

THE PRODIGAL JUDGE

By VAUGHAN KESTER (Copyright 1911, The Bobbs-Merrill Co.)

CHAPTER XL.

A Crisis at The Court-House.

Just at daybreak Yancy was roused by the pressure of a hand on his shoulder, and opening his eyes saw that the judge was bending over him.

"Dress!" he said briefly. "There's every prospect of trouble. Get your rife and come with me!"

Yancy noted that this prospect of trouble seemed to afford the judge a pleasurable sensation; indeed, he had quite lost his former air of somber and suppressed melancholy.

"I let you sleep, thinking you needed the rest," the judge went on. "But ever since that night we've been on the verge of riot and possible bloodshed. They've arrested John Murrell—it's claimed he's planned a servile rebellion! A man named Hues, who had wormed his way into his confidence, made the arrest. He carried Murrell into Memphis, but the local magistrate, intimidated, most likely, declined to have anything to do with holding him. In spite of this, Hues managed to get the prisoner lodged in the jail, but along about midnight the situation began to look serious. Folks were swarming into town armed to the teeth, and Hues fetched Murrell across country to Raleigh."

"Yes," said Yancy. "Well, the sheriff has refused to take Murrell into custody. Hues had him down at the court-house, but whether or not he is going to be able to hold him is another matter!"

"Yancy and Hannibal had dressed by this time, and the judge led the way from the house. The Scratch Hiller looked about him. Across the street a group of men, the greater number of whom were armed, stood in front of Pegloe's tavern. Glancing in the direction of the court-house, he observed that the square before it held other groups. But what impressed him more was the ominous silence that was everywhere. At his elbow the judge was breathing deep.

"We are face to face with a very deplorable condition, Mr. Yancy. Court was to sit here today, but Judge Morrow and the public prosecutor have left town, and as you see, Murrell's friends have gathered for a rescue. There's a sprinkling of better elements, but only a sprinkling. I saw Judge Morrow this morning at four o'clock—I told him I would oblige myself to present for his consideration evidence of a striking and sensational character, evidence which would show conclusively that Murrell should be held to await the action of the next grand jury—this was after a conference with Hues—I guaranteed his safety. Sir, the man refused to listen to me! He showed himself utterly devoid of any feeling of public duty." The bitter sense of failure and futility was leaving the judge. The situation made its demands on that basic faith in his own powers which remained imbedded in his character.

They had entered the court-house square. On the steps of the building Bettis was arguing loudly with Hues, who stood in the doorway, rifle in hand.

"Maybe you don't know this is county property," the sheriff was saying. "And that you have taken unlawful possession of it for an unlawful purpose? I am going to open these doors—a passel of strangers, can't keep folks out of a building their own money has bought and paid for! While he was speaking, the judge had pushed his way through the crowd to the foot of the steps.

"That was very nicely said, Mr. Bettis," observed the judge. He smiled widely and sweetly. The sheriff gave him a hostile glare. "Do you know that Morrow has left town?" the judge went on.

"I ain't got nothin' to do with Judge Morrow. It's my duty to see that this building is ready for him when he's a mind to open court in it." "You are willing to assume the responsibility of throwing open these doors?" Inquired the judge abtably.

"I shorally am," said Bettis. "Why, some of these folks are our leading people!"

The judge turned to the crowd, and spoke in a tone of excessive civility. "Just a word, gentlemen!—the sheriff is right; it is your county and you should not be kept out of it. No doubt there are some of you whose presence in this building will sooner or later be urgently desired. We are going to let all who wish to enter, but I beg you to remember there will be five men inside whose prejudices are all in favor of law and order." He pushed past Hues and entered the court-house, followed by Yancy and Hannibal. "We'll let 'em in where I can talk to 'em," he said almost gaily. "Besides, they'll come in anyhow when they get ready, so there's no sense in exciting them."

In the court-house, Murrell, bound hand and foot, was seated between Carrington and the Earl of Lambeth in the little railed-off space below the judge's bench. Fear and suffering had blanched his unshaven cheeks and given a wild light to his deeply sunken eyes. At sight of Yancy a smothered exclamation broke from his lips; he had supposed this man dead these many months!

