister's death, now continually sent unworded and unutterable appeals to her Creator, for her lover's life. In the meanwhile, week after week rolled by, and the day appointed for the trial at length arrived.

The little village in which the sessions of the circuit court were held, and which, for the sake of a name, we will call Edgarton, contained about fifty or sixty houses, most of them constructed of logs. There was an open space in the midst of it, termed "The Public Square," in which stood a building answering the double purpose of courthouse during sessions, and of meeting-house, when an occasional missionary passed through that part of the country: it fronted on the public road. The jail occupied a corner of the same place. It was a small one-story edifice, about twelve feet square, and, like the court-house, built of large hewn logs, fastened together with iron bolts at the corners. Its single apartment contained but one door and window, both secured by strong bolts and bars. A large brick-house, the only one in the town, was situated on the rear of the square, and was occupied as an hotel, as the traveller was informed by a huge sign, suspended from a post at the road-side, where was conspicuously written, in great yellow letters, under a burlesque likeness of General Washington, "Entertainment for man and horse." A little farther up the road, or main street, as it was called, though there was but one in the village, on the opposite side, was another tavern, of more humble appearance than the first. It was around these two places of public entertainment, that a numerous assemblage of persons collected, on the morning when the important trial was to take place; all eagerly conversing on the crime of which the prisoner was supposed to be guilty; and many of them uttering no very moderate anathemas against the Yankees, whom they pretended to consider, en masse, as rogues and cheats; and who, at least, were coming into the country to break up their old manners and customs. The women, who were plentifully sprinkled among them, seemed very willingly to join in the general clamour.

"They're a monsterous fidgity people, say the least of them," observed the large fat wife of a farmer; and her sleepy eyes and unmeaning face assumed something like angry vivacity as she spoke. "They want a heap of waitin' on; and you don't git no thanks, after all. Now, there was old Wentworth—he tarried with us, you know, Carlock, on account of his sick da'tar, when he first came out here. Good coffee wasn't good enough for 'em; they must have a little tea, to be sure. So I sent Johnny down to the settlement to git some; and I took a heap of pains to cook the trash—and what do you think?—they wouldn't eat a bit on't after all. I don't much wonder, neither; for 'twas bitter, nasty trash, as ever I'd wish to taste. But it's always the way with 'em; they make trouble just for nothing."

The remarks of the indignant woman were fully concurred in by most of her simple and unsophisticated hearers; but there was one among them who was obliged to thrust his tongue into his cheek, and turn aside, to prevent the dame's seeing his laughter. He was the merchant's clerk, and had heard the story before. The fact was, that never having used the article of tea in her life, the poor woman had caused a pound of it to be purchased, and boiling it all in a large kettle, served it up to her guests as greens for dinner.

"They tell," said a farmer, who had the reputation of being a wit among his fellows, and whose linsey-woolsey coat contrasted strangely with a printed calico shirt, the collar of which was ostentatiously displayed—" they tell that old Silversight had a power of money when he was killed. It's kill or cure with these Yankee doctors, any how; but that was the queerest pill to give a patient I've ever heard of; and he took the trouble off your hands, Carlock, and paid the bill himself, out of the dead man's pocket, hey?"

Such is a specimen of the idle talk with which the crowd amused themselves, until the court, at length, assembled; and, after the usual preliminaries, the important trial commenced. The prisoner had been supplied, by his anxious and affectionate parent, with all the little comforts which the narrow apartment admitted of, except fire and candles; they being forbidden on account of the material of which the jail was constructed. But the coldness of the weather had been excessive, during a part of the time that he was the occupant of that dreary abode; and the boundaries of his cell not allowing much exercise, a sickness fastened upon him, which, though not dangerous in its nature, had rendered him thin and very pale. He came into court, arm in arm with the attorney, who was employed to plead his cause; and slightly bowing to those whose friendly salute indicated that they believed him innocent, he passed through the crowd, and took a seat behind the lawyers within the bar. From the high and exemplary character which he had sustained invariably, from his first settling in the place until the present black suspicion rested on him, a degree of intuitive respect was accorded by all, that must have been highly gratifying to his feelings. A plea of not guilty was entered, and the examination of witnesses commenced.

