THE EXAMINER:

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EDWARD WHELAN] This is true Liberty, when Free-born Men, having to advise the Public, may speak free.—EURIPIDES. [EDITOR AND PUBLISHER

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Literature.

THE DEPARTED YEAR.

Of Time's unquiet sea, another wave
Hath by us swept into the awful void
Of dim oblivion! the eternal grave
Of man's brief years, by all the past uncloyed.
Another billow rolls, and we are buoyed
And borne still onward to the gulf, whose shore
Is strown with wrecks of human hopes destroyed,
And with the dust of all that's gone before:
Where all that is to come shall perish evermore.

All, save the deathless, the triumphant soul,
Which shall behold the chaos of that hour,
When Time's old foot has reached its utmost goal,
And fall the fire storm eager to devour
Earth's rock-ribb'd mountains, whose iced summits tower
Like beacon lights above the boiling sea!
Then o'er the ruin shall the spirit soar
To that fair world, whose peaceful years shall be
The bright—the hallowed cycles of Eternity.

A year hath pass'd—e'en as the dial's shade,
That moves so swiftly, silently away.
What fearful changes hath its passage made!
How much of sorrow saw each fleeting day!
How oft hath Disappointment barred the way
To Hope's most eager footsteps—turning back
The weary heart, to go again astray.
Oh, man! thou wanderest on a cheerless track,
Compelled at bitter streams thy burning thirst to slake!

Within thy narrow scope, departed year,
How oft hath opened the remorseless grave!
While death sat smiling o'er the sable bier,
In silent mockery of the pangs he gave.
How hath the monster on the ocean wave
Flapp'd his dark wings amid the awful storm!
Where strove in vain the hardy and the brave?
In joy's bright halls, how many a beauteous form
Hath the stern spectre pierced, to feast the grov'ling worm!

These tell thy history, but tell not all,
A fairer page thy brighter hours may claim;
Thou hadst thy scenes the heart would fain recall,
Sweet, joyous moments, worthy of the name,
O'er which, with sadd'ning spell, no sorrow came,
When from his deep debasement rose again
The husband and the father, won from shame;
Resolved no more the madd'ning cup to drain,
How great, how sweet the joy, tho' bought with years of pain.

Scarce boasts our darksome lot a sweeter hour,
Than when from wand'ring o'er the trackless tide,
The anxious watcher by the surf-worn shore
Sees o'er the wave the vessel gaily glide,
Bearing again the loved one to her side,
And when on fever's restless couch is laid
The form more cherished than the world beside
And to our prayer death's threatened blow is staid,
Oh! is not then the heart by joy's blest spirit swayed?

And such were thine, old year, nor these alone,
Each month, each changing season gave its store
Of rich and varied blessings freely strown,
To teach man's thankless spirit to adore.
The early Spring the buds of promise bore,
Advancing Summer her kind influence shed,
And her fair gifts did bounteous Autumn pour
In needy Winter's lap But thou art fled
For ay, to thy dark home with the returnless dead!

The Soldier's Legacy.

'If Walter Hardcastle, born at Langton, in the county of ———, and who is supposed to have enlisted in a foot regiment going to India, about the year 1843, will call at the office of Messrs. Looker and Booker, Pump Court, Temple, he will hear of something to his advantage.'

Who was this Walter Hardcastle? Was he a man of family and education who had run away from his friends, and was now called for, to take possession of his hereditary estates? Or was he merely a poor illiterate soldier, with his brains baked by the heat of a tropical sun, and stupified by the constriction of his stock? The readiest way to obtain satisfaction on these points clearly was to go to the office of Messrs. Looker and Booker, and see whether Walter Hardcastle had been heard of

I had not been long in the office when a tall broad-shouldered man entered. His erect carriage bespoke him a soldier, though there was nothing in his dress to indicate it, and his bronzed face and hands showed that he had but recently returned from a burning climate. The clerks looked at each other, and I heard the name of Hardcastle whispered among them. The new comer was evidently an object of interest to all of them, except one, who held his head close down to the desk and seemed absorbed in the document he was copying; but from the lynx-like glances that he darted through the long, lank hair which his attitude threw over his face, I began to imagine that he might be more really observant of the soldier than all his brother clerks put together.

The stranger, meanwhile standing in the middle of the clear space beyond the desks, deliberately took from his pocket the 'Times' newspaper; deliberately unfolded it; deliberately sought out the advertisement for Walter Hardcastle, and then deliberately presenting it to the nearest clerk, asked him what it meant.

