

TALES OF THE JURY ROOM

By Gerald Griffin THE JURY ROOM

"Sweet masters be at accord." (As you like it.) It was during the assize week of an important city in the South of Ireland, that a grave-looking gentleman dressed in a sober suit of brown and petasank was observed riding through the dense crowds who thronged the open space before the city and county court-house. Everything in his appearance announced a person of good sense and prudence. His dress was neither too good for the road nor too mean for the wearer's rank as indicated by his demeanour; his hat was decent, but evidently not his best; a small spotted shawl folded cravat-wise protected his throat and ears from the rather moist and chilly air of an early Irish spring. A pair of doekin caps or overalls, buttoned on the knees, defended those essential hinges of the lower man from the danger of contracting any rheumatic twinges in the open air; while gloves neatly forced, evinced in the extremities of the wearer's person the same union of economy and just sufficient attention to appearances which was observable in all the rest of his attire. The countenance likewise attracted the respect and confidence of the beholder. It was marked by a certain air of good-will and probity of character, with a due consciousness of the owner's position in life, and an expression which seemed to intimate that he would not be willingly deficient in what was due to others, nor readily forfeit any portion of what was fairly owing to himself. As the stranger makes his appearance amid an idle crowd, all eyes were fixed upon him as he leisurely walked his horse toward a small hotel which stood at a little distance from the court-house. Giving the bridle to the hostler, with the easy air of one who knows his way about anything, and the two feels less satisfaction in motion than rest, he alighted, and after desiring, in what seemed an English accent, that the horse should not be fed until he had leaved himself, to visit the animal in the stable, he drew off his gloves, looked up and down the street, then up at the sky, where the clouds seemed to be deliberating whether they would rain or not, took of his hat, inspected it all over, thrust his gloves into the pocket of his greatcoat, and finally entered the coffee-room. It may seem trifling to mention all these motions of the traveller with so much precision, but not one of them was lost upon the intelligent observer in the street, who doubtless would not have employed a thing so valuable as time in watching the movements of an entire stranger, if there were not something very important, though still a mystery to them, in every turn he took. The coffee-room was at this instant the scene of a very animated discussion. It needed but a few minutes standing at the fire, and lending an ear occasionally to what went forward, to render the grave-looking gentleman somewhat curious to know more of the affair at issue. Some asked with sparkling eyes, "whether the penal code was to be re-enacted?" Others talked of the "enlightened age," and the "days were gone by when the people could be trampled on with impunity." Others, who seemed of an opposite way of thinking, talked with equal vehemence of "the dark ages," of "the fires of Smithfield," and "the gunpowder plots" with sundry other allusions to bygone massacres and conspiracies, and asked "if the Inquisition was about to be again established in all its terrible power?" These alarming expressions whetted the curiosity of the stranger, who looked vainly around for some time in search of a neutral face, to which he might address an inquiry with some chance of his being listened to. His eyes at length lighted upon a middle-aged quiet-looking person, who sat on one side of the fire with half-closed eyes, a newspaper in his hand, and an expression on his countenance as if he were rather amused than interested by what was passing around him. He was the first to go forward. On hearing the stranger's question, he civilly laid aside the paper and turning toward the fire, said with a smile: "It appears you are but newly arrived, sir, or you would have not necessary to ask that question."

"You are quite right; I never was in the town before the last quarter of an hour."

"That is evident by your knowing nothing of the affair which has kept the whole city and county likewise in a state of commotion during the last fortnight."

"Bless me!—some conspiracy discovered?"

"Not exactly."

"Some appalling murder then? some clergyman shot on account of tithes?—or petty and police?"

"Why, sir," replied the quiet-looking gentleman still smiling, "after all your grand conjectures, confess I am ashamed to tell you the exact truth, it must cut to the figure in the comparison, so paltry a figure in the comparison, as I suppose, (the stranger bowed) and on a tour of pleasure (the stranger shook his head) or business (the stranger protruded his lips and lifted his eyebrows with a half-dissenting air)—or both perhaps united (the stranger nodded his head as if to say, "you have gone nearer the mark,") and are desirous of carrying home with you some notice of the state of society in this country, (another nod of assent) the circumstance may be worth your hearing. You should know in the first place, that in every city, town, and village in Ireland, from the metropolitan to the petty hamlet, the responsibility that down to the petty sessions, there are two parties who between them continue to keep society in continual uproar. Now in such a state of things, if there be any disgrease in neutrality, I confess there are some few besides myself who make a principle of incouraging it. It is not that I am inauspicious to a good or evil being, I have both bigotry and bolderdash, and as it seems impossible to meddle in public affairs, and at the same time steer a

clear course between the one and the other with any chance of being attended to, I content myself with doing whatever little good I can in a quiet way, and feel inclined to ratify the motto by the vehemence of others than to be induced to imitate them."