George Carlock was the nephew of the deceased. On the night of the sixteenth of December, he was surprised to see the horse of his uncle arrive, with saddle and bridle on, but without a rider. He thought that the deceased had stopped, perhaps, for awhile at Buckhorn's, who lived a mile or so further down the timber; but, as the night passed away without his returning home, he started early in the morning with the intention of tracking the horse. He called for Buckhorn, and they got upon the trail, and followed it till they found the dead body. It led them to Mr. Wentworth's. They inquired if any person had been there, that crossed over from the other side of the stream. They were answered that Doctor Rivington had crossed the stream, and remained the night with them. That Mr. Rumley, the deputy-sheriff, had also remained the night, but that he had come from farther up on the same side. They followed on the trail till they arrived in town. Being informed, by Mr. Drill, the gunsmith, that Doctor Rivington had taken Buckhorn's rifle out with him, they immediately procured a warrant for his apprehension. They found him employed in counting the identical money, which had been taken from the unfortunate Silversight.

James Buckhorn's testimony was in full corroboration of the preceding. He mentioned, in addition, that he examined the lock and barrel of his rifle, on finding it lying near the murdered man, and discovered that it certainly had been discharged but a short time before.

The gunsmith deposed to his having given the rifle to the prisoner, on his offering to carry it out to Buckhorn, and that it had been discharged since.

“Mr. Drill,” said Lawyer Blandly, who was counsel for our hero, “you mention having given the gun to Doctor Rivington; did you also give him a bullet that would fit the bore?”

“I did not.”
“Did he exhibit any anxiety to obtain the weapon?” again asked the lawyer.

“By no means,” replied the gunsmith; “I considered, at the time, that the doctor’s offer was one of mere kindness; and he had previously mentioned he was going out that way to visit his patients.”

“The bore of this rifle, Mr. Drill,” continued the sagacious lawyer, “is very small. I presume that you are familiar with the size and qualities of all that are owned on the road out to Mr. Buckhorn’s. Is there any house at which Doctor Rivington could have stopped, and procured a ball of sufficient smallness?”

“John Guntry’s rifle,” answered Mr. Drill, “carries eighty-seven or eight to the pound, and one of his bullets, with a thick patch, would suit Buckhorn’s pretty well. That is the only one any where near the size.”

The attorney for the people here asked another question.

“For what purpose did the prisoner go into your shop, on the morning of the sixteenth of December?”

“I was employed in repairing a pair of pocket pistols for him, and fitting a bullet mould to them. He came in, I believe, to inquire if they were finished.”

“Please to note that answer, gentlemen of the jury,” said the prosecuting attorney. “Mr. Drill, you may stand aside.”

Samuel Cochrane was next called. He was one of the young men, who had returned with the body of Silversight. On his way back, and about two hundred yards from the place where the murder had been committed, he found a copper powder flask, (which was shown to him, and he identified it,) the letters C. R. M. D. being cut upon one of its sides, apparently with a knife. There was but one more witness on the part of the people, Mr. Lawton, the magistrate before whom the unfortunate prisoner had been examined. He testified as to the facts which were deposed before him, together with the acknowledgment of Doctor Rivington, that he had been in company with Mr. Silversight, &c. But we may pass over these circumstances, as the reader is already acquainted with them. The prisoner was now put on his defence, and all that talent or ingenuity could devise, was done by his skilful counsel. The witnesses were cross-examined, and re-cross-examined; but their answers were uniformly the same. A large number of respectable persons came forward to testify to the excellence of our hero’s general character; but their