'The meaning is explained quite clearly in the advertisement,' replied the clerk. 'When the right man presents himself, and proves that he *is* the right man, we shall be in a position to state what it is that we know of to his advantage.'

'What sort of a thing is it?' demanded the soldier. 'Is it some money, or what? I don't want to be told all the particulars: but you may as well give me an idea about it, so that I may see whether I am likely to be the man you want.'

'Oh dear no!' replied the clerk, rubbing his hands mildly, and smiling the cunning smile of one who feels himself much too deep to be sounded by so simple a contrivance as a direct question. 'Excuse me—it would not do to give any insight into the business until the right party is found. If you can prove yourself to be that party, it would be a different matter altogether.'

'I know that I am Walter Hardcastle,' replied the soldier; 'I know that I was born at Langton, about the year 1824; I went to India in '43, and returned to England ten months ago. Is that sufficient to prove me to be myself?'

'Quite sufficient for your own satisfaction, supposing you ever had any doubts upon that point,' said the clerk, with a complacent sniggle; 'but we require stronger proofs to establish your identity in the eye of the law. In the first place we must have a certificate of your baptism.'

'That's very easily got,' observed Hardcastle.

'Then we shall want documents to show that you are the man who enlisted in 1843 in the ——— regiment.'

'There will be no difficulty about that,' said the soldier. 'My character stands well in the regiment, and my officers will give me whatever I require of that sort, if the papers I have in my own possession are not sufficient. But now there's one question which I suppose you will not object to answer. When I've got the certificates, and what not, and danced attendance in this office, for nobody knows how long, shall I get nothing for my pains, or will all this trouble have been thrown away?'

'If the result is anything like what we may reasonably expect,' replied the clerk, 'I should say it would be decidedly worth your while to go on with the business. There is *some* property.'

'You might not think the amount worth the trouble of recovering it,' observed the clerk in the corner, without raising his head or throwing back his lank hair.

The soldier looked doubtfully at the two speakers; but he seemed to be decided by the indiscreet though *sotto voce* exclamation of a youngster, who said in a tone of derision, 'Oh crikey! not worth the trouble!'

'I will go on with it,' he said; 'at least till you think proper to let me know what I go on for. I can stop if I choose I suppose?'

'There's nothing at all to compel you to go on,' said the clerk who had spoken first.

'It is a very unusual proceeding to draw back when once you have entered on the business,' said the lank-haired clerk, in a tone that sufficiently indicated a sneer, though his face was still concealed.

'It would rather be so,' replied the soldier, ironically, 'involving as it does a contradiction in terms at the very commencement,' and he bent his shaggy black brows with something very like a scowl upon the fellow who would not look a man in the face who spoke to him.

'Old Mitchell has got his match, I think,' whispered the indiscreet youngster.

'Then it seems that nothing more can be done till I have obtained a certificate of my baptism,' continued Hardcastle; 'and, I suppose, a letter from the clergyman of Langton, stating the time at which I left the village, and another from my colonel, proving that I joined the recruiting-party on the following day;—this will be sufficient to prove that I am myself and no one else, will it not?'

'I cannot take upon me to say exactly what will be sufficient,' replied the clerk, 'but those will be sufficient to begin with.'

'Why can you not tell me in a straightforward way what the object of this advertisement is?' demanded Hardcastle, with an impatient sigh. 'I should then know how to act; whereas I am now groping about in the dark without even the faintest idea of what I am likely to find.'

'The object of the advertisement,' replied the senior clerk, having recourse to the friction of his hands, as though that operation would have a soothing effect on the nerves of the client, 'the object of the advertisement, is to find out a *man*. You present yourself saying that you are that man. I don't pretend to deny that fact; but at the same time the law requires proofs—proofs, my dear sir, such as the law itself expressly points out as requisite in these cases, in which a person's own consciousness cannot be received as any proof at all. If it were, any person's assertions might be considered as a proof. For example, you would be justly indignant if the law, for want of careful examination into the matter, might hand over what of course belongs to you, to some one else who might come here saying he was Walter Hardcastle, native of Langton, and lately returned from the Indies. Would you not, my dear sir?'

