

THE GUARDIAN SHORT STORY

ANECDOTES OF JUDGES

Unto the Third Generation

By CICELY ALLEN

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Francesca climbed the stairs with dragging steps. Dick caught up with her and supported her elbow with his strong, firm hand.

At the head of the first flight of stairs they turned into Mrs. Miller's little sitting room, and Francesca dropped wearily into the low rocker by the window.

"In my days young folks didn't have to do their courting in the park, and I don't think it's right and proper," she had said in explanation to her oldest boarder, a crusty bachelor.

And now the two young people sat in the twilight, typifying the two sections of the country from which they had come—Francesca, gentle, clinging and drooping in the heroic struggle for existence in the great northern city, shrinking from the clamor of trains overhead, the clang of surface cars at her side and longing for the mellow moonlight and the voice of the nightingale in her old southern home; Dick, alert, quick, fascinated by the opportunities which had drawn him from a midwest farm. He had brought nervous energy and strong, vigorous blood, and New York loves to sap and live off them both.

"Dear me, suz, but the house seems quiet! It's funny how all New York does make the most of a holiday. Mr. Merrill said you weren't feeling well, but I think it would have done you good to go out."

"Francesca slipped at her coffee without replying. "Seems as if I just must go myself, but Lizzy, she was set on taking the day off, and she's such a good help I didn't want to cross her, but I do hate to miss going to the cemetery. Isn't it funny, Mr. Merrill and I coming from the same town? I knew just how he'd go out and decorate some graves. We always did it at home, with the G. A. R. at the head of the procession and the children carrying the flowers and wreaths. I didn't lose anybody close in the war, as near as I can remember, but it meant a lot to Dick Merrill's folks."

"Francesca looked up suddenly. "Ain't he ever told you?" Mrs. Miller said in surprise. "Well, maybe he thought the war was a tender subject with you southerners. Why, his grandfather enlisted and took his three boys with him. All four of 'em are buried among the unknown dead somewhere south of the Mason and Dixon line. Mary Ann Merrill—that's Dick's mother—she somehow couldn't make things go, and she wound up in the poor farm. Yes, there were plenty of folks that took to the poor farms after the war. But Dick, he wasn't the kind to stay there. Blood will tell, and he had more of his father's blood than his mother's in him. When I see him, so straight and good looking, so well dressed and carrying himself as if he expected to own New York before he got done, I say that blood will tell every time. There's some folks that even having their whole family wiped out by the war won't down, and that's the sort Dick is. My laws, there's that bell again! Don't you want any more toast? Well, you'd better come down after awhile and we'll have a little lunch. None of the boarders will be home before dinner time."

"But one of the boarders did come in very soon. He had a florist's box in his hand, and he walked quietly into Mrs. Miller's sitting room, where Francesca, looking a bit pale from her headache, but very sweet and gentle, rose at his entrance.

"Oh, Dick, have you come back for me? Is it too late to go?" "I guess we won't go, Francesca. You see, I didn't understand—and these are violets for you instead."

"Oh, but we will go, you and I together, dear. It was I who didn't understand, and we must have common interests, dear heart. We can't afford to let the old feud come between us of the third generation. We'll scatter those violets over the graves of the unknown dead."

"And so they went forth into the beautiful spring sunlight, and Mrs. Miller, peeping from behind the curtains of the basement, smiled as if sight of them had made the whole day glad for her.

"Prisoner at the bar, I beg your pardon!" Then he proceeded to pass on him the awful sentence of the law.

"Rose High. Baron Pollock, who died in 1897 at the age of 74, was, as a boy, at St. Paul's School, under Dr. Roberts. It is related on good authority that young Pollock, fancying he was wasting his time there, as he intended to go to the Bar, intimated to the headmaster that he would not stay; and that the doctor, who was desirous of keeping so promising a pupil, thereupon became so cross and disagreeable that one day the youth wrote him a note saying he would not return.

The doctor, ignorant of the cordial terms on which the father and son lived together, sent the note to Pollock, senior, who called upon him to express his regret at his son's determination, adding that he advised him not to send the note, as it would show the doctor broke out. Upon which the doctor broke out: "Ah, sir, you'll live to see that boy hanged!"

The doctor, on meeting Mrs. Pollock some years after his ex-pupil had received university honors and professional success, congratulated her on her son's good fortune, adding, quite unconscious of the humorous contrast: "Ah, madam, I always said he'd fill an elevated situation."

to the cemetery, and I didn't think of how you might feel."

"That's it. You didn't think. You'll never understand me," the girl said in low, passionate tones. "There's the Mason and Dixon line between us. You're all business and dollars. You get us southern girls up here and grind our lives out."

"Dick looked serious now, but he forced a smile. "If the north had not claimed your talents, dear, we would never have met," he said, and it was her cue to soften, but she did not take it. "Oh, I hate it! I hate it—the air, the noise, the rush! It has no compensations."

She did not mean it just that way, but Dick took the words literally. He stood up suddenly and very straight. "I am sorry, Francesca, that you think I cannot make you happy."

And when she looked up he had left the room so quietly that she could hardly believe the move had been taken by vigorous, stalwart Dick Merrill.

She did not come down to breakfast the next morning, and when Mrs. Miller appeared at her bedside with a cup of coffee and some golden brown toast the sound of muffled drums in the distance told her that the parade was in motion.

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Collection of Stories About Their Lordships That Are Full of Humor and Many a Pathetic Touch.

