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THE WILL.

AN ENGLISH STORY.

No two persons were ever more unlike each other than were old Richard Symmons and his brother James. Richard was the pattern of what we are accustomed to call a "true English heart," and his looks bore out the character. A ready countenance, open as day, his locks almost entirely white, hanging round it like snow around a Christmas tree, and an erect, firmly-knit frame, formed the material case in which was enclosed as kind and generous a spirit as ever existed. Very far from the hale, hearty appearance of his brother, was that of James Symmons, and different were his mind and character. James was a hux, a curmudgeon, a miser; so, at least, said the whole village of Springwell, the village had known him long, and had formed its judgment from deeds as well as from words. Shrivelled, shrunken, squalid in aspect, James might be compared to a bottle of beer that time had soured into vinegar. James Richard, like more generous liquor, had only been mellowed and improved by age; his pinching parsimony, it was said, had taken his wife's heart, and had driven his son, only child, from the door—to wander over earth, it may be, a homeless outcast. But these latter matters were partially forgotten at the time we write of, having passed a few many years before. As time had run on, peculiarities of James Symmons had not become softened, but on the contrary, increased in strength as he grew older. Though he amassed considerable property, he lived in meanest, and most wretched way, keeping only a few rats, a hen, a pig, and denying himself even the necessaries of life. Most unkindly was Richard's way of living. He being in business, had earned for himself a comfortable competency, and he enjoyed it in full. Richard had never been married, but was not, therefore without a family; for he had taken to his home and heart a widow, who had been suddenly thrown destitute of the world by her husband's death. And sister had a daughter, who had become opiate of Richard's eye. She had come to care a child, and each succeeding year, she shot up into comely womanhood, had of her more firmly to the good man's love, he tripped up and down his dwelling, his dainty eyes followed her light and graceful motions with delight, and it was his chief pleasure to select for her with his own hands those little ornaments which he thought would become and gratify her. Then would say, as her pretty rosy lips thanked him for a kiss on such occasions. "Ah, Lucy! just giving thee a staff to break my own neck and those ribbons, that all the young set has mustall in love with thee. And what did thy poor old uncle Dick do without thee?" At other times he would utter, in the press of his heart, to his special niece the blamster, as they sat with a mug of ale the backgammon board before them, that she was fit to be a duchess, and that she repaid what he had done for her a thousand times over and over; though he had done nothing but his duty, by his poor sister and her child, neither.

At the worthy old man fell ill—became almost unto death. Illness was a thing that had scarcely known in his lifetime, this attack reminded him forcibly of what he often makes men forget, namely, the necessity of arranging his affairs so that things should go as he wished after his death. His only lay chiefly in houses, and he wished his sister a life-tenure of part of that property, and to constitute his niece ultimate to all. Without a will, this disposition of property could not be made, as Richard's brother, who was heir at law, would otherwise be entitled to all. Richard had no enmity at his miserably brother, as he called the parsimonious James, but he knew that the latter much more wealth of his own, than he ever had, or would use. Accordingly, to provide his dear Lucy and her mother, was Richard's object, and in order to accomplish this

the schoolmaster's talents were put in requisition; for the schoolmaster, as is the case with his class in almost every parish in England, was a will-maker—at least he had acted in that capacity frequently, and the honest man thought himself very perfect in the calling. To attain perfection in it, indeed, after his fashion of going to work, was no very difficult matter. He had one form for all cases; and, accordingly, when Richard Symmons communicated his wishes to him, the schoolmaster drew up a will agreeably to this form. According to his friend's wish, the schoolmaster himself was nominated executor—a post which he held in nine out of ten of all the will-cases with which he had to do.

When the schoolmaster came to old Richard's bedroom with the will, to have it signed and witnessed, Lucy sat by her kind uncle's bed-side, and, to use the beautiful language of Shakspeare,

—like the watchful minutes to the hour,
Still sat anon cheered up the heavy time,
Saying, "What lack you?" and "Where lies your grief?"

Or, "What good love may I perform for you?" Her mother also was in the room, engaged in knitting what she hoped her brother would yet live to wear. Neither she nor Lucy knew of the commission which Richard had given to the schoolmaster; and when it was communicated to them, they were moved to tears, partly of affectionate anxiety. "Oh! dear uncle," sobbed Lucy, "you will be spared to us yet?" "A little while, perhaps, Luce darling," said the old man calmly, "but not long—not long now. The blow has been given, and the first high wind will bring down the tree. But come, let us have this matter settled, and I will be easy in mind." The invalid signed the will, and, under the directions of the schoolmaster, Lucy and her mother put their names to it, along with his own, as witnesses.