"Since you are so moderate," said the stranger, "I will not fear wounding your nationality by saying that you have just uttered the most rational speech I have heard since I arrived in Ireland."

"Ah, you know that the compliment to my personal vanity is sufficient to cover any umbrage I might feel on the score of country. However, so it is. Well, out of such a state of affairs, it arises, that every mole-hill between the parties is magnified into an Olympus, rumour, with national misdeeds upon the one side, and ready contradictions of the 'foal column' upon the other, for as you may have observed since you entered the room, neither party is deficient in vigour of language. Then there are meetings and counter meetings of 'Letters from Veritas,' 'Eye-Witness,' 'Victor,' 'Fair-Play,' 'Lovers of Truth,' and 'Lovers of Justice,' the most of whom prove each other to deserve any character rather than that which their signatures assume. 'Veritas' is shown to be a hired official, whom nobody could trust; 'Eye-Witness' to have been 50 miles away at the time the occurrence took place; 'Victor,' to be a constant resident in the neighborhood he affects to have visited with the impartiality of a disinterested traveller; 'Fair-Play,' to be a notoriously one-sided partisan, and the whole bunch of lovers of truth, and lovers of justice to be remarkable amongst all their acquaintances for the total absence of those qualities. I declare to you, though I love my country, and am not in the habit of carrying any sentiment to an extreme; when I consider such a state of society, and the total absence of peace and happiness which it involves, I am often tempted to turn heretic to the 'enlightened opinions of the age,' and long for a good stout despotism, which would compel them all to hold their tongues. But what has all this to do with the question you asked me? you shall judge for yourself and probably you will see no great apparent connection when I tell you that all you have heard relates to a trial for breach of promise of marriage which has been the subject of our court-house. 'Breach of promise!' exclaimed the stranger.

"It is a fact, I assure you. The parties are unhappy of the opposite factions—not that I believe either the lady or gentleman care much whether they break their eggs at the big or little end, and indeed it is generally supposed that the lady in question has been long since arranged in the happiest manner for both; were it left in their own hands. But the gentleman, against his better will, has been led to act unhandsofly by his friends of one party, and the lady, against her inclination also, has been moved to co-operation by the designs of her friends who are of another side, and so the town has been all alive in expectation of the result, and the court-house is thronged with partisans who see a great deal more in the case than a mere suit at nisi prius. Challenging has run so high that counsel have been already compelled to pray a *foles*.

Stimulated rather by a general feeling of curiosity than moved by any particular interest in the suit at issue, the stranger, after politely thanking the quiet gentleman for his civility, put on his hat and walked out in the direction of the court-house. There was something in his appearance which opened the eyes of those who were seated at the table, and he was seen to push aside all the country people with the butts of their carbines, and hold the little iron gate-way open as he drew nigh. After listening for some time to the counsel and witnesses, who seemed bent up to harass the other, the stranger began to feel as if he had heard enough of it, and returning to the inward flaged hall, cast his eyes about, and seemed desirous to inspect the remainder of the building. Passing along a somewhat lengthy hall which divided the civil from the criminal court, he ascended a short circular flight of stairs, which brought him to a landing place on which he could perceive several doors, leading in different directions. One of those by some unaccountable neglect stood ajar at the present moment. It would appear that if the grave-looking stranger had a fob in his pocket, he would have been the first to have opened the door, and bade the bailiff call the County High Sheriff. When that personage arrived, the foreman in the name of the jury requested him to inform the judge that they had not been able to agree upon the verdict, nor was it likely they should do for a considerable time. He departed and they awaited his return in almost unbroken silence.

In a short time his footsteps were heard ascending the small staircase.

"Gentlemen," said he, "his lordship desires me to tell you, that, such being the case, you must only make up your minds to remain in until you can agree upon what verdict you are to give. His lordship does not think proper to detain the court any longer at so late an hour."

"Then we are to remain here all night, I suppose!" exclaimed the foreman.

"If you should agree upon your verdict long before morning," continued the sheriff in the same sedate tone, every accent of which was drunk with a Christy stillness by all ears in the jury room, "not excepting the pair in the cupboard, his lordship is pleased to say that you can send word to his lodgings in—Street."