'Yes, yes, I see,' replied the soldier, carelessly, 'no doubt it's all right. But still I can see no reason you should not tell me what the something advantageous may be. If I had any relations who might be likely to leave me a legacy, I could give a guess; or even if I had any kind friend, I might fancy a windfall had come to me that way. But I was an orphan as soon as I was born, as I grew I was the bad boy of the village; so of course I had no friends. Can't you tell me thus much—If I prove myself to be the person you are seeking, will whatever I shall gain be sufficient to repay me for getting these proofs, loss of time, trouble, and so on?'

'I do not know what you may understand by *paying* for all this,' answered the clerk, 'I do not know what may be the value of your time. But I should imagine that even a hundred pounds might be an object to any one not in very affluent circumstances.'

'Unless he spent two hundred in obtaining it,' remarked the down-looking clerk, keeping his nose carefully within two inches of the desk.

'Well, then,' said the soldier, paying no attention to this observation, 'I'll get these proofs and bring them here. By that time you may consider yourselves at liberty to give me some information. There is my address. Good-day.'

With a stiff military bow he turned and left the office.

The next evening he was returning from a school where he had been drilling a phalanx of riotous boys, when a pert young cracked voice, calling him by his name, caused him to pause and turn round.

'How do you Mr. Hardcastle?' said a lad in a stand-up collar, a hat stuck on one side of his head, and a very bad cigar in his mouth.

'I am in perfect health, I thank you, young gentleman,' replied the tall soldier, smiling good humoredly as he looked down on the strutting little mannikin; 'will you favor me with your name? You know mine, it seems; but I have not the pleasure of recollecting you.'

'My name's of no consequence,' said the hobbledehoy, puffing away at his cigar with increased importance; 'you wouldn't be any the wiser if I was to tell you. However it's Wilkins. I saw you yesterday at Looker and Booker's, you know.'

'Ah! yes, I remember you now,' said Hardcastle, smiling as he recognised the indiscreet youngster.

'And you said, you know,' continued the boy, 'that you were the bad boy of the village, and that made me like you.'

'From a fellow-feeling, may-be,' suggested the soldier.

'Perhaps,' replied Mr. Wilkins, with a sly wink; 'however, I had a chance of doing you a good turn, and circumventing old Mitchell—you know old Mitchell?' he demanded, interrupting himself.

'I can't say I do,' replied the other.

'Down-looking chap—lanky black hair—talks like this,' said the boy, imitating the manner and drawling tone of the down-looking clerk.

'I know who you mean,' said the soldier, laughing; 'he is old Mitchell, is he!'

'Yes, and I owe him a great many spites and grudges,' said the boy, 'besides which I don't like any dirty undermining sort of tricks, though I'm as fond of a spree as most fellows; so I came out here to look for you, and let you know immediately what they're up to. Well, and so you know, I was alone in the office this morning, and so I was improving the occasion by getting ready a trick to play off upon old Mitchell, when, by jingo! I heard him coming in! I knew I should catch it if I was found out, so I popped down in a corner and hid myself. Well, in comes old Mitchell and another feller, a law attorney he is—I know him well enough. Looker and Booker give him dirty work to do sometimes. Well, old Mitchell goes to Jones's desk and reads your name and address for t'other feller to copy. 'Now,' says he, 'mind and go to him this evening. Offer him fifty for his chance,' says he. 'Tell him you speculate in such things—that it's a mere toss-up whether you win or lose. Palaver him over,' says he, 'about the risks he may run, and the long bills of costs,' says he; 'tell him it's only a legacy from an old miser,' he says, 'and set aside on a plea of insanity. And then,' says he, 'when you've frightened him about the trouble and the costs, till you've brought him to a proper frame of mind, says he, bring out that deed, and get him to sign it. Give him the fifty for his chance, and say you've perhaps booked yourself for some hundreds. Tell as many lies as you like,' he says; 'I know no man who can gammon another better than you,' says he; 'I'll pay you *that* compliment,' says he. Well the other chap grinned and bowed, as if it *was* a compliment, and off he goes. And so I came out this evening to look for you, and put you on your guard.'

'I cannot understand what they are driving at,' said the soldier.

'Did you ever know an old miser in your village?' asked Mr. Wilkins, and then lighted his cigar.

'There was an old gentleman named Wilderspin, who was called a miser; but I think he was only very poor.'

'That's him!' exclaimed Mr. Wilkins. 'You did him a good turn once, didn't you?'

'Nothing particular,' replied Hardcastle; 'I thrashed some young fellows that were tormenting and insulting him, that's all.'

'It was the best day's work you ever did, I'll be bound,' said the youth, 'that old fellow was very rich, and he has left you something in his will. I don't know how much, but it is sure to be something handsome, or they would not take all this trouble to get you to sign away you claim.'