evidence was rendered unnecessary by the attorney for the people admitting, in unequivocal terms, that previous to this horrid occurrence, it had been exemplary in a high degree. At length, wearied by his exertions, and distressed at the result, Mr. Blandly discontinued his examination: he had one more weapon to try in behalf of his client—the powerful one of eloquence; and it was used by a master of the art; but, alas! was used in vain. He dwelt much on the fact that his unfortunate client had wished his route to be trailed from the village, and that Buckhorn had started for the purpose, when the disastrous snowstorm occurred, and took away the only hope he had of proving his innocence. He cited many cases to the jury, in which circumstances, even stronger than these, had been falsified, when their victim, murdered by the law, was slumbering in his grave. He appealed to them as parents, to know if they would believe, that a son, who had been so filial, whose character had previously been without stain or blemish, could suddenly turn aside from the path of rectitude and honour, to commit such an atrocious crime? But it were useless to recapitulate the arguments that were made use of on this interesting occasion—they were ineffectual. The attorney for the prosecution summed up very briefly. He assured the jury that the evidence was so clear in its nature, so concatenated, so incontrovertible, as to amount to moral certainty. Near the body of the murdered man, a powder flask, such as the eastern people principally use, had been found, with the initials of the prisoner's name and medical degree, engraved upon it—C. R. M. D.—Charles Rivington, Doctor of Medicine. The trail is pursued, and it leads them to the house of Mr. Wentworth, where the prisoner arrived on the evening of the bloody deed, and remained all night. They continue on the trail, till at last they find him, with greedy eyes, bending over the plunder he had torn from his grey-haired victim. "Such," concluded he, "is a rapid outline of the facts; and deeply as I deplore the wretched young man's guilt, yet, believing him guilty, it is my sacred duty to display his enormity; but further than the imperious call of justice requires, I will not go, I cannot go."

The charge of the judge, who was evidently very much affected, occupied but a few minutes; and the jury retired to make up their verdict. We have already told the reader that the prisoner was pale, in consequence of sickness, produced by his exposed situation in prison; but the appalling events of the trial had caused no alteration in his appearance. He sat firm and collected; and there was a melancholy sweetness in the expression of his countenance, which told that all was calm within. Indeed, the awful coincidence of the circumstances had been made fully known to him, before he came into court; he was convinced, unless the interposing arm of heaven should prevent the blow, that death and ignominy must fall upon him, and, after a severe internal conflict, he had become enabled to say, "Thy will be done!"

His mother, by the assistance of that never-failing comforter in sorrow, religion, had hitherto supported, with something like resignation to the divine will, this greatest earthly calamity. In compliance with the earnest request of her son, who was fearful that the feelings of nature might become too strong for controul, and who wished to behave with manliness and equanimity through the trying period, she refrained from going to the court on the day that was to decide in a great measure, her mortal destiny.

Seated in the little parlour of their dwelling, together with the weeping Catharine, the strength of whose love had drawn her to the spot, and awaiting with an intense anxiety the issue of the lagging hour, was the mother of Charles Rivington, at the time to which we have brought our narrative. She started at each noise that reached her ear; and every breeze that shook the

casement, seemed laden with the awful sentence of the law against her son. And yet that noble woman, though torn by the deep and awful solicitude, which only a mother's heart can know, strove to speak words of comfort to the lovely being beside her, whose affectionate bosom seemed bursting with affliction.

"Weep not so bitterly," she said, "Catharine, my dear child; alas! I soon may have no other child but you. But, no: the searcher of hearts knows that Charles is guiltless, and will yet put forth his arm to save. What sound was that?— I am wrong to distrust his goodness; yet this is a heavy, heavy hour. I have knelt, Catharine, at the bed-side of three lovely children, three little human blossoms, that death untimely cropped, and was enabled to bow with resignation to the inscrutable decree. But this, oh! my Father," groaned the tortured parent, "suffer this bitterest cup to pass from me. Catharine, dry your tears; he, whose powerful hand led forth unharmed from the fiery furnace, the three that would not renounce his name, will yet deliver my boy from the toils that are around him."

At this moment, Judy was seen from the window, running rapidly towards the house, and directly after, pale and breathless, entered the apartment.

"Judy!" faintly cried the agonized parent, trembling in every nerve, but unable to utter more.

"Ah, madam!" responded the servant, "I know what you'd be asking me—take comfort, it's not decided yet; the jury has jist gone up stairs, to talk it over among themselves; and, bless their swait souls, they cried amost as fast as I did myself, when Mr. Blandly spoke to 'em. Ah! he's a nice gentleman, and he knows exactly what kind o'body Mister Charles is. He described him jist for all the world as I would, only I could'nt use sich ilegant words."

