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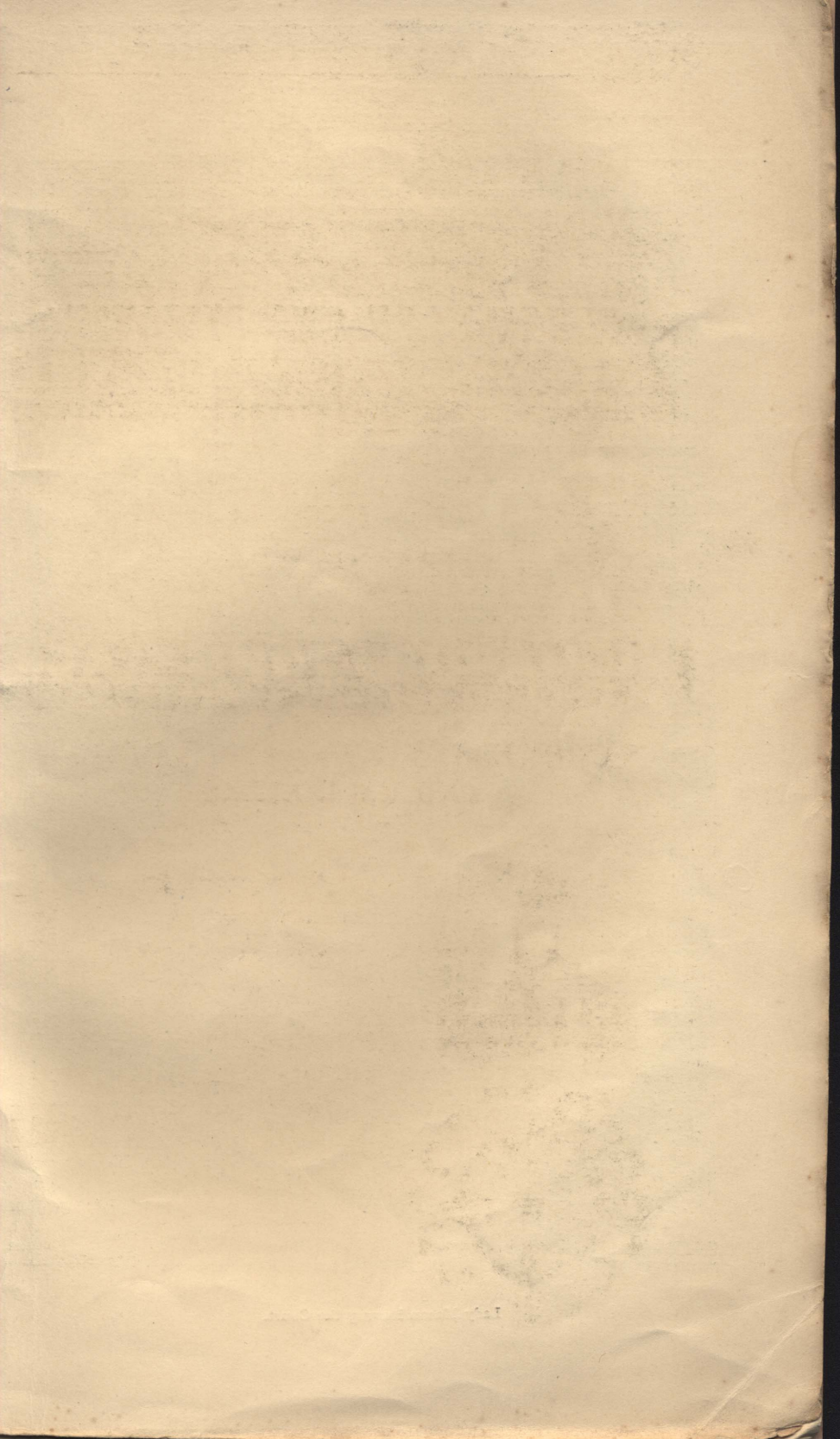
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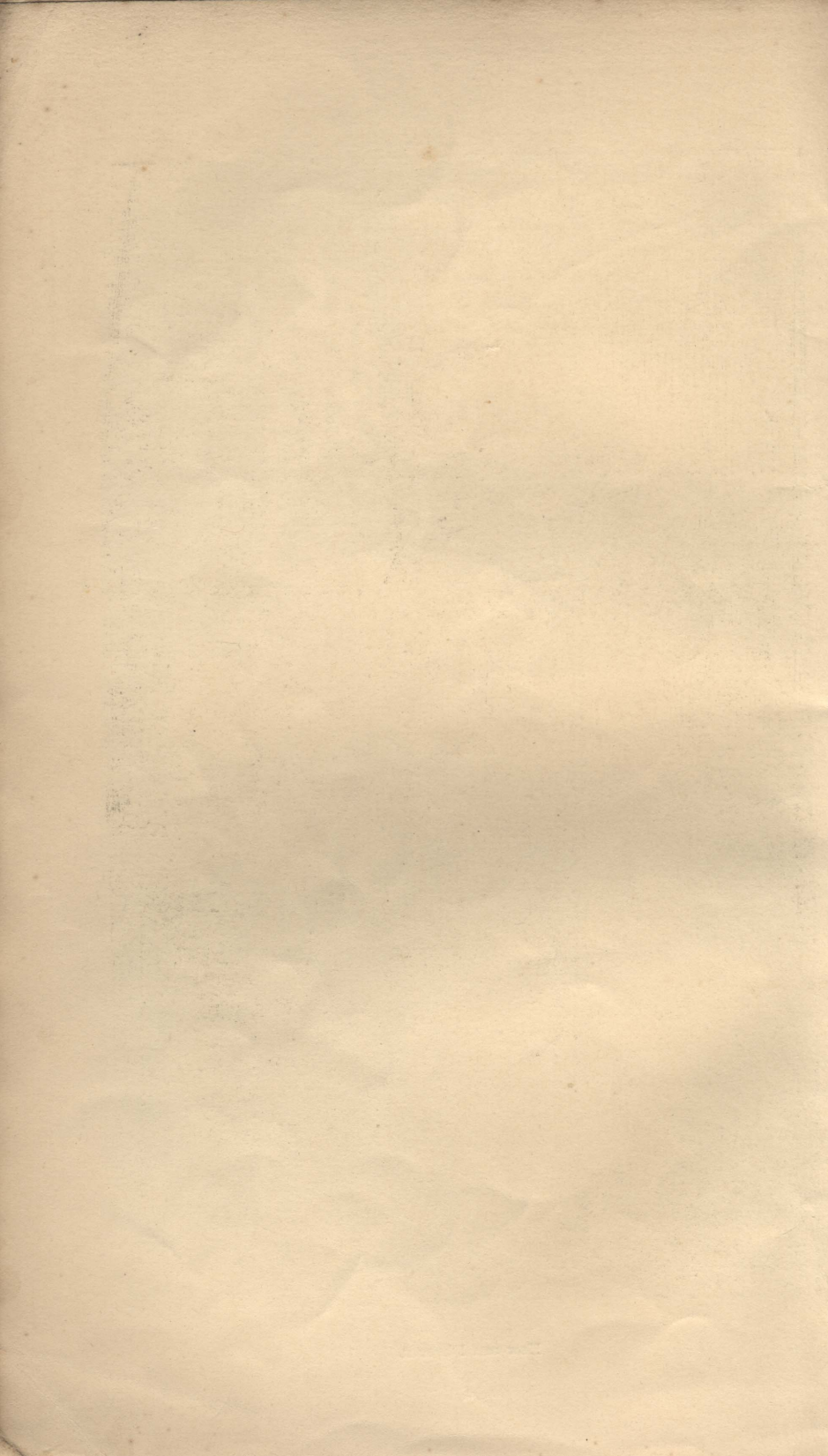




Lady Mason leaving the Court.



How can I bear it



CHAPTER XXIX.

THE TWO JUDGES.

FELIX GRAHAM as he left the Alston court-house on the close of the first day of the trial was not in a happy state of mind. He did not actually accuse himself of having omitted any duty which he owed to his client; but he did accuse himself of having undertaken a duty for which he felt himself to be manifestly unfit. Would it not have been better, as he said to himself, for that poor lady to have had any other possible advocate than himself? Then as he passed out in the company of Mr. Furnival and Mr. Chaffanbrass, the latter looked at him with a scorn which he did not know how to return. In his heart he could do so; and should words be spoken between them on the subject, he would be well able and willing enough to defend himself. But had he attempted to bandy looks with Mr. Chaffanbrass, it would have seemed even to himself that he was proclaiming his resolution to put himself in opposition to his colleagues.

He felt as though he were engaged to fight a battle in which truth and justice, nay heaven itself must be against him. How can a man put his heart to the proof of an assertion in the truth of which he himself has no belief? That though guilty this lady should be treated with the utmost mercy compatible with the law;—for so much, had her guilt stood forward as acknowledged, he could have pleaded with all the eloquence that was in him. He could still pity her, sympathize with her, fight for her on such ground as that; but was it possible that he, believing her to be false, should stand up before the crowd assembled in that court, and use such intellect as God had given him in making others think that the false and the guilty one was true and innocent, and that those accusers were false and guilty whom he knew to be true and innocent?

It had been arranged that Baron Maltby should stay that night at Noningsby. The brother-judges therefore occupied the Noningsby carriage together, and Graham was driven back in a dog-cart by Augustus Staveley.

‘Well, old boy,’ said Augustus, ‘you did not soil your conscience much by bullying that fellow.’

‘No, I did not,’ said Graham; and then he was silent.