A notorious London prize fighter and disorderly character was on trial for assault and battery. He was convicted, and just before the judge passed sentence his counsel appealed for mercy, saying that his client intended to leave London at once.

"I know it," said the judge; "he is going to leave it for six months, during which time he will reside in gaol."

Egg and Bacon. Some years ago the late Vice-Chancellor Malins was sitting upon the Bench one day when a man rose in the body of the court and threw an egg at him. The Vice-Chancellor took the affair in very good part. "This application," he remarked, "must have been intended for my brother Bacon!"

His "brother Bacon" was, of course, the well known Vice-Chancellor of that name. The man who threw the egg proved to be a lunatic.

Two Meanings. Sir Fletcher Norton was noted for his want of courtesy. When pleading before Lord Mansfield on some question of manorial right he chanced to say, unfortunately for himself: "My Lord, I can illustrate the point in an instant in my own person. I myself have two little manors."

"We all know it, Sir Fletcher," immediately interposed the judge with one of his blindest smiles.

What He Caught. Sir Henry Hawkins was once hearing a case, and while the counsel for the plaintiff was addressing the Bench His Lordship was obviously more interested in giving instructions to the attendants to close a window and try to stop a draught than attending to the arguments put forth. At length, when His Lordship was composed, the learned Q.C., annoyed at his words going to the winds in such a manner, said: "I am not quite sure whether your Lordship caught that point."

The judge was all attention again. "I am not quite sure I did," he said. "There's only one thing I am sure I have caught, and that is a cold!"

Too Strong. A well known counsel once had the worst of an encounter with Sir Henry Hawkins. He was arguing a case before the judge in Chambers, and His Lordship showed much vacillation concerning a knotty point on which the argument turned. First he motioned to the one counsel and then to the other. At last the barrister alluded to, getting impatient, leaned over the table, and thumping the mahogany with his fist, exclaimed: "De strong, My Lord, be strong!"

The startled judge, with astonishing celerity, replied: "Sir, I will be strong. I dismiss your case with costs."

Quashed. Henry, Lord Brougham, when at the Bar, opened a case before Lord Chief Justice Tenterden in which the matter of dispute was the amount of a wager laid upon the event of a dog-fight, which, through some unwillingness of dogmen, had not been brought to an issue.

"We, My Lord," said Brougham, "were minded that the dogs should fight."

"Then I," exclaimed the judge, "am minded to hear of it!" And he called the next case.

Heated Remarks. The same good stories were told of the late Sir Matthew Begbie, Chief Justice of British Columbia. In 1883 a man was charged in Victoria with having killed another man by means of a club, and in the face of the judge's summing up the jury brought in a verdict of "not guilty." This annoyed the Chief Justice, who at once said: "Gentlemen of the jury—Mind, that is your verdict, not mine. On your conscience will rest the stigma of returning such a sentence of transportation. Many repetitions of such conduct as yours will make trial by jury a horrible farce, and the city of Victoria a nest of immorality and crime. Go! I have nothing more to say to you."

And then, turning to the prisoner, the indignant judge added: "You are discharged. Go and club some of these jurymen; they deserve it!"

An Apology. Sir Robert Graham, when once passing sentence upon a batch of convicted criminals, accidentally pronounced sentences of transportation on one it was intended to hang. Shocked beyond measure when apprised of this mistake, Sir Robert desired the culprit to be again placed in the dock, and hastily putting on the black cap, he addressed him:

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Appetite Was Poor.

Dizzy Most of the Time. Could Not Sleep at Night.

Many people are unaware of having anything wrong with their heart or nerves till some little excitement or overwork makes them feel faint and dizzy, or perhaps simply going up or down stairs causes dizziness and specks to float before the eyes. People troubled in this way should heed the warning, and not fail to take treatment before something more serious occurs.

For all heart and nerve troubles there is nothing so equal

Milburn's Heart and Nerve Pills.

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"My appetite was very poor; I could not sleep at night, and was dizzy most of the time. I took three boxes of Milburn's Heart and Nerve Pills, and I am very pleased to say that they did me a wonderful lot of good."

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FINAL SAILINGS Black Diamond Line Steamers from Montreal This Season. FROM MONTREAL DUE CH'TOWN. S. S. Cacouna, on or about Nov. 10th on or about Nov. 13th S. S. Bonavista, on or about Nov. 15th on or about Nov. 18th The above steamers will sail from Ch'town for St. John's, Nfld, via Sydney, C. B., carrying horses, cattle and sheep on deck and produce under deck at lowest possible rates. For further information as to freight and passage, apply to PEAKE BROS & Co., Agents. Nov. 9, mwf t 20th

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TENDERS DEPARTMENT OF PUBLIC WORKS, Charlottetown, Nov. 1st, 1904. Sealed tenders will be received at this office until noon on Wednesday, Nov. 30th, '04. From any person or persons willing to contract for the rebuilding of Haldimand Bridge, Egmont Bay, Lot 15, according to plan and specification to be seen at the store of James Sharp, Wellington and at this office. Specifications can also be seen at the residences of J. F. H. Arsenault, Higgins Road, and H. A. Darby, Abram's Village. The names of two responsible persons willing to become bound for the faithful performance of the contract must accompany each tender. The department does not bind itself to accept the lowest or any tender. Tenders to be addressed to the undersigned and marked "Tender for Haldimand Bridge." L. B. McMILLAN, Sec'y of Public Works. 2 mo, we, & w td

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