"The jury wept! —there is hope, then, Judy?" inquired the parent, in a faltering voice.

"Wept, did they? yes, and the judge, and Mr. Wentworth could scarce give his evidence for crying; and they all cried, except Mr. Charles himself. He looked pale and sorrowful; but there was no blubbering about him. I niver see'd him look so ilegant afore. But I jist rin here to tell ye how things was goin' on; I'll go back, and find what them juries says. I hope they may niver be able to open their ugly mouths, till it's jist to spake the word innocent."

"Stop, Judy," said Mrs. Rivington, feeling unable to endure the horrors of another period of suspense; "I will go with you: I trust that heaven will give me strength to bear the issue, even should it be the worst that can befal."

"Ye had better not, my dear mistress," replied the devoted servant, "for there are hard-hearted people about the place, that b'lieve he's guilty, because he's a Yankee—rot their saucy tongues—and they mout jeer at ye, because ye'er his mother."

"They cannot. At any rate, I will go forth," said the afflicted woman; "he's my own, true, pious, noble-hearted boy; and his mother will be by to whisper consolation in his ear, though every other tongue were loud in mockery and revilings."

“And I will go with you, mother,” said Catharine, rising from her chair, and drying her tears, “I know he is innocent, and should the worst come, it is better to hear it at once, than linger here in such protracted anguish.”

The assembled crowd was still anxiously awaiting the return of the verdict, when the mother of Charles Rivington, leaning on the arm of Catharine Wentworth, entered the court-house of Edgarton. A passage was instantly opened for them, with that intuitive respect which almost all men are ready to yield to misfortune, even when accompanied by guilt. They had not been long seated in the part of the room, where they could be most screened from observation, when the jury returned, and, handing a sealed verdict to the clerk, resumed their places. The clerk arose, and read in a faltering voice, “We find the prisoner, Charles Rivington, guilty.” The words had scarcely left his lips, when a piercing shriek run through the apartment, and Catharine Wentworth fell lifeless on the floor. Not so with that Christian mother; with an unwonted strength she darted through the assembly, till she reached her child.

“My boy!” she cried, “my boy! be of good cheer; your heavenly Father knows your inmost soul, and sees that you are guiltless. We shall lie down together, for think not I can survive you. We shall lie down together, to wake with the Lord! My boy! my boy! little did I think to see this bitter day!”

Exhausted nature could endure no more, and the mother fainted in the arms of her son.

We shall not attempt to describe the situation of our unhappy hero, for words are inadequate to the task. The insensible forms of his mother and his, beloved Catharine, were conveyed from the scene; and when some degree of silence was restored among the sympathizing multitude, the judge proceeded to pronounce sentence upon him. He had nothing to say to avert it, except a reiterated declaration of his innocence; and he besought the court that the time previous to his execution might be as brief as possible, in mercy to his bereaved parent, who would be but dying a continual death while he survived. It was accordingly fixed to take place on that day three weeks.

It was near midnight of that important day— the busy throng which the trial had collected together were dispersed, and the moon, high in heaven, was wading on her silent course, through the clouds of a wintry sky, when Charles Rivington, startled from unquiet slumber, by a noise at the door of his prison, and sitting up in bed, that he might more intently listen, heard his own name whispered from the outer side.

“Will you wake, Mr. Charles?” was softly uttered in the sweet accents of our little Irish acquaintance, Judy. “Was there iver the like,” continued she, “and he asleeping at that rate, when his friends are opening the door for him?”

“Be quiet, Judy,” responded a masculine voice, but modulated to its softest tone, “and stand more in the shadow, the doctor’ll awake fast enough, as soon as I git this bolt sawed out; but if ye git that tavern-keeper’s dog a-barking, there’s no telling but it may wake the jailer instead of the doctor.”

“And you’re right, Jimmy dear,” responded Judy; “there now, leave go with your fingers, man, you can’t pull it off that ere way. Here, take this bit of a stake for a pry— and now, that’s your sort,” continued she, adding her strength to his, and a large end of the log, to which the fastenings of the door were appended, fell to the ground: “Now, one more pull, Jimmy, and the day’s our own.”

