

CONTINUED FROM SIXTH PAGE.

# The Silver Dollar.

At the opening of the winter term of the Greenwood County Court the court room was crowded to the doors. The opening day of court always brought a crowd; but the case of Day vs. Corson had doubled it. A strange interest seemed to attach to this very ordinary lawsuit. Not a house in the county was there in which it had not been talked over and discussed for months. That any one, and that one a "girl," should dare to sue Pete Corson was the very height of presumption in the minds of this rural community. If good wishes counted for anything, Miss Day ought to win, for it really was the case of Greenwood County vs. Peter Corson.

"Good grit for a girl to tackle a man like Pete Corson, anyhow, no matter if she had a good case. Who is this Bennett who's got her case? I've never heard of his having a case before."

"Don't know. I'm afraid he don't amount to much; never knew there was such a lawyer in Greenwood County till the other day."

"Why don't she get another lawyer?"

"I guess she hasn't got the money. But my father could be \$1000 raised right here to-day to lay out Pete Corson with. Couldn't there?"

In fact, Mary had been urged to have additional counsel, and money had been offered her for that purpose. But no. Mr. Bennett has done, and I am sure he will do, all any one can for me," she said. So Bennett was spared the mortification of being relegated to the position of junior counsel; which would mean, as it always does, blame on his shoulders if the case be lost, and praise for the senior if won.

The case was the first one on the list ready for trial. With a beating heart and very shaky knees, as he afterward confessed, Bennett heard the case called, and took his seat at the plaintiff's table within the bar. Miss Day, pale and nervous at the unaccustomed surroundings, sat beside him. Over at the other table sat Corson, plainly as nervous and as anxious as the others. Last of all Judge Daniels, the senior member of the court, came in and took his seat, and the sheriff began empanelling the jury. There were no challenges on either side—a by no means uncommon occurrence in the rural county of Greenwood. The drawing of the jury seemed to help greatly to put Bennett at his ease, and as he rose to open his case his nervousness had disappeared.

There was no opportunity for eloquence offered in his case, he said. It was a simple case where his client had loaned the sum of \$2500 to the defendant on a bond. The bond, by no fault of his client, had been lost or stolen; but its execution he would prove. It had never been paid, and its principal and interest were still due and owing. He would ask for a judgment for the amount of the bond and interest to date.

Squire Merrick was first sworn, and by him was proved the execution of the bond and the payment of the money to the defendant. He was not cross-examined.

"Miss Day will take the stand."

At these words every neck in the courtroom was stretched to see what sort of a looking girl it was who had dared to fight Pete Corson. With a heart ready to come out of her throat—heartbeats are always ready to come out of throats at such trying times—Mary managed to walk to the witness stand and be sworn, without being told that she must put her hand on the book and not under it. In a simple, straightforward manner she told of the loan of the money and the loss of the bond. In conclusion, she swore positively that the money had not been paid.

To Bennett's surprise, the counsel for the defence had no questions to ask on cross-examination.

"Then I rest my case," he said to the Court.

Very deliberately ex-Judge Daniels rose to open for the defence.

"May it please the Court and gentlemen of the jury," he began, "our defence to this action I shall state in a very few words—a very few words. I regret to attack here in open court the character of any one, particularly that of a beautiful and apparently refined young lady. But I have a duty to perform and I shall perform it. As I unfold this case to you, you cannot but be the sharers with me of that deep sorrow which I feel for one who has allowed herself to become so misguided, for one so lost to conscience as to appear here in this court of justice, and for gold—sordid gold—so far forget her duty to her fellow man, nay, so far forget her duty to her Maker, as to disregard the sanctity of her oath."

"I object," shouted Bennett, hotly. "Counsel has no right to make such statements in an opening address."

