

A Corporation Christmas Present.

THE STORY OF A TRIAL WITH AN UNEXPECTED ENDING.

BY MABEL CRAFT DEERING.

I.

IT was late in December, and the lawyers were anxious to clear the decks for the Christmas recess. It was unusual for so many of the high-priced attorneys of the Florida & Southern to be in court at one time. Generally one, or two at most, appeared in a case, but this time there were three of them, all gray-haired, faultlessly dressed, suave in manner, and subtle in questioning.

At the other table, beside his anxious-looking, youthful client, sat a smooth-faced man, his countenance so barren of telltale line and shadow—when he wished it to be so—that it was difficult to say whether he was twenty-five or fifty. From the array of legal talent it was quite certain that the railroad considered this an important case. The learned trio looked almost pityingly at their opponent.

The defendant's counsel was an enigma to his associates at the bar. The possessor of an aristocratic name and face, no one knew much about him. Remarkably cool, with a tongue sharp as a rapier and used with the consummate skill of an accomplished fencer, De la Vigne was a mystery. As a lawyer, he was immensely successful; with a jury he was preeminent, with a judge powerful. He was a student, a man widely read in other professions than his own, but he was a mystery—a mystery because he knew how to keep his own counsel. A prominent man without confidants piques the curiosity of an entire city!

Even the railroad attorneys were interested in De la Vigne. They agreed among themselves that it was a pity they were going to beat him so badly. They were sorry to do it, but the conviction of his client was of great importance to their company, and business is business.

The defendant, who had been the cashier of the Palmetto Cove Hotel, was accused of having set fire to the company's beautiful building for the purpose of concealing a defalcation. The fire had been a very costly one, the corporation was determined to convict, and all the acumen of the legal department had been bent on weaving the coils about this man. At first there had been no clue, but a cut hose and the entire destruction of the accounts had led back to a charge of incendiarism, and from that to the only man with a motive.

Single-handed, De la Vigne had fought them. He had combated the introduction of their evidence, and he had succeeded in keeping a good deal of it out. So far, they had not proved enough to convict their man.

For the last few days, nevertheless, the railroad attorneys had been beaming with satisfaction. The season of peace and good-will seemed to have penetrated to their hearts and thence to their faces. They beamed on the imperturbable De la Vigne as he slowly, carefully, opposed them step by step. The corporation lawyers did not care if he did chip away, bit by bit, unessential portions of their evidence, for they had a witness in reserve—a man whose evidence was quite enough to prove their case. To-morrow would be the twenty-second day of December. The star witness would not consume more than an hour; De la Vigne would not be able to shake him, and the case would be won when the man stepped down from the stand.

Some weeks before, a working man in a cheap, ready-made suit, but with a quiet and self-respecting manner, had stepped from the elevator and had inquired for the rooms of the law department of the Florida & Southern. Once inside, he had been stopped in a little

wooden cubby-hole by an officious clerk who had looked him over and had curtly inquired whom he wished to see.

"I want to see the head lawyer," was the reply.

"What do you want of him?" snapped the busy clerk. "Do you know him?"

"No," said the stranger laconically, "but I want to see him."

"Oh, you do, do you?" grinned the clerk. "Well, his time's too valuable to be taken up by Tom, Dick, and Harry. What's your business? I guess I'm about your size."

"I guess I'll have to see the head man," persisted the visitor.

"You're likely to see the boss!" sneered the clerk. "Here, write down your name and business on this card, and write it plain—see?"

The visitor took the card and the pencil which were shoved at him and wrote painstakingly:

Silas Hubbard. I know something about the Martin case.

"Whew!" whistled the clerk to himself, as he read the card in transit. "I guess I made a mistake."

The whole office knew that the arson case was absorbing more of the time and attention of the heads of the department than any business that had come up in years.

Mr. Greer was busy—several men important in State politics were with him—but after one glance at the card he rose.

"Gentlemen, you will excuse me for a few moments. I shall be obliged to see this man myself. I'll be back in ten minutes, or—no, will you all meet me at luncheon at the club at one? We can finish this discussion then. Wallace"—to the clerk—"show Mr. Hubbard in. Until one o'clock, gentlemen, then—good day!"

Silas Hubbard passed through the door which the now obsequious Wallace held open for him.

"Please be seated, Mr. Hubbard," said the attorney.

Hubbard sat on the edge of one of the soft, leather chairs, revolving his hat by the brim between his knees, evidently much overcome by the luxury of his surroundings.

"Close the door, Wallace," said Mr. Greer peremptorily, to the loitering clerk. The visitor had his revenge.

"So you know something about the Martin case, do you?" said the lawyer. "I shall be glad if you will tell me all about it."

