A Country Lawyer

HENRY A. SHUTE

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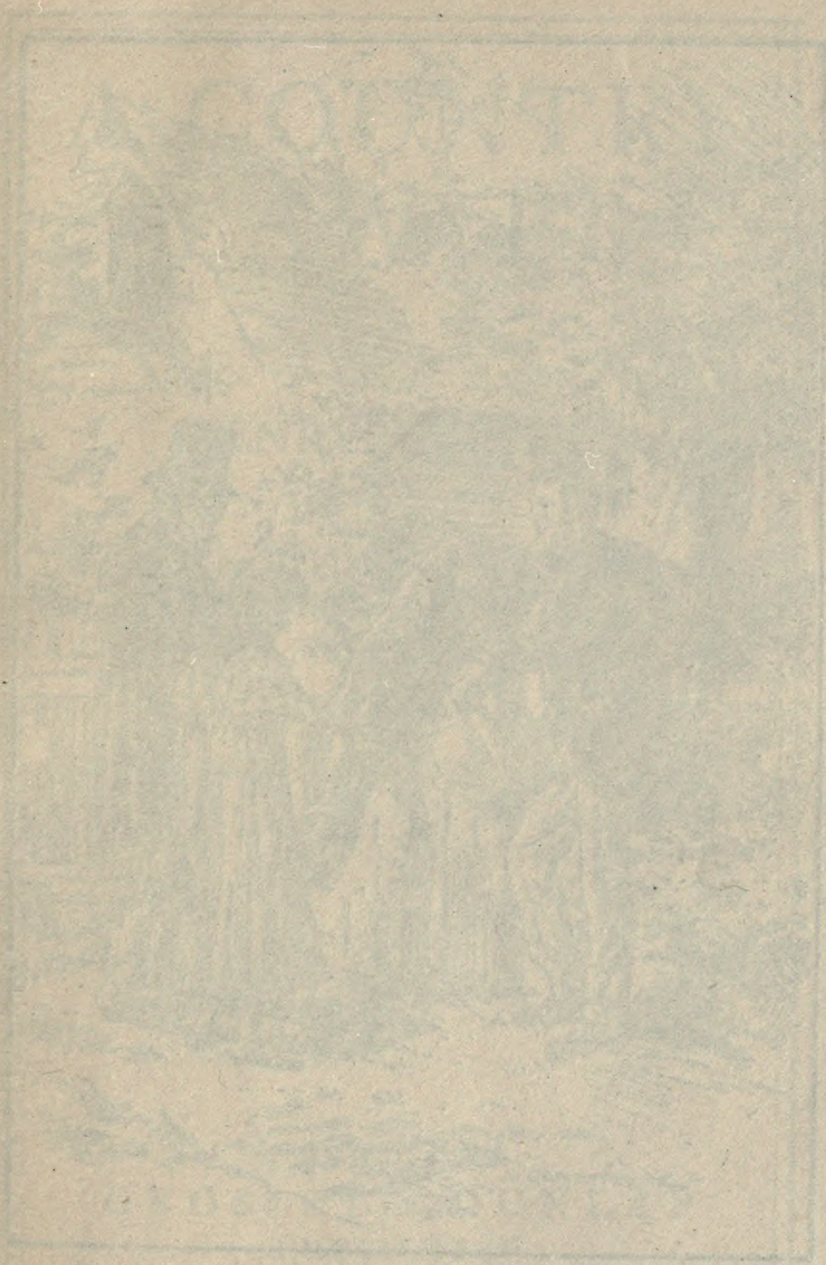
A COUNTRY LAWYER



I AM A SORT OF A FARMER.

A COUNTRY LAWYER

BY

HENRY A. SHUTE

AUTHOR OF
THE REAL DIARY OF A REAL BOY,
FARMING IT, ETC.

WITH ILLUSTRATIONS

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DEDICATION

I DEDICATE this book with the greatest admiration, respect, and affection to those citizens of my town of Exeter, New Hampshire, who in the prime of middle age, or in the fullness of years, did so much for the welfare of the town, its citizens, and its institutions.

I remember them as the officials of the town, as moderators presiding with dignity and fairness over the deliberations of its citizens; as "seelict men," careful, shrewd business guardians of the public needs; as conservatives, arguing effectively against unwise appropriation and expenditure of public funds; as justices, holding petty courts with awful dignity; as lawyers, profound in legal learning, eloquent in argument, punctilious in the ethics of their profession; as merchants, behind the dusty glass partitions of their counting rooms poring over huge books of accounts, while their assistants toiled amid a reek of whale oil, soft soap, brown sugar, cider vinegar, leather boots, and the various and appetizing articles of commerce embraced in the term "W. I. Goods and Groceries."

But best do I remember them as God-fearing,

religious men, when on the Sabbath they fared them forth, not gaily, but sombrely, to church, clad in broadcloth of exceeding sheen, neck-cloth and collar of snowy whiteness, and stove-pipe hat of a lost design.

"Roma fuit et Romani fuerunt."

HENRY A. SHUTE.

EXETER, N. H., *October 12, 1911.*

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A COUNTRY LAWYER

CHAPTER I

"GUN LAW"

Both guns spoke simultaneously, and the crash of their discharge, followed by a heavy fall on the rough board-floor, set the hanging lamps dancing and flickering through the eddying smoke. As the smoke cleared away, a tall, well-built young fellow of twenty-five stood leaning forward, his heavy revolver poised for another shot, his eyes fixed on his fallen adversary, and a stream of blood slowly trickling from a deep groove in his cheek, so close had the Tarantula's bullet come.

But the Tarantula, so called because he was so "pizen mean," the gun-fighter whose deeds of blood had made him the terror of the mining-camps, the brutal, cruel, cold-blooded desperado who had for years known no pity, no fear, no remorse, lay dead on the floor, a crumpled heap of clothes, his fierce eyes upturned to the ceiling and wide open, his heavy jaw fallen, his coarse black hair a tangled mop on the boards, his knotted

hand clenched upon his heavy blue-barreled revolver, and his legs in the boots with the large spurs, curiously twisted and inert. A thin stream of blood ran from under his left arm and formed an oozy pool.

For a moment the silence was intense, and then from under the bar crept Pete the Barkeep'.

"By God! he got it at last!" he said; "and a tenderfoot, too! Do you know, young feller, who you 've killed?" he asked of the young man who stood staring as if frozen.

"Is he dead?" gasped the young man.

"Dead! well, I guess he's dead enough. Deader'n hell, with an ounce bullet through his heart. I guess he's dead enough."

"Well, I'm damned!" said a huge man with a black beard, who had come out from a corner to which he had retreated. "Tarantula won't sting any more with his pizen gun. Young feller, give us yer hand; you've done a damn good job. What 'll you have?"

But the young fellow had knelt by the dead man and was feeling his heart to see if he was really gone. He lifted the heavy head, but it fell back limply. He felt the pulse, but could detect no throb.

Then he looked up in the faces of the crowd who had gathered around. "Isn't there a doctor here in the camp?" he asked.

"Naw, stranger, they ain't no sawbones here, 'n if there wuz he could n't do anything for the Tarantula. He 'll never be no deader 'n he is now. You had better let some one fix up your face and we 'll take care of the Tarantula."

"My face? Why, what is the matter with my face?" said the young fellow, putting up his hand and bringing it away covered with blood. "I remember feeling a hot streak across my face. It was a pretty close shot."

"Yes, sonny, a quarter of an inch the wrong way would have killed you as dead as old Goliah," said the first speaker. "Now, go and mop it up and have a bandage on, and we 'll bury the Tarantula."

"All right, sir," said the young fellow in a dazed way; "you will find me in my shack when you want me. I shall not run away." And he went out.

"Run away, — I wonder what the cuss means? A feller that will draw quicker and shoot straighter 'n the Tarantula ain't got no call to run away. What you s'pose he means? He must be a bit locoed. P'r'aps the bullet may have jarred him a little outer his head. He run away? Hell!"

In the shack Stanley Furber, for that was the young man's name, sat staring into vacancy. His face, which he had rudely bandaged, was

white and drawn, his eyes stared with an expression of horror, and he looked like a man who had passed through a long and dangerous illness. Occasionally he passed his nervous hands across his mouth; again he would rise and with quick nervous strides pace the narrow room. Finally, he flung himself on the bunk, face down, and lay there. He had killed a man! had sent a human soul to its last account! had taken human life, and his hands were red! red! red! and his soul stained black! God! it would never wash out, it would never wash out, and he should see forever those fierce glazing eyes, the long snaky black hair, the inert, crumpled, twisted form, and the red pool slowly widening on the floor. His hands clinched the covers until his knuckles were white, his jaws tightened, with the muscles knotted in his cheeks like hickory nuts, and a great shudder brought the cold sweat to his face.

In the "Timberwolf Saloon," where the affray had taken place, the coroner, "Lazy Bill Goodhue," was swearing in a jury of three men. An acrimonious dispute had arisen, caused by several of the reputable citizens of "Salted Mine Camp" profanely desiring to know why in the blankity dashed superlative-adjectived Land of Tophet he did n't have a jury of twelve good and true men instead of a measly little dashed blank panel of three. Indeed, a general call to arms was only

averted by the coroner assuring them that, in case the jury found that the deceased came to his death by violence, it would then be necessary to try the perpetrator of the deed by a jury of twelve, and that none of the coroner's jury could act in the larger jury. And the coroner further informed them that, owing to the fact that there was a bullet-hole in the dead man's chest big enough to drive a loaded burro through, which might justify a suspicion that he had met his death through violence, the empaneling of a full jury might be at least a probability.

The jury, properly sworn, then proceeded to view the remains and to take evidence. The coroner, possessing a few pages of an old "Probate Practice," had culled from its leaves the following oath, which he administered with marked effect and great dignity and solemnity: "You solemnly swear that in appraising the estate of the deceased Tarantula, you will act faithfully, impartially, and according to your best skill and judgment, so help you God!" which, under the circumstances, was a peculiarly appropriate asseveration.

The inquest, adjourned from time to time for liquid refreshments at the bar, was brief and effective, and the verdict, after due consultation, covered the points in a truly masterly and convincing manner:—

Wee the members of the Corner's jury, drawed by the Corner Bill Goodju commonly knowed as Lazy Bill Goodju whitch is all rite for Bill is lazy, to find out the caus of the disease of the Tarantula whoose rite name is unknew to any of us the aforesaid have saw the body and have herd the testymony of them whitch seen the row and we find that the said Tarantula aforesaid come to his disease becaus he did n't draw quite so quick as the other feller whitch the same is knowed as Stanley Furber and may God have mersy on his sole.

Witness PLACER JIM
PIZEN PETE
PIGEON-TOE EVANS.

As soon as the verdict was rendered, the sheriff, who had loped in from Spotted Dog, took upon himself the arrest of Furber. He was a bold man who knew the need of caution. So he drew his guns and knocked at the door of Furber's shack.

"Come in," said a muffled voice, and he entered with both guns at point. Furber sat on the couch looking at him quietly.

"Hold up your hands, Furber, you are under arrest; hold up your hands or I'll shoot."

"Shoot then, — I don't care if you do. There's my gun," pointing to his sole weapon lying on the

HOLD UP YOUR HANDS, FURBER! YOU ARE UNDER ARREST!

table. "I'm glad you came, Sheriff, I'm afraid of being alone," he said in a tone of relief. "I've killed a man."

The sheriff put away his guns.

"Say, sonny," he said, "you hev killed the dog-meanest, pizenest rattlesnake in two counties. There ain't a man here to-night but what wishes he wuz in yer boots. Course we've got ter try ye, for we is a law-abidin' cormunity, but we'll acquit ye and the boys will want ter hev some sort of a celebration. There is one thing tho' thet puzzles us. The Tarantula hed a gal baby, a two-year old. Ye see he hed a wife, a good woman, but she could n't stan' him and ran away a while ago and tried to drownd herself and her baby. She wuz pulled out too late, but the baby wuz saved. Thet wuz the only soft spot in the Tarantula. He wuz good to the leetle gal. What bothers us fellers is what is to become of her. 'T ain't no place fer her here."

Furber started to his feet. "A girl baby! a child in this camp! Say, Sheriff, you say you will acquit me. For all I care for myself you might hang me and it would be all one to me. But if I can take this girl back East, I will devote my whole life to her, I will bring her up in a good home, work for her, slave for her, make a good woman of her. I swear it! Don't you see, Sheriff, what it means to me? I've killed a man! I must make

good, and this sort of gives me a chance to square matters with him."

The Sheriff ruminated. Then he rose, took a turn round the room, stood over Furber, who had sat down trembling on the bench, and said, "Pardner, yer white, by God! yer white, an' ye 've hit it; shake." And he put out his brown sinewy hand.

So that is why the overland train eastward carried a quiet young man with a long strip of plaster across his cheek, and a beautiful, black-eyed, black-haired little girl of two years, of whom he was tenderly watchful. As he looked out upon the flying landscape, he thought with a gleam of amusement of the kind-hearted miners, of the amusing but earnest trial, of the brown, hardy, devil-may-care, honest jurors, Beetle-Headed Benny, Sage-Brush Joe, Nugget Jim, Swivel-eyed Pete, Billy the Gopher, and the rest of the picturesque crew who voted unanimously for his acquittal; of the presiding justice, old Judge Peters, known in private life as Bottle-Nosed Pete, with his shrewd questions, his sensible but whimsical charge to the jury, and his kind congratulations to the prisoner on the result.

And his eyes filled as he thought of their kindness and generosity to the orphaned baby they had intrusted to him, — and, with the baby, a

bag of dust sufficient for her needs and his for a long time.

Well, they were out of his life henceforth, and his duty was plain, to care for the child, to bring her up in ignorance of her parents, in happy unconsciousness of the double tragedy that would have clouded her life, and to make the most of his life to atone for having killed a man.

So he came to Elmtown, where he took lodging in a good family and set to work. The money he invested in his name as trustee for her. His name he changed to Ira Branch, a name he had once heard and admired for its strength and simplicity. Her he named Mary Esmond, a name he took from Thackeray's "Henry Esmond," of which he was very fond. He had no relatives and he felt that his secret would be forever buried. For a while he worked in the mills, studying law evenings and on holidays. Not a penny of the fund did he touch, but supported himself and little Mary out of his earnings.

To do this he worked harder than a galley-slave, but it brought him content and even happiness, — content in knowing that he was making progress, happiness in seeing the child growing rosy and happy. Then he had been admitted to the bar, and became junior partner of an old lawyer who was looking for a sturdy, reliable young man, with broad shoulders, upon which he

could gradually shift the increasing burden of a large practice.

His rise as a lawyer was as marked as his industry. In a few years he was trying almost every case of importance in the county, and was looked upon as one of the soundest lawyers and most brilliant advocates in the state, and one bearing the highest reputation as a man of the strictest integrity.

Little Mary had developed into a beautiful and accomplished girl. She had been sent to the best boarding-school obtainable, and the vacations spent at home were the bright spots in his life and in hers. And then a not surprising thing befell him, for he found that he was deeply in love with his beautiful ward. And the remarkable strength of the man came to his aid, and he resolutely put aside his love and his temptation to win her for his wife, though he felt that he could win her. But he knew it would be a black crime, an unforgivable sin, to take for his wife the girl whose father he had killed. But the effort grayed his hair and left lines in his face that aged him beyond his years.

Mary had married Howard Anthony, a man of good intentions but of little character and ability, and Branch had paid over to her the fund with its accumulation, now amounting to a comfortable fortune, and for a few years he comforted

himself in the belief that she was happy with her husband. But rash and foolish investments had gradually wasted her fortune, and finally her husband, in a fit of remorse and discouragement, died by his own hand, and Branch was summoned to her bedside, where she died in his arms, leaving him a baby girl of two years of age. And so Branch, now known as the "Squire," came back to Elmtown with a baby girl in his arms just as he had done twenty-five years before. Then he was a young, untried man, now a respected, powerful lawyer, gray and saddened, but with a new purpose in life.

In all these years he had told but one man his secret, and that one man he trusted was old Doctor Barry, then a man ten years his senior. Branch had been taken suddenly and violently ill, and when the Doctor thought he could do no more, and told him how slight a chance for recovery he had, Branch had then told him his secret, had made his will, and had appointed Doctor Barry his executor and trustee, and had asked that he be appointed guardian of Mary Esmond.

His confession so lightened his burden that he fell asleep, and when he wakened was stronger and better, and in a few weeks was at his desk once more.

CHAPTER II

AN ARRANGEMENT

THE office was intensely still. Even the old Horton wall clock, perched high over the ancient standing-desk in the corner, had stopped ticking. Outside in the broad triangle where three streets met, the sun was burning fiercely.

The immense elms shading the square colonial houses and the stately white church, were turning dusty brown under its blighting rays, and the terraced lawns of the well-kept yards were rusty. Only the ivy which covered the brick walls of the Court House, and hid the faded red under a thick veil of deep green, remained fresh and bright.

Outside, the tiny fountain in the centre of the triangle gurgled and sprayed, while the occasional roll of a wagon or the "clack clack" of horses' feet on the hard roadway, and the faint and distant pulsing of the mill, were the only sounds that broke the summer stillness.

Within the office a man of sixty sat in a swivel-chair before an old mahogany desk, with pigeon-holes, and sliding doors, and drawers curiously and beautifully inlaid. At his back and within a turn of his chair was a broad, flat mahogany table

with a covering of green felt. Both desk and table were piled with papers and documents, with pens and holders in spattered china trays, and leaden ink-wells. At his right hand a swivel-bookcase crowded with Public Statutes, Pamphlet Laws, Text-books, Legal Forms, Oliver's Precedents, Probate Directory, Justice and Sheriff, and other legal machinery, swung within easy reach.

His head was well-shaped, the hair smoothly gray and carefully parted, as was the white, carefully trimmed mustache that partly hid the outlines of a firm, well-shaped mouth. Across the cheek a deep scar reached to the curve of the jaw. The nose was a trifle large and slightly aquiline, the features refined. A pair of gray eyes looked somewhat anxiously at the broad back of a young man standing staring out of the window.

For a few minutes neither spoke, and no sound disturbed the perfect quiet save the gurgle and splash of the fountain. Then the young man abruptly wheeled about, disclosing a pleasant, albeit stern countenance, a mop of wavy brown hair, and a pair of deep hazel eyes and a strong jaw. Not a handsome face, but one that you felt you could trust.

"Then you say, Mr. Branch," said the young man in a deep voice, "that the law is that a man, appointed guardian of a minor, under terms of a will requesting him to act as such, is nevertheless

responsible for unfortunate investments made by him in good faith, he all the time acting as guardian, and performing not only the duties of guardian, but also those of father, mother, guide, philosopher, and friend to the ward, without any charge whatsoever."

"Yes, that is the law, as I have said from the first," replied the older man, "and the decision of the Supreme Court is unanimous and final," he continued, indicating a pile of loose, printed sheets at his hand.

"But do you consider it a just decision?" demanded the young man.

"Knowing the circumstances of this particular case, and knowing your father as I did, the decision seems a bit unjust, but as a decision of law, it is absolutely right, and absolutely just. The statutes of our state are explicit as to what investments a guardian should make, and when your father invested funds in securities other than those prescribed, he assumed full responsibility, although he unquestionably acted in good faith and apparently for the best interest of the ward."

"But father did all this without pay. Does n't that make a difference?" insisted the young man.

"Not the least," replied the lawyer; "your father was not obliged to serve as guardian or trustee."

"But he felt that the terms of the will were imperative."

"He was very kind," replied the lawyer, "but there was no legal obligation."

The young man drew a long breath and turned again to the window. The fountain still gurgled and splashed, and on the rim of the iron bowl a row of dripping and bedraggled sparrows chattered and fought for the best places.

The young man watched them idly, and laughed grimly when one of their number, crowding too closely to the rim, fell in, and only after a hard struggle managed to crawl out again.

Then he turned to the lawyer. "Well, Mr. Branch," he said, "I have no doubt that you are right, but it is a bit of a facer to find one's self broke as soon as he is out of school, especially when he has had no particular training for any trade or profession."

"You can hardly call yourself 'broke' or 'penniless,'" quickly replied the lawyer, "there are several thousand dollars balance to be paid over to you, as I have just shown you. To be exact, just forty-three hundred and twenty dollars and eighty-five cents. Not a fortune, surely, but enough to keep you going until some position is offered you. With your friends and health and strength and brains, you certainly can make your way."

"Oh, I suppose I can earn my living; I'm big enough and strong enough. I could train horses, or become a Maine woods guide, or perhaps," he remarked with a short laugh, "do something in the ring. I have a half-dozen cups in my rooms, and there is always a chance for an ambitious heavyweight with science."

"Well," said the lawyer, "there is time enough to talk of that. Let's finish the business in hand. How do you want this money, in cash, certified check, or certificate of deposit?"

"That's another thing we have got to settle and settle now," said the young man. "That balance is not right, and you know it as well as I do."

"What do you mean?" quickly asked the lawyer, while a dark flush, starting from his neck, slowly rose to the roots of his hair about the broad forehead.

"I mean this," said the young man, taking a seat opposite the lawyer and picking up a typewritten account which lay on the desk; "I have examined this account and the vouchers, and as far as they go everything is all right, but you have forgotten one important item."

"I have forgotten nothing, sir," said the lawyer coldly, looking the young man squarely in the eye. "I don't forget things where other people's interests are concerned."

"No, Mr. Branch, you certainly do not, but

you sometimes forget your own," replied the young man with a smile that lit up his somewhat sombre countenance, "and in this case you have forgotten to make any charge for your own services."

"Nothing of the kind, young man, nothing of the kind," said the lawyer hastily. "Here, look," he continued, pointing with his pen to an item which read, —

Counsel fees	$2000.00
Expenses	213.28
Total	$2213.28

"Yes," said the young man, laughing, "but the vouchers explaining that item and your check-stub show that the entire fee of two thousand dollars went to Covenant and Trover, Attorneys, as their receipt shows. Now where is your bill?"

"H'm, h'm," stammered the old lawyer, fumbling with his papers, "you see Covenant and Trover did a good deal and accordingly charged a good fee, and —"

"And you did a good deal more than any of the attorneys, and were the brains of the entire case, and the case turned out exactly as you said it would, when Covenant and Trover gave an opinion contrary to yours," cut in the young man quickly.

"Well, they might have been correct, only I

happened to hit it," said the old lawyer; "at all events, litigation was gone into and great expense incurred, which might have been avoided — "

"If I had taken your advice," interrupted the young man. "Now, your bill is to be reckoned in the account before I accept a cent, and if your bill takes the whole balance, why, well and good. I suppose I could borrow money enough to take me to New York."

"Now, look here, young man," exploded the lawyer, "I knew you when you were an unmannerly, stone-throwing, apple-stealing little vagabond, and I knew your father before you, and your mother, too, and I'm too old and too obstinate to be dictated to by you now. And when I say I have no charge, why, I mean it."

"And now, look here, my dear old friend," said the young man, with a winning smile, "you did know my father and you were his best friend, and my mother's best friend, too, and have done more for them and for me than I can ever repay, and when I refuse to put myself under further obligations to you, I mean what *I* say."

"Well, well, boy," said the lawyer, "if you put it that way, I will make a charge. What do you say to five hundred dollars? Come, that's a good sensible charge, not too large and not too small. Full large enough for what I did. Come, I will write you a receipt at once."

"Five hundred grandmothers!" shouted the young man; "not too large! Great Cæsar's ghost! what do you take me for? I should say it was n't too large," and he lay back in his chair and laughed the first genuine laugh of the conference.

"Well," said the old lawyer, testily, "what do you want me to charge?"

"Twenty-five hundred dollars," said the young man promptly.

"An outrage! I won't do it," sputtered the lawyer.

"Not a cent less if you expect to settle with me," insisted the young man.

"Now, son," said the old lawyer, "I never have charged an exorbitant or unconscionable fee in my life and I'm not going to begin at my time of life."

"I can well believe it," laughed the young man.

"Call it seven fifty," suggested the old lawyer, reaching for a receipt pad.

"Twenty-five hundred," insisted the young man.

"A dollar above seven fifty would be extortion," protested the old lawyer.

"How about Covenant and Trover's two thousand?" queried the young man with a smile.

"Why, confound you, for an obstinate young

rascal," roared the old lawyer, "I told you they did all the work!"

"But they did n't, just the same," persisted the young man.

"What do you know about it, anyway," retorted the old lawyer, "when you were at Newport or Saratoga, playing poker or polo, or kitin' round behind a dock-tailed horse?"

"Who tried the case before the master and then tried and argued it in the Superior Court? Who made the brief and argued the case in the Supreme Court, and who put months of hard work into it? Not Covenant and Trover, but Mr. Ira Branch, Attorney and Counselor at Law. Covenant and Trover's bill was all right, and your bill ought not to be a cent less than five thousand dollars."

"Well, call it one thousand," said the old lawyer.

"Not a cent less than twenty-five hundred," said the young man firmly.

Their eyes met and held each other. The gray eyes firm and hard, the hazel good-natured, but without a sign of yielding. Long they looked until the young man pushed a receipt pad before the old lawyer.

The gray eyes changed. Slowly an affectionate, half-humorous glint softened the steel of their glance.

"Confound you, for a stiff-backed young reprobate," growled the old lawyer, as he wrote out a receipt for twenty-five hundred dollars, then entered the amount to the credit side of the account, "but I feel as if I had robbed a bank."

"Now, Mr. Branch," said the young man, after he had approved the account. "Give me one hundred and twenty dollars and eighty-five cents, deposit the balance of seventeen hundred in the local bank in my name and give me the book to-morrow."

"Which bank, National, I suppose?" queried the old lawyer.

"Savings Bank," replied the young man. "I suppose I can get a little interest there."

"Not unless you keep it there at least six months, and then only at the rate of three and a half, or possibly four per cent," answered the old lawyer.

"For how much, Squire Branch, or rather for how little can a man live in this town for a year?" asked the young man, picking up a pencil and drawing a pad towards him.

"Meaning?" said the Squire.

"Meaning any ordinary young man of my age, and not counting any income from labor," said the young man.

"Well," said the old lawyer judicially, "he could get a good room and board for six dollars

at the hotels, or from four fifty to five at a private house. Call it six. That is three hundred and twelve dollars a year. Three hundred would cover it. One hundred and twenty-five for clothes and shoes, and incidentals, would bring it where you wish, five fifty to six hundred dollars. There are people here, clerks and workingmen, who bring up a family on five hundred dollars. Why do you ask, — you are not thinking of living in the country, are you?" he asked smilingly.

"Yes, I am very seriously considering it," answered the young man promptly; "why not?"

"What could you do? — farm or learn a trade? We have machine works, a cotton mill, a shoe factory, a grist mill and two planing mills," and the old lawyer smiled quizzically and crossed one long leg over the other.

The young man flushed a bit as he answered, "I know I have been wasting a good deal of time in athletics, and general uselessness, but I've got muscle enough to pitch hay or dig ditches, and can do it if necessary; but I don't intend to if I can help it. I want to study law with you. Will you let me?"

The old lawyer's eyes narrowed to slits and he looked fixedly at the young man. "Have you thought this over?" he demanded at last.

"Yes, Squire Branch, more than you think. Ever since the litigation commenced, I have

thought of it. Not even as probable, however, until to-day. I suppose the laziest, most idle of men has working dreams some time," he said slowly.

"But could you stand the hard work, the drudgery, the months, possibly years of waiting?" expostulated the Squire.

"I believe so; I really do believe that right down in my heart I have been homesick for something to do," said the young man, with a smile that partly veiled his earnestness.

"This is something I confess I never thought of and I must think it over. I did say I would never have another student after Villars left me, but — I knew your father. Well, you must think it over as well as I. It's a grand profession. The greatest, I do believe, and the public believes that any man who can pass the examinations can become a lawyer. Examinations! why man, man, a lifetime of study and experience is not time enough to become a lawyer. Well, think it over and come to supper with me tomorrow night at six. Mind, not a word before that time. Meet me here at the office at about six and we will walk up."

The young man and the old lawyer rose and shook hands. Then with a nod, the former left the office and ran lightly down the dusty stairs and out upon the pleasant street.

Left alone the old lawyer walked to the window and stood looking out on the square. The sparrows still splashed on the rim of the fountain, a flock of slaty pigeons greedily crowded and pushed over a handful of grain jolted from a passing wagon, and a horse, tethered to a stone post, stamped uneasily.

"I love this old square," he muttered, "and I love this old town, it is home, home."

From without came the homely song of the chipping sparrow.

CHAPTER III

A ROW

DOWN the quiet street went the young man with shoulders back, head up, and brisk step, swinging the heavy grip as if it weighed nothing. Storekeepers and clerks in short sleeves or alpaca coats, lounging in the doors of their modest emporiums, glanced curiously at him, and whispered inquiringly.

Two young and rather pretty girls in white dresses and white tennis shoes, sipping from their glasses at the soda fountain of a drug store, gazed admiringly at him as he passed.

He crossed the street at the lower bridge and walked rapidly towards the Columbian House. This modest hotel stood but a few hundred feet from the office, and its large and showy but somewhat faded sign announced that "Entertainment for Man and Beast" could be obtained of Alvin Dole for a moderate stipend. Beyond this large rambling building, with its three short flights of steps leading to three small piazzas, was a passageway leading to stables, at the entrance to which passageway a swinging and gaudily painted sign displayed an impossible charger with flying

mane and tail, foaming mouth and crimson dilated nostrils, and the lurid information that somewhere in the rear, following the direction of the index finger of a pointing hand, was a "Livery, Sale, Boarding and Baiting Stable." Under this lucid statement hung a smaller and more recent sign eulogistic of a certain "Wm. J. Bluffin, Emperor of Equine surgeons Bar None."

Beyond was a long, two-storied building, the lower half an open shed for the storage of large four-horse barges and hacks, the upper half a billiard hall, suitably emblazoned in scarlet letters on a blue sanded sign informing an anxious and waiting public that "Billiards and Pool" were presumably for sale. The public was also informed in smaller and bright yellow letters, in a corner of this sign, that it was painted by "I. T. Pembleton, Painter, Grainer, Glazier, and Paper-Hanger," and who further allayed any anxiety or doubt that the public might have entertained as to his ability or willingness, by adding the reassuring statement that "No Job was too Large and None too Small," which was exceedingly enterprising and doubly kind in him.

On the piazza sat a pleasant-faced man, with shaved upper lip and chin beard, who was urging a nervous, excitable man, who evidently was in a hurry, to "Hold on a minute, there is plenty of time." Scattered over the piazza and steps were

other men, some old and gray, some younger, but all with the unmistakable mark of hotel loungers, as they sat hunched up, with their heads sunk between their shoulders and their rusty hats drawn over their eyes.

The young man approached the steps to the main entrance, and as they were covered with loungers, and as nobody arose to make room for him, he turned aside, stepped up the gullied banking, strode over a huge burdock, leaped upon the piazza and made his way to the office.

The room was empty. A wide room, with two small front windows and one opening into the passageway. Across the room from the front windows was a large railway stove with foot-rest worn smooth by the pressure of rubber boots and cowhide stogies. An iron rail, bolted to the floor, marked an inclosure of narrow boards filled with tobacco-stained sawdust.

In the corner was a fixed small desk with a double-slanted top, a top rail, and a counter curving towards the wall, leaving a narrow entrance for the clerk. On the outer slant of the desk lay a register open at the date of August 25, with the words, "Fair — Wind Westerly," written across the top. A small ink-bottle, some exceedingly rusty pens, and a much stained blotter rested on the top of the desk.

Between the front windows was a small

mahogany table, over which hung a mirror with a triangle chipped from one corner and a crack extending diagonally across the surface, plentifully fly-specked. Back of the stove hung quarter-sheet advertisements of auction sales, a lithograph of Polly Sidwell in *East Lynne* at the town hall on the 16th of March previous, and a stenciled announcement that the Kickapoo Indians were to give an entertainment in Morrill's Hall for the week.

There were three other doors to the room besides the door through which the young man entered. One door opened to a little passageway leading to the side steps, one led to a small wash-room, where two cracked and dingy bowls were surmounted by tarnished faucets, above which hung worn brushes and semi-toothless combs chained to the wall. Beyond these hung a roller-towel, stained and crimped by wet hands, and exceedingly frayed and dingy.

The third door, in the centre of the rear wall bore the inscription, "Barroom," which was an unnecessary expense and trouble, as the character of the room was sufficiently evidenced by a most penetrating, sweetish, acrid odor of rum, gin, and whiskey.

The young man noted all these things curiously and with interest as he waited for the proprietor or clerk. At last, as nobody came and as

the argument on the front steps became warm, he stepped to the front entrance and asked if the proprietor or clerk was in the building.

"Yes, yes, sir. Hold on a minute, he ought to be around," said the pleasant-faced man, evidently the proprietor. "Charles! Hey, Charles! where in thunder be ye?" he squealed in a high-pitched voice. "Ed! Ed! Ain't Ed there neither?" he demanded querulously. "It's almighty queer that out of all the lazy cusses I support I can't get any one to tend office. Newt," he continued, addressing a gray-mustached, soot-stained man with blackened arms and leather patches on his knees, "d'ye know where Charles and Ed is?"

"Now, Alvy, I dunno where Charles is, 'n I don't give a cuss," sulkily answered Newt, "but Ed, just two minutes ago, drove the Chase mare and led Johnny Roach down to the blacksmith's to git 'em shod."

"H'm, h'm; just like that worthless boy to be out when he's wanted," grumbled Alvy.

"But, Alvy, I heered ye tell him to go not more'n fi' minutes ago," insisted Newt.

Alvy made no reply beyond a scornful sniff, and rising slowly came into the office. "Well, sir, what can I do for ye?" he asked pleasantly of the young man.

"Why, I thought I would like to stay here a

day or two. I suppose you put people up occasionally?" asked the young man.

"Sartin, sir, sartin; we can furnish you a good room and board for dollar and quarter to dollar 'n half a day, 'cordin' to location of room. Want to register? Here you are, sir," indicating the open book.

The young man laughed, took up a rusty pen, dipped it in the ink-bottle, fished up a deceased, ink-drenched, and bedraggled fly, with which he made a ghastly smear on the white surface of the book.

"Hold on a minute, hold on there; whatcher got on that pen?" expostulated Alvy.

"Sorry," said the young man with a laugh; "that's more of a fly-track than I usually make," and, shaking the fly from the pen, wrote in a bold hand his name, "Samuel Randolph," then paused a moment while Alvy, looking over his shoulder, waited, and then slowly wrote "Elmtown, N. H."

"Live here, Mr. Randolph?" queried Alvy in surprise.

"No, not exactly," replied Sam with a smile, "but I am considering the matter of remaining."

"What business?"

"None at present."

"Looking for a job?"

"I would consider a good offer."

"Know anything about horses?"

"Yes; I have ridden and driven a good many."

"Don't want to buy out a livery stable, do you?"

"No, I'd be the last one to run a livery stable."

"Why? there's money in it for the right man."

"I guess I'm not the right man, then."

"Why not? Ye can't tell till ye try it."

"The main reason is, that the first man who brought a horse in blown or with whip-marks on him, would have the price of the trip taken out of his hide."

"Shake," said Alvy, proffering a remarkably well-shaped hand, "that's my complaint exactly."

"Now," said Sam, after he had cordially gripped Alvy's hand, "what can you give me for a room?"

"Lessee, there's number 34 in front, and number 19 back, the only rooms I have now; ye see them Kickapoo Indians has most of the rooms for a week. After that, if ye stay, I can do better 'n that for ye."

"Well I'll look at the back room. I think if it overlooks the stable-yard it will be more interesting than the view of the engine-house opposite," said Sam.

"Waal, I guess it'll suit ye," said Alvy as they trailed upstairs.

Number 19 back was large and well-lighted, with a comfortable bed, washstand, bureau, and small table, with a bright, an almost too bright carpet. It overlooked the stable-yard, where stablemen were sitting in chairs leaning against the stable, wherein horses stamped and switched sleepily.

Sam at once decided in favor of number 19 and left his grip there. As he went down the stairs he inquired whether or not the Kickapoos would indulge in any war-dances or war-whoops during the night, and was assured by Alvy that they were the quietest, best-natured people in the world.

"Why, Big Chief Battle-Axe looks just like an Irish feller who used to work for me, only he is copper-colored and toes in. One thing, Mr. Randolph, I want to warn ye about. The old Chief will come up and want to shake hands with ye, and he has got an almighty grip, and he'll make ye holler. So look out. It's fun for the boys, though," said Alvy with a chuckle.

"All right, and thank you, Mr. Dole," said Sam. "I'll look out for him."

Sam left the hotel and the loungers and strolled down the street. Passing through the square and up the main street, he noted the fine square houses, the neatly kept lawns with the revolving sprinklers, the magnificent drooping

elms and feathery maples. At the head of the square stood another and larger hotel, a three-story brick building known as the Rumscott, Major Drake, proprietor. This was a famous old hostelry, with a reputation for big dinners, fast horses, and high play.

On the spacious piazzas sat the usual number of loungers, tipped back in their chairs, with their feet on the rail, smoking and talking. They were, however, a wholly different class from the loungers in front of Alvy Dole's. They were better dressed and were prosperous looking. Some of the older men wore black coats and white vests, while an occasional silk hat and spats lent dignity and even elegance to their appearance. A burly red-faced man with an expansive girth and curly gray hair and who might have posed as a model for the immortal Sam Weller's equally immortal parent, stood at the main entrance, while a tall, broad-shouldered man with the blackest of blue-black side-whiskers and the shiniest of bald heads, impressively assisted into a waiting carriage two ladies and a gentleman. This accomplished with a deal of ceremony, the bald-headed man stepped gracefully to the front seat, took the reins, cracked the whip, and with much curveting and champing of bits the horses started. It was plainly a new carriage on its initial trip. This was evident from the fact that at the corner

of the hotel stood several stablemen from the hotel stable, who watched with great complacency the shining carriage, the polished horses, and the gold-mounted harness.

Sam paused and glanced with great interest at the outfit as it took its majestic way up the quiet village street. At that moment from a passageway just beyond the hotel a large bay horse attached to a heavy Goddard buggy dashed into the street. The lines were held by a very handsome, medium-sized man with a beard touched with gray, and sharp piercing eyes. Round came the big bay under the whip, and before the bald-headed man could pull in the gray pair the wheels of the two carriages locked. There was a splintering crash, a scream from the ladies, a shout from the bystanders, a profane explosion from the driver of the big bay, and the double carriage went down on one side.

Sam sprang for the head of the near horse as the pair reared, while a husky stableman seized the bay's head. For a moment all was confusion. The bald-headed man shook his fist violently at the driver of the bay, the latter cursed and swore, and brandished his whip, while Sam, having quieted the pair and given their heads to one of the hotel-men, assisted the ladies and the old gentleman from the carriage. At that moment the red-faced proprietor came rushing into the street

with an agility wholly unprecedented in a man of his age and weight. Before the sharp-eyed man could finish the oath then spewing from his mouth, the proprietor seized him by the collar, jerked him from the buggy, and began laying his cane with sounding welts across his back and legs.

At this, three or four stablemen and loungers from the passageway rushed with loud Hibernian whoops into the fray, while the men from the hotel stable met them with fist, club, and brick-bat. Up drove two hacks at full speed and from one, labeled "Hotel Rumscott" a long-armed, black-bearded, curly-headed man sporting a policeman's badge, sprang and rushed into the fighting crowd, loudly calling on them to "Digest in the name of the law!" From the other, a square-built man, with huge feet and legs, dropped, and with equal display of a policeman's badge called in husky accents for "This assembly to disperse in the name of the Lord."

Sam, not having any reason to be angry at any one, sought to get out of the swirling crowd when he saw a huge, evil-looking man rush from the sidewalk, pick up a large stone, and rush behind the burly hotel-man, drawing his arm back for a fearful blow.

Instantly seizing the man's poised arm with one hand, and his collar with the other he

gave him a violent twitch and pull that sent him heels-over-head halfway across the street. Then, grasping the proprietor by the wrists, he tore him away from the kicking, struggling, and blaspheming victim.

The fight stopped as soon as it began, and in the face of the awful majesty of the law the combatants drew back, cursing one another roundly.

The driver of the bay horse still danced and swore.

"Arrest Major Drake there! arrest him, damn him! Put him under arrest! I'm a Justice of the Peace, and I order his arrest! do it now! do it now, or I'll have your badge off!" he shrieked with a stream of oaths, to the officer with huge legs.

"Put that damned little scamp under arrest!" roared the Major, red-faced and puffing. "I'm a Justice of the Peace and Quorum, and I order you to arrest him for malicious mischief and defamation of character. Clap the irons onto him or I'll have you removed from office before night!" he stormed at the black-bearded constable.

"Major Drake, you are under arrest," said the first officer, laying his hand lightly on the Major's shoulder.

"The hell you say!" said the Major, swelling like a turkey-cock.

"Mr. Blunt, you are my prisoner," said the official with the black beard, advancing and laying a huge hand on the arm of the excited driver.

"Don't you dare put the irons on me, you damned rascal, or I'll sue you for false imprisonment," stormed the peppery little man.

"Come, Chris, don't be a cussed fool," said the officer with some exasperation; "if I thought ye very dangerous I'd tie ye with a piece of tow-string like a calf. All we want is for you to come round when we hev the trial, ain't that so, Mad?" he said, addressing the other officer.

"That 's all, Andrew; only Major and Chris is both under arrest for breaking the peace, 'n —" said Mad.

"'N fitin'," chimed in Andrew, the man with a black beard.

"'N assault 'n battery," opined Mad.

"'N malicious mischief," declared Andrew.

"'N perfane language," asserted Mad.

"'N brawl 'n tewmult," roared Andrew.

"'N resistance to lawfully constitewted authorities," shouted Mad.

"'N unlawful assemblage," vociferated Andrew.

"'N — 'n — 'n — raisin' hell ginerally."

"Gord!" said the Major; "anything more?"

"Blankity! blankity!! blank!!!" squealed Chris; "you'll see, before I get through with you."

Thereupon the Major, retiring to his hotel for his coat, stamped down to Squire Branch's office while Chris, having anointed himself plentifully with liniment, hurried down to his brother Joe's for the proper legal machinery to accomplish the Major's undoing.

Sam, who had listened with great amusement to the conversation, seeing no further opportunity for entertainment there, renewed his stroll. As he passed by a side street he noticed the fellow he had thrown across the street waiting for him.

As Sam came up, the man stepped in front of him.

"Say," he growled, with an oath, "you are the feller who pitched me into the dirt?"

"Yes, I guess you are the man, and you certainly look as if you had been there, all right," said Sam with a laugh.

"P'raps ye think ye can do it again?" leered the man, thrusting his jaw forward belligerently.

"Why, yes," drawled Sam, lighting a cigarette, "I have n't the least doubt of it."

"Well, just come down here where we won't be seen and I'll give you a chance to try," said the fellow.

"Thanks, no, my friend," replied Sam pleasantly; "I've had plenty of excitement to-day, and I think I can manage to get along without any more."

"Ye'll get a damned sight more if you'll come down here for about five minutes," rasped the fellow.

"Very likely," said Sam, flicking the ashes from the tip of his cigarette.

"So you won't come?" said the man, raising his voice.

"No," said Sam.

"P'raps you'd rather have it out here," he roared, lurching forward.

"See here, Bill," said a voice behind, "you get out of this lively or I'll run ye in," and Mad, coming out of the lane to Blunt's stable, bore down on the two.

"I'll see you ag'in," growled Bill, moving sulkily away.

"Not if I see you coming, my friend," smiled Sam as he turned to the constable.

"What did that cuss want?" inquired Mad.

"He appeared to think I had been a little rough with him when he tried to strike the Major from behind," replied Sam.

"Rough with him! thunder! I should think so," said Mad, choking with laughter. "Gosh! you nearly snapped his head off when you jerked

him away. Gaw! he went off jerking his head and neck like a man trying to swallow a dry doughnut," and the worthy officer slapped his knee and roared. "Say," he continued, "look out for him, he is a mean cuss, and will lay for you if he gets a chance. He has done time before this. But, Lord amity, how he did go one-sided, like when you swing a cat by the tail. I bet he never got such a sling as that before. Gaw!" and he roared again. — "By the way," he shouted, "I forgot, we shall need you at the trial to-morrow."

"I don't know anything about the case, man," urged Sam.

"Yes, you do. You are the man that pulled the old Major off when he was whaling Chris. You see I drive hacks for Chris, but, never mind, he has needed a good lickin' for some time, and he got it too. Still, law is law, an' we've got to perceed accordin' to the forms. — Where ye stoppin'?"

"At the Columbia House."

"At Alvy's? Gaw! whatcher stoppin' there for? Why dontcher put up at the Major's?"

"Well, the Columbia seems well enough, and cheap enough."

"Yes, but thunder! there's something goin' on at Major's all the time."

"If this is a specimen, I'm afraid I'm not up

to so much excitement, and there seems to be something going on at Alvy's."

"Gaw! yes; Alvy's is lively enough to keep you awake. So if we want ye, we can get ye there, can we?"

"Yes, I guess so, if you want me within a few days."

"All right; good-day, sir; only keep your weather eye open for Bill."

CHAPTER IV

SOCIETY IN ELMTOWN

BACK on the hotel piazza the thrashing given by the Major to Blunt was the theme of general conversation.

"By Gad! sir," said William Billowell, a vast blond man, with his hair curled under behind, and a chin beard, Chairman of the Board of Selectmen, and a merchant of local weight, "if Chris has Major arrested, I want the privilege of paying his fine, and going bonds for him if bonds are needed."

"Hold on there a minute, Bill," said a spare old gentleman with a wig and old-fashioned, highly polished calfskin boots, "I claim that privilege as a vested right. I have known the Major longer than you, and perhaps I feel a little more keenly a long nursed grudge against Blunt."

"Gentlemen all," said a portly man with a large nose, prominent eyes and a stock, "I deprecate the employment of force, the use of violence, and especially do I oppose, and consistently oppose, resort to weapons, even to so homely implements, gentlemen, as the oaken staff, the ashen

stick, or the gold-headed cane. The immortal Shakespeare has said, gentlemen, and I need not remind you of it —

> Beware thy entrance to a quarrel;
> But, once in, so conduct thyself
> That thy enemy mayst beware of thee;

and someone has said — damfino who —

> Lay on McDuff,
> And damned be him who first cries, 'Hold! enough!'

Now, gentlemen," rising and placing his thumbs in the armholes of his yellow vest, "our friend Bacon has also remarked —

> A wise man will make more opportunities than he finds.

I opine, gentlemen all, that had the latter lived in the same town with that cantankerous, jealous-minded, quarrel-breeding rascal of a Blunt, he would have written —

> A wise man finds more opportunities than he can afford to take.

But, gentlemen, our honored friend, the Major, has certainly improved this opportunity, and has done it damned well, and I move you, gentlemen, that the house adjourn with me to the — ah — sample-room and there pour out a libation to the — ah — god of war, and — ah — pledge a bumper to the stout cane and the — ah — strong right arm of our honored boniface, Major Drake."

With one accord there was a rasping scrape of chairs and squeak of leather and wicker, and the

assemblage decorously followed him to the barroom and lined up.

"Gentlemen all, nominate your stimulant," said the portly gentleman, with much ceremony.

"Rum," was the unanimous choice of the coterie of worthies.

"Ah, gentlemen, well-chosen, my own preference, in fact. Ben," he added to the bartender, "bring out a bottle of that spirituous irritant known as New England Rum, a dash of lemon, and a trifle of saccharine matter."

When the glasses were filled, the portly man bowed low, with his hand on his heart, and raising his glass, said, "Gentlemen, our friend of the strong arm, the stout heart, and the oaken staff, the Major."

"The Major," echoed the assemblage, and the liquor disappeared as quickly as if it were thrown out of a window, and deep breaths of satisfaction were drawn by all as they filed back to the steps and resumed their chairs.

"By the way, gentlemen," said the Chairman of the Board of Selectmen, "during the skirmish there was a young fellow of more than average size, who held the pair by the head and afterwards took a hand in the row. That is, he gave Bill Evans an almighty sling across the road and then pulled the Major away from Chris. Does any one know him?"

"No, but I saw him hist Bill, and he did it just in time, for Bill was after the Major with a rock as big as a quart dipper. But I wish he had n't pulled the Major off," said the man with the wig.

"Saw it too," said Mr. Timson, a short, thick-set, rather bandy-legged man with a large smooth face, of ox-like placidity and lack of expression. Mr. Timson was a tailor, and his language was like the snip of his shears, brief and to the point. "Bill with rock, back of Major, twitch, yank, Bill on his back, rod away, Major all right, Chris, damn rascal, not half enough."

"As our friend Timson sententiously remarks, the young fellow, whoever he may be, was on deck, to borrow a current baseball expression, and undoubtedly — ah — saved our friend the publican, haziness of ideas, or — ah — some disfigurement, if nothing worse. Our friend is a hard-headed gentleman, but — ah — in the event of a violent collision between his head and a granite boulder or brickbat, it is to be doubted if the result would — ah — have been in any way detrimental to the — ah — boulder, or beneficial to our worthy friend's head. In my opinion, gentlemen, the unknown young man is worthy of being honored with a libation. Will you gentlemen join me?"

Again in perfect time the boot heels thumped on the floor as their owners tilted their chairs for-

ward, the chairs scraped and squeaked, and the gentlemen arose with alacrity and turned towards the refreshment room.

At that moment the Major arrived, puffing.

"I was just saying, Major," said the portly man, "that in honor of the valiant behavior of a certain unknown young man, who did yeoman's service in saving your head in the recent — ah — disturbance, we would observe the ordinary and proper ceremony, and — ah — at my expense."

"Hm — hah," said the Major, — "what about it? Who was he? What did he do for me? Where is he?"

"Well, Major, while you were administering a very needed castigation and chastisement to your most unworthy foeman, a well-known renegade and rowdy, Bill Evans, whom you, I believe, have some reason to know, having ordered him out of your — ah — refectory only a short time prior to the — ah — pugilistic engagement, tried to assault you from behind with a large rock, when a youth — ah —

'To fortune and to fame unknown,' —

that is to say, as far as our feeble knowledge of the gentleman goes, seized the miscreant by the scruff of his neck and incontinently pitched him into the gutter."

"Hm — hah, he did, did he?" said the Major. "Senator," addressing the portly man, "this,

asking your pardon, is my treat, — h'm — hah, my treat."

"Major," said the Senator with a profound bow, "I decline, sir, as a gentleman should decline, to usurp — ah — sir, your prerogative."

"Right, sir," puffed the Major; "is it rum, gentlemen, as usual?"

"Rum, Major," chimed in the chorus.

"Senator," said the Major, as they poised their glasses.

"Gentlemen," said the Senator, "our former toast to the Major's good right arm leads us to similar thoughts in relation to that of the unknown gentleman, and our memory turns to the immortal words of Campbell, paraphrased — ah — amended a trifle, but still his pregnant words:

'Yet for Sarmatia's tears of blood atone
And make your arm, puissant as his own.'"

A vast sigh of satisfaction was heaved as the empty glasses clashed on the bar.

Sam in the mean time had continued his walk through the streets of the pretty town. He passed the spacious Academy grounds and building, the broad and level ball-grounds, now grown to weeds, except one diamond where a scrub game was being played by small boys; round by the river winding through green woods and close-cut brown fields, by the upper and lower dams and the huge mills throbbing in the summer air; by the

broad street of tide-water fringed by green rushes, with the partly decayed wharfs where coal schooners were tied up.

Already a hint of autumn was in the air. In spite of the dry heat, an indefinable something spoke of falling leaves, of a dying summer. Already the bobolinks had donned their brown and dust-colored traveling-suits, and were flying over the dry fields in vaulting flight, uttering their voyaging note, a sharp "spink" with each rhythmic bound of their plump bodies. The robins, faded and rusty, their new feathers showing smoothly mottled through their old coats, their wings and tails uneven and ragged from discarded feathers, were flying high in small flocks, perching, chasing, and calling to one another in the tops of the tallest trees. The younger birds in full feather, but with breast still bearing the speckled feathers of first year's growth, were scurrying in mad flight through the trees and shrieking joyously. Flocks of cherry birds flew here and there, now alighting in the high trees, now flying high in air, with sudden changes of direction and with their curious screaming twitter.

Near the banks of the fresh river, above the bridges, and in the shallows, the lily pads were becoming ragged on their outer edges as if gnawed by fish or turtles, while here and there on the banks the fire of the beautiful cardinal flower

was seen bending gracefully, while, as if challenging comparison, a scarlet tanager, perching on the limb of a huge pine, glowed like an ember amidst the green. Far over the immense trees shadowing the bend of the lower river, as it made towards the bay, soared a magnificent golden eagle in grand circles.

Sam noted these things with the avidious eyes of a naturalist as he sat at the edge of the wharf and let his feet hang down towards the water. He noted the jerky flight of a kingfisher in midstream and listened with pleasure to its shrill rattle. He watched it alight on a dead branch of a tree overhanging the pool, and raise its crest and flirt its tail loosely. Then he saw it lean forward with a sort of "make-ready" attitude, and "plop!" it had dropped like a stone into the placid water, had seized a small fish, emerged in a tiny swirl of spray, and was on its perch again, rapping the struggling fish on the branch with its long strong beak, furnished with saw teeth.

Far above in the blue the swifts were flying in lightning curves, swooping, descending, rising, pausing with rapidly beating wings, then darting so high that they seemed mere midges. The barn and eaves swallows had left the inland for the marshes by the sea, where millions were flying and gorging themselves on the teeming insect life of late August.

Suddenly the hoarse roar of the mill whistle broke upon the rhythmic throb of the machines and the trickle of water from the dam. Then the hum of machinery ceased, and from the big doors a black stream of operatives poured forth, like swarming bees. From the other end of the village were heard other whistles from the machine works and the shoe factory, and then the sound of the town clock striking six.

Supper-time, and Sam was hungry. Yet he was interested in the stream of operatives coming from the mill, and hastily springing to his feet he hurried to the corner of the main street to intercept them as they came across the two bridges. Standing by the corner, partly screened by telegraph poles, he watched them. An interesting crowd of people of many types. Old men — thin, bent, grizzled, with straw hats or thin cloth caps, black or dark-striped cotton shirts open at the neck and showing the skinny, corded throats — hurried along with the short jerky gait that spoke eloquently of many hours on their feet on hard wood floors.

Thin women with bent shoulders, and pitifully out of date little straw hats or bonnets, with skinny arms and claw-like hands clasping faded waists together at their necks, hurried to their suppers. Young fellows with muscular arms showing to the elbows, hatless, coatless, bandying

jokes with young girls, still erect and comely. Dark-skinned French chattering volubly in their own language, dingy, stolid-faced Poles and Armenians with coarse woolly beards, native Yankees with shrewd, keen faces.

As they passed the second bridge and the corner, the advance guard of the shoe workers, from a mile away, came trotting through the square in ancient wagons. A few minutes later the stream of pedestrians arrived, hurrying, jostling, laughing, and chatting in French, German, Yiddish, English, and Greek.

In ten minutes they had passed and the street was again quiet in comparison. Clerks with their coats over their arms were briskly going to their suppers, and young girls from the dry goods store, patting their puffed hair and settling their belts, were tripping homeward.

Sam, too, was hungry from his walk, and started towards the hotel, where the loungers were stiffly up-ending themselves and scattering. As he entered the hallway, he could see some of the boarders standing in line before the wash-bowls. The fortunate holders of the first place turned the faucets, plunged their faces into the bowls with mighty blowing and splashing, passed their dripping hands through their hair, dried face and hands on the dingy rollers, ran the comb and brush over their hair, parting it very much to

one side, and smoothing it flat to their heads, turned down their sleeves, and were ready for supper.