What a prospect for all in the room, but more than all, for our friend in the cupboard, who had not tasted food since morning, and was moreover in a position far from being the easiest in the world. There was however no help for it, whatever difficulty he might have felt in revealing himself in the first instance, was increased a hundred fold by the suspicious mode of concealment which he had since adopted, and the dire fact of his having wilfully overheard a portion of the private deliberations of the jury. There was therefore no other resource than hope

and patience. The sheriff descended the staircase, the jury men separated murmuring into different corners of the room. The regulations of the court were too well understood to allow them to hope that they could be successful in any attempt to obtain refreshments from the officials in attendance, and they only deliberated, each within his own mind, in what manner they should pass the long winter night without either sleep or food. Sighing deeply, though inaudibly, our traveler resigned himself to his fate, without troubling himself further about devising means of escaping it. The discontented jury men sought comfort as they could, some occupying the few chairs that stood near the fire, while some lying still, and others leaning forward, and turning the collar of their coat over their ears, stretched themselves at full length on the wooden forms, and courted slumber with indifferent success.

It was now approaching midnight, and an universal stillness had fallen upon the city, interrupted at intervals by the louder footfall of some elated passenger, or the merry converse of a group returning homeward from some evening party. On a sudden a rough snoring voice was heard in the narrow street already described, which passed beneath the window of the jury room.

"Oysters!—Oysters! Fine Burgen oysters! Choice Burgen oysters!" There was a general movement amongst the gentlemen of the jury. The foreman raised his head from the form on which he had laid his aching joints, and advanced towards the window. After a moment's consultation with some of his fellow prisoners, he threw up the sash, and leaning forward said in a low but distinct tone, which would not fail to reach the ears for which it was intended: "I say, oysters!"

"Who's that? Who calls oysters?" "Oysters!" repeated the foreman.

"Oh, I beg your honour's pardon! Would you want any oysters, sir? They're as fresh as daisies, your honour."

"Come hither. Do you think if we took your oysters you could get us something to eat with them?"

"To be sure I could, your honour. But what good was that for me, when I have no means of getting them up there?"

This difficulty was speedily removed. A number of cravats and pocket-handkerchiefs were tied together, so as to form a line long enough to reach the street. A whip was now raised for defraying the expenses of the projected enterprise, and the amount as soon as collected was made fast to the corner of a silk handkerchief, which formed one extreme of the line. The whole apparatus was then carefully lowered from the window until it reached the hands of the expectant vender of shell-fish.

Like Iris' bow down darts the painted line Starr'd, striped, and spotted, yellow, red and blue, Old calico, torn silk, and muslin new.

Having extracted the treasure from the handkerchief the oysterman disappeared, and during the succeeding quarter of an hour, the silence of the evidence that had been brought before them, or on the points of law laid down by the judge in his charge. The chief points of contention soon became restricted to questions of theology and history, between which the guilt or innocence of the defendant our traveler would have found it hard to trace any evidence, were it not for the hints previously thrown out by the quiet gentleman at the hotel. The allusions made, if not so broad as in the coffee-room, were fully as much to the point, and as remarkable for their severity and lucid vigour. The lash was administered freely though pointed on both sides, and the heated disputants were insinuated into the discussion, evidently more in aid of the immediate purpose than with any unkindly or vindictive feeling toward the other. Hints, however, were dealt liberally against the living and the dead, St. Gregory VII. and Henry VIII., Anna Boylen and Catherine de Medicis, Queen Mary and Queen Elizabeth, all came in for their share, and if the opposing parties were not always successful in the defence they set up for their friends, they seldom failed to make up for the deficiency by a well-aimed thrust at some cherished name upon the enemy's side.

Perceiving that it was not likely they could agree, the foreman knocked at the door, and bade the bailiff call the County High Sheriff. When that personage arrived, the foreman in the name of the jury requested him to inform the judge that they had not been able to agree upon the verdict, nor was it likely they should do for a considerable time. He departed and they awaited his return in almost unbroken silence.

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forms and chairs were drawn closer round it, and conversation became general and animated. It was at length interrupted by the foreman, who, after requesting the attention of his fellow-jurymen for some moments, addressed them as follows: "Gentlemen, although we have already faced so much better than we had expected, it remains for us to consider in what way the long interval is to be spent which we must pass between this and daybreak. The forms and the few chairs which we possess offer little inducement in the way of sleep, and I do not see the advantage of reviving any discussion on the case which has been submitted to our judgment, being always unfriendly to the introduction of party questions in mixed company where it can possibly be avoided. I therefore propose that we leave the question of the defendant's guilt or innocence between himself, his conscience, and his Maker, and turn our attention to the passing our remaining terms of confinement in such a manner as may be most profitable, under the circumstances, to ourselves and to each other."