'I'm much obliged to you for your warning,' said Hardcastle 'you may be sure I will sign no paper of that kind. It amazes me, though to think of that poor miserable old man having property to leave any one; I always imagined he was wretchedly poor. Though he had been brought up a gentleman, and I was well educated, he kept no servant, and lived in the most sordid way you can imagine. He darned and patched his own clothes, I believe. It was because he came out with his old black coat brightened up with reviver that these young fellows fell upon him and drenched him with dirty water. I had got a good thick stick in my hand, and gave them all a taste of it. The old man got off without saying a word to me; in fact I thought he did not see me, or if he did, that he wouldn't know who I was. However that may be, I made the place too hot for me to stay in with any comfort. The fellows I had thrashed were the nobs of the place—the squire's son, and so on, and they were always at me; and then the clergymen took me in hand. He talked to me kindly, and said that I was not so bad as I might have been, considering the way I had been bullied and teased into doing something that would send me abroad against my will; and he advised me to get clear out of it altogether. There was a recruiting-party a few miles off, and he advised me to enlist. I did, and I always thought that was the best day's work I had ever done; and perhaps it was, for the training I got was worth more to me than the old miser's money can ever be.'

The soldier walked on, talking as he went, more as if he were talking to himself than addressing his young companion, who kept close to him, with his eyes fixed on his sunburnt face, and lost not a word that he uttered.

'We had a first rate colonel,' continued Hardcastle; 'he enforced the strictest discipline; but he took great care of his men, and looked after their comfort and instruction, and even their amusements. And the officers, too,—they were not like the officers of some regiments I have often heard of. They behaved to one another like gentlemen; and if any of them ever forget their own self-respect so far as to play off tricks upon another, and annoy him because perhaps he was poorer, or more quiet and studious than the rest, I'll answer for it the colonel would give them a lesson that they'd be the better of all their lives. Yet there never was a complaint against him, for he was as strict in the performance of his own duties as he was in making others perform theirs. So we got the credit of being the best conducted regiment wherever we went, though I've no doubt that if our colonel had neglected his duties or had wanted force of character to make himself obeyed or respected, we should have been as unruly a set of unlicked cubs as ever disgraced Her Majesty's uniform.

'However, I amongst others reaped the benefit of the colonel's good management. I joined the regiment nothing but a grown-up boy, ready for any wickedness that might offer; but when I got my discharge, I also got certificates of good conduct. My lad!' said the soldier, stopping suddenly, and laying his strong hand kindly on the youngster's shoulder, 'you have done me a service, or had the will to do it, which is the same thing. I would like to do you some good in return; but you must follow my advice, as I followed the clergyman's. In the first place throw away the nasty cigar; it is not tobacco; and if you must smoke, take a clay pipe. But you won't do that, I know. You smoke more for the look of the thing, and because you fancy it is fine and manly—now don't you?'

The boy hung his head sheepishly, and the cigar dropped into his fingers, where it remained twirling about till it fell to the ground, seemingly by accident; but it was not picked up again.

'The money that you waste on these unpleasant smelling rolls of cabbage-leaf would suffice to take you out on a healthful country excursion, or buy you a cheap edition of a good book by the end of the week,' said the soldier; 'that is my first piece of advice. The next is—leave the law, and emigrate. Think well of what I have said, and tell me the result when I meet you again. Good-bye.'

He shook the boy's hand and they parted. Mr. Wilkins watched the retreating figure of his new friend as he marched down the street, with his steady [illegible] turned to pursue his own way [illegible] at his feet [illegible]

feeling much humbler than was at all usual with him, but for a wonder, thinking very seriously.

The boy's warning was not thrown away. The speculating attorney who called upon Hardcastle soon after he had reached his lodgings, and offered him fifty pounds 'down' for his chance of a legacy under old Wilderspin's will, was quite but decidedly repulsed, and within a week after he had succeeded in establishing his identity; he had good reason to congratulate himself on having followed his young friend's counsel, for he found himself the possessor of considerable property, including the old house at Langton, the one in which the old miser had both lived and died. His very first act was to furnish Mr. Wilkins with the means of going to Australia, and his next was to go down to Langton, and to superintend in person the complete renovation of his newly acquired house.