"For, gentlemen," went on Daniels, not noticing the interruption or the look of rebuke from the Court, "it is not true that the bond mentioned in this case—or the mortgage either—has been lost; nor is it true that the money due to this plaintiff from my client has not been paid. On the 31st day of March, the day before the bond became due, and now over nine months ago, this defendant, at the house where the plaintiff now lives, paid off this bond in cash, and then and there, gentlemen, took up and received from this plaintiff these identical papers which she swears—swears, gentlemen—that she lost. They are here in court, their seals torn off, and cancelled by the hands of the plaintiff herself. These papers will of themselves prove our case. You shall see them and examine them for yourselves. On these grounds, gentlemen of the jury, we shall ask at your hands a verdict for our client of no account of action. I will first call one of the plaintiff's own witnesses, Squire Merrick, to prove that this is the original and true bond."

sat like one in a dream. Old as that expression is there is none other to take its place.

Bennett, outwardly calm, was all excitement within.

"Let me see that bond!" he exclaimed.

With a cuttngly polite bow ex-Judge Daniels handed him both the bond and mortgage. They were undoubtedly the originals; for although the names had been torn off they were in the handwriting of Squire Merrick.

"I will admit without proof being offered," said Bennett, after he had examined them carefully, "that this is the bond given to the plaintiff, but not that the plaintiff cancelled it or that a cent has ever been paid on it."

"Well, I will prove that. I presume, however, you will hardly claim they are lost," returned Daniels sarcastically. "Let the defendant take the stand."

Corson's story was the same as outlined in his counsel's opening. He had determined to pay off this debt—the first one he had ever contracted—just as soon as it was due. "It worried him so." On the last day of March last, the day before it was due, he had collected enough money, and as he had a great deal to do the following day, that being the 1st of April, when everybody was settling up their accounts, he thought he would walk over to Mr. Williams' and pay Miss Day what he owed her. He did so on the evening of that day. He saw Miss Day alone in Mr. Williams' sitting-room. When he told her for what he had come she seemed pleased and went up to her room—so he supposed—and brought down the bond and mortgage. He then handed her the money. After she had counted it over she tore off the names and seals and gave him the papers. That was all there was of it.

"Take the witness," ex-Judge Daniels said, as Corson finished his story.

"So you walked over to Williams' and paid Miss Day there, did you?" began Bennett. "You're sure you walked, are you?"

"Well, I rather guess so. It's four miles from my house to Williams', and I wouldn't be likely to forget a walk of that distance, would I?" retorted the witness pertly.

"Why did you walk? It was very bad walking, was it not?"

"That's just the reason I walked. The roads were so bad that it was better walking along the side of the road and in the fields than going with a horse and wagon. I could make better time."

"You say you saw Miss Day alone?"

"Yes, I'm sorry she was alone."

"Why?"

"Because it would have saved all this lawsuit if I had taken somebody along with me as a witness." And Corson looked around with a very self-satisfied air at this special answer.

"You say she tore off the seals when you paid her. Didn't you say something to her first about doing that?"

"No, she said, 'I guess that's the right way to receipt these papers,' and then she tore them off."

"A pretty good knowledge of law for one who does not know that it is necessary to get mortgages recorded to make them of any real value," remarked Bennett. Upon which the witness vouchsafed no opinion.

"Now, Mr. Corson," went on Bennett, "you said very particularly in your direct testimony that you paid Miss Day in legal tender. Why did you do that?"

"Well, I thought, you see—I thought, seeing as the security was very good, she might not want to take the money and might make me some trouble."

It was evident that the cross-examination was beginning to tell on the witness.

"You thought she would make you trouble? You mean that she would make you go home without taking your money, and you would have to come back again with legal tender? You don't really mean that, do you?"

"Yes, I do. It might have been several days before I could get the time to see her again, and it was costing me over forty cents a day for interest every day I let it go."

"What a terrible loss that would have been to a man of your means! Come now, Mr. Corson, do you really know what a legal tender is? To be honest, now, you don't, do you?"

"I don't, eh? I know as well as you do, and better, too."

"Oh, you do? To be sure, I forgot you have been having some financial experience in Wall Street." Which remark caused a titter to go over the courtroom and did not tend to put the witness any more at his ease. "Well, then," went on Bennett, "since you know so well, just tell us what legal tender is."

"Silver," he said, to be sure, so it is. Then, of course, you paid Miss Day in silver?" and Bennett's tone was calm, as if that was a very ordinary thing to do.

"Why, of course I did," replied Corson just as calmly.

Bennett bent over the table, apparently making some calculation.