The Kickapoo Indians did not wash at all, but entered the dining-room in a body, headed by the big buck in full plains costume. When Sam came down from his room, where he had washed his face and hands and brushed his clothes, he found the dining-room well filled. By previous arrangement the waiters had left an empty seat beside the big Chief, and as Sam entered the room he found every one looking at him with an amused smile. Sam took the challenge and the seat. As he pulled back his chair, the huge buck arose, and with a guttural "How" extended a huge paw. Sam took it, by a quick movement thrusting his hand well up into the fork of the other's, thus preventing the Chief from getting a palm hold on his fingers.

A twinkle of amusement appeared in the Chief's eyes as he turned on his vise, which turned to surprise, uneasiness, and anguish as Sam did the same. For a moment they stood with hands clasped, when suddenly with a yell the big Chief bounded back, wrenching his hand violently away from Sam's grip.

"Howly Jasus, me fingers is bruk," he groaned, as he bent over and squeezed his injured hand between his knees. "Ye must be the divil and

the father of divils," he added with hideous grimaces, and then, suddenly recollecting, added something supposed to be in the Kickapoo language, sounding like an explosion of gutturals.

The entire room burst into a roar of laughter, under cover of which Sam took a seat at a side table, near a half-dozen mechanics, who smiled a welcome.

"Young man," said one of them, a grizzled, muscular veteran of forty-five, "you must have a grip like an eagle's claw. That old cuss has nearly broke the hand of every man here. I've got a pretty good grip, and so have the rest of the boys from working in iron, but he made us all dance."

"It was more a trick than anything else, although I have a good grip," laughed Sam. "You see it's all in getting the right hold. If he gets it, he can hurt you. If you get it, and know how to use it, you can hurt him. It used to be a favorite trick with the crew men in college, and I suppose I learned it pretty well there. Put your hand out and I'll show you how simple it is."

"No, thank you," laughed the man; "I got enough from the old Chief."

"Oh, I did n't mean to grip you, that's low-down business, but only to show you how to prevent it."

"All right, then," said the man, and a stained brown hand came out.

Sam then taught him how to get the palm hold where the hand was thickest and strongest, a simple enough trick. Then his order was brought in, and he gave it for a short time his undivided attention, for he was very hungry. The supper was wholesome and well-cooked, and Sam enjoyed it thoroughly.

While eating he listened to the conversation of the men, which was interesting, although of matters about which he knew little or nothing. The working of a certain new lathe at the machine works and a break in a heel-burnishing machine at the shoe factory formed a part of the conversation, while the question whether or not the "Old Man" would take Elkins on as foreman of the foundry in the absence of Welden, who was in Lowell, called forth some remarkably free comments about Elkins's ability and the "Old Man's" stupidity. Then as Bill Donelly had been bitten by Mike Hanley's bulldog, it was an open question, calling for much argument and speculation, as to whether or not a dog license protected the owner from a suit for damages by the injured party, and prevented the killing of the animal by the dog officer or any authority.

Whenever the dispute would wax warm, an appeal would be made to the grizzled man who was called Ben, and whose opinions were clear, concise, and much to the point. Indeed, when one

young fellow, who had started a joking dispute as to the relative strength of Alvy's whiskey and Major Drake's rum, appealed to him, he said with emphasis, "Whiskey or rum, my lad, is a mighty good thing to let alone, and you may be sure that both Alvy's whiskey and Major's rum are bad enough without wasting any time or money in trying to find out which is the worse. When you wake up in the morning with a head as big as a wash-tub or with the heartburn, it makes little difference what brand of liquor you use."

"Say, Ben, you ought to turn temperance lecturer," laughed one.

"Maybe I will, some day, and take you lads as good examples," answered Ben quietly.

"Well, Ben," said the young fellows as they folded up their napkins and stuffed them into the japanned napkin rings, "will you have anything before you go to the concert?"

"No, you boys know I won't. Better drop it for once," he said.

But the young fellows laughed and went out laughing, and Ben turned to Sam.

"Those are good young chaps and they ought not to be here. A boarding-house is what they need."

"But there are saloons and hotels. They could get a drink when they wanted it, could n't they?" asked Sam.

"Yes," said Ben, "but they don't drink because they want it, but because it is fashionable and the thing. If it was n't right under their noses, they would n't think of it. Why! if it was the fashion to drink castor oil, there would be plenty of young fools who would swear it was just the thing they wanted."

"Well," said Sam, "I guess you are right. But what concert were they talking about? I am a stranger here, and may have to stay here a day or two, and I have n't anything to do to-night."

"Oh, a band concert on the square every Thursday night. You see the town pays for it."

"The local band, I suppose," said Sam, with a slightly bored expression.

"Yes, but really not half bad. I've heard lots of worse ones in much larger places."

"Are you going?" inquired Sam.

"Yes, I always go when I am in town, it kills an evening and makes me feel better."

"Well, if you don't mind, I'd like to go with you," said Sam.

"Mighty glad to have you," said Ben. "I've got to go to my room to dress and shave, if you will wait. I'll be down in about a half-hour, or you can come up."

Sam declined, saying he would smoke on the front steps, and they left the table together.

On the piazza Sam got a chair, tipped back against the clapboards, filled and lighted his pipe, and looked up and down the street. It was nearly half-past seven o'clock, and already the store windows were brightly lighted. Across the street in the engine-house the shining brasses of the big engine contrasted with the brilliant crimson of the wheels and pole. Back in the broad stalls the heavy rangy bays stamped and munched, while the driver and one or two loungers, tipped back in chairs, answered the cheerful greetings of the clerks, on their way back to the stores, and of the workmen, returning from their suppers for their evening in the street.

One by one the hotel loungers returned to their seats, and Sam noticed that they invariably came from the vicinity of the barroom. Their conversation, however, was so amusing that Sam was surprised when the half-hour was up and Ben returned, shaved, collared, and dressed in a neat gray suit and striped shirt with soft collar.

Together they strolled, pipe in mouth, towards the square, where they found people arriving. Groups of young girls, chattering, laughing, and screaming shrilly at some light jest, passed up and down the streets. Dingy and worn women dragging eager children, or pushing baby-carriages, sought for comfortable seats on the grass-plots. Old men with canes and a few with

crutches sat on the grass or on curbstones and talked quietly. Rows of young men, arm in arm, or walking side by side and smoking cheap cigars, passed up and down the street, exchanging greetings with one another or badinage with the girls.

In the centre of the square the bandstand was being lighted and the musicians were taking their seats, setting up their music racks and peeling the green cloth covers from their brass and wood instruments. Carriages, farm wagons, democrats, and buckboards were arriving filled with country people, while carriages from the beaches were backing into position in front of the town hall.

Eight o'clock struck from the old church belfry. The band leader raised his arm, there was the beat of a measure, a vigorous semicircular wave of the baton, and the band broke into the swinging measures of a popular quickstep. Instantly the walking crowd instinctively fell into step, those sitting nodded their heads in time to the music, and the entire assemblage listened intently and with great delight, and applauded vigorously at the close of the selection. A standard overture followed, then a popular selection, a waltz, a solo for trombone, a *morceau caractéristique*, a solo for piccolo, a military march, and presto! an hour had passed and the concert was over. The old men resumed their canes and crutches, the baby-

carriages were unlimbered and trundled off, the nine o'clock curfew pealed out, and the crowd thinned out.

Sam was astonished by the excellence of the music, the behavior of the crowd, the perfect order, the enjoyment, the good nature, and the critical appreciation of some especially fine bit of harmony or melody as evidenced by the applause, and walked slowly back to his hotel with his friend.

The loungers were still there, intent upon a colloquy between Newt and Alvy, the former entreating the latter to trust him for just one more drink, the latter protesting that his account as chalked up could not bear any more padding.

"Now, look-a-here, Alvy, if you won't trust me, why treat for once, Alvy, just for once. Le'ss have a record broken. Let it be given to the public that Alvy Dole opened his heart and treated. Come, Alvy, it's wuth it, it's wuth it."

"Now hold on, Newt," said Alvy; "ain't I been a treatin' on ye every time I chalk down a drink, 'n now ye say I hain't never opened my heart; hold on now, Newt, hol' on. Now, Newt, I'll tell you jes' what I'll do. If you'll make up a poem right now, 'ithout hesitatin', I'll treat the crowd on ye. A new poem, mind ye, not an old one."

Instant attention of the crowd.

"I'll go ye, Alvy, a treat fer the crowd, if I

make up a poem outer my own head, a new one. I'll go ye. What'l yer hav', a funny one or a sollum one?"

"Waal," drawled Alvy, "give us a sollum one."

"All right, Alvy, here goes," said Newt, mounting a chair and raising his arm with a commanding gesture, while the crowd of loungers gazed at him with kindling eyes and open mouths.

Then without a moment's hesitation, Newt intoned —

> Where are the boys we used to know,
> Always so gay and frisky,
> Down in the graveyard lying low
> From drinking Al Dole's whiskey.

For a moment Alvy remained speechless with indignation, when there was a roar of laughter and applause as the crowd of loungers, bearing Alvy in their midst, swept towards the barroom, while Sam, very much amused, ran up the uneven stairs to bed.

CHAPTER V

COURT-ROOM AMENITIES

THE next morning Sam was roused from a heavy sleep by a variety of unusual noises. There was an occasional rattle of carriage wheels, the thud and stamping of horses' feet on plank floors, the scraping of shovels, frequent oaths and sharp slaps, emphasizing hoarse commands, to "Stan' over thar!" "Get off my foot, you blankety blank old sprung-kneed, wall-eyed, spavined plug," — whack! stamp! snort!

Then the measured scrape of currycombs, and jovial, hilarious songs and whistles. Then an impatient voice called out, "Is Alvy up?" and "What time do ye open the barroom?" and whether or not "Alvy wants a man to die of thirst right on the doorstep?"

Then a drawling voice, with a marked Irish accent, said, "Ta-a-a-ke a dhrink outer the horse trough, if ye can't wait," followed by a profane reply consigning the speaker to the uttermost regions of Hades.

Sam yawned and grinned as he listened and thought of the lively times of yesterday. Then he suddenly remembered the trial, and won-

dered whether or not he would be required as a witness, and if so by which side.

The sun was up, and he could see it through the curtains gilding the metal gutters of a building in the rear of the hotel. Then came a raucous squealing and grunting of pigs and more profane comments and the rapping of a flat stick on flesh, then the cackling of fowls and the whirring and cooing of pigeons.

It was evident to Sam that even though the early morning tipplers were being neglected that the stock on the place was numerous and well cared-for.

Then feet began to clatter up and down the passages and stairways, and voices were heard demanding various articles, — water, towels, soap, and blacking, — and the rattling of latches and keys in rickety locks.

It was plain that the guests were waking up, the only notable exception being prolonged, regular, and terrific snores from a room a short distance down the corridor, which sonorously proclaimed the fact that one sleeper, at least, defied the noises of the morning, and explained to Sam the reason why he dreamed of sawmills the entire night.

Sam lay and lazed away the moments until a delicious smell of steak, fried potatoes, and coffee stole across the widely divergent but not un-

pleasant smell of the barns and stables, when he sprang up, and, making a virtue of necessity, made a somewhat limited toilet with the means at hand and descended to the yard.

The good-natured Irishman, who was rubbing down a shapely, nervous bay mare, grinned at his approach and gave him "Th' top av th' marnin'."

Sam answered pleasantly and remarked on the good points of the mare.

"She is thot," said Pat, "with two in a boogy, 'n divil av a tooch of th' whip, an' sorra a sook o' th' tooth, thot mare'll rhoad ye foortain moiles an hour."

"Fourteen miles an hour!" said Sam with a smile; "she must be a wonder."

"She is thot," said Pat, expectorating profusely.

"A little bit nervous, is n't she?" asked Sam, as the mare laid her ears flat to her thin bony head, and rolled her eyes dangerously.

"She's a divil, av there ivir wuz wan," said Pat.

"Well, a nervous highstrung mare is generally a roadster," said Sam, boldly running his hand over her forehead and smoothing her ears forward in spite of her threats. "But come, now, Pat, won't you call it ten miles instead of fourteen, just to oblige a friend?"

"Divil of a mile will Oi ta-a-a-ke off, not a

rhod, not a domned yard, not a domned inch. Jist foortain moiles, naything moore nor liss. D'ye moind me," continued Pat, knocking his pipe on his hard palm to shake out the ashes and sticking it in the band of his old slouch hat, "if yez want a droive to Brookmouth, or to Ocean Beach, or to Yappin with th' bhoys, on a little bit av a toime, yez want to ta-a-ke this mare, but if yez want to take a yoong la-a-a-dy out dhroiving, an' use wan hand for the loines, 'n th' ither fer th' yoong lady, ye'd betther ta-a-a-ke auld Sarah, th' auld bay mare forninst the gray in th' sta-a-ble there," and he ran his currycomb under the mare's belly causing her to squeal and lash out with her hind foot.

Sam entered the stable, with its long double row of stalls, from which protruded the rumps of horses, — grays, bays, blacks, chestnuts, and sorrels, some smooth and glossy from recent groomings, some rough and sweat-stained from late use; some round and smooth, some gaunt and old, with stall-scarred hips, but the majority in excellent condition. Behind each stall was the name of its occupant, — Topsey, Johnny Roach, Sarah, Polly, Nigger, Empress, Silver Tail, King, — while on a wooden peg hung the particular harness sacred to the wearer. In the middle of the floor two horses, head-hitched by side straps from the top beams, were taking their morning

rub-downs without protest, while in the carriage house a man in leather apron and rubber boots was whirling the jacked-up wheels of a piano box buggy and playing on them with a hose.

As Sam concluded his inspection and left the stable he saw Alvy come to the door of the office in his shirt-sleeves, and immediately there was a simultaneous if somewhat stiff-legged rush to the barroom, of the loungers who had gradually collected on the steps of the harness room and the seats of unused wagons. Evidently Alvy was in demand. Then the breakfast gong roared, and Sam went in at the front door.

He found Ben and the boys already at the table, and they all expressed surprise at seeing him so early, but said little and ate rapidly and somewhat gluttonously, all except Ben, who had a rather neat way of eating that was in striking contrast to his associates. When they finished they went into the office, followed quickly by Ben, who said audibly to them, "Not a drop this morning, boys; you can't begin work for me in that way."

Sam leisurely ate his breakfast, which was wholesome and well cooked, and watched the boarders and guests as they straggled in. There were several clerks, very shiny as to their celluloid collars and cuffs, and very sleek as to their carefully parted hair. They had evidently been

out late the night before, and somewhat loudly agreed with one another that they felt "played out." Indeed, one of them, a youth remarkable for general lankiness and rejoicing in an exceedingly protuberant Adam's apple that covered extraordinary distances when he swallowed, ventured the opinion that it would be as much as his job was worth if the old man should find out that he was "corned" the night before. Then there were references to a certain young lady named Stella and another named Min, and mention of three in a buggy and other matters tending to show that they were fellows who certainly knew life.

They were very free with the table girl, and she evidently regarded their sallies as the concentrated essence of humor, as her loud cackling laughter rang a sharp treble to the hoarse bass of their deeper tones. They ate heartily, although they found much fault with the food, asking the girl why Alvy did n't patronize the new harness maker when he wanted steak, and which of the tugs that particular piece belonged to. They drank their coffee noisily from their saucers, tucked their napkins into their necks, and did other things that rather indicated their lack of perception of the niceties, but were good-natured and Sam found them rather amusing.

He was also amused at the very stately old lady who came in after the young men had left,

and who as a privileged guest had her own table, where she and the ugliest, pop-eyed, dewlapped, asthmatic, waddling, husky-voiced pug dog Sam had ever seen, sat in state. Her wig was of that indescribable greenish yellow color sometimes seen on the back of cheap and shopworn coats. Her pitiful old face, a mass of wrinkles, was so carelessly yet thickly powdered and rouged as to present an appearance never before seen in, on, above, or under the earth. Her dress was a mass of flounces and tucks, her yellow hands and arms loaded with rings, bangles, and bracelets, and she managed with much dignity a lorgnette, through which she eyed Sam with evident curiosity and condescension.

As she entered, she had dropped her handkerchief, a filmy bit of lace, which Sam, perceiving, rescued and presented to her with a courteous bow, and was rewarded by the old lady with a stately inclination, and a smile which disclosed a set of dazzling but glaringly false teeth, and by the pug with a series of gasping barks that shook his fat body like a mass of jelly.

An old gentleman with a tight black coat,open at the breast, stock, and gold spectacles, entering at this moment, bowed with his hand to his heart and took a seat at the other end of the room, near a side window, while the stately lady bridled and simpered with so affected a juvenility that

Sam was obliged to hide a smile in the folds of his worn napkin.

As he passed out of the dining-room towards the piazza he met the Kickapoo Chief, who passed him on his way from the barroom, with a curt nod, a guttural "How?" and a fairly audible smell of gin, but without any attempt to shake hands.

Sam heard his name called as he came on the piazza, and met a very officious gentleman in a black frock coat and a tall hat, who asked him if his name was Samuel Randolph. On being informed that he answered to that name, the officious gentleman informed him that he was J. Wadlin, a deputy of the sheriff of the County of Rockaway, removed from his hat a bundle of papers, selected one, opened it, adjusted his spectacles, and read rapidly but sonorously —

"State N Hamshr. Cty Rockaway, you quired appear at Justiscort Cortroom ten clock testify whacherknow action State vsus. Drake, herof fail not, answer dfault pains penalties perjury."

Upon the conclusion of this remarkable statement, the officious gentleman replaced the paper in the bundle, replaced the bundle in the tall hat, replaced the hat upon his head, drew a wallet from his breast pocket, unwound a long leather strap, opened the wallet, and counted out the sum of seventy-seven cents which he handed Sam with

the explanatory words, "Your fee," and turned to go; when Sam detained him, and asked: —

"But what is this all about? I don't quite understand; you read so fast."

"Why the Major Drake assault case, before Justice Ball; you're a witness," replied the official.

"Yes, I know," said Sam, somewhat doubtfully, "but where is it to be? You see I'm not very well acquainted here."

"Grand Jury Room in the Court-House, ten o'clock, up one flight, first door to left," and J. Wadkin, being a man of action and a busy man, departed rapidly.

A moment later Sam saw him stop another man and go through the same legal formality with him, and then taking him by the buttonhole confer with him very earnestly and with much gesticulation. Finally they parted with some ceremony and much hearty laughter.

Sam noted that the man whom he had summoned was a portly man with a large nose, prominent eyes, and a stock; that he held himself very erect, walked with rather a stately tread, acknowledged salutations with impressive courtesy, and was an extremely fine-looking old gentleman.

As Sam sauntered down the street, gazing with interest at the pedestrians and teams, he was met

by Officer Andrew Brown, who pulled up his pair of veteran hack horses and told him he was wanted at once at Squire Branch's office. This was as a command to Sam, and he nodded his thanks to the officer and hurried to his appointment.

As he ran upstairs and entered the office, he found the Squire busily at work, alternately leaning back in his chair, pushing his spectacles to his bushy hair, shooting a volley of crisp, curt questions at a witness under examination, and making memoranda on a pad in a style of chirography undecipherable to any one but himself. He looked up sharply as Sam entered, nodded, pointed to a seat, and went on with his examination of the witness. In rapid succession he disposed of several witnesses until it came to Sam's turn.

"What name, young man?" the Squire asked, leaning over the table with pen poised.

"Why, Samuel Randolph," said Sam hesitatingly.

"How do you spell the 'Why' in your name?" demanded the Squire.

Sam flushed a bit. "My name is Samuel Randolph, as I supposed you knew."

"In lawsuits we know nobody, young man," retorted the Squire, with a sharp glance from under his bushy eyebrows. "How old?"

"Twenty-three."

"Residence?"

"New York, or perhaps I should say Elmtown."

"Perhaps not, there may be some doubt of that," said the Squire, with a slight suspicion of a smile in his deep-set eyes.

"New York, then," said Sam curtly.

"That is better," said the Squire. "Now, tell what you saw about the assault on the Major here."

Sam detailed briefly what he saw of the caning and the part he took in it.

The Squire listened without comment, until Sam finished, when he asked: —

"How far was Major's team from the alley when Chris drove out?"

"About one hundred feet."

"How far from the alley side of the street?"

"About three times the width of the carriage."

"Which team was being driven the faster?"

"The one coming from the alley."

"Did that team have time and room to pass?"

"Yes."

"Was there any other team on the ground?"

"No."

"Any other circumstance you noticed?"

"I saw Chris, as you call him, strike his horse after he turned into the street."

"Could he have seen Major's team?"

"He must have seen it."

"That will do, sir," said the Squire. "Now, Major, this is what will happen: the Court will find you guilty of assault and battery and fine you. He can't help it under the evidence. I am satisfied that Chris smashed your carriage intentionally, and you can make him pay for it. But you had no legal justification for warming his hide, but I guess there is not any reason to be worried about it."

"Worried!" said the Major stoutly, "I would be almighty glad to get another crack at him for a fifty-dollar fine. I'm willing to go in and plead guilty."

"Well, Major, I guess there won't be any plea of guilty. If the Court should decide to send you to jail for a month, I am a little afraid of not getting an appeal, after that kind of a plea. No, we will plead 'Not guilty' and let them put in their evidence," said the Squire as he rose.

"Now, gentlemen," he said with a smile, "we will go over and take our medicine. Randolph, you will have a little practical illustration of the practice of law in a country town; that is, of one kind of practice. Perhaps after our friend the attorney for the prosecution finishes with you, you may decide to take the first train for New York."

"I am afraid not, Mr. Branch; I have got to

stay here long enough for a fellow named Bill to thrash me. It would seem rather rough on Bill to leave without giving him a chance," said Sam pleasantly.

"Yes, I have heard of that, and I am rather afraid Bill may keep his word. I guess I will speak a word to Bill about keeping on his side of the street," said the Squire.

"Please don't, Mr. Branch. I am not intending to have any row with Bill, and shall try to avoid one, but I really can take care of myself, and don't need a guardian."

"Well, as you please," said the Squire; "but Bill is a rough customer, and I have about decided to make an end of his deviltry."

"Well," said Sam, "perhaps I can if I am obliged to."

"Now, gentlemen," said the Squire with a genial smile, "remember to answer questions, and don't volunteer any information or opinion until you are asked. And above all, don't dodge or equivocate or refuse to answer questions. I will object to any improper question. Another thing, and remember this, don't think that you are bound to have an answer for every question. If you don't know the answer, don't be afraid to say so. And don't be afraid if your answers are not alike. No two persons ever saw a fight in exactly the same manner."

"To sum it up, just tell the truth as the thing appeared to you, and you will not have any trouble. Now, do any of you wish to be summoned?"

"Summoned! No, sir, I guess not," was the prompt answer.

But Sam added that he had already been summoned by the other side.

"H'm," said the Squire; "I wish I had known that; I should not have felt at liberty to examine you. Confound it, Joe will make the most of it. Well, it is too late now, we had better be going," and he picked up his green bag and led the way to the court-room, to which a large number of people were going.

CHAPTER VI

STATE VERSUS A. P. DRAKE

THE court-room was a large long room in the second floor of the town house, used during the sessions of the Supreme Court as the Grand Jury Room. There was a platform with a flat desk at one end of the room. This was surrounded by a railing, within which was a long table and desk for the counsel and several benches for the parties and their witnesses. Outside of the railing the spectators sat on long settees or benches, and spat copiously upon the floor.

The complainant, his witnesses, and counsel, an extremely handsome man of about fifty, with pointed beard, snapping black eyes, and a quick, nervous, aggressive manner, were already within the railed inclosure.

J. Wadlin, the deputy sheriff, was talking earnestly to an elderly man with glasses, whom he held by the buttonhole, which appeared to be a habit with him. The benches were rapidly filling up, and every face seemed to bear a sort of delighted expectancy, as if something very interesting was going to happen. Every man, as he entered the room, shook the ashes from his pipe,

or carefully placed his cigar, lighted end outwards, on the window-sill, much charred by years of similar storage, to await his return, removed his hat, smoothed his hair, and took a seat as near the front as he could, and prepared to get as much enjoyment out of the proceedings as possible.

The benches rapidly filled and the entry was crowded when the Justice came in. Justice Ball was a large, heavy, elderly man with a shaved upper lip, an exceedingly bald shiny head, a fringe of gray whiskers like a pepper-and-salt halo, a short broad back, and somewhat bowed legs. He took a seat at the desk, removed his black slouch hat, reached into his pocket, pulled out a red bandanna handkerchief, wiped his head, polished his glasses, nodded to the counsel, and said, —

"Court is open; proceed, gentlemen."

Instantly the counsel for the prosecution bounced to his feet as if propelled by a powerful spring and spoke rapidly: —

"'F Honor please, I've a complaint against Aaron P. Drake, charging him with aggravated assault on Christopher Blunt," and he tendered the Court a folded paper.

Whereupon the Court, turning to the Squire, asked him if he wanted to look at it.

"I do, your Honor," said the Squire, rising.

Then after a moment's examination, he resumed, "Just as I thought, your Honor; I move to quash the complaint."

"Quash the complaint! I guess that complaint is all right," snapped Mr. Blunt. "State your grounds, Mr. Branch, state your grounds; I demand, your Honor, that my brother state the grounds of his motion," fumed Mr. Blunt in some excitement.

"I will so state them, your Honor," said the Squire slowly and impressively.

"Well, go ahead and state them. We want to know. We are entitled to know. And we are going to know," said Mr. Blunt, so rapidly that his words were scarcely distinguishable.

"Well," said the Squire slowly, and with the utmost deliberation, "I will state them, your Honor, if my brother here will keep quiet long enough."

"Let him state his grounds, Mr. Blunt," said the Court, taking a pen and preparing to take notes of the motion.

"On page 409 of the General Statutes of our State, Section I, you will find these words: 'Writs, declarations, processes, indictments, answers, pleadings, and entries of records in the Courts shall be in the English language, and in no other.'

"Now, your Honor, in spite of this most ele-

mentary maxim, my Brother Blunt comes into court of this State and produces a complaint and a warrant drawn in no language known to civilized man on the face of the globe. I defy any man living to decipher it," and with a sniff of disgust that belied the gleam of humor in his eyes he tossed the paper on the Justice's desk. "And so I move, your Honor —"

But he got no further, for Mr. Blunt, who had jumped up and sat down several times, like a man on a red-hot seat, while the Squire was speaking, now opened fire with a torrent of furious words.

When he was through, which was not until the Justice checked him, the latter said: —

"I admit that my brother's writing is a bit difficult to read, but I guess I can manage to get the gist of it."

"The only trouble is, Branch can't read," sputtered Mr. Blunt.

"That's true as far as your writing goes," said the Squire.

"Well," said the Justice, "I will overrule the motion, and read the complaint."

Whereupon he ordered the Major to stand up, and read the complaint, which charged the Major, with many aforesaids and much repetition, with having committed an assault of an aggravated nature upon one Christopher Blunt,

and him the said Blunt he the said Drake with a heavy cane, which he then and there in his right hand had and held, did beat, bruise, wound, and ill-treat, and then and there many grievous blows with said weapons, to wit, said cane so in said right hand then and there as aforesaid had and held, upon the back, hips, legs, arms, and sides of him the said Blunt did then and there strike, whereby and by means of said beating and striking said back, hips, legs, arms, and sides of him the said Blunt became bruised, swollen, and discolored and he the said Blunt became grievously sick and diseased, contrary to the form of the statute in such case made and provided and against the peace and dignity of the State; and after reading the same, the Major, nothing daunted by the formidable nature of the document, stoutly pleaded not guilty and sat down.

Lawyer Blunt then took the floor and called his first witness, the complainant, Mr. Blunt, whom we will call Chris, as that was the name by which he was best known.

Chris took the oath with great fervor, holding his hand as high as he could reach, and, looking as if he could not under any circumstances be guilty of the mildest exaggeration, told how the day before he had driven from his stable an old, quiet, well-broken, and reliable animal, just the one for old ladies and gentlemen, one that a child

could lead or drive with a tow-string, a horse that he kept for nervous or old people who wished for a perfectly reliable and absolutely safe animal. That as he drove into the street he met a pair of horses driven at a very reckless rate of speed; that he tried to pull his horse out of the way, but his horse was going so slowly and the other horses so fast that he could n't clear them, and the two carriages came together and locked wheels, and both carriages were smashed and the horse lamed; that the driver of the pair, Mr. Rawle, abused him, and tried to strike him with his whip; and that while he was trying to keep out of the way of Rawle's whip, Major Drake rushed out of his hotel, seized him by the throat, dragged him out of his carriage, and beat him savagely about the back and shoulders, and would undoubtedly have killed him if he had n't been pulled away by some one.

This said, Chris paused to take breath, somewhat winded by the rapidity and fervor of his words.

"You may tell the Court, please, the nature of your wounds and bruises and describe them fully," said Mr. Blunt.

"I object, may it please the Court," interposed the Squire, rising.

"Object! what's the objection; I guess a man can tell where he is hurt," sputtered Mr. Blunt.

"He can certainly tell where he suffers, but cannot describe his bruises."

"Never heard anything like that for sheer nonsense in my life before," gasped Mr. Blunt.

"What is your objection, Mr. Branch?" said the Court.

"In the nature of documentary evidence, your Honor. This assault was alleged to have been committed yesterday and the complaint sets out that serious bruises and cuts were made by my client upon the complainant's body; bruises and cuts which, if made as they say, must be there now, and are the best evidence, and when the best evidence is obtainable, and more than that, is present in court, no other can be substituted."

"Well," said the Justice, "that particular view of the matter never struck me before, but it looks as if the objection were sound."

"Does the Court mean to say that it excludes the evidence?" demanded Mr. Blunt, with heat.

"Not that exactly," said the Justice with a smile, "but the testimony describing the bruises I do exclude. If the witness wishes to display them to me, I shall permit him to do it."

"Well, I guess I don't propose to strip and show myself for anybody or any case," said the witness doggedly.

"The witness can tell where he suffers," said the Justice.

Chris then gave a terrific recital of his sufferings. How he could neither eat, sleep, nor lie down. That he smarted, ached, and throbbed in every part of his body; that he walked with a limp, and that his hands and arms were about useless. In short, he drew such a hideous picture of suffering that his adherents glared at the Major, who, purple-faced with indignation, glared back again in a most ferocious manner.

As he finished, his counsel said, turning to the Squire, "You can have the witness, Brother Branch."

The Squire rose, glanced at the Court, and said very courteously, "I think, may it please the Court, that the witness ought to have an opportunity to sit down. Any one who has been so badly injured as he has been can properly ask indulgence of the Court."

"Certainly, Mr. Branch, certainly, a very thoughtful suggestion," said the Justice. "Officer, give the witness a chair."

Mad the policeman brought a chair, and Chris gingerly took a seat, with ill-suppressed groans.

Then the Squire blandly began his cross-examination, and within a minute had the witness on his feet, wildly gesticulating with his poor useless arms, while his counsel was frantically objecting to his questions. Indeed, before he finished he had wound Chris up in such a

tangle of contradictions that it was next to impossible to find a way out of the difficulty, and when told that he could step down, he entirely forgot to limp or groan, and sat down so hard on the settee that he shook the windows.

The prosecuting attorney's next witness was Mr. Wick, a very worthy and respectable old gentleman, who raised his hand quickly when told, and dropped it as quickly and before the Justice could administer the oath. This happened several times before he was properly sworn, which had the effect of working him into a painful state of nervousness.

"Now, sir," said Mr. Blunt briskly, "what is your name?"

"William Wick, sir."

"Where do you live?"

"Lived in this town sixty year, a'most."

"How old are you?"

"Less 'n a hundred, 'n more 'n twenty-one."

"Do you know the complainant?"

"The who?"

"The complainant, Mr. Blunt?"

"Oh, Chris, there; pshaw, yes; knowed him forty year 'n over."

"Know the respondent, Major Drake?"

"Knowed him forty years, I guess."

"Did you see the trouble between Chris and the Major?"

"Did."

"Tell the Court in your own way what you saw and heard."

"Well, I saw the fight, 'n heard folks say Chris did n't git half what he deserved."

The prosecuting attorney vainly endeavored to stop him, and appealed to the Court.

"You are not to tell what you heard any one say, but what you heard during the fight,—blows, language used at the time, — but not give any one's opinion of it or what any one said about it," explained the Justice.

"Oh, yes, Bill, I un'erstan' now whatcher mean," said Mr. Wick, with a smile and a nod of comprehension.

"And you must remember also not to call the Court Bill," said the Justice, trying hard to suppress a smile.

"Hell, yes, B — your Honor, I'll try not to forget it agin," said William apologetically.

The Justice coughed and choked behind his hand a moment, while the court room burst into a roar, which J. Wadlin checked with a stern command for order.

"Proceed, Mr. Witness," said the Court when he had recovered himself.

"WellasIwasgoingdownthestreetyesterdayafter noonIsawateamofhorsesand —"

"Hold on! hold on! Mr. Witness," shouted the

prosecuting attorney; "don't go so fast. I can't understand a word. Now begin again and go slow."

"Allrightsir," said Mr. Wick, shifting his cud and refreshing himself by sending a stream of tobacco juice halfway across the room into a spittoon with deadly accuracy. "As — I — was — going — downthestreetyesterdayafternoonIsawa teamofhorses —"

"Hold on! Mr. Wick, hold on! How do you expect us to understand gibberish like that?" protested the prosecuting attorney, while a wave of suppressed mirth rolled over the audience. "Now, try once more, sir, and go slowly, very slowly, from the first word to the last."

"Allrightsir," said Mr. Wick, with great cheerfulness; "as — I — was — going — down — Is that slow enough for you, Mr. Blunt?" queried the witness.

"Yes, yes, Mr. Witness, that is all right," said the attorney impatiently.

"Ye ain't deef, be ye?" inquired the witness solicitously of the attorney.

There was a smothered snort from the Court, and a ripple from the audience, which brought a command of "Silence!" from that watchful officer, the "dippity sheriff," J. Wadlin.

"Mr. Wick," said the Justice, when he could command his voice, "you must not ask ques-

tions, but answer them. Now, go on and tell, very slowly, what you saw. Now, don't forget."

"Gord, yes, B — your Honor, I'll try not to forget," promised William; and the Justice retired behind his hand, while his shoulders heaved and shook.

Then the witness began again: —

"As — I — was — going — down — the — street — yesterday — I — saw — a — team — of horses drivenbyoldmanRawlethefellerwiththe baldheadandthe —"

"Hold on, Mr. Wick! stop! sir!" shouted the prosecuting attorney.

" — sidewhiskersandthreepeopleinthecarriage andChristhenand —"

"Will you stop, sir?" shouted the attorney.

" — outofhisalleywaywithabigbayhorseanda sidebarbuggyand —"

The prosecuting attorney tore his hair, the complainant popped in and out of his chair like a jack-in-the-box, the Justice leaned back in his chair, opened his mouth and roared, and the audience, taking courage from his surrender, shouted with laughter. Even J. Wadlin laughed until he had to hold his sides, and the witness, drowned out of his lightning narrative, stopped in indignant amazement.

Finally the laughter stopped.

"That will do, sir, you can step down," snapped the prosecuting attorney to the witness.

"No questions, Mr. Wick, thank you," laughed the Squire.

Mr. Wick, still very indignant, stepped down and stamped out of the court room.

The next witness was a hostler of Chris's, who stoutly backed his employer up in depicting the gruesome indignities his employer had suffered at the hands of the Major.

On cross-examination he admitted that the Major had, a week before, discharged him for drunkenness, and that he had promised to get even with him.

Several other witnesses followed, all of whom testified to the row and the beating. These were passed over by the Squire with but little attempt to cross-examine, beyond establishing the fact that the Major's carriage was badly wrecked.

"Samuel Randolph," said the prosecuting attorney, "you may take the stand."

Sam arose, went forward, took the oath, and in answer to the questions of the prosecuting attorney, told his story. He detailed the collision of the carriages, the rush of the Major, the severe beating that Chris had sustained, and his part in dragging the Major away, but said nothing about Bill Evans's attempt to brain the Major with a stone, or his act in throwing Bill across the street.

"Did Chris strike Major?" asked the prosecuting attorney.

"He did not," replied Sam.

"Did he resist?"

"He struggled to get away, and swore some."

"You would have done the same under similar circumstances, would you not?"

"I think very likely, sir," replied Sam.

"You may have the witness, Mr. Branch," said the prosecuting attorney with a look of triumph.

The Squire rose, adjusted his spectacles slowly, and looked at Sam quietly but sharply.

"How far from the alley leading to Chris's stable did the carriages come together?"

"About two rods."

"How fast was Major's team going?"

"Very slowly; the driver was holding them in and making them prance."

"Did he have control of his horses?"

"He appeared to."

"When Mr. Blunt drove out of the alley, how fast was he going compared to Major's team?"

"Very much faster."

"Twice as fast?"

"Yes, I should think so."

"Did Blunt have time enough and room enough to clear Major's team?"

"He did. He had plenty of time and plenty of room."

"That will do," said the Squire.

Instantly the prosecuting attorney was on his feet. "Not so fast, young man," he said as Sam was leaving the stand; "I want to ask you a question or two. — Do you mean to say that you think the complainant deliberately ran into Major's team?"

"That is my opinion, from what I saw," said Sam.

"Don't you know, sir, that you have no right to give an opinion," shouted the attorney in a rage.

"Why, you just asked me what I thought," said Sam, amazed, "and I told you."

"I move, your Honor, that the answer be stricken out and that the witness be reprimanded for expressing an opinion," said the attorney with some heat.

"Inasmuch as the answer was directly responsive to your question, I don't see how you can find any fault. If you don't want opinions, you certainly should n't ask for them, or complain when they hurt you."

"Then your Honor declines to strike out the answer, do you?" inquired the attorney.

"Oh, I shall try and disregard the answer, but I most certainly shall not reprimand the witness. — Any more questions of the witness?"

"You said, sir," said the attorney, picking up a pen and making elaborate preparations for re-

ducing Sam's answer to cold type, "that the complainant's horse was going much faster than the respondent's team."

"I did say so," said Sam.

"Do you know anything about horses? Have you ever ridden or driven or hired or used them? Do you know anything at all about them or don't you?"

"I have ridden and driven and hired and used horses, and I do know something about them," answered Sam with a smile.

"And paid for them, too, I suppose?"

"Yes."

"I am talking of livery-stable horses," snapped the attorney.

"And so am I," said Sam placidly.

"Well, I am glad that we have at last got something that you know something about. We have got somewhere," said the attorney with a side glance at the audience. "Now, Mr. Witness," pointing his forefinger at Sam and speaking with great deliberation and distinctness, "don't you know, sir, if you know anything, that livery-stable horses usually leave the stable-yard very slowly and come back a good deal faster? Don't you know that, sir?"

"Yes, that is usually the case."

"And that was the case this afternoon, was it not, sir?"

"That was the case with the pair of horses, apparently."

"Aha! I thought I should get something if I tried long enough, sir. So the pair of horses were going slowly?"

"Yes, sir."

"Now, sir, you are under oath. You know what that means, I suppose, sir?"

"I do, sir."

"Now, sir," speaking very deliberately, "did you not say only a moment ago that the pair were prancing?"

"I did say so."

"Oh, you did. Well, how do you reconcile that statement with your statement — given under oath, sir, remember that, and your Honor" (turning to the Court), "I should like to have this taken down very carefully as we may need his exact words later" (turning to Sam) — "that the pair of horses were going very slowly? Now, sir, no equivocation!"

"That would depend, sir, upon your definition of prancing," replied Sam coolly.

"Oh, it would, sir? Well, perhaps you will be good enough to enlighten us with your definition of prancing, sir."

"Certainly, sir; my definition of prancing is jumping up and down without getting ahead."

"Just what my Brother Blunt has been doing

all through this case," broke in the Squire with a chuckle, and the audience laughed.

"I object, your Honor, to these interruptions and this laughter, and I ask to have the room cleared," said Mr. Blunt in a fury.

"I guess, Brother Blunt, the Court can hardly order the room cleared or blame the audience for doing exactly what the Court did. I laughed with the rest," said the Court good-naturedly; "I guess we will proceed."

"Well, sir," continued Mr. Blunt, after he had consulted a moment with the complainant, "if this pair of horses were going as slowly as you say they were and Chris was also going slowly as you say he was, how could they have come together with force enough to break the carriage?"

"I did not say Chris's horse was going slowly."

"What? Did n't you say a moment ago that stable horses left their stable-yards slowly?"

"I did say that was usually the case. But it was n't the case with Chris's horse, and there was a pretty good reason for it," said Sam, with more animation than he had shown.

"What do you mean by that, sir?" demanded the attorney, disregarding a warning tug at his coat-tails by his client.

"I mean just this, that Chris gave his horse a cruel slash with his whip just as he turned out of the yard."

"That's a lie!" shouted Chris, jumping to his feet.

"That's the truth," shouted Sam, his eyes flashing sparks, "and if you look at that horse to-day you will find a long welt on him, or I don't know anything about horses."

The Justice pounded on the table. "Gentlemen," he said sternly, "that is an interruption that this Court does not tolerate. This is a court, not a stable or a barroom, and not a place to pass the lie or insult a witness. If there is any repetition of this offense, I shall so deal with the offender that he will be very sorry for it."

"Proceed, Mr. Blunt," he said after a pause in which the stillness was painful.

"One moment, your Honor," interrupted the Squire, rising. "The witness has said something about an examination of this horse. It was a good suggestion, and I wish to serve notice on the complainant to bring that horse into court as a witness in this case."

"I can't do that, your Honor," said Chris quickly; "the horse is out of town for several days on a trip."

"Out of town!" thundered the Squire; "did n't you just say that horse was lame?"

"Yes, but he was n't so lame but that I could drive him careful. Anyway, he is gone and that's all there is to it," said Chris stubbornly.

It was noticeable, however, that Bob Tibbetts slid out of the door at this and went up the street with some haste.

"Any more questions, Mr. Blunt?" said the Court.

"That's all I want of you, sir," said the attorney meaningly. "That's our case, your Honor," he finally said after conferring with Chris.

"Senator Hilton!" called the Squire, and a tall, handsome, portly man, with ruddy countenance and a stock, took the stand and the oath ponderously and with dignity.

"Your name, Senator," said the Squire.

"You need n't trouble to further qualify the witness," smiled the Justice. "The Senator is sufficiently well known."

The Senator inclined courteously to the Court.

"State whether or not you saw the trouble between Christopher Blunt and Major Drake yesterday?"

"I had that fortune, if indeed fortune it could be called, sir, to view a little misunderstanding between — ah — our local Boniface and Mr. Blunt."

"Where was Mr. Blunt when you saw him first?"

"Mr. Blunt came out of his place of business driving a tall, rangy — ah — bay horse at a most

ungodly rate of speed, sir, a most astonishingly rapid rate, sir. The beast he was driving had been stimulated to so rapid a gait by one or more — ah — swipes, you might call them, with a whip," and the Senator paused and blew a most astounding toot upon a large red handkerchief, to the unbounded amusement of the audience.

"Go on, Senator," said the Squire. "What happened next?"

"From the opposite direction came a pair of horses drawing a new and beautiful carriage filled with ladies, and driven by Mr. Rawle. This team was near the middle of the street, going very slowly and leaving plenty of room for a carriage to pass on either side. The complainant apparently drove directly on to the defendant's carriage and there was a collision."

"Go on, Senator," said the Squire. "One question, please; just where did the collision occur?"

"In front of the west end of the Rumscott, sir."

"Now, proceed."

"Well, sir, the complainant stood up in his carriage and swore, sir, like the Army of Flanders, yes, sir, I can think of no more apt simile than that historic asseveration," and the Senator essayed another bugle note.

"What did the people in the carriage do, Senator?" prompted the Squire.

"The ladies screamed, sir, the gentleman was thrown half over the dashboard, and the driver, Mr. Rawle, was displaying a most excellent brand of profanity, nearly equal to that of the complainant."

"What became of the horses?"

"The pair reared and plunged, but the young man who last testified caught them by their heads and held them until some of the hostlers came. Then he assisted the ladies out of the carriage, sir, with marked courtesy,—marked courtesy," and the Senator bowed courteously to Sam.

"Then, sir," he continued, "a new element arrived upon the scene in the person of our good friend, the Major, sir, who came upon the scene like a roaring lion, sir, like a — a — rampaging gorilla, sir. At that moment the complainant was negotiating a most astounding series of objurgations, when the Major grasped him by the collar with one hand and by the seat of the trousers with the other, dragged him from the carriage, and thrashed him, sir, as soundly as a mischievous boy was ever thrashed by a stern parent. Yes, sir, soundly, sir, and very thoroughly."

"Then, sir," continued the witness, "several stablemen from the rival stables rushed into the fray and it was as if some one had cried—

Havoc, and let loose the dogs of war;

the engagement became general, sir, until our faithful guardians of the peace came along in their respective conveyances and separated the combatants, but not before the Major had been dragged away from his cowering victim by Mr. Randolph, who showed great strength and dexterity. That, sir, is all I know about it."

"You may have the witness, Brother Blunt," said the Squire.

"The Major did, then, as you have said, beat the complainant without mercy, did he not?" asked the prosecuting attorney.

"Not quite that, Mr. Blunt; I said he thrashed him as soundly as any mischievous boy was ever thrashed by a stern parent, which to my mind is very different."

"How is it different, sir? Explain, sir, if you can!" sneered the attorney.

"My answer, sir, implies punishment, — condign punishment, sir," replied the Senator.

"Well, sir," snapped the attorney, "if you can explain any difference between punishment and so severe a beating as my client has received, I should like to hear it. Explain, sir, explain. I think the Court would like to hear it."

"Punishment, your Honor, implies an offense for the commission of which expiation is to be made. Milton has said

'A greater power now ruled him, punished in the shape he sinned,'

quite appropriate to the present case, your Honor," and the Senator inclined grandly to the Court, and blew the officer's call with great clearness.

"So," said the prosecuting attorney, "you think it a proper thing for a big brute of a man weighing two hundred and fifty pounds to take a man weighing one hundred and forty or fifty pounds, half his weight and size, drag him out of his carriage, and beat him within an inch of his life, do you, sir? Answer me, sir, is that your opinion?" shouted the attorney, brandishing his fists.

"No, sir; that is not my opinion," said the Senator.

"Oh, it 's not, is n't it; well, what is your opinion of the matter? — that is, if you can stick to one idea long enough to tell it," demanded the attorney with an ugly sneer.

"My idea, sir," said the Senator, leaning forward and marking his points with his forefinger, "is this: When I see a man deliberately and with malice aforethought —"

"I object, Senator," shouted the attorney.

"Proceed, Senator," from the Court.

"Drive against another man's carriage —"

"I object, your Honor, I object!"

"— Man's carriage, destroying valuable property, endangering life, and exciting brawl, sir,

and tumult, sir, in a public street and place, sir, that man deserves a sound thrashing; and if he gets it, sir, on the spot, sir, the ends of Justice are served, sir, and the man who thrashed him ought to get a pension. That, sir, is my idea," and the Senator quite outdid himself in the variety and clearness of his *arpeggio* bugle notes.

"This is a high-handed outrage, your Honor," said the prosecuting attorney, crimson with indignation. "Opinions of witnesses, not experts, are never admissible, never competent. That is the most rudimentary element of the law of evidence, and yet your Honor has allowed the witness, in spite of my repeated objections, to give his opinion, and a most prejudiced and unreliable opinion, on this matter, and I object, your Honor, I object."

"Brother Blunt," said the Court urbanely, "your law of evidence is unquestionably correct, and had you not asked him his opinion, I should not have allowed him to give it, but as your question expressly asked his opinion, and quite unfairly intimated the witness's inability to stick to one idea long enough to give any opinion, it does not seem to me that you have any right to object."

"If the evidence is closed, counsel for defense will proceed with his argument," said the Court.

The old Squire rose slowly to his full stature,

looked coldly and steadily at the complainant until he squirmed in his chair and his legs became quite convulsive, then bowed to the Court and began his argument.

"May it please your Honor, I feel that an apology may be necessary for taking so much of valuable time over a case of this nature. My client has undoubtedly committed a legal assault and a battery, unjustifiable according to the tenets of the law, undignified under the code of a gentleman, but none the less an assault, but an assault of a simple not of aggravated nature.

"The complaint is for an assault of an aggravated nature, an offense beyond your Honor's jurisdiction. You can, at the worst, do no more than hold the respondent in sureties for his appearance at the Superior Court. You cannot even find the respondent guilty of a simple assault under this complaint. A jury in the Superior Court could, but only because that is a court of final jurisdiction.

"But will your Honor under the evidence hold the respondent for the Superior Court? I think not. I believe your Honor thinks not. When a rascally small boy commits an inexcusable act of malicious mischief, he is soundly caned or spanked, and a lawyer bringing an action against the man who disciplines him, would be laughed out of court. Yet here is a man grown, commit-

ting a dastardly, dangerous, malicious assault upon four people, without a shadow of excuse, without a shred of justification, — an act which destroys valuable property, endangers the lives of women, and creates a scene of disorder, an unseemly brawl upon a public street, and he is soundly thrashed for it. There is nothing more than an assault, as justifiable an assault as could well be. No, your Honor, under this complaint this respondent must be discharged.

"But I am willing that my Brother Blunt should draw a new complaint for simple assault, to which my client will plead guilty."

And the Squire sat down.

In an instant the prosecuting attorney was on his feet with fiery words of denunciation pouring from his lips. There never had been so outrageous an assault, never so brutal an outrage, never such a miscarriage of justice, should the respondent be discharged. He had practiced law for thirty years and never in all his experience had he seen a more brutal, dastardly, cruel, unusual, or unheard-of brutality offered to a respectable citizen. Did we live in America, the land of equal rights, and were these the rights guaranteed us by the Declaration of Independence, or did we live in "Rooshia," where the wolves lurked at our back and the knout whistled at our door? He was slightly mixed in his illustrations, which was attributed

to his righteous indignation. He passionately called High Heaven to witness that prehistoric want of civilization that might justify murder, should the Courts fail in justice. He inveighed against the Squire's arrogant methods of cross-examination, his unfair interposition of technicalities to prevent a brutal assailant from getting his just deserts, and closed with an impassioned appeal that the Justice do one of two things, either to hold the Major for the Grand Jury in the sum of one thousand dollars for aggravated assault, or to sentence him to six months in jail and put him under bonds to keep the peace and be of good behavior for one year. Then he glared balefully at the Major and sat down.

The Justice leaned forward and removed his spectacles.

"The Court finds this assault to be a simple assault and not of an aggravated nature. It rules *pro forma* that the legal objection of the respondent's counsel is valid. If the complainant's counsel wishes to draw another complaint for simple assault, the Court will arraign the respondent again, and, should he plead guilty or *nolo* as the complainant's counsel has suggested, the Court will proceed to sentence."

To this Mr. Blunt sulkily agreed, and a new complaint was drawn, to which the Major pleaded *nolo contendere*, and was sentenced to pay

a fine of five dollars and costs of eight dollars and sixty-two cents, which he paid and Court adjourned, the Major in high glee being escorted in triumph to his hotel where libations were indulged in. The brothers Blunt retired in high dudgeon and the crowd dispersed.

CHAPTER VII

POLLY

At the close of the trial, Sam hurried to his belated dinner. Almost all the guests had left the dining-room when he arrived, and the smiling proprietor Alvy and his family were at their table. Sam had not yet met Mrs. Dole and the daughters, but had seen Ed, the boy. As Sam entered the room, Alvy called to him and introduced him to Mrs. Dole, a rather handsome woman of about Alvy's age, wearing a discontented expression, and of a rather sallow complexion. The daughters were young ladies of eighteen and sixteen, both pretty, the older exceedingly handsome, but wearing, like her mother, a somewhat peevish expression.

Sam bowed low over their small, shapely hands and said a few pleasant words, and nodded to Ed, who looked at him with open-eyed admiration as the man who threw Bill Evans across the road. As Sam went to his table, he was somewhat amused to hear Ed explain to his sisters that he pitied him when Bill got him alone. He bet Bill could "knock seven kinds of pea-green stuffin' outer him," at which volunteered

opinion his sister rather crossly told him to "Shut up."

While Sam was giving his order to the table girl, a tall, straight, very dignified man, evidently slightly under the influence of liquor, stalked into the room. He was dressed in a somewhat remarkable costume; he wore a linen shirt with a very high collar, kept in place by a sort of compromise between a stock and a four-in-hand tie. A black frock coat, evidently of a by-gone vogue, open in front, disclosed a figured silk vest, while a pair of ludicrously wrinkled, wide, yellow linen trousers reached only to within six inches of his ankles, disclosing grayish socks, ending in a pair of carpet slippers worked in fancy colors. In spite of this bizarre costume, his manners were so dignified, he was so straight, so stiff, so altogether unusual and good to look at, that his clothes seemed a by no means incongruous detail.

At once Alvy sprang to his feet, and, greeting the stranger as Captain, ushered him to a seat at Sam's table, and introduced him to Sam as "Captain Hilton" of this town. Sam shook hands very cordially with the Captain, who, with his hand on his heart, said that he was "glad indeed, sir, to welcome him to a town, sir, rich in historic association, prolific in its industries, dignified and elevated in its ideals, sir."

Sam, somewhat amused at his earnestness and

his dignified courtesy, said he had begun to realize the unusual attractions of the village, and mentioned the trial of the morning as something rather out of the ordinary.

"Ah, my dear young sir, if one so much older than you may be permitted such a familiarity, you will find discordant elements even in the — ah — harmony of nature. In the animal world we have the skunk, the polecat, the weasel, and the civet; turning to the feathered world, we have the — ah — hawk, the owl, the crow, and the shrike; the manifold beauties and — ah — usefulness of the vegetable world are sullied by an altogether too generous admixture of burdock, ragweed, whiteweed, and a gruesome sort of fungus that in August grows under the front steps and leads to the belief that something has died there. Some of the — ah — gentlemen you saw this morning are of the class of — ah — predatory animals, birds of prey, parasites — ah — what you wish, sir, what you wish, damned rascals."

Sam laughed, and said as the soup came on, "Excuse me, sir, but I think you must be the brother of Senator Hilton, whom I met this morning, and who, I assure you, was much more than a match for Attorney Blunt."

"Ah — yes, sir," said the Captain, urbanely, "I have the distinguished honor, sir, of being the older brother of that distinguished gentleman, sir.

You have, I apprehend, made as yet no further acquaintance with my family, sir?"

"Not yet, sir," said Sam; "I trust that pleasure is in store for me."

"Without doubt, sir, without doubt. It would be an honor, I assure you. I have three brothers, all unmarried, sir, as I am. My brother Gilman, sir, the Senator, is a statesman, sir; my brother Archibald is a — ah — a gentleman, sir; my brother Amory is a damned fool, sir; yes, sir, a worthy man, but none the less a damned fool, sir."

"Indeed, and how does it happen that he should differ so radically from his brothers?" queried Sam, unconsciously adopting the language of the Captain.

"He descends to manual labor, sir, — milks, rubs down horses, pitches manure, sir, hoes corn, chops wood. Could not tell the orations of Patrick Henry from those of Patrick Cassidy, sir. Should I address him in the immortal words of Cicero, — and I assure you, sir, that they would fully express my sentiments in regard to my brother, sir, —

'*Quousque tandem abutere nostram patientiam,*'

he would be unable to distinguish it from Cherokee, sir, from Pawnee, from Choctaw, from Canadian patois, sir. He, sir, a scion of a family that numbers among its members scholars, governors, generals, literary men! Yes, sir,

it gives me profound sorrow, sir, to chronicle such a divergence from the racial or family traits or characteristics, profound sorrow"; and the Captain attacked his roast lamb with an appetite that profound sorrow could not dull.