After the completion of this deed, Richard lived several weeks in the enjoyment of tolerable health. But a second attack, of the same nature as the first, terminated his day. The schoolmaster, as executor, spared Lucy and her mother the painful task of directing the funeral ceremonies. For the first time for many years, James Symmons entered his brother's house, on the occasion of the burial. He had become more squinted and haggard than ever, and though evidently verging rapidly to the grave, still grasped at wealth with as keen a hand as ever. Some thought they observed on his countenance gleams of wild eagerness breaking at times, as if unconsciously, through the show of gravity which he wore, as he followed his brother to the tomb. Certain it is, that his disappointments was obvious to every one present when the will of the deceased was read, though all the village anticipated the destination of the property. The countenance of the miser fell when he heard the deed gone over, his knees shook, and he gazed with his dark cunning eyes on the innocent inheritors, as if they had robbed him of his treasure. He had so much self-restraint as not to break out into abuse, but he would partake of nothing with other friends of the family, and left the house with a drooping head, and with mutterings upon his lips. His character and peculiarities were too well known to his widowed sister and his niece for them to feel surprise at his behaviour.

About a week after the funeral, the schoolmaster, in his capacity of executor, waited on Lucy's mother, and informed her that it would be necessary to prove the will in the Probate Court, and proposed that she and Lucy should go with him to a friend of his, an attorney, in order to get the matter completed. Of course this proposal was immediately acceded to. On reaching the attorney's chamber, the special will of Richard Symmons, drawn up and signed as already mentioned, was shown to the legal practitioner. He had not looked at it a few minutes, when he discovered that it was totally useless and invalid! In the established law of England, every devise, in such a will, to an attesting witness, is void, and of no avail. Lucy and her mother were placed in this position through the consummate igno-

rance of the person who had undertaken to be their guide in the matter. When the attorney, with a grave face but kindly tone, intimated this sad error, the heart of the poor widow sank within her, as she looked at her daughter, and as the recollection of the heir-at-law's character came across her mind. And, for the schoolmaster, who was really a worthy, kind-hearted man, his self-accusations were bitter exceedingly. But he tried to reassure himself and his friends with the hope that the flaw would never be known, and that, if it were known, James Symmons could not be so cruel and unjust as to take away what it undoubtedly was his deceased brother's wish to give to those who now had it. The attorney shook his head at the latter observation of the schoolmaster, and said, that "secrecy, to say the least of it, was much the stronger hope of the two." To the preservation of silence on the subject, he at once pledged himself, and trusted that the flaw might not be heard of. The schoolmaster then departed with Lucy and her mother—all three, it must be confessed, somewhat depressed in spirits by the unexpected intelligence which had been conveyed to them. Lucy's heart, already sad for the loss of her kind uncle, was now still more saddened by the fear of her mother having to encounter hardships in her declining years. The mother, again, was grieved at the thought of the effect which the discomfiture would have upon the prosperity of her daughter's whole life. And self-reproach was busy in the breast of the schoolmaster.

Alas! evil news spread fast. Whether James Symmons had himself observed the circumstance of the signatures at the reading of the will, and had afterwards discovered the legal consequence, or whether some other person had detected the error, and promulgated it, we are unable to say. But the flaw did come to the knowledge of James Symmons, and the coldhearted miser, regardless of his brother's undeniable wishes, lost not a moment in taking advantage of it. The widow, within a few days after her own discovery of the fact, received a letter from an agent employed by her miser and cruel brother, which informed her that Mr. Symmons having learned that the will of the late R. Symmons was improperly executed, was resolved to claim restitution of his just and legal rights as heir-at-law. The letter concluded with a base hint that the will had been extorted from Richard by improper influence. This was the only colour which the miser could invent for this unnatural proceeding.