This address was received with general applause, which having subsided after a little time, the foreman was permitted to resume: "I have heard," he remarked, gentlemen, by learned men, that the word Erin (which as you are all aware is the poetical name for Ireland) forms like-wise the accusative case of a Greek noun, signifying *strife or discord*. Whatever analogy the present state of our country may enable a satirical mind to imagine between the word and its Greek meaning, I am sure there is no one in this room but will agree with me in hoping that the time may yet arrive when no handle shall be found for such invidious sallies, when the rocks and shoals of party feeling which at present wreck the peace and happiness of society shall be covered by the advancing tide of good-will and brotherly affection, and when Irishmen, instead of maintaining a selfish struggle for partial or individual interests, shall labor heart and hand for the peace and welfare of the whole."

Revered applause interrupted the current of the foreman's discourse, and it was only after a few minutes that he was permitted to proceed.

"At all events, gentlemen, there is nothing to hinder us from trying the experiment, and setting our countrymen an example, for one night at least, of the triumph of social feeling over prejudice and opinion. My proposal is therefore, that we draw closer around the fire, and each in succession either pay a fine of one shilling sterling or relate some amusing and characteristic tale, such as he may have gathered in the course of reading or experience, and conclude by singing a song for the entertainment of the company; and in order that this may be proceeded with all freedom, I move that no one shall take offence at what may be said, but that every one be at liberty to tell his story after his own fashion, with a *carte blanche* for the full utterance of everything that may come into his mind, excepting of course questions of mere controversy, for which this is not the time nor the place, and for the introduction of which a fine of one shilling is to be imposed. I say this, not that I hold a man's opinions to be a matter of indifference, but merely that no feeling of restraint or awkwardness should embarrass the chain of the narrative, and consequently diminish the amusement of the listeners."

A fresh burst of applause announced the unanimous assent of all present to this proposal, and preparations were immediately made for carrying it into effect. A fresh supply of turf was heaped upon the fire, the chairs were arranged in semicircular fashion around the hearth, and the foreman was placed in the only arm-chair in the room, with the additional dignity of president, and full authority to decide all points of order which might arise. It being decided that the entertainment should commence with the president, a general silence fell upon the circle, while he spoke as follows: "Having lately, gentlemen, in the library of a learned friend of mine, fallen upon an unpublished manuscript containing a very curious and interesting story, which I presume will be entirely new to you, I shall endeavor to relate it as accurately as my memory will allow."

"I've been outside with a bunch of fellows," Billy spoke with a careless confidence that was not quite assured. "I was late getting away from the store and I didn't want to come in while they were doing their act. What do you think of Mary Liz's neckpiece? Lucky it ain't St. Patrick's day—there'd be a risk."

Isabel gave him a withering glance. He need not think by any light preface to escape the grilling so richly due him. As if anticipating it, Billy took her elbow, and steered her toward a corner with such speed that she sat down, breathless. As he faced her, she resolved her first full view of him. He had on a blue shirt! Not a pale, aesthetic, delicately tinted azure, but a blue a little lighter than indigo, a deep, rich, solid color, slightly tinged with green, a blue that would have harmonized perfectly with a coal wagon or a plumb shop, but not—oh, 'no!' with a dainty 'faded' of the G.O.P. He had managed by a lavish arrangement of a white tie, to conceal a portion of his bosom; but Billy was broad as well as tall, and on either side of the strait of the emerged, bravely, the plebeian hue.

Isabel felt stunned. For a minute it seemed to her that every eye in the room was riveted on that unspeakable shirt. She turned her head away and the color flooded her face to her hair.

Even the pink dimity that had given her so much pleasure now added to her discomfort; she realized that her own pretensions would be served to all attention by the shocking disregard of conventionality shown by her companion. Stealthily she searched the room with her eyes—there was no hope. Though the great majority of the gentlemen present appeared in business suits, the linen of all, with the exception of Billy, was of white.

The lecture she had intended to bestow upon him for his tardiness passed out of her mind, erased by this greater humiliation. Then she observed that Billy's face was redder than usual, and that he looked uncomfortable even awkward. With an effort so great that it nearly strangled her she choked back her first caustic comment regarding his choice of an essential garment. It came to her suddenly that this was a matter that could not be lightly disposed of, for the present, she must appear oblivious to it. As the courtship between herself and Billy had reached the stage when she picked lint from his clothes, regulated the angle at which he wore his hat and reproved him for tooting in, her forbearance was something akin to heroic.

