

hazarded, elicited replies little calculated to diminish the sympathy of the hearers with the unhappy girl, and the physicians were allowed to withdraw. Mr. Vandeleur was then proven to have landed property to the value of £3,000 a-year, and to be a legatee in his uncle's will to the amount of £15,000, on condition of his obtaining a property equivalent to that sum with any wife he should happen to marry. With this evidence, the case for the plaintiff closed.

The defendant's senior counsel now rose to reply. He was a man of long experience, extreme tact, and consummate art, disguised under an honest blunt exterior, and a homely frankness of manner, which might lead an ordinary observer to imagine that his entire power consisted in a full conviction of the fairness of his case; and that when that conviction did not exist, the ingenuousness of his nature must at once betray his knowledge of its weakness. Nothing could be more at variance with his conduct. N— never looked doubtful except when he was quite sure of a verdict. When he was not, he could not afford to lose the weight which his own apparent sense of the security of his client's case was certain to possess with a jury. To look at him now, you would say that he was himself an injured man. He commenced by expressing his deep regret that a case such as that before them should ever have been brought into a public court; a case painful in whatever way it was viewed, whether with reference to the feelings of the plaintiff or the defendant, and leading necessarily to the disclosure of occurrences and the divulging of facts, which should have been kept sacred from the public eye. For his part he came to take an honest, straightforward course, whatever might be the result of it. His client, it was true, had denied on the record that any promise had been made on his part to marry the plaintiff, but the gentlemen of the jury should know that such a denial was purely formal: there was no intention of relying on it; the promise which was the foundation of that action they acknowledged in the fullest manner—they had all along done so. That promise had been made by his client in the truest spirit of sincerity, nor did he ever dream of abandoning it, till the non-fulfilment of it became a solemn duty. When that hour arrived, he instantly made Miss St. Aubyn acquainted with the fact. They had heard the letter read in which it was communicated; they had heard comments, too, made upon the latter, on which he would not observe—he left it to the jury to say whether they were merited. To him it appeared that that letter should have at once been looked on as releasing his client from the engagement into which he had entered. Miss St. Aubyn or her advisers took a different view of it; this action was brought; the damages were laid, as they had already heard, at the exorbitant sum of £10,000. Mr. Vandeleur was literally thunderstruck; he felt that the marriage could never take place; he knew that the title of the sum would never be recovered against him, but he resolved to make reparation for even an involuntary wrong. He resolved to shield Miss St. Aubyn from the indiscretion of her own advisers, and sooner than suffer her to bring upon herself the odium of a trial, he generously offered £3,000 to have the action abandoned. That offer was refused, and Mr. Vandeleur had no option but to defend the case. There was, however, as he already stated, no intention of denying the contract. The only evidence he should offer would be in mitigation of damages; and he felt confident that when the jury came to consider that evidence they would see that the sum offered by his client was far beyond what the circumstances of the case called on them to give. A portion of that evidence was of a nature that it gave him the deepest pain to be under the necessity of producing; but it was necessary to his client's vindication, and he felt compelled to have recourse to it. The evidence to which he alluded was that of a person who had formerly been a domestic in General St. Aubyn's family, the constant attendant on the plaintiff herself, and had reference to her conduct and character prior to the defendant's becoming acquainted with her. If the jury believed that evidence, he felt satisfied that they would consider his client entitled to all the protection in their power, and would feel with him that it was, if not a legal, at least a moral ground for abandoning a promise which he had made under a completely mistaken impression of Miss St. Aubyn's disposition and conduct. He would not dwell upon the matter further, but would allow the evidence, when adduced, to speak for itself. They had heard much stress laid on the circumstance, that this action was brought solely in compliance with the dying wish of General St. Aubyn, and God forbid that he should lightly regard the request of a dying father. But the gentlemen of the jury should consider that the breach of his client's engagement was in compliance with a mandate scarce less solemn—the mandate of the nearest and dearest relative he had on earth; one who to him had been all that a father could be, and who, but a few hours after he had solemnly prohibited him from entering into this marriage, was suddenly snatched into eternity. Long and painful evidence had likewise been given by his learned friends at the other side, of the state of Miss St. Aubyn's health—evidence which he believed was entitled to full credit, and which it grieved him to the soul to hear. But it did not follow that her distress of mind arose from the conduct of his client. Might it not more naturally be attributed to the effect which being forced into this trial, this public exposure of her feelings, and his conduct, might produce on a proud and sensitive woman; and to whom was attribut-