On receipt of this communication, the widow again visited the attorney alluded to, and consulted him respecting the probable issue of a legal attempt to oppose the claims of James Symmons. The attorney candidly told her that he believed all men would allow the intentions of the testator to be correctly represented by the will, but that those intentions most certainly had not been made good in such a way as to stand a contest in a court. Lucy's mother returned to her home, with the intention of giving all up to the greedy claimant, as soon as the few moveables which were her own could be taken away, and some arrangement made for providing herself and her child with another home. This resolution once taken, and notified to James Symmons, her mind became more easy, and the cheerful Lucy soon lightened the mother's heart still more, by detailing all her little plans for their mutual sustenance and comfort in future.

A few days passed over, and the widow and her daughter were seated in a humble dwelling in a retired corner of Springwell, and Lucy had taken in needlework. They had removed in the morning from the late Richard's house. But let us leave them, cheerful and resigned, and turn to the miser. This day he has added another half, at least, to his wealth, and still he is in his old wretched hovel. Though the night is one of winter, he has no fire, but he lies in bed with his clothes on, and all the rags in his possession heaped above him to keep him warm. Yet this night all will not do, for he shivers incessantly. Ever and anon, however, the thought of his newly acquired wealth sends something like a glow through him. Lying in bed saves candles; this is also a

part of his creed. He has no remorse for turning a sister and her child to the door? It is hard to say what are his thoughts, but of late days he has seemed excited, though apparently with joy more than with any other feeling. But, hark! there is a tap at his door. It is unheeded, and, in consequence, is repeated again and again. At last the miser cries, "Who is there?" "It is I—I am seeking shelter—do you not know me?" "You can get no shelter here, whoever you are!" returns James Symmons. "Father do you not know me? It is I, Charles Symmons—your son!" There was silence for a time, until the same words were repeated, when the miser growled, "Go away. I do not know you—I do not believe you!" "Father," cried the voice without, "the night is very cold, and I am in want of shelter. Yet surely know my voice. Open the door, and you will see that I am Charles!" "Whoever you are, go away," cried the inmate in still huskier tones; "you can get nothing here." After a few more words, the colloquy ended, and all was again silent.

On the following morning, a young man, genteelly dressed, and with his handsome countenance deeply browned by sun and air, called at the dwelling of the widow and her daughter. As soon as the latter saw the stranger, a glow of surprise and pleasure rushed over her cheeks, and she sprang forward a step, with extended arms—but checked herself. The stranger, however, made the rest of the advance, and caught her in his arms and kissed her. "Cousin Charles!" exclaimed Lucy. "Ay, ay, Luce," cried the young man, "as he gave the same salutation to her mother; "you used to say you could know me a mile or two off when we were children, but I think you had some doubt just now." Warm was the welcome which the youth received from his aunt and Lucy, for when a boy, he had always been a great favorite with them, and was wont to fly from his own unhappy home to theirs for peace. He told them his story; he had been in the West Indies, and had been prosperous. He himself was the first to enter upon the disagreeable subject of his father's conduct, which had been detailed to him by the landlord of the inn, where he had slept. His visit at night to his father was also described to them; "he had gone," he said, "to try if his father would permit him to be a son to him, but had found his heart as jealous, and as hard as ever," though the circumstances under which the appeal was made were purposely chosen as the likeliest to have moved his heart. "But fear not, cousin Luce," said he; "thou shalt have all I have, though it is not much after all—but thy mother and thou shall be comfortable. And who knows, but when he sees me in the light of day, the old man may relent after all?"

He did not relent. Things were so ordered that it could not be. When the old woman who had brought him a light every morning after the occurrence related, the miserable man was dead—cold as ice. An inquest, which sat upon his body, declared him to have died from cold, though it is probable that sickness of some kind or other had a share in the production of the event. However this may be, it excited a mighty sensation among the villages of Springwell, who, as usual, preferred to give a supernatural rather than a natural solution of the occurrence, and connected it with the legalized outrage of feeling which he had on the preceding day committed.

His death turned the fortune of his kind old brother once more into the right channel, for Charles Symmons was not a moment at ease till he had seen Lucy and her mother reinstated in Richard's comfortable mansion. As to other points—Charles married his sweet cousin Lucy, and the junction of the two properties put them, as the saying is, "above the world." We are happy to have it in our power also to record one other fact of importance. The worthy schoolmaster suffered so much in mind from his share in the nefarious deed that befell Richard Symmons' last testament, that he resolutely declined will-making in future, and advised all parties who made application to him on the subject to betake themselves to men who