Chickamauga.

Continued from page 6.

said the presi sternly, "we have no time to waste. Tell the story of the capture."

Thus commanded, the corporal braced himself to give the desired account.

"Oi was ridin to camp—after havin posted the relief, and comin along the road—it was the road Oi was comin along. Oi—Oi—colonel, it was so dark none of ye could have seen yer hand before yer face." The corporal stopped and gave evidence of sinking on the floor.

"Well, go on."

"There was somethin black in the road or by the side of it. Oi stopped to listen. Then Oi thought some one might be tamperin with the line—mind ye, Oi only thought it—and Oi called on whoiver it was to surrender. Then Oi heard a 'get up,' and whativer it was dashed off. Oi followed it as fast as iver Oi could, callin on 'em to stop and firin me Colt. Divil a bit did any one stop."

The corporal paused again. It looked as if he were not going to get any further.

"Go on, my man."

"Well, then we came to the camp of General ——'s division, and I was halted by the guards, while what Oi had seen got ahead. So Oi lost sight of it entirely."

"Proceed."

"Well, wasn't it the fault of the guards stoppin me and lettin the other go on, and no fault of mine?"

"Go on."

"What's the use of goin on? Oi lost sight of what was tamperin with the wires."

"But you overtook it."

"How can Oi swear it was the same?"

There was a smile on the faces of those present. The questioner seemed puzzled at the corporal's device to avoid testifying against the prisoner.

"Did you not ride on and overtake what you had seen?"

"Divil a bit."

"I know better. You went on and found something in the road. What did you find?"

"Oi didn't find what Oi'd seen."

"What had you seen?"

"Didn't Oi tell ye it was so dark that Oi couldn't see anything?"

"That won't do, corporal. You certainly followed something. Now, on coming up with it, what did you find it to be?"

"It wasn't what Oi followed. That, whativer it was, had gone out with the mornin light. Oi reckon it was something ghostly."

"Nonsense. Did you not find the prisoner lying in the grass?"

"Oi did," replied the witness, as if his heart would break, and he again showed signs of collapse.

"And you had reason to believe it was the person driving the buggy you followed?"

"Oi didn't see any buggy. It was so dark"—

"Well"—impatiently—"the person driving whatever it was you saw."

"How could Oi know that?"

"It was natural to infer that, there being a horse and buggy near, the prisoner had been driving it."

"There was no buggy."

"Well, the pieces."

"Now Oi would ask the court," said Ratigan, steadying himself to impress the members with the probability of his position, "if the person or whativer it was Oi saw tamperin with the wire moightent have turned off on another road and Oi suddenly lighted on this one?"

"That'll do, corporal. You may step out and give the next witness your place."

The next witness was an officer from the camp to which the prisoner had first been taken after her capture. He testified that upon a proposition to search her she had voluntarily produced the dispatches, which were shown to him in court, and he identified them as the same as those she had given up.

A reading of these dispatches was called for, and they were read.

In addition to those Miss Baggs deciphered when at the Fain plantation were two others, which were as follows:

CRAWFISH SPRINGS, Ga., Sept. 14, 1863.
Mobile Burton you when on has from other bob from re-enforced Quadroon count us that to wet applause will can your undoubtedly century points orange Benjamin and been coming we join telegraphs.

Pinned to this telegram was a paper bearing an attempt at explanation in the prisoner's handwriting:

To Burton (probably Burnside)
on your coming
can we count
when can we count on your coming?
Applause (some person, probably the signer) telegraphs
been re-enforced from
some one telegraphs that Quadroon (probably Bragg) has been re-enforced from other points.

WASHINGTON, Sept. —, 1863.
Potts ready we result condition us if separated goes Jack all badly rapidly attack scattered the twentieth and doodle D shall but I in the but well plaster Arabia are up should present dread the concentrated jet be by should our enemy closing we to.

There was no attempted explanation with this telegram. Either the prisoner had made no headway with it, or she had not sufficient time, probably both, though it was more difficult to decipher than any of the others.

These telegrams had been sent to general headquarters and an interpretation of them furnished, which was read to the court:

CRAWFISH SPRINGS, Ga., Sept. 14, 1863.
To Burnside:
Halleck telegraphs that you will join us. When can we count on your coming? Bragg has undoubtedly been re-enforced from Virginia and other points. ROSECRANS.

