The Orphans' Friend.

VOLUME I. OXFORD, N. C., WEDNESDAY, SEPTEMBER 1, 1875. NUMBER 35.

A JURYMAN'S STORY.

We had been out twenty-four hours, and stood eleven to one. The case was a very plain one—at least we eleven thought so.

A murder of peculiar atrocity had been committed, and though no eye had witnessed the deed, circumstances pointed to the prisoner's guilt with unfailing certainty.

The recusant juror had stood out from the first. He acknowledged the cogency of the proofs, confessed his inability to reconcile the facts with the defendant's innocence, and yet on every vote, went steadily for acquittal.

His conduct was inexplicable. It could not result from a lack of intelligence, for while he spoke but little, his words were chosen, and evinced a thorough understanding of the case.

Though still in the prime of manhood his locks were prematurely white, and his face had a singularly sad and thoughtful expression.

He might be one of those who entertained scruples as to the right of society to inflict the death penalty. But no, it was not that, for in reply to such a suggestion, he frankly admitted that brute men, like the vicious brutes they resemble, must be controlled through fear, and that dread of death, of supreme terror, is in many cases, the only adequate restraint.

At the prospect of another night of fruitless imprisonment, we began to grow impatient, and expostulated warmly against what seemed an unreasonable captiousness, and some not over kind remarks were indulged in as to the propriety of trifling with an oath like that under which we were acting.

"And yet," the man answered, as though communing with himself rather than impelling the imputation, "it is conscience that hinders my concurrence in a verdict approved by my judgment."

"How can that be?" cried several voices at once.

"Conscience may not always dare to follow judgment."

"But here she can know no other guide."

"I once would have said the same."

"And what has changed your opinion?"

"Experience."

The speaker's manner was visibly agitated, and we waited in silence the explanation which he seemed ready to give.

Mastering his emotion, as if to answer our looks of inquiry, he continued:

"Twenty years ago I was a young man, just beginning life. Few had brighter prospects and none brighter hopes.

An attachment dating from childhood had ripened with its object. There had been no verbal declaration and acceptance of love—no formal plighting of troth; but when I took my departure to seek a home in the far West, it was a thing understood that when I had found it and put it in order, she was to share it.

Life in the forest, though solitary, is not necessarily lonesome. The kind of society afforded by Nature depends much on one's self. As for me, I live more in the future than in the present, and hope is an ever cheerful companion.

At length the time came for the final payment for the home which I had bought. It would henceforward be my own; and in a few months my simple dwelling, which I had spared no pains to render inviting, would be graced by its mistress.

At the land office, which was some sixty miles off, I met my old friend, George C. He, too, had come too seek his fortune in the West, and we were both delighted at the meeting. He had brought with him, he said, a sum of money which he desired to invest in land, on which it was his purpose to settle.

I expressed a strong wish to have him for a neighbor, and gave him a cordial invitation to accompany me home, giving it as my belief that he could nowhere make a better selection than in that vacinity. He readily consented, and we set out together. We had not ridden many miles when George suddenly recollected a commission he had undertaken for a friend which would require his attendance at a public land sale on the following day.

Exacting a promise that he would not delay his visit longer than necessary, and after having given minute directions as to the route, I continued my way homeward, while he went back.

I was retiring to bed on the night of my return, when a summons from without called me to the door. A stranger asked shelter for himself and horse for the night.

I invited him in. Though a stranger, his face seemed not unfamiliar. He was probably one of the men that I had seen at the land office, a place at that time very much frequented.

Offering him a seat, I went to see his horse. The poor animal, as well as I could see by the dim starlight, seemed to have been hardly used. His panting sides bore witness of a merciless riding, and a tremendous shrinking at the slightest touch, betokened recent fright.

On returning to the house, I found the stranger had gone. His absence excited no surprise; he would doubtless soon return. It was a little singular, however, that he should leave his watch upon the table.

At the end of an hour, my guest not returning, I went again to the stable, thinking that he might have found his way thither, to give his personal attention to the wants of his horse.

Before going out from mere force of habit—for we were as yet unvisited by thieves or policemen—I took the precaution of putting the stranger's watch in a drawer in which I kept my own valuables.

I found the horse as I left him and gave him the feed which he was now sufficiently cooled to eat, but his master was nowhere to be seen.

As I approached the house a crowd of men on horseback dashed up, and I was commanded in no gentle terms to 'stand!' In another moment I was in the clutches of those who called me their 'prisoner!'

I was too much stupefied at first to ask what it all meant. I did so at last, and the explanation came—it was terrible.

My friend with whom I had so lately set out in company, had been found murdered and robbed near the spot at which I, but I alone, knew we had separated. I was the last person known to have been with him, and I was now arrested on suspicion of his murder.

A search of the premises was immediately instituted. The watch was found in the drawer in which I had placed it, and was identified as the property of the murdered man. His horse, too, was found in my stable, for the animal I had just put there was no other. I recognized him myself when I saw him in the light.

What I said I know not. My confusion was taken as an additional evidence. And when at length I did command language to give an intelligent story, it was received with sneers of incredulity.

The mob spirit is inherent in man—at least in crowds of men. It does not always manifest itself in physical violence. It sometimes contents itself with lynching a character. But whatever its form, it is always relentless, pitiless, cruel.

As the proofs of my guilt one after another came to light, low muttering gradually grew into a clamor of vengeance, and but for the firmness of one man—I would doubtless have paid the penalty for my supposed offense on the spot.

