

POETRY.

WHEN POLLY HAS HER CALF.

I hain't had nothin' good to eat Since our old cow went dry; But now says we'll wait awhile, 'Till be different by-and-by. Hain't had a taste of custard pie, Nor a cup of milk to quaff; You bet I'll drink a quart right down When Polly has her calf.

SELECT STORY.

AN UNBROKEN PROMISE.

A CASTAWAY.

PART III.

CHAPTER X.

THE LONDON LAWYER.

Margaret, listen to reason, and bring that plain common sense which you know you possess, into play. No informal steps can be taken; all our proceedings henceforward must be taken under legal guidance, and nothing can be done to rescue this unhappy young man from the position in which he is placed, until his public examination."

know how secretly I will guard your name and fame, that this matter in which life and more than life are at stake, requires the fullest and calmest consideration."

Just then the servant, tapping at the door, announced that Doctor Chenoweth had arrived, and was waiting to see Mrs. Pickering. And the rector took his leave of Madge, promising to be with her early the next day.

During the various phases of sorrow through which the Rev. Onesiphorus Drage had passed in his lifetime, his lot was cast amongst felons, who either openly jeered at his ministrations, or pretended to believe in with a view to the improvement of their position; when the wife of his youth was gradually fading away before his eyes, when he himself was wrestling with temptation, striving to do what he imagined to be his duty to his dead wife by blotting Madge's image from his mind, he had never spent a night of greater agony than that which he went through when sitting in the room of which he was to be the witness. Not once throughout the night did he miss hearing the clock's weary record of the passing hour; and as he lay tossing restlessly on his bed, the difficulties surrounding the case, which he had taken under his charge, seemed to become increased and magnified.

How George Heriot was to be saved, except by the sacrifice of Philip Vane, the rector could find no means to discover; and though Margaret had not absolutely told him the name of the murderer, he had learned it under such circumstances as would render it almost impossible for him to disclose it to the law. Harassed by these two contending emotions—now nearly driven to madness by the reflection that the young man of whom Margaret thought and spoke so highly, was lying in prison, accused of an atrocious crime, of which he was wholly innocent; now racked with fear at the idea of being compelled to divulge the secret gleaned from Margaret, whom he deeply loved—the wretched rector became thoroughly worn out towards morning, and the first signs of renewed life were audible in the house, he fell into a deep slumber.

From this he was aroused by a loud knocking at his door, and by his servants informing him that a gentleman, whose card she had brought with her, was in the study very anxious to see him. Taking the card from the servant's hand, and reading on it, to his intense astonishment, "Mr. L. Moss, Thavies Inn," the rector bade her that he would be down in a very few minutes, and at once plunged into a cold bath which was awaiting him. Much refreshed in body and brain by this proceeding, Mr. Drage, on emerging, was yet unable to understand the object of Mr. Moss's visit.

"Moss," he repeated, glancing at the card, "Moss of Thavies Inn; surely that was the name of the firm of London attorneys, so celebrated for their conduct of business, whom Mr. Drew said he had retained. What on earth has the man come to do here? The last person in the world to give him any information or help, more especially situated as I now am. What on earth can he have come to me for?"

Then Mr. Drage thought that perhaps the best way to obtain this information was to finish dressing himself, and go down and see.

The rector had not formed much idea of what a London criminal attorney would probably be like, but on entering the study, he was certainly astonished at the comparative youth of the gentleman whom he saw before him. Leopold Moss was a man of apparently not more than thirty years of age, with sharp aquiline and keen bright eyes. He was dressed very plainly, wore no jewelry, save a thin strip of gold watch chain, and, until warned to his work, spoke in a soft voice and with a certain amount of what was almost diffidence. But if you inquired among those who knew, you would learn that there was no man in the legal profession to be compared to Leopold Moss in his manner of grasping a subject, or in his method of dealing with its details. In the conduct of certain great legal commercial cases, with the woe of which a strong criminal war was intermingled, he had held his own against the ablest men at the bar.

But although Leopold Moss, by the exigencies of his profession, was compelled to devote a large portion of his time to study, which in itself possessed a fascination for him, he by no means led a hermit life. A knowledge of man was as he rightly imagined, as useful to him as a knowledge of law, and he went a good deal into society, where his strange experiences and conversational powers rendered him a great favorite.

Such was Mr. Leopold Moss. He rose from his chair as the rector entered the room, and returning his host's salutation, commenced by saying:

"You are doubtless surprised to see me, Mr. Drage, not having any intimation of my coming. In fact, I have come down here about that bad business that happened last night, and have called upon you to ask for certain information and advice on behalf of my client Mr. Heriot."

"Your client Mr. Heriot?" exclaimed the rector, in surprise. "Why, Mr. Moss, I understood that your firm was instructed to get up the case for the prosecution."