A curious fact had come to the knowledge of Hardcastle during the course of the law proceedings. He found that old Mr. Wilderspin had had a sister, who had married, and left two daughters: one had gone to India as a governess in a family, and the other had married a lawyer named Mitchell, and settled at Langton. As soon as this name was mentioned, Hardcastle saw as clear as daylight why 'Old Mitchell' had kept his face concealed, and also from what disinterested motives he had sent his kind friend to try to talk him out of his expectations. Mitchell had been one of the young fellows whom he had beaten for annoying the miser. Much amused by the discovery, he went down to Langton. The miser's house was a pretty and picturesque habitation, which could speedily be converted into a most delightful and elegant abode under the eye of its present owner; who, though he had served as a common soldier, had read much, had travelled, had observed, and above all, had felt and suffered. As soon as the library and bed-room were rendered habitable, he left the inn and took up his abode under his own roof. But in proportion as everything around seemed to smile upon him, a deeper and deeper gloom settled upon his soul. Often while directing some improvement in the garden or a farm-yard, an idea would strike like a sharp dagger to his heart, and he would retreat to his library, muttering in accents of despair, 'It comes too late!' A deep and lasting regret shadowed his whole life.

One morning he was summoned from the garden by his servant, who informed him that a lady in widow's mourning had called to inquire for Mr. Wilderspin, and was then waiting in the library. Hardcastle hastened into her presence, she was standing with her back towards the window, so that he could not distinguish her features.

'I trust you will pardon this intrusion, sir, she began; but at the first sound of her voice he started, gasped, and caught at the back of the chair for support. 'Good Heavens!' she cried, throwing back her veil. 'Hardcastle! Is it possible!'

'It is indeed,' he answered, scarce audibly. 'By a mere strange chance made wealthy,' although, he added bitterly, 'not a gentleman.'

'That you always were,' she added, in a low, clear tone, 'and the chance of outward circumstances will prove it. I came here to seek a relative; but hearing at the inn that he was dead, I determined to ask his heir whether anything had been left me, little expecting whom I was to meet in that character.'

'Were you related then to Mr. Wilderspin?' fluttered Hardcastle.

'He was my mother's uncle,' she replied.

'How very strange!' said Hardcastle—'and still more strange that you should come in person on this errand, instead of sending a lawyer.'

'Not at all under the circumstances,' she replied; 'for lawyers are expensive luxuries. My dress informs you that I have lost my husband; I have also lost my father. He was too just and too liberal to save much, so that I am comparatively poor. My mother always had expectations of inheriting some property from her uncle, and therefore I now have come both to see her native place and make inquiries about my grand-uncle and his property, little dreaming that I should meet an old acquaintance in possession of it.'

'Miss Matthews?—I beg pardon—Mrs. Lawrence, I mean,' said the soldier hesitating,—'Mr. Wilderspin left me his property from mere caprice, and now that one having a better right to it has appeared, I cannot at all think of retaining it. Take it, I entreat you. I yield up every claim to it, and all that I ask is to be allowed to remain near you, that I may see you and serve you. Make me your gamekeeper and steward,' he continued, kneeling at her feet and passionately clasping a fold of her dress; 'all I ask is that I may not be banished from your presence!'

'I should be basely ungrateful if I could take your wealth, and then let you stoop to be my servant ———.'

'I am born your servant,' he interrupted.

'Not so,' she replied. 'By birth I am perhaps your superior; but you are my equal in education, and much my superior now in riches.'

'No, no; I am your servant,' he persisted; 'for I am a common soldier, and you are my colonel's daughter, and the riches you speak of are not mine, no, they belong to you by right.'

'Do not be so obstinate,' she said; 'for even if my uncle had made no will, yet my mother had an elder sister, and she may have left children who would of course take precedence of me.'

'That is very true,' he replied, thinking of old Mitchell. 'How then can I hand over this property to you?'

'It is not for me to point out the way,' she said, coldly, as she rose and moved towards the door.

'No—do not go yet!' he exclaim[ed]
'Stay a moment, for I am mad and
enough to keep the secret gnawing
many years?—Six?—Ten?—I do n[ot]
were a sweet child when I joined y[our]
was entrusted to set you on your po[st]
you and take care of you. Time a[nd]
found one day that I was receiv[ing]
woman's foot and that my colo[nel's]
girl, whom I was helping o[ver]
sometimes possessed me at [times]
to me. used to tremble, once
figure was for a moment i[n]
was an accident with a cob[ra]
'I do indeed,' she replied;
to seize the terrible creature
'My hope was that
lasting place in your
creature did not bi[te]