After a time the Captain began again. "As administrator of my late father's estate, sir, I have under my charge tenement houses, a block of stores, wharf property, and a large farm of six hundred acres, or I should say, to be more accurate, several farms that adjoin each other. My father, sir, had a fatal longing to buy all the land adjoining his, and, by the Eternal! sir, had he lived I believe he would have bought to the seacoast, sir, ten miles away. As a result we are land poor, sir, land poor. But for an occasional sale of timber, sir, I am afraid we should be obliged to part with some of it, which would be a blow at the traditions of the family, sir. The Hiltons hold their land, sir, — they hold their land; by the gods! sir, they hold their lands!"

Sam, who by this time had finished his dinner, arose, and pleading an engagement, bade the Captain good-day. The Captain rose with much ceremony, shook his hand vigorously, and invited Sam to call on him at an early date, promising him to lay aside business calls and to devote his entire time to his proper entertainment and enlightenment.

As Sam left the dining-room he heard the Captain say, "Alvy, have the kindness to order the clerk to bring me a small glass, but not too small, of New England Rum with a dash of bitters in it."

That afternoon Sam hired a skiff and took a long pull up the winding stream. He passed several boats, some filled with young girls and their escorts, the ladies trailing their fair hands in the water, and keeping the boats on uneven keels, to the unspoken distress of the rowers; some containing two men, one of whom paddled while the other, erect in the bow, "skipped" for pickerel, and he was interested to see several fine fish landed. The air was soft, the sun partly concealed by thin clouds. He passed two swimming-places teeming with small boys, who splashed and shrieked, dove and swam like otters, while those on the bank, clad in little more than thick coats of tan flecked with sunshine, scurried behind trees and bushes as the boats containing the ladies hove in sight.

At a quarter of six that afternoon, Sam ran up the dusty stairs to the Squire's office. As he entered, a man came out, — a big, burly, red-faced man.

He turned in the doorway and said loudly, "Then, you won't take the case, Squire, at any figure?"

"No, Symmes," replied the Squire's voice, "you have n't money enough; and there is n't money enough in the world to retain me in that kind of a case."

"All right, then; but, by God! I can find lawyers who will take it," growled the man.

"Perhaps so, but I hope not," said the Squire, as the man, turning abruptly, collided violently with Sam, profanely demanded if he could n't see where he was going, and stamped angrily down the stairs, before Sam could retort.

"Hello, Sam," said the Squire, cheerfully; "come in and sit down. I will be through in a minute."

Sam sat down in a chair in front of the window and waited while the Squire placed some bundles of papers in the safe, locked it, sealed a few letters, which he gave to his stenographer to post, bade her good-night, and courteously held the door open as she passed through.

Then putting on a soft slouch hat, he signified that he was ready, and they passed down the stairway just as the clock was striking six, and the rush from the mills and shops began. The Squire and Sam crossed by the Court House to avoid the jostling crowd, and again Sam scanned the men and women with a keen interest that did not escape the sharp eyes of the Squire.

"You seem interested, Sam; I should scarcely

suppose a crowd of this size would attract the attention of a city man," said the Squire.

"Yes," said Sam, "I am always interested in people, even a crowd of city people. Indeed, I can sit in a crowded railroad station for hours, looking at the people and speculating upon their business, their homes, their interests, who they are, where they are going and all sorts of thoughts of that kind. But this procession of working people in a town is new to me and tremendously interesting."

"Yes, there are some amusing people in a crowd of that kind. See that small man opposite with the enormous drooping moustache, walking with the big fat man with the short stubby moustache," said the Squire, trying to draw Sam out.

"Yes, I see," said Sam, smiling, "they are interesting and amusing as contrasts; but I never think of them as laughable, but as interesting. Much more pathetic than funny."

"Yes, they are pathetic enough, and the lives of many of them are hard enough, God knows," said the Squire, "but their lives in a town of this kind are much better than in a city. They are practically sure of a living and a fairly comfortable one. Of course, many of them drink, and that don't make things any more comfortable and easy for their wives and children."

"That is one thing I have noticed here," said Sam. "There are more liquor saloons than grocery stores, or provision stores, and this is a prohibition State, is n't it?"

"Yes, a prohibition State, but by no means a dry state," replied the Squire.

"So I see," said Sam dryly, "and I cannot quite understand it."

"Well, Sam, first and last there have been a good many spasmodic attempts to drive it out, but they have never had much effect," smiled the Squire.

"What is the reason?" asked Sam, kicking a pebble out of the path.

"Public opinion, mainly," replied the Squire, "added to the ill-judged methods of the reformers. The public is in many ways like a big obstinate boy; also something like a mule. You can persuade it to do most anything, but when you begin to thrash an idea out of its head, and another one in, your arm tires before the boy or the mule does."

"I wonder if this town is like other country towns?" asked Sam in a thoughtful manner.

"Why, yes, I think so," replied the Squire; "very much so I should say. The fact that it is older than most of the towns in the State, and larger than all but two or three, with an excellent school system, is a little in its favor, but in most

respects it is very similar to other manufacturing towns or villages. Why do you ask?"

"Because," said Sam, hesitating a bit, — "because in the short time I have been here I have been treated with more kindness and consideration, and experienced more coarseness, boorishness, and ill-breeding than ever before in my life in a much longer time. And I am rather at a loss to reconcile these things."

The Squire threw back his head and laughed. "I don't blame you for being mystified over it," he said, "and it is really no laughing matter, but a shame, and I cannot explain it myself. Our town is on the main line, and has had for years good opportunities for improvement and for culture, but notwithstanding this, we are years behind. We long ago outgrew the cowhide boot and paper collar stage, but are yet in the plush album and diagonal coat development. It is a sort of conservatism, I suppose."

As the Squire said this, he turned into a quiet side street, along which magnificent elms with drooping limbs stood like sentinels. Down the street they went to a beautiful field of forty or fifty acres sloping to the river.

On the edge of the field stood the Squire's house, an old-fashioned, square, two-storied house with a large barn in the rear. To the east of the barn was a garden, primly laid out in vege-

table beds, and studded with pear, apple, peach, and plum trees. The southern exposure of the barn was overrun with a giant grapevine, while halfway down the garden path was a grape arbor thickly covered with a web of interlacing vines.

At the west side of the house, and nearer the street, was the flower garden, with its old-fashioned border of box and its quaint and gaudy flowers of a bygone date, — candy-tuft, bachelor's buttons, pansies, foxglove, trumpet-vines, heliotrope, striped grass, sweet Williams, sweet peas, portulacca, and other old friends.

The side porch was crowned by a grand wistaria, while a row of sunflower stalks were but beginning to develop flowers as Sam mounted the steps. A small girl of about twelve or thirteen sat on the porch, reading so intently that she did not notice their approach until she heard their feet on the steps, when she dropped her book and came down the steps like a pixie, crying, "Oh, Uncle Ira, I'm so sorry; I was so interested in my book that I forgot to be at the gate."

"Well, well, Polly, this won't do; I always look first for you at the gate."

"I know it, Uncle," and she put up her lips to kiss him; "I won't forget it another time."

"Polly," said the Squire, "this is a friend of mine, Mr. Randolph; I call him Sam."

"I am real glad to meet you, Mr. Randolph,"

said the child, with a slight emphasis on the Mr., giving Sam her hand with frankness, and looking him straight in the eyes.

Sam took her hand in a firm grasp, and bowed as he would have done to a woman.

"Miss Polly," he said with a smile, "if I decide to stay in Elmtown, I hope we shall be good friends. I feel quite sure we shall be."

"I am sure I hope you will stay, Mr. Randolph," smiled Polly.

Supper was served on the piazza by a neat middle-aged woman, the Squire sitting at the head of the table, Polly facing him at the other end, while Sam sat between them on the Squire's right.

To Sam, who was used to hotel fare, and who had lived for two days on Alvy's plain, wholesome, but not over-delicate food, the meal was delicious. It seemed to him he had never tasted such soup, such an appetizing roast, such a delicate salad, so melting a dessert, and when after the meal coffee and cigars were brought and they sipped and smoked while Polly played in really excellent style Mendelssohn's *Venetianisches Gondellied* and *Frulingslied*, he sighed with complete satisfaction.

After their cigars they strolled through the garden, and rubbed the soft nose of the old horse and the sleek side of the Jersey cow and scratched the backs of the two plump pigs.

"Yes, I am a sort of farmer," said the Squire in answer to a question of Sam's, "but I suppose my milk costs me about sixteen cents a quart, my vegetables three times the market price, and my fruit, well, I never get any fruit, for the boys always steal most of it, and the worms get the rest."

"Mighty little the worms get if boys are the same here as they were in my time," said Sam, smiling. "Why, I remember when I used to summer in York State that some of the town boys and I used to begin to eat apples and pears when they were scarcely more than peanuts in size and concentrated wormwood and vinegar in taste, and follow them through their growth until they were as punky as an old squash. Rot, worm-holes, worms, acid, bitterness were all one with us. They were apples and pears. Why they did n't kill us, Heaven only knows."

"Yes," said the Squire, flicking the ashes from his cigar, "I have been through it in my day, and I don't remember that any boy died of colic. Occasionally some poor chap was drowned, and once in a great while some very young child died of fever or some disease. Small doubt that a good many of us ought to have been hung. But why did so few of us die? Can you explain it, Sam?" asked the Squire.

"Why, I imagine, Squire, that the excitement

of stealing, or 'hooking' — that is the better word — apples, pears, grapes, or melons, and the difficulty of getting them, was such that whenever we did get them we digested them without any difficulty," replied Sam.

"If that is a good reason, Uncle, you ought not to let the little boys have all your fruit without working to get it," chimed in Polly.

"If by working for it, you mean 'hooking' them, like Sam here, I can't quite agree with you, young lady," replied the Squire quickly.

"I did n't mean just that, Uncle, but — but —"

"But you don't know just what you do mean," said Sam, laughing.

Polly threw up her chin. "Thank you, Mr. Randolph, I know perfectly well what I mean, but it is n't necessary to explain," she said with dignity.

The Squire laughed. "I hope, Sam, you feel properly snubbed."

"That does n't half express my feelings," said Sam. "I beg Miss Polly's most humble pardon," he continued, bowing low.

Polly smiled, and Sam sat down.

Under the cedar trees in the front yard the shadows were gathering, while bats began their erratic flight. Crickets and grasshoppers were filing their saws in the grass, a late-singing robin was fluting its evening song from the top of a tall

elm, and one by one the lights in the village across the wide field came twinkling into sight.

"Eight o'clock, Polly," said the Squire, as the deep tones of the old church bell came across the field, mellowed by the distance.

Polly sighed, then rose, offered her hand to Sam, her lips to the Squire, said good-night, and entered the house. Sam who had risen instinctively, as if she had been a *grand dame*, sat down again.

"A charming child, Squire," said Sam; "your niece?"

"Yes," replied the Squire, slowly and thoughtfully, "my niece."

Sam lit a fresh cigar. The Squire puffed slowly, and relapsed into silence. The robin, having finished its song, flew away into the dusk after sounding its sharp alarm note. The crickets filed and grated. A tiny chipping sparrow twittered its cheerful song. A phœbe bird warbled its two-syllabled plaint, with its curious alternately rising and falling note.

The Squire threw the butt of his cigar into the path, where the glowing end faded and died away. Then he turned to Sam.

"Well, my boy," he said, "have you changed your mind?"

"No, Mr. Branch, I am more than ever inclined to try it."

"But have you considered the matter fully?"

"Perhaps not fully, but enough to satisfy myself that it is the best I can do. I want to know the law, whether I practice or not."

"But unless you intend to practice law, to make it your lifework, what is the use of spending three years in studying?"

"Whatever one does, three years' study of any such profession as law or medicine cannot hurt one."

"That is not always the case. One fellow who studied law with me became a minister shortly before he was to be admitted to the bar, and not only has made a fifth-rate minister even in the country, but persists in advising his parishioners in their legal matters and in getting them into all manner of complications, which the practicing lawyers are obliged to unravel. And the converse of it is equally true. A minister who becomes a lawyer is equally impractical, and equally dangerous to the community."

"But you will admit that a knowledge of the law is as a general thing a benefit to a man," insisted Sam.

"I don't admit that. I don't believe that is the case. I believe that a good knowledge of the law can only be acquired and retained by a practicing lawyer. That an amateur at law is as dangerous

to the community as a self-cocking revolver in the hands of children, or a red-eyed bulldog among sheep."

"But do you not think, Squire, that a general knowledge of medicine and surgery is a good thing?"

"A good analogy and a first-rate example of my position in regard to the law. A general knowledge of medicine and surgery would be a good thing if it taught those possessing it to beware of practicing medicine or surgery, but when, as in nine cases out of ten, it induces them to dispense with the services of a regular practitioner and to perform amateur work, it is more dangerous than the amateur lawyer, more fatal than the revolver or the bulldog."

"But surely, Squire, you will admit that in the case of an emergency a knowledge of medicine or surgery might be of value?"

"I can imagine a case of the kind, but an emergency either in law or medicine that happens within reach of a regular physician or practicing attorney is never an emergency, but if treated as such is a crime. No, my boy, all this talk about laymen knowing as much law as a lawyer, and natural doctors or old women nurses knowing as much as a doctor, has paid a fearful toll in property and life."

Sam looked dazed. "I am a great deal sur-

prised at what you say, Mr. Branch, for I had always heard the contrary," he said slowly.

"Don't mistake me; a knowledge of the history of law or medicine, religion or science, is a good thing, — a great thing, inasmuch as it gives one an idea of the immensity, of the grandeur of the subject. To that I have no objection, but the study of the practical workings of any science for the use of amateurs is sacrilege."

"Well, Mr. Branch," said Sam, after a long pause, "I don't quite know what to say. I have always thought of a profession, have thought them over and preferred law. I was a good debater in college, and liked to work on the subjects. I made a specialty of history and political economy, and took a course in Roman Law. It may be that I should not like it as well as I think now, but if you should be willing to let me study with you, I can promise you that I will not shirk either in study or work about the office."

"Oh, as for that, Sam, you can come in and try it, but I promise you it will not be play. While I have no right to inquire how you pass your time out of office hours, I shall assume the right to object to anything that is in any way unworthy of my profession and yours; — but I have no fear of that," he said with a smile.

"You need have no fear of anything of that kind, but, Mr. Branch, I have always been used to

an outdoor life and a great deal of exercise. Without it I do not believe I could do very good or sustained work. I shall have to run, to row, and to take long walks, or to get exercise in some way, and I should n't wish you to think it wasting time."

"I shall be the last one to find fault with that, unless your usual exercise is in throwing bullies across the street," said the old Squire with a laugh.

"Well, I shall not pick any quarrels with any one, but I don't like to be butted off the sidewalk."

"I guess there will be few likely to try that after the evidence in the case this morning."

"I shall probably have to go to New York to settle a few matters, Mr. Branch," said Sam after a while. "I have a few things there to dispose of and to pack up and a few people to say good-by to; I suppose that will make no difference?"

"I guess I can get along for a few days all right," said the old Squire dryly.

"Oh! I did n't mean that," said Sam hastily, in some confusion, when the Squire's hearty laugh reassured him.

Just then the church clock struck nine, and then rang clearly and loudly for a few minutes, dying away in a staccato-like decrescendo.

"What is that for?" asked Sam, wondering.

"One of the many links that connect country towns with the past, — the curfew. Time little children and suspicious characters were in bed."

"One of the many? — What are some others?" asked Sam.

"Local prejudice, narrow-mindedness, intolerance, tobacco-chewing, and leather boots," said the Squire. "You will find it out some day."

Sam laughed and rose. "Good-night, Mr. Branch, and thank you," he said, extending his hand. "I shall be back within a week."

"Good-night, Sam," said the Squire, giving him a strong handclasp.

Then he stood until the young man's form disappeared in the shadows beyond the still light.

"A good boy, a clean boy, I believe. Well, I wonder if he can do it. It took me years, and I was a country boy. Well, it means a long fight, a long fight," he muttered, and turning, went slowly into the house.

Outside the night birds were calling, and the bats flitted in abrupt zigzags over the little drowsy garden, and in the tiny white chamber a little girl lay sleeping.

CHAPTER VIII

IN TOWN

THE one o'clock train from Boston to New York carried Sam and his unpretentious grip. He had paid Alvy his bill, engaged his room for an indefinite time, taken a hasty breakfast while the early loungers were in the barroom, and had started to walk to the station, but was ordered to ride by Mad, who hospitably pulled up his hack horses and bade him come up on the box, and had listened to his amusing stories of the excellence of the particular horses that drew that particular hack, and of the wind-broken, foundered, saddle-galled, spavined, splinted, clingfasted, ringboned, and generally useless condition of all of the Major's and Alvy's horses.

While Mad was talking thus, Brown, driving the Major's hack, passed him at a whirlwind pace only to find Alvy's pair of grays standing by the "Ladies' Entrance" of the station, while the driver helped several passengers to alight, to the unbounded disgust of Mad and Brown. Although it was just before the arrival of the early down-train to Boston, the station was a busy place. Several elderly and middle-aged gentlemen in

Panama hats were arriving in private carriages, some were taking a cup of coffee or some more solid refection in the spacious depot restaurant. Our friends Mr. Billowell, Mr. Timson, the Senator, Deputy Sheriff Wadlin, now metamorphosed into the local expressman, were talking earnestly with old Caleb Terrill, the head of the wool firm of Caleb Terrill & Sons, whose white marble lamb couchant in front of their large warehouse on lower Water Street was a landmark, and the hideous odors of whose wool-pulling establishment on Hide Lane were distinctly *audible* for a great distance.

At a corner of the large dining-room the proprietor served beer and mixed drinks, and several gentleman were hoisting in a variety of the latter as a necessary preliminary to the morning game of whist in the smoker. Suddenly a hoarse gentleman in overalls thrust his head in at the door and bellowed, "Here they come!" At once eggs and breakfast bacon were left uneaten, coffee and cocktails gulped in haste, and as one man all flocked to the townward side of the station and gazed down the street, where turning the corner at the far end came two long, peculiar species of beach wagon, each drawn by six horses, and loaded with passengers. Of the foremost wagon the leading horses were galloping, the other four trotting sharply, while the six horses of the rear

wagon, urged by the yells of the driver and sharp cracks of the long whip, broke into a fierce run, coming up on the left of the other team. The driver of that team, loosening the brake and picking his horses up, leaned forward and cracked his whip over the leaders, letting out a sharp yell of encouragement. As one horse the six plunged into their collars.

The crowd at the station broke out in loud shouts of partisanship. "Hen has him this trip." —"No! Wood's got him trimmed." —"Hi! look at them gray leaders jump." — "Gray leaders, huh! the buckskins are the boys for me!" — "Thunder! they are going to lock wheels!" — "How is that for driving!" — "Now, whatcher gotter say?"

Up came the teams on the run, wheels rattling, harness creaking, hoofs ringing on the hard road, whips cracking like pistols, drivers and passengers yelling at the top of their lungs, waving hats, coats, umbrellas, and grips, straight up the incline to the station. For a moment it looked as if the leading team would crash into the station, but they were swung half-around in a masterly fashion and pulled up so short that the passengers, some standing in the covered barges, were rushed headlong down the narrow aisle between the seats and dashed into violent collision with each other, while an enthusiastic passenger on

the driver's seat violently threw a large lunch-basket, half-filled with plates, cups, saucers, and cutlery, nearly to the off-leader's head, and only saved himself from following it by a death grip of both chubby arms and legs on the brake bar.

The passengers then crawled out, regained and smoothed their dented hats, and were counted by the bystanders, and many small sums of money changed hands when it transpired that our old friend the Major, with sixty-five passengers in the "Flying Trapeze," which was the peculiar name of his vehicle, had beaten the litigious Chris, with but fifty-seven in the "Wessacumcum"; and the drivers were pressed to take a large amount of stimulant at the bar, while waiting stablemen unchecked the horses, washed their mouths, and gave them each a few gulps of water.

Sam examined the immense and gaudily painted and paneled creations, marked the heaving, sweating, and crusted sides of the horses, and learned that during the months of July and August these horse-killing machines made each day the round trip of twenty miles to the beach and back. He climbed into the "Flying Trapeze," the more gaudy of the two, and, after examining the narrow, slippery seats, understood only too well the appropriateness of the apparently incongruous name.

Just then the train whistled in and he hurried to the track in time to hear the announcement, "This train stops here ten minutes for refreshments."

"Well," said Sam to a bystander, "every one seems to take his time here."

"Jesso; jesso; I callate, young man, thet the' ain't no sense in hurryin' threw aour lettle taoun! People seemter kinder hanker arter hurryin' in cities 'n bigger places 'n ter take it easy like here. Jelluk Alvy. Kneau Alvy, don't ye? Well, Alvy's motter is 'Hol' on, hol' on, the' ain't no hurry!' 'N Alvy's right, say I."

"Yes, I know Alvy, and I guess he gets along about as comfortably as any one could, more so than Chris."

"Sho, yes. Chris there. Why Chris is a rushin', 'n a rampin', 'n a tarin' raoun julluk one of these 'ere crazy bugs, 'n don't git nowhars. Jever hear how Chris 'n, — wha' zat ye say, ride daoun taoun? Well, I guess," and Sam's new acquaintance, with a curt nod, climbed aboard an old end-spring buggy manned by a bucolic gentleman with a circle of reddish whiskers under his chin, while Sam lounged into the car, hunted up a comfortable seat, and, looking out of the window, watched the conductor come out of the restaurant in deep conversation with J. Wadlin, saw the various magnates board the train, saw the con-

ductor give a signal, and by slow jerks the train pulled out.

At six o'clock that afternoon Sam left the Grand Central Station and boarded an uptown car. At East —— th street he alighted, walked rapidly down the street for about fifty yards, ran up a flight of stone steps, and pressed a button. The door flew open.

"Hullo, Billy," said Sam, addressing a short middle-aged man in buttons; "room ready?"

"Yes, sir, Mr. Randolph, all aired and dusted."

Sam rapidly ran up two flights of stairs, and with a key opened a door leading to a suite of sitting-room, bedroom, and bath. On the familiar walls were a few pictures, a set of boxing-gloves, crossed broadswords, a mask, foils, a deer's head, across the antlers a crop, two fishing-rods in green cases, a Mexican bridle of braided white horsehair. In one corner was a fine rifle, a shot-gun, and a pair of heavy Western revolvers.

Over the mantel was a cabinet photograph of an exceedingly pretty girl in trim walking-suit, and on a desk another of the same girl in cool white. The room was furnished with large, comfortable lounging-chairs, a reading-table with a drop light. One side of the room was walled in by shelves filled with books, the other partly occupied by exercising-machines, two dumb-bells, and a pair of Indian clubs.

Sam passed to the bathroom, turned the taps, and, returning slowly, undressed.

A knock at the door sounded and Billy's voice said, "A tilligraft, sor."

Sam opened the door and took a yellow envelope, opened it and read:

Meet you at the Waldorf to-morrow at lunch, sharp one. TOM.

Sam smiled rather grimly. "The Waldorf! Probably my last lunch there. Tom is an extravagant devil."

Then he went to the bathroom, closed the door, and a mighty sound of blowing and splashing arose.

After a while he came out in undershirt and running-drawers, unlocked his desk, and began looking over a heap of letters which he had picked up from the floor under the mail slot. Most of them were thrown into the waste-basket after a hurried reading, but a few were carefully answered. Then he began examining and sorting out papers of all sorts. Some were torn up and thrown into the grate until there was enough to fill it, and a few, a very few, were folded, docketed, put in a bundle, and secured with an elastic band. He worked steadily for over an hour, and then, shivering slightly and pulling on a bathrobe, set fire to the pile.

Finally he rose, yawned, stretched, and going to the bathroom washed his hands, and began slowly to put on his summer knockabout suit. Suddenly he paused as if a second thought struck him, smiled, and said to himself, "Might as well for old acquaintance' sake, if I never do it again." And divesting himself of his street clothes, he threw them on the bed, went to the press, and took down a suit of evening-clothes, dragged a stainless shirt and white vest from a drawer, and looked carefully to their pressing. When he had satisfied himself on these points, he arrayed himself with the utmost care, spent fifteen minutes in achieving a flawless tie, then threw on a light overcoat and a lustreless and perfectly correct silk hat, switched off the light, and went out.

"Going to dinner, Billy," he said to the stolid man.

"Aw reet, sor," replied Billy.

Then he ran down the steps, posted his letters at a corner, and calling a cab, stepped in. "The Riverton Club," he said to the driver, and lighted a cigarette and leaned forward, looking with interest at the familiar streets, carriages drawn by high-stepping horses, — for this was in the days when Fifth Avenue was not a motor but a horse show, — cabs, coupés, landaus, every variety of conveyance, every color and style of horse, — bay, buck, black, chestnut, sorrel, white, gray,

calico, long-tailed, dock-tailed, bang-tailed,—every possible combination of leather, silver, gold, brass, and jingling pendants. From the cross-streets of the great avenue clanged the gongs of the brightly lighted cars, while even the jingle of the old-fashioned single line of horse-cars and the rattle of the old "Fifth Avenue Stage Line" busses added a bright tone to the charm.

One could scarcely believe that New York was "deserted." The restaurants were filled, and crowds of gayly dressed people were on their way to summer theatres and the parks, talking animatedly. All was light and warmth and life and brightness.

The cab threaded its way in and out of the passing teams, now drawing in close to the curb, now wheeling well towards the middle of the street and circling by and around some slower vehicle, and now holding back to avoid colliding with some polished drag in front. Finally, it drew up before a grim solid building with large bay windows of plate glass, in which a few old and middle-aged men lounged in deep leather chairs. Sam looked them over as the cabby opened the door. Avery, the man with a grievance; Anthony, who talked nothing but the future of the colored race; old Stephens, notorious for his racy stories and called by the papers a famous *raconteur;* a

stranger who did n't promise anything; and old Perry Symonds, an authority on the battle of Manassas Junction and of nothing else under the sun.

Whew! that was too much of a dose, and Sam leaned back and told the cabby to drive to Sherry's. Sam found that famous restaurant ablaze with light and nearly every table taken. By good luck he succeeded in getting a small table in the corner, where he could command a view of the dining-room. Sam gave his order to the trim waiter with pencil and pad, and while waiting for his dinner looked sharply and with great interest at the diners. Near him were a quartette of Frenchmen, who shrugged high shoulders and waved white and jeweled hands as they discussed matters of common interest. Just beyond them were two men whose names as politicians were famous or infamous throughout the country, according to the political complexion of those who spoke of them, and whose pictures and caricatures had for years adorned news sheets. A flock of vaudeville soubrettes and their callow escorts, dining between turns, made a lively group just beyond, while a florid Episcopal rector, frocked to the throat, with his curate, pale, thin, anæmic, and interesting, sat just opposite a table at which sat a burly man with high cheekbones, a prominent nose, a protruding jaw, and bushy eyebrows,

a face and a figure known to financiers in four countries.

Three overdressed and overjeweled women, with arched noses and thick red lips, partly atoned for by beautiful eyelashes and magnificent hair, drank champagne in a corner, while a man with an immense head of curly hair and vast tangle of beard devoured his food in an animal-like way that betokened foreign manners and very bad ones at that. There was also a large proportion of beautifully but quietly dressed women and handsome men, unquestionably of the higher-class Americans of whom Sam was proud.

Sam looked eagerly in every direction, and while he recognized many faces and knew a few names, he did not see any acquaintance with whom he could share his dinner, and for a few moments he felt very much alone. At all events, he thought, this is better than those old club buzzards, who bit and snapped and tore reputations to shreds and mouthed the reeking fragments with hyena-like enjoyment. Here in this crowded restaurant there was light and life and enjoyment, and he felt like one returned from a long absence to his own again.

Then the waiter brought his soup, and he fell to with the enjoyment of long abstinence. It was a long, satisfying meal, and as it ended he lighted a cigarette, paid his check with a handsome tip to

the waiter, and was receiving from that deferential person his hat and coat, when the head waiter came up and asked if he were Mr. Randolph. On being assured of that fact the waiter said a lady wished to see him.

"A lady!" said Sam to himself; "who can know me here at this season?"

However, he followed his guide to a corner of the room where, partly screened behind a huge tubbed rubber plant, was a table at which sat three persons, an elderly lady in luminous gray, a white-haired, white-moustached old gentleman in evening clothes, and a beautiful girl in pink, with a gracefully wide hat bearing a jungle of white ostrich plumes.

Sam's heart gave a great leap, for it was the girl whose pictures he had only an hour before packed so carefully among the few things he was to take away with him. She gave Sam her slim hand, while a smile of welcome curved her lips and a light of pleasure shone in her dark eyes. "Such a pleasure, Sam — Mr. Randolph — I had no idea you were in town. Uncle had to come to town on some business, something that required Aunt Mary's signature, and so I came, too, and we thought we would dine here just to see how it would seem. And oh! it's just heavenly. Even the smell of the docks and the streets seemed almost too good to be true."

Sam greeted her uncle and aunt with much deference, and at their invitation took a seat at their table, giving his hat and coat to the waiter.

"Now, sir," said Ethel, "confess; what good deed, or what mischief, more than likely, brought you to New York in the summer?"

"Why, it certainly was not mischief, but if you can believe it a matter of business. I know it is quite a bit to ask of you, when you know my general incapacity for anything of the kind."

"Why, Mr. Randolph," said Ethel, "I really believe it, although it does seem odd. Uncle John," she said, turning to the old gentleman, "Sam — Mr. Randolph — is modest enough to express some doubts of my believing he is in New York on business. What do you think of that? Do not this costume, and his presence at Sherry's look businesslike? Now, if we had met him on Wall Street, or coming out of a bank or lawyer's office, we would naturally suppose he was there on pleasure solely, but here, why, of course it must have been business."

"Whatever it was, it has paid, since I have met you," said Sam in a low tone.

"Really, you have convinced me that you are no business man by that speech," she laughed. "Uncle, won't you please answer my question?"

"If you will repeat it, I'll try to," replied the white-moustached old gentleman. "My niece

has a way, Mr. Randolph, of asking a perfectly plain question, and then rattling along so far that when she decides to give you a chance to answer it, which is only when she is completely out of breath and ideas, you have entirely forgotten it, and so has she. Now, Ethel, repeat the question."

"Well, really, Uncle John, I — I — you see it was something about, — well, never mind, it was very unimportant," stammered the young girl in pretty confusion. "But what brought you to New York, Mr. Randolph?"

"Really, Ethel," said Sam, "it was business wholly that brought me, and not very pleasant business. I came here to sell my furniture, pack my trunks, pay my bills, resign from my clubs, and leave New York."

"Leave New York! why, Sam Randolph, have you gone crazy? You don't mean for good, surely?"

"I can't say surely, but I am afraid so," said Sam rather despondently.

He was beginning to realize how much he was giving up, as he looked at this young girl and felt the influence of the music, the lights, the odors, and the indescribable something that he had missed in the last few weeks.

"What can be the reason? I cannot understand it at all," said the young girl.

"The reason is very simple. My father's estate was practically wiped out by bad investments, and when all his debts were paid there was nothing left, and I have got to go to work."

"How is that, Mr. Randolph?" said the man with the white moustache. "I thought your father was well off. Not a rich man as we call it here, but well fixed."

"I thought so, too," said Sam, smiling a little ruefully. "It is too long a story to tell now, but beyond just enough for me to live in the country for two or three years, he left nothing. And so I am going to study law in an office in the country."

"But why don't you take a course in a law school?" asked her uncle. "You know the best preparation is none too good in law or medicine. The Harvard Law School has a great reputation and the Columbia also. And you would keep in better touch with your New York friends."

"In the first place, I can't afford it, and in the second, in the office I am to enter I shall have a practical, working knowledge by the time I am through, and that without expense, and expense is the one thing I must consider."

"Yes, I know," insisted her uncle; "but whoever heard of a great lawyer coming from a country office?"

"A lot of them have, but I will admit that a

law school preparation is a great thing, a great thing. But I believe a man can become a good lawyer with an office preparation, and access to a good library," said Sam. "Why, the Squire told me only yesterday that Langdell, the old head of the Harvard Law School, got his education in part in the office of Judge Stickney in Elmtown, where I am to locate."

"The Squire," laughed the young girl; "only think, Auntie, what a delightfully old-fashioned title. Who is the Squire, Sam?"

"His name is Ira Branch, and he is about the finest specimen of a strong country gentleman I have ever seen," replied Sam. "I wish you could see him."

Suddenly her uncle put down his coffee cup so abruptly that he spilled half the contents on the white tablecloth.

"Ira Branch, that rascally pettifogger! Do you mean to say, young man, that you are a friend of his?" he sputtered.

Sam looked at him in astonishment. The old gentleman's face had become almost purple and his white moustache bristled with rage.

"Ira Branch a rascally pettifogger, sir? I guess you don't know the Ira Branch I mean, sir," said Sam in a curiously hard voice.

"The very man, sir, Ira Branch of Elmtown. I know him, sir. Ha! I know him very well, sir,

and I consider him an impertinent, rascally pettifogger," and the choleric old gentleman brought his fist down with such force that the water in the carafe and the glasses jumped and the silver rattled.

Sam's eyes narrowed and his face was white. Yet he spoke in a quiet voice.

"Mr. Van Cleves, Ira Branch was my mother's friend, my father's friend, and mine, and I am not the man to hear quietly any one call him a rascal or speak ill of him. I know him, sir. You do not."

"No, sir, I don't, and I don't want to, or any one of his friends either," said the old gentleman in a fury.

Sam rose, quiet and pale, but completely master of himself.

"Then it only remains for me to bid the ladies good-evening and to regret having caused them this annoyance. Good-night, Mrs. Van Cleves," he said, bowing low to that somewhat agitated lady; "good-night, Ethel," he said, giving his hand to the young girl, who, pathetically grieved and disappointed, said nothing but looked from him to her uncle in a most imploring manner.

Then, turning, Sam walked out of the dining-room without a backward glance, but with a glow of anger in his heart and a blaze in his eyes that might have scorched a less stern, stiff,

pompous, and conceited man than the white-moustached old gentleman.

"An empty-headed, brainless, coxcombical, addle-pated old ass," muttered Sam, as he paused to light a cigarette.

"That young man will come to no good," fumed her uncle.

But the young girl with difficulty restrained her tears until they entered their carriage, when she retired to a corner and cried until her handkerchief was limp and her eyes red.

For a couple of hours more Sam went from place to place, but the joy of New York had departed. The streets seemed hot, insufferably hot, the crowds pushed and jostled and elbowed — the clang of the cars was deafening, the lights blinding.

He entered a cheap theatre. A woman in tights, with impossible blonde hair and over-penciled eyelids, was singing a dreary ballad in a harsh metallic voice. Next two knockabout artists did some uninteresting buck and wing dances, and a lightning artist drew a winter scene in a stated number of seconds. Then a pompous man in a huge moustache and an immense shirt-front began to sing a sentimental ballad illustrating a series of lantern slides, and Sam fled.

Finally, he went to his room, pulled off his clothes, took a turn at the machine, the dumb-

bells and the clubs, a shower and a vigorous rub-down, then went to bed.

"A brainless ass! a pompous, baboon-faced old windbag. Ira Branch is worth a hundred such men. And she did n't have grit enough to say a word. H'm," — but here his voice trailed out in slumber. It had been a hard day for Sam.

The next day was a busy one for him. He spent the forenoon in packing, and burning. Then at one o'clock he met his friend Tom at the Waldorf, had lunch, and listened to Tom's loud reproaches. What was the sense in burying one's self alive in a country town. If he had got to work, why not get a place in some New York house? Journalism or banking or finance or politics? But to become a countryman! Why, soon he would be wearing cowhide boots and chin-whiskers, and carrying a carpet-bag like countrymen in *Life* and *Judge*. Or would be trying five-cent cases in an office over the country store, like Golden in *Way Down East*. It was funny on the stage, and it was quite the thing for hysteric old ladies to squeeze out a tear or two, and for "Old Timer" in the *Ladies' Home Companion* to grow lachrymose over the old days in the country, but for Sam to do it was something he, for his part, could n't understand. It was rank idiocy.

Did he want any money? No, he always was too damned independent. No, he would be

hanged if he would buy his old furniture or help him in any way! He would n't be guilty of any such infernal conspiracy as to help him commit social suicide.

All this and much more, while Sam, much amused, ate heartily of a delicious lunch and stuck to his point obstinately, as Tom said, like "an infernal old snapping turtle."

In the end Tom bought Sam's furniture, took his lease off his hands, on the special understanding that Sam should keep one key and promise, under most hideous penalties, to make that his home whenever he came to New York. Sam promised on his honor, and at six o'clock he left Tom standing in the Grand Central Station as the train for Boston slowly drew out, and Sam turned his back on city life, as he thought, forever.

It was ten minutes of six in the afternoon of the next day when the Boston Express stopped at Elmtown and Sam had a chance to see the evening end of the beach drama as it was played during the summer months. The barges were backed up to the curbings, and hoarse-voiced barkers proclaimed the supreme excellence of their respective conveyances. "Flying Trapeze! Flying Trapeze! The fastest and most comfortable conveyance to the most famous beach on the Atlantic Coast. Newly built, padded seats, the

only barge using the patent elliptical rockaway springs, making the entire conveyance as easy as a cradle. The best team of horses in Rockaway County, the safest driver, the very safest driver in the State. That's right, ladies and gentlemen, step right this way; only seventy-five cents to the beach. Baggage wagon to follow. No extra charge for baggage."

"Wessacumcum! Wes-s-s-a-cumcum! Safest and easiest barge in America, driven by the driver who gets there, and gets there on time. Not a new or a stiff-springed one, but mellowed down and proved. Five years without an accident, five years, gentlemen. Seventy-five cents for the trip. Step this wa-a-ay, seventy-five cents, gentlemen."

"Flying Trapeze! Flying Trapeze! the only — Wessacumcum! the safest — Flying — Wessa — step — seventy-five — right this way."

While these gentlemen were thus stridently declaiming, muscular retainers were fairly collaring passengers and rushing them into the barges.

"Is this Major Drake's barge?" snapped an elderly female with spectacles to a Blunt man.

"Certainly, madam, right here," he answered, taking her bags and piloting her skillfully into the Wessacumcum.

"Would n't ride in Major Drake's barge if he

would give me a ride for nothing," sputtered an elderly man with a red face and spats.

"Right you are, sir," said a polite Drake striker; "Major's a rascal; this way, sir. There you are, sir," helping him into the Major's barge. "Don't mention it; glad to help you, sir."

Occasionally a Drake striker got a passenger's baggage, while a Blunt sympathizer collared the passenger. This caused much tugging and a war of words, in which the passenger not infrequently took an active part. To add to this confusion, the hackmen were vaunting the two leading hotels and wrangling over fares, the diners were scrambling for the lunch counters, and the drivers of private carriages were trying to drive near the station and swearing at those in front of them, and a large delegation of station loungers had gathered to see the fun.

"Shades of immortal Cæsar," thought Sam. "I reckon I need n't rust here for want of excitement."

Finally the barges drove off, the hacks followed, and the owners of private carriages entered their conveyances and rolled off townwards. Old Caleb Terrill got into a dignified sort of ark, drawn by a large gray horse. Sam, who had been so much interested in the passenger warfare as entirely to forget his baggage, turned back with his checks and gave them to an expressman in the employ

of J. Wadlin, who promised to land them at Alvy's, and Sam was pleased at an invitation to ride with the deputy sheriff himself in a light Concord. He sprang in, and the dappled brown started with a jerk that nearly took Sam's head off.

Down the street they tore in the wake of several speedy teams that were trying to pass each other. They turned the corner into the Main Street on two wheels and settled down for the half-mile to town. By the time they had reached the Rumscott, J. Wadlin had passed three teams, but could not gain on Alvy's flag-tailed bay and a gray pony driven by Mr. Timson that were racing neck and neck the entire distance.

"Whew!" said Sam; "is this a regular thing, Mr. Sheriff?" as they drew up at Alvy's, with the brown squatting like a rabbit and plowing the dust with his hind feet.

"We always try to mix a little pleasure with our business," said J. Wadlin, laughing.

"I should think so. I have seen more excitement in the few days I have been here than I ever saw in New York in the same time. Good-night, Mr. Sheriff, and thank you," and Sam turned into the now familiar hotel, nodding to the loungers over whom he had to climb.

He was thoroughly amused and elated, his step was as springy as an antelope's, and he

looked with enthusiasm to his future. True, he had left New York with its delightful associations; true, he had lost his wealth, and was dependent upon his own hands and brain; but he had no fear, for in the pocket of his inner coat, next his heart, he carried a letter from the young girl, a faintly scented missive which read: —

Dear Sam: — I can't tell you how sorry I am about what happened at dinner last night. Uncle John was horrid — horrid, brutal; and unjust too, I am sure. I think he was a little ashamed of himself afterwards, for he tried to say something to me, but I would n't listen; and all to-day he has just been putting himself out to be nice to me. He can be so nice and kind if he will, but he can be so disagreeable too!

I am ashamed of myself, too, — because I did n't say a word, — not a word. Did you think I had no spirit at all? I hope not; but I was so flustered by his outburst that I could n't speak. I don't believe one word he said — about Mr. Ranch, I think that was his name. Anyway, Auntie sends her love and hopes you will not mind what Uncle said. She says he has been awfully worried about stocks. I think it must be that Mr. Ranch crossed him in business sometime — and Uncle never forgives.

Well, I am going to Hazelwood to-day to spend

Sunday with some friends, and the carriage is waiting. Why don't you come down, too? I am dying to know what you think of me.

Yours regretfully,

ETHEL.

With that letter in his pocket, which we may be sure he had answered fully to relieve her mind as to what he thought of her, is it to be wondered at that Sam thought the world a very delightful place and his future a thing to fight for splendidly?

CHAPTER IX

LEGAL BEGINNINGS

THE next morning Sam was at the Squire's office promptly at 8.30, and announced himself ready to begin. The Squire was evidently glad to see him again, and assigned him a reading-desk in the general office, introduced him to the stenographer, Miss Ellis, a middle-aged and somewhat prim maiden, of a spare figure, and clear gray eyes that looked at Sam straight, which he liked in her. Then the Squire detailed the course for study that Sam was to pursue. First he was to spend a full hour on Blackstone, reading it slowly and understandingly, and taking notes. At the end of every week he was to review his reading by the aid of his notes.

A second hour was to be spent in the same way with Cooley on Torts. To be followed later with Greenleaf on Evidence, Kent's Commentaries, always looking up and reading the State Reports noted on the margin, and making notes. At the end of the year he was to study special subjects, with note-book reviews of his Blackstone and Kent. As often as practicable he was to draw by himself some common legal document, such as a

deed, a will, a complaint and warrant, a libel, a bill in equity, a declaration or partnership agreement, and to be ready to render such assistance to the Squire as he might need.

"For you know, Sam, in some places, at least in England, a fee of considerable size is commonly exacted by an attorney or solicitor of a student, whom they speak of as an articled clerk. In America we expect them to be willing to help us without remuneration, and to use our libraries and instruction in return for it. And now, Sam, it is for you to make your own hours of work and play. My hours are from 8.30 to 12.30, from 2 to 6, which I think is long enough for a working day. There will be days when you may be out of the office on work of mine, looking up witnesses, looking after the execution of papers, and later, I hope, drawing them up yourself. Some of the work and much of the reading will be hard and dry, but to me it has been interesting, and I believe it will be so to you. Don't let yourself get fagged, 'stale,' I think you athletes call it, and don't get out of training. You will have time to ride and row and tramp, and you will need it. If you are regular in your work, you will come along wonderfully well.

"And now, one word more: the law is a great profession. There is no greater. Should the time ever come when you grow to dislike it, when you

get to undervalue it, to contrast it unfavorably with any other profession, when you feel that it is not worthy of the best there is in you, when you cease to feel that it is the corner-stone of morality, the bedrock of virtue, the foundation-stone of right, the underlying support of our national integrity, then you have mistaken your vocation, then you are unworthy to become or to remain a practicing lawyer. Remember this, my boy."

Sam rose, and he and the Squire shook hands solemnly, while the stenographer looked straight at them with her clear gray eyes.

"And now, Miss Ellis," said the Squire, turning briskly, "what appointments have I for to-day?"

The stenographer took up a typewritten sheet and read. "Mr. Caleb Terrell at 9 about the lease of the Folsom farm; at 9.30, Mr. Woodman, of Strasser Holley & Company, is to have a consultation in the Parker *v.* Manufacturing Company flowage case; at 10, Probate Court; and this afternoon the depositions in the Peabody *v.* Wainwright case. That is all I have notes of."

"All right, Miss Ellis, thank you. Give me the list and bring in my mail. — Oh, here comes Mr. Terrell now," as a tall, massive, somewhat stoop-shouldered old man, with shaggy eyebrows, one defective eye, the other of a steely gray, so sharp

was its piercing look, came heavily into the office and greeted the Squire. Then the Squire, taking his pile of mail, ushered old Caleb into his consultation room, Miss Ellis turned to her typewriter, and Sam, opening the first volume of Blackstone, set vigorously to work with note-book and pen.

A half-hour passed, the client stalked stiffly out, Miss Ellis went into the consultation room, and the Squire dictated rapidly to her until Mr. Woodman, a young, bald-headed man, with a keen, pleasant face arrived, and after a pleasant word to Miss Ellis went in with the Squire. Ten o'clock passed and Sam read on. The clock ticked, and the typewriter rattled, and the dull murmur of voices came from the inner room. Sam was aroused from his concentration by the Squire saying, "Sam, I want you to meet Mr. Woodman, the junior member of our largest law firm in the State, — Strasser and Holley, of the capital city."

"Mighty glad to meet you, Mr. Randolph," said the young man with a firm grip of his hand. "Yes, we are the largest firm, but whenever we get so tangled up in a jungle of law that the entire firm cannot find the answer, we always come to Mr. Branch to unravel things."

Sam shook hands with the young man and admired the well-set, vigorous figure, and the strong shrewd face.

"Woodman and I have got to go over to Probate Court for an hour or so, and if any one calls, take down what they say, if they can't wait. If their business is important enough to wait, tell them I will be back, — well, sometime, I guess."

Sam nodded assent, bowed to Woodman, and he and the Squire departed with a bundle of papers. As they went down the stairs the younger man said, "Rather an unusual specimen, that, Mr. Branch. By George! I have seldom seen a cleaner-looking, better-built young chap in my life. Where did he come from? Not the country, surely? He looks like some one I have seen."

"No, a New Yorker, son of a friend of mine. His father died leaving him nothing beyond enough to live a few years economically, and he has decided to study law. This is his first day in the office. Of course it is an experiment, but he will do something in some way. If not in law, then in medicine or business."

"He might go into the ring with those shoulders, and that chest," said Woodman.

"So he said, when he found he was broke," said the Squire with a laugh. "When he was in college he was an athlete, and as he says, little else."

"What college?" asked the young man sharply.

"Yale," replied the Squire.

"Holy Smoke! I thought so. Well, I guess I

have seen him, and, confound him! he has lost me more money and caused Harvard men more heart failure, than any man at Yale for twenty years. For the four years he was in college, after we had snapped up all the odds we could get on Harvard, this Randolph would go galloping over our goal line for a touchdown until we all wanted to kill him, — the swiftest, grittiest, line-bucking full-back in the country, he was then; or send a red-hot sizzling liner about ten feet over the right-field fence when the bases were full, the score a tie at the last half of the ninth. Then he won all the intercollegiate wrestling and boxing championships. Why, Squire, when he graduated, Harvard planned a celebration, and felt just as the North felt when Lee surrendered. I don't believe you realize what a chap he is. And everybody liked him too, and he got a good mark in his studies. Why, I'm told they burn incense in front of a tablet in the Yale Gym where his records are."

The Squire laughed. "Well, I am more interested in wondering what sort of a lawyer he will make."

"I'll bet he will make a good one. He likes a square fight. Too many of us, — well, I must n't say that, — a few of us, and that is too many, look to results rather than to methods. You know that is so, Mr. Branch," said Woodman.

"Yes, Woodman, I know that. It is the one reproach to the profession," said the Squire. "But what reason have you to suppose that because young Randolph is, as you say, a famous athlete, that he will make a good lawyer. It seems to me that anything carried to an extreme, like athletics, would be liable to stand in the way of success in a business or professional line."

"That is a danger, I admit, but it seldom is so in competitive athletics like football, rowing, baseball, or athletics that require quick eyes, alert minds, sound judgment, and perfect self-control. I tell you, Squire, a great player is obliged to be a mighty brainy sort of a man, and has to have grit, determination, and a power of concentration to learn the signals and plays. Why, it's a sort of muscular chess or whist playing, and you never knew a lawyer who was a good whist or chess player who was not a good lawyer?"

"No, I can't say that I ever did, but I have known some good lawyers spoiled by poker," retorted the Squire dryly, as they entered the corridor of the Probate Court-Room, where a short but exceedingly stiff gentleman on the bench was listening with a bored air to an elaborate explanation of why an executor should not be allowed the usual commission of two and one half per cent upon the settlement of an account.

"I shall make the allowance and sign the de-

cree," said the gentleman on the bench in a high voice, "subject to your appeal."

"Very well, your Honor," said the lank attorney with a bow. "Before deciding whether or not to appeal, I shall consult my client."

Whereupon he withdrew to the corridor with his client, a solemn-faced man with a frock coat and a white tie, suggesting the cleric, who, when he fully understood that he had lost, cursed and swore in a most unclerical manner, in which he was ably seconded by the lank lawyer.

"What's the matter, Jim, run against a stump?" asked the Squire.

"Stump!" replied Jim in huge disgust. "By the Eternal! that stiff-backed little woodchuck is the most unmitigated ass in America. Why, if old man Blackstone, Coke, Kent, and Chitty should come into his damned old court and attempt to argue a point of law, and he got a brainless wrinkle in that thing he calls his mind that they might be wrong, — not that they were, or probably were, but *might* be wrong, — why, they might just as well try to fly a paper kite in Hell as to expect to have him see things as they did. It's a good thing to have a good opinion of one's self, but measureless, boundless, idiotic conceit raises hob with the administration of justice."

The Squire laughed. "The old story, Woodman, of one's constitutional right to damn the

court when the decision is against you"; and they entered the court-room and took their seats at the long table.

Back in the office Sam worked away at his book. Much to his surprise it did not seem dry or uninteresting, but the contrary, and the pride of taking intelligent and legible notes kept his interest to the mark. He was by no means without interruption, for several clients inquiring for the Squire came successively into the office. All refused to state their business, but gave their names and told Sam they would call again.

One, a sharp-featured old farmer with a ruff of reddish-gray whiskers under his chin, sat down to converse with Sam.

"Be you a new clerk or a student?" he queried.

"I came in as student, but expect to do some clerking."

"Wal, I reckon ye'll haffter on busy days. The Squire duz an almighty passel er business sometimes."

"I hope I can help him a little; he has helped me enough."

"No doubt on't: Squire allers duz more for other folks than for hisself. Seems so sum folks is made so."

"Not many, I'm afraid," said Sam with a smile.

"Wal," said the old man dryly, "th' ain't so

many thet a feller's likely to git craouded 'n' squat much raoun' here; something like cuckoos' nests."

"Why! are they rare?" asked Sam in surprise.

"Guess ye ain't never lived much in the country," said the old man, taking out his upper set of teeth and polishing them on his sleeve, while his upper lip promptly retired nearly out of sight and his articulation became very indistinct. "Cuckoos' nests is rarer 'n hen's teeth."

"That is new to me," said Sam, "and interesting too. What do they do for nests."

"What dew they dew fer nests? Wal, I sposed everybody knowed that," said the old man, quite doubling himself up with a shrill "kek, kek, kek" of laughter. "Ye see the tarnel little cusses jest wait raoun' till they see some sparrer or robin or teeter or some other bird thet has left its nest, when ez quick ez scat they ups and lays their eggs in the nest for the other birds to hatch 'n' bring up. They is jest like some lawyers raoun' here. They git a case bigger 'n' they kin handle and in they come to the Squire 'n' git him to larn 'em the law 'n' help 'em try the case, 'n' take all the bother 'n' they take all the money. — Haow d' ye like it?" he queried suddenly.

"Like what," asked Sam; "the study of law?"

"Ya'as; that 's what I said."

"Well, considering the fact that I have just

begun to-day, I can't quite say, but I think I do like it," replied Sam.

"D' ye know what a negative pregnant is?" demanded the old man.

"No," said Sam, "I never heard of it."

"Don't know what *nisi prius* means nuther? I'll bate ye tew dollars," continued the old man.

"It is some kind of a court, I think; at least I've read in the papers about trials at *nisi prius*, but just what it means, I can't say," said Sam, wrinkling his forehead thoughtfully.

"Oh, wal, ye'll larn, ye'll larn. I wuz turrible ignorant once, jelluk you. Why once, I hearn of a feller dyin' intestate, 'n' I reely thought he died of some kind of a bowel trouble, when it only means he did n't leave no will," and the old man again broke into staccato laughter. "Then, agin, when my Uncle Cyrus died, — Cyrus Penniman, of Liberty Center; ye may hev hearn of him, — no? Wal, never mind; he left a letter to me sayin' he'd made me exec*u*tor of his will, and that I'd find his las' will 'n' testament in his desk, locked up in a draw. Wal, I looked in the desk 'n' got the key 'n' unlocked the draw 'n' faoun the will, but I could n't find the testament ter save my life. I hunted more'n tew hour 'n' then tuk the will 'n' hitched up the old hoss 'n' put for the Squire's, 'n' told him, 'n' he laffed fit ter kill hisself. He told me the will and testament wuz the same thing,

'n' he said that Charles Dickens had wrote abaout a feller once that hed done the same thing. Jever hear the like?"

"Yes," said Sam, "that was Captain Cuttle in *Dombey and Son.*"

"Sure enuf, the same feller. Yeou ain't so turrible ignorunt, be ye?" said the old man delightedly. "P'raps ye kin help me, if the Squire ain't comin' soon. I gotter git back. Mother 'll be a-waitin'."

"I guess there is not much chance of it; but tell me what the question is, and I will have the Squire write you about it. Will that do?"

"Why, yes. Reely you be quite a feller," said the old man. "Neaou, I'm appointed exec*u*tor of old Matildy Peaslee's will. She died las' June 'n' the will wuz proved in July, 'n' an exec*u*tor hes three months under the law to take an in*ven*tory of the goods 'n' chattels, reel 'n' pussonal. Neaou, old Cyrus Farnum 'n' Eliphalet W. Simpkins 'n' young Bill Peterson wuz the appraisers 'n' done the appraisin'. Wal, the will said, 'I give, bequeath, 'n' devise untoe Hitty Ann Parshly, my cousin, my *Marble Faun* with marginal notes.' Wal, I hunted, 'n' the appraisers hunted, 'n' everybody hunted. There wuz a chiny cat, 'n' one 'v them crockery settin' hens, 'n' a plaster of paris lion with one leg broke, but the' wuzent no fawn. We asked the neighbors abaout it, 'n' nobody had

never hearn of it or seen it. Neaou, likely it was busted 'n' thrown away, but haow a marble fawn, or a plaster of paris fawn, or any sort of a fawn could hev marginal notes beats me. What I want t' know 's this. If we can't find the fawn, do we buy her another or not, 'n' if yes, where can ye git one with marginal notes, thet's what?"

For a moment Sam looked at him with astonishment, thinking it a joke on him. But the seriousness of the old man's face was that of a man really wishing advice, and Sam realized that he was puzzled and had absolutely no comprehension of the truth of the matter. For a moment an almost uncontrollable desire to laugh nearly overpowered him, but he controlled it, although conscious of the laughing eyes of the stenographer upon him.

"Yes, I can answer that question, for it is n't a question of law. The *Marble Faun* is a book written by Hawthorne, and of course the marginal notes are those probably made by her, but if the notes should by any possibility have been made by the author, it is a very valuable book. I would advise you to examine her books as soon as possible."