* Chaffanbrass made an uncommonly ugly show of the Hamworth

attorney,' said Augustus, after a pause; but to this Graham at first made no answer.

'If I were on the jury,' continued the other, 'I would not believe a single word that came from that fellow's mouth, unless it were fully supported by other testimony. Nor will the jury believe him.'

'I tell you what, Staveley,' said Graham, 'you will oblige me greatly in this matter if you will not speak to me of the trial till it is over.'

'I beg your pardon.'

'No; don't do that. Nothing can be more natural than that you and I should discuss it together in all its bearings. But there are reasons, which I will explain to you afterwards, why I would rather not do so.'

'All right,' said Augustus. 'I'll not say another word.'

'And for my part, I will get through the work as well as I may.' And then they both sat silent in the gig till they came to the corner of Noningsby wall.

'And is that other subject tabooed also?' said Augustus.

'What other subject?'

'That as to which we said something when you were last here,—touching my sister Madeline.'

Graham felt that his face was on fire, but he did not know how to answer. 'In that it is for you to decide whether or no there should be silence between us,' he said at last.

'I certainly do not wish that there should be any secret between us,' said Augustus.

'Then there shall be none. It is my intention to make an offer to her before I leave Noningsby. I can assure you for your satisfaction, that my hopes do not run very high.'

'For my satisfaction, Felix! I don't know why you should suppose me to be anxious that you should fail.' And as he so spoke he stopped his horse at the hall-door, and there was no time for further speech.

'Papa has been home a quarter of an hour,' said Madeline, meeting them in the hall.

'Yes, he had the pull of us by having his carriage ready,' said her brother. 'We had to wait for the ostler.'

'He says that if you are not ready in ten minutes he will go to dinner without you. Mamma and I are dressed.' And as she spoke she turned round with a smile to Felix, making him feel that both she and her father were treating him as though he were one of the family.

'Ten minutes will be quite enough for me,' said he.

'If the governor only would sit down,' said Augustus, 'it would be all right. But that's just what he won't do. Mad, do send somebody to help me to unpack.' And then they all bustled away,

so that the pair of judges might not be kept waiting for their food.

Felix Graham hurried up stairs, three steps at a time, as though all his future success at Noningsby depended on his being down in the drawing-room within the period of minutes stipulated by the judge. As he dressed himself with the utmost rapidity, thinking perhaps not so much as he should have done of his appearance in the eyes of his lady-love, he endeavoured to come to some resolve as to the task which was before him. How was he to find an opportunity of speaking his mind to Madeline, if, during the short period of his sojourn at Noningsby, he left the house every morning directly after breakfast, and returned to it in the evening only just in time for dinner?

When he entered the drawing-room both the judges were there, as was also Lady Staveley and Madeline. Augustus alone was wanting. 'Ring the bell, Graham,' the judge said, as Felix took his place on the corner of the rug. 'Augustus will be down about supper-time.' And then the bell was rung and the dinner ordered.

'Papa ought to remember,' said Madeline, 'that he got his carriage first at Alston.'

'I heard the wheels of the gig,' said the judge. 'They were just two minutes after us.'

'I don't think Augustus takes longer than other young men,' said Lady Staveley.

'Look at Graham there. He can't be supposed to have the use of all his limbs, for he broke half a dozen of them a month ago; and yet he's ready. Brother Maltby, give your arm to Lady Staveley. Graham, if you'll take Madeline, I'll follow alone.' He did not call her Miss Staveley, as Felix specially remarked, and so remarking, pressed the little hand somewhat closer to his side. It was the first sign of love he had ever given her, and he feared that some mark of anger might follow it. There was no return to his pressure;—not the slightest answer was made with those sweet finger points; but there was no anger. 'Is your arm quite strong again?' she asked him as they sat down, as soon as the judge's short grace had been uttered.

'Fifteen minutes to the second,' said Augustus, bustling into the room, 'and I think that an unfair advantage has been taken of me. But what can a juvenile barrister expect in the presence of two judges?' And then the dinner went on, and a very pleasant little dinner-party it was.

Not a word was said, either then or during the evening, or on the following morning, on that subject which was engrossing so much of the mind of all of them. Not a word was spoken as to that trial which was now pending, nor was the name of Lady Mason mentioned. It was understood even by Madeline that no allusion

could with propriety be made to it in the presence of the judge before whom the cause was now pending, and the ground was considered too sacred for feet to tread upon it. Were it not that this feeling is so general an English judge and English counsellors would almost be forced to subject themselves in such cases to the close custody which jurymen are called upon to endure. But, as a rule, good taste and good feeling are as potent as locks and walls.

‘Do you know, Mr. Graham,’ said Madeline, in that sort of whisper which a dinner-table allows, ‘that Mrs. Baker says you have cut her since you got well.’

‘I! I cut one of my very best friends! How can she say anything so untrue? If I knew where she lived I’d go and pay her a visit after dinner.’

‘I don’t think you need do that,—though she has a very snug little room of her own. You were in it on Christmas-day when we had the snapdragon,—when you and Marion carried away the dishes.’

‘I remember. And she is base enough to say that I have cut her? I did see her for a moment yesterday, and then I spoke to her.’

‘Ah, but you should have had a long chat with her. She expects you to go back over all the old ground, how you were brought in helpless, how the doctor came to you, and how you took all the messes she prepared for you like a good boy. I’m afraid, Mr. Graham, you don’t understand old women.’

‘Nor young ones either,’ it was on his tongue to say, but he did not say it.

‘When I was a young man,’ said the baron, carrying on some conversation which had been general at the table, ‘I never had an opportunity of breaking my ribs out hunting.’

‘Perhaps if you had,’ said Augustus, ‘you might have used it with more effect than my friend here, and have deprived the age of one of its brightest lights, and the bench of one of its most splendid ornaments.’

‘Hear, hear, hear!’ said his father.

‘Augustus is coming out in a new character,’ said his mother.

‘I am heartily obliged to him,’ said the baron. ‘But, as I was saying before, these sort of things never came in my way. If I remember right, my father would have thought I was mad had I talked of going out hunting. Did you hunt, Staveley?’

When the ladies were gone the four lawyers talked about law, though they kept quite clear of that special trial which was going on at Alston. Judge Staveley, as we know, had been at the Birmingham congress; but not so his brother the baron. Baron Maltby, indeed, thought but little of the Birmingham doings, and

was inclined to be a little hard upon his brother in that he had taken a part in it.

‘I think that the matter is one open to discussion,’ said the host.

‘Well, I hope so,’ said Graham. ‘At any rate I have heard no arguments which ought to make us feel that our mouths are closed.’

‘Arguments on such a matter are worth nothing at all,’ said the baron. ‘A man with what is called a logical turn of mind may prove anything or disprove anything; but he never convinces anybody. On any matter that is near to a man’s heart, he is convinced by the tenour of his own thoughts as he goes on living, not by the arguments of a logician, or even by the eloquence of an orator. Talkers are apt to think that if their listener cannot answer them they are bound to give way; but non-talkers generally take a very different view of the subject.’

‘But does that go to show that a question should not be ventilated?’ asked Felix.

‘I don’t mean to be uncivil,’ said the baron, ‘but of all words in the language there is none which I dislike so much as that word ventilation. A man given to ventilating subjects is worse than a man who has a mission.’

‘Bores of that sort, however,’ said Graham, ‘will show themselves from time to time and are not easily put down. Some one will have a mission to reform our courts of law, and will do it too.’

‘I only hope it may not be in my time,’ said the baron.

‘I can’t go quite so far as that,’ said the other judge. ‘But no doubt we all have the same feeling more or less. I know pretty well what my friend Graham is driving at.’

‘And in your heart you agree with me,’ said Graham.

‘If you would carry men’s heads with you they would do you more good than their hearts,’ said the judge. And then as the wine bottles were stationary, the subject was cut short and they went into the drawing-room.

Graham had no opportunity that evening of telling his tale to Madeline Staveley. The party was too large for such tale-telling or else not large enough. And then the evening in the drawing-room was over before it had seemed to begin; and while he was yet hoping that there might be some turn in his favour, Lady Staveley wished him good-night, and Madeline of course did the same. As he again pressed her hand he could not but think how little he had said to her since he had been in the house, and yet it seemed to him as though that little had made him more intimate with her than he had ever found himself before. He had made an attempt to separate himself from the company by proposing to go and call on Mrs. Baker in her own quarters; but Madeline had declared it to be too late for such an expedition, explaining that when Mrs. Baker had no patient on hand she was accustomed to go early to her bed. In the present

instance, however, she had been wrong, for when Felix reached the door of his own room, Mrs. Baker was coming out of it.

‘I was just looking if everything was right,’ said she. ‘It seems natural to me to come and look after you, you know.’

‘And it is quite as natural to me to be looked after.’

‘Is it though? But the worst of you gentlemen when you get well is that one has done with you. You go away, and then there’s no more about it. I always begrudge to see you get well for that reason.’

‘When you have a man in your power you like to keep him there.’

‘That’s always the way with the women you know. I hope we shall see one of them tying you by the leg altogether before long.’

‘I don’t know anything about that,’ said Felix, sheepishly.

‘Don’t you? Well, if you don’t I suppose nobody don’t. But nevertheless I did hear a little bird say——eh! Mr. Graham.’

‘Those little birds are the biggest liars in the world.’

‘Are they now? Well perhaps they are. And how do you think our Miss Madeline is looking? She wasn’t just well for one short time after you went away.’

‘Has she been ill?’