Hues had abandoned his post, and the crowd, suddenly grown clamorous, stormed the narrow entrance. One of the doors, borne from its hinges, went down with a crash. The judge, a fierce light flashing from his eyes, turned to Yancy.

"No matter what happens, this fellow Murrell is not to escape—if he calls on his friends to rescue him he is to be shot!"

The hall was filling with swearing, struggling men, the floor shook beneath their heavy tread; then they

burst into the court-room and saluted Murrell with a great shout. But Murrell, bound, in rags, and silent, his lips frozen in a wolfish grin, was a depressing sight, and the boldest felt something of his unrestrained lawlessness go from him.

Less noisy now, the crowd spread itself out among the benches or swarmed up into the tiny gallery at the back of the building. Man after man had hurried forward, intent on passing beyond the railing, but each had encountered the judge, formidable and forbidding, and had turned aside. Gradually the many pairs of eyes roving over the little group surrounding the outlaws focused themselves on Slocum Price. It was in unconscious recognition of that moral force which was his, a tribute to the grim dignity of his unshaken courage; what he would do seemed worth considering.

He was charmed to hear his name pass in a whisper from lip to lip. Well, it was time they knew him! He squared his ponderous shoulders and made a gesture commanding silence. Battered, shabby and debauched, he was like some old war horse who sniffs the odor of battle that the wind incontinently brings to his nostrils.

"Don't let him speak!" cried a voice, and a tumult succeeded.

Cool and indomitable the judge waited for it to subside. He saw the color was stealing back into Murrell's face. The outlaw was feeling that he was a leader not overthrown; these were his friends and followers, his safety was their safety, too. In a lull in the storm of sound the judge attempted to make himself heard, but his words were lost in the angry roar that descended on him.

"Don't let him speak! Kill him! Kill him!"

A score of men sprang to their feet and from all sides came the click of rifle and pistol hammers as they were drawn to the full cock. The judge's face seemed to rest on a breath. He swung about on his heel and gave a curt nod to Yancy and Cavendish, who, falling back a step, tossed their guns to their shoulders and covered Murrell. A sudden hush grew up out of the tumult; the cries, angry and jeering, dwindled to a murmur, and a dead pall of silence rested on the crowded room.

The very taste of triumph was in the judge's mouth. There came a commotion at the back of the building.

CHAPTER XLII.

The Judge Squares Accounts.

A ripple of comment, and Colonel Pentress bowed his way through the crowd. At sight of his enemy the judge's face went from white to red, while his eyes blazed; but for the moment the force of his emotions left him speechless. Here and there, as he advanced, Pentress recognized a friend and bowed coolly to the right and left.

"What does this ridiculous mockery mean?" he demanded harshly. "Mr. Sheriff, as a member of the bar, I protest! Why don't you clear the building?" He did not wait for Bettis to answer him, but continued, "Where is this man Hues?"

"Yonder, Colonel, by the captain," said Bettis.

"I have a warrant for his arrest. You will take him into custody." "Wait!" cried the judge. "I represent Mr. Hues. I desire to see that warrant!"

But Pentress ignored him. He addressed the crowded benches. "Gentlemen, it is a serious matter, forbidden to a man without authority from the courts and expose him to the danger of mob violence—Mr. Hues will learn this before we have done with him."

Instantly there was a noisy demonstration that swelled into a burst of applause, which quickly spent itself. The struggle seemed to have narrowed to an individual contest for supremacy between Pentress and the judge. On the edge of the railed-off space they confronted each other; the colonel, a tall, well-cared-for presence; the judge, shabby and unkempt. For a moment their eyes met, while the judge's face purpled and paled, and purpled again. The silence deepened. Pentress' thin lips opened, twitched, but no sound came from them; then his glance wavered and fell. He turned away.

"Mr. Sheriff!" he called sharply. "All right, Colonel!"

"Take your man into custody," ordered Pentress. As he spoke he handed the warrant toward Bettis, who looked at it, grinned, and stepped toward Hues. He would have pushed the judge aside had not that gentleman, bowing civilly, made way for him.

"In my profound respect for the law and properly constituted authority I yield to no man, not even to Colonel Pentress," he said, with a gracious gesture. "I would not place the slightest obstacle in the way of its sanctioned manifestation. Colonel Pentress comes here with that high sanction."