They accordingly made another exertion of united strength, when the prison door flying open, Buckhorn and Judy stood before our prisoner.

“There, Mister Charles, say nothing at all, at all about it; but jist take Jimmy’s nag, that’s down in the hollow, and git clare as well as ye can. There’s a steam-boat, Jimmy says, at St. Louis going right down the river; and here’s all the money we could git, but its enough to pay your passage any how,” said the affectionate girl, tears standing in her eyes as she reached to her respected, and, as she firmly believed, guiltless master, all her own hoardings, together with the sum which Buckhorn had been accumulating, ever since he became a suitor for her hand.

“You are a kind and excellent girl,” answered Rivington, sensibly affected by the heroism and attachment of his domestic, “and you are a noble fellow, Buckhorn; but you forget that by flying I should only confirm those in the belief of my guilt who are wavering now; besides, I could hardly expect to escape; for my life being forfeit to the laws, a proclamation would be immediately issued, and apprehension and death then, as now, would be my doom. No, no, my good friends, you mean me well, but I cannot consent to live, unless I can live with an unsullied fame.”

“Ah, dear doctor,” sobbed out poor Judy, whose heart seemed almost broken; “what’s the use of spaking about it? If you stay, you’ve but a few days to live; and if you take your chance now, who knows but the rail murderer may be found out, and then you might come back, Mr. Charles, and all would go well again.”

“That is a powerful argument, Judy; but my trust is in him who beholds all my actions,” returned our hero; “and I must confess that I cannot divest myself of the hope that the truth will yet be brought to light before I die the death of a felon.”

“Doctor Rivington,” said Buckhorn, going up to him, and taking him warmly by the hand, “I’ve been wavering all along about you; but I’m sartin now. The man that murdered Silversight in cold blood, wouldn’t be agoing to stand shilly-shally, and the jail door wide open. I always was dub’ous about it, though the proof seemed so sure. My nag is down in the hollow, with saddle bags on him, and Judy has filled ‘em full of your clothes; you may take him doctor, if ye will; you may take the money and welcome—but I that come here to set you clear, advise you to stay; and if I don’t find out somethin’ to turn the tables before hanging day, it shan’t be because I don’t try.”

Our hero exchanged with the honest hunter one of those warm pressures of the hand, which may be termed the language of the soul, and conveyed to him, by the eloquent action, more than he could readily have found words to express. They were now alarmed by the report of two rifles near them, fired in quick succession, and two persons issuing from the shadow of a neighbouring

horse shed, at the same moment made directly towards the door of the jail, crying out in a loud voice, “The prisoner has broke out! the prisoner has broke out!” Our friends, Judy and Buckhorn, were enabled to make good their retreat, as the object of the alarm seemed more to secure the prisoner than to arrest his intended deliverers. It was not many minutes before a considerable number of the idle and curious were collected by this clamour around the insufficient place of confinement, and effectual means were devised to prevent any danger of a further attempt at rescue.

The glimmer of hope which had been lighted up in our hero’s heart by the last words of Buckhorn, and the confident manner in which they were uttered, gradually declined as day after day rolled by, and no trace could be discovered of the real perpetrator of the crime. To add to the anguish of his situation, he learned that his beloved Catharine was confined by a wasting fever to her bed, and that his mother, though she still bore up and uttered not a murmur against the Almighty’s will, was fast sinking with a broken heart into the grave. The evening previous to the fatal day which was to terminate his earthly career at length arrived, but brought no cheering promise with it, and the unhappy young man, therefore, humbling himself before the throne of heaven, and beseeching that mercy there which he could no longer hope for on earth, devoted the greater part of the night to prayer.

It was on the same evening, in a little mean looking cabin, called “Brown’s Tavern,” in the place which we have before had occasion to speak of as the New Settlements, that two men were sitting at a table, with a bottle of whiskey between them, conversing on the general topic, the execution that was to take place on the morrow, when a third person entered, and, calling for a dram, took a seat at some distance from them. He was a tall, dark man, dressed in a hunting frock and buckskin leggings, and held in his hand one of those mongrel weapons, which partaking of the characters both of rifle and musket, are called smooth bores by the hunters of our western frontier, who, generally speaking, hold them in great contempt. The apartment of the little grocery, or tavern, where these three persons were assembled, was lighted, in addition to the blaze of a large wood fire, by a single long-dipped tallow candle, held in an iron candlestick; and its only furniture consisted of the aforementioned table, with the rude benches on which the guests were seated. The conversation had been interrupted by the entry of the third person, but was now resumed.

