

had been made, and pleaded, finally, that if such contract had been entered into, it was vitiated by alterations, to all of which he was prepared to swear, and had his assistant also ready to certify the amount of labour and material expended. I gave my opinion that it was a hopeless case, and that the defendant had better agree to a compromise than incur any further expense. However, he would not, and I was fain to trust to the chapter of accidents for any chance of success.

"Near the town where the trial was to take place lived an old friend of mine, who, after the first day's assize carried me off in his carriage to dine and sleep in his house, engaging to drive me over early next morning in time for this case, which stood next on the list. Mr. Tritten, the gentleman in question, was there also, and we had another discussion as to the prospects of his defence. 'I know the fellow,' said he, 'to be a thorough rascal, and it is because I feel so confident that something will come out to prove it, that I am determined to persist.' I said I hoped it might be so, and we retired to rest.

"After breakfast the next morning, my host drove me over in his dog-cart to the assize town. We are just entering the outskirts, when, from a turning down by the old inn and posting-house, where the horse was usually put up, there came running towards us a lad pursued by a man, who was threatening him in a savage manner. Finding himself overtaken, the lad, after the custom of small boys in such circumstances, lay down curling himself up, and holding his hands clasped over his head. The man approached, and after beating him roughly with his fist, and trying to pull him up without success, took hold of the collar of the boy's coat and knocked his head several times on the ground. We were just opposite at the moment, and my friend bade him let the lad alone, and not be such a brute. The fellow scowled, and telling us, with an oath, to mind our own business, for the boy was his own, and he had a right to beat him if he pleased, walked off, and his victim scampered away in the opposite direction.

"The dog-cart was put up, and we presently went on to the court. The case was opened in an off-hand style by the opposite counsel, who characterized the plea of a contract as a shallow evasion, and called the plaintiff as his principal witness. What was my surprise to see get into the box the very man whom we had beheld hammering the boy's head on the kerb-stone an hour before. An idea occurred to me at the moment, and I half averted my face from him; though, indeed, it was hardly likely he would recognise me under my forensic wig. He gave his evidence in a positive, defiant sort of way, but very clearly and decisively. He had evidently got his story well by heart, and was determined to stick to it. I rose and made a show of cross-examining him, till I saw that he was getting irritated, and denying things in a wholesale style. He had been drinking, too, I thought, just enough to make him insolent and reckless. So, after a few more unimportant questions, I asked, in a casual tone — 'You are married, Mr. Myers?'

"'Yes, I am.'

"'And you are a kind husband, I suppose?'

"'I suppose so: what then?'

"'Have any children blessed your union, Mr. Myers?'

"The plaintiff's counsel here called on the judge to interfere. The questions were irrelevant and impertinent to the matter in question.

"I pledged my word to the Court that they were neither, but had a very important bearing on the case, and was allowed to proceed. I repeated my question.

"'I've a boy and a girl.'

"'Pray, how old are they?'

"'The boy's twelve, and the girl nine, I b'lieve.'

"'Ah! Well, I suppose you are an affectionate father, as well as a kind husband. You are not in the habit of beating your wife and children, are you?'

"'I don't see what business it is of yours. No! I ain't.'

"'You don't knock your son about, for example?'

"'No! I don't.' (He was growing