The old man struck himself a powerful blow on his knee. "By thunder! young feller, yeaou got it. Thet's it. I thought it funny for a fawn to hev marginal notes. We all thought so. What a

passel of doduncks we wuz. Haw! Haw! Haw! how mother 'll laff at us. Thet's wuss 'n the testament. I swanny, ye be quite a feller, arter all. Neaou, 'f ye ever come up my way, jest drop in 'n' me 'n' mother 'll be tickled to death. Mother 'll git ye up a biled dinner. What's to pay, — nothin'? Wal, wal," and the old man went out chuckling; then stopped, put in his head and said, "Say, young feller, when ye find aout what a negative pregnant is, tell me. I bate ye it's somethin' pretty tough."

The Squire came in with Mr. Woodman just before lunch, dictated a few letters, saw and advised an insistent client, and left the office with Mr. Woodman at 12.30, when Sam went to dinner with almost as much appetite as if he had been tramping the woods.

At a quarter of two he was back in the office, where he found the Squire at his table in the general office with a pile of the law reports of various states before him, busily employed in making notes. He nodded at Sam and then turned to his books. Sam took his seat at his desk and opened his book on Torts.

For a quarter of an hour there was silence, broken only by the scratching of the Squire's pen and the rustle of the leaves of his books.

Then clients began to arrive, and the Squire laid aside his books with a sigh and began to listen

and advise. Sam listened attentively, and marked the keenness with which the Squire led them to the point in issue, and the conciseness yet thoroughness of his replies and explanations. He noted another thing. He deprecated the bringing of suits and always urged pacific measures. Indeed one client who was for drastic action, and who had been advised to try once more to accomplish an amicable adjustment of his difference with a neighbor, said, "Squire, for a man who can fight a lawsuit as you can, and who appears to enjoy a fight as much as you do, you settle more cases out of court than any lawyer I ever retained. If you had more fight in you at the beginning, you might do twice as much business."

"Yes, and ten times as much harm. If you need that kind of advice you had better go to — well, never mind whom. Only, if I manage your case you do as I say absolutely," said the Squire firmly.

"Oh! I'll do as you say; only occasionally I like to see the fur fly."

"Well, I like to see the fur fly myself once in a while, and I have done my share of it, but never if I can help it. There is altogether too much litigation in the world," said the Squire, turning to the next client.

For a while the office was quiet, and the Squire took the opportunity of explaining to Sam the

nature of a deposition, the occasion for taking them, the facts of this particular case, and the statutory law authorizing the taking of depositions. He was so exceedingly clear and convincing in his explanations that after the witnesses, the parties, and the opposing counsel had arrived, and the taking of the depositions had commenced, Sam was able to understand and appreciate the questions and the objections of counsel and the relevancy of the answers.

Indeed, when Sam went to supper, he felt that he had a duty in life, and for once was enrolled in the ranks of workers, one who had done a satisfactory day's work.

He ate his supper with a relish that hard work, and the consciousness that he had earned it, gave him, and after supper got his friend Ben and took a long tramp through the country, finishing with a swim in the river and arriving at the hotel at about ten o'clock. As they ran up the steps, they heard a loud chorus of most discordant singing. Evidently a crowd of loungers, considerably exhilarated, were performing that well-known classic, "For He's a Jolly Good Fellow," with but slight pretense to time or tune.

When they glanced into the barroom, the Senator's elder brother stood stiff, straight, and dignified, surrounded by a ring of vocalists.

When they had finished he bowed and said:—

"Gentlemen, your sentiments were flattering, flattering. But, gentlemen, your intonation was damnable. Permit me to bid you a very good-night."

Sam and Ben went upstairs slowly. "What a pity, what a pity!" said Sam as they separated.

"Yes, it is a world's pity," said Ben as he closed his door.

CHAPTER X

MIXING

SOMEWHAT to the Squire's surprise, Sam's interest in the profession and in his own studies in the office increased instead of waning as the weeks passed. He studied faithfully, worked away at his legal documents, copying, studying, and taking notes of their provisions with a keen discrimination.

Indeed, far from being a drag on the Squire, he soon began to be of considerable assistance to him. Having readily mastered the details of the execution of wills, mortgages, deeds, leases, assignments, and a few of the more common legal papers, he saved the Squire a great deal of time and travel.

He had a good head for figures, and a leaning toward system, which the Squire lacked. The ability to put his hand on the particular paper desired had never been one of the Squire's long suits, and the amount of money the Squire had lost in the past by sheer good-natured neglect to make the proper charges for legal services was appalling.

The most careful and painstaking of men in the administration of the affairs of a client, he was

most neglectful of his own. He might have been a wealthy man, had he chosen, but he charged so little for his services, and collected so small a percentage of the charges he remembered to make; he loaned so readily to impecunious friends; he paid so many bills that should have properly been paid by others, that he was, after many years of hard work, a comparatively poor man.

Sam noticed these peculiarities in the Squire before he had been in the office a week, and was told many things by Miss Ellis. As a result, before long they had secured the Squire's permission to put Sam in charge of the fee-books of the office, and Sam and Miss Ellis devised a plain but systematic set of books that, reinforced by a dusty copy of the Rockaway County Fee Bill, began to show a gratifying increase in the receipts from the business. Of course, as they soon realized, no power on earth could induce the Squire to regulate his charges according to the time he spent, and he would at times spend three times the necessary time in talking with a client about matters of interest, wholly apart from professional advice.

Again, it was appalling to see the Squire, when Sam had drawn off a bill of charges from the ledger, slash and cut out a large part of a perfectly reasonable and moderate charge, on the plea of making a discount.

"But, Mr. Branch, why should you make any discount from a proper charge when you did the work? Lovell would have charged a third more, and so would the Brookmouth lawyers."

"Sam, my boy, when will you ever learn that the money I get out of my profession is the last thing I think of."

"That is something so perfectly evident that I never can forget it. It is brought to my mind every time a client comes in to pay a bill. Really, Mr. Branch, I think a man owes something to himself."

The Squire laughed easily and said, "I am afraid, Sam, that I am altogether too old to change my habit. You know a shop-keeper usually throws in a pair of suspenders or a twenty-five cent necktie when he sells a suit of clothes. I suppose that is what we all are doing."

"That is all well enough, Mr. Branch, if you would conform to his idea of proportion, but you throw in a coat and vest every time you sell a pair of trousers," insisted Sam.

The Squire laughed, rose, thrust his hands deep in his pockets, and took a turn or two across the office, a habit he had when amused.

"The first I know, Sam, there will be a committee of practicing attorneys waiting on me to protest against my cutting prices."

"Well, as for that," said Sam, suddenly chang-

ing his tune, "considering the fact that you advise them in most of their cases, and practically try the greater part of their cases that you are not actually engaged in, I guess you have a right, as far as they are concerned to charge whatever you please."

"Well, that is one of the pleasantest things in the profession, Sam. Why, in what other profession will you find such friendly competition, such running in and out of offices, such splendid battles, such an interchange of ideas? Dry! why, if some of these people who talk about the dry dust of the law could be in a busy office for a month, they would have their eyes opened a bit, I'm thinking. Why! scarcely a day passes without an amusing, an interesting, or a positively ludicrous thing happening. There, what did I say," he exclaimed suddenly as loud laughter, a buzz of voices, and a tramp of feet upon the stairs was heard, and in burst Lovell, Blunt, and Langdon, the county solicitor from Brookmouth.

"Well, Squire, you missed something great at the Police Court; Joe, here —"

"Now, Tom, don't begin any of your yarns; tell the truth for once," said Joe.

"I swear, none of you will believe me. This time the truth sounds too almighty improbable. Joe won a case," said Lovell, slapping his knee; "Langdon got an upper cut."

"That I did, Squire," said Langdon, shaking his head, half-amused and half-rueful; "go ahead, Lovell, tell it."

"No, I think Joe ought to tell it. It is n't very often he gets a chance."

"You go to the devil, Tom," said Joe; "you are getting so stupid that we'll have to get a *scire facias* served on you. Let Langdon tell it. He will come nearer the truth than any one, and the joke is on him anyway."

"Go ahead, Langdon," said Tom, "if Joe is modest. First time I ever knew him to be."

"Well," said Langdon, lighting a cigar, "it only shows how little sense a prohibitionist has. But then I have had experience enough with cranks to have known better than to trust one's judgment and put a man in the witness stand without knowing what he is going to say."

"You see, I got a telephone to come here and try a liquor prosecution against Jim Henessey. I had issued a warrant, and had made it a day or night search, and as usual the complainant summoned Henessey without searching, and got the court janitor, old Ben Jackson, as a witness, telling him to go into Henessey's saloon and see if the barrels marked 'rum' had anything in them or were dummies. So the old man went in, looked them over, hefted them, saw the mark 'New England Rum,' and came out. I got up here just

in time for court. The officer who summoned Henessey was there and said that Old Ben was my crack witness, so I began and the dialogue was about like this: —

"'What's your name, and where do you live?'

"'Ma name, sah, is Benjamin Jackson, an' ah resides, sah, in this town, sah.'

"'Do you know Mr. Henessey, the respondent?'

"'The 'spondent, ah sholy duz, sah, ah sholy duz.'

"'Did you have occasion to visit his place of business on Water Street yesterday?'

"'Ah did, sah, ah sholy did.'

"'By the way, what sort of a place does Mr. Henessey keep?'

"'What sort of a place? Bery nice place, boss, bery nice place, sah.'

"'But what kind of a place? What does he sell?'

"'Ah, ya-a-s, sah; he sells — ah — pigs' feet, 'n' oysters, 'n' sardines, 'n' crackers, 'n' salt fish.'

"'Yes, and does he sell anything to drink?'

"'That, boss, ah could n't zackly say.'

"'Glasses there, were n't there?'

"'Sartin, boss, sartin, glasses.'

"'And bottles?'

"'Ya-a-s, sah, bottles.'

"'And you got something to drink, did n't you?'

"'No, boss, mister lawyer, sah, ah did n't.'

"'Did you see any one there drinking?'

"'Boss, ah sholy duzent ricollec' seein' any one.'

"'Have you had anything to drink there?'

"'Boss, ah sholy has n't had a drink for mo 'n a year.'

"'What did you go in there for?'

"'Boss, ah wuz tole by a mos' 'spectable gemman to go thar 'n' see if dem bar'ls wuz full.'

"'Oh yes, uncle, now we are getting to something. Now, were the barrels full or empty?'

"'Dey wuz all full, or mos' full.'

"'Now, uncle, what were the barrels full of?'

"'Dat, sah, ah was onable to say.'

"'Look here, sir, can you read?'

"'Ya-a-s, sah, ah can read, sah.'

"'Oh, you can read? Now, what was written on the barrels?'

"'What wuz wrote on dem bar'ls, sah?'

"'Yes, what — was — written — on — the — barrels; do you understand?'

"'Ya-a-s, sah, ah unerstands yo. Well, sah, de words on dem bar'ls wuz "New England Rum," sah; "New England Rum," an' dey wuz one which sayed "Booban Whiskey," sah.'

"'Now, sir, you have said the barrels were full or nearly full, have you not, sir?'

"'Ya-a-as, boss, ah sholy has sayed dat, sah.'

"'And you have said, sir, that the barrels were marked "New England Rum," have you not, sir?'

"'Ya-a-s, boss, ah has sayed dat ah, an' "Booban Whiskey," sah.'

"'Now, sir, what do you say now was in the barrels?'

"'Ah sholy don't know, boss, fore Gord! sah.'

"'What's that, sir? Be very careful, sir, what you say. Do you say now that you do not know what was in the barrels?'

"'Ah duz say dat ah, boss; ah tink dat writing on dem bar'ls wuz false witness.'

"'Oh, you think, do you, that the marking was wrong? That a full barrel, in a liquor saloon, marked "New England Rum," does n't contain New England Rum, and that the marking was wrong? Explain that, sir, to the court, sir.'

"'Ya-a-s, sah, mister lawyer, an' mister Jedge, sah, dey wuz some odder writin' on dem bar'ls.'

"'Oh, there were some other words on the barrels, were there? Well, what were the other words?'

"'Well, sah, when ah sees "New England Rum" and "Booban Whiskey" wrote on dem bar'ls, sah, ah nachelly tinks dey wuz New England Rum an' Booban Whiskey in dem bar'ls, but when ah sees all dem bar'ls has the words "James Henessey" wrote on dem, ah just nachelly lost all confidence in dem ah bar'ls, case ah sees old Jim Henessey a-settin' in a cheer by de do.'

"Well, Squire, he was all the witness I had, and the court had to discharge Henessey for want of evidence. The cussed old lying nigger!" said Langdon, flicking the ashes from his cigar.

And the trio tramped down the stairs, laughing, and went down the street to tell the story to their friends, while the Squire and Sam turned to their books.

These talks with the Squire were the result of a strong friendship that was growing up between them. It was not familiarity on either side. The Squire could be cordial, pleasant, and at times even playful, but never familiar. On the other hand, Sam had an innate sense of respect and deference to any person older than he, which prevented him from becoming familiar, least of all with a man of the Squire's age, and the respect in which Sam held him. With Sam he was always "Mr. Branch," never "Squire," a form of address which had in it, as it seemed to him, an element of familiarity that was out of place.

During the fall Sam rowed and ran, tramped, and occasionally got a chance to ride some especially new and untried horse of Alvy's, who was constantly trading or buying horses and did not wish them ruined by unskillful or brutal stablemen. So Sam, who had a light hand, a firm seat, and great patience, was interested in the try out of new horses both to saddle and harness, and en-

joyed many a good ride and an occasional and interesting battle.

Added to these duties he had undertaken to teach Polly to ride an Indian pony bought for her by the Squire, and several evenings a week, clad in sleeveless shirt, corduroys, and light running shoes, and holding the pony by a lead-rein, he ran beside the pony instructing Polly how to rise to the trot, how to throw her weight forward, how to sit close, and how to keep a light but firm hand on the pony so as to guide and control, but not to excite or fret him. Sam seemed quite as tireless as the pony, and the delighted Polly was fast becoming a graceful and accomplished horsewoman, equally to the delight of the Squire, who sat and smoked and congratulated Polly, when with cheeks flushed and eyes shining, she allowed "Uncle Ira" to lift her from the saddle.

On one never-to-be-forgotten day Sam discarded the lead-rein and appeared in full riding costume astride a handsome chestnut, and Polly straightway was lifted on Frisk, who wore for the first time the beautiful white Mexican bridle that used to hang in Sam's New York room, and they rode for miles over the country roads, deep in brown and gold and crimson leaves, and little Polly dreamed that Sam was a brave knight and she a "fayer ladye," and could scarcely be brought back to the present, even when a squir-

rel ran across the road or a partridge whirred up from the wood path, startling the horses.

Then after their rides Sam and the Squire would sit and talk and smoke until late, and the Squire learned much of Sam, his strong and his weak points, his likes and dislikes, and came to like and admire him more and more.

Twice the three of them had been invited to take tea at the Hilton farm, and Sam had been charmed with their quaint hospitality, their courtesy, their dignity and kindliness. He had met their sister, who ruled the household and presided at their table, and he gladly admitted to the Squire that he had never met a woman whose manners were so happy a combination of the *grande dame* and the simple kindly soul.

Sam was making many friends in town. Ben and the machinists swore by him. Alvy was never tired of talking about him. The stablemen swore by many and horrid oaths that he was the best man with a "hoss" in the country. The loungers approved of him with some reservations, considering that he never drank with them or treated them. The clerks did not like him. He had not joined their club, giving as a reason that he could not spare the time, nor did he attend their suppers at Duval's restaurant. The excuse he gave was that he did not wish to incur the expense, which was true enough. But the real rea-

son was that after one experience he had no further interest in the entertainments, which seemed to combine gluttony with cheap stories and little else.

As the cold weather came, he did join the "Gymnasium Club," which he found had a fairly well-equipped exercising-room in the old armory building. He felt the need of work with the apparatus during the cold months, and the pleasant gymnasium competition removed all danger of the work becoming tiresome, as it would naturally be alone in one's room.

The first night he attended he found fifteen or twenty young fellows lifting heavy dumb-bells, swinging huge clubs, and doing heavy work on parallels with great vigor. Some of them had marked chest and arm development, while their legs seemed comparatively undeveloped. One fellow was putting up the fifty-pound weight alternately with right and left hand, with much grunting and profuse perspiration. Indeed, as his grunting, puffing, and perspiration increased, his speed and vigor diminished in equal proportion, until his arms refused to stir the weight from his shoulder.

Another man was trying desperately to do the "grasshopper" on the parallels and wrenching his pectorals savagely in the attempt. Indeed, every one exercising was making desperately

hard work out of it, seemingly trying to get the greatest possible amount of exercise in the shortest time.

So Ben, who came with Sam, was somewhat surprised to see Sam, who had changed his street clothes for a suit of sleeveless shirt, running-drawers, and rubber-soled shoes, pick up the smallest and lightest clubs from the rack, retire to a safe corner and go through a few easy, graceful motions. After that he exercised a few minutes with the lightest dumb-bells. Then a rest for a few minutes, then the uprights for a while, a few dips on the parallels, a few simple motions on the horizontal, and Sam was through, after a shower and a rubdown.

"Pretty light exercise, that, I should say for a man of your build," said Ben.

"Plenty for the first time. It is no particular benefit to get all stiffened up and then have to work it off slowly. The better way is not to get stiff. The next time I can do a little more, and the next time after that more still, until I can do a good hour's exercise without fatigue. Two hours is not too much if it is not heavy exercise. The men here are working too hard and are much more liable to injury than benefit," said Sam.

"Yes, they may strain themselves, but they are pretty husky men, and you will admit they are developed well," insisted Ben.

"They are developed, but not equally or evenly. Look at the man who was putting up the heavy weights. His development is in his arms, neck, and shoulders. His legs are good because one cannot lift weights without using one's legs. You see his chest is badly developed. Look at the fellow with the over-developed pectorals. Arms and chest good, light below. Then you see his muscles have developed in knots and bunches. Sure to be muscle-bound before long, and slow. That is the great trouble with gymnasium development. There is too strong a tendency to uneven development. I tell you, Ben, smooth, firm, but not hard muscles are the ones to have and the ones that will stand work."

Sam came several nights during the week, and rapidly began to get into shape. Those who were inclined to jeer at his light exercises, noticed how easily he did difficult tricks on bar and trapeze, and how little it breathed him. The third week he came, the gloves were brought out, and two of the heavy men put them on, and after a moment's preliminary sparring began to hammer one another in a savage and awkward manner, until one got a bad fall in being knocked against a piece of apparatus, and had to quit.

Several other bouts were had in which very little boxing, but much heavy hitting was indulged in. Finally, the first and victorious heavy

weight invited Sam to put them on. Sam declined, and said, "You strike too hard for fun. My idea of sparring is that it should be light and quick. More for exercise than for punishment. I can't see the fun of standing up, as you fellows have been doing, and hammering each other. Boxing is self-defense, and a good lightweight with science ought to keep out of the way of a heavyweight and eventually beat him."

"Well, I think a fellow who stands up to box with another ought to be able to stand a few punches. And if he can't, why, then, he ought not to box," said the heavyweight.

"Yes," said Sam, smiling, "a fellow who boxes must take some chances, but he ought to develop quickness enough to make the chances small. I'll show you what I mean. I'm going to put on the gloves with you, if you will, and I'm going to take a chance of getting my head knocked off if you manage to land one of your mule-kick blows, but I'm going to try not to have them land."

"All right," said Williams, the heavyweight; "now, you'll see how long you will stand up to me."

"Bless your soul, I'm not going to stand up to you at all. I'm to see if I can avoid getting hit."

"All ready for the foot-race," yelled a wag.

The members made a large ring, and Sam,

drawing on the gloves, advanced to the centre to meet Williams. Sam was on his toes as light as a cat, with his arms weaving in and out incessantly.

Williams held his guard rigid, then rushed and struck heavily, but Sam was not there. Then, as Sam came back to the centre he drove a heavy right, but Sam side-stepped him, and as he recovered, Sam was upon him like lightning and flicked him twice with his open gloves.

Williams feinted with his left and swung heavily with his right, and Sam ducked, got in a light right and left on Williams's ribs, and was out of danger. Williams kept rushing and hammering, but could not land, while Sam landed at will, but without any force.

Finally, Williams pulled up in huge disgust, panting heavily. "Why in thunder don't you stand up like a man?" he growled wrathfully.

"Because I'm young to die," laughed Sam.

Williams, who was a good-natured man, laughed too. "By thunder! it's like fighting a shadow on a windy day, but I'll get you yet," and he rushed again, but received a couple of light facers and had his blows blocked with ease.

Finally, he pulled off the gloves, took a seat on a mat, and slowly regained his breath, while Sam, scarcely breathed at all, stood waiting.

"Well, Mr. Randolph," said Williams at last,

"you've got me beat, but I'd like to see you try some one else, — Carter there will do. Say, Tom, see if you can hit him."

So Carter, nothing loath, put on the gloves, and did his best, but could n't hit Sam, and once, being caught off his balance in trying to recover from a furious rush, was tipped completely off his feet by a blow that would not have hurt a child. He sprang up, and rushed and drove and swung until he lost his breath and had to retire, blown but unhurt.

"There, fellows, I guess that will do for a while. I can't hope to have such good luck always, as to keep from being hit," said Sam; "but you see my idea now. The lighter you spar, the more exercise you get, the quicker you become, and the better you train your eyes and your hands, and the more fun there is in it. But the way you go at it, you are bound to get hurt, and are mighty likely to get a crack that might put you out for a week."

"Yes," said Thing, a quiet, thoughtful fellow, "but Williams's and Carter's way, compared to your way, is like football compared to tennis."

"Not a fair comparison," replied Sam, "for football is a good game and ought not to be compared to slugging. To be sure, slugging will creep into football, but the team that slugs is the team that is generally beaten, and so is the boxer who

depends on slugging to win a bout; that is, if he is up against a good man."

"That's all very well," said Loomis, "but you could n't put a man out in a month of Sundays with your blows."

"That's right enough," said Sam; "but there is no reason why a good boxer should not be a hard hitter. In fact, a part of the training of a good boxer is to throw his weight quickly either behind his own blows or away from his opponent's. In other words, footwork in a boxing-match, a prize fight, or a street row is of fully as much importance as quickness with one's hands."

"Evidently your training did n't include hard hitting," said Dunbar, who generally said unpleasant things.

"I guess the trouble was more in me than in my training," replied Sam, lighting his pipe, and springing down from a vaulting-horse. "But I must be going. Come on, Ben, I promised Mr. Branch to stop at his office at 9 and it is 8.50 now," and bidding the boys good-night he strode out with Ben.

"Well," said Williams, after Sam had left, "it may be that he can keep that up, but I'd rather see a little harder hitting than that. If that fellow ever gets into a mixup with Bill Evans, he will wish he had a little less quickness and a good deal more strength to his blows. Bill is as quick

as a cat, and can strike like the piston rod of an engine."

"By George!" said another man, putting down his clubs, "I ain't so sure of that. A feller who can do the things he can do on the parallels and bar, and can stand up to you fellers like he did, ain't no slouch. It stands to reason that he can hit some. You mark my words, Bill Evans is in for a surprise party when he runs up agin that New Yorker."

"Oh, shucks! Jim," said Williams, "p'r'aps the New Yorker can keep outer Bill's way for a few minutes, but when he does run his head against Bill's fists, he'll go to the mat all right. 'N' he can't hurt Bill with them little punky punches neither. I like the feller, 'n' I don't wanter see Bill lick him neither."

"Damn Bill anyway," said another; "he oughter have a lickin' from some one, but the way this Randolph hits I'm afraid he ain't the feller to do it. It's queer too. He is as quick as a cat, and is strong, too, or he could n't do them tricks on the bar."

"I'll tell you," said Loomis, "how we could find out if he really can hit."

"How?" demanded the others, with vast interest.

"Well, he seems a willing sort of fellow, and will spar with us every night if we ask him. Now,

let's arrange some night to have Bill Evans in and spring him on the New Yorker."

"Say, Loomis, that's great," said Carter; "both Bill and the New Yorker will be willing, and we can see if there is much truth in the talk of science against strength."

The others chimed in with boisterous approval and Carter was pounded on the back.

"I don't like the idea at all," said Rollins, a slight fellow with a good face, a bookkeeper in one of the mills. "It don't seem the square thing on a member to trap him into a prize fight, for that is what it will be."

"Prize fight nothin'," said Carter; "it is only a chance to have a little fun. Nobody 's going to be hurt. This Randolph has come up here as cocky as you please, and has found fault with our style of boxing. Now, let's have him stand up to a good man and see if his own style is any good, that's my idea."

"And mine, too," said Loomis.

"I'm with you, Loomis," said Jim. "It's all right, and if the New Yorker has any sporting spirit he will look at it right."

"You fellows don't see what I am driving at; Randolph don't object to sparring with you fellows, because you are friends of his. But it's a different thing to spar with a tough who has it in for you," said Rollins.

"What of that? everything will be fair. We will see that Bill is up to no tricks. We will give him to understand that before he comes in," said Carter.

"Well, there is n't much use talking to you fellows, but I think it's a low-down trick on a decent fellow. Whenever we get a man like Randolph in a club, I think we ought to be civil to him instead of trying to get him into a fight. I'll bet he won't spar him," concluded Rollins indignantly.

"Well, if he don't, it will be a clear case of crawfish. See here, Rollins, you are not going to squeal on us, are you?" asked Loomis.

"No, I'm not. I'm coming down here the night you pull off this thing, and I'll bet it will cost the club some memberships," and Rollins left.

"Huh! there is such a thing as being too almighty particular, and Rollins is one of that kind," growled Carter. "You don't suppose he will give us away, do you?"

"He? No, I should say not. Rollins is all right, only his ideas are a bit too good for every day people; but he won't squeal," said Bruce, another member.

"I feel something the same way Rollins does," said Williams. "If I was a sort of high-toned feller like Randolph, I don't believe I should like it

very well myself; but I guess it 's worth tryin', an' if he should tucker Bill out like he did me and Carter, why 't would be worth it."

"But what if Bill licks him?" asked another.

"Why, then, Randolph will show whether he is game enough to take a lickin' in the right spirit," Carter said promptly. "If he is n't, why, so much the worse for him."

So it was arranged that on Thursday evening of the next week the affair should be pulled off, and Carter and Loomis were to act as a committee to arrange matters with Bill, who, as they expected, entered into the arrangement with the greatest eagerness, and swore the most fearful oaths not only to pummel Sam to pudding, but not to divulge the game to a soul, not even to his particular friends. He exacted a promise from them that they should invite several of his acquaintances to be present at a gymnastic competition.

For the next few days Sam had the opportunity to spend an hour at the gymnasium nearly every evening, and spent a part of the time in sparring with several of the members, and when the suggestion was made that he join the members in a little exhibition of gymnastics on the Thursday mentioned, he very readily agreed, even going so far as to promise to spar with Williams and Carter, upon the understanding that

only a few of the personal friends of the members were to be invited.

When Thursday evening came, he was a trifle late, owing to a bit of work he had promised to finish for the Squire after supper, and it was with well-inked fingers that he arrived in season to put on his "gym" suit. He noticed that the seats around the sides and back of the room were well filled, and that ladders and the horses were covered by roosting by-sitters.

It reminded him of the gym meets of his college, and he felt quite a thrill of enthusiasm. The exhibition began, and the audience were really interested and liberal in their applause, particularly when Sam surprised them all by his giant swing. Then the floor was cleared for the boxing, and Sam ran downstairs to rub the rosin from his hands before putting them into gloves.

As he came into the room, he could scarcely believe his ears when he heard Carter announce that Sam Randolph, champion amateur light heavyweight of New York, would have a ten-round go with Bill Evans, champion heavyweight of Rockaway County, and as he pushed through the crowd, thinking he must be joking, he saw Bill, in sleeveless shirt, trousers, and belt, and in his stockings, glowering at him with a triumphant grin. His huge arms hung

down and his hands were incased in four-ounce gloves.

Sam stopped and stiffened, the blood rushed to his face and then receded slowly, leaving his face deadly white, but not with fear, as the fiery glare from his eyes showed. For a moment there was a murmur from the crowd and then intense silence as Sam spoke in an icy tone that showed measureless contempt.

"Members of the Club, — I won't say gentlemen, — when I joined this club I supposed I was joining a club composed of gentlemen, and so far as I know I have never given any of you any reason to believe that I was other than a gentleman. But I see I was mistaken, and I am sorry. I am not a prize fighter, and I only spar with my friends. But I want to say that to try and get me here by a trick, to fight for your amusement, is about the dirtiest and most contemptible thing I ever knew. I quit this club now, and I don't care to number among my acquaintances any one of you who has been mixed up in this," and he threw the gloves on the floor, and strode to the dressing-room, leaving the crowd looking decidedly uncomfortable.

"By God, the young fellow is right," said a large black-haired man. "He is mad, all right, but I'd rather be in his shoes than mine. I feel as if I had been caught stealing."

"Aw, mad! he's scart, that's what's the matter with him," said Bill angrily, as he pulled off his gloves and threw them spitefully away.

"Scared! I guess you don't know what you're talking about. A fellow who will stand up and tell a crowd of men what he thinks of them as he has done is anything but scared. I don't know who put this up, but if the rest of you feel as much like a whipped cur as I do, you won't feel very much like talking about it."

"I think it served us just right, and I swear I'm ashamed enough of it; and what's more, we've lost the best gymnast and the best fellow we ever had in the club," said little Rollins.

The crowd, angry and abashed, slowly broke up, while Sam, going to his room, wrote a long letter to New York in which we may be sure he mentioned no word of the trouble that had so aroused his contemptuous resentment.

CHAPTER XI

THE FIGHT

It was the latter part of October and the Superior Court was sitting in the old Court-House. The Squire, as usual, had a good many cases to try, some of them matters of a good deal of importance. Sam had been able to be of considerable assistance in preparing the cases. True enough he was not sufficiently advanced in legal knowledge to do anything but copy processes when the stenographer was overworked. But he had developed quite an aptitude in running down witnesses and finding out what they knew about the cases, and had traveled about the surrounding towns, sometimes on foot, but more often on horseback or behind one of Alvy's best horses.

This gave him a welcome change from the drudgery of office work, and enabled him to see the country and become acquainted with the people, two things he was very glad to do, as he remembered the Squire's advice, "It is as necessary to know the people as the law."

As he had a very pleasant manner of meeting strangers, was democratic and affable, he found

no difficulty in making friends wherever he went. He did find, however, among the younger men, a curious reserve, in fact almost a hostility, which he found rather difficult to disarm. This was due in part to a very marked difference in appearance and bearing, and almost as marked a difference in speech between him and them, in which an unconscious superiority was on his side.

Occasionally he was jeered at from a safe distance in the coarse way affected by the lower class of country and town boys, who in this way resent the fancied superiority of city-bred youth, but he never appeared to notice it unless it became too marked for comfort, when a peculiarly steely glitter of his eye would generally compel a respectful silence.

On one occasion, as he came out of a telephone booth in a country store where a crowd of men and boys were loitering about, he found a hulking youth of nineteen or twenty slipping a sharp stone under his saddle, and he seized him by the scruff of the neck and the slack of his overalls, rushed him despite his struggles to the horse trough, and soused him in until he begged for mercy. This was done with such apparent ease that none of the crowd dared interfere, and as he quietly walked back, adjusted his saddle, mounted, and rode off, there was not a word said.

With the older men he became popular and

with the women and girls exceedingly so, which was perhaps an additional reason why he found the younger men a bit difficult.

Bill Evans he had persistently avoided and refused to notice, although he never met him without being insulted, and accordingly not only Bill and his friends, but some of Sam's friends came to the conclusion that Sam was afraid of Bill. But in that they were mistaken. The idea of fear had never entered his mind. He was confident of his ability to thrash Bill, but he did not want to fight with any one, much less a man of Bill's standing. He had come to the town to study law and make his home there, and he disliked exceedingly the idea of becoming embroiled with any of its citizens, however unworthy or however in need of a thrashing.

And so while he felt that an encounter with Bill was inevitable, matters might have gone on for a long time but for one circumstance that happened as a result of a case in which the Squire was counsel. It was a suit against a sawmill owner for wages due a sawyer. The case had been fought for an entire day and had been given to the jury just before the closing hour. Bill Evans, as a witness for defendant, had testified to the amount of lumber sawed as far below the amount claimed by the sawyer, and on cross-examination by the Squire had become involved in a maze of

contradictions, which were made still worse by the testimony in rebuttal of a young surveyor to whom Bill had previously told an entirely different story.

As a result, the Squire in his argument paid his respects to Bill and his testimony in rather more than his usual frank, vigorous, and convincing way, and had left poor Bill without a shred of reputation as an honest man, which, as he had never possessed any, could really have made little difference to him.

But Bill was mad, mad clear through, and not daring to vent his wrath on the Squire, for whom he had a wholesome dread as a man of the law, he decided to make things lively for the surveyor.

As a preparation for the evening's entertainment, he primed up on a couple of glasses of whiskey at Nagle's saloon, just enough to make him feel ugly, without taking from his perfect control of himself, at least of everything but his ungovernable temper.

Sam, with his friend Ben, had come from the post-office at the lower end of the street and had crossed by the Town Hall, intending to stop a moment at the Rumscott, where Sam was to summon a witness for a case in which the Squire was engaged and which was for trial the ensuing day. As he crossed the street he met the surveyor coming from the opposite direction, and laughingly

congratulated him on the effect of his evidence on that offered by Bill.

Sam and his friend had scarcely passed the Court-House when they heard loud voices and oaths, and stopped to listen. Then Sam recognized Bill's voice and then that of the surveyor. Then the lie was passed and there was a blow and a fall, and Sam rushed across the road just in time to see the surveyor rising blindly with the blood streaming from his face, to go down again heavily from a cruel blow in the face, while his arms were grasping the guard-rail in front of the store.

In an instant Sam was through the crowd, shouldering them right and left, and had knelt down in front of the surveyor, who was nearly senseless. With Ben's help he raised him up and calling for water, sprinkled his face with it. In a few moments he revived, and then Sam turned his attention to Bill, who stood there eyeing him evilly while his rough companions gathered round him. Sam was blazing with rage, but save for the pallor of his face and the glitter of his eyes was calm.

Walking straight to Bill he said, "You miserable, dirty, drunken, cowardly cur, what did you strike that man for?"

"What in hell business is it of yours?" said Bill, thrusting his face threateningly into Sam's.

Sam's reply was a lightning slap in the face that sounded like the breaking of a pane of glass, and was followed by a furious lunge from Bill.

Sam ducked under Bill's arm, caught him under the arms, back-heeled, and threw him.

Bill scrambled to his feet, blind with fury, but was seized and held by his friends. "Not here, Bill; you can't fight here; come down on the island."

Bill struggled for a moment, and then hoarsely said, "Will you fight?"

"Yes," said Sam crisply.

"Come down on the island where we won't be stopped."

"All right," said Sam.

Instantly there was a semi-orderly rush for the island, which was a small square between the two lower bridges.

Ben looked anxious, but cheered up at the arrival of his friends the machinists, who would see fair play.

When they arrived at the island there was already a crowd there, and a ring formed by several men who kept the crowd back.

As Sam approached, a large man with a heavy beard came forward and asked, "Who is your second?"

"Ben here," said Sam.

"What is it, London prize rules or Queensbury?"

"London rules, a knockdown to close a round if the man down wishes to take a half-minute rest," said Sam.

"Is that all right, Bill?" said the man, addressing Bill, who had stripped to his shirt and was rolling his sleeves to his shoulders.

"Yes," growled Bill; "only don't wait all night."

"Now, gentlemen," said the black-bearded man, "this fight is going to be on the square. The man that strikes another while down will lose the fight. A knockdown entitles the man down to a half-minute rest. The man who fails to come to the scratch in time after the rest loses. Any one who interferes with this fight will have me to settle with. Now, don't make too much noise, for we don't want the police to interfere, and they won't if we run things decently. And keep the crowd back. You can all see from the rise in the hill, and this moon makes it as bright as day. Now, are you ready?"

"Ready," growled Bill hoarsely.

"Ready," said Sam, who had pulled off coat and vest, tightened his belt and rolled his sleeves loosely to the elbows.

Bill was huge, hairy, and muscular, with bull neck and heavy shoulders, and vast tanned arms

and fists. Sam was more trimly built, but an expert would have noted that his shoulders were fully as broad as Bill's, his chest deeper, and his arms and legs those of a trained athlete, betokening both strength and activity.

As they advanced, Bill made a savage rush and fairly hurled himself upon Sam. There was a quick swaying of a lithe body, a lightning left backed up by the weight of Sam's body and Bill went down flat on his back after a blundering stagger backwards.

"Holy mustard!" said Williams, his eyes standing out like glass marbles, "we thought he could n't hit."

But he was up in a moment, and rushed again, swinging his arms like pistons, but exposing himself to a smashing right that brought him heels up and nearly on the back of his huge neck. This time Bill arose more slowly, and rushing, clinched, and was a third time thrown heavily.

"Take the rest, Bill, take the rest, there's time enough," yelled his friends.

But Bill would take no advice, and blindly rushing again, was again floored.

"Good God! man," said one fellow. "What do you think of that? Four times in the first round. Bill has got the wrong customer this time."

Bill, sitting on his second's knee, was showing the effect of the blows. Blood was trickling from

his nose, one eye was rapidly swelling, while a split lip dripped blood into his hairy chest, and he was breathing heavily.

Sam stood at ease, with his arms crossed behind his back, at times nodding his head in answer to his second's advice.

"Time!" said the man with the black beard, and the second round was on.

Bill advanced eagerly, despite his punishment. One arm was held across his chest, the left playing in front of him. Sam's arms were loosely held and his hands half-closed as he circled lightly.

"Whoof!" came a mighty blow from Bill, but Sam was not there. "Smack" came a stinger on Bill's sore eye and "thump" a resounding blow on his ribs.

Bill could not stand that, and rushed, was neatly avoided, and fell on his hands and knees.

"Time!" said the man with the black beard.

"Not by a damn sight," said Bill, rising, "I fell down," and gritting his teeth he set to gamely.

Then followed an exhibition of boxing such as none of them had ever seen before. Bill was regarded as a good boxer, but he was almost helpless in the hands of this college man. Sam was here, there, and everywhere, ducking, dodging, leading, and countering. He appeared to be able to hit from any angle and where he pleased.

If by chance any of Bill's blows landed, they appeared to have no effect except that they intensified the lightning quickness and vigor of Sam's counters.

Occasionally Bill, winded and blinded by the shower of blows, pulled up bewildered, and then Sam, despite the frantic yells of his friends to go in and finish him, dropped his arms and waited.

"Why don't you finish him, Sam?" said Ben; "you're throwing away chances."

"Hold your horses, Ben," replied Sam. "This man needs a sound thrashing more than a finish. I know what I'm about."

"Well, he's gettin' it all right; only don't take too many chances," said Ben gruffly.

Again Bill came to the scratch with the utmost gameness, for he was in bad shape. He had been knocked down a half-dozen times and had been thrown heavily in a clinch. One eye was closed, the other had a cut under it from which the blood trickled down his face; his nose was swollen to twice its natural size, his lips puffed out, and his face a mass of bruises; he was panting heavily and his legs trembled. But in spite of this he advanced with a bulldog courage that was admirable.

This time he held his guard high, to protect his damaged face, but lowered it with a grunt of pain when Sam visited his body and ribs with a right

and left. Then Bill crouched to protect his body, and guarded his head with his huge outstretched arms, but Sam stepped in like a flash and upper-cut him savagely, and the crowd held its breath at the smack and thud of the blows.

Then Bill, with a hoarse bellow, rushed again, and was sent down with a right on the swollen nose that made sparks flash on a background of blackness.

For a moment Bill lay there with arms out-spread, then he slowly rolled over on his face and little by little rose on one knee. Slowly the sight of his remaining eye cleared, and he saw the ring, the staring crowd, Sam standing quietly and un-hurt, and heard the referee call "Time!" Then he heard one of his friends call out jeeringly, "Bill, Bill, I thought ye could fight," and a loud laugh, and then he went stark mad.

He reached in his hip pocket for a knife, sprung it open, and rushed upon Sam like a maniac.

"Look out for him! He's got a knife!" yelled the crowd, and a rush backward was made to avoid him.

Sam darted in, grasping the huge wrist. There was a brief swaying of bodies, a flash of steel, a wrenching backward of the hairy arm, a yell of anguish from Bill, and Sam, stooping, picked up the knife where it had fallen and jerked it into the river, while Bill lay on his face where he had

fallen, with one arm doubled under him, and weeping the gulping sobs of a humiliated and beaten man.

As Sam stepped out of the ring, his hands were grasped by old Pat, who was fairly dancing for joy.

"Begob, Misther Randolph, if ever a rale gintleman cud be a divil, y' are a divil an' all. Jarn Morissey himself cud n't a doon it; — yer anner, sor," and Pat, raising his hat, made way for the Senator, who advanced with due courtesy and ceremony.

"Young man," he said as he grasped Sam's hand, "on ordinary occasions I deprecate the employment of physical force in the attainment of success, but, sir, there are occasions, and this is one of them, sir, when discipline requires it, and its use is highly commendable, highly commendable, sir. Yet, sir," he continued, as Bill's sobs fell on his ear, "it has undoubtedly been a disappointment as well as a surprise to our friend William. It reminds me quite forcibly of the remarks of the poet, who says —

> 'And wept like childhood, then
> Talk not of tears till thou hast seen
> The tears of warlike men';

— and I might here remark, parenthetically, sir, that William, although a man of courage, sir,

and endurance, is not—ah, what is commonly known as a good loser."

"Why, yes," said Sam, a bit absently and with a note of anxiety in his voice, "I don't like to hear a man do that. I hope he is n't hurt much. Bill," he said, as he stepped to the fallen man, "is there anything I can do for you? — Come, get up."

Bill ceased his sobs for a moment. "Go away, damn you, and let me alone," he said in a choked voice.

Then Sam stepped over to where a knot of Bill's friends stood, sulkily eyeing the proceedings.

"I suppose," he said, "that you will look after him, won't you?"

"To hell with him," they growled; "look after him yourself. Damn a blubbering baby who can't fight."

Then Sam's temper flared up again.

"Perhaps some of you fellows think you can do better," he said with heat. "If so, I will accommodate any of you now."

The men muttered, but nobody accepted his invitation, and he turned to meet the big man with the beard, who touched him on the shoulder.

"I'll look after Bill," he said, "and you had better go now."

"All right," said Sam, "only if you are under

any expense, let me know. I 've nothing against Bill now. He is a game man."

"All right, sir," said the man, "I'll let you know"; and he went back to Bill, while Sam, accompanied by Ben and his friends, went to the hotel.

Sam went at once to his room, took a bath, and a rubdown, wrote a letter, and then, suddenly remembering his witness, ran downstairs to attend to the matter, just in time to hear a familiar voice say, "A confounded shame, I say; Bill 's hurt, and needs a doctor, and the fight was fair and aboveboard, and I don't see any sense in the officers coming in now."

As Sam turned into the office, he met the man with the black beard, who at once came forward angrily. "Look here, Mr. Randolph, it seems a bit rough to have Evans pulled in after you have just licked him. Was n't it enough without that?"

"Pulled in!" shouted Sam; "what in thunder do you take me for? Certainly if he is arrested, I ought to be."

"Then it was not your doing?" said the man; "I wonder who did it," he said with a puzzled air.

"I have n't the least idea, but the thing to do is to get him out just as soon as we can. He ought to go to a doctor rather than spend the night in the lockup. Come on!" and Sam seized his hat

and hurried down the steps, followed by the man with the black beard.

In a few moments they were at the police station, where they found Mad in charge, and learned from him that the complaint had been sworn to by the young surveyor whom Bill had knocked down.

No, Mad could n't let him out. No, not if Sam or Nichols, the man with the black beard, would be good for his appearance. No, not even if Mr. Randolph put up a cash bail. — It did n't make a bit of difference if Bill needed a doctor. No, he was n't hard, but he knew his duty as an officer. — Why, any one ought to know that he could n't take bail. Why, Granville True once took a gold ring as bail for a drunk, and it cost him his job and thirty-eight dollars and sixty-two cents beside. He guessed not much. They could n't play any such a trick on him. — Well, perhaps not, but then he was n't going to take any chances, but if the Judge would say so, he would let Bill out.

So Sam and Nichols left the station and hurried across the two bridges to the Judge's house; and after representing Bill's condition, and agreeing to be personally responsible for his appearance in the morning, obtained from him a note to the officer directing Bill's release. Armed with this, they sought the unrepentant Mad, and were rather grumpily taken downstairs into Bill's cell.

Bill sat humped-up on his cot. His face was bruised and swollen, and he groaned whenever he moved. But he followed them stumblingly when Nichols told him to come, and they crossed the street to Doctor Berry's office.

As they entered, the Doctor, a gray-haired old gentleman, ushered them into his office. As his eyes fell upon Bill, he puckered up his lips and let out a whistle.

"Well, well, Bill," he said; "what was it this time, a hay tedder, a mowing-machine, a steam roller, or a freight car?"

"A thrashing-machine, Doctor," said Bill grimly, with his features grotesquely puckered up as he tried to smile, and then he groaned and cursed as the Doctor placed his hand on his arm.

"Hello, what's wrong here?" asked the Doctor; "anything broken?"

"No, a twist, I guess," groaned Bill.

Under the Doctor's direction Sam and Nichols carefully took off his coat and vest and then tore his shirt from the shoulder, and the Doctor examined it.

"Shoulder out; must have had a bad wrench," muttered the Doctor; then to Sam, "You take his arm, Nichols, hold him round the body, and when I say the word, pull hard. Now!"

Sam gave a heave, there was a snap, an oath from Bill, and the shoulder was back. Then,

with plaster strips the shoulder was wound and bandaged, the bruised and cut face treated, and after an hour's work the Doctor told him he would do.

As they rose to go, Sam, who had said nothing up to this moment, asked the Doctor what his bill was.

As Bill heard his voice, he started to his feet.

"What the hell are you doing here? You damned whelp!" he snarled, facing him.

"Don't be a fool, Bill," said Nichols. "Mr. Randolph is white, and has done what he could to get you out."

"White! damn him!" roared Bill; "he'll be black before I've done with him. Take me back to the lockup. I'll not be under obligations to him."

In vain Nichols argued and pleaded; Bill was determined; but at this point the Doctor, who had stood quietly by, spoke quickly and sharply: —

"Look here, Mr. Bill Evans, you'll do what I say. You go with Nichols wherever he tells you to go and you do what he says. When you get well enough to talk to the young man, all right, but not now. You will need two good arms and both eyes. Now, go," and he ushered them out, motioning Sam to remain.

After they had left, he turned to Sam with a

smile, and said, "What was the trouble, did the barroom crowd get after him?"

And when Sam explained, he could scarcely believe him.

"Well! well! well!" he said; "so Bill has got thrashed at last. He has needed it for a long time. Perhaps it will do him good; there is some good in the fellow. He is independent, pays his bills, and has a kind-hearted streak in him. Do you know," he said, with a shrewd smile, "I should n't be surprised to see you and Bill good friends some day."

"I'm sure I hope so," said Sam, "I have n't anything against him. He is the gamest man I ever stood up to, and I'd like to help him out; but it don't look that way now. He looks as if he would like to poison me."

"Well, look out for him. He is rough, but I always thought there was something besides fight in him."

"There 's plenty of that," smiled Sam.

"How does the study go?" asked the Doctor.

"Pretty well," replied Sam. "It is interesting, and the Squire is delightful. I have never seen a man just like him. He is a constant surprise to me. He has more sides than any one man I ever knew. I am the luckiest fellow in the world to be associated with him, and yet I am often discouraged to think how immeasurably superior he is to what I can ever hope to be."

"Well," said the Doctor soberly, "a man can be far below the Squire in every way and still be a pretty good man and a credit to his friends. That is worth remembering."

"That is what I frequently think, Doctor. But the Squire is such a wonderful man, I have often wondered why he stayed a country lawyer. Do you know?" asked Sam.

"Yes," said the Doctor slowly; "I know the story, and it is a sad one. Perhaps some day I may tell you, but not now. Very few know it, and only his nearest friends. If ever you —"

Sam nodded, and after a moment rose. "I am a bit tired and quite a bit sore. One cannot fight a grizzly bear without catching it a bit. You don't fear any serious result for Bill, do you?"

"Not a bit, not a bit. He will be all right in a week or two. So don't worry about that. Good-night," said the Doctor coming to the door.

"Good-night, Doctor," called Sam as he went towards the hotel.

"I wonder if he will ever know the story?" mused the Doctor, closing the door and putting up the chain. "I suppose that there has not lived a more heart-hungry and lonesome old fellow than the old Squire. I only hope this young chap will get near him. None of the rest of us have."

CHAPTER XII

TOWN MEETING

THE decisive result of the fight with Bill Evans effectually reëstablished Sam in the esteem in which he had been held by the gymnasium crowd, which esteem he had lost by his abrupt withdrawal from the club and his contemptuous refusal to again become a member.

It was very interesting to see just how many young men there were who had about come to the conclusion that it was high time for some one to take Bill in hand, you know, and that if Sam had n't done it at just the time he did, they should have done it. And that in future Bill would do well to remember that he would be called to a strict accounting for his deeds and words.

So many of the young chaps about town congratulated Sam on his success, but politely regretted that he had taken the job out of their hands, that Sam was quite mystified, and could not account for their long forbearance in the face of so many indignities suffered from this same Bill.

Meeting Nichols on the street one day and inquiring for Bill, he mentioned the matter to him.

"Rot!" said Nichols explosively. "There was n't a man of them that dared to 'peep' whenever Bill was round. Now, when you've licked him, they all come around to blow and brag and say what they were going to do. Huh! it makes me tired to hear them. You get a man down and there are plenty to jump on him, but all the same, if they think Bill is down for good they have got another bet on it. You listen to me, Mr. Randolph, as soon as Bill gets round again, some of these amateur pugs and fresh Alecs are going to get theirs. The first man that picks a row with Bill will get a mighty good licking. Bill will be as good as ever in a couple of weeks."

"Then he is all right. I'm mighty glad of that," said Sam. "I suppose he is still as surly as a bear?"

"Surly! you bet he is. More like a bulldog with his paw in a trap, ready to bite any one. Swears he will lick you some day if he has to train for a year. I told him he might as well give up that idea, for he could n't lick you in a lifetime, but he swears he will. But I guess you need n't worry," said Nichols, smiling.

"Oh, I'm not worrying, and when I was a young chap I should have liked nothing better. But I must study hard for the next three years, and I can't spare any energy for fighting and getting stirred up for a week or more. But if Bill and

I have to fight it out again, it will be a much shorter fight than our first, I can tell you that. I had much rather be his friend and have him mine. I have considerable respect for Bill at bottom, but I won't fool with him another time," said Sam, with a snap of his jaw.

"Well, it 's funny, but I think Bill has a good deal of respect for you. But don't you see, man? You 've licked him, and he has been the champion bull terrier round here for years. It meant a good deal to him. — Well, Mr. Randolph, I must be going. Glad to see you at any time up at the mill," said Nichols as he stepped into his muddy wagon and drove off.

Sure enough, Nichols's prediction in regard to Bill came true, for when after a couple of weeks' retirement, Bill came on the street, Loomis picked a fight with him and was most thoroughly beaten, and thereafter Bill, with his reputation somewhat reëstablished, was let severely alone and began steady work at Nichols's sawmill.

At Alvy's we may be sure that the fight was discussed in the most weighty and conclusive fashion. At the first call to arms the entire crowd of loungers had vacated their seats in the office with most delightful unanimity. Unfortunately for old Allison Hamlin, in attempting to arise he had gone over backwards with an appalling bump of his poor old head on the hard floor, but with

the timely assistance of Newt and Charles, he had regained his feet and hobbled to the scene of the conflict in time to see the greater part of it. At its conclusion they returned to the hotel and prevailed on Alvy to "set-'em-up just once," which Alvy did with a graciousness and a readiness quite unusual. He drove a roaring trade in ardent spirits that evening, as did the Major, Nolan, the Hole-in-the-Wall, and other well-known saloons.

Fight talk was the regular order of exercise in all the hotel corridors, barrooms, saloons, barber shops, pool and billiard parlors, and in no place was reminiscence more exclusively indulged in than around Alvy's railway stove.

"By mighty! Hazen," said old Allison Hamlin, struggling with frightful grimaces to bite off a chew of tobacco by thrusting a plug of Navy up under his left ear where he had a few fangs left, "'minds me of a fight I hed with a feller 't worked in th' old pipe shop. I wuz a pretty peart-like feller in them days, 'baout ez spry as yeou make 'em. Lessee, thet wuz nigh onter sixty years ago. This feller wuz an Englishman, 'n' wuz reckoned sum punkins in the ring. Wa-a-al," added the old man, rolling his quid thoughtfully, "we hed a tarnal jaw 'baout suthin' 'n' Jem he hit me, 'n' afore any one could interfere, I hed knocked him daoun ole Eph Butler's saloon steps. Jem he wuz

stunted, 'n' I wuz a bit oneasy in my mind for fear I'd killed him. But Jem he kum to arter a while 'n' vaoued he'd lick me 'f it tuk a year. Jem he was n't fit fer nuthin' fer a while. Gosha-mighty! I must 'a' hit him a tunker; hoa-g-g-g! p'tu!" and old Allison spat with deadly accuracy into the glowing stove.

"Wa-a-l," he continued, "'baout thet time, 't wuz long 'baout alewife time, 'n' the river wuz jest a-bilin' with 'em, 'n' I gut an almighty cold a-ketchin' on 'em, 'n' hed a long spell er lung fever which left me thinner 'n a gutted herrin' 'n' weaker 'n skim milk. So, mind ye, Jem he thought 't would be a good time ter git a swat at me, — p'tu! Wa-a-l, one day I wuz a pokin' aout in the square 'baout sundaoun 'n' I met up with Jem, 'n' I see suthin' was goin' ter happen. Wa-a-a-l, Jem, — p'tu, — he gimme a root offen the sidewalk, 'n' I did n't say nothin', only jest peeled, 'n' Jem he peeled tew, right in front er the taoun hall, — hoa-a-a-g! p'tu! That ornery cuss wuz the beatinest feller to hop raoun, he jest got raoun quicker 'n all gitaout, jelluk this 'ere New York feller in the Squire's offis. 'N' he cud hit, tew, but I jest took what he give 'n' onct in a while I would get in an almighty tunker in the head or a sidewinder in Jem's ribs. Wa-a-l, ter come at it, we fit more 'n tew hour, 'n' when Jem could n't come ter th' scratch they 'cided I licked

him. Wa-a-l, I wuz so used up when I gut through, 'cause I wuz sicker 'n pizen when I fit, that I did n't know nothin' for more 'n a week."

"'N' have n't knowed but dummed little ever since," growled old Kin Flanders in an aside.

"Hey! wassat ye say?" demanded old Allison quickly, glowering at him fiercely.

"I said 't wuz a dummed good fight, Allison," yelled Kin. "Beats hell haou thet dummed old deef cuss kin hear when ye don't want him ter," he continued in a husky whisper.

"What became of Jem?" asked Alvy from the desk, where he was totting up accounts.

"Hey, wassay?" said Allison with his hand to his ear.

"What became of Jem?" yelled Alvy.

"Oh, yes, Jem, — wa-l, Jem he went away arter he got well enough. He wuz perty sick fer quite a spell, — p'tu."

"Whaddier yeou say to that for a ole buster of a lie? Th' dummed old dried apple, th' only thing he could lick is the butt end of a stogy thet summon hed gin 'im," growled Kin in a hoarse aside.

