Continued from 1st Page. 'Well,' said the judge, 'it certainly ly grateful; 'you can put on your cloak strikes me as a novel point. What have again now.' Accordingly she clothed herself, and re-entered the box. All eyes were now turned upon James. for it was felt that if the point was decided shown the court, Miss Smithers, said-James,

The document which you have just

'It was, I understand, executed in the presence of the testator and the two attest-

'Was the testator, so far as you cou

'Did you, beyond the suggestions of which

'And to those facts you swear?'

Then he passed on to the history of th

The attorney-general looked puzzled, as

well he might; for] there are some things

'I bow to your lordship's experience,' said

Did you submit to this tattooing, which

'Please answer'my questions, Miss

Meeson's end. Also- "and she paused.

'Also I had a regard for Mr. Eustac

you were tattooed out of regard for the

plaintiff, and not purely in the interests of

'Yes; I suppose so.'
'Well, Mr. Attorney,' interposed the

'My object, my lord, was to show that

friend, Mr. Short, would lead the court to

this young lady was not the purely impas

sive medium in this matter that my learn

'Most people do,' said the judge, dryly. But it does not follow that the motive was,

Then the learned gentleman continued his

Meeson's, thus paraded in the open light of

Then, at last, Augusta was told to stand

This closed the plaintiff's case, and the at-

believe. She was acting from motive.'

udge, 'and what if she was?'

'None whatever.

'Also what ?'

'It was.'

'I do.'

and understanding?

'Most certainly he was.'

inst him the case was lost. is the one which was executed upon your The point to which I wish you to address back in Kerguelen Land on or about the urself, Mr. Short, went on the learned dge, 'is—Is the personality of Miss 'It is.' Smithers so totally lost and merged in what, for want of a better term, I must call her ary capacity, as to take away from ing witnesses, all three being present toher the right to appear before this court gether, and the signature of each being tat-like any other same human being, and give tooed in the presence of the other?' vidence of events, connected with its exe-

"If your lordship pleases,' said James, I judge, at the time of the dictation and exemination that this is not so. I maintain cution of the will, of sound mind, memory and that for all purposes, including the giving of evidence concerning its execution, Miss Smithers still remains Miss Smithers. you have already given evidence, in any way It would surely be absurd to argue that unduly influence the testator's mind, so as use a person had a deed executed upon to induce him to make this will? her skin she was ipso facto, incapacitated on would be contrary to equity and good policy, for persons could not so lightly death of the two sailors who had attested the will, and to the account of Augusta's in this case, the plantiff's action would be ultimate rescue, finally closing his examina in this case, the plantiff's action would be absolutely put an end to by any such decision, seeing that the signature of Jonathan Messon and the attesting witnesses to the will could not, of course, be recognized in their tattooed form, and there is no other living person who could depose under what circumstances the signature came to be a signature to be signature to ere. I submit that the objection should really, they were all glad to find themselves

"This, said his lordship, in giving his de- more crowded on the ision, 'is a very curious point, and one filled with the hope that the day might see thich, when first raised by the learned the matter decided one way or the other. ney-general, struck me with some As soon as the judge had come in Augus force; but, on considering it and hearing the resumed her place in the witness-box, and Mr. Short, I am convinced that it is an the attorney-general rose to cross-examine objection that cannot be supported (here Eustace gave a sigh of relief.) 'It is argued on the part of the defendant that Miss conclusion of your evidence, that you are Smithers is, for the purposes of this case, a now engaged to be married to Mr. Meeson nt, and nothing but a document, and the plaintiff. Now, I am sorry to have to as such that her mouth is shut. Now, I put a personal question to you, but I must think that the learned attorney-general can ask you, Were you, at the time of the tatnot have thought this matter out when he tooing of the will, in love with Mr. Meeson? tion. What are the This was a home-thrust, and poor Augusta been tattooed upon this lady's skin; but is the skin the whole person? Does not the 'If you will define, sir, what being in love e remain, and the individuality? is, I will do my best to answer your ques-I think that I can put what I mean more tion," ahe said. Whereat the audience clearly by means of an illustration. Let us including his lordship, smiled. ose that I were to uphold the defenction, and that, as a consequence, the plaintiff's case were to break down.

Then let us suppose that the plantiff had attorney general.

'Well,' he said, "were you matrix."

chere Augusta nearly jumped from her seat)

—'and that she, having survived the operation, was again tendered to the court judge, 'the one thing does not necessarily as a witness, would the court then be able, der any possibility, to refuse to accept her evidence? The document, in the form Mr. Attorney, tartly. Perhaps I had before human parchment would then be in the ter put my question this way—Had you, at hands of the officers of the court, and the that time, any prospect of becoming engage person from whom the parchment had been removed would also be before the court. Could it be still maintained that the two 'Did you subm were so identical and inseparable that the disabilities attaching to a document must coming engaged to the plaintiff!'