‘Well, not ill; not so that she came into my hands. She’s looking herself again now, isn’t she?’

‘She is looking, as she always does, uncommonly well.’

‘Do you remember how she used to come and say a word to you standing at the door? Dear heart! I’ll be bound now I care more for her than you do.’

‘Do you?’ said Graham.

‘Of course I do. And then how angry her ladyship was with me,—as though it were my fault. I didn’t do it. Did I, Mr. Graham? But, Lord love you, what’s the use of being angry? My lady ought to have remembered her own young days, for it was just the same thing with her. She had her own way, and so will Miss Madeline.’ And then with some further inquiries as to his fire, his towels, and his sheets, Mrs. Baker took herself off.

Felix Graham had felt a repugnance to taking the gossiping old woman openly into his confidence, and yet he had almost asked her whether he might in truth count upon Madeline’s love. Such at any rate had been the tenour of his gossiping; but nevertheless he was by no means certified. He had the judge’s assurance in allowing him to be there; he had the assurance given to him by Augustus in the few words spoken to him at the door that evening; and he ought to have known that he had received sufficient assurance from Madeline herself. But in truth he knew nothing of the kind. There are men who are much too forward in believing that they are regarded with favour; but there are others of whom it may be said that they are as much too backward. The world hears most of the

former, and talks of them the most, but I doubt whether the latter are not the more numerous.

The next morning of course there was a hurry and fuss at breakfast in order that they might get off in time for the courts. The judges were to take their seats at ten, and therefore it was necessary that they should sit down to breakfast some time before nine. The achievement does not seem to be one of great difficulty, but nevertheless it left no time for lovemaking.

But for one instant Felix was able to catch Madeline alone in the breakfast-parlour. 'Miss Staveley,' said he, 'will it be possible that I should speak to you alone this evening;—for five minutes?'

'Speak to me alone?' she said, repeating his words; and as she did so she was conscious that her whole face had become suffused with colour.

'Is it too much to ask?'

'Oh, no!'

'Then if I leave the dining-room soon after you have done so——'

'Mamma will be there, you know,' she said. Then others came into the room and he was able to make no further stipulation for the evening.

Madeline, when she was left alone that morning, was by no means satisfied with her own behaviour, and accused herself of having been unnecessarily cold to him. She knew the permission which had been accorded to him, and she knew also—knew well—what answer would be given to his request. In her mind the matter was now fixed. She had confessed to herself that she loved him, and she could not now doubt of his love to her. Why then should she have answered him with coldness and doubt? She hated the missishness of young ladies, and had resolved that when he asked her a plain question she would give him a plain answer. It was true that the question had not been asked as yet; but why should she have left him in doubt as to her kindly feeling?

'It shall be but for this one day,' she said to herself as she sat alone in her room.

CHAPTER XXX.

HOW AM I TO BEAR IT?

WHEN the first day's work was over in the court, Lady Mason and Mrs. Orme kept their seats till the greater part of the crowd had dispersed, and the two young men, Lucius Mason and Peregrine,

remained with them. Mr. Aram also remained, giving them sundry little instructions in a low voice as to the manner in which they should go home and return the next morning,—telling them the hour at which they must start, and promising that he would meet them at the door of the court. To all this Mrs. Orme endeavoured to give her best attention, as though it were of the last importance; but Lady Mason was apparently much the more collected of the two, and seemed to take all Mr. Aram's courtesies as though they were a matter of course. There she sat, still with her veil up, and though all those who had been assembled there during the day turned their eyes upon her as they passed out, she bore it all without quailing. It was not that she returned their gaze, or affected an effrontery in her conduct; but she was able to endure it without showing that she suffered as she did so.

'The carriage is there now,' said Mr. Aram, who had left the court for a minute; 'and I think you may get into it quietly.' This accordingly they did, making their way through an avenue of idlers who still remained that they might look upon the lady who was accused of having forged her husband's will.

'I will stay with her to-night,' whispered Mrs. Orme to her son as they passed through the court.

'Do you mean that you will not come to the Cleeve at all?'

'Not to-night; not till the trial be over. Do you remain with your grandfather.'

'I shall be here to-morrow of course to see how you go on.'

'But do not leave your grandfather this evening. Give him my love, and say that I think it best that I should remain at Orley Farm till the trial be over. And, Peregrine, if I were you I would not talk to him much about the trial.'

'But why not?'

'I will tell you when it is over. But it would only harass him at the present moment.' And then Peregrine handed his mother into the carriage and took his own way back to the Cleeve.

As he returned he was bewildered in his mind by what he had heard, and he also began to feel something like a doubt as to Lady Mason's innocence. Hitherto his belief in it had been as fixed and assured as that of her own son. Indeed it had never occurred to him as possible that she could have done the thing with which she was charged. He had hated Joseph Mason for suspecting her, and had hated Dockwraith for his presumed falsehood in pretending to suspect her. But what was he to think of this question now, after hearing the clear and dispassionate statement of all the circumstances by the solicitor-general? Hitherto he had understood none of the particulars of the case; but now the nature of the accusation had been made plain, and it was evident to him that at any rate that far-sighted lawyer believed in the truth of his own state-

ment. Could it be possible that Lady Mason had forged the will,—that this deed had been done by his mother's friend, by the woman who had so nearly become Lady Orme of the Cleeve? The idea was terrible to him as he rode home, but yet he could not rid himself of it. And if this were so, was it also possible that his grandfather suspected it? Had that marriage been stopped by any such suspicion as this? Was it this that had broken the old man down and robbed him of all his spirit? That his mother could not have any such suspicion seemed to him to be made clear by the fact that she still treated Lady Mason as her friend. And then why had he been specially enjoined not to speak to his grandfather as to the details of the trial?

But it was impossible for him to meet Sir Peregrine without speaking of the trial. When he entered the house, which he did by some back entrance from the stables, he found his grandfather standing at his own room door. He had heard the sounds of the horse, and was unable to restrain his anxiety to learn.

'Well,' said Sir Peregrine, 'what has happened?'

'It is not over as yet. It will last, they say, for three days.'

'But come in, Peregrine;' and he shut the door, anxious rather that the servants should not witness his own anxiety than that they should not hear tidings which must now be common to all the world. 'They have begun it?'

'Oh, yes! they have begun it.'

'Well, how far has it gone?'

'Sir Richard Leatherham told us the accusation they make against her, and then they examined Dockwrath and one or two others. They have not got further than that.'

'And the—Lady Mason—how does she bear it?'

'Very well I should say. She does not seem to be nearly as nervous now, as she was while staying with us.'

'Ah! indeed. She is a wonderful woman,—a very wonderful woman. So she bears up? And your mother, Peregrine?'

'I don't think she likes it.'

'Likes it! Who could like such a task as that?'

'But she will go through with it.'

'I am sure she will. She will go through with anything that she undertakes. And—and—the judge said nothing—I suppose?'

'Very little, sir.'

And Sir Peregrine again sat down in his arm-chair as though the work of conversation were too much for him. But neither did he dare to speak openly on the subject; and yet there was so much that he was anxious to know. Do you think she will escape? That was the question which he longed to ask but did not dare to utter.

And then, after a while, they dined together. And Peregrine

determined to talk of other things; but it was in vain. While the servants were in the room nothing was said. The meat was carved and the plates were handed round, and young Orme ate his dinner; but there was a constraint upon them both which they were quite unable to dispel, and at last they gave it up and sat in silence till they were alone.

When the door was closed, and they were opposite to each other over the fire, in the way which was their custom when they two only were there, Sir Peregrine could restrain his desire no longer. It must be that his grandson, who had heard all that had passed in court that day, should have formed some opinion of what was going on,—should have some idea as to the chance of that battle which was being fought. He, Sir Peregrine, could not have gone into the court himself. It would have been impossible for him to show himself there. But there had been his heart all the day. How had it gone with that woman whom a few weeks ago he had loved so well that he had regarded her as his wife?

‘Was your mother very tired?’ he said, again endeavouring to draw near the subject.

‘She did look fagged while sitting in court.’

‘It was a dreadful task for her,—very dreadful.’

‘Nothing could have turned her from it,’ said Peregrine.

‘No,—you are right there. Nothing would have turned her from it. She thought it to be her duty to that poor lady. But she—Lady Mason—she bore it better, you say?’

‘I think she bears it very well,—considering what her position is.’

‘Yes, yes. It is very dreadful. The solicitor-general when he opened,—was he very severe upon her?’

‘I do not think he wished to be severe.’

‘But he made it very strong against her.’

‘The story, as he told it, was very strong against her;—that is, you know, it would be if we were to believe all that he stated.’

‘Yes, yes, of course. He only stated what he has been told by others. You could not see how the jury took it?’

‘I did not look at them. I was thinking more of her and of Lucius.’

‘Lucius was there?’

‘Yes; he sat next to her. And Sir Richard said, while he was telling the story, that he wished her son were not there to hear it. Upon my word, sir, I almost wished so too.’

‘Poor fellow,—poor fellow! It would have been better for him to stay away.’

‘And yet had it been my mother—’

‘Your mother, Perry! It could not have been your mother. She could not have been so placed.’

‘If it be Lady Mason’s misfortune, and not her fault—’

'Ah, well; we will not talk about that. And there will be two days more you say?'

'So said Aram, the attorney.'

'God help her;—may God help her! It would be very dreadful for a man, but for a woman the burden is insupportable.'

Then they both sat silent for a while, during which Peregrine was engrossed in thinking how he could turn his grandfather from the conversation.