“For my part, as I was saying,” observed one of the persons, in continuation of some remark he had previously made, “ I think the thing’s been too hasty altogether. The doctor’s character, which every body respected, should have made ‘em more cautious how they acted; especially as he wanted ‘em to go right out on his trail, and said they’d find he’d kept straight on to Mr. Wentworth’s. Now he wouldn’t a told ‘em that if it wasn’t so; and I am half a mind to believe that he’s not guilty after all.”

“That’s damned unlikely,” said the stranger, in a gruff voice.

“Why bless me, Mr. Rumley,” continued the first speaker, “I didn’t know it was you, you set so in the dark. How have you been this long time? Let me see, why, yes, bless me, so it was—it was you and I that was talking with poor old Silversight the day he started from here with the money.

I havn't seen you since. Why, a'nt you a going to be over in Edgarton to see the Doctor hung tomorrow?"

"I don't know whether I shall go or not," replied Rumley.

"Well, I've a great notion to ride over there, though I'm monstrous sorry for the poor man."

"Sorry—the devil! hang all the cursed Yankees, say I," responded the amiable deputy sheriff.

"Come, that's too bad—though I like to see you angry on account of the old man's murder, because ye wasn't very good friends with him when he was alive—but bless me, Mr. Rumley, that powder-horn looks mighty like old Silversight's," taking hold of it to examine it, as he said so.

"Stand off!" cried Rumley; "what do you s'pose I' d be doing with the old scoundrel's powder-horn? It's not his—it never was his—he never seen it."

"It's a lie!" cried a person, who had glided in during the foregoing conversation, and had obtained a view of the horn in question, as the deputy sheriff jerked it away from the other. "It's a lie !—I know it well—I 've hunted with the old man often; I know it as well as I do my own. Bill Brown, and you, John Gillam," addressing himself to the one who first recognized the horn, "I accuse Cale Rumley of old Silversight's murder—help me to secure him."

The deputy sheriff stood motionless for a moment; and turned as pale as death, (from surprise, perhaps,) then suddenly recovering his powers, he darted across the room, and seizing his gun, before any one was aware of his intention, levelled and fired at his accuser. The apartment became instantly filled with smoke, which, as it slowly rolled away, discovered to the astonished beholders the stiff and bleeding form of Caleb Rumley, stretched at full length upon the floor. As soon as he discharged his piece, the infuriated man had sprung towards the door, designing to make an immediate escape; but the motion was anticipated by our friend Jimmy Buckhorn, (for it was he who charged his fallen antagonist with murder, and who luckily was not touched by the ball that was meant to destroy him,) and with one blow of his powerful arm he felled the scoundrel to the earth. He now rapidly explained to the wondering trio the nature of the proof he had obtained of Rumley's guilt; and succeeded in satisfying them that he ought to be made prisoner, and immediately conveyed to Edgarton.

The morning which our hero believed was to be the last of his earthly existence, rose with unwonted brightness; and throngs of males and females came pouring into the little village, impelled by the mysterious principle of our nature, which incites us to look on that we nevertheless must shudder to behold. But no sounds of obstreperous merriment, no untimely jokes, were uttered, as they passed along the road, to grate upon the ear of the unfortunate Charles, and break him off from his communion with heaven: on the contrary, many a tear was shed that morning by the bright eyes of rustic maidens, who were "all unused to the melting mood:" and many a manly breast heaved a sigh of sympathy for the culprit, who was that day to make expiation to the offended laws. Indeed, since the sentence of the court was passed, a wonderful change had been wrought among the ever-changing multitude, by' various rumours

that were whispered from one part of these wide prairies to another, and spread with almost incredible velocity. A thousand acts of unasked benevolence were now remembered, in favour of him, who was soon to suffer. Here was an aged and afflicted woman, whom he had not only visited without hope of reward, but upon whom he had conferred pecuniary, as well as medical comforts. There was an industrious cripple, who had received a receipt in full from the young physician, when creditors to a less amount were levying upon his farm. And many similar acts of bounty were proclaimed abroad, by the grateful hearts on which they had been conferred; all helping to produce the change of sentiment which was manifestly wrought. Still the general impression seemed to be unshaken, (so strong had been the proofs,) that, in an evil hour, he had yielded to temptation, and embrued his hands in a fellow-creature's blood.