He bowed again ceremoniously to the colonel. "I repeat, I respect his dependence upon the law!" He whirled suddenly. "Cavendish—Yancy—Carrington—I call upon you to arrest John Murrell! I do this by virtue of the authority vested in me as a judge of the United States Federal Court. His crime—a mere trifle, my friends—passing counterfeit money! Colonel Pentress will inform you that this is a violation of the law which falls within my jurisdiction," and he beamed blandly on Pentress.

"It's a lie!" cried the colonel.

"You'll answer for that later!" said the judge, with abrupt austerity of tone.

"For all we know you may be some fugitive from justice!—Why, your name isn't Price!"

"Are you sure of that?" asked the judge quickly. "You're an impostor! Your name is Turberville!"

"Permit me to relieve your apprehensions. It is Turberville who has received the appointment. Would you like to examine my credentials?—I have them by me—no? I am obliged for your introduction. It could not have come at a more timely moment!"

The judge seemed to dismiss Pentress contemptuously. Once more he faced the packed benches. "Put down your weapons!" he commanded. "This man Murrell will not be released. At the first effort at rescue he will be shot where he sits—we have sworn it—his plotting is at an end." He stalked nearer the benches. "Not one chance in a thousand remains to him. Either he dies or he lives to be taken before every judge in the state, if necessary, until we find one with courage to try him! Make no mistake—it will best conserve the ends of justice to allow the state court's jurisdiction in this case; and I pledge myself further evidence which will start him well on his road to the gallows!"

The judge, a tremendous presence, stalked nearer the benches. Outfacing the crowd, a sense of the splendor of the part he was being called upon to play flowed through him like some elixir; he felt that he was transcending himself, that his inspiration was drawn from the hidden springs of the spirit, and that he could neither falter nor go astray. "You don't know what you're meddling with. This man has plotted to lay the South in ruins—he has been arming the negroes—it is incredible that you should all know this—to such I say, go home and thank God for your escape! For the others"—his shaggy brows met in a menacing frown—"if they force our hand we will toss them John Murrell's dead carcasses—that's our answer to their challenge!"

He strode out among the gun muzzles which wavered where they still half-aimed. Hannibal, who had said he was still a man to be reckoned with. For the comfort of his own soul he was proving it.

"Do you know what a servile insurrection means?—you men who have wives and daughters, have you thought of their fate? Of the monstrous savagery to which they would be exposed? Do you believe he could limit and control it? Look at him! Why, he has never had a consideration outside of his own safety, and yet he expects you to risk your necks to save his! He would have left the state before you were waked, and his business was all down river—but we are going to keep him here to answer for his crimes! The law, as implacable as it is impartial, has put its mark on him—the shadow in which he sits is the shadow of the gallows!"

The judge paused, but the only sound in that expectant silence was the heavy breathing of men. He drew his unwieldy form erect, while his voice rumbled on, aggressive and threatening in its every intonation.

"You are here to defend something that no longer exists. Your organization is wrecked, your signals and passwords are known, your secrets have become public property—I can even produce a list of your members; there are none of you who do not stand in imminent peril—yet understand, I have no wish to strike at those who have been misled or coerced into joining Murrell's band!"

The judge's sudden old face glowed now with the magnanimity of his sentiments. "But I have no feeling of mercy for your leaders, none for Murrell himself. Put down your guns!—you can only kill us after we have killed Murrell—but you can't kill the law! If the arch conspirator dies in this room and hour, on whose head will the punishment fall? He swung round his ponderous arm in a sweeping gesture and shook a fat but expressive fore-finger in the faces of those nearest him. "On your—and yours—and yours!"

CONTINUED TOMORROW

—Tomorrow morning at 10 o'clock the board of county commissioners will hold their regular monthly meeting at the county court house.

—Mr. F. H. Troeger, of Richmond, is in the city. Mr. Troeger was formerly connected with the Indian Refining Co., of this city.

S. A. L. Ry.

SCHEDULE

JAMES KER, Jr., T. P. A., Selwyn Hotel, Charlotte, N. C. J. B. WYLLIE, T. A., Selwyn Hotel, Charlotte, N. C.