"By tripe!" said old Henry Van Duzee, a weazened little man with thin gray hair, mild and somewhat mildewed blue eyes, wearing a much frayed and discolored greenish brown suit, an old gray coat with a velvet collar shiny with grease, and broken-down shoes partly protected by new

and astonishingly shiny rubbers of which he was extremely proud. "By Crimmeny! 'minds me of a fight I had onct daoun ter Oceanbrook. Ye kneau them Oceanbrook fellers travels in gangs jelluk wolfs. 'F they gits a feller daoun, 's all up with him, 'cept there wuz one feller," and old Henry smiled meaningly and shook his head.

"Wal, what abaout it, Henery, whadjer dew?" demanded old Abel Scudder testily.

"Dew! Abel, I fit 'em, a haffer dozen on 'em; driv 'em, tew, arter fitin' 'em more 'n tew hours with a sprained ankle 'n' a bone bruk in my lef wrist. When they faoun' they could n't lick me, they run like whiteheads. Arter thet I never hed no trouble in Oceanbrook."

"I be goldurned 'f he aint a bigger liar 'n old Allison. 'N' thet's sayin' a good deal," growled Kin Flanders again; and there was silence while they smoked and spat and Alvy hemmed and hawed and made careful entries in his ledger.

Finally, Newt removed his pipe, tapped it upended on his palm, placed it in his vest pocket, crossed his legs, and said slowly: —

"Boys, I never was much of a fighter with my fists, although I have done some of that in my day, nor with my mouth. I never broke a bone in my arm after fighting six men, 'n' never fit two hours like old Allison here. If I managed to lick one man at a time, I thought I was pretty lucky.

But when President Lincoln sent out his call for seventy-five thousand men, I 'nlisted, and I saw some fighting, too, as was fighting. I have marched through a hail of minie balls in front of the intrenchments when my brave companions were falling about me like flies in a frost, and I never knew what fear was. I have lain at night in the intrenchments watching the shells from the mortars in the enemy's batteries exploding in our ranks, and I never knew what fear was. I have marched with my decimated regiment straight up the hill to the rebel batteries, while cannon shot, shrapnel, canister, chain shot, and grape tore great holes in our lines, and I never knew —"

Newt's voice here trailed into silence and his face took on a most discomfited expression as he gazed spellbound at a slim, wiry, sharp-nosed, vinegary woman in spectacles who entered during his oration.

"Newt Caswell! yeou lazy, goo-fer-nuthin' critter, yeou march yourself straight aouter this gin-mill, 'n' see if you hev got sprawl enough to split me some wood, stidder sittin' raoun' here gassin' with a wuthless gang o' rummies. Neaow, start yer boots!" she shrilled with a voice that rose almost to a shriek.

"Yes, mother, yes, right away, comin', mother, comin'," said Newt, pacifically, struggling

to his feet and following the virago through the door.

"By Godfrey," said Kin, "Newt would ha' been a hero 'f he'd stayed aout there, but he kem home to suthin' wuss 'n bumshells 'n' musket balls."

"H'm," said old Allison reflectively; "some women is wuss 'n tarnation wil'cats. 'Gang er rummies'! 'F she wuz my wife, I'd larn her suthin'."

"I guess, Allison, if she wuz your wife yeou 'd dew 'baout ez she said," drawled Alvy.

"B'goshamighty! I guess you're right, Alvy. I swanny ye be," he replied, and for a while nothing was heard but the puff of pipes and the sizzle of nicotine in the stems.

After a while old Allison removed his pipe, changed his legs, and spoke philosophically and with conviction. "Do yeou knaow, Abel, that a dummed cranky, ill-tempered woman like Newt's wife there is responsible for more 'n haff the devilment in the world. 'Member when Newt kem back from the war? Likely lookin' feller, wa'n't he? Did n't drink, smoked some, but did n't chew. Good workman, good blacksmith, and never aout o' a job. Airned good money. Then the poor dummed critter met up with Mariar Higgins, 'n' Mari, she was a good gal, tew, 'n' ole Deekin Higgins, her dad, was a good man, but 'f

Newt ud had any sense at all he'd a knowed ole Deekin was the tarnalest ole henpecked cuss in this world."

"What'd that gotter do with it?" asked Kin.

"That? Why, everything ter do with it. Mari was the very spit of her marm, old Althusy, 'n' although she had n't begun on Newt then, 't was in the critter, 'n' Newt had aught to have seen it. Wa-a-l, Newt he up 'n' married her, 'n' 't wa'n't long afore she begun on him. Did n't want him to go daoun taoun withaout tellin' on her where he wuz goin', 'n' wha' fer. Raised a tarnation rumpus 'f Newt went inter a saloon. Allers tellin' him haow hard she worked 'n' haow little she got aouter it. Never wanted Newt ter bring anybody hum ter dinner or supper, 'n' was allus a-follerin' him abaout with a dus'pan or a clothes bresh, 'n' made him take off his boots 'n' rubbers 'n the porch, 'n' would hide his hat when he left it on a cheer or summers else than on the hanger-up. Then Newt wus allers a master hand for pets. When he wuz a boy he had flyin' squir'ls, 'n' paouter doves, 'n' boberlinks, 'n' white mice, 'n' rabbits, 'n' young hen-hawks, 'n' crows, 'n' all sorts er dummed things, 'n' allers hed a dawg er some kind. Naow, them things did n't hurt nobody, 'n' Newt he allers sot considerable store by 'em, 'n' they kep' 'im aouter mischief. I tell yer a young feller full er jump 'n' ginger 's gotter ha'

suthin' ter take up his time, 'n' mos' ginerly suthin' he likes, tew, or he won't pay no 'tintion to it. Wa-a-l, M'ri would n't ha' none er them dewin's raoun' her place. Newt he declared he would, 'n' he tried his dummedest, 'n' M'ri she chased his hens, 'n' let aout his birds, 'n' mice, 'n' rabbits,' n' all the time she was a naggin', and er naggin,' an 'er jawin' an' er findin' fault with this 'n' thet 'n' t'other, 'n' bimeby Newt he gin up. He said 'anything fer peace,' but like the orator in the readin' book there wa'n't no peace, 'n' then Newt he tuk ter drink an' ter loafin' raoun', 'n' — wa-a-l, look at him naow! looks jelluk an old tramp, 'n' sarved her right. Ole Deekin he tuk to religion 'n' loafin' raoun', 'n' his wife she tuk ter the washtub, 'n' Newt he tuk ter licker 'n' loafin, 'n' M'ri tuk ter plain sewin' 'n' settin' up with dead folks 'n' scrubbin' floors, 'n' sarved Althusy 'n' M'ri jes' right; but it clean spiled Deekin 'n' Newt. The Deekin he died fust, an' ef ther 's any herearter I hope he had a good rest where 't wuz quiet 'n' peaceful. Althusy she died, tew, 'n' 't wuz a dummed good riddance. Newt he hain't died yet, but I guess he wished he hed 'baout a hunnerd times. So she called us a 'gang o' rummies,' did she? Wa-a-l, p'r'aps we be, but lemme tell ye this, boys. Whenever ye see a craowd er fellers like we be, a-sittin' raoun a barroom er hotel offis, 'f ye 'quire inter it ye'll find

'n nine times aouter ten thet more'n tew thirds of 'em is driv there by some dummed fool woman with more tongue than sense, who won't let 'em take any comfort to hum. B'goshamighty!"

And the assemblage broke up slowly and thoughtfully.

In March following, Sam had the opportunity to see his first country town meeting, and was very much scandalized to see one man, whose moral character was a disgrace to the community, elected to an office, and he could n't understand it or reconcile it with his ideas of decency that the nominating speech was made by a man prominent in business, and particularly so in church affairs. Indeed, his first impulse was to make a vigorous speech in opposition, but he remembered that he was not yet a voter, although he had resided the necessary length of time in the town to qualify as a citizen.

He listened with great attention to the arguments on the appropriations, which seemed to call for more discussion than anything. He was greatly interested in the admirably conservative remarks of several old gentlemen from the suburbs, who made really excellent speeches in opposition to certain proposed expenditures that they termed unnecessary, extravagant, and ill-judged, and indignant at the want of respect manifested

by the younger element, most of whom, paying nothing but a poll-tax, were in favor of anything in the line of expense that promised a change from the old, and who in several vigorous speeches ridiculed the "old-fogy," out-of-date, and obstructionist ideas of these conservative speakers.

However, in two instances they came to grief in what seemed to Sam a very amusing manner. In the first instance the question was upon the appropriation of a sufficient sum to purchase a new steam fire-engine, and the young and self-styled progressive element favored the appropriation as an absolute necessity, while old William Bonner and old Jarvis McDougal, two bewhiskered and most sturdy and respectable citizens, fought against the appropriation with the greatest vigor and good sense, as it seemed to Sam. But the fight was going against them, when, after a most fiery speech of denunciation of the "mummified opinions" and "obsolete 1812" ideas, by the young cashier of the Rockaway Bank, who was the leader of the younger element, Captain Hilton rose with much deliberation, bowed to the moderator as he addressed him, and when he was recognized by that functionary, turned to the meeting and said with great dignity: —

"Gentlemen and legal voters of the town of Elmtown, I have listened with vast interest to

the comprehensive and eloquent addresses of the gentlemen who have preceded me, and my interest in the subject under — ah — discussion is such as to prompt me to — ah — inflict my views upon you as a body corporate."

"Fwat th' divil is that?" whispered Patrick Cassidy to his friend, Jim Henessey, the saloon keeper.

"Gentlemen," continued the speaker, "I reverence and admire a steam fire-engine, I love its red wheels, I marvel at its glittering brasses, I am — ah — lost in wonder at its most unearthly and yet not unmusical shriek, at the hiss of its escaping steam in the few instances in the past when our unrivaled and ever-ready department have been able to get up steam on our present machine; I can never sufficiently admire the gallant struggles of our noble horses but recently detached, or — ah — unhooked from the various hacks or dump carts they have graced, as they dash madly along followed by our red-shirted and crimson-belted firemen. And yet, gentlemen, notwithstanding our delight in the picturesque splendor of the scene, we should consider, — we should consider, gentlemen, whether it would not be better to wait a while until we feel sure that our firemen are sufficiently conversant with the internal workings of the old machine so that their repeated fiascos in the past — I refer to the

Works fire, when after a long run they arrived at the fire without the hose; to the mill fire, when after getting up steam they found both nozzles had been sent to the repair shop; to another and more recent occasion, when they forgot to take the suction hose — will not be repeated. Gentlemen," and here his voice rang out like a speaking-trumpet, "if our firemen can't manage one engine intelligently, how, in the name of kind Heaven and common sense, can they expect to manage two? I hope that the measure may not pass."

There was a tumult of cheering, and upon an aye and nay vote the measure was overwhelmingly rejected.

Likewise, when a motion for the appropriation of one thousand dollars for a new hearse, which was stated by the moderator to have been inserted in the warrant on petition of Bradbury V. Pettengill and nineteen others, Newt Caswell rose with some difficulty, and, holding on to the seat in front of him, and weaving slightly, said with much dignity, "Mis'er — hic! — Mor-r-ter."

"Mr. Newton Caswell," replied the moderator, smiling.

"Mis'er Mor-r-ter, I move that we — hic — take Bradbury V. Pettengill and his nineteen others and bury him so damn deep that they — hic — won't need the services of a — hic — hearse or anything

else till — hic — Judgment Day," and Newt sat down looking very stern and virtuous.

"Second the motion!" yelled a bystander.

"It is moved and seconded that this article be indefinitely postponed," said the moderator, with a twinkle in his eye. "Is the meeting ready for the question?"

"Question! Question!" shouted several.

"Mr. Moderator!" shouted Mr. Pettengill.

"Mr. Pettengill," said the moderator.

Then there was a tumult of voices, "Sit down!" "Question!" "Question!"

The moderator pounded with his gavel.

"Mr. Moderator!" pealed out a great voice, and the Senator rose.

"Senator Hilton," said the moderator, and there was instant silence.

"Mr. Moderator, and gentlemen," said the Senator. "In all parliamentary bodies I have known, it is a man's inherent right to be courteously heard and I wish to remind *you* that Mr. Pettengill has the floor, and," he added, smiling, "to remind him that in the words of the immortal Shakespeare somewhat paraphrased by our worthy friend, Mr. Caswell, —

'We have come to bury Cæsar not to praise him.' "

There was a shout of laughter and cries for Mr. Pettengill. But Mr. Pettengill refused to speak and the article was indefinitely postponed.

Sam also noticed a sample of the curious antipathy towards a person not a native of the town. In a heated argument between old Jarvis McDougal and a man named Anderson, McDougal asserted that Anderson was a newcomer and ought to keep quiet about matters of which he knew nothing.

"Newcomer! I have lived here twenty-two years," yelled Anderson.

"And I have lived here seventy-eight years," retorted old Jarvis triumphantly, amid cheers.

CHAPTER XIII

A VISITOR

THE April Term of the Superior Court had come and gone. The Squire had tried many cases, and Sam, who had listened and taken notes, and interviewed witnesses, had appreciated more than ever the tact, courtesy, and professional technique of the Squire in his relations with the presiding judge and his professional brethren; his searching cross-examinations of witnesses, his quiet, comprehensive openings and his masterly arguments. There were other lawyers of signal ability, some sound as lawyers, some brilliant as orators, some ingenious and shrewd, but none so thoroughly combining these talents as the Squire.

May and June had come and gone, and July was half over, and Sam was still in the office and still hard at work. He had managed to save money enough to buy him a canoe and spent most of his spare time on the river. Sometimes alone, but often with Polly curled up in the bow, staring delightedly at every bird, weed, frog, flower, or fish she saw, and listening intently while Sam told her stories of fishing and hunting

on the lakes and in the woods. They still rode horseback, but only occasionally, because in this town summer, the beach season, was the haymaking season for stablemen, and Alvy had few horses that needed breaking and Sam did not feel rich enough to hire saddle-horses.

Sam was thinner than he was the year before, thinner and harder and browner, and in far better condition. His mind had thriven on the hard intellectual work he had done, and his body had strengthened by exercise, regular hours, wholesome food, and freedom from worry. Worry, — he had not had time for that, he had so many interests. He was in love with the office, the Squire, and the fascinating round of duties there. He liked the town and the people and was fast making friends, and he loved little Polly like an elder brother; and she, while she looked upon him as a hero possessed of every virtue, held herself quite aloof from him as became a prim little lady of gentle birth.

Indeed, a few weeks before, something dreadful had happened between them which had caused her many tears and had caused Sam great surprise, some amusement, and some very remorseful feelings. They had been riding one evening, and when they returned, Sam lifted her off her pony, while the Squire, paper in hand, sat smiling at them from the piazza. Polly's hair was curling in

little tendrils around her forehead and ears, her face was flushed, and her eyes bright with pleasure, and Sam, thinking what a lovable child she was, lifted her from her pony, held her high in the air a moment as one holds a child, kissed her, and set her lightly on the steps.

Quick as a flash, as he stood with his head on a level with hers, she slapped him full in the face, burst into tears, and ran up to her room, while Sam, with a look of amazed chagrin, stood staring helplessly towards the Squire, who did not smile.

"Good Heavens! Mr. Branch," said Sam at last, "I did n't dream of hurting her feelings; I would n't have done it for the world."

"No, I suppose not, Sam, but I am afraid she is not yet accustomed to those attentions from gentlemen; at least, I trust so," said the Squire dryly.

"Attentions!" stammered Sam; then rather indignantly, "To a child! Mr. Branch, I don't quite like that word; I am a gentleman."

"I was wrong, Sam," said the Squire quickly; "I beg your pardon. Polly is a child in many ways and almost a woman in others. She is over fourteen, and has read a good deal, and has a great deal of reserve and dignity, and it is plain that you have hurt her very much without intending it. I spoke hastily because I don't like to see her feel badly."

"I am awfully sorry, Mr. Branch; tell me what I can do. Won't she come down and let me apologize?"

"I don't think so now. She will probably feel nearly as badly from having struck you," added the Squire.

"She served me just right. I wish she had knocked my stupid head off."

"She left the marks, at all events," laughed the Squire. "I can see four distinct finger-prints; she is a spiteful little thing."

"Well, I will write her a note apologizing for my evil deeds, and perhaps she will forgive me; that is, if you will help me out, Mr. Branch," said Sam ruefully.

"Oh, I'll do that, of course; I want you and Polly to be friends. The time may come when she will need a friend," said the Squire gravely, and said "good-night."

That night Sam wrote a most humble and comical letter of apology to the spunky little lady, which made her laugh, but did not quite have the effect Sam hoped for, as it was more than a week before she received Sam into favor again.

Sam had also succeeded in making friends of the town boys. Of course the adventure with Bill had made many admirers, but few friends, as the town boys had looked upon Bill as a local champion too long to feel any gratification at his de-

feat, and in a way they felt aggrieved that a newcomer should strip Bill of the laurels he had held for so long a time. Had Sam fought a man from any other town, every man-jack of them would have yelled encouragement, and would have swelled and bragged and blown themselves out with civic pride, but for Sam to "lick" Bill, their own Bill, was quite another matter.

But few boys and indeed few men, however prejudiced, can withhold their admiration and liking from a first-class ball-player, whether amateur or professional, and when it was found that Sam was a star, and knew the game thoroughly, and had coached Yale as well as caught for two years before graduation, and when it was further known that he could hold Hartnett, who pitched cannon balls, every boy in town swore by him. And so Sam, greatly to his own pleasure, had donned baseball togs again, and had developed a really excellent country team, which had beaten the strong Brookmouth team, a member of the Intercity League.

To be sure there were times when he longed for the old life and the clubs and restaurants, the polo and yachting and dancing and fun-making which was so enjoyable while it lasted, but these spells did not endure, and were driven away by hard work and ambition. For the correspondence between Sam and the young girl in white

had come to an acute point, when Sam passionately declared his love and pressed her for an answer on a certain day. And for the few days that Sam waited for her answer he haunted the post-office, could scarcely open a book, and when he did, would vainly endeavor to rivet his attention to the text, but read without the slightest comprehension of the words that his lips audibly muttered, until he found that it was impossible to concentrate his ideas upon reading, and he pressed the Squire to send him upon local errands that took him not so far from the post-office that he could not be on hand at the distribution of every mail.

And the Squire, shrewdly noting the signs, did his best to keep him busy, although he felt that Sam's marriage with a New York girl might militate against the life of a country lawyer he had marked out for himself. At Alvy's Sam ate his meals with but very little idea of what they consisted, took his exercises, greeted his friends as usual, but so timed his tramps that he was never out of range of the post-office.

And at last one evening Sam, with a tense face, opened the box and took out a pile of letters, with one, a square white thick envelope with a heavy seal. He put it quickly in his pocket where it almost seemed to burn him, crowded the other letters back in the box, locked it, and strode hur-

riedly to his room. Entering, he locked the door, lighted his lamp with such nervous fingers that he snapped three matches in pieces before he got a light. Then he ripped open the inclosure and read. And as he read, his face lighted up, his eyes shone, his cheeks flushed, and his breath came hard and fast. "Thank God!" he said. He could scarcely believe his good fortune. He wanted to shout, to throw open the window and tell the world that he, Sam Randolph, with scarcely a penny to his name, with nothing but his hands and brains and health was the richest man in the world. That as for happiness, there was no such happy man in the universe. And he read the letter again and again. Then he paced the room with quick, light strides. How in the world could she love him, with nothing to recommend him but his powers as an athlete and his campus records! Why should she, the brightest, most beautiful and sweetest girl he had ever met, the one girl he had dreamed of and longed for and worshiped, have chosen him from so many better, brighter, richer, and far more eligible mates! He could not believe it. There must be some mistake, and again he had to read the letter, to dwell on every line, every word. What a charm in the dashing, unstudied lines! What a grace and delicacy in the phrases! Why, even the punctuation marks had an individuality of

their own, which could be associated with nobody else. Ethel! what a beautiful name! And how well it became her. Simple and pure and—and—well, so different from Evelyn, or Hildegarde, or Adelaide, or Clarissa, or Elizabeth, or Dorothy, or Marion.

All were good names and would perhaps have suited other girls, beautiful girls, too. But Ethel! Somehow Ethel was the one name that suited her. And she was the one girl that suited the name. There never was another Ethel, there never could have been. Ethel!

Well, poor Sam was hard hit. So much so that he loved the whole world. It seemed as if he must hug somebody. Then the poor dazed fellow sat down and wrote his Ethel the most devoted, passionate, thankful letter, burning with such love and tenderness and adoration and personal humility and modesty and hope and trust and ambition (for her sake) and determination (for his own), that she must have wondered that she or any other girl should have been capable of inspiring such love in a big, strong, healthy lad, keen for the strong competition of life.

And the next day, when Sam went to the office, he was so bright and beaming, so brimming over with kindness, so studious and helpful, that the Squire knew that the letter had come, and prim Miss Ellis in the depths of her virgin heart con-

structed a most wonderful romance in which Sam was the hero and a most wonderfully beautiful and loving young woman, not the least in the world like Miss Ellis, was the heroine.

It was the next summer that Tom, who had bought Sam's furniture, made him a visit. The year had passed quickly for Sam in hard study, hard work, and hard play. Ethel's letters had been regular and loving. Sam wrote two letters to her one, but then he had so much to say, while she was so busy with dances and concerts and teas and dog shows, yachting and polo and the thousand diversions of a city life, that she really could not find time to write as fully as she wished. But she loved Sam, — she said so, — and Sam certainly wrote enough for both.

Sam had already begun practice in a small and somewhat guarded way. That is, he had frequently appeared in probate court in the routine work of administration and guardianship, settlement of accounts, the procuring of allowances, of licenses real and personal, the probate of wills in common and solemn form, and had defended and prosecuted some small criminal actions in the police courts, with considerable credit. In simple matters he advised clients, and as he was very cautious and painstaking he gave very good satisfaction.

One day, while engaged with a client of the Squire's, a young, fashionably dressed man, with a merry face and dazzling smile, came in. Sam glanced up abstractedly, asked him to take a seat, and returned to his client. The young fellow did so and with Sam listened to a very amusing story which was being told by old Ike Parrish, a dry, active, wiry, weasened man of about sixty, an inveterate horse-trader.

"Ye see, Mister Randolph, I wuz a-drivin' aout on the Paow-waow River rhud one day 'n' I met up with a feller a-drivin' a black hoss. 'T was ole Eph Badger. Wa-a-l, me 'n' Eph we traded, 'n' I tuk the black hoss, ez smooth a critter ez you ever see. Eph, ye know, is a leetle apt, jest the leastest bit apt, ter git holt of hosses as is sorter onreliable-like. I wuz sorter s'picious, 'cause I made so good a trade with Eph, long 's I let him have a hoss that wuz a leetle, jest the leetlest bit light behind. Not vicious like, but jest frisky enough to sorter kinder let flicker at the dashbowd of the waggin. Jest high sperits, a leetle higher behine than in front. I heerd thet old Eph hed a hoss thet wuz fitty. Ginerally hed one or tew a week, putty reg'lar. Mind! I jest heerd so. Did n't know it; pshaw, no! did n't believe it; only jest heerd it. So I thought I 'd better git red of this hoss 'fore I know'd much abaout him. D'ye kneaw ole Jonathan Brackett, him thet

keeps a blacksmith shop daown ter West Kempton? Don't kneaw 'im? Wa-a-l, Jont is the master hand for a hoss trade. Druther trade hosses than eat any day, er drink neether, 'n' thet 's sayin' a gret deal.

"Wa-a-l, I owed Jont one for th' last trade we hed, when he traded me a roarer for a nice chunk of a hoss 'at I let him hev. It hed jest a leetle difficulty in its eyes 'baout seein' things quick. Not blind, ye kneaw, but leetle short-sighted, jest a leetle. 'T would n't run agin a house or a taown hall, but might not see a post or suthin' small. But, all the same, Jont he beat me in thet trade, 'n' I owed him one. Did n't hev no feelin'' baout it, only kinder like to keep even, ye kneaw.

"Wa-a-a-l, ez I wuz sayin', I thot I hed orter git red of the critter, 'n' so I rubbed him daoun till he shone julluk a nigger's heel, 'n' put on my best harness 'n' hooked him inter a tew-wheel gig, — ye kneaw a gig allers makes a hoss look gamey, — 'n' started aout, 'n' when I got putty nigh to Jont's corner I jest fetched the old hoss a wipe under the belly where 't would n't show, 'n' the way we went by Jont's shop wuz a caution ter snakes. Jont he'd hearn the rattle of the gig 'n' the huf-beats, 'n' he stud in his shop door lookin' over his spettacles with his maouth wide open when I went by. Wa-a-l, arter a while I turned raound 'n' jogged back twuds him. When I wuz

goin' by Jont's, he kem aout 'n' hollered, 'Here, you ornery old Ike Parrish, whaddier mean by drivin' by my shop 'ithout stoppin', yeau?'

"'Wa-a-l, Jont,' sez I, 'the fust time I went by, I hed my hands full with this 'ere hoss. Ye see, a feller tackled me back here a mile er so 'n' I hed ter show 'im my dust. He turned off 'baout a haffer mile back, but the old hoss wanted to go 'n' I thot I'd let him go ter see haow long his wind would hol' aout, but I guess he'd a-gone to the beach, 'n' so I pulled 'im up 'n' jogged back. I callate I wuz goin' some, Jont,' sez I.

"'Callate ye wuz, Ike,'" sez he. 'By mighty! thet 'ere hoss kin step some. Whereje git 'im?'

"'Traded fer 'im over ter North Kempton,' sez I.

"'Will ye sell 'im?' sez he.

"'Naow, Jont,' sez I, 'I never hed ary hoss in my hull life thet I would n't trade er sell. I ain't much sot on gittin' red of this 'ere hoss. He kin step a quarter almighty handy, 'n' I think, Jont, I think his las' quarter in a mile 'ud be a leetle faster than his fust,' sez I.

"'Haow'll ye trade 'im fer that hoss thar?' sez he, p'intin' to a likely lookin' hoss hitched aout in the yard.

"'Oh, him,' sez I, lookin' kinder 'mused at the hoss; 'wa-a-l, I guess I'll hafter charge ye 'baout a hunner' dollars boot twixt the hosses,

'n' I orter charge ye a hunner' 'n' twenty-five,' sez I.

"'Pshaw, neaow, Ike, watcher think yer old hoss is, Flory Temple er 'Merican Gal?' sez he.

"Wa-a-l, we dickered 'n' dickered, 'n' dickered, 'n' all the time I kep' my eye on my hoss, scart mos' to death fer fear he might throw a fit 'n' spile the trade.

"Wa-a-a-l, bimeby Jont he said he'd gimme his hoss 'n' twenty-five, 'n' I held aout for thutty, but old Jont he would n't budge, 'n' so, sez I, 'Wa-a-l, Jont, seein' it's yeou, I'm a-goin' to shift 'em.'

"So we started to shift hosses, 'n' when I went aout ter git Jont's hoss to lead 'im in, whatcher think I faound? Why, thet hoss wuz cockle-jinted behind like all git aout. Thet there ornery old cuss hed hitched thet hoss aout in the tall grass so I could n't see his hocks. Wa-a-l, there is wuss things than cockle-jints, they don't hurt a hoss much, only ef ye think of them snappin' in and aout it makes ye feel squirmy, julluk when ye see a feller throwin' 'is thumbs aout of jint. So I hed made a good trade, but it don't dew ter brag tew soon, 'n' when I led the hoss up to where Jont stood with my hoss, sez I to Jont, 'Naow, Jont, yeou 'n' me 's been fren's fer a good many years 'n' we've traded hosses time 'n' agin, an' naow, arter all thet you've gone an' pammed off on me

a cockle-jinted hoss, wuth 'baout ten dollars, Jont, a cockle-jinted hoss,' sez I. 'Jont, I should n't ha' thot it uv ye, Jont, I raly should n't,' sez I.

"'Ike,' sez he, putty loud, 'a trade's a trade, ain't it?' sez he.

"'Thasso, Jont,' sez I.

"'An' ye traded, did n't ye?' sez he, laouder 'n ever.

"'Thasso, Jont,' sez I.

"'Ye ain't goin' ter squeal, be ye?' sez he.

"'No, Jont,' sez I, sorter sorrerful, 'I ain't no squealer, but my feelin's is hurt; I would n't ha' bleeved ye'd a-went 'n' did it, Jont,' sez I.

"Wa-a-l, we shifted hosses, 'n' jest ez I wuz 'baout ter drive off, Jont he up an' said, 'Naou we hev traded, Ike, 'n' ye kneaw what's aout 'baout my hoss, naou, Ike,' sez he, 'what's wrong with the hoss ye let me hev?'

"'Jont,' sez I, 'I raly don't know nothin' agin' 'im, but ef he is the hoss I *think* he is, but I don't think he *is*, he's a leetle, jest the leastest bit liable to hev fits,' an' then I teched up Jont's hoss 'n' driv off, 'n' lef' Jont a-stannin' lookin' over his spettacles with his maouth wide open julluk I see him first, only he wuz a-holdin' onter my hoss.

"Wa-a-a-l, sure enough, thet night 'baout tew o'clock in the mornin' or thereabaouts, I heered a almighty paoundin' on my door. I sorter

'spected 't wuz Jont, 'n' I stuck my head aouter the winder 'n' said, 'Who be ye, 'n' whatcher want?'

"Then I heered ole Jont's vice a-sayin,' ''S me, Ike; I thot I'd come over 'n' tell ye 't wuz the same dummed hoss,' 'n' Jont he put fer hum, 'n' naow what I wanter know is, kin Jont prosecute me fer sellin' a fitty hoss?"

Sam roared with laughter, while Ike contented himself with a dry sort of quirk to his mouth, his nearest approach to a smile.

When Sam could control himself, he said: —

"I don't think, Mr. Parrish, they could convict you unless you really knew the horse was a fitty horse. Still, it is a pretty close call to even suspect it, and then sell or trade him, but I don't think your friend, Mr. Jonathan Badger, is in a position to do anything about it. I'm surprised that he should think of it, under the circumstances."

"Wa-a-l, Mr. Randolph, I don't quite bleeve he will, only I want the Squire ef he duz."

And, after paying a retainer, which Sam entered on the day-book and wrote a receipt for, he left, and Sam turned to the newcomer, gasped with surprise, shouted "Tom!" and fell upon him violently. "Tom! how under the canopy did you get here? The last man I expected to see, and the one I wanted to see most," and he choked and pounded him on the back.

"Sam, you old Hercules, let me get my breath, and I'll tell you," gasped Tom, as he pump-handled him. "It's been a hundred years since I have seen you, old man, and it's good to see your homely old mug again."

After they had fairly exhausted themselves, Sam introduced Tom to Miss Ellis as his best friend, barring Mr. Branch.

Tom won Miss Ellis at once by his straight glance, his merry eyes, and his frank words.

"Perhaps not his best friend, Miss Ellis, he has so many of them, but his Alter Ego. Why, we are David and Jonathan, the Siamese Twins, Damon and Pythias, two of the Three Guardsmen. Why, when we were in New York together, we had one purse between us and that was Sam's; we had but one thought and that was to see which could stay up the latest and raise the most Cain, and now, 'how have the mighty fallen!' Sam I find a quiet, jog-trotting, plodding old country squire, coolly advising a most abandoned horse-trader how near or how 'nigh' he can come to the criminal point in a trade without rendering himself liable. Sam!" he cried, "did you ever hear anything better than that 'Ef he's the hoss I *think* he is, but I don't think he *is*, he's a leetle, jest the leastest bit liable to hev fits'?" — and Tom's voice was a perfect imitation of Ike's nasal tone, — "why, that would make a stunning

hit on the stage. Are there many such people round here?"

"Yes, plenty of them. I can show you some of the choicest specimens you ever saw, at my hotel. In the summer they loaf on the front steps and make the patrons of the hotel go in by the side door, and in the fall and winter they sit round the stove and spit and tell stories that no man ever heard before. But, Tom, sit down and tell me how you came here," demanded Sam, thrusting his friend bodily into a chair.

"Why," said Tom, "the easiest thing in the world. You see, my aunt has been spending the summer at Bar Harbor, and a short time ago she asked me to come down there to the jumping-off place and make her a visit, and of course, bearing in mind your invitation, and learning from the *Pathfinder* that my trail led through your town, I thought I would look you up."

"By George! Tom, you are a philanthropist, a benefactor, a truly great man. I have been homesick at times to see some of the old fellows and to learn what they were doing. Think! Tom, I have n't been in New York for two years."

"Two years! You blundering dummy, it's more like twenty. Jove! it must have been like being buried alive, with occasional awakenings when horse-traders came in for advice," said Tom with a grin.

"Being buried alive! Anything but that. Tom, you won't believe me, but sometimes I really think that more happens here to me than did in New York. Of course I am working and have worked hard. Harder than ever before in my life. And I like it, and I like the country. It's clean, it's wholesome, it's neighborly, it's — it's — different, you know. A man has a chance to breathe and a chance to think here. In New York he can neither breathe nor think."

"But, Sam, have you made friends here, like the old ones?" asked Tom.

"Not like the old friends, Tom; but with a few exceptions I have not been sorry to leave the old ones. It's a race there, with little care for the one behind, and it is hard to keep up sometimes. Now here, I have made some very dear friends, — Mr. Branch; Miss Ellis here," at which the stenographer colored with pleasure; "little Polly, Mr. Branch's niece, the dearest little girl you ever saw; Alvy the hotel keeper; Ben and the machinist crowd, and a good many others. Here comes the best one now," he added, as a gleam of pleasure lit up his eyes and a man's footsteps were heard ascending the stairs, and the "Squire" entered.

"Hullo, Sam; good-afternoon, Miss Ellis; back the same day you see, and glad to get back, as I always am," said the Squire as he laid his green bag on his desk and turned as Sam spoke.

"Mr. Branch, I would like to have you meet Tom, Mr. Benton, my best New York friend," said Sam, coming forward.

"So you are 'Tom,' Mr. Benton; well, if you are Sam's best friend, I think you and I have a good deal in common, as well as a good many people in this town. At all events, I think I shall feel entitled to call you Tom," said the Squire, with his delightful smile.

"Really, Mr. Branch," said Tom, quite flushed with pleasure, "that is mighty kind of you and I appreciate it. I don't wonder Sam likes Elmtown if people met him as you have met me."

"It depends a good deal on the fellow, Tom," replied the Squire. "I imagine you make friends more quickly than Sam. Am I right?"

"Yes, I make them much more readily than Sam and a good many more, but Sam's friends are closer than brothers, and mine, — well, mine are friends only as long as I am flush."

"I guess you are a bit given to exaggeration there," said the Squire.

"Well, perhaps, but boiled down there would be a nugget in it, with the relative proportions about the same as the original statement," said Tom.

"Now, Sam," said the Squire, "don't stay in the office to-day. Take your friend Tom around, show him the town and some of our characters,

and talk over old times. Forget the office as long as Tom stays and make him stay as long as you can. And, by the way, Tom: there is a room and a pipe, a glass of something and three good meals a day at my house while you are here. Sam has been working too hard, and I guess you are the only one who can get him out of the office."

"Thank you, Mr. Branch, I appreciate it more than you think. I am going to take a room to-night near Sam, as I shall have to go back to-morrow, and wish to see as much of him as possible. But I shall certainly call at your house, for I must see that little Polly whom Sam writes so much about."

"And I know she will be on pins to see you. Sam has told her a lot of your fun and mischief," returned the Squire.

"What a fine old boy he is. Gad! Sam, it 's worth a trip here to meet a man like Mr. Branch. By George! you have n't written a bit too enthusiastically about him," exclaimed Tom as they went down the stairs together.

"Is n't he?" chimed in Sam. "Tom, I have met a few great men and a great many fine men, but I never have met a finer combination of ability and simple-heartedness, firmness, unselfishness, and moral cleanliness than Mr. Branch. He is as reliable as the Rock of Gibraltar. The finest man I know."

"Sam!" said Tom, with conviction, "did the Squire ever have an important case with any New York parties?"

"I think so, Tom; I never heard him speak of it, but I know old Colonel Van Cleve was very much incensed against him for something, and I had an idea that Mr. Branch had crossed his bows somewhere," replied Sam.

"That 's it, sure, Sam. Old Van Cleve was in this case. There was some question about a syndicate of New York capitalists trying some dodge or other in regard to a big tract of land in the White Mountains region. Something about the damming of a navigable stream and keeping the public off the tract. They sent Burroughs and Anthony on with Dan Donahue to try the case with some New Hampshire firm, and the Squire licked 'em. Fairly played horse with them. I remember hearing how mad old Van Cleve was at the Squire's argument. He sailed into the old gentleman's motives in a very candid and compelling manner, and rapped him over the nose in a very free way. The Squire came on to New York in the final settlement, and had a conference with the Manhattan Trust Company officials and lawyers and made a great impression on them. Well, what I was going to say is that I saw the Squire at that time do one of the most kind-hearted and courteous acts I ever saw, and to a

total stranger. To-day when I saw him, I thought he was the same man, and when he spoke as he did I was sure of it. I was in Dooley's Chop House for lunch. Dooley always employs table-girls to do the waiting, and they have to walk a chalk-line too. It was a hot day, and there had been a rush, and the girl at the table next to me looked about done up. There were a couple of tin-horn sports at the table who had ordered an expensive lunch, and had been badgering the girl for keeping them waiting. Finally, the girl came along with a big tray of dishes over her shoulder, and just as she got near my table something happened, and the entire load crashed to the floor, smashing crockery and spilling everything. In an instant the head waiter and the proprietor rushed up in a rage, the girl put both hands to her face and began to cry, poor thing, and just then a fine-looking man — or gentleman, you could see it at once — stepped up and said to the girl, 'My dear young lady, I am so sorry for my carelessness and clumsiness. It was wholly my fault in having my foot where you fell over it.' The young girl looked at him as if she doubted her existence, while he turned to the irate proprietor and said, 'You will please allow me to pay you for the damage, to apologize to these gentlemen,' and he bowed to the tin-horn sports, 'for delaying their lunch, and to compensate the

young lady for her annoyance.' Now, I 'll swear, Sam, that the girl did n't come within a yard of his foot, and every one knew she did n't, but there was no disputing him, for he carried everything his way, paid a round bill for the broken crockery, paid for a new lunch for the sports, tipped the woman who removed the dishes, tipped the girl and the head waiter, shook hands with the proprietor, and walked out, after giving us all the finest lesson in kind-heartedness and courtesy I ever saw. I inquired, as did every one else, who he was, and some one said it was a New Hampshire lawyer who had licked Dan Donahue in a case, and we all wished there were more of them like him."

"That was Mr. Branch, I have no doubt; it was just like him. He is always doing kind things. He is a ripping lawyer, too; and when it comes to an actual trial, well, you should see him in action, that's all," said Sam.

During the afternoon Sam and his friend went over the town, saw all the local sights, and wound up by going to the station at the arrival of the six o'clock train, and had the sinful pleasure of seeing two pitched battles between drivers of rival coaches. Tom captivated every one he met by his jolly good-natured manners, his infectious laugh, and his frank interest in them and their affairs, so gratifying to country people. He did

not laugh at them, but laughed with them and made them laugh at him.

He had supped at Alvy's, and afterwards sat on the steps with the loungers and had had, as he assured Sam, the bulliest evening he could remember. He told them the story of Ike Parrish so naturally that they haw-hawed and slapped their knees and voted Tom a "buster."

Then, on Tom's invitation, they lined up at the bar and drank his health.

One man, expressing some disapproval at the quality of the whiskey, said it was bad, but was at once taken to task by old Allison, who said with much decision, "Bad whiskey! they ain't no sech thing ez bad whiskey. All whiskey is good, only some kinds is better 'n others."

"By the way, Kin," said Newt to old Mr. Flanders, "the' tell me there 's goin' ter be a tax on new rum."

"Wa-a-l," said the old gentleman placidly, "never mind, it 's wuth it, it 's wuth it."

Alvy having refused old Bige Pickering credit for a joint treat, Bige was moved to reminiscence.

"Alvy 'minds me of ol' Jimmy Bitum Haggin. Jimmy wuz so tarnal mean 't folks said that he wud give his gals 'n' boys ten cents apiece to go to bed without their suppers, 'n' then, when they wuz asleep, he would steal their ten cents."

"Jimmy Bitum Haggin! what a name!" roared Tom. "How did he get such a name?"

"Wa-a-l, some folks sez 't wuz because he was so mean 't he wud bite a cent in two. T' others said he kep' two dogs to keep boys out of his orchard and melon-patch, and he wuz allers hollerin' Sic-em, Bose, 'n' bite-em, Jim,' 'n' so they called him ol' Jimmy Bitum."

"They is some powerful queer names raoun' here, young man," said Allison.

"Really!" said Tom; "tell me a few."

"Wa-a-l, the' wuz an ol' cuss what fit into the Mexican War, 'n' he wuz allers a-talkin' 'baout gret ginerals 'n' battles 'n' battlefields, 'n' whatcher think he named his oldest boy?"

"Mexican War, — why, Zachary Taylor, I suppose, or possibly Sam Houston," said Tom, rubbing up his history and laughing.

"Wa-a-l, he did n't get them names in, though I don't zackly see why not, but he got in all the others, I reckon; wa-a-l, his name wuz 'George — Weston — San Antonio — Santo Bernardo — Castinietta — Lo Pedee — Santa Anna — Lovell.' Then the' wuz ol' Cale Piper who had eight children; he did n't give no long-winded names. Jes' plain ones, 't he could call 'em all to dinner quick; they wuz Liz, Luke, Sal, Mol, George, Harn, Dice, 'n' Jim. He wuz a putty smart ol' codger 'n' used to walk straight ez a cob when he wuz mos' eighty-five year ol'."

"Huh! smart! I 'll bate he wa n't no smarter 'n any other feller. The reason wuz because he wuz so dummed old 't he did n't know enough to know he wuz feeble," said old Bige, with a disgusted snort.

"Hullo, Ezry," said Allison, as a thickset man in overalls came along and took a seat on the banking, pulling out an old pipe, and leaning violently to one side while he scratched a match on the seat of his trousers, "whatcher been doin' to-day?"

"Been up to old Charles Nealey's movin' a slaughter-house across the rhud. Th' wuz a master squad uv rats, ole wallopers, some on 'em mos' as big as cats. Bill Donohue had his bull terrier there, 'n' thet 'ere dog was a buster fer killin' rats; just give em a grab 'n' a quick shake 'n' they wuz deader 'n ole Pharo, the feller thet got up the keerd game. Guess he killed 'baout fifty on 'em, 'n' we fellers welted a goo' many with clubs 'n' stomped on some, 'n' one on 'em run up ole Charles's britches leg, 'n' by mighty! yeou hed orter seen thet ole feller hop raoun' 'n' grab for his britches, 'n' rip 'n' cuss, 'n' him a piller of the church."

"I heerd onct," said Eben Caswell, "thet the' wuz a man at the Caounty Farm thet wuz eenamost et up by rats one night. They wuz a most almighty towse abaout it, 'n' the Caounty Com-

missioners advertised fer cats 'n' got 'baout tew million, 'n' they wuz sech a-yawlin' 'n' a-fitin' nights thet they hed to shoot 'em, 'n' they wuz more rats than ever. 'N' then the commissioners sent tew Boston 'n' got a wheen of ferrets, 'n' they killed all the chickens 'n' turkeys 'n' geese on the farm, 'n' bit tew er three paupers 'n' one er the Caounty Commissioners. They killed the rats, too, so 't wuz all right."

"Ho-a-ag!" rasped old Allison; "p'tu," he continued, aiming at a hitching-post; "speakin' uv rats, 'minds me uv the time I tended store up ter Yappin'. Kep' a reg'lar kentry store. 'T wuz kep' by ole Josh Burley. Wa-a-l, we dealt in grain 'n' supplies, 'n' crockery, 'n' groceries, 'n' new rum, 'n' hardware. Wa-al, you kneaw haow thick the pesky rats is in grain stores. So I hed seen some ole wallopers, 'n' so I loaded an ole musket, but could n't find any shot. An' I leaned the gun in a corner, 'n' thought I would get some shot the nex' day. Wa-a-l, one day, — p'tu, — I looked aout 'n' see the biggest ole gray rat I ever see, mos' ez big ez a tomcat. I grabbed the gun 'n' remembered they wuz n't no shot. 'T wuz springtime 'n' we hed a pailful of seed peas, so I grabbed a han'ful, poured 'em into the gun, rammed in a wad uv paper, 'n' tiptoed aout. The rat wuz there, trying to drag off a ham, 'n' b'goshamighty, I guess he would ha' done it 'f I

had n't come along, — p'tu, — 'n' let flicker. Wa-a-l, I guess I must 'a' hed a big charge in, fer the ole gun she went off like a cannon, sot my shoulder 'baout tew inches aout er plumb, 'n' me daoun in a bushel basket uv eggs, 'n' yeou hed orter hev seen me. I had grabbed fer suthin' when I went over 'n' hed let go uv the gun, 'n' I hed brung daoun a hull stand uv crockery, 'n' a barrel uv brooms, 'n' hed knocked the fasset aouter a bar'l er vinegar, 'n' the dummed ole gun had flew through the show-case 'n' busted tew dollars wuth uv glass. My close wuz clean spiled, 'n' ter tell it jest as it wuz, thet fool gun cost me 'baout thutty dollars, — p'tu. Wa-a-l, what I wanted to tell ye 'baout wuz this. Arter I got cleaned up, I went aout 'n' hunted, but I did n't find no rat, so I thought I must 'a' missed him. 'T wuz then 'baout the middle uv April. Wa-a-l, 'baout six weeks later I wuz lookin' aout the back door uv the store 'n' all 't onct I see thet big rat again, an' — ye wont bleeve this, but may I be struck dead this minute if 't ain't jest ez I tell it — thet 'ere dummed ole gray rat hed a pea-vine more 'n tew feet long spraoutin' from his back with blossoms 'n' pods on it."

"Gentlemen," said Tom, rising, "will you join me?" and there was a unanimous response.

Tom did not go away the next morning, but remained for three days longer. He made Miss

Ellis laugh as she had n't laughed for years, amused the Squire and little Polly until they nearly died with laughter, so won the affections of the Senator, the Captain, and their sister, that the latter sat down to the old piano with the yellowed keys and played the "Battle of Prague" and "Napoleon Crossing the Alps," two very ancient compositions, and on being pressed, sang with a very worn and cracked voice an exceedingly sad and tearful composition —

> "Are we almost there? Are we almost there?
> Said a dying girl as they drew near home."

And that other long forgotten song —

> "The postboy drove with fierce career,
> For threatening clouds the moon had drowned,
> When suddenly I seemed to hear
> A moan, a melancholy sound."

On being pressed for another, she gave them several verses of a most heart-rending ballad, —

> "One night when the wind it blew wild,
> Blew bitter across the wild moor,
> Young Mary she went with her child,
> Fleeing back to her own father's door.
>
> "Ah! how must her father have felt
> When he went to the door in alarms,
> For Mary lay there with her child
> Fondly clasped in her dead mother's arms."

And would have continued had not Tom seen that Polly was shaken with sobs, and Sam was

looking as if he could bite a railroad spike in two, when he cleverly turned their sober thoughts in another direction by giving some killing imitations and droll stories.

During these three days Tom had been everywhere, had delighted every one, and when he left for Boston on the afternoon train, intending to return to New York the next day, he was given quite an ovation by the station loungers, the hackmen, and the barge drivers.

The day he left he had said very soberly to Sam, "Sam, old man, I have n't been quite so enthusiastic about your engagement as you hoped. It is n't that I don't like Ethel Curtis. I do like her, and I think she is a beautiful girl, a sweet girl, and a good girl, but I do doubt her ability to make a happy wife or a helpful wife for a country lawyer, living in the country. No doubt, I am wrong, — I hope I am, — and I hope you will be as happy with her as you deserve. But Sam, how in the world you can pass over that dear, delightful little Polly for any one, I don't see."

Sam laughed. "Polly, bless her, is the dearest little girl on earth, and she is my sister, Tom; that 's all, but that 's a big difference."

"Well, Sam, I will serve notice on you now that sometime I am coming back to enter the lists for that young lady."

Sam felt a twinge of annoyance, and his face showed it, for Tom said, "I am in dead earnest, Sam, and am not joking one bit."

"Well, good-by, Tom," said Sam, in genuine regret at his departure; "give as good a report as you can to my friends."

"Good-by, old man," replied Tom, "I 'll make every man of them so envious of you that they will reform, every man-jack of them, and try to amount to something besides money-burners"; and the train started.

CHAPTER XIV

BROKEN TROTH

It was June again, and Sam was on the last lap before the examinations in September. He had been very much disappointed early in the previous winter, when he had been looking forward to a week's visit to New York to see Ethel, and she had suddenly accepted an invitation to spend the winter abroad with the Tivertons, who owned the big estate on the Hudson and the brownstone house on ——th Street. Bob Tiverton was an acquaintance of Sam's, a puffy, overfed fellow, of no particular importance except that of his great wealth, his habit of indulging himself without limit, and a biting, sarcastic wit that gave him a certain vogue in clubs where highly seasoned conversation was more in evidence than good taste.

Sam had always rather disliked the Tivertons, as he thought them a glaring combination of great wealth and bad manners, and he could scarcely have understood how Ethel could have been willing to spend a winter with them, had she not explained that her uncle, Colonel Van Cleve, and the elder Tiverton had been engaged in some financial deal that made it highly desirable to

have the Tivertons on the most intimate terms with them during the negotiations. If the idea ever occurred to Sam that Bob Tiverton's presence in the party meant more than a trip to the Baths to recover from his New York excesses, he resolutely put it aside as unworthy of himself and of Ethel.

In the past six months he had worked harder than ever, and had surprised even the Squire in the keenness of his mind and his powers of legal analysis. Indeed, so absorbed was he in his work, that he almost forgot to wonder at the short, infrequent letters she wrote. He never forgot to write her, regularly, long letters filled with his plans, his hopes, and his increasing love and longing for her. And yet at times he feared something, he knew not what.

One day the Squire came in with a bundle of letters while Sam was copying an account at his desk. Sorting his own from the pile he tossed Sam one, opened his letters, and began to read and to dictate to Miss Ellis. Sam saw at once that his letter bore a foreign postmark, and he opened it with an undefined fear at his heart. A clipping from the Paris edition of the *New York World* fell out and he read, —

> Married on the 28th day of May at the American Embassy, Ethel Pauline Curtis, niece of Colonel Crawford Van Cleve of New York, to Mr. Robert Manton Tiverton, son of Peter and Mary C. Tiverton, also of New York.

Sam made an odd clicking noise in his throat, and stared at the paper, while his face went deadly white.

The Squire looked up sharply. "What is it Sam? What is it, boy?" he said as he rose hastily.

"Will you read this for me, please, Mr. Branch," said Sam, pronouncing his words with difficulty. "I don't quite understand"; and he rose and extended the paper with a shaking hand.

The Squire took it, read it rapidly, turned to Sam and said, "It has come, then, Sam; I feared it."

"Then you think there is no mistake, Mr. Branch?" said Sam.

"None, Sam, none, it is straight enough. The *New York World* does n't make mistakes of that kind," said the Squire sadly.

Sam stood with his arm on the desk, and stared at the floor. For a long time he stood there without motion. Then he mechanically folded up the clipping with great care, stepped to the closet, put on his street coat and hat, and said, "If you don't mind, I think I will go out a while."

"But is n't there anything I can do, Sam?" asked the Squire.

"Nothing, Mr. Branch, this is a thing a man must fight out alone."

Then he turned quietly and walked down the stairs, and towards his room.

As he approached Henessey's saloon, a man stepped forward in his path. Sam turned aside, the man crossed in front of him. Sam looked up fiercely and saw Bill Evans, and the words of Nichols came back to him. It was true, then, that Bill had been training for months to thrash him.

"Get out of my path," said Sam, quietly, but in a tense voice and speaking between his teeth.

Bill thrust his face forward.

"Let 's see you make me, you damned ——"

Smack! smack! smack! went Sam's fists before Bill could draw back, and Bill flew off the sidewalk heels up, then scrambled to his feet in time to receive a rain of smashing blows. Down again, and again, under blinding blows that were rained on him like steel rods. Ha! that time Bill did n't get up. Henessey and several others tried to raise him, but he lay inert.

"Give him some water," said one.

"No, whiskey is better," said another.

"Bill, Bill, wake up, what 's the matter with you?" Then there was a splash of water. "There, that 's better. See! he opened his eyes. Wipe off the blood, some one. There, Bill, do you know where you are?" as Bill slowly regained his scattered wits.

Sam, who had been standing quietly, now stepped forward.

"Has the man had enough, or does he want some more?"

"Enough and more than enough, and if he had n't been a damn fool he would have known that a year ago. What are you trying to do, Bill, commit suicide?"

Sam turned abruptly and elbowed his way through the crowd, and walked rapidly towards Alvy's stable.

"Pat," he said, "bring out the kicker, and put on the Western saddle. I 'm going to ride him."

"Howly saints, Misther Randolph, yez won't be afther ridin' thot divil. Th' divil fly away wid him, he 'll be afther killin' yez."

"Go ahead, Pat, and bring him out, or if you are afraid, I 'll do it," insisted Sam.

"An' it 's not afraid Oi am, sor, fur mesilf, but Oi wud be afraid to back the divil."

"Well, bring him out. I will be down in a minute as soon as I get into my riding-clothes," said Sam as he went into the hotel.

It took but a few minutes for Sam to change. He put on his sharpest and heaviest spurs, and took a heavy rawhide whip, with a thong binding it to his wrist, and came into the yard where several of the guests and loungers were gather-

ing to see the fun. But Sam looked so pale and his eyes shone so that nobody said a word to dissuade him from what seemed to them a foolhardy attempt.

Pat and John were having trouble in saddling the horse, a powerful chestnut with magnificent limbs, a rolling white-rimmed eye, and small ears laid flat to his head, as he swung his quarters and lashed out with his heels whenever they attempted to tighten the girths. Sam, taking a blanket, threw it over the savage head, and then tightened both girths and carefully examined the saddle. Then he procured a twist, and seizing the horse by the nostrils, put on the twist, and held him until Pat put on a heavy bridle and martingale.

Then with Pat on one side and John on the other, they led him into the road, and Sam, carefully gathering the reins into his left hand, put one foot into the stirrup in spite of the plunges of the brute, and with a quick spring was in the saddle with his knees gripping like a vice. As he straightened up, the men let go their grips, and the vicious beast rose on his hind legs, plunged, rose again, whirled, kicked, and plunged like a demon. Whoof! down on his withers came the whip first on one side and then on the other. Up he went straight as an arrow, almost toppling backward, but was wrenched sidewise and the

spurs sent home. Up again, but received a heavy blow between the ears with the heavy butt of the whip, and the spurs were sent in again and again.

He could not stand that, and bolted like an express train, gripping the bit between his teeth, and taking magnificent strides. Away over the bridge, up the hill, and toward the beach he went like a flying shadow and the crowd lost sight of him.

"Suthin' must be wrong with Sam, I never knowed him to lash a hoss like that afore," opined old Allison. "He allus rid 'em easy 'n' kinder coaxed 'em, but this time he has ketched a tartar. Hope he won't be killed."

"Wonder whasser matter?" said Bige Pickering. "He kem aouter the offis, 'n' Bill Evans he picked a row with him, 'n' in tew minutes he licked Bill so he could n't git up, 'n' then he kem over here 'n' 's tryin' his best to break his tarnal neck. Suthin' is wrong."

"By tripe!" said old Kin Flanders; "seems like thet 'ere Bill Evans ain't knowed when he 's had enough."

"Ya-a-s, Kin, he knows it naow, 'n' sez he was a gol-blasted lunkhead, 'n' sez if Sam will shake hands with him he 'lows he 'll do it," said Eli Beede, sticking the butt of a gift cigar on the blade of his pocket knife so as to smoke it longer.