'And you heard no one express any opinion?' asked Sir Peregrine, after a pause.

'You mean about Lady Mason?' And Peregrine began to perceive that his mother was right, and that it would have been well if possible to avoid any words about the trial.

'Do they think that she will,—will be acquitted? Of course the people there were talking about it?'

'Yes, sir, they were talking about it. But I really don't know as to any opinion. You see, the chief witnesses have not been examined.'

'And you, Perry, what do you think?'

'I, sir! Well, I was altogether on her side till I heard Sir Richard Leatherham.'

'And then——?'

'Then I did not know what to think. I suppose it's all right; but one never can understand what those lawyers are at. When Mr. Chaffanbrass got up to examine Dockwrath, he seemed to be just as confident on his side as the other fellow had been on the other side. I don't think I'll have any more wine, sir, thank you.'

But Sir Peregrine did not move. He sat in his old accustomed way, nursing one leg over the knee of the other, and thinking of the manner in which she had fallen at his feet, and confessed it all. Had he married her, and gone with her proudly into the court,—as he would have done,—and had he then heard a verdict of guilty given by the jury;—nay, had he heard such proof of her guilt as would have convinced himself, it would have killed him. He felt, as he sat there, safe over his own fireside, that his safety was due to her generosity. Had that other calamity fallen upon him, he could not have survived it. His head would have fallen low before the eyes of those who had known him since they had known anything, and would never have been raised again. In his own spirit, in his inner life, the blow had come to him; but it was due to her effort on his behalf that he had not been stricken in public. When he had discussed the matter with Mrs. Orme, he had seemed in a measure to forget this. It had not at any rate been the thought which rested with the greatest weight upon his mind. Then he had considered how she, whose life had been stainless as driven snow, should bear

herself in the presence of such deep guilt. But now,—now as he sat alone, he thought only of Lady Mason. Let her be ever so guilty,—and her guilt had been very terrible,—she had behaved very nobly to him. From him at least she had a right to sympathy.

And what chance was there that she should escape? Of absolute escape there was no chance whatever. Even should the jury acquit her, she must declare her guilt to the world,—must declare it to her son, by taking steps for the restoration of the property. As to that Sir Peregrine felt no doubt whatever. That Joseph Mason of Groby would recover his right to Orley Farm was to him a certainty. But how terrible would be the path over which she must walk before this deed of retribution could be done! ‘Ah, me! ah, me!’ he said, as he thought of all this,—speaking to himself, as though he were unconscious of his grandson’s presence. ‘Poor woman! poor woman!’ Then Peregrine felt sure that she had been guilty, and was sure also that his grandfather was aware of it.

‘Will you come into the other room, sir?’ he said.

‘Yes, yes; if you like it.’ And then the one leg fell from the other, and he rose to do his grandson’s bidding. To him now and henceforward one room was much the same as another.

In the mean time the party bound for Orley Farm had reached that place, and to them also came the necessity of wearing through that tedious evening. On the mind of Lucius Mason not even yet had a shadow of suspicion fallen. To him, in spite of it all, his mother was still pure. But yet he was stern to her, and his manner was very harsh. It may be that had such suspicion crossed his mind he would have been less stern, and his manner more tender. As it was he could understand nothing that was going on, and almost felt that he was kept in the dark at his mother’s instance. Why was it that a man respected by all the world, such as Sir Richard Leatherham, should rise in court and tell such a tale as that against his mother; and that the power of answering that tale on his mother’s behalf should be left to such another man as Mr. Chaffanbrass? Sir Richard had told his story plainly, but with terrible force; whereas Chaffanbrass had contented himself with browbeating another lawyer with the lowest quirks of his cunning. Why had not some one been in court able to use the language of passionate truth and ready to thrust the lie down the throats of those who told it?

Tea and supper had been prepared for them, and they sat down together; but the nature of the meal may be imagined. Lady Mason had striven with terrible effort to support herself during the day, and even yet she did not give way. It was quite as necessary that she should restrain herself before her son as before all those others who had gazed at her in court. And she did sustain herself. She took a knife and fork in her hand and ate a few

morsels. She drank her cup of tea, and remembering that there in that house she was still hostess, she made some slight effort to welcome her guest. 'Surely after such a day of trouble you will eat something,' she said to her friend. To Mrs. Orme it was marvellous that the woman should even be alive,—let alone that she should speak and perform the ordinary functions of her daily life. 'And now,' she said—Lady Mason said—as soon as that ceremony was over, 'now as we are so tired I think we will go up stairs. Will you light our candles for us, Lucius?' And so the candles were lit, and the two ladies went up stairs.

A second bed had been prepared in Lady Mason's room, and into this chamber they both went at once. Mrs. Orme, as soon as she had entered, turned round and held out both her hands in order that she might comfort Lady Mason by taking hers; but Lady Mason, when she had closed the door, stood for a moment with her face towards the wall, not knowing how to bear herself. It was but for a moment, and then slowly moving round, with her two hands clasped together, she sank on her knees at Mrs. Orme's feet, and hid her face in the skirt of Mrs. Orme's dress.

'My friend—my friend!' said Lady Mason.

'Yes, I am your friend—indeed I am. But, dear Lady Mason—' And she endeavoured to think of words by which she might implore her to rise and compose herself.

'How is it you can bear with such a one as I am? How is it that you do not hate me for my guilt?'

'He does not hate us when we are guilty.'

'I do not know. Sometimes I think that all will hate me,—here and hereafter—except you. Lucius will hate me, and how shall I bear that? Oh, Mrs. Orme, I wish he knew it!'

'I wish he did. He shall know it now,—to-night, if you will allow me to tell him.'

'No. It would kill me to bear his looks. I wish he knew it, and was away, so that he might never look at me again.'

'He too would forgive you if he knew it all.'

'Forgive! How can he forgive?' And as she spoke she rose again to her feet, and her old manner came upon her. 'Do you think what it is that I have done for him? I,—his mother,—for my only child? And after that, is it possible that he should forgive me?'

'You meant him no harm.'

'But I have ruined him before all the world. He is as proud as your boy; and could he bear to think that his whole life would be disgraced by his mother's crime?'

'Had I been so unfortunate he would have forgiven me.'

'We are speaking of what is impossible. It could not have been so. Your youth was different from mine.'

‘God has been very good to me, and not placed temptation in my way;—temptation, I mean, to great faults. But little faults require repentance as much as great ones.’

‘But then repentance is easy; at any rate it is possible.’

‘Oh, Lady Mason, is it not possible for you?’

‘But I will not talk of that now. I will not hear you compare yourself with such a one as I am. Do you know I was thinking to-day that my mind would fail me, and that I should be mad before this is over? How can I bear it? how can I bear it?’ And rising from her seat, she walked rapidly through the room, holding back her hair from her brows with both her hands.

And how was she to bear it? The load on her back was too much for any shoulders. The burden with which she had laden herself was too heavy to be borne. Her power of endurance was very great. Her strength in supporting the extreme bitterness of intense sorrow was wonderful. But now she was taxed beyond her power. ‘How am I to bear it?’ she said again, as still holding her hair between her fingers, she drew her hands back over her head.

‘You do not know. You have not tried it. It is impossible,’ she said in her wildness, as Mrs. Orme endeavoured to teach her the only source from whence consolation might be had. ‘I do not believe in the thief on the cross, unless it was that he had prepared himself for that day by years of contrition. I know I shock you,’ she added, after a while. ‘I know that what I say will be dreadful to you. But innocence will always be shocked by guilt. Go, go and leave me. It has gone so far now that all is of no use.’ Then she threw herself on the bed, and burst into a convulsive passion of tears.

Once again Mrs. Orme endeavoured to obtain permission from her to undertake that embassy to her son. Had Lady Mason acceded, or been near acceding, Mrs. Orme’s courage would probably have been greatly checked. As it was she pressed it as though the task were one to be performed without difficulty. Mrs. Orme was very anxious that Lucius should not sit in the court throughout the trial. She felt that if he did so the shock,—the shock which was inevitable,—must fall upon him there; and than that she could conceive nothing more terrible. And then also she believed that if the secret were once made known to Lucius, and if he were for a time removed from his mother’s side, the poor woman might be brought to a calmer perception of her true position. The strain would be lessened, and she would no longer feel the necessity of exerting so terrible a control over her feelings.

‘You have acknowledged that he must know it sooner or later,’ pleaded Mrs. Orme.

‘But this is not the time,—not now, during the trial. Had he known it before——’

‘It would keep him away from the court.’

‘Yes, and I should never see him again!’ What will he do when he hears it? Perhaps it would be better that he should go without seeing me.’

‘He would not do that.’

‘It would be better. If they take me to the prison, I will never see him again. His eyes would kill me. Do you ever watch him and see the pride that there is in his eye? He has never yet known what disgrace means; and now I, his mother, have brought him to this!’

It was all in vain as far as that night was concerned. Lady Mason would give no such permission. But Mrs. Orme did exact from her a kind of promise that Lucius should be told on the next evening, if it then appeared, from what Mr. Aram should say, that the result of the trial was likely to be against them.

Lucius Mason spent his evening alone; and though he had as yet heard none of the truth, his mind was not at ease, nor was he happy at heart. Though he had no idea of his mother’s guilt, he did conceive that after this trial it would be impossible that they should remain at Orley Farm. His mother’s intended marriage with Sir Peregrine, and then the manner in which that engagement had been broken off; the course of the trial, and its celebrity; the enmity of Dockwraith; and lastly, his own inability to place himself on terms of friendship with those people who were still his mother’s nearest friends, made him feel that in any event it would be well for them to change their residence. What could he do for him there at Orley Farm, after all that had passed? He had gone to Liverpool and bought guano, and now the sacks were lying in his barn unopened. He had begun to drain, and the ugly unfinished lines of earth were lying across his fields. He had no further interest in it, and felt that he could no longer go to work on that ground as though he were in truth its master.