"Now, Mr. Corson," he said, raising himself up to his full height and fixing a stern, steady gaze on the witness. "I want you to tell the Court and jury here how you, being on foot, carried 150 pounds of silver over bad roads and through fields four miles, from your house to Mr. Williams'."

Strange that no one had noticed the absurdity of this evidence before Bennett asked the question; but no one had paid any attention, evidently, to the conclusions to which the testimony was leading the witness.

"How's that? how's that?" said the justice, addressing Bennett. "I don't understand."

"Your Honor, the witness has sworn that he paid the plaintiff what he owed her in silver. That was \$2500 and one year's interest, making in all \$2650. A silver dollar weighs 412 grains Troy. As there are 1,000 grains Troy in a pound of avoirdupois, \$2650 will weigh 156 pounds."

"Yes, that is true," said the justice

after some calculation. "It weighs just a little over 156 pounds. What have you got to say to that?" he added, turning sharply and facing the witness.

There was a long, painful pause, during which every eye was fixed intently on Corson. When a witness makes a bad break there is often some way out, if he is sharp enough to find a way for correcting himself or in some way explaining his language. But in such emergencies there must be no delay or hesitation. Besides, it would have taken a much smarter and more experienced witness than Corson to wriggle out of his dilemma.

Why did not his counsel help him? True, if there had been any excuse for interfering with the cross-examination. But all the questions had been perfectly legal. Moreover, when a client jumps down his attorneys and says he will get another lawyer if they don't take his case for so much, and he is able to get lawyers to take his case on such terms rather than lose it, he should not be surprised to find that his affidavit case is being tried on an economical basis. *Carrot* applies to the purchase of cheap law. If he chose to perjure himself and get himself in a bad hole, what moral obligation was there upon his counsel to get him out, especially when they are not paid enough to do it?

So Corson sat there mute and helpless. The silence of the courtroom became profound and oppressive. With a scarlet face dropping perspiration from every pore, he was indeed, a pitiable-looking, if not a pitiable object.

"I—I—feel sick; I'd like—"

"That's the first word of truth you've spoken here to-day. Come down from the stand. I'm done with you!" thundered out Bennett.

He had won his case. Everybody saw that.

Like a slave obeying his master, Corson left the witness stand. As he took his seat beside him he saw no help in his counsel's countenance, which was a picture of profound disgust.

"I have no further evidence to offer," ex-Judge Daniels said, not rising from his seat. He appeared anxious to get out of the case as soon as he could.

"Do you not want to let this case go to the jury without argument?" he continued, turning to Bennett.

"Yes," returned the latter, seeing the advantage of the offer, and seizing at it quickly. "I could not improve my side of the case if I should talk all day."

"I suppose, then, gentlemen," said the justice, turning to the jury, "if you can get along without the summing up of counsel you can get along without any lengthy charge from me. The amount claimed by this plaintiff is \$2500 and interest, due on a bond. The only defence is that it has been paid. The defendant swears in a very positive manner that he paid the plaintiff \$2650 in silver on the 31st day of March last. That, gentlemen, is a very large sum to pay in silver. Unless you believe that the defendant has, at great personal trouble, somehow got together \$2650 silver dollars, and unless you believe that he could carry that sum, weighing a little over 156 pounds, a distance of four miles, you will have to give the plaintiff a verdict for the amount she claims. There is nothing further for me to charge."

Needless to say, the jury, without leaving their seats, rendered a verdict for the full amount due in favor of the plaintiff, who sat quietly crying behind her handkerchief.

So ended the locally celebrated trial of Day vs. Corson to the great satisfaction of everybody except Corson himself. He was left, indeed, in a very bad plight. Besides committing perjury, he was plainly the one who had stolen the bond and the mortgage from the trunk, and nothing could prevent his indictment and conviction if Miss Day saw fit to go before the grand jury. Fortunately for him, there was no desire on her part to place him in the criminal dock, and his only punishment was the disgrace which he had inflicted on himself.