CRAWFISH SPRINGS, Ga., Sept. 16, 1863.
To the Secretary of War:
All goes well. We are badly separated, but closing up rapidly. If the enemy should attack us in our present scattered condition, I should dread the result. But by the present 20th we shall be concentrated and ready.
D.

The reading of these dispatches produced an impression on the court very unfavorable to the prisoner. She had held the very life of the army in her hands. Had she got through the lines with these two ciphers and their interpretations she would have supplied the enemy with such information as would put an end to all uncertainty and insure an attack on the Army of the Cumberland before it could be concentrated or supported by other troops. This would have resulted in its annihilation.

There was really no defense to make, and the defending counsel simply placed his client on the mercy of the court, hoping that, being a woman, death might not be the penalty. The room was cleared and the verdict considered. The court were not long in convicting the accused of being a spy and amenable to the treatment of spies, but as to the punishment there was a great diversity of opinion. Some thought that imprisonment in a northern penitentiary would be a sufficient atonement. There were those who argued that this would not have any effect to deter others from similar acts at a time when the army was in so critical a situation. Then the importance of the dispatches Miss Baggs was attempting to deliver to the enemy, the fact that their delivery would have given any general prompt to take advantage of an army's weakness an opportunity to destroy the Army of the Cumberland, acted seriously upon those who were disposed toward clemency. Some members of the court argued that the prisoner had acted as a man and must take the consequences, the same as if she were a man. There was none but knew that in this view of the case she would be immediately hanged. The disputants soon ranged themselves on opposite sides, the one in favor of an extreme course, the other of a life imprisonment. But the critical position of the army and the enormity of the offense finally won over the latter, and the case was compromised by the convicted woman being sentenced to be shot at sunrise the next morning. The verdict and sentence were approved within two hours of the finding, and Colonel Mark Maynard was ordered to see that the sentence was duly carried out.

Ratigan addresses the court.

CHAPTER XVI.
"YOU SHALL NOT DIE."

Scarcely had the court martial brought in a verdict when an order came to Colonel Maynard to move his brigade across the Chickamauga creek by way of Dyers' bridge, to be ready early the following day to make a reconnoissance beyond the Pigeon mountains. He ordered an ambulance for his prisoner to ride in, since he had no option but to take her with him. The distance to be traversed was but a few miles, and although it was nearly sunset before the command broke camp it was barely dark when the tents were pitched in the new situation. Luckily a house was found for the reception of the prisoner, and the headquarters of the colonel commanding were established near it.

As soon as Maynard's tent was pitched he went inside and shut himself up from every one. The matter of the life in his keeping, his desire to save his prisoner, the impossibility of his doing so except by betraying his trust and conniving at her escape, were weighing terribly upon him. A desperate struggle between his duty as an officer and his repulsion at carrying out a sentence upon a woman which had once been passed upon himself was driving him well nigh distracted. One thing was certain—he could not save Miss Baggs without sacrificing himself. He was ready to sacrifice himself if he could do so honorably. He might even consider the matter of doing that which he had no right to do, but since the devil may care days of his scouting a new world had opened to him, which made the struggle more complicated than it would then have been. He had a wife whom he loved devotedly, and any obloquy he might take upon himself must be shared by her and his son. He knew that if he could conceive it to be his duty, or if he could make up his mind without the approval of his conscience to connive at the prisoner's escape, he would have a fair chance of success. He was charged with the execution, and this would give him power over her person. On the other hand, such a violation of trust was too horrible even for consideration, and if he did not so regard it the penalty he must suffer—disgrace, if not death—would well nigh kill his wife. For a long while he revolved these considerations in his mind and at last came to a decision. He would suffer the torture of carrying out the sentence. He would do his duty to his country, his wife and his son.

He had scarcely arrived at this decision when a message came from the prisoner asking to see him.

The racking of his whole nature, which had been partially allayed by his decision, came back to him with the summons. He dreaded an interview. He felt that the resolution he had formed was of too little inherent strength to warrant placing himself under so great a temptation. But his memory took him back to the jail in which he had been confined on the eve of his own intended execution at Chattanooga, and he thought how he would have regarded any one who would refuse him such a request at such a time. He got up and walked over to the house where the prisoner was confined.