The hour at last arrived when Charles Rivington was to suffer the sentence of the law. A rude gallows was erected at about a quarter of a mile from the public square; and thither the sad procession moved. He was decently dressed in a black suit, and walked to the fatal place with a firm step. He was very pale; but from no other outward sign might the spectators guess that he shrunk from the horrors of such a death; for his eye had a calm expression, and the muscles of his face were as motionless as an infant's in slumber. They reached the spot: a prayer, a solemn prayer was offered up to heaven for the murderer's soul; in which every hearer joined with unaccustomed fervour. The sheriff's attendant stood in waiting with the fatal cord, while the agonised mother, vainly endeavouring to emulate the firmness of her heroic son, approached with trembling steps, to bid a last farewell—when hark! a shout was heard; all eyes were turned to catch its meaning; another shout, and the words "Stop, stop the execution!" were distinctly audible. In less than an instant after, the death-pale form of Jimmy Buckhorn tumbled from his horse with just sufficient strength remaining to reach towards the sheriff, with an order from the judge to stay the execution.

Reader, our tale is nearly at an end. Jimmy Buckhorn had been faithful to his word: he had sought for some clue to the real murderer, with an earnestness, which nothing but a firm conviction of our hero's innocence, superadded to his love for Judy, could possibly have enkindled. For some time he was unsuccessful. At length the thought struck him, that the track on the side of the stream where Mr. Wentworth resided, might have been caused by a traveller passing along, on the morning after the fatal deed, and the deputy sheriff, in that case, might be the real culprit. He immediately set out to visit every cabin above Mr. Wentworth's, to see if his story that he had been further up the stream was correct. This took a considerable time; but the result satisfied him that that tale was false. He then procured the assistance of a surgeon, imposing upon him secresy, until the proper time for disclosure; and proceeded to disinter the body of Silversight. This was more successful than he had even dared to hope: the ball had lodged in a cavity of the head; and being produced, Buckhorn pronounced at once, from its great size, that it could have been discharged only from Rumley's smooth-bore. He set out directly for Edgarton, choosing to go by the way of the New Settlements, for a two-fold reason. He had heard that Rumley was in that neighbourhood; and to get possession of him or of his gun, at any rate, he deemed very essential. Besides, that route would take him by the house of the judge, and from him it would be necessary to procure an order to delay the proceedings. We have seen the result. But the chain of evidence was not yet complete.

A wild and dissipated young man, by the name of Michael Davis, who had just returned up the river from New Orleans, entered the office of the clerk of the county, on his way back to the tavern, from the place where the execution was to have taken place, in order to while away an hour, until the time for dinner should arrive. The powderflask, which had been brought in evidence against our hero, was lying on the table, the graven side downwards. There is a restless kind of persons in the world, who can never be easy, let them be sitting where they will, without fingering and examining whatever is in their reach—and such an one was Michael Davis: he accordingly took up the flask in a careless manner, and turning it over in his hand, his eye fell upon the letters.

"Why, halloo! what the devil are you doing with my powder-flask?" asked he.

"I wish the unlucky article had been your's, or any body's, except the unfortunate Dr. Rivington's," returned the clerk, who was a friend of our hero, and deeply deplored the circumstances that had lately transpired.

"Unfortunate devil's," reiterated Michael; "I tell you it's my flask, or article, as you prefer calling it; or rather it was mine and Cale Rumley's together. We bought it when him and me went down to New Orleans—let's see, that's three years, come spring. I ought to know the cursed thing, for I broke a bran new knife in scratching them letters on it."