It was not sympathy for me that actuated my protector. His heart was as hard as his office; but he represented the majesty of the law, and took a sort of grim pride in the position.

As much under the glance of his eye as before the muzzle of his pistol, the cowardly clamorers drew back. Perhaps they were not sufficiently numerous to feel the full effect of that mysterious reflex influence which makes a crowd of men so much worse and at times so much better than any of them singly.

* * * * * *

At the end of some months my trial came. It could have but one result. Circumstances too plainly declared my guilt. I alone knew they lied.

The absence of the jury was brief. To their verdict I paid but little heed. It was a single hideous word; but I had long anticipated it, and it made no impression.

As little impression was made by the words of the Judge which followed it; and his solemn invocation that God might have that mercy upon me which man was too just to vouchsafe, sounded like the hollowest of hollow mockeries.

It may be hard for the condemned criminal to meet death; it is still harder for him who is innocent. The one, when the first shock is over, acquiesces in his doom and gives himself to repentance; the heart of the other, filled with rebellion against man's injustice, can scarce bring itself to ask pardon of God.

I had gradually overcome this feeling, in spite of the good clergyman's irritating efforts, which were mainly directed towards extracting a confession, without which he assured me he had no hope to offer.

On the morning of the day fixed for execution I felt immeasurably resigned. I had so long stood face to face with death; had so accustomed myself to look upon it as a merely momentary pang, that I no longer felt solicitous, save that my memory should one day be vindicated.

She for whom I had gone to prepare a home had already found one in heaven. The tidings of my calamity had broken her heart. She alone of all the world believed me innocent; and she had died with a prayer upon her lips that the truth yet might be brought to light.

All this I had heard, and it had soothed as with sweet-incense my troubled spirit. Death, however unwelcome its shape, was now a portal beyond which I could see one angel waiting to receive me.

I heard the sound of approaching footsteps and nerved myself to the expected summons. The door of my cell opened, and the Sheriff and his attendants entered. He had in his hand a paper. It was doubtless my death warrant. He began to read it. My thoughts were busy elsewhere. The words "full and free pardon," were the first to strike my preoccupied senses. They affected the bystanders more than myself. Yet, so it was, I was pardoned for an offense I had never committed.

The real culprit, it is needless to say, was none other than he who had sought and abused my hospitality. He had been mortally wounded in a recent affray in a distant city, but had lived long enough to make a disclosure, which had been laid before the Governor barely in time to save me from a shameful death, and condemn me to a cheerless and burdensome life.

This is my experience. My judgment as yours in the case before us, leads to but one conclusion; that of the prisoner's guilt! but not less confident and apparently unerring was the judgment that falsely produced my own conviction."

We no longer importuned our fellow juror, but patiently awaited our discharge on the ground of our inability to agree, which came at last.

The prisoner was tried and convicted at a subsequent term, and at the last moment confessed his crime on the scaffold.

The Sister.

No household is complete without a sister. She gives the finish to the family. A sister's influence—what can be more hallowed! A sister's watchful care—can anything be more tender?—A sister's kindness——does the world show anything more pure? Who would live without a sister? A sister that is a sister in fidelity, in love, is a sort of guardian angel in the home circle. Her presence condemns vice. She is the quickener of good resolutions, the sunshine in the pathway of home. To every brother she is light and life. Her heart is his treasure-house of confidence. In her he finds a fast friend; charitable forgiving, tender, though often a severe friend. In her he finds a ready companion. Her sympathy is open as day, and sweet as the fragrance of flowers. We pity the brother who has no sister, no sister's love; we feel sorry for the home which is not enlivened by a sister's presence. A sister's office is a noble and gentle one. It is her's to persuade, to virtue, to win to wisdom's ways; gently to lead where duty calls; to guide the citadel of home with sleepless vigilance of virtue; to gather graces and strew flowers around the home altar. To be a sister is to hold a sweet place in the heart of home. It is to minister in a holy office. Let every sister meditate on what she is and what she ought to be; on her office, her duty, her pleasure, her life. It is her's to be a model and set an example of innocence, virtue, cheerfulness, patience and forbearance: to be the smile and light of home and its circle of loved ones.

Entering College.

Young men who have in them true energy and ambition are sure to surmount all difficutlies. Theodore Parker was determined to be a learned man. But his father had not the means of giving him a liberal education, and he educated himself. He worked on the farm by day, and studied by night. On the day before his birth-day, in the summer of 1830, he had obtained leave from his father to be absent from home. No one knew how he intended to spend the day. He left the house, and did not return till near midnight. He found his father in bed, very anxious about his son's prolonged abscence. Going to his bed-side, he said: "Father, I entered Harvard College today."

The astonished father exclaimed: "Why, Theodere, you know I cannot support you there."

"I know that," was the reply. "I intend to stay at home, and keep up with the class."

He had walked all the way from Lexington to Cambridge and back, and spent the day undergoing a rigid examination. He kept up with the class, submitting to the regular examinations, but did not take a degree, as he could not raise the money to pay the customary tuition fees.

A little Chinese girl, about eight years old, and born in California, has been admitted to one of the primary schools of the city of Sacramento. This is the first time that a Chinese parent has made application for the admission of a child to the public schools; but the example will doubtless be followed.

In all our teaching, let us never forget that children have their practical difficulties to encounter daily, that they have undeveloped faculties which need development in the right direction, and that they are daily forming habits of practical good or evil.—*Smeltz.*