Trains Leave Charlotte—Effective July 30, 1911.

NO. 40—5:00 a. m. through train for Wilmington with parlor car attached. Connects at Hamlet with No. 33 for Portsmouth and Norfolk; No. 66 for Raleigh; P. A. Moore, Philadelphia and New York. Dining car service and vestibule coaches to Washington. Pullman sleeping cars to Jersey City.

NO. 48—7:30 a. m. for Monroe, connecting to all points south.

NO. 133—9:55 a. m.—Local for Lincoln, Shelby and Rutherfordton.

NO. 47—4:45 p. m.—For Lincoln, Shelby, Rutherfordton and points west.

NO. 44—7:30 p. m.—For Wilmington and points west.

NO. 132—7:25 p. m.—Handles local sleeper for Portsmouth, Norfolk; connects at Monroe, with No. 41 for Atlanta and Southwest with through sleeper to Birmingham; at Monroe with No. 32, fast train via Raleigh to Portsmouth, Norfolk, Philadelphia and New York. Dining car service and vestibule coaches to Washington. Pullman sleeping cars to New York.

Trains Arrive at Charlotte: NO. 133—8:50 a. m. from the east.

NO. 46—9:55 a. m. from the west.

NO. 45—12:01 p. m. from Wilmington and all local stations.

NO. 132—7:05 p. m. from the east.

NO. 49—7:25 p. m. from the west.

NO. 39—10:50 p. m. from the east.

NO. 40—8:00 p. m. from the east.

C. BRYAN, P. A., Portsmouth, Va.

JAMES KER, T. P. A., Charlotte, N. C.

H. S. LEARD, D. P. A., Raleigh, N. C.

Advertisement for Parker-Gardner Company featuring furniture and home furnishings. Includes an illustration of a man in a suit pointing towards the text. Text: Quality Backs Up Every Price. So that your every dollar invested in Furniture and Homefurnishings at the Parker-Gardner store means 100 cents of real true Furniture and Homefurnishing value. Quality—a better quality for your money has always been and ever will be the slogan of this store. We realize always that quality must back up every purchase—that is the only assurance of a customer's return—and upon customers' return depends the success of our business. Our realizing this assures you of bigger and better values for your every dollar—here than elsewhere. This and our splendid credit accommodation assures you always easy and satisfactory buying.

SOUTHERN RY SCHEDULE

N. B.—The following schedule figures published only as information, and are not guaranteed: 3:20 a. m.—No. 29, daily, Birmingham special for Atlanta and Birmingham. Pullman drawing room sleeping cars, observation cars and day coaches to Birmingham. Dining car service.

3:30 a. m.—No. 8, daily, local for Danville, Richmond and all intermediate points.

5:10 a. m.—No. 31 daily, the Southern's Southeastern Limited for Columbia, Savannah, Aiken, Augusta and Jacksonville. Pullman drawing room sleeping cars for Aiken, Augusta and Jacksonville. Day coaches to Jacksonville. Dining car service.

6 a. m.—No. 44, daily, local for Atlanta and New Orleans Limited. Pullman drawing room sleeping cars and observation cars New York to New Orleans, Atlanta and Macon. Dining car service. Solid Pullman train.

10:15 a. m.—No. 36, United States fast mail, for Wilmington and points north. Pullman drawing room sleeping cars, New Orleans and Birmingham to New York. Day coaches to Washington. Dining car service.

10:20 a. m.—No. 28, daily, for Winston-Salem, Roanoke and local points.

11:10 a. m.—No. 11, daily, local for Atlanta and intermediate points.

2:55 p. m.—No. 46, daily, local for Greensboro and intermediate points.

4:35 p. m.—No. 27, daily, local for Columbia and intermediate points.

4:50 p. m.—No. 41, daily, except Sunday, local for Seneca and intermediate points.

6 p. m.—No. 12, daily for Richmond and Norfolk. Handles Pullman cars, Charlotte to Richmond, Charlotte to New York and Salisbury to Norfolk.

6:30 p. m.—No. 24, daily, except Sunday, local for Mooresville, Statesville and Taylorsville.