He paused a few moments before entering, in order to collect himself, then walked slowly up the steps. The guard stood at attention and brought his piece to a "present," but Maynard did not see him, did not return his salute. He opened the door, entered the house and in a few minutes was in a room in which the prisoner was confined. She was standing by a window. As he entered she turned and stood with her hands hanging clasped before her, her sorrowful eyes fixed steadily upon him.

"Colonel Maynard," she said, "I have sent for you to ask you to deliver my last messages. I once met you in the house of one who is dear to you. There I received shelter from the storm which raged without, but which was nothing to me beside another evil that threatened me. I was sore pressed and in great danger of capture. The women in that house—an elderly lady, a young girl who visited there and your wife—took me in at a great risk to themselves. Your wife certainly had much at stake, for your honor might be involved. I have sent for you now to ask you to say to them that I have treasured their remembrance and their kindness to me."

She waited a moment for him to accept the trust. She might have waited till the crack of doom without a reply. He had no power to utter a word. He simply bowed.

"I desire also to intrust this keepsake to you, to be sent to my brother."

She took a locket from about her neck and held it up before him. On it was painted a miniature of a young man in the uniform of a Confederate officer. Maynard looked at it and started back, with a cry, as if pierced with a redhot iron.

"He—he is"—

"My brother."

"Oh, God!" He staggered to the wall and leaned against it, shivering.

"You know him, colonel. There is no necessity for deceit now. I have long known the singular circumstances that surround you and him—that you both loved the same woman; that you won."

"And that twice—twice he gave me—my life?"

"That he never told me."

"Ah, he never told you that?" replied Maynard, a kind of wonder in his tones.

"When at Mrs. Fain's plantation, I discovered under whose roof I was sheltered. Your wife had never seen me, and I determined that it would be best for all that I should not make myself known."

Maynard stood in amazement at these developments, in horror at the situation as he now knew it to be.

"And you are the sister of Cameron Fitz Hugh?"

"I am. I am Caroline Fitz Hugh."

"You shall not die."

When Colonel Maynard spoke these words, there was a grandeur in his tone, his figure, the lines of his countenance, the light in his eye, strangely inconsistent with a resolution he had made the moment before they were uttered. He had on the instant reversed his decision made not ten minutes before to do his duty, in the ordinary acceptance of what that duty was. He had determined to save the woman before him, even it it were necessary to take upon himself far greater ignominy than the death to which she was sentenced. There was silence between them, during which Miss Fitz Hugh stood looking at him in admiration, mingled with inquiry. She knew that some secret charm was at work within, but she did not know what it was.

"How can my death be prevented?"

"I am charged with your execution. I will take you to your lines myself this night."

What was that subtle influence, far stronger than battalions of infantry or batteries of artillery, which gave it to one not present, unconscious of his power, to hold Mark Maynard over a precipice and to cast him into a black gulf below? Was it circumstances that had a year before led Fitz Hugh to accept the very part Maynard was now called upon to play? Was it love that had given Maynard the bride Fitz Hugh was to have possessed? Was it some invisible fiend that had made Maynard a robber of that bride from the man to whom he twice owed his life and was now bringing on his punishment? These were indirect causes, but they cannot explain that inexpressible, intangible sense of honor which will lead a man, to speak paradoxically, to commit a crime and sacrifice himself at the same time for another.

The expression on Miss Fitz Hugh's face as she heard Maynard speak words which would save her from death and give her liberty underwent a change. For a moment after they were spoken there was a delighted look, but as she realized what they meant to the man who would save her it was transformed into an expression which can only be described as bordering on the confines of angel land. There was a holy look in her eyes, a radiance of purity from the soul expressed in every feature. There was the superhuman attribute of choosing death before life and liberty at the price of wrong.

"No, colonel, we Fitz Hughs cannot accept sacrifice, and especially wrong, from others. We give; we are not accustomed to receive."

Maynard stood gazing at her with a look as if in refusing the sacrifice she had stabbed him.

"What then," he said at last, "can I do?"

"Send the news of my condition, of my expected"—she shuddered at pronouncing the word—"execution to our lines. Knowing that I am condemned, they can bring what influence they may be able to save me."

"It will avail nothing."

"Try it. Fate, luck, Providence works strangely at times. Let us push on and leave the rest to a higher power."

The colonel looked at his watch. "It is now half past 9. We are but a few miles from the Confederate lines. Your brother is"—

Continued on page 8.