able this necessity? Not surely to Mr. Vandeleur, but to the mistaken pride, or affection, as it might be—perhaps both—of her own father. On the evidence for the plaintiff he would make but one remark—one which he felt was called for, and he would then conclude. In proving the amount of Mr. Vandeleur's property, it was shown that in his uncle's will he was bequeathed £15,000, on condition of getting a fortune of that amount with his wife. In the opening speech of his learned friend, no observation was made upon this bequest, but it was plain enough what was intended by putting it in evidence—it was plain enough that the object was to insinuate that this legacy was what caused Mr. Vandeleur to break off his engagement with Miss St. Aubyn, and that the wish of his uncle was only a pretext for doing so. This was passed by at the moment, but it was of course to be relied on at another stage of the trial. For his part he cared not for the insinuation—the character of Mr. Vandeleur was too well known to suffer from it; the high position which he and his family had always held in the country, would shelter him from such a stigma, and for himself he would scorn to defend him from it. More he felt it unnecessary to say. He had long experience of the intelligence and discrimination of the juries of this country; he knew well the honour and uprightiness of the gentlemen who now occupied the jury box—many of them were his intimate and valued personal friends, and in their hands he knew that he had nothing to fear for the safety of his client.

Mr. N— having concluded his address, the letter written to Vandeleur by his uncle, requiring him, under pain of his displeasure, to break off his intended marriage with Miss St. Aubyn, was put in evidence, and then followed the vilest part of the degrading exhibition. Mademoiselle Louise Tussaud was called and sworn.

The witness, a French woman, was a fashionably dressed person, of about five-and-thirty, but evidently had bestowed what skill she could to keep the last decade modestly concealed; she was highly rouged, and endeavoured, by a perpetual smile, to carry off the natural expression of a face in no slight degree sinister and malicious in its character. It wanted not the counsel's prefatory speech to indicate the purpose for which she was produced, for a glance would have told that her evidence could have but one object—to slander one who in all likelihood would soon be beyond the reach of human malice. What might be the precise nature of her evidence was, however, matter of deep anxiety to the entire audience.

She had resided, she said, in General St. Aubyn's family for nearly two years, and left him only a few months before he settled at—. When she left him, Miss St. Aubyn was in her nineteenth year. She had been her confidential attendant. She recollected the Count de L—; and was the bearer of letters to him from Miss St. Aubyn. General St. Aubyn was not aware of the correspondence between his daughter and the count. Miss St. Aubyn had conversation with her upon the subject of the count's attentions; believed from them that there existed a mutual attachment between him and her mistress; knew she would have eloped with him, if the General had not suspected her intentions, and taken measures to prevent it. Other questions were then put to her respecting Miss St. Aubyn, involving calumny of a deeper dye, and her direct examination closed.

The evidence of Miss Tussaud had been wholly unexpected by the plaintiff's counsel. A few skilful questions, however, much disconcerted her, and served to throw no little doubt over her entire testimony. She admitted that she did not leave General St. Aubyn's service at her dismissal to the fact that she had been discovered by him to be the bearer of messages between his daughter and the Count de L—; and at the close of her cross-examination, there were few persons in court who did not believe her story to be an entire fabrication.

In reality it was not; but small, indeed, was the truth mixed up with its monstrous falsehood, it being nothing more than that she had been dismissed by General St. Aubyn, on his discovery from his daughter that she had endeavoured to bring her into communication with the person alluded to, the Count de L—, who had made various attempts to win the favour of Miss St. Aubyn, but had never met with the shadow of encouragement. Miss Tussaud removed to London, where she got engaged as a milliner, and having become acquainted with Vandeleur's valet while the former was in London, her previous knowledge of the St. Aubyn's became known to him. Having learned of Vandeleur's resolve to break his engagement with her former mistress, she insinuated that she knew facts relating to her history which would give him ground for doing so. He readily caught at the opportunity, and though he placed no reliance on her story, he had the unparalleled baseness to hint it as one of the reasons for his conduct. The scheme failed itself. The vile slander reached, in a faint and modified form, the ears of his victim's dying father; it stung him to the quick. He knew his child was spotless, and resolved that in her purity she should triumph over the calumniator. The ordeal had come; a few short hours would decide whether she should pass through it unscathed.