7:30 p. m.—No. 38, daily, New York, Atlanta and New Orleans. Limited for Washington and points North. Drawing room sleeping cars, observation cars to New York. Dining car service. Solid Pullman train.

9:30 p. m.—No. 35, daily, United States fast mail, for Atlanta, Birmingham and New Orleans. Pullman drawing room sleeping cars New York to New Orleans and Birmingham. Day coaches Washington to New Orleans. Dining car service.

10:00 p. m.—No. 32, daily, the Southern Southeastern Limited, for Washington, New York and points North. Pullman drawing room sleeping cars for New York. Day coaches to Washington. Dining car service.

10:30 p. m.—No. 43, daily, for Atlanta and points South. Handles Pullman sleeping car Raleigh to Atlanta. Day coaches Washington to Atlanta.

11:20 p. m.—No. 30, daily, Birmingham Special for Washington and New York. Pullman drawing room sleeping cars, observation cars to New York. Day coaches to Washington. Dining car service.

All New York trains of Southern Railway will arrive and depart from the magnificent Manhattan terminal of the Pennsylvania Railroad, Seventh and Eighth avenues. Thirty-first to Thirty-third streets, and will be composed of modern electric lighted, steel constructed Pullman cars.

R. H. DEBUTTS, T. P. A., Charlotte, N. C. R. L. VERNON, D. P. A., Charlotte, N. C. H. F. CARY, G. P. A., Washington, D. C. S. H. HARDWICK, P. T. Mgr., Washington, D. C. E. H. COOPMAN, V. P. & G. Mgr., Washington, D. C.

Advertisement for Monitor Radiator by J. N. McCausland & Company. Includes an illustration of a radiator. Text: A Delighted Purchaser of one of our Monitor Radiators tells us "I am heating seven rooms with the amount of coal I would ordinarily consume in one grate" (Seven times the space heated on the same coal consumption). He is just one of the many pleased users of this wonderful stove, that are doing likewise. THE FIVE RADIATING FRONT FLUES is what does the work. No other stove has them. Let us show you J. N. McCausland & Company "THE STOVE MEN" 221 South Tryon Street

Advertisement for Hand-Painted China by Garabaldi, Bruns & Dixon. Text: Adds to the beauty of any Dining Room. Pickard's is by far the most artistic line on the market. We have just opened a full assortment of the newest shapes and designs which we are displaying in our cases. Will be glad to show anyone interested. Garabaldi, Bruns & Dixon JEWELERS AND SILVERSMITHS

Advertisement for Coal-COAL-COAL by STANDARD ICE & FUEL CO. Includes an illustration of a man in a hat. Text: When ordering Coal it will pay to remember that we are the ONLY Coal Dealers in the city who can give you clean and dry Coal in rainy and snowy weather, as it is under shelter. COME AND SEE OUR BIG SHED. STANDARD ICE & FUEL CO. Phones 19 and 72 Job Dept. Phone 1530

Elks Ann... Mem... Death of Bro... Commemor... Afternoon... Eighteen M... Dead... The annual No... Lodge No... held at the... tomorrow afternoon... as follows: Address by Rev... Music by Asb... Quartet—Miss... piano; Miss Ma... Mr. Harry Orr... wood, bass. F... Funeral march... Hymn—The F... Anthem—Quan... Lead, Kindly L... Ope... Air, "Au... Great Ruler of... All-seeing an... Look down upo... And be all gl... O! hear our pr... dead. While bearing... The memories... For "Auld La... Prayer—Rev... Anthem—Que... Nearer, My G... Address—Rev... Anthem—Que... CLOSING... Air, "Hon... We've finished... has come And each of o... his home And, our voices... depart In perfect love... the heart Each duty acc... content. Oh, thus may... cement; May Charity... Love... At last lead us... above. Benediction—March Rells... Offic... Exalted Rul... Eminent... Allison. Eminent... L. Miller. Eminent... Wm. H. Moss. Secretary—W... Treasurer—C... Chaplain—E... Esquire—Ch... Tyler—J. L... Inne Guard... Trustees—S... dman, J. L. Co... Past Exalted... of L. McMahon. Wilson, M. W... W. S. Liddell, Graham, H. A... Memorial C... H. A. Webber.