THE VICIOUS BEAST ROSE ON HIS HIND LEGS

"Pshaw, ye don't sesso; wa-a-a-l, Bill 's got more sense knocked inter him then I thought, — ho-a-a-g, p'tu," said Allison, sitting down with great care and much stiffness of legs.

"Wonder where young Randolph 'n' thet crazy hoss is now?" mused Bige aloud; 'baout time fer him to be a-showin' up, ain't it, Alvy?"

"Huh," said Alvy, with huge affectation of indifference; "he ain't likely to git back fer an hour yet."

"Wal, 'f he don't git raoun' in haffernour, I sh'd hook up a hoss 'n' look fer his remains," said Kin.

"What 's th' use of bein' sech a dummed ol' croaker, Kin? I tell ye thet young feller ain't comin' ter no hurt with a hoss," said Allison.

A half-hour passed. Alvy hustled in and out attending to the wants of customers, and occasionally peered watchfully down the road. Then two men drove in from the beach, but said they had seen nothing of the horse and rider.

An hour passed, then another half-hour.

Alvy came out. "Pat, hook up the Chase mare to the light Concord."

Pat rushed to the stable to hook up the mare, John to the carriage-house to run out the Concord. The loungers arose as Alvy came out with his precious ivory-handled whip. Something was going to be done. Just then the sharp hoof-beats

of a trotting horse were heard, and Sam rode quietly into the yard with a sweat-crusted, tired, and very tame horse.

"There, by mighty, what 'd I tell yer?" demanded old Allison.

"Jes' what I thought, b'goshamighty," said Bige gleefully.

"Got any hoss left, Sam?" inquired Alvy cheerfully.

Sam dismounted somewhat stiffly and laughed grimly. "Yes, Mr. Dole, there is plenty of horse there yet, and what is left is of the best quality."

Then Sam himself removed the saddle, and had Pat wash the horse with lukewarm water and soap, while John rubbed his legs with witch-hazel and bandaged them to prevent soreness in the muscles. It was ten o'clock when, after seeing the horse cooled and fed and having eaten a light supper, Sam went to his room. He was weary and sick at heart now the excitement of his two battles had left him, and he flung himself down on his bed and gazed upwards in the dim light. He could hear doors shut, and people going along the corridors to their rooms, and the voices of the loungers in the yard.

Little by little the voices died away, the sounds in the streets became quiet. Now and then a belated team drove by, and once a team entered the yard. He could hear John's sleepy tones as he put

up the horse. Once in a while a horse stamped or rattled his manger, or he heard the distant song of a reveler going to a late bed. Occasionally a dog barked, and once a sleepy crow from the hen-house was heard. Sam felt he was alone with his bitterness, his wretchedness, the blank feeling that everything had snapped.

He thought bitterly of how he had worked and planned and schemed for her, and then he realized what a useless, worthless, unlovable cad he was, and how weak and selfish. He had friends, the Squire and Polly and Ben, Miss Ellis, Tom, the Senator, and scores of others, and he was a selfish, utterly selfish brute to lie there like a whining hound just because she had shown the good sense to throw him over. But Bob Tiverton, of all men, — sly, selfish, sarcastic, wicked, dissipated. Well, it would serve her right, he hoped — no, he could n't quite bring himself to hope she would be wretched, but he hoped she would some day realize that she had made a mistake, and that wish was a proof of his selfishness, for why should n't she — well, curse it all, what a mixed-up, dismal affair life was anyway! he would go to sleep and forget it and everything else.

The night wore on, the big bell of the Congregational Church struck twelve, and Sam, from very weariness of mind and body, drifted into a

half-wakeful doze. Now he was fighting Bill, and finding, to his unspeakable vexation, that his arms were suddenly paralyzed; now he was riding the furious chestnut with a broken bridle and the saddle turning; again he was striving to get to the church in time to prevent a marriage from taking place, only to find that his legs bent under him and he could scarcely crawl. He struggled fearfully, the sweat burst from him, and he awoke trembling and with a sigh of relief. Yes, the dream was true: he could not reach the church in time because he was tied hand and foot in this cursed country town, while she — but no more of this! he would sleep and would forget it. The silence of the summer night was intense: even the night breeze slumbered, and once he thought he heard light steps going rapidly through the yard. Who could be out there at this time? Possibly one of the men, or some loafer or drunkard, who had been sleeping off the effect of a debauch, slinking home in the darkness. Sam turned restlessly on his couch. Suddenly he realized that he was in his riding-clothes, having only removed his spurs. Perhaps if he undressed he could sleep. So he got up and went to the window, drew up the curtain to look out. It was a dark, overcast night, with no moon behind the clouds. He half turned, when he saw a faint light in the direction of the lower barn. He stared. A flicker

of flame darted out, grew larger and faintly lit up the black outlines of the barn, until Sam could see spirals of white smoke coming from the cracks. The light grew and the horses began to stamp, whinny, and cough. The barn was afire!

Sam dashed into the corridor, ran to Alvy's door and pounded. "Get up, Alvy, the barn is afire!" he yelled.

Then he dashed downstairs, unlocked the side door, and plunged into the yard. The flames were now crackling, the light was growing, and the stamping of the horses was thunderous. He rushed into the hostlers' room, yelling, and dragged them out bodily, asking them for God's sake to unlock the barn. Both had been drinking and fumbled for the key. With a curse Sam seized an axe from the corner and sprang for the barn door. It was locked. He brought the axe down with a crash, and splintered the lock, and ran the door back. A gust of smoke met him and a glare of flame was visible in the lower barn. Two of the horses, Robin and King, stood in the floor. He rushed in and began to unfasten the others and drag them from the stalls and lash them towards the big doors.

Pat and John, sobered, joined him, and, careless of danger, dashed among the stamping, whinnying, struggling brutes, and cut their halters, and forced them into the floor space.

The crackling had increased to a roar, and they could not get into the further barn. The agonized bellowing of the tortured cow, the hideous hoarse screams of the burning horses, the squealing of the hogs and the screams and shouts of John and Pat as they beat back the frenzied horses, who tried to rush towards the light, made a terrifying uproar, in the midst of which the thunderous bellow of the gong was heard. Some one had pulled in an alarm.

The horses in the east and middle barns were loosed and driven out, but wheeled and came charging back into the barn like a troop of cavalry, to be checked by blows and yells. As they wheeled, snorting and squealing, Sam rushed for the chestnut, ran the trailing rope of his halter through his mouth, sprang on his back, swung him round and dug in his heels with the horse-wrangler yell he had learned on the Plains, that shrill "Whoo-oop-ee!" that horses will follow. They turned like wild horses and followed him. People running towards the barn scrambled for safety, and the troop of horses, with heads up, eyes staring, and tails streaming in the wind, rushed over the bridge in the wake of the whooping maniac on the big chestnut. Across the bridge Sam swung to the left straight for the millyard with its high fence, shouting for the watchman to open the gate. In a moment the horses were safe,

and Sam, flinging himself on the ground, gasped and choked from smoke-sickness.

Then he scrambled to his feet and ran across the two bridges, back to the fire. He had not been gone more than ten minutes, but in that time the fire had spread fearfully. The flames roared to an incredible height, flaming shingles, brands, and thousands of sparks streamed off on the wind.

In front of the engine-house the big steamer was dancing up and down like the lid of a kettle, while two heavy streams were thrown into the centre of the raging crater. Men with hooks were trying to pull down the sheds, and were being driven back by the intense heat. As Sam came running across the bridge, he saw frightened pigeons from the lofts fly over the fire and drop like bullets when the fierce heat struck them. The road was lined with carriages drawn from the carriage-house, barges from the open shed, and piles of harness and poles; stoves, bedding, furniture, and every kind of domestic utensil was being dragged out of the hotel and the neighboring buildings. The billiard hall had caught, the carriage-house was burning fiercely, and a large bakery and store adjoining the billiard hall had begun to smoke and scorch.

Telegrams were hastily sent to Haverly and Devon for assistance, and the old hand-tubs, but

lately discarded, were rushed out, backed to the river, and limbered up with eager crews. Five streams were now hissing and sputtering on the fire, but it raced and ran and roared like a gigantic furnace, while buildings smoked, scorched, burst into flames before they could be cleared of their contents. Bucket brigades were formed, which drenched the roofs of near-by buildings, wet blankets and carpets were hung down on the sides, small buildings were pulled down bodily by long lines of men with huge hooks. The hose-men dropped, and their places were filled by others, the pumpers staggered from the brakes exhausted, and volunteers rushed to help them.

On the top of the old Fountain stood Bill Evans, his face bruised and blackened, his shirt open at the throat, his hair wildly tossed over his purple-rimmed eyes, his huge legs going up and down on the brakes like piston rods, his hairy arms waving in unison with the stroke of the plunger, and his big voice roaring oaths and encouragement to his men, "Now, give her hell! Give her hell, I tell you! That 's the way! Down with her, down with her, — now! Now!! Now!!! Bully for you, damn yer! bully boys!!"

Charlton, the chief, chewing a cigar, cool, quiet, emotionless, was everywhere, directing his men, a nod here, a quick word there, a bellowing call upon his trumpet to those at a distance. Oc-

casionally he looked at his watch and listened intently. Suddenly the far-away shriek of a locomotive was heard, then another from a different direction. "They are coming all right," he said.

Two of the barns had fallen in, the billiard hall was a seething furnace, the bakery roof had fallen, the hotel was ablaze from cellar to garret, and the line of small stores, saloons, and restaurants was afire in dozens of places. The hose-men lay protecting themselves from the intense heat by doors wrenched from the buildings, from behind which they held the stream straight into the crater of fire.

The carriages, furniture, and contents of the buildings were dragged to the square to prevent them from burning in the narrow streets. Crowds of people stood in the square and watched. Every man who could lift a hand was impressed into service at the brakes, the bucket lines, or in removing furniture. In spite of the desperate work of the firemen, it looked as if the whole street would go. Sam, who had forgotten all about his property, running about on roofs and ladders, lifting huge weights, taking his turn at the brakes, suddenly thought of the office, and rushed towards the square. Then he heard loud cheers, and saw a sight that stirred him to his heels. Up the street came a shining engine, trailing a stream of sparks in its wake, and drawn by

two splendid black horses in a stretching gallop. Behind came a second engine, drawn by three gray horses leaping like deer, two hose-reels following; and behind them a barge drawn by the Major's four, filled with swaying helmeted men. Straight to the double bridge they swung and stopped, the barge horses ploughing the ground for yards before they could pull up. In a trice the hose was unwound, coupled, and six heavy streams reinforced the torrent from the town engines.

At seven o'clock, Sam, dirty, disheveled, scorched, haggard, and tired to death limped into the Major's hotel.

"Major," he said, "I want a room and a bath, a quart of milk, and I don't want to be disturbed."

When he had taken a long, soapy scrub, he drank the milk slowly, crawled into bed, and fell into a dreamless sleep. It was seven o'clock that evening when he awoke, ravenous.

CHAPTER XV

A CELEBRATION

It was the last of September and the nights were growing cool. Sam had passed his examinations brilliantly, had been sworn in at the Capital City, and was now an accredited member of the Rockaway Bar. On his return he had been invited to partake of a congratulatory supper at the Squire's. Doctor Barry, Miss Ellis, the Captain, the Senator, Miss Hilton, Ben, and Polly were there. The supper had been all that could be expected, even with so good a cook as the Squire's. Polly, now an extremely beautiful girl of between seventeen and eighteen, but recently graduated into "real long dresses," had presided with the gracious dignity of a thoroughbred. Both the Captain and the Senator had made speeches of congratulation, rich in choice classical and literary quotations, and quaint originalities. Then they sat at ease about the fireplace, and the men smoked while the ladies sipped their black coffee from tiny cups of fragile and priceless china.

"Squire," said the Senator, "what became of old Lem Peterson, of West Stratford, your old

client in the Ice Company case? I remember him as a very original character with a strong liking for stimulants."

"Oh, Lem," laughed the Squire; "I ought not to laugh, for Lem, poor chap, is dead. But even when dying, he was amusing and original. I was laughing at what happened the last day I saw him. I heard he was sick and went down on purpose to see him. His brother Ike came to the door and said, 'Goshamighty! Squire, I be right glad ter see yer. Lem is goin' fas', and I want yer sh'd see 'im. He allers sot considerable store by yer.'

"So I went up to Lem's room. Lem lay there with his eyes shut, breathing very loudly. He was evidently far gone. Doctor, here, was standing by his bedside feeling his pulse. I tried to go back, but Ike would n't let me, saying that Lem had asked for me that afternoon. There was n't a word said for a moment, but finally Ike said, 'Brother Lem, Squire Branch has come to see you.' Lem made no response; did n't even open his eyes. Then Ike said again, a little louder, 'Brother Lem, Squire Branch is here.' This time Lem nodded his head a bit, and made as if he wished to speak, and the doctor gave him a stimulant. Then he opened his eyes, looked at me, and slowly said, while a sort of dry smile wrinkled the corners of his eyes and a glint of amusement shone for a moment in them, 'Squire,

I only — wanted — ter ask yer 'f *new rum* wuz still *legal tender* in old Elmtown.' Then he relapsed into unconsciousness and never spoke again.

"Lem had a brother Simeon, who was very religious and also very mean," continued the Squire. "His hired men always said if he would have his bills of fare a good bit longer and his grace before meat a good bit shorter, he would get along better. He gave all his boys the names of great preachers, and he had three, Starr King, Henry Ward Beecher, and Jared Sparks. But, poor fellows, they could n't live up to their names. Starr King Peterson went West and was lynched for horse-stealing. Henry Ward Beecher Peterson went to state prison for burglary, and Jared Sparks Peterson entered a similar institution as an habitual criminal."

"Doctor," said Sam, addressing old Doctor Barry, who sat smoking and looking into the fire, "who was the most interesting patient you ever had in your local practice?"

"Well, Sam," replied the doctor, removing his cigar, "that is quite a question when you consider how long I have been here in practice. I have had all kinds, all classes, all ages, all degrees of intelligence."

He smoked a while reminiscently, while a humorous light appeared in his eyes and queer laughing wrinkles at their corners.

"Really, Polly, if Doctor is going to tell some of his medical stories, I think we had better go into the other room," said Miss Hilton, laughing as she rose and slipped her arm through Polly's.

"Not the slightest need of it, ladies," said the Doctor, laughing in his turn; "this story is absolutely free from any unintelligible medical terms. Something you can readily understand and appreciate."

"That is the trouble, it is too practical. At all events, I would like to see Polly's room since she had the new paper put on and the new dressing-case. We will be back in a few minutes, so make the most of your opportunity, gentlemen," replied Miss Hilton, as the gentlemen all rose while the Squire handed them to the door with a profound inclination.

"Well, to return to our muttons," resumed the Doctor, "the most interesting patient was old Elijah Percival, the most polite, courteous, punctilious, gentlemanly old ramrod in the state. Really a very fine old gentleman, with the manners of the Court of France. In his old age he had a rather unusual kind of softening of the brain. He did not become childish, but if anything more polite than ever, more stiff-backed, more old-fashioned. He could not realize that he was in any way feeble, and accordingly walked out every time he took a notion. His memory for detail

was, however, somewhat impaired, and on these occasions he would array himself in coat and vest, high collar, stock or choker, spend a half-hour in the proper adjustment of his neckcloth and gloves, and then issue forth, resplendent to his waist, but utterly devoid of trousers. To see a mortified, indignant, and red-faced relative or nurse escorting homeward a polite and bowing gentleman without trousers, and followed by a crowd of cheering youngsters was a very frequent and cheerful sight.

"Occasionally, to vary his industries, he would take a pail, go to a neighbor's front door, and work the door knocker up and down violently, and wonder why the water did n't come. On one occasion, concluding that the pump was frozen, although it was July, he went back to his house, procured a pail of hot water, returned, and poured the hot water through the letter slot in the neighbor's door, and again worked the knocker until forcibly removed.

"He would never precede a lady into a room downstairs or follow her upstairs. These traits of courtesy were so ingrained into his very fibre that they lasted until his death. Indeed, a very funny thing happened but a few days before his death. His nurse, for he was then very feeble, had got him ready for bed, and said, 'Now, Mr. Percival, your bed is ready, the covers are turned down,

and it is getting late. I think you had better get into bed.' With a bow such as Beau Nash might have made, and with his hand on his heart, the gallant old gentleman said, 'But, Madam, after you.'"

"Mr. — ah — Randolph, what particular branch of the law do you propose to follow?" asked the Senator, when the laughter ceased.

"General practice, I hope, Senator," said Sam; "I hope to try cases in court. I think I shall like that, but I like office and probate work and conveyancing. I really like it all, but I fancy I would prefer court and jury work."

"Do your plans for the future include political activity, or merely an interest in the matter generally?"

"I have an interest in politics, of course, and I have some very well-defined ideas of what I should like to do in local politics. But I certainly do not intend to have anything interfere with my profession."

"Would you mind acquainting me with your ideas, young sir?" said the Captain.

"Not in the least," replied Sam. "They are simple enough. I do not believe in electing to any office an incompetent man or an immoral man, or a man who is unreliable. I think indifference is the bane of the country life. For three years I have seen men elected here in this town to offices

of dignity and responsibility, whose immorality, whose indecency, has been a byword in this town. I have seen reputable men publicly advocating their election. I think it is the duty of every decent man to object to a thing of this kind as an insult to every resident of our town."

"Then you are to be a reformer are you?" asked Doctor Barry.

"If by reformer you mean a man who will vote against abuses and against immorality and indecency and moral indifference, I am a reformer. If, on the other hand, you mean a man who goes about preaching, and neglecting his own affairs, while endeavoring to induce people to look better after theirs, then I am emphatically not a reformer," replied Sam.

"But still a reformer in a way," replied the Doctor, smiling.

"Yes, but in the way every man should be a reformer; that is, if the ordinary citizen would insist upon office-holders doing their duty, would vote for such men only as they had reason to believe would do their duty, and would put them on the official black list whenever they failed to do at least the best they could in the line of duty, there would be precious little call for reform."

"That is true enough," said Ben quietly, "but the trouble appears to be that the principle you speak of is not practiced in practical politics, al-

though its recognition as a principle is boasted of as the basic principle upon which each party is founded. Whenever a person actually attempts to practice that principle consistently and honestly, he is termed a reformer, and is either ostracized, outlawed, with a price upon his head, or put to political death without the benefit of clergy."

"Might I ask, Samuel," said the Senator, "what your politics might be?"

"I am a Republican, and a fairly consistent one, too, I believe," replied Sam.

"Then, as a Republican you would undoubtedly bow to the will of the majority, would you not, sir?"

"Why, yes, Senator, I should, I suppose. That is, if you mean I should not bolt a nomination. I should not go as far as that, although I would not vote for a man whom I could not trust, even if he were indorsed by my party. I would simply scratch his name. I would not vote for the opposite party, because that would be indorsing a principle I did not believe in."

"I am afraid, Samuel, you would be — ah — stigmatized as an Independent, in this vicinity, at least," said the Senator, in the tone of one pronouncing a death sentence.

"Well, I confess I don't like the word 'Bolter,' but there are lots of worse things you can call a man than an 'Independent.'"

"And the terms 'Reformer' or 'Independent' are not such as would invite political or — ah — professional confidence. And that fact might militate, sir, against success in your profession."

"You forget, gentlemen," said the Squire dryly, "that I have been an 'Independent' — ever since I came here."

"Pardon me, Squire," said the Captain, "I apprehend, sir, that neither my brother, the Senator, nor I myself have forgotten that very remarkable, sir, very remarkable fact. But in your case it was a bit different. It takes a very strong man to do that, sir, a very strong man."

"Yes, I had to fight, and fight hard, but I think it did me good. Sam likes to fight as well as I ever did," said the Squire.

Sam colored with pleasure. "I am afraid I do like opposition. I suppose that is one reason I thought of becoming a lawyer. The other reason is Mr. Branch," said Sam.

"Have you made up your mind, Samuel, just what office you will try for first?" said the Captain, with a profound bow.

"Oh, yes, I made up my mind a year ago. I shall become a candidate for County Solicitor."

"When, for kind Heaven's sake?" said the Squire, in astonishment, sitting up and nearly dropping his pipe.

"I shall put a notice in the Elmtown *Crier* this

week and send one to the Brookmouth *Chronicle;* that is, Mr. Branch, unless you prefer not to have me run," said Sam.

"No, no, Sam. I don't object to it, only it is a bit sudden. I think as you do that Langton has been pretty slack in his methods, and there is good ground for asking for a change. But of course you don't expect to get it the first time?" asked Mr. Branch.

"No, of course not. If I can get a half-dozen delegates or even two or three, I shall have made a beginning. Then in two years I shall try again. If, however, a good square man comes up as candidate, who will promise to keep things reasonably clean, I will withdraw. I am not set on being County Solicitor for the honor or the money, but there are a good many abuses in this county that ought to be stopped. It does n't take a three years' residence to find that out."

At ten o'clock, Sam and Ben took leave of the Squire and Polly and strolled down the street together. The Senator, the Captain, the Doctor, Miss Ellis, and Miss Hilton had preceded them in the family carriage, a species of almost Colonial or pre-Revolutionary ark, with huge leather springs.

After the guests had left, Polly turned to the Squire, put her arm over his shoulder, and said, "Uncle Ira, are you glad that Sam is going into politics?"

"Yes, my dear, in a way I am. If I felt that he was going to neglect his profession or lose his ideals by becoming a politician only, I should object very seriously. But Sam is one in a thousand, and I am not afraid for him. He will get some hard raps, but hard raps never yet hurt a man of strength and courage, and Sam has plenty of both."

"But I have heard you say that a lawyer can do no better than to attend exclusively to his profession."

"Yes, that 's true enough, my young lady," said the Squire, pulling her ear, "but becoming County Solicitor or Attorney-General or a judge of a court is directly in the line of his profession, and politics is the necessary path to get there."

"But people have told me that you might have been a judge, or the Attorney-General, or go to Washington or had anything you wanted without trying," insisted Polly.

"And because some one told you that, you thought it must be so, did you, Miss Innocence?" laughed the Squire.

She nodded brightly.

"It reminds me of an old man named Beri Caverly who came to me once in great indignation, stating that a certain saloon keeper had spread the report that his son, Jim Caverly, was

dead, and had caused his family a very great deal of trouble, worry, sorrow, expense, and several other things. I told him if the man had started a report of that nature, and had done it willfully or ignorantly, he would be liable to any one injured by the report. So he left the case in my hands, and I accordingly wrote the man a letter, telling him I had a claim against him for collection, and asking him to call at my office forthwith. He came promptly, took a seat, and I informed him what I wanted to see him for.

"'Wull, Misser Branch, sor' (he was an Irishman and a real one), 'wud yez be afther knowin' Jim Caverly, th' omadhaun?'

"I told him yes.

"'An did yez iver hear ony good of the droonken divil?'

"I told him that was not the question. The question was, 'Did he start that story?'"

"'Sure, mon, an' Oi dud thot.'

"'And you knew, did you not, Mike, that he was alive when you told the story?'

"'An Oi dud not know thot, sor.'

"'What reason had you for believing him dead?'

"'Fwat rason, sor, th' bist rason, he sid so himself.'

"'He said he was dead, Mike! what, are you crazy?'

"'An it's not crazy Oi am, sor. Hearken an' Oi 'll till ye. 'Twaz this way. Jim Caverly, the divil, kim to me saloon. He wanted a dhrink. His dhrink wuz a glass of whiskey 'n' two glasses of beer. A dom bad mixsthure, sor. Wull, Oi wud not give him a dhrink 'til he paid me. So finally he sid, "Mike, if Oi 'm aloive at six o'clock tonight, Oi pay yez," an' he crossed his troat, he dud, sor. Wull, sor, Oi let him have a dhrink, an' six o'clock came an' Jim, the divil an' ahl, he niver came. So I knowed he wuz dhed, an' Oi toald it, sor. An' he is aloive, yez sa-a-y? Wull, Oi shuld n't belave all Oi hear.'"

Polly laughed a bubbling laugh. "You do have some funny cases, Uncle; tell me another, one about — let me see — about — well, about Mr. Lovell. He is funny, and I should think he would have some funny cases."

"Yes, Tom has some funny ones. You see he gets very earnest in his cases, and believes in them so thoroughly that it takes a good deal to convince him he is wrong. Generally it is impossible, but he had one case a while ago that convinced him he was on the wrong side. A client of his had brought suit against a client of mine for refusal to accept an expensive couch he had ordered. My client said it was n't built as he ordered it. That it was not made of as expensive materials and was not made strong enough. Well

the witnesses were put on, and after the evidence I made the first argument, and of course I argued as strongly as I could the iniquity of trying to palm off on my client a frail, flimsy, cheaply built couch instead of the one he expected to have. Tom was getting madder and madder every moment, and when I got through he jumped up as if he was sitting on a hot stove, and the way he sailed into my client and me was really sinful. Then he came to the question of the materials and strength of the couch. 'Why, your Honor,' he yelled, waving his fists in the air, 'strong! it was as strong and lasting as the eternal hills. What better example of its strength do you want than this?' and Tom gave a running jump and lit right in the middle the couch, expecting to bound lightly back. Instead of this, there was a prodigious crash, a rattle of springs, a rending of ticking, and Tom disappeared in a whirl of excelsior, dust, ticking, and broken slats. After hard work we managed to pry him out and pull the springs out of him. He looked as if he had been rescued from the ash barrel. The Court, who had thrown aside the judicial ermine to assist in the rescue, promptly ascended the bench, resumed his seat, and said, The Court desires no better example of the strength of the couch and gives judgment for the defendant.'"

Polly laughed again. "Uncle," she said tim-

idly, "have you ever regretted not going to Washington?"

The Squire looked at her sharply. "What has come over you, Polly? Why do you ask such a question? I am glad I did not go, really glad. I could have gone if I had wanted to."

"That 's all I wanted to know," said Polly, kissing him.

CHAPTER XVI

RUNNING FOR OFFICE

THE Elmtown *Crier* of the Friday following contained this personal item:—

To the legal voters of the County of Rockaway: I take this opportunity of announcing myself a Republican candidate for the position of County Solicitor at the November election. If elected, I shall make an honest attempt to enforce the existing laws without fear, favor, or political bias.

SAMUEL RANDOLPH.

ELMTOWN, September 4, 188–.

This notice caused some surprise, a good deal of amusement, and some little indignation.

The Brookmouth *Chronicle*, a daily, promptly came out with an editorial couched in sarcastic terms. It wished to know who Samuel Randolph was, and why he had come forth from the jungle of oblivion at this psychological moment to save a bleeding country? It begged its generous readers to furnish it with some information as to Samuel Randolph, his race, age, and previous condition of servitude. Was he a Lincoln, a Washington,

or "some Cromwell, guiltless of his country's blood"? It called upon some honest yeoman to stand forth and explain how the Republic had so long stood firm without the support of Samuel Randolph, hitherto unknown, and why it had not fallen crashing from its proud height. It opined that, while no indications of its approaching dissolution had so far been apparent to officials who had been for years intrusted with the proud privilege of conserving its welfare and its good name, yet it thanked Heaven, for having sent this Seer, Prophet, and Protector, Samuel Randolph, the Great Unknown.

The Brookmouth *Guillotine*, an opposition paper, remarked that while it was undoubtedly true that a complete change in county officials should be made, and in no office more than that of County Solicitor, it thought this announcement by an unknown man and a newcomer into the state a colossal piece of assurance, to say nothing of impudence. That it had understood that Mr. Randolph had been admitted to the bar for about a week, or, to be exact, ten days, and that it might be well for him to wait until the ink on his certificate was dry.

The Lamprey River *Indicator* ventured the opinion that the legal voters of Rockaway county knew and appreciated the high character and efficient services of the present incumbent in the

office far too well to consider for a moment the claims of a city man who was volunteering to show us country bumpkins how to run our country affairs.

In short, the newspapers, one and all, laughed Sam's announcement to scorn, and made merry over his audacity in bringing his name before the public, and as copies of these papers were promptly sent him, he had the rather doubtful pleasure of seeing himself as others saw him.

Sam grinned somewhat sheepishly over these articles, while the Squire laughed heartily, telling Sam that on the whole they were rather mild than otherwise, and that should he at any time become a really dangerous factor in the campaign, he would be busy in dodging far heavier literary brickbats than these. Polly, however, was very indignant and did not take it at all kindly that Sam did not proceed to the editorial rooms in succession and mop the entire premises with their editorial bodies.

In spite of the ridicule that followed Sam's shying his castor into the ring, some of the old-line men were a bit worried. They knew perfectly well that some of their officials had neglected the duties of their offices, that some were incompetents, and that some were corrupt, and they knew that a strong, honest, likable young fellow would find many followers. So they made in-

quiries and probed around until they found that, although they need have but little fear for the present campaign, Sam was just the man to command enthusiastic support after a few years. So they began to arrange very quietly and carefully to choose as delegates to the County Convention men on whom they could rely to pledge themselves to vote for the incumbents, and in this they were eminently successful, as they were men of great tact, shrewdness, and liberality.

On the other hand, Sam made no open campaign beyond seeing a few of his friends in different towns. A good deal of work was, however, done for him by some of the better class of citizens, both in Elmtown and in other places where the Squire was known, and by men who were disgusted with the spiritless prosecutions of the present Solicitor. Sam made one speech in Brookmouth, the stronghold and residence of a majority of the county officials. It was rather an unusual thing, but, as it had been suggested to him that he ought to make some public statement of his platform, he thought the fairest way to his opponent was to make such statement in that opponent's bailiwick.

He had no difficulty in hiring a hall or billing the town, although it cost him about twice or three times the usual amount, but, as Sam said, "luxuries evidently came high."

On the evening of the speech, Sam found the hall crowded to the doors with a very strong proportion of square-jawed, red-faced gentry, all smoking and evidently looking for fun, trouble, or a combination of both.

As he entered the hall, he had to shoulder his way through the crowd to the platform, which he found deserted, the committee of introduction having failed to appear. However, he stepped upon the platform, removed his coat, looked at his watch, and advanced to the desk, opened his mouth to speak, and was greeted with a tremendous uproar of yells, whistling, stamping, catcalls, and a string of sarcasms.

Sam smiled and waited until they became quiet again, and a second time attempted to speak, only to be greeted by a louder tumult than before. A half-dozen times this happened. Finally, Sam took a seat on the edge of the table, took out a cigar from his case, carefully cut off the end, lighted it, and calmly smoked, surveying the audience good-naturedly, as if they were an interesting study.

The noise promptly stopped, and a few hand-claps were heard. Sam took no notice, but smoked imperturbably, removed his cigar flicked the ashes from the tip with his little finger and took a fresh pull at it.

The crowd became impatient, "Well, why don't you say something?" cried a big voice.

"Have you all finished?" asked Sam, smiling.

"Yes, go ahead, get it off your mind, lethergosmith," cried the crowd.

"Gentlemen and Muckers," said Sam crisply, but with a most engaging smile, "to the former I apologize for smoking in their presence, to the latter for not smoking a dudeen, a bulldog, a corncob, or a clay. I suppose you are waiting to hear the usual thing, that you, the workingmen, are the pillars of our national prosperity and the backbone of our financial success; that you are the real rulers of the nation, and all the rest of that home-made confectionery with which political speakers usually lubricate and beguile you. But I am not here for the purpose of beguiling you, flattering you, or winning you over by treacleized oratory. I am here to tell you what I stand for in this campaign, and incidentally, perhaps, what I think of you. And perhaps, for the purpose of convincing you that I am not here to flatter you, I will say in the beginning what I think of you. I think the reception you have given me is one of the rankest exhibitions of bad manners and muckerism I have ever seen. I have seen it done to public speakers in England, and I have been ashamed of the stigma to the traditional fair-play spirit that Englishmen talk about, but I did not expect to meet it in decent New England. Now, men of Brookmouth, I am

ashamed of you, of every man of you that took part in this demonstration, and if there is still any doubt of my estimate of you, I can state it in still plainer words. Do you wish me to go on or not?"

For a moment there was an absolute silence. The audience had not bargained for this, and it rather took their breath away. They stared at a powerfully built young chap, standing cool and quiet, with his hands in his pockets and a half-smile on his face. They rather liked his frankness and they admired his courage.

"Go ahead, young feller," bellowed the big voice again, "we can stand it if you can."

"Thanks," said Sam with a smile; "here goes then." And he launched into his speech, a straightforward, candid review of the condition of the county, the laxness in the enforcement of its laws, the tolerance of and indifference to immorality, and the open acknowledgment of the existence of an almost graded scale of prices in the purchase of votes. He scored the public roundly for its indifference, for its acquiescence in questionable methods of obtaining political office, and he roundly scored the public official, who, after taking a solemn oath to do his duty, yet allowed himself to be so wrought upon by public sentiment as to neglect or refuse to perform the duties under the plain interpretation of law.

He was not again interrupted during his speech, and when he had finished, a number of the audience came forward and thanked him for his plainness and his courage. But the papers of the following morning gave the most jaundiced and prejudiced accounts of the affair, called Sam a traducer of the fair fame of his county, the foul bird that defiled its own nest. They accused him of wild exaggerations, ignorant conjectures, and positive untruths. They extolled the ability, honesty, tact, courtesy, shrewdness, and experience of the County Solicitor as superior to anything the county had seen for many years. They belabored the sheer "brass-mounted, nickle-plated cheek" of this self-centred, opinionated "yearling" as something unprecedented. Indeed, so abusive did they become that several of the leading papers in the state took up the matter and gave a *verbatim* report of the meeting, signed by several independent citizens of Brookmouth, that quite changed the complexion of things, and Sam found a gratifying wave of sympathy for him daily increasing in extent.

Among the lawyers Mr. Blunt had talked most disparagingly of Sam's ability. As he was very much given to underrating his brother lawyers, he was regarded as a sort of "head hunter" by them, and under ordinary circumstances they paid very little attention to what he said. But as

he had never forgotten Sam's testimony in the Drake *v.* Blunt assault case, and as he was by nature a most revengeful man, he quite outdid himself in the malicious slurs, innuendoes, and exaggerations concerning Sam.

This made the Squire very angry. However amusing, or of little importance he considered the press articles, his professional etiquette would not allow him to pass over Blunt's outrageous violation of its traditions, and he adopted this means of humiliating his victim. There was a certain case for trial at the October Term at Brookmouth, which Sam had prepared for the Squire with great care. Under the statute, "In case of the death or disability of any person in consequence of intoxication from the use of liquor unlawfully furnished by a party, any person, dependent in any manner upon the person injured for means of support, could recover, of the party unlawfully furnishing such liquor, all damage or loss sustained in consequence of such death or disability."

It happened that one Jerry Devlin had sold a quart of the vilest possible whiskey to a man already considerably under the influence of several heavy slugs of the same. As it was a very cold night, the man became beastly drunk, was ejected from the saloon, staggered to the river bank, and, becoming bewildered and stupefied, lay down

and was found the next morning dead from exposure. A coroner's jury returned a verdict of death from exposure, but the widow of the dead man came to Elmtown and laid the case before the Squire, who promptly brought suit against Devlin, who retained Mr. Blunt to defend.

Sam had thoroughly prepared the case under the direction of the Squire, had briefed the law, and arranged the order of procedure most carefully, and it occurred to the Squire that the best way of answering Mr. Blunt's strictures on Sam's ability, was to let Sam try the case and win out, which he thought Sam could easily do. Sam, not without misgivings, agreed, and when the case was tried, Sam obtained a thumping verdict, after a trial in which Sam had all the better of Mr. Blunt. Sam was cool, determined, and pleasant-spoken, except with the defendant Devlin, whom he cross-examined with a savage vigor that left his victim at the finale a limp mass of clothes and perspiration. Blunt, on the contrary, lost his temper early in the trial, and was caught napping time and again by his younger opponent. But it was Sam's argument, direct, comprehensive, and relentless that won the most favorable comment. The fact that he was a candidate for County Solicitor had attracted the attention of the lawyers and politicians, and the court-room was filled.

As the jury retired, a prominent politician said to a friend, "God help a criminal if that man gets to be County Solicitor. We must stop that anyway"; and when the verdict was announced shortly afterwards, the faithful dispersed, shaking their heads doubtfully and looking very serious.

The Elmtown caucus was held early in the season, the week before the County Convention. Sam's followers thought that if he could get a part of the Elmtown delegates, it would naturally aid him in the convention; his opponents argued that, should they be able to elect delegates hostile to him, it would force him to enter a convention without a single delegate from his own town which would decidedly prejudice his chance of a respectable showing in the convention.

Among the candidates voted for at the Republican caucus were the representatives to the General Court. Now, if Sam had been content to let things take their course, he probably could have at least divided the delegation, but he had long ago made up his mind to oppose the nomination of certain men for any public office or any trust.

He had talked the matter over with a few of his friends, who had advised him strongly against his course, as tending to stir up unnecessary opposition, and to show Sam as a reformer.

But their advice went for nothing. He was determined. "If I don't get a single delegate in the convention, I will object to the nomination of John Wetherbee for any office. I would n't vote for him if I knew I could get the nomination for County Solicitor unanimously."

"But, Sam," said Ben earnestly, "what harm can he do in the legislature?"

"Harm! the harm is done the moment you elect him. It is outrageous to bring our young people, and our young men in particular, up in the idea that a man's moral character stands for nothing. That's the harm, if the man should die the next day after his election."

"But, Sam, you are sure to make powerful enemies and to get some of your friends waxy with you. Is it worth it at this time?"

"Look here, Ben, when I can't go into politics with clean hands, and without dodging issues or making deals to advance my chances, I will keep out."

"The trouble is, Sam, unless you do something of the kind, you will never get in."

"Well, I shall have your vote, and a few others, Ben, and I would rather have a few clean votes of clean men than a raft of smirched and muddy ones."

"All right, Sam," said Ben; "you will do as you please I suppose, and there is no argument

the other way, but I hope it won't cost too much in delegates."

The night of the caucus the hall was crowded, and Captain Hilton was in the chair. The plans of the old-line Republicans to carry the caucus for the old County Solicitor had brought out all of Sam's friends, a good many of whom were friends and employees of John Wetherbee.

On the call for nominations for members of the legislature, Everett Taylor got up and in a set speech of eulogy nominated John Wetherbee, and sat down amid thunderous applause. When the applause had subsided, a half-dozen voices were heard to second the nomination.

"Gentlemen," said the Chairman, "you have heard the name of John Wetherbee proposed; are you ready for the question?"

"Question! Question!" shouted a dozen voices.

"All those in favor of —"

"Mr. Chairman!" rung out a voice as Sam rose.

"Mr. Randolph," said the moderator.

Sam deliberately walked from the side of the hall to the platform, turned and faced the audience. It was plain that he was laboring under considerable suppressed excitement, but his voice was steady and clear, and his manner cool and deliberate.

"Gentlemen," said Sam, "citizens of Elm-

town, I have lived here three years, and during that time I have been treated with great kindness by its citizens. A man who was not born in a large city, who has not lived the greater part of his life in hotels and apartments cannot realize as I can what it means to be a citizen of a town like this, what it means to have a part, even a small part, in the government of a town where one can number nearly every citizen as an acquaintance. And when it is one's good fortune, as it is mine, to look forward to a continued residence in such a town, there is one thing he must do if he is to be worthy of the name of good citizen, and that is to openly oppose and denounce any act that does or may bring discredit to the town, its institutions, or its citizens."

There was an audible whispering, and a rustle and creak of settees, as men squirmed in their seats uneasily and looked at one another in disquietude.

"I have seen some things in this town, some few things, I am glad to say, that have surprised and saddened me. I have seen reputable citizens advocating the election of notoriously unfit men for positions of responsibility, honor, and trust, and I have seen no man stand up and oppose it, and I have seen men cast their votes not unwillingly for the election of such men."

He paused and there was a renewed rustle and

audible murmur. Wetherbee and his crowd were getting hot, the faces of the audience were drawn and serious.

The speaker leaned forward, marking his words with his right hand, his voice rising as he went on. "To-night I have seen it again. The shameful sight of a reputable man advocating to a body of intelligent men as I know you are, and reputable men as I believe you to be, the nomination and election of a man whose moral standing is a disgrace to the community, whose shameless amours with women, whose open and public violations of all the rules of decency and morality have been for years the theme of conversation in every hotel office, saloon, and corner of the town where young, old, and middle-aged men congregate. I —"

But here there was an uproar. The audience had risen to its feet, a dozen men were clamoring for recognition, the chairman's gavel pounded for order.

Finally he recognized Mr. Taylor, who was bawling and red in the face.

"Mr. Chairman," yelled Taylor, "the speaker is out of order! I call him to order!"

"Put the damned reformer out," yelled one.

"Throw him out! Let him go back to his big city, the damned dude!" yelled others.

The crowd rose to its feet, and began to surge towards the front. Ben, Simmons, Williams, Mad,

Brown, old John, the Machine Works crowd and wonder of wonders! Bill Evans, marshaled by Ben, circled around the sides of the hall, and formed a solid phalanx in front of and around Sam.

"Come on, and put him out! You'll have a good time of it. Come on! Try it once!"

Those behind pushed and yelled, those in front held back and cursed. Several seats were broken and those standing on them were hurled to the floor.

The Chairman shouted for order and pounded like a blacksmith. "Mr. Emmons!" he yelled, "Mr. Emmons has the floor."

Then Mr. Emmons made a most savage speech, denouncing Sam in hot terms, and called upon the meeting to rebuke the "presumptuous insolence of an upstart outsider," and sat down amid tumultuous applause.

He was followed by Mr. Abram Poindexter, who could not contain his indignation at this unwarranted and unwarrantable assault on the reputation of one of Elmtown's most solid, substantial, and worthy citizens, and closed by a fervent appeal for fair play, which the meeting at once granted by hooting, yelling, and stamping when Sam attempted to reply.

On proceeding to a vote, Wetherbee was nominated by a strong majority, although a surprising

number of voters yelled "no" with all the strength of their lungs, and at the close of the evening Sam had not got a single delegate.

But when, a week after, the convention was held, Sam numbered twelve delegates from different towns, and although badly beaten, he felt that he had made a very creditable showing.

CHAPTER XVII

COMPARISONS

SAM took his defeat most philosophically, as he felt that he had made a fairly good start. It was evident that his opponents took the same view of the matter that he did, for a conference was held one evening in Mr. Blunt's office, in which the County Solicitor, Wetherbee, Everett, Emmons, and others of the faithful were present. Just what was said at the meeting did not appear, but the result became apparent and within a few days.

Sam had been working late at the office one evening, and finished his work, turned off the gas, locked the door, and was just stepping into the street, when he was accosted by two men, one of whom was the Brookmouth Deputy Sheriff, who told him he was under arrest.

"Under arrest!" said Sam in astonishment; "what is the charge?"

"Slander!" replied the officer; "I hev a warrant here."

"A warrant for slander? Why, man, spoken words are not indictable except when in violation of a statute. Let me see your warrant," demanded Sam.

"Here you be," said the officer; "now, look it over and come along with us. We are in a hurry."

"I guess you will come pretty near waiting until I see this warrant before you arrest me for slander, my friend," said Sam, stepping under a street light and opening the paper.

"Warrant! this is a *capias* authorizing you to arrest me; no warrant at all, but your authority is all right," said Sam, returning the paper. "Well, come down to the Squire's, I will give bail."

"You be a-goin' to jail, young man; them wuz my orders and I am going to obey them."

"Who gave you those orders?" demanded Sam.

"The lawyer who issued the writ, his name is on the back of it," replied the Deputy stoutly.

"Oh, yes, Mr. Blunt, eh," said Sam. "When did he give you this writ?"

"This morning," replied the Deputy.

"Where?" asked Sam crisply.

"In his office here in Elmtown," replied the Deputy.

"Why did you wait until to-night? You could have found me at any time to-day."

"I ain't a-goin' to answer no more questions. You be under arrest, and me and my friend are going to lodge you in jail."

"All right, Mr. Sheriff, but before you execute

your commission, just allow me to say one word. I demand an opportunity to get bail, and you are bound to give me an opportunity, and you ought to know it, if you know anything. Now, you and your lawyer friend have put up this job for a lot of political bummers to take a fall out of me. Just one word more, I will furnish bail to-night, and if you know what is good for you, you'll take me to Mr. Branch's house now. If you don't, and attempt to take me to jail, you'll have the liveliest time you ever had in your life. Now, start proceedings," said Sam hotly, stepping back to the wall.

"Be you a-goin' ter resist an officer with a legal process?" roared the Deputy.

"That's just what I mean to do," said Sam. "I not only will resist arrest, but I'll knock your two heads together and duck you in that fountain. I know my right, and I know yours, and if you do take me to jail, I'll have you hunting bail before morning."

The Deputy and his assistant looked uneasy and very serious, and conferred in subdued whispers.

"Look yere, Mr. Randolph," said the Deputy, "I ain't got nothin' agin' you, but my orders wuz to tek you an' tek you prompt and suddin'. Naow, what be I a-goin' tew dew?"

"Well," said Sam, with a smile, "I have n't

anything against you unless you exceed your authority. But you know you have a right to take bail."

"Wa-a-l, yes, I spusso 'f the bail is good," said the Deputy dubiously.

"Well, that's what you are going to insist on, of course. Now, come along and we will see about it."

"Wa-a-l, I spose thet's the best we kin do," said the Deputy, and they proceeded arm in arm to the Squire's.

Oh, but the Squire was an angry man when he heard Sam's story. A man who seldom used strong language, he swore like the Army of Flanders, and so terrified the Deputy and his assistant that he got from them the whole story of the plan to jail Sam. In a few minutes they were on the way to the Hilton farm. The Hilton brothers regarded it as a privilege to sign the bail bond with the Squire, and, clad in various parti-colored dressing-gowns and carpet slippers, and exceedingly skinny of legs and grisly of throat, signed their names boldly, and one and all pledged themselves to take the field against the "political hell-hounds," to quote aptly from the Senator's burning words, "whenever and wherever the Squire would lead." They next proceeded to William Billowell's, who appeared in his nightcap and was "By gad! mighty glad of the

opportunity of putting a spoke in Wetherbee's and Blunt's wheel."

Having secured his signature, they went to Caleb Terrill's, who promptly appeared in a long nightshirt and calfskin boots, and appended his individual signature and those of his six sons as members of the firm of Caleb Terrill and Sons, leaving no more room on the bond.

"There, Mr. Deputy Sheriff," said the Squire, "tell your counsel, with my compliments, that before he gets through this case he and Wetherbee will wish they were in South America."

The next day the *Daily Chronicle*, the *Guillotine*, and the Lamprey River *Indicator* contained lurid accounts of the arrest and jailing of Samuel Randolph, but recently candidate for the office of County Solicitor, on a charge of criminal libel. The day after, their editors were kept busy in explaining to their readers the reasons for their extraordinary perversion of the facts.

Wetherbee and Blunt, however, talked loudly and boastfully of what they would do when they got before a jury and at the January Term of court entered the writ, after having served a notice on Sam's attorney to be ready for trial. This was exactly what the Squire wished, and he at once sent Mr. Blunt a copy of a plea of justification, alleging that Plaintiff Wetherbee was asking for election to a public office of responsibility;

that his moral character was of such a nature as to make his election to such office a great injury to the public, and that the public good required an open discussion of his character as well as of his ability and integrity; that the defendant, in criticizing his character and imputing to him gross immorality, was acting within his rights so long as he did not pervert or grossly exaggerate facts or accuse the plaintiff falsely; that inasmuch as the defendant had made general charges of immorality and indecency against the plaintiff, he was ready to specify the certain acts of immorality and of indecency of which the plaintiff had been guilty, to wit: that on the twentieth day of —— here followed a long list of charges with dates, places, and nature of the acts, which the defendant averred he was ready to prove, and prayed for judgment and his costs.

When Mr. Blunt received a copy of the document, he cursed roundly for a few moments, and then hurriedly went to Wetherbee's store. When Wetherbee read it, his rage and consternation knew no bounds. He stamped up and down his office, alternately cursing his counsel for advising the prosecution of Sam, and the County Solicitor, Emmons, Everett, and the others for arranging the plan of the campaign. Blunt retorted with spirit, and a violent quarrel arose between them which nearly terminated in blows or apoplexy.

That evening a hasty conference was held, and it was decided that the appearance of the pleading on the court records must be avoided at any cost, and a committee was appointed to wait on the Squire and see what could be done. The meeting was held at the Squire's office in Sam's presence, and was a very bad quarter of an hour for the committee, who were fairly scorched by the Squire's blazing wrath. As to a settlement, the Squire would do nothing until they had signed a written retraction of their charges against Sam, which was to appear simultaneously in the Brookmouth *Chronicle*, the *Guillotine*, and the Lamprey River *Indicator*. Its appearance the next day in these papers made them writhe in spirit, but intensified their hatred of Sam.

The winter and spring passed without any startling event. After the burning of Alvy's hotel, Sam had taken rooms in a private house, and had installed therein the few articles of furniture that had escaped the flames. His meals he took at restaurants about town. An oyster stew or clam chowder at Charlie Felsen's, who could cook oysters and clams better than any man in the world, so Sam thought, a steak or a chop at Billy McDougall's, who furnished steaks as big as door mats and an inch and a half thick for an exceedingly moderate price, a course dinner at Harvey's, a country Delmonico, or hot

dogs at the lunch cart. This touch of bohemianism appealed strongly to Sam, who had traveled enough to get a strong liking for independence. He never ate or drank at the saloons, as he did not care for the company he met there, and he felt that his political enemies would make capital out of his every action that could in any way be distorted to his injury.

In January, Tom arrived, unannounced, cheerful, debonair, and enthusiastic. As the January Term of court was then in session, Tom had an opportunity of seeing the Squire in action, and also of watching Sam conduct cases both with the Squire and alone, and honest Tom perhaps felt for the first time his own uselessness in having neither business, profession, nor trade.

"Hang it all!" he said to himself, "we all pitied poor Sam when he had to leave New York and go to work, and here he is an active member of a great profession and a man recognized as one with whom people will have to reckon before long. What do I amount to, or what do any of Sam's old set amount to? Just loafers, idlers, dawdlers, money spenders, and cumberers of the earth."

But Tom was of too sunny a disposition to remain low-spirited long, and while Sam was plugging away absorbed in his profession, Tom hunted up Alvy and his cronies at Alvy's stable

office, where they still gathered, and stored up in his memory their quaint sayings, their ludicrous stories, and the healthy philosophy. He took Polly skating and sleighriding, or sat before the Squire's fireplace telling her amusing experiences of his in New York, Bar Harbor, Cape May, and other places where he had spent his time and much of his father's money.

Here Sam joined them often on his return from the office or from court, and laughed and listened while Tom ran on in his whimsical fashion. Of course Sam was glad to see Tom again and to talk over with him the thousand things of the past that now seemed so far away to him, but at his heart Sam felt a sort of resentful uneasiness at his return, his very evident partiality for Polly's society, and her unaffected pleasure in his.

Tom was a good fellow, an amusing, happy-go-lucky chap, but surely not the man for a girl like Polly. Of course, *he* did n't wish to marry Polly. She was a child, for one thing, and, for another, Sam was still bitterly sore over his experience with Ethel, and fancied himself still in love with her. He never mentioned her, even to Tom, although he would have liked to know how she was getting along. He had occasionally run across items in the Boston paper chronicling New York events which mentioned Ethel as a very popular young married woman, in the boxes at the horse

show, on the top of a drag at the races, or one of a committee in charge of a bazaar in the interest of sweet charity.

Sam had not been to New York since he came to Elmtown. He had been asked by the Squire several times to go, but he had shown so much reluctance that the Squire had gone in his place. But during the legislative session, which had been prolonged beyond all precedent, a bill was passed which brought to Sam's attention, and that very forcibly, two of his New York acquaintances. This was the passing of a bill incorporating the Connecticut River Improvement Club, which was stated in the bill to be for the purpose of raising, importing, and improving the breed of horses and other domestic animals. For this purpose the corporation was to have the right to hold fairs, races, and contests of speed, skill, and endurance, and offer purses, prizes, premiums, and sweepstakes, and charge and receive entrance fees. The bill further provided for the appointment of police officers to preserve order and to prevent all violations of law in relation to bookmaking, pool-selling, gambling, for the prohibition of the maintenance of any betting-ring or place for the placing of bets; for the posting on the grounds of the corporation of placards forbidding any form of gambling. The bill was drawn with the greatest skill and apparent fair-

ness, and under a suspension of rules in both houses had passed almost unanimously. Of the ten men whose names appeared as charter members of the corporation were John C. Van Cleves, Robert Tiverton, and John W. Wetherbee.

Sam came into the office one morning and found the Squire reading the Capital City *Advertiser*, which always gave the legislative reports in full.

"Here, Sam," said the Squire shortly, "read this and tell me how it strikes you."

Sam took the article, read a moment, then gave an exclamation of surprise.

"It's safe to bet there is something wrong with it when Colonel Van Cleves and Bob Tiverton are in it," he remarked.

"What do you say about Wetherbee's name?" said the Squire.

"He is the catspaw," answered Sam, reading.

Sam finished the article, pondered a moment with drawn brows, then handed it to the Squire.

"I think, Mr. Branch, that this bill is the rankest piece of legislative myopia I ever heard of. That section providing for civil liability for pool-selling and book-making, and exempting them from criminal liability, is a plain case of illegal discrimination. Is n't that so?" asked Sam.

"All of that, my boy, one of the most adroitly conceived frauds in the history of legislation.

But it is important to you, because, Sam, that bill will make you County Solicitor in two years from now," said the Squire, with decision.

"County Solicitor!" said Sam, in surprise; "how do you figure that out?"

"Plain as a carbuncle on a man's neck," replied the Squire. "Mark my words, Sam, there will be a howl about this. In a month from now, if not before, three fourths of the members of the Senate and House will be trying to explain why they allowed themselves to be buncoed into passing this bill, and the newspapers will be rapping them in every issue. I believe that a very great majority of our senators and representatives will be perfectly sincere in saying that they were deceived, for the bill is drawn with the guile of the Devil himself. Then people will forget about it until the races are held, and then there will be another howl, but no interference with the races. When the election of a new County Solicitor is held, the man who will prosecute book-makers, pool-sellers, and gamblers under the criminal law is the one who will be elected County Solicitor."

"What fools they were!" exclaimed Sam. "If they had left out that exemption clause, there would have been no real opposition, but the people will fight discrimination to the last ditch."

The Squire's words were prophetic. Within a

week after the final adjournment of the session an article appeared in a leading weekly fiercely attacking the Connecticut River Improvement Company, and a storm of newspaper comment was stirred up, by which the unfortunate members of the Great and General Court were lambasted within an inch of their political lives.

In March, Sam went to New York for a week, partly on business for the firm, and partly because he felt that he ought to go and see whether or not he was thoroughly weaned from his old associations, and he had a great and overwhelming curiosity to see Ethel in her new rôle as a society woman.

When he alighted from the train at the Grand Central Station, he found Tom with a cab. Tom fell on him joyfully. After they had manhandled one another, Sam piled his baggage into the cab, and dismissed it, as he wished to walk up Forty-second Street and down Fifth Avenue once more. Tom, who could not quite understand Sam's enthusiasm, agreed somewhat doubtfully, but was still more astonished when they arrived at Fifth Avenue and Sam stopped at the lower corner of Forty-second Street and signalled a five cent 'bus.

"What under the canopy, Sam, is the matter with you? Ye gods! Ride in a 'bus! Why, the fellows will laugh at me for a month."

"Let them laugh. That's what you always have to do when you are entertaining a friend from the country. So pile right in for Central Park. I have n't been there for nearly four years, and I am very anxious to find out whether or not an old friend of mine is still alive. He looked about a hundred years old the last time I saw him," said Sam, with a laugh.

"Who is it? What is his name?"

"He was called Jock. Don't you remember that old blue-nosed mandrill, — a sort of a dog-faced baboon that we used to see when we were boys? That one with the bald places on his rump and the two peacock blue patches on his nose, and horrible slant eyes?" asked Sam with enthusiasm.