Certainly not. I may point out,' she oipnion, certainly not. Or, to take another case, let us suppose that the will had been figurement is not likely to add to anybody's attractions. ent off and preduced before the court, either thers, and do not comment on them. How in a fresh or a nummified condition: could did you come, then, to submit yourself to it then be seriously advanced that because such a disagreeable operation. It thought it the inscribed leg—standing on the table be.

"I submitted to it because II thought it the inscribed leg standing on the table before the court—had once belonged to the
right to do so, there being no other s it was not competent for the witness to give vidence on account of his or her documen attributes? Certainly it could not Therefore, it seems to me that that which s separable must, for the purposes of law, be taken as already separated, and that the will on the back of this witness must be looked upon as though it were in the hands, at this moment, of the officers of the court, quently, I overrule this objection. 'Will your lordship take a note of you lordship's decision?' asked the attorney-gen

CHAPTER XXI. GRANT AS PRAYED. rdingly Augusta was sworn, and Eus tace observed that when she removed her weil to kiss the Book the sight of her sweet face produced no small effect upon the

'Certainly, Mr. Attorney. Let' this wit

eral, in view of an appeal.

cross-examination, directing all the ingenuity Then James began his examination in of his practiced mind to trying to prove by chief, and, following the lines which he had Augusta's admissions, first, that the testator laid down in his opening speech, led her alowly, while allowing her to tell her own was acting under the undue influence of herself; and, secondly, that when the will was sell; and, secondly, that when the will was sell; and, secondly, that when the will was sell; and, secondly, that when the will was the tattooing of the will on Kerguelen Land.

All along the history had evidently interested everybody in the court—not excepting the will and the death of the testator on the the judge—intensely; but now the excitement rose to boiling-point. Well, said

James, 'tell his lordship exactly how it
came to pass that the will of Mr. Meeson

not shake her evidence upon any material

was tattooed upon your shoulders.'

In quiet, but dramatic Language, Augusta accordingly narrated every detail, from the ceived any serious blow. ime when Messon confided to her his remorse at having disinherited his nephew up asked in cross-examination by various other to the execution of the will, at her suggettion, by the sailor, upon her shoulders. the object of rebutting the presumption of the testator's mental unsoundness, made Au-'And now, Miss Smithers,' said James when she had done, I am very sorry to do gusta repeat all the details of the confession that the late publisher had made to her as

Poor Augusta colored up, and her eyer filled with tears, as she slowly undid the dust-cloak which hid her shoulders (for, of course she had come is low dress.) The judge, looking up sharply, observed her natural distress.

'If you prefer it, Miss Smithers,' said his lordship, courteously, 'I will order the court took every detail down. to be cleared of every one except those who are actually engaged in the case,'

down, which she did thankfully enough, At these ominous words a shudder of diagust passed through the densely packed ranks. It would, indeed, they felt, after all their striving, be hard if they were deprived of the sight of Augusta's shoulders; and they stared at her despairingly to see what she would answer. At these ominous words a shudder of dis-

thank your lordship, she said, with a low bow; but there would still be so may left that I do not think that it would greatly matter. I hope that everybody will understand my position, and extend their consideration to me.

every well, said the judge, and without further ado she took off the cloak and the silk handkerchief beneath it, and stood before the court dressed in a low black dress.

It was stand that I must sak you to come. I am afraid that I must ask you to come No cross-examination of the witness worth This he did very carefully, with the aid of a names of two sailors, Johnnie Butt and Bill magnifying glass referring now and again to
the photographic copy which Dr. Probate

This closed the plain had filed in the Registry.

torney-general at once proceeded to call his witnesses, reserving his remarks till the con-'Thank you,' he said, presently; 'that will do. I am afraid that the learned counsel

clusion of the evidence. He had only two witnesses, Mr. Todd, the lawyer who drew and attested the will of November 10, and So Augusta had to descend, and slowly his clerk, who also attested it, and their exwalk along the ranks, atopping before every learned leader to be carefully examined, amination did not take long. In cross-ex-amination, however, both these witnesses amination, however, both these witnesses while hundreds of eager eyes in the back- admitted that the testator was in a great ground were fixed upon her unfortunate state of passion when he executed the will, siders. However, at last it came to an and gave details of the lively seene that then

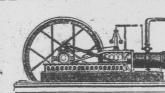
That will do, Miss Smithers,' said the Children Cry for Pitcher's Castoria. GENERAL BUSINESS.

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in the court—which was, if possible, even



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Tam straid that I must ask you to come up here,' said his lordship. Accordingly she walked round, mounted the bench, and the name having been attempted, James called a clerk from the office of the late turned her back to the judge, in order that turned her back to the judge, in order t

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