"It was rather a complicated matter," said Mr. Moss. "Mr. Drew, of this place, did telegraph to instruct our people, and the telegram did not arrive until late in the evening, long after business hours, and was sent to my house. I was dining out, and found it on my return home, but in the meantime I had engaged myself to act on the other side."

"How was that? By whom were you retained?"

"It came about in this way. I was dining at the monthly meeting of a little society of antiquarians to which I belong, when Doctor Asprey, the well-known physician, who is one of our members, was summoned from the table. This is so frequently the case, that it has become a joke against the doctor, and on his return we were prepared to banter him as usual; but he made his way straight to me, and asked me to come out to the ante room so talk over important business. When the door was closed, he told me he had just returned from seeing a Mrs. Entwistle, who appears to be some relative of the accused, and a young lady named Pierpoint."

"Good heavens! Roe Pierpoint?"

"Yes," said Mr. Moss. "I think that was the name. At all events, this Miss Pierpoint is engaged to be married to young Heriot. They were in an awful state of mind; for the superintendent down here, at Heriot's request, had telegraphed to Miss Pierpoint the news of the arrest, and the ground of the accusation. Their first thought was to send for Doctor Asprey, who seems to be a kind of all round adviser at Mrs. Entwistle's, and his first thought, after comforting the woman, was to hurry back and secure me. I returned with him to Mrs. Entwistle's, and we sat talking long into the night. In the course of the conversation I learned that you had at one time warmly befriended Miss Roe Pierpoint and her sister, Mrs. Mrs. Pickering," he said, referring to some notes, "who was house-

keeper to the late Sir Geoffrey; and I determined coming down by the first train and seeing you before I took any further steps in the matter. And now, if you will please, tell me, as briefly as you can, all the facts of which you are in possession, but not stating any impressions which you may have formed."

CHAPTER XI.

THE LAW OF EVIDENCE.

The rector had been talking for more than an hour. What had been sarcastically remarked of him in the pulpit, that "he lacked the power of compression," was certainly proved to be true by his attempt at secular narrative. He told the story of George's first quarrel with his father as he had heard it from Sir Geoffrey; of the manner in which he had been discarded; of the long period during which he had supported himself; and of the manner in which Sir Geoffrey received him on his return. Then Mr. Drage becoming more circumstantial, repeated what Riley had said, and what Mr. Drew's servant had said about the high noon, and the manner in which the old soldier's servant had been ordered to turn his young master from the house. Upon this followed an account of the conversation held between Sir Geoffrey and the rector, by which the former tried to justify his proceedings, but was, Mr. Drage thought, finally convinced that he had been in the wrong, and not disinclined to make reparation. Then came Captain Cleopatra's meeting with George in the street, in which the latter had betrayed his anxiety to avoid recognition. And the narrative concluded with a description of the arrest of the young man with his father's body in his arms.

The rector ceased, and Mr. Moss, who had been sitting for the most part with his eyes closed, swaying his body backwards and forwards, and alternately bringing together and separating the tips of his fingers, now then making a pencil note, now and then elevating his eyebrows, but never in any way showing the slightest sign of interest or surprise, opened his eyes wide, and brought them to bear on his companion. But as he did not speak, the rector took the initiative, and asked him what he thought of it.

"Well," said Mr. Moss, "contrasting his eyes and speaking very slowly, "it is a strong case of circumstantial evidence. Young man on the spot, blood on his clothes, the body in his arms; had feeling known to have existed between him and his father; had been down there once before about the case of the evening, and knew where to find the old General. All these, neatly pieced together, make a very pretty case for Drew's people, or whoever they may choose to employ. What did he do it for? We should say, what did he get by it? Nothing, they would reply. Don't propose to show that—badly tempered young man; done in a fit of rage and out of revenge. I wish he hadn't been down before; the first business, of his having been discarded when he was a boy, happened so long ago that all the particulars would probably have been forgotten, and the mere fact alone preserved. But now we get voices in alteration and orderings-out; his knowledge of where the old General was to be found at that time of the evening, and all the rest of it. Now this Riley," continued Mr. Moss, referring to his notes, "this man-servant Riley, as I gather from you, will be an unwilling witness against us! I say 'us,' Mr. Drage, because though you were the great friend of the late Sir Geoffrey, your sympathies are, I presume, with the young man whom I represent."

"I should endeavor to keep my sympathies, sir, on the side of justice," said the rector gravely. "I could not at the time bring myself to believe that the son of my poor friend, no matter what had been his later surroundings, could have committed such a crime. But I confess my sympathies were not with him until I became convinced of his entire innocence."

"Oh," said Mr. Moss, looking across at him with half-closed eyes, "I am convinced of his entire innocence—well, well. And row about Riley, Mr. Drage. He is an Irishman, I believe?"

"Was formerly in the army, and has for years been Sir Geoffrey's body servant."