"Yes, yes, Sam, I remember him now. Was n't he a savage old beggar? I used to dream of him," said Tom. "Then there was a bob-tailed monkey that had lost part of its tail by getting it caught in a door. Do you remember how it used to try and swing from its trapeze by its tail and what thumping falls it got, and how killingly it used to look up to the bar and wonder what was the trouble?"

"Tom, do you remember the time you gave snuff to the elephant?"

"I guess I do; I paid five dollars for it in the police court, and my father did n't let me go to the park for the rest of the season," said Tom,

grinning. "They say an elephant only sneezes about once a year, but that one beat the record all right. I thought he would blow up the building."

"Here we are," said Sam, pulling the strap and jumping out. "Now for some buns and peanuts for the animals."

For an hour and a half they wandered through the Zoo with keen enjoyment, and to their great delight Jock and the bob-tailed monkey were still alive. The familiar scenes brought up a thousand long-forgotten events in their boyhood, and when the hour for closing came they were chattering like two boys.

Then they hailed a cab, drove to Tom's lodgings, bathed, dressed, and went to dinner at Sherry's. It was delightful to Sam again to sit down to a perfectly ordered dinner, with snowy linen, shining silver, and polished glass. Tom ordered the very best, and it seemed to Sam that he had never eaten a better dinner or enjoyed himself as well. And then he happened to think of that night nearly four years before when he had met Ethel and had quarreled with Colonel Van Cleves, and in spite of himself he writhed inwardly. He looked again towards that corner where the rubber plants still stood, and for a moment the scene came back so vividly that he almost fancied she was there again.

Then Anthony and Jim Driver came, jubilant, to his table and shook him powerfully by the hand, and greeted him as a long-lost wayward brother.

"What have you been doing to yourself, old man?" Driver said, wondering. "Here you are as lean and muscular as a college rowing-man and as fit as a thoroughbred steeple-chaser. Look at Anthony and me. We have to wear suspenders now, for a belt slips over our hips unless we hitch it round us just under our arms. Bill Anderson is getting as bald as a glass marble, and Bob Tiverton looks like a bass drum, and has a complexion like a cranberry pudding. But you! why, man, how in the world do you do it?"

"By hard work, I guess," said Sam; "I walk a good deal, canoe some, ride whenever I can, and spar with the gymnasium boys several times a week, I work hard in the office, and sleep like a graven image."

"You will be in at the club to-night, Tom," said Jim; "remember there is a stewards' meeting."

"All right, Jim, I'll be there," said Tom.

"See you then, Sam; got to go now," said the two, and away they went.

"They have changed a lot, Tom," said Sam regretfully. "What is the reason, do they steam it?"

"Late hours, a fast gait, no exercise and no business. That is the matter with most of us. I suppose, Sam," said Tom rather wistfully, "that you find some change in me?"

"You are not looking quite as fit as I should like to see you, Tom," replied Sam, "but you are laps ahead of them. All you need is a profession or business or some aim in life, and regular exercise, while they will have to unlearn a few things."

That evening at the club, Sam renewed his acquaintance with many of his old friends, and met again some of his college ácquaintances. Much to his pleasure he found some who were keen-eyed, shrewd lawyers, doctors, or business men, but equally to his sorrow many of the most promising youngsters had developed into fleshy, puffy, and unattractive men, whose sole occupation seemed to be the choosing of a dinner or the cut of their clothes.

They all appeared vastly surprised at the change in Sam, which had added a keenness, confidence, and self-reliance to his natural good qualities that had made him a favorite as a youth.

The next morning, Sam, who had become accustomed to country habits of early rising, was up at seven and in Tom's room, causing a sleepy protest from Tom, who refused to get up, claiming that there was no sense in getting up in the middle of the night. Accordingly Sam, after a cold bath

and brisk rubdown, took a walk through the streets, stopping in a restaurant for a roll and a cup of coffee, then for an hour tramped over the well-known streets, returned at half-past eight, and found Tom still sleeping. This time he was less patient, and slipping his arm under Tom's shoulders, pulled his head and arms over the side of the bed and let go suddenly.

Tom awoke, clawing wildly.

"Sam, you ruffian, I thought I had fallen from a church steeple five hundred feet high. That's the most effective eye-opener I ever had yet. Gee, I'm wide awake," and he jumped from the bed and hit Sam a most tremendous blow with the bolster. Sam fled and Tom jumped into his bath. Then they went to breakfast at McDowell's.

After breakfast, Sam went first to the largest and most expensive store in the city, where he bought a most beautiful spring suit for Polly from written memoranda made by Miss Ellis, who had conspired with him to make her eighteenth birthday memorable. Then he spent a half-hour with the Manhattan Trust Company, where he had some business, an hour with Brewster and Anderson, a firm of lawyers with whom the Squire had done business for years, and then was free for the day. They lunched at one at the Calumet, and at three were in the sad-

dle bound for the bridle path in the park. After making a turn or two through the winding roads, which were rapidly filling with riders, they began to thread their way through the mass of carriages on the carriage path.

Suddenly he heard his name called. "Sam! Sam! Mr. Randolph!" He started, drew up his horse sharply, and looked around.

Just across the road from him, drawn up on the side of the path, was a victoria drawn by a pair of high-headed, dock-tailed horses with shining harness. The coachman, with his whip held at the right angle, his hands high, and his eyes fixed on his team, sat stiffly on the box, while at his side, like the coachman in cords and livery, his arms folded, his eyes fixed on the ears of the near horse, and his face preserving the stony gaze peculiar to a death mask, sat the groom. As the carriage stopped, he sprang to the ground and stood at the horses' heads, erect and stiff as a hitching-post.

In the back seat of the carriage sat two ladies. One, an elderly plain woman in sober garments, evidently a duenna, chaperon, or companion to a handsome, showily dressed young woman in priceless furs of the silver fox. It was Ethel. Sam wheeled his horse, spurred him to the carriage, and in a moment was bending over her gloved hand.

"Why, Sam, is it really you? What an age of ages it is since we met."

"Yes, Mrs. Tiverton," said Sam, smiling; "it has been a long time. Nearly four years away from New York. Do you wonder that I look thin and old?"

"Why, Sam, I never saw you looking so well and strong. All the rest of my friends have changed so much, but you — how do you manage it?" she said.

"Country air and hard work, I suppose. That will help any one."

"And is it really so, that you are a lawyer in a country town and are making a name for yourself, Sam?"

"It is really true that I am a lawyer and working hard, but I can't quite agree to the latter proposition, Mrs. Tiverton," replied Sam, laughing.

"Mrs. Tiverton! how dreadfully formal. You used to call me Ethel once."

"Yes, but that was very long ago. You can scarcely expect an obscure country lawyer to call one of the most prominent New York society women by her first name, now can you, Mrs. Tiverton?" asked Sam, with a glimmer of amusement in his eyes.

"Perhaps not, but I rather hoped you would. You have not congratulated me on my — ah — marriage," she said, after a while.

"I have never before had an opportunity. I do now with all my heart. You certainly have everything to make you happy, I am sure," replied Sam.

"Ah, here comes Bob," said she, as a puffy, red-faced, heavy man, sitting his horse badly, and appearing very much out of his element, joined them.

"Hullo, Randolph," he said familiarly, and with a touch of insolence.

"Hullo, Tiverton," replied Sam pleasantly, offering his hand, which Bob took rather reluctantly and dropped after a lifeless shake, saying, —

"How did you come to New York? I thought you were down among the Indians."

"Well, I have been, but occasionally one of us Indians gets loose for a few days and runs away."

"Hullo, there is the Van Cleves' carriage. Excuse me, I must speak to the Colonel," and Bob rode off, jolting hard in his saddle and looking very much like a bag of meal.

Then Sam turned to Ethel, who was speaking.

"Sam, you will come to see me before you go back, will you not?"

"Thank you, no; I go back on the midnight train to-night, and I have more engagements than I can keep, I am afraid," replied Sam.

"And you are really contented in your small town?" she asked wistfully.

"Yes, I am contented. There have been times when I have chafed a little. But I have grown into the life of the place and I love my work and my friends there," said Sam earnestly.

"And happy?" she asked, almost in a whisper as her eyes sought his.

"Yes, happy," he replied, "as a man can be who has health, friends, and an absorbing occupation."

She looked away across the park a moment.

"But I must not detain you, your friend is waiting. Good-by, Sam," she said in a low voice.

"Good-by," replied Sam, raising his hat gravely.

Then he wheeled his horse and rode off, joining Tom, who was waiting at the entrance of the drive.

Ethel watched him as he rode away, sitting erect and easy in his saddle. Then her eyes wandered to where her husband sat on his horse talking to Colonel Van Cleves. His hat was aslant on his head, a round bald spot showed under its rim behind. There was a transverse wrinkle in the back of his coat, his face was flushed and perspiring, his body was shapeless and jellylike, and she turned away her eyes. Across the park people came and went, children played, a park police-

man swung his club as he sauntered along, but she noted none of those things. Then a passing cloud blotted out the sunlight, and everything was gray and cold and dreary, a dreary, dreary world. She shivered, turned to the coachman, and said, "Home, Dennis."

Tom and Sam trotted on in silence.

Finally, Sam said, "Tom, what a shame that Ethel could not have married you. She would have been happy with you and New York. As it is, poor girl, she has been sacrificed, sold to an underbred cad.

"Tom, I don't blame Bob Tiverton as much as I do old Van Cleves. God help him, if I ever get a crack at him. He is to blame for ruining that poor girl's happiness. If ever there was a cold-blooded sale, that was one," and he spurred his horse, which plunged and reared.

"Whoa, old lady! easy, girl! I did n't mean that for you. There, that's better," said Sam, as he soothed his mount. "What's up for to-night, Tom? It's my last day here."

"Last day here! Whatever do you mean, Sam? I thought you were here for a visit, not a measly little stop-over."

"I was, Tom, but the midnight train this P.M. takes me back to Elmtown. I must get back."

"When did you make up your mind?"

"Five minutes ago, just."

"I don't quite understand, Sam," said Tom, looking at Sam a bit uneasily. "You don't seem like a broken man exactly."

"I'll tell you, Tommy, my boy. One reason for my visit was business for the Squire. Another was, and this is a matter that I have n't spoken about to any one but you, to see whether or not I could see Ethel and find out if I was cured. I don't mind telling you, Tom, that I was tremendously cut up when she threw me over, and for a long time it seemed about an even thing whether I should go to the devil or not. But hard work, good friends, and one or two exciting things that happened helped me. To-day I found out another thing. I am thoroughly cured. So thoroughly, that I am almost ashamed of myself. And I want to get back as soon as I can and get to work. I feel as if I could do a tremendous amount of good work. The April Term of court comes on soon and there is plenty to do in preparation. Tom, I wish you were going with me. Why don't you try it once? You New Yorkers speak of the ruts that country people get into. Don't you know that your life here is a rut. And just as narrow a rut as was ever traveled by a country wheel?"

"Yes, I do know that, Sam, but I'm afraid I have traveled too long in that rut. I'm not quite equal to the heroic remedy of burning my bridges, as you were."

"Well, Tom, mine were burned for me. I only set fire to the last plank. I'm glad of it now, I believe I have been glad of it every moment since I saw it burn up."

Tom shook his head despondently. "Too late, Sam, I'm rooted here," he said as they came out of the bridle path and loped briskly for the stables.

That night they dined at Tom's club and after dinner sat in the smoking-room. It had turned cold and wet, and a good many members came in. Some were acquaintances of Sam's and many sought an introduction to him. Bob Tiverton came in, and later Delano, a lawyer, head of a powerful firm of corporation lawyers, and Goodhue, a financier. They were presented to Sam by Tom, who ordered cocktails.

"By the way, Mr. Randolph," said Delano, "I understand you are from Rockaway County, New Hampshire. How far from your town is Salvage?"

"About twelve miles, I should say," replied Sam.

"Then you will have a chance to see a good many of your New York friends from now on. I refer to the incorporation of the Connecticut River Improvement Company. I suppose I might get you a bit of stock at par if you wish," said Delano.

"Thank you, Mr. Delano, but par is a big figure or will be within a year," replied Sam.

"Big figure! I should say not," said Goodhue; "why, it will be selling at 180 before six months."

"Perhaps you are right, but if I had any, I should jump at any such figure."

"What is the matter with the proposition, anyway?" asked Delano.

"That section of the bill exempting bookmakers, pool-sellers, and betters from any but civil liability," replied Sam. "That is as unconstitutional as anything can be, and the people know it."

"Does n't the act of incorporation provide special regulation and the appointment of special officers to prevent anything of the kind?" asked Delano, with a confident smile.

"It does, without any question, and then says that if they do gamble on the races and win, they can be compelled to restore their winnings, that's all," replied Sam, with a smile.

"Is n't that fair enough? The same thing was declared constitutional in New York," insisted Delano.

"Not as the people in New Hampshire will view it. I don't think our people are very tolerant of discrimination, and they are mighty liable to kick over the traces when they have been fooled, as they were in this case," said Sam.

"Your people!" said Bob Tiverton, with a sneer. "A set of country clodhoppers. I should be mighty proud of them if I were you. I could buy the whole legislature."

"I have no doubt you would if you could, Tiverton," said Sam, good-naturedly. "But that is just what you can't do. But I'll admit you fooled them. As for being proud of my country clodhoppers, as you call them, I am, and I hope some day they will think well of me," answered Sam.

"Hold on a moment, Bob," interposed Delano, as Tiverton started to reply hotly. "What I wish to know, Mr. Randolph, is, how do the people feel about it now?"

"They feel as if they had been fooled, and they don't like it. Just now the feeling has died down a bit, but as soon as the races are held, the feeling will increase."

"But are the people so down on racing as this would indicate?" asked Goodhue.

"I don't think so," replied Sam. "I understand there has always been racing and pool-selling at county fairs, and if the firm who drew the bill had left out that exemption clause, nothing would have been thought of it. But to pass the bill under suspension of the rules with that clause in it, raised the rumpus."

"Oh, well, I guess they will get over it. You

see the honest tiller of the soil is not going to prevent a lot of money coming into the state," said Goodhue confidently.

"Perhaps you are right, but that is a mighty dangerous assumption, and an unsafe proposition to risk money on," replied Sam.

"What will happen, if we hold races and sell pools?" asked Delano.

"Prosecution, if the County Solicitor is up to his work," said Sam crisply.

"And what if he is not, would any private parties take it upon themselves to commence prosecutions?" asked Goodhue.

"Doubtful, I should say. But I think the temper of the people would be such that the Solicitor would be obliged to prosecute," said Sam.

"Let's see, you were a candidate last year, and got licked, did you not?" said Tiverton.

"I was, and got most thoroughly licked," said Sam, laughing.

"Are you to be a candidate again?" asked Delano.

"How long does the present Solicitor hold office?" said Goodhue.

"There is an election every two years. I shall try again, of course," said Sam.

"And get licked again," said Tiverton, with a sneer.

"I think very likely," assented Sam, lighting a fresh cigar.

"He will, if there is money enough in New York to make him," growled Tiverton, in an aside to Goodhue. "Van Cleves will see to that," and Goodhue nodded somewhat doubtfully.

At 12.30 the next morning Sam fell asleep in his berth in the Flying Express, and at 9.30 piled his grips into Alvy's hack, climbed to the box and nodded to his acquaintances as he bowled away to his office.

CHAPTER XVIII

OUT OF THE PAST

WHILE Sam was in New York, the Squire was working one day on another lease for old Caleb Terrill, who did much real estate business in addition to the business of the firm. Miss Ellis was clicking away at her machine, and the sounds of the streets came faintly through the closed windows. The street in front of the office was a mass of melting snow and spring mud. A few sleighs and sleds were still in use, but broad-tired wheels and mud wagons predominated.

The farmers in the neighboring towns were for the most part at work at their woodpiles, fencing, or burning refuse, and callers were few in the office.

Entered a tall, strongly built man of about the Squire's age. His hair was curly, his complexion tanned to a dark olive, his manner was insolent and confident even to aggressiveness. But it was his peculiar eyes that bred instinctive dislike. They were small, greenish black, and piercing. One had a small cast or imperfection, a slight slant that made his glance shifty and snake-like.

The Squire looked up. "Can I do anything for you, sir?" he inquired, with his usual courtesy.

"You can, sir; can we speak without the young woman there hearing us?" indicating with an insolent nod, Miss Ellis, who colored with indignation.

"Go into my private office, sir, I will be with you in a moment," said the Squire curtly.

"But my business is important, Squire Branch," said the stranger sharply.

"So is mine, sir," replied the Squire, "and if you cannot wait, go to some other office," and he resumed work on the lease.

In the private office the stranger paced the floor and muttered, "Damn him! he won't be so cocky when he finds out who I am and what I know. That cheek will cost him about a dollar for every minute he keeps me waitin'."

Finally, the Squire finished reading the lease, arose, gave it to Miss Ellis with instructions for immediate delivery and comparison with old Caleb, and as she left, he entered the private office.

"Well, sir, what is your business?" he inquired curtly.

"I'll shut the door, Squire Branch," the stranger said, suiting the action to the word. "Now, sir, my business is this. Your real name is Stanley Furber."

The Squire started violently and stared at the man.

"You killed a man once in a saloon in Timberwolf."

The Squire sat down heavily and the color faded from his face.

"Huh! that fetched yer. P'r'aps you're not so pizen busy now," snarled the stranger. "You took his little girl with you, and came East, and changed your name?"

The Squire arose, turned, unlocked a closet door, took out a bottle, poured out a glass of whiskey, and drank it at a gulp. The burning liquor picked him up a bit, and a faint color returned to his dead gray face.

"Who in the devil are you?" he asked.

"I'm Bill Simpson. I was cookee in the Gulch Shack, and was in the Timberwolf saloon when you got the drop on the 'Tarantula.'"

"Well, I was acquitted, was n't I?"

"Yes, you were acquitted all right. If you had n't killed him, he would have killed you," said Simpson.

"Well, why do you bring that up after so many years, man? Don't you think I have suffered enough?" said the Squire huskily. "It was a justifiable killing, but I have never been able to get that man's face out of my mind. It has always been a weight on me."

"Oh, rats! I never should have minded it a bit."

"Well, I did mind it, and I have tried to forget it, but could n't," said the Squire with a groan.

"Well, nobody knows it but myself, and nobody will from me; that is if you do the right thing," continued Simpson with a leer.

"What do you mean by the right thing?" asked the Squire, stiffening.

"That's easy enough. The only thing I've got that's worth a cent is your secret. I've got that all right. You've got money. Let's trade," said Simpson.

The Squire sprang from his seat. "Blackmail! you mean, you thieving cur! Get out of my office before I throw you out," he hissed tensely.

The stranger leaned forward and shook his finger at the Squire. "All right, Stanley Furber, put me out if you will, and if you don't care what people think of you, but how will you like to have that niece of yours, the Tarantula's granddaughter, know that her so-called uncle, Mr. Ira Branch, killed her own grandfather? How will she feel about it when she finds out that she is the granddaughter of a murderer, and the meanest cutthroat in the West? Go ahead now and throw me out. I won't resist."

The Squire shrunk back as if he had been

struck. The sweat started from his face. "My God!" he said, "I did n't think of her, I did n't think of her."

Finally, he made a desperate attempt to regain his composure. "Well, how much do you want?" he asked.

"I shall have to think it over. You can give me a couple of hundred dollars now, I shall be here a few days. But no devil's tricks," he added, truculently. "I don't intend to remain in this God-forsaken country any longer than I can help, but any attempt to have me arrested for blackmail and your secret is known to the papers, and you know what that means," he said with a grim smile.

The Squire unlocked the safe, took out a roll of bills, counted out two hundred dollars, and gave them to the man, who counted them again carefully, rolled them into a wad, stuffed them into his trousers' pocket, nodded, and went out.

But the Squire sat there a long time, his face hidden in his hands, his mind trying vainly to see a way out of the tangle. He did not mind the loss of the money. But the knowledge of what he had feared for years, that Polly would find out the dreadful truth, made his courage fail and his heart as weak as water. Would the spectre never down? Was there to be no end of the trouble? God knows he had tried to do his best to every

one. God knows he had repented of his hasty act by a lifetime of remorse, but — he had killed a man! It was a long time ago, but — he had killed a man!

CHAPTER XIX

SAM COMES BACK

LEAVING the driver to take his baggage to his rooms, Sam sprang down at the well-known building, ran up the stairs, opened the door of the office and stood amazed at what he saw; the Squire, white, trembling, his eyes terrified, sat limp in his chair, while over him with clenched fist stood a brawny sunburned man with grizzled gray hair, a hawk nose, and a drooping gray mustache.

As Sam entered the man said, "You'll do it, damn you! or I'll smash you."

In a moment the man was whirled across the room and thrown headlong into a corner, while over him stood Sam, his blood boiling and his muscles tingling.

In an instant the Squire sprang between them. "Sam! Sam! what do you mean by interfering? Stand back, and let him get up. You're not hurt, Simpson? Sam is quick and strong, but he did n't understand, he thought you were threatening me."

Sam stared at the Squire in astonishment.

Simpson slowly arose, his small snaky eyes gleaming green, his mouth drawn in a snarl: —

"Is this the way, Furber, you welcome your friends? You won't get the drop on me again young man," said the man, clapping his hand with a significant gesture on his right hip.

"Simpson, I did n't expect Sam so soon and I should have told him of your visit. Sam, this is Mr. Simpson, an old friend of mine when I was a boy. He came to make me a visit. I trust you will be friends."

Sam stared at the Squire who he felt was acting a part, but he said slowly, "I am very sorry I was violent to Mr. Simpson, and I beg his pardon. I really thought he was threatening you, and of course I could n't stand that."

Simpson affected a smile that curiously twisted his mouth, leaving his eyes hard and cold like the eyes of a reptile. "The young chap can't speak no fairer than that, so we'll say no more about it."

But he did not offer his hand to Sam, very much to his relief.

The Squire smiled. "There, that's good. Now everything is pleasant. Now, Sam, I am glad you are back. Pettengill will be over this morning at ten with his plans and witnesses. Will you take them off my hands? I must go out with Simpson. Polly will be delighted to see you. She has missed you, I know, as we all have. I sent Miss Ellis to the bank and to Emery's on the Plains.

When she comes back, have her copy the Trust Company deed and the statement of the New York lawyers. Shall you have to go to your rooms first?"

"No, Mr. Branch, I am ready now. I sent up my baggage and I am glad to get at work again."

Then the Squire and Simpson left the office.

Sam stared at their departing backs. It seemed as if the Squire had aged since he went away. What was the matter? Something was wrong, and that something had to do with Simpson. There was no question about it. Simpson was threatening the Squire, and the Squire was shaken. He of all men! Sam paced up and down the office, but could make nothing of the mystery. Just then Miss Ellis came in and greeted Sam warmly, and asked about his trip and the articles bought for Polly.

As soon as he could get a chance, Sam asked her about Simpson, but he could not get much information from her beyond the fact that he had come in one day, had asked for the Squire, had been admitted to his private office; that they had talked for a long time together, and the Squire had been very much agitated. Miss Ellis also said that she was afraid of Simpson; afraid of his eyes and his villainous mouth.

As Sam could make no headway, and as Pet-

tengill just then came with his plans and witnesses, Sam put aside his perplexity and plunged into the case.

He took supper at Billy McDougall's with Ben and Williams, and that night he called at the Squire's to see Polly. The Squire listened and smoked and said very little, and Sam noticed that Polly glanced at him with much solicitude.

As ten o'clock struck and Sam left, she followed him to the door, contrary to her usual custom and said, "Sam, I am worried about Uncle Ira. He does not seem well at all; he seems worried about something. Are his cases troubling him?"

Sam affected to laugh at her fears. "The Squire has a number of very important cases, and of course they worry him more or less. But don't you worry. He will come out all right. I can take a good deal of the work off his shoulders now, I hope."

"I'm so glad you are back, Sam. I know Uncle Ira has missed you."

"I hope you have too, Polly."

"Oh, yes, of course, we all have," she replied; "but Uncle Ira most of all, I guess; and I can't say how much I thank you for those beautiful things, Sam."

As Sam went to his rooms he felt far from reassured in his mind. But he was tired and fell asleep as soon as he got in bed, and did not wake

until the sun shone in his window and burned open his eyes.

A few days after that, Simpson left town, and Sam noticed at once that the Squire was intensely relieved, and he and Sam got to work with great vigor and satisfaction. But still he was not the same bluff Squire. There was a change in him that worried Sam. He would sit for long periods thinking deeply, and did not have the same ardor for work as before. But at the April Term he tried his cases as thoroughly and effectively as ever.

In June the splendid buildings and the magnificent race-track of the Improvement Company were finished, and a ten days' series of races was held. This caused a great deal of criticism, but no prosecutions were instituted. Later in the season, in September, a second course of two weeks' races was held which was widely attended. Book-making and pool-selling were open and flagrant, but no interference was made by the authorities.

In January of the following year, the Governor filed with the Supreme Court a petition asking for an opinion in relation to the legality of the maintenance of the track for the purposes of pool-selling, book-making, and betting, and in a short time a very carefully written opinion was handed down in which the five judges unani-

mously held that the maintenance of the track for the purposes for which it had been used was in plain violation of law.

In June of that year the races were held as before, and in open disregard of the opinion of the Supreme Court, and without interference of the authorities. A few days after the meeting, fiery and scathing editorials appeared in the Capital City *Advertiser*, the two leading dailies of the Mill City, and on Friday the better class of weeklies all over the state were firing broadsides at the Improvement Company, while some of the political sheets defended it vigorously. But the Solicitor made no move.

During the summer Simpson again appeared, and the effect on the Squire was marked. He was absent-minded, nervous, irritable, and intermittent in his work. Polly knew something was wrong and in some way connected it with Simpson, who had called at the house once or twice, and had once accosted her on the street.

When Sam found this out, he was white with wrath, and meeting Simpson one day alone, he said, "Mr. Simpson, just one word with you. I don't know what hold you have on Mr. Branch, and I don't wish to know. But if you ever speak to his niece Polly again, or look at her with your snaky eyes, I'll break your back as I would a snake's."

Simpson grinned his evil smile. "You are pretty fresh, young man, but you may sing a different tune some day."

"That may be, but the first time you speak or look at her, you'll stop singing forever, and let me tell you one thing more, if you plan any mischief against Mr. Branch, you'll have this town on you like hounds on a wolf."

"Oh! you go to hell!" snarled Simpson, as he turned and slouched off.

Sam's hands tingled to get a grip on Simpson's throat and to choke the life out of him, but for the Squire's sake he restrained himself.

Later on, Sam learned that Simpson had bought the "Mayflower," a notorious roadhouse a few miles out on the Oceanbrook Road, and was operating the place in conjunction with the Señorita, a Spanish woman of a reputation for absolute lack of morals and a most unbridled temper.

In September the race-track was again open for a two weeks' meeting, which called forth a storm of protest from the newspapers and the pulpits. But as before, although the violation of laws was open and gross, no prosecutions followed. While the feeling was at its height, Sam again publicly announced his candidacy and pledged himself to enforce the laws fairly, and without fear or favor.

The newspaper response was so clearly in his

favor that the opposition at once held meetings to devise means to defeat him. Whatever may have been said at the meeting or at any of the meetings that were frequently held in Elmtown, in Brookmouth, in Lamprey River, or in other places by those opposed to Sam's election, it was evident that a most plausible line of argument was agreed upon by the newspapers. Here was a corporation composed for the most part of wealthy New Yorkers who were willing to put hundreds of thousands of dollars into our state in the shape of taxable property; that in addition to this they were several times a year to spend immense sums in providing the people of New Hampshire with the sport of kings, a thing never before within their grasp; that the property owners of the Town of Salvage, where the track was located, had built many buildings and had gone to great expense in anticipation of the rise in values, and increase in business; that a splendid hotel had been built, an electric line laid, new stores opened, new houses built, the entire town altered and enlarged; that it was the duty of every citizen of the county, who had the welfare of its citizens at heart, to take such action as would secure to these public-spirited citizens of another state, who had hazarded hundreds of thousands of dollars on our good faith, our good sense, our freedom from narrow-mindedness, and our sense

of fairness, to secure to them the uninterrupted enjoyment of the venture, to the Town of Salvage the prosperity that its citizens deserved, and to open the doors of the state to improvement and increase in all good ways; that the result of the election meant much to the county, and much to the state, and that the reëlection of the present county officials, in whose term of office these improvements came, was the surest, safest, and most reasonable method.

The opponents of the track replied hotly. Yes, it was true that a set of New York race-track gamblers and promoters had put hundreds of thousands of dollars into taxable property in the Town of Salvage. But how had they done it? First, by playing an unconscionable trick upon the members of the legislature. Second, by so conducting their track that the Supreme Court had declared it to be run in plain violation of law. Third, by utterly disregarding the opinion of the Supreme Court. That when it came to the point that the good name of the state was to be debauched and prostituted for a few hundred thousand dollars or a few hundred million dollars, it was about time to call a halt, and show the world that the old saying that "Every man has his price" could not apply to the citizens of New Hampshire, known everywhere for sturdy honesty and independence.

Speaking began very early in the campaign. The speakers for the old officers took the plausible, good-natured view of the matter, following out the idea of their newspapers. They affected to laugh at the old-fashioned, timorous ideas of the other side; they deprecated the desolation that Salvage would experience should the track be forced to discontinue its meetings; they enlarged on the great care that had been taken to prevent any such abuses as their opponents feared; they reminded the younger voters that they must keep up with the advance in thought, act, and achievement if they expected to get along in this world; that Colonial law forbade a man kissing his wife on the Sabbath, but that the world had advanced since that time; that there was on the statute book a law forbidding travel over the highways at a rate of over five miles an hour, but that no man ever drove much above a walk but he exceeded that rate; that to enforce that law absolutely would prevent the use of horses, but that the law had its uses: to establish a rate of speed, to prevent racing in the compact part of towns, or reckless or dangerous driving; that such laws were intended to place a limit from which abuses could be reckoned, but not for actual enforcement except in extreme cases; that this law could be invoked to prevent abuses, and should be; and so it would be time to enjoin the race-track when it abused

the privileges that its charter gave it, the privileges that every generous, thoughtful, progressive, right-minded citizen of Rockaway County thought it ought to have; that its charter prescribed a line of conduct that absolutely prevented any of the evils that its opponents claimed.

Sam's party struck straight from the shoulder, narrated the fraud on the citizens of the state, its Senate, its House; the contemptuous disregard of the Supreme Court, the introduction of a purely gambling proposition to a clean state under the cloak of the improvement of the breed of horses and other domestic animals. In what way would the farm-horses of the county be improved by the introduction of wasp-waisted, spindle-legged horses that could run like greyhounds, but could n't pull a baby-carriage to save their lives? In what way were the citizens of our state to be benefitted by the introduction of high-pressure excitement on a low grade of amusement?

Sam took the stump and made a distinctly favorable impression. His speeches were direct and to the point. Beyond saying that as County Solicitor he would see that the opinion of the Supreme Court should be heeded by the race-track officials and that his first act would be to indict those officials who had violated the law in relation to the maintenance of pool-selling and

gambling, he proceeded to arraign the apathy of the county authorities in relation to roadhouses, houses of ill-fame, liquor searches, and public nuisances.

He was often interrupted, often questioned, but the questions he always answered fairly and frankly, and he had a knack of turning ridicule and interruptions to the undoing of those who attempted them. In some respects he was a different man from the untried lawyer who had faced them two years before. He had tried alone several cases of considerable importance, and with the Squire had tried a large number of cases involving knotty questions of law and a tangle of divergent testimony and had made a good account of himself. Stories of his physical prowess had been told, and he could well claim distinction as a partner of the Squire, conceded to be the best lawyer and advocate in the state. And so at the start of the campaign Sam unquestionably had the best of the fight.

It was about this time that Colonel Van Cleves came to Boston, held a meeting in his luxurious suite of rooms in the Parker House, to which meeting were bidden the County Solicitor, the editors of several of the papers opposed to Sam and of several others whose opinions were merchantable, and many of the old-line Republicans. The principal owners of a large brewery and bottling estab-

lishment and other men, cunning and unscrupulous in politics, were also bidden. These men had, nearly all of them, private interviews with the genial, good-natured, bluff, and kindly colonel. For each one there was a handful of cigars, and refreshments of so potent a nature that several of these flushed and merry gentlemen hic-ingly insisted that the Colonel was a "heeluva goo' f'ler," and later fell down and were carried away in a state of coma.

While this was going on, Bob Tiverton was conferring weightily with Simpson, the Señorita, and several of the roadhouse keepers at the "Mayflower."

"I tell you, Mr. Tiverton, it's a dangerous game you are playing. He can't be put out of the way. He is too important a man to be knocked on the head. That may do for dime novels and stories of the West, but it don't go here," said Kimball, a red-faced, bull-necked man. "Then again, I am afraid of the Squire. He is an almighty dangerous man to deal with."

"To hell with the Squire," said Simpson, puffing on one of Tiverton's cigars, "I can handle the Squire so he won't peep."

"Oh, close that trap of yours, Simpson; you can handle the Squire about the way that Bill Evans thought he could handle this Randolph."

"I can handle the Squire, just as I said I could.

Some of you fresh guys think I don't know what I am talking about. But I tell you I can handle the Squire," said Simpson, pounding the table, with an oath.

"But there ain't goin' to be no kidnappin' or no murderin' in this thing," said the bull-necked man decidedly. "It's bad enough to lose my business, but I don't intend to have my neck stretched or to bottom chairs for the rest of my life."

"Damn it all, if you are afraid, say so," snarled Simpson.

"I'm not a fool, and I don't propose to allow any slant-eyed Digger Indian talk to me like that," said the bull-necked man, rising.

But here the woman interfered. "Keep quiet, fools," she hissed. "Too much of quarrel here, pigs-head," she flashed, her black eyes glittering.

The men sat down again. The woman turned and whispered her plan. It was cold-blooded, atrocious villainy. Tiverton looked a bit uneasy, but the others applauded profanely.

The Señorita was to call at Sam's office, who had never seen her, on business, and was to arrange with him to call some evening at the house of one of the gang, who had a secret room with heavy oak doors, where gambling was carried on, to make her father's will, who was old and feeble and unable to go to the office. As soon as Sam arrived, he was to be ushered into the

strong room where the gang were waiting, and was to be given his choice of writing a withdrawal of his candidacy and a request for his supporters to vote for Langdon, or was to be bound, gagged, and delivered up to the authorities on a charge of attempted felonious assault upon the Señorita.

"But who will believe it, Señorita? Felonious assault upon a woman of your reputation!"

"There are always plenty of people to believe it, and whether they believe it or not, it will cook his goose," said one of the men.

Then each one swore by all the saints never to betray each other and they separated, Tiverton being driven at once to the railroad station, after leaving a large sum of money with the Señorita for distribution.

CHAPTER XX

A CHALLENGE

SAM had two very important interviews in the next two days. The first was a visit at the office, of a very stylish, beautifully dressed woman, of evident refinement, and a somewhat pronounced accent, who consulted him at length about the purchase of a valuable piece of real estate in a neighboring town, asked him to look up the title carefully, inquired particularly about a certain right of way that had been represented as the sole incumbrance on the estate. She was very anxious to know about the neighbors, as she said she had always lived in a good neighborhood, and wished to take especial care to have neighbors with whom she could be friendly without injuring her self-respect and who could be on excellent terms with her. She said she had heard much of the Squire as a most unusual man, a really great lawyer and a fine gentleman, and Mr. Randolph would pardon her if she suggested that after looking up the title he would be so good as to submit it to the Squire.

Sam did pardon her, and assured her that he always did submit all business of the kind to his

senior partner, and assured her that he would use great care in looking out for her interests.

There was one other thing she wished him to do sometime. Her father was an extremely old and rather feeble man of some property. She had a sister who was not as well off as she wished she was, poor thing, and that she had tried to get her father for some time to leave his property to this sister, and he had partly consented. She wished to know if Mr. Randolph would mind riding over to Kenton some evening. Her father, who had for many years been a night editor of a large city daily had contracted the habit of sleeping days and reading nights, and was very much brighter after nine o'clock than before.

Sam, who was very much impressed by the disinterested motives of his client, said that she could command his services in the making of the will at any time, but that he might be delayed a bit in the looking up the title because in addition to his office work he was in local politics. She replied with a charming smile that she had heard of that, too, and she hoped she would be able to congratulate him on his ultimate success. She had heard of the unfortunate condition of affairs in the county, and she felt sure that the good sense of the better class of people would elect those officers only who would do their duty.

She then paid Sam a retainer, expressing sur-

prise at the modesty of his charges, and bade him good-morning with the most charming grace imaginable, leaving Sam with a pleased recognition of her kindness, her courtesy, her tact, and her good breeding.

As he opened his letters he found one from Colonel Van Cleves's lawyer, asking him to meet him in Boston at Parker's the next day at ten o'clock in the forenoon to confer about matters of mutual interest.

Sam frowned at this, and his brows were drawn and knotted when the Squire came in.

"Well, Sam," said the Squire, rather more heartily than usual, for since the reappearance of Simpson he had been very quiet and thoughtful, "what is there in your mail that makes you look so doubtful? Have you found out that 'Uneasy lies the head that (would like to) wear a crown'?"

"I found that out long ago, Mr. Branch, but I don't quite know what to do about this. I guess I need advice from you," and he handed the Squire the letter.

The Squire read it carefully and frowned hideously.

Sam laughed. "It appears to have the same effect on you, Mr. Branch; you look quite a bit doubtful, as well as I."

"I was trying to think what game they are up

to. For if Van Cleves is in it, it is a game, or, what is worse, an offer to get you to drop out of the race."

Sam's head went into the air with a start. "Old Van Cleves will hear something drop if he makes any offer to me," he said truculently. "By the gods! I would like to get a chance to speak my mind to him."

"It is always better to let the other man do the talking, Sam, remember that," said the Squire dryly, and adding, "I have a good mind to go with you, if I did n't have an appointment that I must keep."

"Oh, I would n't ask you to do that, Mr. Branch. I don't see what they can do except misquote me, and they could n't do that any worse than the papers have. Of course, if it comes to any question about the maintenance of the race meetings, I shall stick to my point, and tell them what to expect. They might as well know that there will be no compromise," said Sam decidedly.

"Yes, Sam, that is always the best way. I wish I had always thought so," he added in a low tone, that nevertheless reached Sam's ear.

Sam glanced at him and his heart was torn as he noted how thin and worn and old the Squire had grown during the last few months. His cheeks were gray and sunken, his eyes dull, his

cheek-bones unduly prominent, and his clothes seemed loose and ill-fitting.

A spasm of sudden anger came over Sam as he thought of Simpson, to whose presence he attributed the Squire's trouble, and for the hundredth time he wondered what influence that snaky individual had over a man like the Squire, and his fingers clinched as if they were at Simpson's scrawny, muscular throat.

"Damn him!" he muttered, "some day I'll know and then —"

The opposition papers that morning rung the changes on Sam's being a new man in the community. They were willing to concede that Sam might have latent talent, but what was the use of rushing into unknown waters, what was the sense of intrusting our good county ship to an unknown pilot, a man who had not lived in the community long enough to know the needs of the county, the disposition of its citizens, or the real condition of its institutions. Ability to prosecute, to obtain convictions, when rightly directed by good judgment, tact, and a forgiving disposition, was a valuable possession, but the ability to convict and a determination to punish, without reckoning on whose shoulders the punishment might fall, was but small recommendation and a very doubtful qualification for an officer whose main qualification should be good judgment. In nine cases out

of ten the old resident, the native-born citizen, was far better qualified to dispense justice than the outsider or the newcomer, whose mind was trained by influences alien to and ofttimes irreconcilable with the characteristics of our own people.

Sam and the Squire both realized that this was an argument calculated to appeal to the prejudices of those who were honestly anxious to put an end to the existence of questionable houses, dives, gambling places, but who were narrow, local, and intensely jealous of any success, however deserved, in an outsider or newcomer. Indeed, it was only the widespread dissatisfaction with the state of affairs, and the indignation over the incorporation of the Improvement Company that gave Sam, a newcomer, a fighting chance.

Early that afternoon Sam left the office and took a long horseback ride with Polly, whom he had somewhat neglected of late, owing to his political activity. He found that young lady somewhat inclined to be rather distant, but the swing of the horses, the delight of riding again, put the roses in her cheeks and the light in her eyes.

"Oh, Sam," she said, "would n't it be delightful if we had nothing to do but ride? There would be no horrid clients and bothersome wretched cases, and no dreadful politics and maddening

newspaper reports saying perfectly horrid things about one, but one could just ride and ride and ride. Oh, I just love the creak of the leather and jingle of the bridle, and I can make up the most beautiful music to the time of the horses' feet, caprices to the singlefoot and polka redowas to the trot and czardas to the gallop. Some day I hope I can take a long, long ride through the country. Day after day, stopping at funny country hotels and farmhouses, and cooking some of our meals by the side of little brooks. And oh! Sam, did you ever eat trout cooked on a stick with salt on it, — I mean on the trout, not the stick? I am going to do it sometime with Uncle Ira. We have talked it over many times. We will have two saddle-horses and a third, which is to be a saddle horse, too, and wear a pack-saddle and carry our outfit, that is, what we don't have in our saddle-bags. And dear Uncle Ira is not to think of business for the entire trip, and not to write or receive any letters, and you, Mr. Sam, will stay at home in a dry, hot, dusty, old office and work at an old desk and mark cases 'Continued for notice,' and 'Nonsuit,' and '*Nisi prius*,' and lots of other Latin things that none but lawyers know about, and —"

"And '*In hoc signo vinces*,' and '*In vino veritas*,' and 'Hit 'im agin, McCarty,'" said Sam, laughing. "And perhaps 'Mr. Sam' will follow

right along on that pack-horse and cut the office, and will do the cooking, and run the errands, and rub down the horses, and pry the stones out of their feet, and cinch up the side-saddle so that a certain young lady, whose name I need not mention, will stay on her horse where she belongs, instead of swinging down under the horse, as she did on one occasion when she trusted a stableman to put on her saddle."

In this way they rode and laughed and talked until long after teatime, and when they returned found the Squire waiting tea for them. Their happy faces so cheered him up that he almost forgot his anxiety.

The next morning Sam started for Boston to keep his appointment. As he stepped into the Parker House, he felt a slight nervous exhilaration, similar to that he always felt before going into a contest of any kind. This always merged into a cool determination as the contest began. As he passed into the office, he was met by Donahue, with whom he shook hands.

"Now, where can we talk?" asked Sam.

In answer to this question, Donahue said, "This way, Mr. Randolph," and led the way to the elevator, which took them to a room in the third story.

Donahue knocked, a voice cried, "All right, come in," and Sam entered a large, well-fur-

nished room, with a large mahogany table and a half-dozen office chairs. Sitting at ease in the chairs were Colonel Van Cleves, Bob Tiverton, Annersly, and Pool, four of the incorporators of the Improvement Company. Sam's color heightened as he saw that he had been tricked into a meeting which he had supposed would be a professional conference between him and Donahue or one of his partners, and he turned a sharp glance of inquiry on the latter, who colored in his turn, and affected to be busy adjusting the curtains at a window. However, it was not Sam's nature to shirk a fight, and he faced what he felt would be a very unpleasant meeting, with coolness.

The four gentlemen rose and bowed, Van Cleves half-started forward, as if to offer his hand, but thought better of it and bowed pleasantly. Tiverton nodded familiarly and somewhat insolently.

Sam bowed, said, "Good-morning, gentlemen," and took a seat facing them and waited for them to speak.

There was a somewhat constrained silence for a moment, and then Donahue, in response to a nod from the Colonel, began, —

"The gentlemen interested in the Improvement Company, and whom I represent, are anxious for a conference in regard to the matter, Mr. Randolph," said Donahue.

"So it appears," said Sam dryly.

"And we thought, that is, I thought, the best way was to hold a meeting here where we could be comfortable and talk the matter over in a friendly way."

"When you have a consultation with another lawyer, is it your practice to have your own clients present without notifying him to bring his? If so, the practice is different where I live," said Sam quietly but meaningly.

Donahue looked a bit uncomfortable, but continued, "In your case, Mr. Randolph, knowing you to be an old friend of two of them if not of all, I could see no objection."

"If that were the case, there might have been none, but it strikes me as scarcely professional. But if there is anything to be said I am ready to listen," said Sam, turning his gaze on the Colonel.

"All right, sir, I will proceed," replied Donahue. "The gentlemen here have a very large pecuniary interest in the track. From past experience they have had reason to believe that you, brought up under New York influences, and knowing many phases of New York life, have no prejudices against racing horses or betting on them. They have reason to believe that you have, in the past, placed a bet or two on the ponies, as the saying is. Am I correct?"

"Possibly," said Sam, bowing slightly.

"Now they feel," continued Donahue, "that if the people of your state, and especially the officers of your county, will only allow them to run the track as they have been running it for the past two seasons, that your people will be convinced that their methods are aboveboard, and really that the Improvement Company will prove its name, a great factor in the pecuniary improvement to the citizens of your state and county. They wish to know your opinion of the best way to convince your county officers of these facts."

"So far as I know, the officers seem to be very well convinced of your position, if their action in the matter, or want of action, is any evidence of their opinion," said Sam. "Would it not be better to consult them rather than one who is not an officer?"

"But we have reason to think that you may be the very officer that we wish to consult," said Donahue, with a smile.

"Well, I confess I don't feel as sanguine as that, but I shall do all I can to land the office of Solicitor," said Sam, with a flash in his eye.

"Well, granted that, we wish to know flatly what your attitude will be towards the track and its promoters, provided you are elected?" demanded Donahue.

"That is a fair question at least, and deserves

a fair answer," said Sam, looking the Colonel squarely in the eye. "My first act will be to secure the indictment of the incorporators of the company for keeping and maintaining a gambling-place. My next will be to convict them if I can get them into New Hampshire. Is that plain enough?"

The Colonel reddened and started as if to speak, when Donahue cut in.

"If that is the case, what retainer would you charge to withdraw from the contest and become the New Hampshire attorney for the company?"

Sam sprang to his feet so quickly, that Donahue started back as if he expected a blow.

"Donahue," he said, "what sort of a damned shyster are you anyway? In the first place, you tricked me into coming here, and now you deliberately offer to buy me out for a lot of time-serving, cut-throat sharks like this gang. In New Hampshire they disbar lawyers of your stripe."

"Gang of sharks, by the Eternal!" roared the Colonel, shaking his fist. "I don't propose to stand any more insolence from you"; and he advanced threateningly, but stopped abruptly as Sam started forward and wagged his finger under the old gentleman's nose.

"Colonel Van Cleves, I have wanted to get a chance to tell you what I think of you, and I 've got the chance now. You are the most cold-

blooded old vampire in New York to-day. Tiverton is only a poor fool, but you are a rascal, a heartless, bloodsucking, hoary-headed old whelp. You never had a decent thought, or an honest idea in your life. You never could do a thing straight, you had rather lie than tell the truth. You never had an idea that there was an honest man in the world. Now, I may get licked, but some day I am going to be County Solicitor. It may be this fall, or it may be in two years from now, but when I do, I'll land you in jail as sure as there's a God in Israel, — you and any other of your gang that have buncoed and defrauded the people of New Hampshire, and have sneaked through a hypocritical bill, and have defied the Supreme Court. As for you, Donahue, I am surprised at you. I thought you were a man of a decent reputation, and I'll swear I did n't expect this from a member of your firm."

Donahue turned and looked out of the window, his hand nervously twisting the tassel of the shade, and made no reply, nor did any one else.

Then Sam took his hat, stared at them a moment, and left the room.

That night Sam spoke in Rumley, and with the memory of the afternoon upon him he made a most aggressive speech, and defined his position with such distinctness as to leave no doubt in the minds of any man that he would, if elected,

put down abuses, abate nuisances, and punish criminals.

One of the last things he spoke of was the purchase of votes, and in stating his position here he was no less decided: —

"One thing in particular I wish to speak of, and that is the purchase of votes. It has been represented to me that the purchase of votes has been looked upon with toleration in some parts of this county as a necessary evil connected with politics. It has been justified by some as the necessity of fighting the Devil with the Devil's own weapon. Now, I do not desire this election by any such means. I would rather be defeated overwhelmingly than owe my election to dishonest practices by any one in my behalf. But some of my friends say, 'You will be beaten if something of the kind is not done.' Gentlemen, if I owe my election to the purchase of one solitary vote, and know it, then I am more of a criminal than the worst criminal I may convict, and I wish to say here, in order that I may make my position clear, that if I find any instance of a vote being bought in my interest, or money used corruptly in my behalf, I will do my utmost to bring the guilty man to punishment, to send him to state prison if I can, and I mean just that, so help me God."

CHAPTER XXI

HIS BACK TO THE WALL

THE October Term with its grand jury came on. The report of the jury showed no indictments found against the track officials, and none but beer indictments against roadhouses, dives, or houses of ill-fame. Langdon had missed a chance of gaining votes from Sam's supporters, for, owing to the prejudice against a newcomer, as Sam was termed, it only needed a show of official activity on Langdon's part to seriously weaken Sam's support.

Sam had more cases to try than ever before, as the Squire put more and more work on his shoulders, and particularly in the trial of jury cases. The Squire had two motives in this. One was to bring Sam out as a jury lawyer as a preparation for the criminal practice he would have in the event of his election, and the other, to tide him through his work, for which, in his condition of worry and trouble, he felt himself incapable. And Sam, thrown in a measure on his own resources, entered into his work with a vigor and thoroughness that won the strong commendation of the presiding judge, and the admiration of the older members of the bar.

He had received several visits from the prepossessing young woman who had shown so much keenness of perception in legal affairs, so much tact and good sense, that Sam was very much pleased, and took exceptional pains in the drafting of such papers as she desired, and in the advice he gave her. And it was noticeable, whenever she came to see him, that Simpson stood opposite the office and watched, but always left before she came out, but before he left, took occasion to accost some store-keeper or well-known citizen to ask the time, or a match, or to chat a moment.

As the election approached, Langdon's followers became more and more determined to reelect him, and the papers pressed every argument they could invent to defeat Sam. Indeed, from some reason several newspapers, which had in the beginning of the campaign taken high moral grounds in opposing the reëlection of Langdon, now admitted that the selection of a man of Sam's inexperience was a very dangerous experiment; that a young man, pledged to convict, might be a disturbing element in county affairs.

Sam's papers promptly sailed into these "turncoats," as they called them, and much hard feeling was caused, but on the whole the support of the old officers appeared to be strengthening. The purchasable voters were controlled by the

old officers, backed by their own money and by that of Van Cleves, Tiverton, and the New York stockholders. And there could be no doubt that there were many hundred of such voters. Then there were a good many people in the town adjoining Salvage who sympathized very strongly with the citizens and property owners of that town in their natural desire to prevent the serious depreciation of their property that the closing of the track would produce, and of course every voter of Salvage was heart and soul for the track.

It was a surprising thing to find out how many voters were influenced by the cry "Outsider," "Newcomer," "City Man." Even the ranks of those opposed strongly to the track and to the apathetic attitude of the county officers had been decimated by this cry.

"Why in Tunket don't this 'ere New Yorker stay ter hum? Ain't we got no lawyers fit to dew this 'ere bizness?" said old Cephas Farnum, in voice of raucous protest.

"That's all right, Ceph, but this 'ere young feller will dew it, an' t'other feller has hed his chance, 'n' hain't done nothin' but draw his selery. Neow, I say less gin the young chap a chance ter see what he kin dew. Ez fer his bein' a New Yorker, what of it, say I, what of it? Dod rat it, that argimint is reediculous. Yeou live in Lamper River, don't ye, wuz yeou born there?

No, ye wuz n't, yeou wuz born 'n' raised in West Barvel, twel' mile away. Spuzzen when yeou'd been a-runnin' fer seelickman the fust time, some feller hed said, 'This 'ere Cephas Farnum is a outsider, a dummed newcomer.' Where would yeou ha' been? I say, dummit, Ceph, where would yeou ha' been?"

Such argument as this was heard on the streets every day and probably in every town in the county, and with varied result. Sometimes the doubter was won over, but in a far greater number of cases this unreasonable prejudice turned the doubter away from Sam and made him an active partisan of Langdon.

It was about ten days before the election, and the court took a recess, as it was practically impossible to try cases satisfactorily until the result of the election was known. Sam was billed to appear in different towns nearly every evening. Some of his friends had tried to induce the Squire to take the stump for him, knowing the immense influence the Squire had, and the enthusiastic following he would command, but the Squire refused on the plea of ill-health, and indeed he looked ill and worn.

One Friday evening, Sam had dined with the Squire and Polly, had gone to the office for some work, then to his rooms, intending to go early to bed better to prepare for a hard day's work

Saturday and a speech in the evening in West Kendrick, one of the strongholds of his opponents. While he was removing his coat, a boy appeared with a note from his attractive client, asking him to come to her house at once, that her father had been suddenly taken ill, and wanted him to make his will before it was too late; that she would have the witnesses there, and "Please, please hurry."

Sam groaned in spirit for a moment and then reproached himself with his unkindness. Of course, he would go at once, and he quickly changed his business suit for his riding-clothes, put some blank legal cap in his pocket, refilled his stylograph, ordered his horse, and in a few minutes was loping rapidly through the darkness and out of the town. Although he had never been to her house, he followed her direction carefully, and soon arrived at a large, solid-looking house about a hundred yards from the road, and walled in by trees, bushes, and high thick hedges. As he drew up by the house, a man came forward with a lantern, took his horse, glanced sharply at Sam, and motioned to the door.

Sam ran up the steps, and the door was opened by the young woman with her handkerchief at her eyes.

"Oh, Mr. Randolph, I have so much joy that you have come. My dear father is very ill, but I

know he will be glad to see you. He is worrying very much."

Sam followed her to a room at the back of the house, which she opened, and motioned for him to enter. Sam entered the room, the door was shut and locked, and he found himself in a large square room, absolutely without furniture, and he was confronted by Simpson, a bull-necked, red-faced ruffian whose face was familiar, and a dozen of as tough-looking citizens as he had seen in his life.

"Well, young feller," said Simpson, with a snarling smile, "this time we have got the drop on you."

Sam saw he was trapped, and that curiously nervous, tingling sensation came over him, a sensation that was akin to pleasure, a sort of exaltation that made him long for combat. But his reason told him he was in a very desperate and dangerous situation that called for the utmost diplomacy and the exercise of every faculty. At all events he would try to keep from a row.

"Well, gentlemen," he said quietly, "what do you wish of me?"

"Hear the sweet young gentleman, 'What do you wish of me?'" mimicked Simpson; "you'll find out soon enough," he barked savagely.

"Hold on a minute, Simpson, let me speak," said the man with the red face. "If we can make

any arrangements without trouble, so much the better. Perhaps Mr. Randolph, seeing his position, may come to terms."

"Well, go ahead, then," said Simpson sulkily; "only don't be all night about it."

"Mr. Randolph," said the big man, "we have n't anything particular against you except that we feel that we can't run our business if you are elected Solicitor. And we are going to beat you in one way or another, by fair means or foul. You can't be County Solicitor."

"Perhaps not," said Sam coolly, "but why should you get me over here to tell me that?"

"Because we want you to withdraw from the campaign and sign a statement to that effect, and you are going to do it before you leave this room."

"Well, supposing I refuse to withdraw, what then?"

"But you can't refuse; you have got to resign," said the big man.

"By God, you won't leave this room alive, if you don't sign that statement, and do it damned quick," snarled Simpson.

Sam looked around the room. The windows were all higher than his head and barred with solid oak bars. There was no opening but the door he came through and that was massive and locked. He looked around at the faces of the

men. Determination and cruelty were on every face and there was no sign of weakness.