But then, as he thought of his future hopes, his place of residence and coming life, there was one other beyond himself and his mother to whom his mind reverted. What would Sophia wish that he should do?—his own Sophia,—she who had promised him that her heart should be with his through all the troubles of this trial? Before he went to bed that night he wrote to Sophia, and told her what were his troubles and what his hopes. ‘This will be over in two days more,’ he said, ‘and then I will come to you. You will see me, I trust, the day after this letter reaches you; but nevertheless I cannot debar myself from the satisfaction of writing. I am not happy, for I am dissatisfied with what they are doing for my mother; and it is only when I think of you, and the assurance of your love, that I can feel anything like content. It is not a pleasant thing to sit by and hear one’s mother charged with the foulest

frauds that practised villains can conceive! Yet I have had to bear it, and have heard no denial of the charge in true honest language. To-day, when the solicitor-general was heaping falsehoods on her name, I could hardly refrain myself from rushing at his throat. Let me have a line of comfort from you, and then I will be with you on Friday.'

That line of comfort never came, nor did Lucius on the Friday make his intended visit. Miss Furnival had determined, some day or two before this, that she would not write to Lucius again till this trial was over; and even then it might be a question whether a correspondence with the heir of Noningsby would not be more to her taste.

CHAPTER XXXI.

SHOWING HOW JOHN KENNEBY AND BRIDGET BOLSTER BORE THEMSELVES
IN COURT.

ON the next morning they were all in their places at ten o'clock, and the crowd had been gathered outside the doors of the court from a much earlier hour. As the trial progressed the interest in it increased, and as people began to believe that Lady Mason had in truth forged a will, so did they the more regard her in the light of a heroine. Had she murdered her husband after forging his will, men would have paid half a crown apiece to have touched her garments, or a guinea for the privilege of shaking hands with her. Lady Mason had again taken her seat with her veil raised, with Mrs. Orme on one side of her and her son on the other. The counsel were again ranged on the seats behind, Mr. Furnival sitting the nearest to the judge, and Mr. Aram again occupied the intermediate bench, so placing himself that he could communicate either with his client or with the barristers. These were now their established places, and great as was the crowd, they found no difficulty in reaching them. An easy way is always made for the chief performers in a play.

This was to be the great day as regarded the evidence. 'It is a case that depends altogether on evidence,' one young lawyer said to another. 'If the counsel know how to handle the witnesses, I should say she is safe.' The importance of this handling was felt by every one, and therefore it was understood that the real game would be played out on this middle day. It had been all very well for Chaffanbrass to bully Dockwrath and make the wretched attorney miserable for an hour or so, but that would have but little bearing on the verdict. There were two persons there who were prepared

to swear that on a certain day they had only signed one deed. So much the solicitor-general had told them, and nobody doubted that it would be so. The question now was this, would Mr. Furnival and Mr. Chaffanbrass succeed in making them contradict themselves when they had so sworn? Could they be made to say that they had signed two deeds, or that they might have done so?

It was again the duty of Mr. Furnival to come first upon the stage,—that is to say, he was to do so as soon as Sir Richard had performed his very second-rate part of eliciting the evidence in chief. Poor John Kenneby was to be the first victim, and he was placed in the box before them all very soon after the judge had taken his seat. Why had he not emigrated to Australia, and escaped all this,—escaped all this, and Mrs. Smiley also? That was John Kenneby's reflection as he slowly mounted the two steps up into the place of his torture. Near to the same spot, and near also to Dockwrath who had taken these two witnesses under his special charge, sat Bridget Bolster. She had made herself very comfortable that morning with buttered toast and sausages; and when at Dockwrath's instance Kenneby had submitted to a slight infusion of Dutch courage,—a bottle of brandy would not have sufficed for the purpose,—Bridget also had not refused the generous glass. 'Not that I wants it,' said she, meaning thereby to express an opinion that she could hold her own, even against the great Chaffanbrass, without any such extraneous aid. She now sat quite quiet, with her hands crossed on her knees before her, and her eyes immovably fixed on the table which stood in the centre of the court. In that position she remained till her turn came; and one may say that there was no need for fear on account of Bridget Bolster.

And then Sir Richard began. What would be the nature of Kenneby's direct evidence the reader pretty well knows. Sir Richard took a long time in extracting it, for he was aware that it would be necessary to give his witness some confidence before he came to his main questions. Even to do this was difficult, for Kenneby would speak in a voice so low that nobody could hear him; and on the second occasion of the judge enjoining him to speak out, he nearly fainted. It is odd that it never occurs to judges that a witness who is naturally timid will be made more so by being scolded. When I hear a judge thus use his authority, I always wish that I had the power of forcing him to some very uncongenial employment,—jumping in a sack, let us say; and then when he jumped poorly, as he certainly would, I would crack my whip and bid him go higher and higher. The more I so bade him, the more he would limp; and the world looking on, would pity him and execrate me. It is much the same thing when a witness is sternly told to speak louder.

But John Kenneby at last told his plain story. He remembered

the day on which he had met old Usbech and Bridget Bolster and Lady Mason in Sir Joseph's chamber. He had then witnessed a signature by Sir Joseph, and had only witnessed one on that day;—of that he was perfectly certain. He did not think that old Usbech had signed the deed in question, but on that matter he declined to swear positively. He remembered the former trial. He had not then been able to swear positively whether Usbech had or had not signed the deed. As far as he could remember, that was the point to which his cross-examination on that occasion had chiefly been directed. So much John Kenneby did at last say in language that was sufficiently plain.

And then Mr. Furnival arose. The reader is acquainted with the state of his mind on the subject of this trial. The enthusiasm on behalf of Lady Mason, which had been aroused by his belief in her innocence, by his old friendship, by his ancient adherence to her cause, and by his admiration for her beauty, had now greatly faded. It had faded much when he found himself obliged to call in such fellow-labourers as Chaffanbrass and Aram, and had all but perished when he learned from contact with them to regard her guilt as certain. But, nevertheless, now that he was there, the old fire returned to him. He had wished twenty times that he had been able to shake the matter from him and leave his old client in the hands of her new advisers. It would be better for her, he had said to himself. But on this day—on these three days—seeing that he had not shaken the matter off, he rose to his work as though he still loved her, as though all his mind was still intent on preserving that ill-gotten inheritance for her son. It may almost be doubted whether at moments during these three days he did not again persuade himself that she was an injured woman. Aram, as may be remembered, had felt misgivings as to Mr. Furnival's powers for such cross-examination; but Chaffanbrass had never doubted it. He knew that Mr. Furnival could do as much as himself in that way; the difference being this,—that Mr. Furnival could do something else besides.

'And now, Mr. Kenneby, I'll ask you a few questions,' he said; and Kenneby turned round to him. The barrister spoke in a mild low voice, but his eye transfixed the poor fellow at once; and though Kenneby was told a dozen times to look at the jury and speak to the jury, he never was able to take his gaze away from Mr. Furnival's face.

'You remember the old trial,' he said; and as he spoke he held in his hand what was known to be an account of that transaction. Then there arose a debate between him and Sir Richard, in which Chaffanbrass, and Graham, and Mr. Steelyard all took part, as to whether Kenneby might be examined as to his former examination; and on this point Graham pleaded very volubly, bringing up precedents without number,—striving to do his duty to his client on a

point with which his own conscience did not interfere. And at last it was ruled by the judge that this examination might go on;—whereupon both Sir Richard and Mr. Steelyard sat down as though they were perfectly satisfied. Kenneby, on being again asked, said that he did remember the old trial.

‘It is necessary, you know, that the jury should hear you, and if you look at them and speak to them, they would stand a better chance.’ Kenneby for a moment allowed his eye to travel up to the jury box, but it instantly fell again, and fixed itself on the lawyer’s face. ‘You do remember that trial?’

‘Yes, sir, I remember it,’ whispered Kenneby.

‘Do you remember my asking you then whether you had been in the habit of witnessing Sir Joseph Mason’s signature?’

‘Did you ask me that, sir?’

‘That is the question which I put to you. Do you remember my doing so?’

‘I dare say you did, sir.’

‘I did, and I will now read your answer. We shall give to the jury a copy of the proceedings of that trial, my lord, when we have proved it,—as of course we intend to do.’

And then there was another little battle between the barristers. But as Lady Mason was now being tried for perjury, alleged to have been committed at that other trial, it was of course indispensable that all the proceedings of that trial should be made known to the jury.

‘You said on that occasion,’ continued Furnival, ‘that you were sure you had witnessed three signatures of Sir Joseph’s that summer,—that you had probably witnessed three in July, that you were quite sure you had witnessed three in one week in July, that you were nearly sure you had witnessed three in one day, that you could not tell what day that might have been, and that you had been used as a witness so often that you really did not remember anything about it. Can you say whether that was the purport of the evidence you gave then?’

‘If it’s down there ——’ said John Kenneby, and then he stopped himself.

‘It is down here; I have read it.’

‘I suppose it’s all right,’ said Kenneby.

‘I must trouble you to speak out,’ said the judge; ‘I cannot hear you, and it is impossible that the jury should do so.’ The judge’s words were not uncivil, but his voice was harsh, and the only perceptible consequence of the remonstrance was to be seen in the thick drops of perspiration standing on John Kenneby’s brow.