With the evidence of the dismissed waiting-maid closed the defendant's case, and now came the time for the plaintiff's counsel to reply. The deep interest excited by the trial had reached its extreme point, and every one present watched with breathless anxiety for

the rising of Mr. F—, whose turn it was to speak, and from whose well-known eloquence an address of no ordinary power was anticipated. He was not in court; in a few minutes, however, he entered, but instead of proceeding to address the jury, he whispered some observation into the ear of the young lawyer who had opened the case. The latter listened intently, looked evidently much embarrassed by the communication, and seemed to remonstrate strongly with his senior, who, however, appeared to press his proposition, whatever it was, with much eagerness, and the young man at length seemed reluctantly to assent to it. At this moment the judge asked if it were Mr. F—'s intention to address the jury.

'My lord,' said F—, 'I have only just concluded an address of nearly four hours in the other court, and am quite unable to speak in this case. In addition to the fatigue I feel, I have none of the defendant's evidence. I believe, however, my learned friend, Mr. Crawford, will take my place, and I can trust the case to him without hesitation.'

I glanced at Crawford; he was ghastly pale. I knew his powers—what a splendid field for them. He had already acquired a high reputation; what could he mean by hesitating?

'Will you then address the jury, Mr. Crawford?' asked his lordship.

'As my learned friend presses me to undertake it, my lord, I will not refuse, though it is a responsibility I would gladly be relieved of,' he replied, with a steadiness of voice with which the embarrassment of his manner strongly contrasted. 'In a moment I will be prepared.'

A feeling of disappointment at being deprived of a speech they had calculated on, from a counsel of known eminence, was manifest on the countenances of those present. Curiosity to hear how a young, and to most of them an unknown man, would acquit himself in so arduous and interesting a case, very naturally succeeded, and when, after a hurried glance over a few notes on the margin of his brief, Crawford turned to commence, the silence was absolutely deathlike. For a moment I feared for him: but his collected air, and the calm firmness with which he began, at once reassured me.

He commenced by remarking the wide difference between the case before the jury, and all ordinary actions of the kind, being, as he said, 'the last act of the dying, in fulfilment of the last wishes of the dead.' He then entered into a lucid and impressive review of the evidence for the plaintiff, sketching with a touching eloquence, the story of her attachment to Vandeleur, and his base desertion of her, and closing with the testimony of the medical witnesses; after a hurried glance at which, he said—'Gentlemen, I cannot dwell on this. I cannot trust myself longer with this detail of suffering. I had once the happiness of a short, a very short, acquaintance with Miss St. Aubyn. I saw her, not many months before her intimacy with the defendant began, in her own home, the idolized child of a brave and honoured father. I thought that if worth, and loveliness, and virtue, could secure happiness on earth, grief could never cross the threshold of that home. Gentlemen, that home is desolate; the grey hairs of that father have gone down in sorrow to the grave, and the child lives but to fulfil his last request, and follow him. I must drop a veil over miseries which I dare not contemplate.' Here he became much affected; but, after a few moments' pause, he went into a recapitulation of the evidence which had been relied on for the defence, which he made the ground of a withering invective against Vandeleur, especially the vile fabrications of the 'immaculate waiting-maid,' and concluded thus—'I have charged the defendant with duplicity, falsehood, and slander; and I now charge him with abetting perjury, to make the slander effective. I have done, gentlemen, with the evidence, and I call on you for a verdict. There are amongst you fathers—remember that your children, too, may be deceived and calumniated. My client has no longer a father; but her father on his death-bed bequeathed to you the sacred office of protecting the honour of his child. In your hands, I feel that it is safe. I call on you, then, for a verdict. I ask for the entire damages claimed by my client, as the only mode you have of showing your sense of her wrongs, your horror of her betrayer. You cannot, indeed, make her what she once was. You cannot restore her what she has lost. Can you remove the effects of physical and mental sufferings of months' duration? Can you obliterate the memory of love repaid by slander—of confidence returned by deceit? Can you give her back a peaceful home? Can you give her back the buoyancy of heart, of which she has been robbed by her betrayer? No, gentlemen; it is idle to speak of justice; it is idle to speak of reparation. You have them not in your hands. But there is one thing which you can do. You can by your verdict vindicate my client's honor; and, as fathers, as brothers, and as men, I confide that honor to your keeping.' With these remarks, he resumed his seat.

His speech, of which I cannot even profess to give the substance, was powerfully effective; not so much, indeed, from his language as from his earnestness of feeling, and the deep impressiveness of his manner. The moment he got over the first few sentences, he seemed completely carried away by his case; the outbursts of pathos or indignation were evidently not assumed by the advocate, but felt by the man, and his delivery of the concluding portion of his address was, beyond description, eloquent. Upon the conclusion of Crawford's speech, the jury began to speak with each