"It will be worse than that, Mr. Randolph," continued the big man. "If you refuse to sign, we will tie you, gag you, and hand you over to the authorities on the ground of being intimate with Simpson's wife. She has been to your office several times, and you came to this house to-night to see her, and she is ready to swear that you came here to see her to-night and all the rest of it. And we are, too. Oh, we've got you this time."

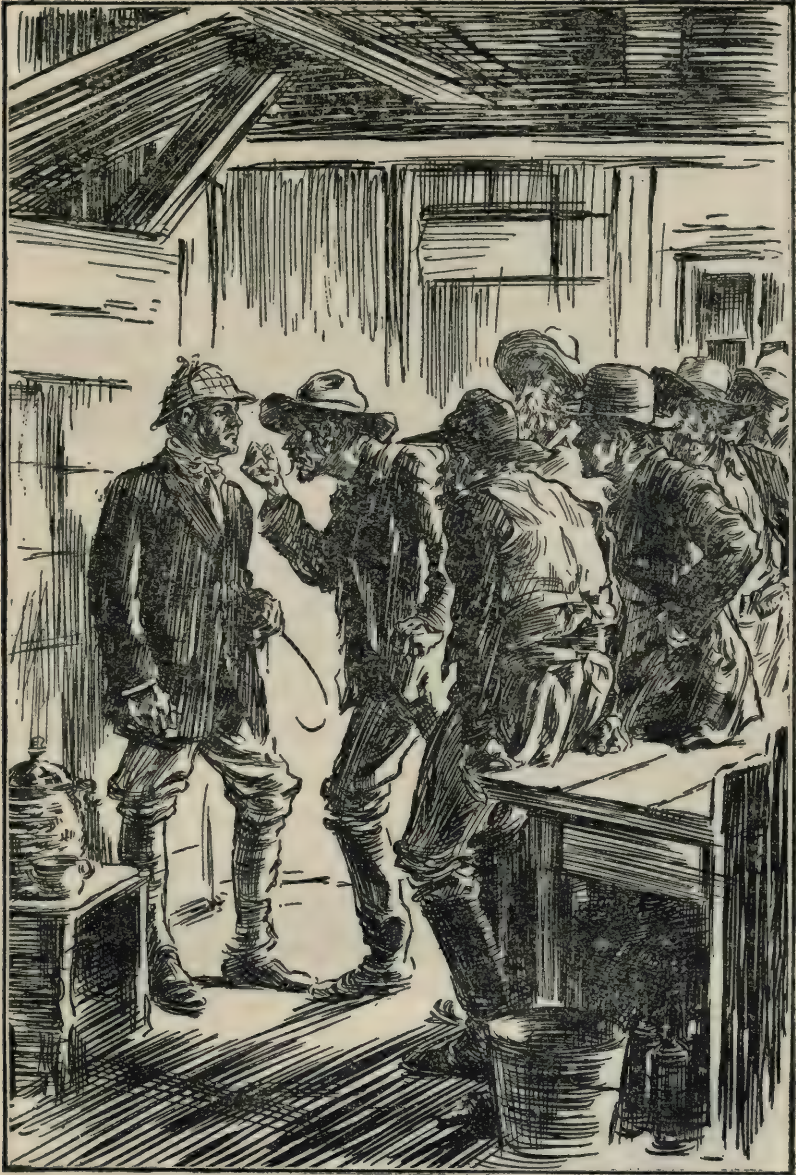
Sam was stunned for a moment, as the details of the horrible plot came over him, and then his heart beat as regularly as ever, but there was a tingling sensation up his spine and at the back of his neck as if his mane was rising, and he clinched his teeth, his nostrils spread, his nose tightened along the bridge, and the color left his face.

"Well," yelled Simpson, shaking his fist in Sam's face, "what do you say?"

"I'll see you all damned first," said Sam in a low voice, but in a tone that surprised himself.

"Oh, you will, will you? Well, I'll tell you what I'll do. I'll ruin you, and I'll take that little Polly of yours, and —"

But he never finished the words, for Sam caught him flush in the foul mouth, and he dropped like a log and lay senseless. Then with



IF YOU REFUSE TO RESIGN WE'LL TIE YOU AND GAG YOU.

yells and curses they were on him. The big man spun round with a fearful swing on the ear, another man's head snapped back with a lightning left, and then the crowd closed in, and Sam was fighting for his life.

Blows were rained on him, they seized him from behind, they tore at him like maniacs. He hurled them off, struck them down, striking terrific blows like piston rods. The fight swayed here and there, across the room, in the corners, against the sides. God! he is down in a heaving, struggling, cursing heap. He is up again, and a man lies inert with his arm twisted under him. Another is felled like a log and lies there, but the rest are at him like wolves. Gone is their wish to tie him; they mean to kill him and he knows it, but glories in the fight. Was there ever such a fight! Sam fought with his arms, his head, his shoulders, and his legs. He was all over the room, hitting, tripping, driving, staggering, swinging his shoulders, wrenching loose from clinging hands, bleeding and disfigured from blows, panting with his exertions, but fighting like a bison beset by wolves. In spite of his desperate need, in spite of the hurly-burly of the heaving, swaying fight, in spite of the rain of blows, Sam fought with method, striving to disable and knock senseless his most dangerous opponents.

Three were on the floor, lying like dead men,

another cowered in a corner, shielding his head with his arms. Every now and then Sam cleared a space, and then a mighty drive sent a man down to stay, but the crowd of cursing maniacs would close on him like rats in a pit. In the other part of the house, the women, listening to the savage fight, began to scream, but the fight went on. It seemed as if he would beat them all, but Simpson had recovered, and, seizing a heavy bottle from his pocket and watching his chance in the heaving whirlpool of struggling forms, struck Sam a crashing blow on the forehead. Sam staggered, fell to his knees with the blood pouring from his forehead, half-rose, and then went down with the maddened beasts tearing at his throat.

CHAPTER XXII

COUNTY SOLICITOR

A FEW moments after Sam had mounted his horse and started for the Señorita's house, the boy suddenly remembering her injunction to bring back her note, and that Sam had left it on his table, hurried back to the room to get it, as he had a wholesome fear of that lady. He found the note, picked it up, read it to be sure, and started to leave the room when he met Ben, who had run up to see Sam. His look of confusion and guilt, and the hasty manner in which he concealed the note in his pocket, attracted Ben's attention.

"Here, boy, what have you got there, and what are you doing in this room?"

The boy made no answer, but ducking his head, attempted to dash by Ben, who caught him by the arm, swung him round, and pinned him against the wall.

"Look here, you sneak thief, show me what you have stolen, or I'll hand you over to the police," growled Ben, tightening his grip.

"S'welp me God! I ain't stole nothing, boss, I brought a note to Mr. Randolph, and the woman told me to bring the note back or she'd

skin me, and she'll do it too. So I came back to get it."

"Don't lie to me, boy," said Ben, giving him a shake.

"I ain't lyin', hope to die and cross my throat," said the boy. "Here is the note."

Ben glanced at the note, read it, smiled grimly, and said, "You young liar, what do you mean by telling such a fool lie as that? It is only a business note about her sick father making a will. She did n't want the note back. You made that lie up to come back and steal something."

"I did n't, boss, I did n't. She ain't got no father. She is a terrible woman. She and the men over there have got it in for Mr. Randolph."

"What do you mean? Speak up," said Ben sharply.

"Why, I heard them talking about sending a note to him and getting him over there and making him do something."

"Who were the men?"

The boy glanced apprehensively at Ben's set face.

"They'll kill me if I tell," he whimpered.

"I'll kill you if you don't," hissed Ben, putting his face close to the boy's, and grasping him so tightly by the wrists that he cried out in pain.

"Oh! Bill Simpson, and Jim Duval, and Big Pete, and a lot of others."

"Where were they and where did they expect Mr. Randolph to come?" demanded Ben.

"At the 'Pond Lily' on the Oceanbrook Road," replied the boy.

Ben dashed down the stairs, dragging the boy after him. "Hurry, boy! don't try to get away. I will make this the best day's pay you ever earned."

They rushed down the street to Alvy's burst into the office, and Ben yelled, "Alvy! Alvy! hitch your two best horses into a two-seated wagon, quicker than damnation. There's a hellish scheme to do Randolph up. How long ago did he leave?"

"About fifteen minutes," said Alvy.

"Good God! we have lost so much time," groaned Ben. "Hurry up those horses, it may be a matter of life or death."

Alvy sprang away, yelling for John and Pat. Ben rushed for the telephone, rung up the Major's, got Mad and told him the news and to hurry up his team, called up the gymnasium, and in a few moments Williams, Bill Evans, and Brown dashed into the stable-yard at a run, shortly followed by J. Wadlin, swinging a club, several pairs of handcuffs and a coil of rope, just as Pat, who was rushing out with one of the harnessed horses, kicked the stable dog about ten feet for getting underfoot. The horses were

hooked up with the rapidity of fire horses at a general alarm, the men piled in madly, Brown seized the lines, and away they went around the corner, the wagon heeling dangerously to one side.

Quick as they were, the Major's men were equally alert, and as they dashed by the Rumscott Stables the Major's best pair of blacks were being rushed from the stable by excited men, while Mad, standing in the wagon, bawled directions, and several brawny acquaintances of Sam's were climbing over the wheels and swearing loudly.

Brown pulled his restive horses up as he passed. "Hurry up, Mad, he's got fifteen minutes the start of us. We will drive easy for a mile, and then we will have to drive like hell, and we may be too late then"; and away he went, the horses held hard, but trotting briskly. At the half-mile bridge, Brown let out a link and they increased their stride. Mad was not far behind, for the thunder of the blacks' hoofs on the bridge was heard.

Up the long incline beyond the second bridge they went trotting strongly, then Brown let out a fold of the reins and the off horse went off his feet in a sharp gallop, then the nigh horse joined him, and objects began to fly past in the dim light. The blacks had gained, and were but a few

rods behind, both galloping. From far off came the thunder of a galloping horse striking the bridge, then later a louder rumble as it passed over the second bridge. The second mile passed with a rush, the third at increased speed. The carriage swayed dangerously at corners, several times it seemed as if they must go over, but Mad and Brown were famous drivers and knew the road. Stones and gravel flew in showers, and as they entered the last mile, Brown swung the whip and yelled to his horses, and they plunged into their collars like wild things. An answering yell from Mad, an increased stride by the splendid straining blacks, while but a half-mile behind came an Indian pony, flying like the wind bearing a young girl, who rode like a witch, urging her mount with heel and voice and whip. It was Polly. Her hat was gone, her hair flying, her eyes blazing, and her ears straining for the thunder of the teams in front.

And now the teams swing into the lane to the house, and the sounds of the battle and the terrified screams of the women are heard, the men are leaning forward ready to jump. The horses are pulled to their haunches, the men spring from the wagon, and rush up the steps like stampeding cattle. Bill Evans is ahead. He is met by a tigress of a woman, with blazing eyes and white face, who tries to bar the door, shrieking curses.

Bill seizes her by the arm, dashes her aside, and rushes in the direction from which the sounds of the fight come. He dashes against the door, it holds, again he hurls his huge body against it, it shakes, but does not give way. Mad, Brown, Ben, Pat, and Bill rush together. There is a crash and the door splinters and falls, and the men dash into the room to fall over prostrate, struggling, cursing men, who are torn from their victim, dashed to the floor, hand-cuffed, and tied, and thrown into corners like sacks of flour.

At the bottom of the heap they found Sam, dreadfully bruised and cut, covered with blood, his clothing in rags, alive, and panting like a dog, but undismayed and able in a few minutes to gain his legs. Indeed, in some respects, he was in better condition than some of his assailants. The red-faced man, red no longer, but bruised, swollen, and purple, had his jaw broken; Devlin's arm was broken; Mace had a shoulder dislocated and collar-bone broken by being thrown completely over Sam's head; Simpson's nose was smashed flat, the blood had soaked his shirt front, and his lips were swollen and puffed like tomatoes; every one else was bruised and bloody. But the most serious thing was to come, for, as the officers were hustling the prisoners from the room, the Señorita reappeared, a white-faced, blazing fury. She had rushed to Simpson's room, hunted up

his heavy Western revolver, and wild with rage at the heavy fall Bill Evans had given her, aimed it at him before any one could stop her, and just as Polly, who had sprung from her panting pony, rushed in at the door. At her shriek of warning, Bill turned, made a frantic endeavor to strike up her arm. There was a stunning report, a groan, a fall, and Simpson lay on the floor shot through the forehead.

The rage died out of the Señorita's face, the weapon dropped to the floor, and for a moment she stared at him; then dropping to her knees she took the head of the dead man in her lap and rocked to and fro in wild grief. Ben, who had seen Polly enter, had hurried her out of the house, assuring her that Sam was not seriously hurt, and, persuading her to mount her pony, led him away and out of sight and hearing of the dreadful house, whence Sam slowly and limpingly followed. Horses and carriages were obtained in the neighborhood, and soon they were on their way home, where later came the gruesome procession of the dead and wounded.

The next morning the entire gang were duly committed for trial without bail, but Sam was unable to appear, and lay in bed bandaged and patched, as he said, "like an old pair of boots," and raging at his inability to keep his platform engagement.

But it was kept, for when the hour came for the speech, to the great surprise of those gathered in the hall, there appeared on the platform the most prominent men of that town, and the Captain, the Senator, Caleb Terrill, J. Wadlin, the Major, Mr. Timson, and Squire Ira Branch. Not the Ira Branch of the past few months, but the Ira Branch of old, — strong, erect, commanding, with the white fire of health and enthusiasm burning in his eyes. What a speech they heard that night! Brilliant, eloquent, forceful. A speech that Wendell Phillips might have envied, or Webster have rejoiced in. And when it was over, the audience arose as one man and the building shook with their cheers and shouts. And it was impossible to say whether their cheers were the louder for the young man who had held his own with the gang of thugs, sworn to disgrace or kill him, or for the old man who had come to his own again.

And for every night before the election did the Squire speak, crowding the houses, and winning by his eloquence, his force, his sound common sense, and the vast respect and admiration in which he was held, the utmost enthusiasm for his candidate, and when the election was held, Sam was chosen Solicitor by the largest majority ever given for a successful candidate.

When the court re-convened, a special grand

jury was empaneled, and although Langdon's term of office did not expire until the next April, yet he was so disgusted that he resigned, and Sam was appointed Commissioner to perform the duties of Solicitor by the Supreme Court; and entered at once upon these duties, and when the jury had finished their labors, not only were Sam's assailants indicted for assault with intent to kill and murder, but indictments were found against Colonel Van Cleves, Bob Tiverton, and all the incorporators of the race-track for maintaining a gambling-place.

These men promptly retaliated by refusing to pay any more bills for the erection of the large and elegant buildings of the plant. These bills, amounting to an enormous sum of money, were put in the Squire's hands for collection, and Sam, hearing from Tom that the Colonel and Tiverton were to be in the northern part of the state in a trip to Maine during the deer-shooting season, prepared writs, containing notices to be ready for trial at the first term of court, in January, and, to the Colonel's unbounded anger and disgust, secured personal service on both Bob and the Colonel, of writs calling on them to pay the entire amount, the Improvement Company not being a limited corporation, and the directors being individually liable.

The Colonel fairly exploded with wrath. "A

dirty, pettifogging, shyster trick!" he yelled at Sam. "Here you have me indicted, so I cannot come into your damned rotten old state, and then you sue me for hundreds of thousands of dollars and try it in your own court. A dirty, swindling trick."

"Keep your temper, Colonel," laughed Sam; "you shall have every opportunity to come in and defend your suits without arrest. The court will grant you that, even if I would n't. I could have had a *capias* to-day if I had wished. No, Colonel, it 's my turn now, but you are going to get what you never gave a man in your life, a fair and open chance. After I make you pay your honest bills in New Hampshire, then I will see what I can do to send you to jail"; and he walked out, leaving the Colonel purple with rage.

On Sam's return to the office and at his occasional suppers at the Squire's, he found, very much to his surprise and chagrin, that Miss Polly treated him in a very distant manner. Indeed, she manifested the utmost indifference to his affairs, and, when Sam endeavored to find out in what way he had offended her, was most properly reduced to his least common denominator and put in his place.

This troubled Sam a good deal, for insensibly and for a long time he had been developing a very strong affection for that young lady, a feeling

very different from the semi-paternal, elder-brotherly feeling he had had for her since he came to Elmtown. Indeed, when, at the close of his terrible fight that night, he had realized that Polly had ridden her pony almost to death to get there in time to help him, he vowed to himself that he would willingly have taken a much worse beating for that.

But when Sam attempted to thank her for her interest and kindness, which, if he had known anything, he would not have dared, she made up a most atrocious fabrication of how she had been riding that evening and the teams passed her, and something started her pony, and for the life of her she could not pull him down, and he fairly ran away with her; that she left just as soon as she learned that it was a drunken fight; which last statement hurt Sam's feelings so much that he became very stiff and formal. Whereat Polly at once became quite confidential and friendly, and urged Sam to give up his dissolute companions and be more like — well, like Tom, for instance. Whereupon Sam said, "Damn Tom," and left in a huff, at which Polly laughed wickedly. And like a woman got in the last word by saying, with her nose in the air, "Well, Tom may not be able to fight as well as some people, but he certainly would not swear in the presence of a lady." However, they were both so happy in the

wonderful change for the better in the Squire, and the general lifting of the cloud of gloom that had hung over them so long, that they thought the world a very bright place.

But in spite of Polly's apparent indifference to Sam, you may be sure that she was by no means as indifferent as she appeared. That she was ready to resent any criticism of him that was made by individuals or newspapers, and the latter had by no means forgiven him for overturning their prediction.

In his official duties he came in for much criticism from reformers in his own party, who quite naturally thought that he as their candidate would feel called upon to make sweeping prosecutions in the interest of their particular line of reform. Prohibitionists desired the absolute enforcement of the law and endless prosecution. Societies for the prevention of cruelty to animals were constantly importuning and commanding investigations; ditto of children would take the bringing-up of children, and particularly the home discipline of the same, almost entirely out of the hands of their parents or guardians. In short, every kind of reformer camped in his office until they found that he had ideas of his own which he was quite capable of carrying out. He listened patiently and courteously, and made his decision promptly.

"Gentlemen," he said one day to a delegation of reformers, who attended him, "I am ready as Solicitor, to hear any complaints you may have, and to act upon them at the county's expense when I think the prosecution ought to be made. In such cases I am willing to act as complainant, but in all cases when I do not think the prosecution to be for the public good, I shall decline to act. In all cases I shall ask and demand the assistance of those making the complaint. I do not intend to have thrust upon the shoulders of, or charged to the pecuniary account of the County of Rockaway, the private feuds of citizens. In case of conviction I shall not always insist upon a sentence. There will be, undoubtedly, many cases in which I shall ask for a suspended sentence. But I do intend that the people shall respect and obey the law; not only our citizens, but those who come from other states to take advantage of our institutions. I shall shirk no duty, and I do not intend that the people shall shirk their own."

CHAPTER XXIII

THE GREAT LEGAL BATTLE

AT the January Term the case against the Colonel and Bob came up, not for actual trial, but upon a motion for the Court to frame issues for a jury trial, the original writ being a bill in equity to be acted upon by the Court sitting as an equity tribunal. So many disputed questions of fact arose, that it was the Squire's idea to have a jury pass on the facts, the Court upon the law solely. He judged that a finding of facts by the jury, as he contended they should be found, would practically settle the case, as the law had previously determined the legal liability of stockholders in corporations not limited. His notice to defendants to be ready for trial was not in expectation of actual trial, as he had no idea that the Court would do more than frame the jury issues, but he felt sure that by insisting on his legal rights for trial the Court would at least set the case for the first jury trial at the next term in April.

This was exactly what took place. There was a long and bitterly contested hearing, in which Strasser, Holley, and Company appeared for the defendants and with great ability and vigor con-

tested every point, but eventually issues were framed. To the Squire's motion for an immediate impaneling of a jury, Strasser objected vehemently and argued very forcibly for a general continuance. Finally, the Squire apparently yielded a point, and allowed the Court to set the day of trial for the first day of the April Term, which was just what he wanted.

Between the January Term and the April Term both the Squire and Sam went to New York several times to take depositions in this action, and in spite of the adroitness of the Colonel's counsel made satisfactory progress.

It was evident that the Colonel would fight every inch of the ground, would raise every technical objection that could be invented, and would spare no pains and no expense in defeating Sam and the Squire. Apart from the loss of the money which, notwithstanding his wealth, meant a great deal to the Colonel, he had an old-time grudge against the Squire, and he hated Sam with a fervor that made his eyes grow bloodshot every time he thought of him. And Bob Tiverton, in his weak, vicious way, hated them both as much as he could.

The Squire and Sam prepared the case with the thoroughness that its importance demanded, and weeks before the April Term were ready for trial at a moment's notice. At the opening day of

the term, Strasser, of the Capital City, upon the calling of the docket made a motion for a continuance, and argued it with great force, introducing several affidavits. Sam replied at some length and the Court overruled the motion.

Next came a motion for a change of venue, which the Court overruled on the ground that a motion of this kind did not lie for this form of action, a claim for goods furnished and labor performed. The Court agreed, however, to a postponement until the Tuesday following the second week of the term, and the case was set for ten o'clock of that day.

As there were no criminal cases of importance at that term, Sam was not overworked, although he and the Squire tried several jury cases during the first and second week of the term, just enough, as Sam said, to get them into good fighting condition. On Monday evening, Van Cleves, Tiverton, and their lawyers and witnesses arrived, and took possession of all of the best rooms at the Rumscott, which they had engaged weeks before.

Several of the men who had attended the Colonel's conference in Boston the previous summer, called on him. Several men who always had important business at the various terms of court, and who were spoken of as "jury fixers," were also in town and called on the Colonel. The

week before, the Judge, at the request of the Squire, had charged the entire panel of jurymen as to their duties as jurors, and the selectmen of the various towns in the county, to whom the duty of drawing jurors had been by law intrusted, had taken extraordinary pains to include in the list of eligibles only men of sound judgment and unimpeachable integrity. None the less, Sam and the Squire had made arrangements to have these "jury fixers" watched with the utmost care.

The next day at the ringing of the Court-House bell, every seat in the court-room outside the bar had been taken and nearly all within. The witness seats were crowded, the jury box full, the reporters' seats occupied, and the only vacant seats were around the tables for the attorneys.

The entry of the New York attorneys was something in the nature of a procession. There were Fitzgerald and Henderson, Anthony, Draper and Evertson, and old Isaac Robertson, the keenest, shrewdest man at *nisi prius* in New York City. Colonel Van Cleves and Tiverton followed and took seats near their counsel, who grouped around their long table. Next came the Squire and Sam, who sat down at the head table.

The buzz of conversation that arose as the New York lawyers came in was hushed as the Judge ascended the bench, and all arose and stood until he took his seat.

"Are the parties ready in Leadenhall Brothers *v.* Van Cleves *et al?*" inquired the Court.

"We are ready, your Honor," said Sam, rising.

"And we are ready," said Mr. Fitzgerald.

"The clerk will impanel a jury," said the Court, turning to that official.

Thereupon the clerk proceeded to call the names of twelve men, who took their seats in the jury box on the left of the Judge. After the jury had been drawn, the Judge, addressing them, said, "This is an action in which James B. Leadenhall seeks to recover of John C. Van Cleves and Robert Tiverton the price of building-materials and labor alleged to have been sold to the Connecticut River Improvement Company, a corporation, and laid out upon the erection of their buildings in the Town of Salvage, in this county. If any of you gentlemen are related to the plaintiff or the defendants, Van Cleves and Tiverton, or their attorneys, or if you have stock in the Improvement Company, or have had dealings with it, or live in the Town of Salvage, or have heard the case talked over, or read of it in the papers to such an extent that you have formed an opinion adverse to either of the parties to this action, or if you have cases in this court in which you are represented by either of the counsel taking part in this trial, you will please inform the Court."

One man arose. "I have lost considerable —"

"Stop there, sir!" said the Court sharply. "The Court does not wish to know any of the circumstances. All it is necessary to do is to tell me have you formed an opinion, or are you prejudiced?"

"I be, your honor," replied the man.

"You may step down, sir," said the Court, and the clerk drew another name from the box.

This man, having been duly charged by the Judge, retained his seat, and the panel was submitted to the counsel, who, after having consulted at length, made no challenge.

Then Sam arose, bowed to the Judge and to the jury, read the declaration and the specifications, and then gave a quiet summary of the evidence he intended to submit to the jury. There was no ornate speech or rounded periods, but a simple statement of facts that every juryman could understand readily. Not a necessary word omitted, not an unnecessary word used.

"A model opening," was the comment of the lawyers.

"The tamest speech I ever heard," said the laymen.

"Phwat th' divil ails th' bhoy, he did n't call ony wan av thim fool, liar, or son-av-a-goon," said Pat to old John.

"Lave him be, lave him be, Pat," said old

John. "Sure, ye don't want to sthart a long disthance race at a fasht qua-a-rther," said John.

As Sam finished his opening, he conferred a moment with the Squire and then called as his first witness, "Colonel Van Cleves, John C. Van Cleves."

There was a pause and the eight lawyers for the defense arose to protest. They had never heard of such an irregular proceeding in their many years of practice. They quoted the bill of rights, they quoted the statute of the state whereby "No person shall be compelled in testifying to disclose the names of the witnesses by whom nor the manner in which he proposes to prove his case." Sam answered by quoting the statute to the effect that "No person shall be excused or excluded from testifying in any civil cause by reason of his interest therein, as a party or otherwise."

The defendants' lawyers answered hotly, and after a most protracted dispute the Court ruled that the Colonel must testify, and that choleric gentleman, casting a furious look at Sam, took the stand, and Sam, to the surprise of those present, began his examination. The defendants' counsel, who had intended keeping the Colonel from testifying, if possible, as they well knew his choleric disposition, and feared the result, determined to block Sam in every possible way. Ac-

cordingly there was an objection and an argument over the admissibility of every question of importance.

Sam answered the objections concisely and very much to the point, sometimes withdrew a question to save an exception. At times, when the objections to questions of importance were so plausibly argued by the remarkably able New York counsel that the tide of battle seemed to be going against Sam, the Squire arose and reinforced his junior with masterly arguments. Evertson and old Isaac Robertson were the quickest, keenest, and most plausible advocates, and the many tilts between the Squire and these two kept the audience on tiptoe with expectation.

But Sam hammered away, pressing an advantage here, giving ground there, intent, watchful, determined, quickly observant of a quiet word from the Squire, while the Colonel, gradually losing his temper and his self-possession, made the most damaging admissions, to the unspoken dismay and ill-concealed fury of his counsel, who drew long breaths of relief when at the end of the morning session, the Colonel, limp, perspiring, shaking, stepped down, or rather staggered to his seat, and Sam called the next witness.

The afternoon was spent by Sam with other witnesses, who were searchingly cross-examined by the New York lawyers, but with the odds very

much in favor of the plaintiffs' contention, and very much to the open delight of the local audience.

On the second day the New York lawyers had their innings, and a splendid battle took place between their combined forces and the Squire, who met them at every point in the most gallant and masterful way. Never in that court-room had been seen a greater battle. The famous "Betty Farmer Will Case," in which famous counsel were employed, sank into insignificance in the minds of old men present, who had witnessed that much-quoted trial.

And when at the close of the second day the defense rested, the result was in doubt.

CHAPTER XXIV

A VICTORY

It was the last day of the trial, and the old Court-House was full. Full to the outer doors, where men stood and crowded and jostled one another. Full to the lofty windows, where men and women sat and held their breath and listened. Full to the gallery's edge with silent, intent, eager people.

The arguments were on. For three days the most stubbornly contested legal battle in years had been waged. For three days the Squire and his young assistant had held at bay the most profound lawyers, and the most adroit tacticians of the bar, in the country. To win that case the defendant stockholders in the corporation had left no stone unturned, no precaution neglected, both in the selection of the most eminent counsel and in thorough preparation of the case.

The case had bristled with legal technicalities. Every quibble that legal ability and knowledge could invent, every quirk that professional adroitness could distort, every shifty evasion that precedent could justify or excuse, had been invented, distorted, and sought out with mas-

terly skill, but at every turn and twist the Squire had met them with uncompromising directness, answering precedent with precedent, theory with fact, inference with conclusion.

It had been a hard battle and one that had demanded all the resources of the Squire's powerful personality, all his great learning, all his masterly ability; and now, as he delivered the closing argument in the great case, the silence in the court-room was intense, the interest absorbing. With relentless vigor he drove his points home; with masterly skill he brushed away the sophistries of his opponents; with compelling logic he pursued his contentions to the desired end. His wit was as incisive, his sarcasms were as biting, his impassioned periods as majestic as ever, and when, after a clear, convincing, and powerful exposition of law and fact, in a dignified, kindly manner he addressed a few closing words to the jury, reminding them of their solemn obligations as jurors, urging them to be above passion, above prejudice, above fear, above favor, to do strict justice under the law and the evidence, there was not a soul in the crowded court-house who did not know that he had won and won gloriously, and they sank back into easier positions to listen to the charge of the Judge, clear, concise, profound, flawless, and colorless as a charge should be.

The jury was in, the verdict was read, and the Squire had won. As he passed slowly from the room, avoiding the congratulations of his friends, and down the gravelled walk beneath the avenue of drooping elms, he was weary of it all.

Outside in the corridors the lawyers were discussing the case in its various phases, while on the street knots of people had gathered to talk over the all-absorbing topic, but he avoided them, and took his solitary way across the square, over the bridge, and down through a shady lane that led towards the river.

The sun was shining brightly, the birds were singing, and the air was full of delightful scents and sounds that spoke of summer. Yet he saw nothing, heard nothing, felt nothing, was barely conscious of an undefined desire to get away from everything, from everybody, and to rest.

And when after a while he awoke to the consciousness of his surroundings, he stood on the bank of the river near a swimming-hole. He knew it was a swimming-hole, for the bank was worn away at the edge of the water, and there was a gravelly bottom and the supports of what had been a diving-board. There was a place in his boyhood home strangely like this. How many years had passed away since he, a little barefooted, freckled-faced lad, had daily, morning and afternoon, come to that spot for the noisy,

turbulent, delightful swim! More than he cared to count; more than he dared remember; for he was an old man now. An old man! After all, what did it matter?

His thoughts wandered back afar. There was Bill Abbott, and Jed Austin, and Bob Hale, and Mealy Austin, Jed's brother, and Si Eastman, and a host of others who used to go there to swim. Most of them must be dead, for that was long ago. He had seen Si a few years back, an old, bent, worn-out, snuffy man. Who would believe that Si used to dive from the old beech tree that used to lean over the pool and swim across under water? He wondered if the old beech tree were still there. And once there was a boy drowned there. What was his name? He could not remember, for it was long ago. He, too, would have been an old man had he lived. He wondered what kind of a man he would have made, and whether or not he would have been an acquaintance of his, and whether or not he would have liked to be an old man had he lived.

Other memories came thronging through the Squire's mind as he stood staring at the pool, and looking back through the years. But he felt strangely tired, and seating himself at the foot of a tree let his mind wander back.

He saw a happy, patched, and healthy boy, a mischievous urchin and a sore trial to his teach-

ers. He saw that boy throwing spitballs, fighting, birds-egging, coasting, getting whipped at school. And he saw an old farmhouse with something soft and black hanging from the knob of the door, and within, country people and neighbors sitting around in silence, and the minister, of whom he had been afraid all his life, saying something, he had forgotten what, and a long black silent thing in the best room.

And then he remembered a few years of hard work and scant kindness, and then his running away and going West and what took place there. And that was long ago, too, and did n't matter much now, but he — he had really killed a man.

And then he had come back with a little child, that man's child, but his, too, because he had taken her and had lived for her. And she had grown up and had died, and he had lived to be an old man.

He became conscious of a dull ache that ran along his left arm and twinged him curiously. As he stirred in his seat a terrible pain shot through his heart, a pain that blanched his face and shook him like a sudden palsy. What was it? He had never felt the like. Well, it was gone, leaving him white and shaken, but the dull ache remained in his arm and shoulder. He must have caught a slight cold, but here in the sun it was

warm enough and the pain was nearly, ah! — not quite, but nearly gone.

He took from his breast a little gold locket, opened it, and looked at the quaint old-fashioned picture of a young girl until tears blurred the fair image.

Well, he would rest awhile and then go back and take up his duties, and live the few remaining years of his life as best he could and uncomplainingly. But it was such a weary, weary way, and he sank back with a sigh and gazed again at the little miniature while the sun sank in the west, the shadows of the pool grew dark and sombre, and in a thicket of alders across the way a wood thrush began its evening song.

And when they found him, he was smiling, and he still held in his hand a tiny locket of gold inclosing a miniature of a sweet, thoughtful face, crowned by smooth bands of hair in the quaint fashion of days long departed.

In the village the old church bell was tolling with long, solemn, dragging tones. And a man said, "He was a great lawyer." And a mother said, "He must have had a great sorrow." But a child wept, and, climbing to its mother's lap, hid its face in her breast, afraid of the solemn tones of the bell. But the Squire still smiled, for he had gone to meet a child.

CHAPTER XXV

AN ENLIGHTENMENT

It was a week later, and Sam stood leaning against the mantel in the sitting-room of the Squire's house. In a rocker by the table, her face pale and worn, her eyes large and dark-circled, sat Polly, a pale, little, pitiful figure.

Sam had just finished reading to her a copy of the Squire's will, in which he had bequeathed everything to Polly, in terms of such affection and trust that she was again overcome with grief.

In addition to this he had made Sam his executor and charged him with the care, maintenance, and education of Polly, and in spite of their deep grief at losing, the one a father, the other a nearest friend, the latter clause in the will had made it a bit awkward for them. At heart it was what they both wished. To Sam the associations with Polly that his new duties promised, opened the doors of paradise to him, while to Polly, longing and yearning for some one on whom to lean and weep out her heart and be comforted, it meant rest and happiness. But Sam felt that she would have had it different, and

she felt that Sam undertook it simply as a duty to his old friend, and they were both reserved and constrained.

Sam had put in a week of the hardest work. From early morning until late at night he had examined papers, talked with clients, made arrangements for the funeral, answered letters, sent and received telegrams, and had spent every moment possible in trying to make Polly comfortable.

Everybody had been kind, and scores had offered their services and their help, and the house and office had been besieged by those anxious to help and advise.

Miss Ellis had been Sam's most efficient helper. She had gone straight to Polly, and had taken charge of her and of the house, had interviewed callers, dismissed without ceremony those who came out of curiosity, and taken the poor little girl to her heart like a little child and comforted her like a mother, while Sam, embarrassed, uncertain, and with his heart torn by her grief, left her to Miss Ellis, and plunged into the settlement of the Squire's affairs. The Captain, the Senator, their sister, J. Wadlin and his wife, good old Doctor Barry and his sister-in-law, had all urged Polly to come and make a home with them, but she had refused.

And now she sat there by the table, silent,

uneasy, distraught, waiting and hoping for some word that would show that she had a guardian and a friend instead of a mere business trustee but Sam was silent.

There was an awkward pause. A burned stick broke in the fire place. Without the nine o'clock bell rang its warning. Sam replaced the copy of the will in his bag, and drew out a sealed envelope.

"Polly," he said gently.

"Well, Sam, what is it?" she asked in a low voice.

"Did you ever know, Polly, that Mr. Branch had a secret in his life? A secret sorrow that wore on him?"

Polly glanced up sharply. "Yes, Sam, I knew there was something," she said. "Why do you speak of it now? Did he ever mention it to you?"

"No, Polly, he never did. But on one occasion Doctor Barry spoke of a great sorrow in Mr. Branch's life, and said he knew it and that he was the only one who knew it, and I think he is the only one, now at least."

"Why do you say 'now at least'?" asked Polly. "Do you think any one else knew it?"

"Yes," answered Sam, "I think Simpson knew it," and his voice took on a deep tone of anger.

"I think so too," said Polly.

"Another reason I speak of it now, is because I

can find out his secret by merely opening this letter."

"Oh," said Polly with a gasp, "what do you mean, Sam?"

"Just this, Polly, I found this sealed letter with his will with the words written on the enclosure, 'If my Executor and my dear niece Polly wish to know something that may explain acts of mine that may have seemed inexplicable to them, they can break this seal and read the enclosed statement. If they read it I only ask that they keep it a secret as it has been kept for many weary years. IRA BRANCH.'"

Polly took the letter, read the words, and the tears welled to her eyes.

Finally Sam said, "Polly, do you wish to know?"

"No, Sam, I only know that Uncle Ira was the best, the kindest, the dearest man that ever lived," and she burst into tears again.

Sam waited until she had composed herself and then said, "Polly, I feel as you do. Shall we burn it?"

"Yes, do please, Sam," she answered.

Sam laid the letter on the coals, took the bellows and blew it into a bright flame. Together they watched it until it crumbled to glowing curls, which Sam poked and pounded until it was a fine white ash.

Polly breathed a sigh of relief, and almost smiled. "Good-night, Sam," she said, "that was best, was n't it?"

"Good-night, Polly, I know we have done as he would have wished," replied Sam, as he ran down the steps.

The weeks passed and Sam still worked, driving himself without stint. He missed the Squire dreadfully. The office seemed empty, despite the stream of clients that came. Every morning he ran up to the house to see Polly, every night he went there immediately after supper. If it was pleasant, he hooked up the horse and sent Miss Ellis and Polly for a ride. Polly had never asked him to go, although Miss Ellis kept discreetly in the background. Nor had Sam offered, for he took Polly's aloofness as an indication that she did not wish him to go. So, although keenly disappointed, he would go back to the office and dig into his books and accounts.

At the end of three weeks Polly was invited to New York by Mrs. Anderson, the wife of the lawyer with whom the Squire had had many business transactions. Miss Ellis, who had been, as she afterwards said, "getting madder and madder with Sam Randolph," urged her to go, and Sam, although it cut him deeply to lose her, joined his advice to that of Miss Ellis.

Poor Polly, she did not wish to go, and she en-

tirely misunderstood Sam's motives. She was alone in the world. Her dear father, the only father she ever knew, was dead, and Sam had tired of her. All he wanted was his books, and his work, and his politics, and his gymnasium friends, and fighting with roughs. Of course he did n't care for her. She would go to New York and try to forget Elmtown and all the people in it, — that is, all but the people who had been kind to her.

So Miss Polly visibly cheered up, and in Sam's presence talked quite enthusiastically of her visit, and the probability of living there forever, and asked Sam particularly about what he would advise her to do in New York the next winter. That she wanted to take up some work to enable her to forget Elmtown, and then she cried and put her arms around Miss Ellis's neck, and Sam, after waiting miserably until she recovered, bade her good-night and went to the stable, saddled his horse and rode him to a lather.

Polly was to go on the three o'clock train Tuesday afternoon. Sam had procured her tickets, furnished her with plenty of money, and had made all arrangements for her comfort. His method was prompt and a trifle brusque, for he invaded the Pullman, and, taking the porter by the collar, he said, "Tom, next Tuesday my old partner's daughter is going to New York in your

car, seat number 5. Here is two dollars. She will write me about her trip. If you do the right thing, I will give you five dollars more. If not, you will lose your five dollars and I will take about twenty-five dollars' worth out of your hide. Do you understand?"

"Ah unnerstan', boss, suah. Ah shall get dem ar fi' dollars," said Tom, smiling a flashing smile of white teeth and good humor.

As ill luck would have it, Sam had business out of town the next Tuesday, and, although he tried vainly to expedite it, he did not return till long after the train had departed. This was really too much for Polly, and she departed with her head in the air, never as much as asking for Sam.

After her departure the work in the office went on. Sam worked and rode and exercised as before, but without interest or pleasure. He began to get short-tempered. His appetite began to fail him. He never before noticed how greedy, grasping, and penurious country people were. How given to tittle-tattle and scandal! How deadly uninteresting! New York began to develop charm for him that it never had before. But no, he would not go there. If he left Elmtown he would go West and begin again. What was the use of slaving for a paltry living? If the Squire had lived, it would have been different. Oh, if the Squire had only lived!

Sam wrote regularly to Polly. The writing of these letters was the only bright spot in the week. Occasionally she answered them. Bright, lively letters, but sounding to Sam as if she were glad to be away from Elmtown. Sam let Miss Ellis read them. Miss Ellis smiled grimly. She had received a few from Polly, and between the lines she had read that Polly was eating her heart out for home. Miss Ellis did not know what to do. At heart she feared Sam as much as she liked and admired him, and she knew that his natural reserve seldom tolerated interference in his affairs.

Sam had sent on Polly's pony, with saddle and bridle, for Tom was riding with her in the park. Sam gritted his teeth. Tom always had everything he wished. Everything came to Tom, — money, friends, amusement, happiness, love, while he — well, he bid fair to lose everything, as he had lost his best friend. Even Bob Tiverton had got what he had so ardently wished, so long ago. And Bob Tiverton had about everything but reputation. Well, he did n't envy Bob, but he did envy almost every one else.

A few days after this Sam received another letter from Polly, written in a much more cheerful vein, telling him of everyday rides with Tom. How beautiful the park looked! What splendid horses! What groups of children on beautiful ponies, with grooms in livery! What splendid

riders on hunters and park hacks! Most of them knew Tom and came over to be introduced, and had asked to ride with her, but she had refused because she had promised Tom to ride with him, and he rode so well, and was so handsome and so pleasant and so amusing. And then Frisk was a great attraction, too, because he was so plump and handsome and so easy. And Tom had promised that some day she should ride his best horse after he had ridden him a little longer.

Sam dashed down the letter and muttered a hearty malediction. Tom! Tom! Tom! nothing but Tom. Tom was everything. Here he was working his eyes out to straighten her affairs, and all he got for it was letters about Tom. It was outrageous. Well, he would break himself of his insane infatuation. She was n't for him, and he ought to have known it. Damn Tom! and damn the luck! and damn everything anyway! — and Sam opened a drawer, thrust in the letter, slammed the drawer to with most unnecessary vigor, locked it, and sat down at his desk with a violence that fairly jarred the building, and began to sort and read his mail. After a while his trained mind began to work on his professional duties and everything went smoothly, until a client arrived whom Sam positively detested. He was a very sanctimonious old chap, penurious, rich, and very insistent, and it was the last

straw. Within a few minutes of his arrival he left hastily and very much discomfited after a most tremendous dressing-down that Sam had given him, while Sam was striding up and down the office raging at the disparity in age that prevented him from locking the door and administering a sound thrashing to the old man.

While he was fuming, Miss Ellis came in and sat down at her desk. She was reading a letter and scarcely noticed Sam, who had sunk down in his chair in utter dejection, chewing on an unlighted cigar. His hat was tipped over his forehead, his legs stretched at full length and resting on his heels, his head sunk between his shoulders, and his eyes staring into the distance. Miss Ellis finished her letter and glanced up, and her mouth tightened as a look of grim determination came over her face.

She sprang to her feet and walked with quick, snappy steps across the room. "Sam Randolph, I want to read part of a letter to you. It may be interesting to you, that is, if you can get your mind off this dingy old office long enough."

Sam sat up in surprise. He had never heard a tone of voice like that from her.

"I'll read only the last part. — It is from Polly, bless her dear little heart," and Miss Ellis gulped and choked for a moment before she could go on.

"'Oh, Miss Ellis, what shall I do? Tom proposed to me yesterday, in the park. We were riding, and all of a sudden he caught my hand and proposed. I like him, oh! so much, and he has been so kind and so good to me. It really seems to me that he understands me better than any one but you. But, Miss Ellis, I don't love him. I don't love him! and a girl ought not to marry a man unless she loves him, ought she? I told him so, and he says I can learn to love him, and he wanted me to be engaged to him. What shall I do? He will ask me again, and I just can't love him. Miss Ellis, I will tell you what neither you nor any one else ever suspected — I love somebody else! and he does n't care a penny about me! Is n't that a humiliating confession for a girl to make. I would n't tell any one but you, now Uncle Ira is dead. Dear Uncle, if he were only here. Oh, I am so lonely! so awfully lonely! and homesick! I must come home! I shall do something dreadful if I don't. Can't you come, Miss Ellis?'"

"There, what do you think of that, Sam Randolph?" demanded Miss Ellis dramatically.

Sam's face was white and drawn. "Poor little girl," he said huskily. "So it's some one else, is it? Poor Tom, it 's a blow to him, if he feels half as badly about losing her as I do. By the Eternal," he blazed suddenly, "if any one has led that

little girl on to love him and then has disappointed her, I 'll —" and his chest swelled and his eyes narrowed to slits.

"You'll what? What will you do?" demanded Miss Ellis scornfully.

"Why I'll mop the entire length of Fifth Avenue with his worthless hide," said Sam in a passion.

"Well, somebody has done just that, and I know who, and Fifth Avenue is n't half long enough to do him justice," said Miss Ellis, her mouth closing like a steel trap.

"Miss Ellis," said Sam, slowly and through his teeth, "if you know who has hurt that little girl, tell me now, at once, and without any more talk, and I'll go straight to New York, and when I get through with him there won't be enough left of him to fill a garbage can."

"You won't have to go to New York, Sam Randolph, not out of this town," said Miss Ellis tauntingly.

"What! he lives here? Here in Elmtown?"

"Yes."

"Can you point him out to me?"

"Yes."

"And will you?"

"I most certainly will."

"Who is he?"

"Who is he? Well, I'll precious soon tell you

who he is, Sam Randolph," said Miss Ellis, sniping her words out like the clip of scissors. "It is you! Sam Randolph, you! who have hurt that little girl. Now, do you know?"

Sam started back in astonishment.

"Me!" he burst out explosively and ungrammatically. "You are crazy! absolutely insane! Polly dislikes me."

"Sam Randolph! For a man who is supposed to have common sense, you are the biggest fool I ever saw in my life. The very biggest. A great hulking, muddle-headed gump without brains enough to fit out a woodchuck. Don't you know that that dear little girl has just about worshiped you ever since you came here? Have n't you had any eyes or ears or sense? Have n't you seen her dear little face light up every time you came in sight? Do you suppose a great, big, splendid, worthless, good-natured, masterful, conceited donkey of a man coming into a town like this would n't have some effect on a little country girl? What do you suppose she rode her pony and whipped and spurred him until he was all covered with welts and blood for, the night you were hurt, and she never struck him a blow in her life before, and cried about it for days," and Miss Ellis began to cry too.

"But, Miss Ellis, I tried to thank her for that very thing, and I never was so snubbed in my life."

"Snubbed!" cried Miss Ellis, her tears drying as if by magic; "of course you were snubbed, and properly enough, too. What! do you men suppose that a right-minded girl is going to throw herself at your feet? Oh, you blind, ignorant, conceited men, you don't deserve anything. I never saw one of you who amounted to anything who knew a thing about women. And you would have lost her forever if I had n't been here to open your eyes, and you will now if you waste any more time, you stupid, utterly stupid mole."

Sam snatched out his watch. It was 8.45. He tore off his office coat, rushed to the closet and squirmed into his street jacket, rushed to the window and hailed a passing team. Then to the safe, whisked open a drawer, and stuffed a huge roll of bills in his pocket.

"Where under the sun are you going?" screamed Miss Ellis.

"To New York, — where do you suppose?" snapped Sam.

"What for?"

"For Polly," he shouted.

"Bless the man," gasped Miss Ellis, "you don't mean to tell her what I have told you?"

"Of course, why not?" he retorted.

"Oh, you idiot, you idiot. Do you want her?"

"Want her!" said Sam; "I 'd give my life for

her. Want her!" he choked, and could say no more.

"Then, for Heaven's sake, tell her so. Don't for a moment let her know that you think she loves you. If you do, she will never marry you. She is the proudest girl in the country. Tell her you can't get along without her, that you must have her, can't live without her. Don't you see? It must come from you. Oh, Sam Randolph, you need a guardian if ever a man did," gasped Miss Ellis, struggling with a wild desire to laugh as Sam tore round trying his keys on the closet door. Perdition! he had lost the key. Crash! he had wrenched the door from its hinges, seized his grip and darted for the stairway.

"But, Sam, the office!" screamed Miss Ellis.

"Hang the office," he roared.

"But what shall I tell the clients?"

"Tell them to go to the Devil," yelled Sam, going down the stairs in long leaps.

Suddenly the door burst open again.

"Miss Ellis, God bless you, I have n't thanked you," and in a moment that prim maiden found herself crushed in an iron grasp, tossed in the air like a child, and kissed with a report that rang out like the explosion of a paper bag, and Sam was gone, and the rattle of wheels, the crack of a whip, and the sounds of galloping hoofs died away, while Miss Ellis alternately laughed and

cried until a sturdy, middle-aged man entered, at which apparition she started up with a scream and a beaming face.

"What has come over Sam?" he queried. "I met him on the stairs and he nearly jumped over my head and went off like a man escaping jail."

"Oh Ben! Ben!" she cried. "You ought to have been here. He has been nearly crazy for Polly and she for him, and neither knew the other loved him or her or it, — what am I saying? — and I talked to him dreadfully, and he rushed for his hat and coat and kissed me as loud as a pistol and has gone for the train. — Did you ever?"

"No," said Ben gravely, but with a twinkle in his eye, "but I am going to now"; and for the second time that day Miss Ellis was crushed in a bear's hug and kissed, but this time it took longer and she did n't resist.

CHAPTER XXVI

JUDGMENT FOR THE PLAINTIFF

THE train rattled and roared and thundered along, swaying round curves, clashing horribly over interwoven tracks, shrieking hideously at crossings, and smoking chokingly in tunnels. Sam had caught the Limited, but his anxiety was such that it seemed to crawl. He turned and twisted uneasily in his luxurious seat; he went to the smoker and puffed countless cigars, and then to the lavatory, where he washed his face and hands and rinsed his mouth so as to rid himself as much as possible of the smell of tobacco. He bought books and magazines and daily papers, tried to read them and flung them aside. He paced up and down the centre of the car, until he attracted the attention of his fellow passengers. He took a little girl on his lap and told her endless stories, and while doing this calmed his impatience perceptibly.

But at last the train crawled into the Grand Central Station, and, hastily handing a dollar to the porter, he seized his grip and sprang from the train as soon as the vestibule door opened, nearly crushing the grinning porter. He rushed

to the street, hailed a cab, threw in his grip, gave an address to the driver, sprang in, and away he went. On the way he tried to lay out a plan of campaign, and to obey the commands, for they were commands, of Miss Ellis. And now his heart began to fail him, for what if she should refuse him? What if he should find Tom there, and he should be too late. He looked at his dusty, dingy clothes. Why had n't he the sense to have that infernal nigger brush him? "Here, driver, stop at the next hotel and let me out a moment," but the driver had drawn up at a plain brownstone house.

For a moment Sam felt his courage oozing away, and then, for he had a way of riding straight at his fences, he walked deliberately up the steps and rang the bell. A trim maid answered the bell, and Sam asked for Polly. Yes, she was in. Who should she say wished to see her. Sam strode in. "You need n't say who, but I think — that is, I hope — she will be glad to see me," and he followed her into a reception room.

Sam waited. He heard a door close somewhere in the regions above, then a light step descending the stairs. The curtains were parted, and — it was Polly. At seeing Sam she started, paled, and her hands went to her heart.

Sam was across the room in a stride and caught

her hands. "Polly!" he said, with his soul in his eyes.

But Polly had recovered herself. "Why, Mr. Randolph, how you startled me. Really you should have sent up your card. We are not in Elmtown, now. How is that funny little town and everybody in it?" and she tried to withdraw her hands.

"Polly, don't play with me. I've come for you, Polly; I can't stand it any longer; you must come with me; I —"

"Now, Mr. Randolph, how perfectly unreasonable of you. Just as I am having a perfectly delightful time, and going everywhere, and everybody so kind to me, you come here and demand of me to leave it all and to go back to Elmtown. Really, I never heard a more ridiculous proposition in my life. But these country people are so ridiculous," and she smiled up at Sam with amiable unconcern. "Now, Mr. Randolph, if you have no further use for my hands, and as I may find them useful here in New York, and as you are hurting me, would you mind releasing them?" she continued.

Sam dropped her hands and looked at her with the color slowly receding from his face, and the light dying out of his eyes.

"I ought not to have come, Polly. I might have known that you never could love a chap

like me. God knows you have showed it plainly enough in the last few months. However, Polly, I love you, and always shall, but I'll never bother you again. Good-by, Polly," and he turned.

Polly started, and a crimson flush spread over her face. "Sam!" she said sharply, — "Sam! don't go, I — I —"

Sam turned as she came towards him, her eyes shining, her whole being glowing. "Sam, you blind, blind, stupid boy, did n't you know? Oh, Sam!" and her soft arms went round his neck as he crushed her to his breast.

In front of Alvy's livery stable sat Allison, Newt, Cephas, Bige Pickering, Kin Flanders, and several other worthies, smoking, chewing, and discussing matters of common interest in their usually frank and free fashion. Summer had come, and the beautiful drooping elms arched the streets with a cool green canopy. In the quiet square the fountain sprayed and splashed. On its slippery rim crowded a row of twittering, dripping sparrows. The pulsating hum of the mill throbbed in the distance. Sleepy horses, tethered to posts, stood drowsing in the sunshine. In the open stores clerks in white jackets lounged, while young girls in tennis shoes and white dresses sat at the soda fountains and sipped many-colored decoctions.

Down the street came two riders. One erect, broad-shouldered, and athletic in cords and boots, sat easily a splendid chestnut horse that arched its neck and champed its bit. The other, a beautiful girl in a gray habit and chip hat, sat a grand brown, with small ears and muzzle like a fern leaf. Both horses bore rolled blankets and saddle-bags, while behind, and following like a faithful dog, came a roan Indian pony, with a pack-saddle. The outfit was dusty and travel-stained, the horses hard and firm and in splendid condition.

The group in front of Alvy's looked up at the sound of horses' hoofs and became excited.

"B'goshamighty, 't is Mr. Randolph," said old Allison, with conviction; "an' yis 't is, 't is Mis Randolph, tew, I swanny to gorramity," he added with enthusiasm.

There was a sudden scrambling as the circle of worthies struggled to their feet.

"By tunk," said Cephas, "they be a-comin' straight yere, hell-bent."

"I knowed th' would," exulted Newt; "th' aint nothin' stuck up 'baout Sam, ner Mrs. Sam nuther; gosh! see 'em come!"

The riders, seeing the old boys drawn up to receive them, touched their horses with the spur, and swept down upon the group at a gallop, closely followed by the little roan. Arriving,

they drew up magnificently, the horses arching their necks under the curb.

Sam was off his horse almost before it stopped. "Boys," he said, "this is good of you to meet us this way," and he wrung their hands. "Let me present my wife, Polly."

The rough old men — hatless, coatless, collarless, frowsy — surrounded Polly's horse, extending their horny, discolored, and shaking hands, which Polly grasped, her eyes beaming a welcome.

"Oh, you dear old men! if you only knew how glad I am to see you again. Sam has told me how good you have been to him, and how you are such friends of his."

"We be, Mis Randolph, we be, every dummed son-of-a-gun of us," said old Allison; "ain't we, Newt?"

"Hell, yes! ma-am; that is — ah! — you bet yer boots we be," he stammered in some confusion.

Polly laughed in delight. "And you will all come and see us?" she asked.

"We will, you bet yer sweet life," they yelled like a well-trained chorus.

Sam swung to his horse, lifted the reins, and away they dashed, the little roan with his nose between their saddles. As they thundered down the street, smiling faces nodded and friendly hands waved from doors, windows, and porches. They

pulled up at the old house, dismounted, and led their horses in at the gate.

Polly stood a moment looking at the house, her soul in her eyes. "Sam," she said, "it seems as if dear Uncle Ira were here."

"He is, Polly, he is, and I know he always will be," said Sam, deeply moved.

"Oh, Sam," she said, "it is good to be at home." And her bright head lay on his shoulder as they went up the steps together.

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