‘That is the evidence which you gave on the former trial? May the jury presume that you then spoke the truth to the best of your knowledge?’

‘ I tried to speak the truth, sir.’

‘ You tried to speak the truth? But do you mean to say that you failed?’

‘ No, I don’t think I failed.’

‘ When, therefore, you told the jury that you were nearly sure that you had witnessed three signatures of Sir Joseph’s in one day, that was truth?’

‘ I don’t think I ever did.’

‘ Ever did what?’

‘ Witness three papers in one day.’

‘ You don’t think you ever did?’

‘ I might have done, to be sure.’

‘ But then, at that trial, about twelve months after the man’s death, you were nearly sure you had done so.’

‘ Was I?’

‘ So you told the jury.’

‘ Then I did, sir.’

‘ Then you did what?’

‘ Did witness all those papers.’

‘ You think then now that it is probable you witnessed three signatures on the same day?’

‘ No, I don’t think that.’

‘ Then what do you think?’

‘ It is so long ago, sir, that I really don’t know.’

‘ Exactly. It is so long ago that you cannot depend on your memory.’

‘ I suppose I can’t, sir.’

‘ But you just now told the gentleman who examined you on the other side, that you were quite sure you did not witness two deeds on the day he named,—the 14th of July. Now, seeing that you doubt your own memory, going back over so long a time, do you wish to correct that statement?’

‘ I suppose I do.’

‘ What correction do you wish to make?’

‘ I don’t think I did.’

‘ Don’t think you did what?’

‘ I don’t think I signed two—’

‘ I really cannot hear the witness,’ said the judge.

‘ You must speak out louder,’ said Mr. Furnival, himself speaking very loudly.

‘ I mean to do it as well as I can,’ said Kenneby.

‘ I believe you do,’ said Furnival; ‘ but in so meaning you must be very careful to state nothing as a certainty, of the certainty of which you are not sure. Are you certain that on that day you did not witness two deeds?’

‘ I think so.’

‘ And yet you were not certain twenty years ago, when the fact was so much nearer to you ?’

‘ I don’t remember.’

‘ You don’t remember whether you were certain twelve months after the occurrence, but you think you are certain now.’

‘ I mean, I don’t think I signed two.’

‘ It is, then, only a matter of thinking ?’

‘ No ;—only a matter of thinking.’

‘ And you might have signed the two ?’

‘ I certainly might have done so.’

‘ What you mean to tell the jury is this : that you have no remembrance of signing twice on that special day, although you know that you have acted as witness on behalf of Sir Joseph Mason more than twice on the same day ?’

‘ Yes.’

‘ That is the intended purport of your evidence ?’

‘ Yes, sir.’

And then Mr. Furnival travelled off to that other point of Mr. Usbeck’s presence and alleged handwriting. On that matter Kenneby had not made any positive assertion, though he had expressed a very strong opinion. Mr. Furnival was not satisfied with this, but wished to show that Kenneby had not on that matter even a strong opinion. He again reverted to the evidence on the former trial, and read various questions with their answers ; and the answers as given at that time certainly did not, when so taken, express a clear opinion on the part of the person who gave them : although an impartial person on reading the whole evidence would have found that a very clear opinion was expressed. When first asked, Kenneby had said that he was nearly sure that Mr. Usbeck had not signed the document. But his very anxiety to be true had brought him into trouble. Mr. Furnival on that occasion had taken advantage of the word ‘ nearly,’ and had at last succeeded in making him say that he was not sure at all. Evidence by means of torture,—thumbscrew and such-like,—we have for many years past abandoned as barbarous, and have acknowledged that it is of its very nature useless in the search after truth. How long will it be before we shall recognize that the other kind of torture is equally opposed both to truth and civilization ?’

‘ But Mr. Usbeck was certainly in the room on that day ?’ continued Mr. Furnival.

‘ Yes, he was there.’

‘ And knew what you were all doing, I suppose ?’

‘ Yes, I suppose he knew.’

‘ I presume it was he who explained to you the nature of the deed you were to witness ?’

‘ I dare say he did.’

‘As he was the lawyer, that would be natural.’
 ‘I suppose it would.’
 ‘And you don’t remember the nature of that special deed, as explained to you on the day when Bridget Bolster was in the room?’
 ‘No, I don’t.’
 ‘It might have been a will?’
 ‘Yes, it might. I did sign one or two wills for Sir Joseph, I think.’

‘And as to this individual document, Mr. Usbech might have signed it in your presence, for anything you know to the contrary?’

‘He might have done so.’
 ‘Now, on your oath, Kenneby, is your memory strong enough to enable you to give the jury any information on this subject upon which they may firmly rely in convicting that unfortunate lady of the terrible crime laid to her charge.’ Then for a moment Kenneby glanced round and fixed his eyes upon Lady Mason’s face. ‘Think a moment before you answer; and deal with her as you would wish another should deal with you if you were so situated. Can you say that you remember that Usbech did not sign it?’

‘Well, sir, I don’t think he did.’
 ‘But he might have done so?’
 ‘Oh, yes; he might.’
 ‘You do not remember that he did do so?’
 ‘Certainly not.’
 ‘And that is about the extent of what you mean to say?’
 ‘Yes, sir.’

‘Let me understand,’ said the judge—and then the perspiration became more visible on poor Kenneby’s face;—‘do you mean to say that you have no memory on the matter whatever?—that you simply do not remember whether Usbech did or did not sign it?’

‘I don’t think he signed it.’
 ‘But why do you think he did not, seeing that his name is there?’
 ‘I didn’t see him.’
 ‘Do you mean,’ continued the judge, ‘that you didn’t see him, or that you don’t remember that you saw him?’

‘I don’t remember that I saw him.’
 ‘But you may have done so? He may have signed, and you may have seen him do so, only you don’t remember it?’
 ‘Yes, my lord.’

And then Kenneby was allowed to go down. As he did so, Joseph Mason, who sat near to him, turned upon him a look black as thunder. Mr. Mason gave him no credit for his timidity, but believed that he had been bought over by the other side. Dock-wrath, however, knew better. ‘They did not quite beat him about his own signature,’ said he; ‘but I knew all along that we must depend chiefly upon Bolster.’

Then Bridget Bolster was put into the box, and she was examined by Mr. Steelyard. She had heard Kenneby instructed to look up, and she therefore fixed her eyes upon the canopy over the judge's seat. There she fixed them, and there she kept them till her examination was over, merely turning them for a moment on to Mr. Chaffanbrass, when that gentleman became particularly severe in his treatment of her. What she said in answer to Mr. Steelyard, was very simple. She had never witnessed but one signature in her life, and that she had done in Sir Joseph's room. The nature of the document had been explained to her. 'But,' as she said, 'she was young and giddy then, and what went in at one year went out at another.' She didn't remember Mr. Usbech signing, but he might have done so. She thought he did not. As to the two signatures purporting to be hers, she could not say which was hers and which was not. But this she would swear positively, that they were not both hers. To this she adhered firmly, and Mr. Steelyard handed her over to Mr. Chaffanbrass.

Then Mr. Chaffanbrass rose from his seat, and every one knew that his work was cut out for him. Mr. Furnival had triumphed. It may be said that he had demolished his witness; but his triumph had been very easy. It was now necessary to demolish Bridget Bolster, and the opinion was general that if anybody could do it Mr. Chaffanbrass was the man. But there was a doggedness about Bridget Bolster which induced many to doubt whether even Chaffanbrass would be successful. Mr. Aram trusted greatly; but the bar would have preferred to stake their money on Bridget.

Chaffanbrass as he rose pushed back his small ugly wig from his forehead, thrusting it rather on one side as he did so, and then, with his chin thrown forward, and a wicked, ill-meaning smile upon his mouth, he looked at Bridget for some moments before he spoke to her. She glanced at him, and instantly fixed her eyes back upon the canopy. She then folded her hands one on the other upon the rail before her, compressed her lips, and waited patiently.

'I think you say you're—a chambermaid?' That was the first question which Chaffanbrass asked, and Bridget Bolster gave a little start as she heard his sharp, angry, disagreeable voice.

'Yes, I am, sir, at Palmer's Imperial Hotel, Plymouth, Devonshire; and have been for nineteen years, upper and under.'

'Upper and under! What do upper and under mean?'

'When I was under, I had another above me; and now, as I'm upper, why there's others under me.' So she explained her position at the hotel, but she never took her eyes from the canopy.

'You hadn't begun being—chambermaid, when you signed these documents?'

'I didn't sign only one of 'em.'

'Well, one of them. You hadn't begun being chambermaid then?'

‘No, I hadn’t; I was housemaid at Orley Farm.’

‘Were you upper or under there?’

‘Well, I believe I was both; that is, the cook was upper in the house.’

‘Oh, the cook was upper. Why wasn’t she called to sign her name?’

‘That I can’t say. She was a very decent woman,—that I can say,—and her name was Martha Mullens.’

So far Mr. Chaffanbrass had not done much; but that was only the preliminary skirmish, as fencers play with their foils before they begin.

‘And now, Bridget Bolster, if I understand you,’ he said, ‘you have sworn that on the 14th of July you only signed one of these documents.’

‘I only signed once, sir. I didn’t say nothing about the 14th of July, because I don’t remember.’

‘But when you signed the one deed, you did not sign any other?’

‘Neither then nor never.’

‘Do you know the offence for which that lady is being tried—Lady Mason?’

‘Well, I aint sure; it’s for doing something about the will.’