The clerk started from his seat—he snatched the flask out of the hand of Davis—he gazed at it a moment intently—then, the truth suddenly flashing on his mind, he rushed out into the road, forgetting his hat, forgetting every thing but the letters on the flask. The magistrate, who grieved as much as any one, at the supposed dereliction of their young friend, the physician, was amazed to see the clerk enter his apartment in such a plight.

"There!" cried he, as he threw down the flask on the table, "C. R. M. D. spells something beside Rivington. Send your servant out of the room."

As soon as he was gone, and the door carefully closed, the clerk continued in a low, confidential tone, "That flask is Caleb Burnley's, and Caleb Rumley is the murderer (no wonder he has kept himself away all this while). It belonged to him, and that imp of Satan, Mich. Davis, together, and Mich. Davis told me so, with his own mouth, not three minutes ago—and Charles Rivington's an honest man—huzza! huzza! huzza!" concluded he, as he danced and skipped about the apartment, with the delirious joy true friendship inspired. The magistrate was a man of middle age, and very large and corpulent, but a mountain of flesh could not have kept him down, when such thrilling news tingled in his ears, and he, too, began to dance a jig, that shook the tenement to its foundation.

It became the duty of the worthy magistrate, to commit, in the course of that very day, our respected friend, Caleb Rumley, Esq. deputy sheriff of the county of— to the same capacious tenement which Dr. Rivington had lately inhabited; he, with the consent of the judge, being more safely disposed of in the prison of his own house. A bill was immediately found by the Grand Jury, and the trial of the real murderer came on shortly after. For a long time he obstinately denied any knowledge of the death of Silversight; but as proofs after proofs were disclosed

against him, he first became doggedly silent, then greatly intimidated, and at last made a full disclosure of his crime. He was found guilty, and executed on the same gallows that had been erected for our calumniated hero.

The sickness of Catharine Wentworth was long and severe; but our friend Charles was her physician, and the reader will not wonder that it yielded at last to his skill. The Christian parent of our hero had been condemned, at different periods of her life, to drink deeply of the cup of affliction, and she had bowed with a noble humility to the decree of heaven; it was thence she now derived support in this more trying hour of joy. Spring had gone forth, warbling with her thousand voices of delight, over these wide-extended prairies, and the flowers had sprung into a beautiful existence at her call, when the hand of the blushing Catharine, herself a lovelier flower, was bestowed in marriage on the transported Charles Rivington. Never did there stand before the holy man, a happier, a more affectionate pair. Their hearts had been tried—severely tried; they had been weighed in the balance, and not found wanting. The house of Mr. Wentworth was the scene of their union; and, on the same evening, and by the same hand that had bound her dear "Mister Charles" to his blooming bride, our little Irish friend Judy was united to the worthy Buckhorn, who had been prevailed upon, reluctantly, to lay aside his hunting shirt and leather leggings on the joyful occasion. The evening glided rapidly away, urged along by tales of mirth, and song, and jest; and it was observed, that though Charles and Catharine took but little share in the rattling conversation of the hour, they appeared to enjoy the scene with happiness that admitted of no increase. Indeed, often did the tender blue eyes of the beautiful bride become suffused with crystal drops of joy, as she raised them in thankfulness to her heavenly Father, who had conducted them safely through all the perils of the past, and at last brought them together under the shelter of his love.

"The whole trouble come out of your being so kind, Dr. Rivington," said the manly, though, in his new suit, rather awkward-looking Buckhorn; "it was all of your kindness to offer to bring out my plaguy rifle. If it hadn't been for that, suspicion wouldn't a lighted on you at all."

"Now hould your tongue, Jimmy dear," answered his loquacious little wife; "I thought so myself, till Mister Charles explained it to me, and then I found out how 'twas the wisdom of the Almighty put it into his head to carry your gun; for how would you iver got on the true scent, if the big bullet hadn't a tould ye for sartain that it was niver the small-bored rifle that kilt him. No, blessed be his name, that made then, as he always will, goodness its own reward, and put it into the heart of my dear, kind master, to carry out a great clumsy gun, to an old ranger like you, Buckhorn. And, under heaven, the cause of all our present happiness, take my word for it, is THE RIFLE."

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