"Exactly. He was passionately attached to his master; but he will not for an instant allow himself to believe that the young man in custody is guilty. He will do his best to prove that the bitter feeling existed between the father and son."

"And in his endeavor not to prove it, or to prove a little of it as possible, Riley will make a nice case of it for us," said Mr. Moss, shaking his head. "I shouldn't say coming," he continued, speaking more to himself than to his companion, "if, when Drew got my telegram, he sent up for Netherton, Whiffle or Fairland; and this would be just the sort of fellow to fall into their hands. They would turn him inside out like a glove. Not at all," he added, referring to his notes, "what else have I to ask about—oh, Mrs. Pickering."

"Well, sir," said the rector, sharply, "what of her?"

"Mrs. Pickering," said Mr. Moss, still at his notes, "is the sister of Roe Pierpoint and was housekeeper, etc. By the way," he said, turning over a leaf, "hain't I something about Mrs. Pickering on the spot at the time? Yes, here it is. Found senseless outside the window, supposed to be suffering under concussion of the brain! That's awkward—Mrs. Pickering would be a most important witness."

"She would indeed," said the rector.

"Yes," said Mr. Moss, peering curiously at him with half-shut eyes, "as you say, she would indeed. By the way, Mr. Drage, you made use of an expression a short time ago which I should like to have a little further explanation upon. You said that your sympathies were with this young man since you have been convinced of his innocence. That is rather a strong phrase, and one which I, as his attorney, am of course glad to hear made use of by a gentleman in your position. Now, will you kindly make me acquainted with your grounds for entertaining this conviction?"

Mr. Drage saw he was in a dangerous position, and that he must be very careful, or Margaret's secret would be discovered. "I scarcely know," he stammered—"a sort of general—sort of—"

"Exactly," said Mr. Moss. "Now you haven't seen the accused since he was taken into custody, I believe?"

"I have not."

"Then the sources of this conviction cannot have been supplied by him. Very sad thing about this Mrs. Pickering, and concussion of the brain you say. I suppose that she was at once removed to her own room?"

"Certainly, as soon as the first excitement was over."

"When did the doctor see her last?"

"Late last night, I believe."

"Have you heard what was the latest report?"

"No, I have not."

"When did you see her last, Mr. Drage?"

"She sent for me last night, just before the doctor's visit."

"Sent for you," said Mr. Moss. "Oh, then the concussion of the brain was better?"

"Yes," said the rector, growing very hot and uncomfortable.

"Sufficiently better to enable her to talk to you about what had occurred?"

"Yes," said the rector, "I think so."

"It is now," said Mr. Moss, quietly looking at his watch, "half-past eleven o'clock; the express for London leaves at twelve twenty-three. Please to tell me, my dear sir, whether I am to return by that express or not?"

"Mr. Moss—" cried the rector.

"Mr. Drage," interrupted the gentleman, "my time is valuable to me and others; I cannot afford to—pardon the expression—fool it away. You might have spared yourself the whole of the long story you have told me, and all my speculations and enquiries, if you had merely informed me that Mrs. Pickering had talked with you about last night's occurrence. I now ask you plainly whether you are to be made acquainted with what Mrs. Pickering has told you or not; if I am not so to be informed, I shall turn up the case and return to London immediately."

"Mr. Drage was silent for a moment, then he said, 'Will it not suffice you to know that she declares George Heriot to be innocent?'"

"Not the least in the world," said Mr. Moss, with the nearest approach to putance which he had yet shown. "The only way of establishing the man's innocence without establishing another's guilt, is by proving an alibi, which is impossible in this case, where the man is taken to the spot. I tell you plainly, Mr. Drage, I must have no half measures now; my proper course would be to go to Mrs. Pickering and endeavor to get her to tell you the story, but as she has already been told to you, and as she is probably too weak to repeat it with safety to herself, I look to you for it."

"And if I decline to tell it?" said the rector.

"If you decline to tell it, I throw up the case and return to town. It will be for the gentleman who replaces me to tell you what will be the probable result."

"Suppose the information I possess was imparted to me in the strictest confidence," said the rector, after some little deliberation. "What would you say to that?"

"Suppose this innocent man is hanged because his friends declined to come forward and state what they know, what would you say to that?" said Mr. Moss.

"Good heavens, such a thought is too awful; such a miscarriage of justice could never take place?"

"Ten minutes to twelve, Mr. Drage," said the lawyer, again referring to his watch, "and it will take me twenty minutes to drive to the station."

"What am I to do?" cried the rector.

"This is a matter of the most vital importance. Of course a secret will be safe with you?"

Mr. Moss smiled quietly. "If you only knew all I know, my dear sir, or had heard half what I have listened to in my life, you would have no doubt about that."

TO BE CONTINUED.

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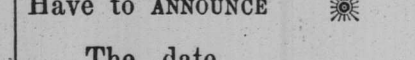
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