‘No, woman, it is not.’ And then, as Mr. Chaffanbrass raised his voice, and spoke with savage earnestness, Bridget again started, and gave a little leap up from the floor. But she soon settled herself back in her old position. ‘No one has dared to accuse her of that,’ continued Mr. Chaffanbrass, looking over at the lawyers on the other side. ‘The charge they have brought forward against her is that of perjury—of having given false evidence twenty years ago in a court of law. Now look here, Bridget Bolster; look at me, I say.’ She did look at him for a moment, and then turned her eyes back to the canopy. ‘As sure as you’re a living woman, you shall be placed there and tried for the same offence,—for perjury,—if you tell me a falsehood respecting this matter.’

‘I won’t say nothing but what’s right,’ said Bridget.

‘You had better not. Now look at these two signatures;’ and he handed to her two deeds, or rather made one of the servants of the court hold them for him; ‘which of those signatures is the one which you did not sign?’

‘I can’t say, sir.’

‘Did you write that further one,—that with your hand on it?’

‘I can’t say, sir.’

‘Look at it, woman, before you answer me.’

Bridget looked at it, and then repeated the same words—

‘I can’t say, sir.’

‘And now look at the other.’ And she again looked down for a moment. ‘Did you write that?’

‘I can’t say, sir.’

‘Will you swear that you wrote either?’

‘I did write one once.’

‘Don’t prevaricate with me, woman. Were either of those signatures there written by you?’

‘I suppose that one was.’

‘Will you swear that you wrote either the one or the other?’

‘I’ll swear I did write one, once.’

‘Will you swear you wrote one of those you have before you? You can read, can’t you?’

‘Oh yes, I can read.’

‘Then look at them.’ Again she turned her eyes on them for half a moment. ‘Will you swear that you wrote either of those?’

‘Not if there’s another anywhere else,’ said Bridget, at last.

‘Another anywhere else,’ said Chaffanbrass, repeating her words; ‘what do you mean by another?’

‘If you’ve got another that anybody else has done, I won’t say which of the three is mine. But I did one, and I didn’t do no more.’

Mr. Chaffanbrass continued at it for a long time, but with very indifferent success. That affair of the signatures, which was indeed the only point on which evidence was worth anything, he then abandoned, and tried to make her contradict herself about old Usbeck. But on this subject she could say nothing. That Usbeck was present she remembered well, but as to his signing the deed, or not signing it, she would not pretend to say anything.

‘I know he was cram full of gout,’ she said; ‘but I don’t remember nothing more.’

But it may be explained that Mr. Chaffanbrass had altogether altered his intention and the very plan of his campaign with reference to this witness, as soon as he saw what was her nature and disposition. He discovered very early in the affair that he could not force her to contradict herself and reduce her own evidence to nothing, as Furnival had done with the man. Nothing would flurry this woman, or force her to utter words of which she herself did not know the meaning. The more he might persevere in such an attempt, the more dogged and steady she would become. He therefore soon gave that up. He had already given it up when he threatened to accuse her of perjury, and resolved that as he could not shake her he would shake the confidence which the jury might place in her. He could not make a fool of her, and therefore he would make her out to be a rogue. Her evidence would stand alone, or nearly alone; and in this way he might turn her firmness to his own purpose, and explain that her dogged resolution to stick to one plain statement arose from her having been specially instructed so to do, with the object of ruining his client. For more

than half an hour he persisted in asking her questions with this object; hinting that she was on friendly terms with Dockwrath; asking her what pay she had received for her evidence; making her acknowledge that she was being kept at free quarters, and on the fat of the land. He even produced from her a list of the good things she had eaten that morning at breakfast, and at last succeeded in obtaining information as to that small but indiscreet glass of spirits. It was then, and then only, that poor Bridget became discomposed. Beefsteaks, sausages, and pigs' fry, though they were taken three times a day, were not disgraceful in her line of life; but that little thimbleful of brandy, taken after much pressing and in the openness of good fellowship, went sorely against the grain with her. 'When one has to be badgered like this, one wants a drop of something more than ordinary,' she said at last. And they were the only words which she did say which proved any triumph on the part of Mr. Chaffanbrass. But nevertheless Mr. Chaffanbrass was not dissatisfied. Triumph, immediate triumph over a poor maid-servant could hardly have been the object of a man who had been triumphant in such matters for the last thirty years. Would it not be practicable to make the jury doubt whether that woman could be believed? That was the triumph he desired. As for himself, Mr. Chaffanbrass knew well enough that she had spoken nothing but the truth. But had he so managed that the truth might be made to look like falsehood,—or at any rate to have a doubtful air? If he had done that, he had succeeded in the occupation of his life, and was indifferent to his own triumph.

CHAPTER XXXII.

MR. FURNIVAL'S SPEECH.

ALL this as may be supposed disturbed Felix Graham not a little. He perceived that each of those two witnesses had made a great effort to speak the truth;—an honest, painful effort to speak the truth, and in no way to go beyond it. His gall had risen within him while he had listened to Mr. Furnival, and witnessed his success in destroying the presence of mind of that weak wretch who was endeavouring to do his best in the cause of justice. And again, when Mr. Chaffanbrass had seized hold of that poor dram, and used all his wit in deducing from it a self-condemnation from the woman before him;—when the practised barrister had striven to show that she was an habitual drunkard, dishonest, unchaste, evil in all her habits, Graham had felt almost tempted to get up and take her part. No doubt he had evinced this, for Chaffanbrass had understood what was going on in his colleague's mind, and had

looked round at him from time to time with an air of scorn that had been almost unendurable. And then it had become the duty of the prosecutors to prove the circumstances of the former trial. This was of course essentially necessary, seeing that the offence for which Lady Mason was now on her defence was perjury alleged to have been committed at that trial. And when this had been done at considerable length by Sir Richard Leatherham,—not without many interruptions from Mr. Furnival and much assistance from Mr. Steelyard,—it fell upon Felix Graham to show by cross-examination of Crook the attorney, what had been the nature and effect of Lady Mason's testimony. As he arose to do this, Mr. Chaffanbrass whispered into his ear, 'If you feel yourself unequal to it I'll take it up. I won't have her thrown over for any etiquette,—nor yet for any squeamishness.' To this Graham vouchsafed no answer. He would not even reply by a look, but he got up and did his work. At this point his conscience did not interfere with him, for the questions which he asked referred to facts which had really occurred. Lady Mason's testimony at that trial had been believed by everybody. The gentleman who had cross-examined her on the part of Joseph Mason, and who was now dead, had failed to shake her evidence. The judge who tried the case had declared to the jury that it was impossible to disbelieve her evidence. That judge was still living, a poor old bed-ridden man, and in the course of this latter trial his statement was given in evidence. There could be no doubt that at the time Lady Mason's testimony was taken as worthy of all credit. She had sworn that she had seen the three witnesses sign the codicil, and no one had then thrown discredit on her. The upshot of all was this, that the prosecuting side proved satisfactorily that such and such things had been sworn by Lady Mason; and Felix Graham on the side of the defence proved that, when she had so sworn, her word had been considered worthy of credence by the judge and by the jury, and had hardly been doubted even by the counsel opposed to her. All this really had been so, and Felix Graham used his utmost ingenuity in making clear to the court how high and unassailed had been the position which his client then held.

All this occupied the court till nearly four o'clock, and then as the case was over on the part of the prosecution, the question arose whether or no Mr. Furnival should address the jury on that evening, or wait till the following day. 'If your lordship will sit till seven o'clock,' said Mr. Furnival, 'I think I can undertake to finish what remarks I shall have to make by that time.' 'I should not mind sitting till nine for the pleasure of hearing Mr. Furnival,' said the judge, who was very anxious to escape from Alston on the day but one following. And thus it was decided that Mr. Furnival should commence his speech.

I have said that in spite of some previous hesitation his old fire had returned to him when he began his work in court on behalf of his client. If this had been so when that work consisted in the cross-examination of a witness, it was much more so with him now when he had to exhibit his own powers of forensic eloquence. When a man knows that he can speak with ease and energy, and that he will be listened to with attentive ears, it is all but impossible that he should fail to be enthusiastic, even though his cause be a bad one. It was so with him now. All his old fire came back upon him, and before he had done he had almost brought himself again to believe Lady Mason to be that victim of persecution as which he did not hesitate to represent her to the jury.

'Gentlemen of the jury,' he said, 'I never rose to plead a client's cause with more confidence than I now feel in pleading that of my friend Lady Mason. Twenty years ago I was engaged in defending her rights in this matter, and I then succeeded. I little thought at that time that I should be called on after so long an interval to renew my work. I little thought that the pertinacity of her opponent would hold out for such a period. I compliment him on the firmness of his character, on that equable temperament which has enabled him to sit through all this trial, and to look without dismay on the unfortunate lady whom he has considered it to be his duty to accuse of perjury. I did not think that I should live to fight this battle again. But so it is; and as I had but little doubt of victory then,—so have I none now. Gentlemen of the jury, I must occupy some of your time and of the time of the court in going through the evidence which has been adduced by my learned friend against my client; but I almost feel that I shall be detaining you unnecessarily, so sure I am that the circumstances, as they have been already explained to you, could not justify you in giving a verdict against her.'