Strange it is that by captious criticism does a woman evidence her tenderest love; stranger yet is a man's sheepish, but instant and delighted acceptance of all that she says, as if the Heaven-born instinct that warns him not to return the attention in kind. But perhaps the woman's part of it is identical with the impulse that makes her fasten up a little sagging stocking, or tie back with a ribbon her baby's tumbled curls.

But when it comes to vital things, things that may affect her destiny, then and then only, is a woman dumb. There are no words will make or mar her life—it must be understood. And so simple a thing as the presence of a blue shirt on Billy O'Farrell roused in Isabel's mind an acutely distressing train of thought, and caused her heart to ache in a way that seemed all out of proportion to the event.

In order to get an insight into the girl's jumbled emotions, it will be necessary to dig a little beneath the surface, disregard light dialogue, and stick to plain narrative for a while.

Perhaps in no other modern institution is there so great an intimacy of mingling of people drawn from different classes of society as in a mammoth department store. Its employees meet on a common level, but the traditions and methods of existence of their ancestors may have been as far apart as the two great oceans. Sarah Slavinsky, born in the steppes, may with the best of her kind be a descendant of some great, great grandfather signed the Declaration of Independence. The son of a European peasant may possess qualities that appeal to a girl of the keenest sensibility, whose active mind is a century ahead of his—and she may work nine hours a day within three feet of him, and yet never be aware of his existence. The results are problematical—and whether they are harmonious depends entirely upon the individual.

Isabel did not know that certain standards were inherent in her. She never had had a chance to learn what an inherent standard was—her breeding and-better problem had prevented. But as she danced through the evening, her trouble grew.

If Billy O'Farrell hadn't any more sense of the eternal fitness of things than to wear such a shirt to such a place, would she not, from this time on, live in constant fear of his committing some fairly original breach of etiquette? Could she endure having to blush for him again? Could she be proud of him at the end of twenty years to come? Could he, would he, perhaps, go unshaved and collarless? Could she love him, if he did? She began to doubt and waver.

It might not be that she had made a mistake—in spite of this horrible pain at her heart at the thought of losing him? She must be honest with herself: did she, even now, relish the thought of introducing him to her college-bred cousins and her fustian great-aunt Julia, whose arrival on their yearly shopping expedition, was daily expected? Undoubtedly, Isabel was supersensitive and imaginative; but she had chanced to stumble over some rocks of truth.

It was a relief when Billy left her to Eddie Bingham and promenade away with Marie Elizabeth. Mr. Bingham held a position of some responsibility at Barnhardt and Son's; he was acquainted with the intricacies of their foreign invoices. He was a gentleman of the highest character; he neither smoked nor drank; and his conversation was at all times as innocuous as an antiseptic dressing. Isabel detested him, she was just at that perfectly innocent, perfectly ignorant, perfectly natural period of her existence when she loathed a "good" young man. Your normal young woman wants no callow

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THE BLUE SHIRT

By Francis A. Ludwig in Red Book

The last tormented strain of Schubert's serenade had been done to death by the red-haired O'Shaughnessy twin; the black-haired O'Shaughnessy twin, on the platform, was declaiming the ancient formula "I'm mad I'm mad!"—her gestures fully sustaining her assertion; "Dancing," the last word on the programme, had been rescheduled and still there was no sign of Billy O'Farrell.

Marie Elizabeth, all in white, her head propped up at a torturing angle by a white-boned, orange coloured stock, was in her element. She was seated between two young men, each of whom she was endeavouring to convince that she was alone, was the recipient of a heady, but Isabel, dainty in pink dimity, was conspicuous by the absence of any cavalier.

In spite of Miss Cartwright's haughty and unconscious air, it was evident from the deepening pink of her cheeks that she was fully mindful of the humiliation of her neglected state; and a certain gleam in her eyes boded ill for the offending Billy, when once he should appear.

There was a final clapping of hands—most parentally signifying relief; then everybody rose and expressed polite surprise and pleasure at meeting everybody else. Little groups gathered, and chairs were whisked to the walls.

Isabel stood hesitating, undecided whether to risk trespassing upon Marie Elizabeth's preserves, or to get her wraps and go home, when her delinquent admirer stood beside her.

"Where in the world have you been? I've been waiting for hours. Why didn't you come earlier?" Her voice expressed relief, tinged with a hint of something less pleasant to come.