Why had he testified as he did? The answer was easy. Like many another, he had imbibed his knowledge at the country store at Harker's Corners, where all matters of a public and private nature were discussed, and where it had been decided that, by the then recent passage of the silver bill, silver was the only legal tender which nobody could refuse in payment of a debt—as if there were any legal tender which could be refused. How it happened that this "doctrine" came to play so important a part in the trial was due to Corson himself, or perhaps, as the same story decided, to the "providential interposition of Providence."

As for Bennett, his professional fortune was made. Already two clients were waiting for him as he left the courtroom, and from that time on he was loaded down with business. To this rural community nothing had ever been heard of "quite so smart" as his cross-examination of Corson, although Bennett himself insisted there was nothing whatever smart about it. But smart or not smart, it made no difference. When Fortune starts to turn her wheel it is going to turn. Nothing is so lucky as luck, just as nothing succeeds like success.

On the wall of his private office—his offices now consist of three connecting rooms, and he has two clerks—framed in a gorgeous frame and a mat to fit it, is a bright, shining silver dollar.

His fee? To be sure, we had forgotten that. In view of the good luck which his case brought him he ought to have charged a very moderate fee, or, indeed, none at all. But he did nothing of the kind. Not satisfied with his client's money, he insisted on having—and he took—the client herself.

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(BUCKLE COCHRAN.)

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If the farmer did not work, if the miner did not dig in the subterranean gallery, every other department of industry would languish, for men would not produce and create if they did not see in the industry and industry of others a prospect of a demand for the commodity which they produce; and so every man in the world is bound closely to the destiny and interest of his fellow-man.

Underlying the whole scheme of civilization is the confidence men have in each other. Confidence in their honesty; confidence in their integrity; confidence in their industry; confidence in their future. If we want a silver coinage tomorrow, if we even desire our standard of value, men say that still you would have the same property you have today, you would still have the same soil, you would still have the same continent. And it is true. But so did the Indian have the same rivers that roll past our cities and turn the wheels of commerce as they pass. So the mountains were piled full of mineral treasures four hundred years ago.

The same atmosphere enveloped this continent; the same soil covered the fields; the same sun shone in heaven, and yet there was none but the savage pursuing the pathway of war through the trackless forest, and the rivers bore no single living thing except the Indian in his canoe pursuing a pathway of destruction. There was no industrial cooperation, because the Indian was a savage, and did not understand the principle by which men aid each other in taking from the bosom of the earth the wealth which makes life bearable and develops the intelligence which makes civilization.

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A MAN WHO PREFERENCES TO LIVE UNDER FRENCH GOVERNMENT.

The adventures of a mechanic named Muller, who recently deserted from the German army, are occupying a good deal of attention, says a Paris correspondent. A native of Mulhausen, he had, like many Alsatians, preferred to do his term of military service in France, after which he settled at Belfort. Some months ago, hearing that one of his relatives was very ill at Mulhausen, Muller crossed the frontier en route for that place, and at a station on the way he came upon an old school-fellow, now a gendarme, who asked him for his papers, and then arrested him on the charge of desertion.

Taken before the police officials, the prisoner explained that he had left Alsace 12 years before, and that, having served in the Foreign Legion, and fought in Tonkin, he had acquired French naturalization and could not be prosecuted. In spite, however, of his protests, Muller was sent on to Mulhausen and sentenced to six weeks' imprisonment, after which he was conveyed handcuffed to Cologne, where he was incorporated in an infantry regiment and treated with considerable harshness. He contrived to send off a letter to a relation in business in Paris, who begged a well-known Radical deputy to intervene, but without success. Weeks rolled by; learning that his child had died, Muller had forwarded a second missive to his relative, asking him to send him money for the purchase of clothes and to defray the expenses of his journey, as he was determined to desert.

On the 10th instant he received a registered letter, containing the whereabouts, and concealed them at the house of a friendly peasant. On the following day, the regiment to which Muller belonged was engaged in night manoeuvres, and he was placed as a sentinel in an advanced position. This was his opportunity. At 10 o'clock his corporal gave him the watchword, and he had two hours before him. Throwing down his rifle and knapsack he slipped away to the banks of the Rhine, and now swimming, now running, he got to the cottage of the peasant, where he changed his clothes. Long ere Muller's escape was discovered, he was in the express train en route for Paris, which he reached without any mishap, and he is now once more at Belfort.

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