As Mr. Furnival's speech occupied fully three hours, I will not trouble my readers with the whole of it. He began by describing the former trial, and giving his own recollections as to Lady Mason's conduct on that occasion. In doing this, he fully acknowledged on her behalf that she did give as evidence that special statement which her opponents now endeavoured to prove to have been false. 'If it were the case,' he said, 'that that codicil—or that pretended codicil, was not executed by old Sir Joseph Mason, and was not witnessed by Usbech, Kenneby, and Bridget Bolster,—then, in that case, Lady Mason has been guilty of perjury.' Mr. Furnival, as he made this acknowledgment, studiously avoided the face of Lady Mason. But as he made this assertion, almost everybody in the court except her own counsel did look at her. Joseph Mason opposite and Dockwrath fixed their gaze closely upon her. Sir Richard Leatherham and Mr. Steelyard

turned their eyes towards her, probably without meaning to do so. The judge looked over his spectacles at her. Even Mr. Aram glanced round at her surreptitiously; and Lucius turned his face upon his mother's, almost with an air of triumph. But she bore it all without flinching;—bore it all without flinching, though the state of her mind at that moment must have been pitiable. And Mrs. Orme, who held her hand all the while, knew that it was so. The hand which rested in hers was twitched as it were convulsively, but the culprit gave no outward sign of her guilt.

Mr. Furnival then read much of the evidence given at the former trial, and especially showed how the witnesses had then failed to prove that Usbech had not been required to write his name. It was quite true, he said, that they had been equally unable to prove that he had done so; but that amounted to nothing; the 'onus probandi' lay with the accusing side. There was the signature, and it was for them to prove that it was not that which it pretended to be. Lady Mason had proved that it was so; and because that had then been held to be sufficient, they now, after twenty years, took this means of invalidating her testimony. From that he went to the evidence given at the present trial, beginning with the malice and interested motives of Dockwrath. Against three of them only was it needful that he should allege anything, seeing that the statements made by the others were in no way injurious to Lady Mason,—if the statements made by those three were not credible. Torrington, for instance, had proved that other deed; but what of that, if on the fatal 14th of July Sir Joseph Mason had executed two deeds? As to Dockwrath,—that his conduct had been interested and malicious there could be no doubt; and he submitted to the jury that he had shown himself to be a man unworthy of credit. As to Kenneby,—that poor weak creature, as Mr. Furnival in his mercy called him,—he, Mr. Furnival, could not charge his conscience with saying that he believed him to have been guilty of any falsehood. On the contrary, he conceived that Kenneby had endeavoured to tell the truth. But he was one of those men whose minds were so inconsequential that they literally did not know truth from falsehood. He had not intended to lie when he told the jury that he was not quite sure he had never witnessed two signatures by Sir Joseph Mason on the same day, nor did he lie when he told them again that he had witnessed three. He had meant to declare the truth; but he was, unfortunately, a man whose evidence could not be of much service in any case of importance, and could be of no service whatever in a criminal charge tried, as was done in this instance, more than twenty years after the alleged commission of the offence. With regard to Bridget Bolster, he had no hesitation whatever in telling the jury that she was a woman unworthy of belief,—unworthy of that credit which the jury must place in her before they could convict

any one on her unaided testimony. It must have been clear to them all that she had come into court drilled and instructed to make one point-blank statement, and to stick to that. She had refused to give any evidence as to her own signature. She would not even look at her own name as written by herself; but had contented herself with repeating over and over again those few words which she had been instructed so to say;—the statement namely, that she had never put her hand to more than one deed.

Then he addressed himself, as he concluded his speech, to that part of the subject which was more closely personal to Lady Mason herself. ‘And now, gentlemen of the jury,’ he said, ‘before I can dismiss you from your weary day’s work, I must ask you to regard the position of the lady who has been thus accused, and the amount of probability of her guilt which you may assume from the nature of her life. I shall call no witnesses as to her character, for I will not submit her friends to the annoyance of those questions which the gentlemen opposite might feel it their duty to put to them. Circumstances have occurred—so much I will tell you, and so much no doubt you all personally know, though it is not in evidence before you;—circumstances have occurred which would make it cruel on my part to place her old friend Sir Peregrine Orme in that box. The story, could I tell it to you, is one full of romance, but full also of truth and affection. But though Sir Peregrine Orme is not here, there sits his daughter by Lady Mason’s side,—there she has sat through this tedious trial, giving comfort to the woman that she loves,—and there she will sit till your verdict shall have made her further presence here unnecessary. His lordship and my learned friend there will tell you that you cannot take that as evidence of character. They will be justified in so telling you; but I, on the other hand, defy you not to take it as such evidence. Let us make what laws we will, they cannot take precedence of human nature. There too sits my client’s son. You will remember that at the beginning of this trial the solicitor-general expressed a wish that he were not here. I do not know whether you then responded to that wish, but I believe I may take it for granted that you do not do so now. Had any woman dear to either of you been so placed through the malice of an enemy, would you have hesitated to sit by her in her hour of trial? Had you doubted of her innocence you might have hesitated; for who could endure to hear announced in a crowded court like this the guilt of a mother or a wife? But he has no doubt. Nor, I believe, has any living being in this court,—unless it be her kinsman opposite, whose life for the last twenty years has been made wretched by a wicked longing after the patrimony of his brother.

‘Gentlemen of the jury, there sits my client with as loving a friend on one side as ever woman had, and with her only child on

the other. During the incidents of this trial the nature of the life she has led during the last twenty years,—since the period of that terrible crime with which she is charged,—has been proved before you. I may fearlessly ask you whether so fair a life is compatible with the idea of guilt so foul? I have known her intimately during all those years,—not as a lawyer, but as a friend,—and I confess that the audacity of this man Dockwrath, in assailing such a character with such an accusation, strikes me almost with admiration. What! Forgery!—for that, gentlemen of the jury, is the crime with which she is substantially charged. Look at her, as she sits there! That she, at the age of twenty, or not much more,—she who had so well performed the duties of her young life, that she should have forged a will,—have traced one signature after another in such a manner as to have deceived all those lawyers who were on her track immediately after her husband's death! For, mark you, if this be true, with her own hand she must have done it! There was no accomplice there. Look at her! Was she a forger? Was she a woman to deceive the sharp bloodhounds of the law? Could she, with that young baby on her bosom, have wrested from such as him'—and as he spoke he pointed with his finger, but with a look of unutterable scorn, to Joseph Mason, who was sitting opposite to him—'that fragment of his old father's property which he coveted so sorely? Where had she learned such skilled artifice? Gentlemen, such ingenuity in crime as that has never yet been proved in a court of law, even against those who have spent a life of wretchedness in acquiring such skill; and now you are asked to believe that such a deed was done by a young wife, of whom all that you know is that her conduct in every other respect had been beyond all praise! Gentlemen, I might have defied you to believe this accusation had it even been supported by testimony of a high character. Even in such case you would have felt that there was more behind than had been brought to your knowledge. But now, having seen, as you have, of what nature are the witnesses on whose testimony she has been impeached, it is impossible that you should believe this story. Had Lady Mason been a woman steeped in guilt from her infancy, had she been noted for cunning and fraudulent ingenuity, had she been known as an expert forger, you would not have convicted her on this indictment, having had before you the malice and greed of Dockwrath, the stupidity—I may almost call it idiocy, of Kenneby, and the dogged resolution to conceal the truth evinced by the woman Bolster. With strong evidence you could not have believed such a charge against so excellent a lady. With such evidence as you have had before you, you could not have believed the charge against a previously convicted felon.

'And what has been the object of this terrible persecution,—of the dreadful punishment which has been inflicted on this poor lady?

For remember, though you cannot pronounce her guilty, her sufferings have been terribly severe. Think what it must have been for a woman with habits such as hers, to have looked forward for long, long weeks to such a martyrdom as this! Think what she must have suffered in being dragged here and subjected to the gaze of all the county as a suspected felon! Think what must have been her feelings when I told her, not knowing how deep an ingenuity might be practised against her, that I must counsel her to call to her aid the unequalled talents of my friend Mr. Chaffanbrass'—'Unequalled no longer, but far surpassed,' whispered Chaffanbrass, in a voice that was audible through all the centre of the court. 'Her punishment has been terrible,' continued Mr. Furnival. 'After what she has gone through, it may well be doubted whether she can continue to reside at that sweet spot which has aroused such a feeling of avarice in the bosom of her kinsman. You have heard that Sir Joseph Mason had promised his eldest son that Orley Farm should form a part of his inheritance. It may be that the old man did make such a promise. If so, he thought fit to break it. But is it not wonderful that a man wealthy as is Mr. Mason—for his fortune is large; who has never wanted anything that money can buy; a man for whom his father did so much,—that he should be stirred up by disappointed avarice to carry in his bosom for twenty years so bitter a feeling of rancour against those who are nearest to him by blood and ties of family! Gentlemen, it has been a fearful lesson; but it is one which neither you nor I will ever forget!

'And now I shall leave my client's case in your hands. As to the verdict which you will give, I have no apprehension. You know as well as I do that she has not been guilty of this terrible crime. That you will so pronounce I do not for a moment doubt. But I do hope that that verdict will be accompanied by some expression on your part which may show to the world at large how great has been the wickedness displayed in the accusation.'

And yet as he sat down he knew that she had been guilty! To his ear her guilt had never been confessed; but yet he knew that it was so, and, knowing that, he had been able to speak as though her innocence were a thing of course. That those witnesses had spoken truth he also knew, and yet he had been able to hold them up to the execration of all around them as though they had committed the worst of crimes from the foulest of motives! And more than this, stranger than this, worse than this,—when the legal world knew—as the legal world soon did know,—that all this had been so, the legal world found no fault with Mr. Furnival, conceiving that he had done his duty by his client in a manner becoming an English barrister and an English gentleman.