"Well, you see," said Hubbard, "I was working on the plumbing at the Palmetto Cove Hotel at the time of the fire, and I saw Mr. Martin cut the fire-hose. I was in a dark closet under the stairs, and he didn't see me, but I saw him as plain as I see you."

"You did, did you?" said Mr. Greer, his excitement getting into his voice and shining in his face. He shook hands with the plumber. "Mr. Hubbard," he went on, "this is just what we wanted. All that is necessary is for you to tell your story plainly and simply in response to the questions which I shall put to you in court. Do you remember the date?"

Mr. Hubbard remembered. It was the day before the fire. He fixed it by the fact that the fire happened on Wednesday, and he had gone to work on Monday. Mr. Greer called in his associates, and they all took a turn at the questioning. Every answer was satisfactory—the story was simple, but utterly damning. Mr. Greer beamed. Behind Hubbard's back he grasped his associates by the hand.

The attorneys didn't like to have the witness in the city during the ensuing weeks, while the jury was being selected and the other preliminaries were being arranged. The fellow would be sure to talk, De la Vigne might get hold of him, and one never could tell what would happen. It was as well to be on the safe side.

"Are you working, Mr. Hubbard?" asked Mr. Greer when the cross-questioning was over.

"Yes, sir."

"Well, I'll tell you what the company is willing to do. You give up your job and go to our hotel at Pebble Beach. I will write a letter to the manager, and your stay there will not cost you anything. And, moreover, you will be paid full wages for the loss of time. Are you married?"

"No, sir."

"Very good. Is the arrangement satisfactory? Would you like a vacation?"

"Yes, sir."

"Very well. Here is the money for your transportation. I will write to the manager this afternoon. You will go up to-morrow and stay there until I send for you?"

"Yes, sir."

Mr. Greer showed the witness out himself.

"I am greatly obliged to you for coming," he said in parting. "The railroad does not forget its friends, and you have lifted a load from all our minds. Good-day, sir."

The lawyer almost executed a war dance as he passed through his office. The entire force felt the uplift.

II.

DECEMBER 22 was a warm and sunny Southern day. Outside the court-room, with its frowning, overhanging black-walnut cornices at doors and windows, the corridors were a bit damp and musty. Inside the room, crowded with people eager to watch the trial, the atmosphere was hot and reeking.

The judge entered from his chambers to the sharp rat-tat of the bailiff's gavel, and the court-room buzz died away. The jury roll was called.

"All present, your honor," said the clerk.

"Call Silas Hubbard," said Mr. Greer.

Silas Hubbard arose quietly from his seat at the back of the room. "Our last witness, your honor," said the smiling Greer.

The witness was sworn at the usual rattling pace, the impressive syllables tripping over one another's heels. Then he took his seat facing the jury.

"What is your name?"

"Silas Hubbard."

"Where were you born?"

"In Canada."

"How old are you?"

"Forty-two, sir."

"What is your business?"

"I am a journeyman plumber."

"Mr. Hubbard, where were you working on the 15th of last May?"

"At the Palmetto Cove Hotel, sir."

The court-room sat up and drew in its breath audibly.

"What were you doing there?"

"I was giving the plumbing a general overhauling."

"On what day of the week did you go to work there?"

"It was on Monday that I went to work."

"What were you doing on Tuesday, the 16th, at eight o'clock in the morning?"

"I was mending a pipe in a dark closet under the stairs in the hall of the third story."

"Did any one come into the hall?"

"Yes, sir."

"Who was it?"

"Mr. Martin."

The court-room turned its head as one man to look at the defendant. He changed color.

"What did you see Mr. Martin do?"

"He cut the fire-hose which was coiled on the wall."

"Take the witness," said Mr. Greer, as he sat down.

Mr. De la Vigne stood up. His refined face was very grave, and his clear-cut features were like a cameo against the dark paneling of the wall.

"Mr. Hubbard," he said pleasantly, in a voice like oil and honey, "for whom do you work?"

"I don't work for any one," said the witness.

"Oh, then you are not employed by any firm?"

"No, sir. I work for myself," the plumber replied.

"Oh!" said the attorney. "Where have you been working since last May?"

"I've been doing odd jobs around town."

"Yes, but whom have you been working for?"

The witness mentioned a number of names.

"Were you working for any of these people in December?"

"No, I don't think so—not this month."

"Well, what was your last job?"

The witness mentioned one of the names he had already enumerated.

"But you said you hadn't been working for Brown this month," persisted the attorney. "What I want to know"—with some asperity—"is the name of the last person for whom you worked."

"It was Mr. Brown," said the witness doggedly.

"But for whom were you working in December?" reiterated the lawyer.

"I haven't been working in December."

"Oh!" said the questioner, evidently much relieved. "That was what I have been trying to find out. So you haven't been working this month. What have you been doing?"

"I was in the country."

"Whereabouts in the country?"

"At Pebble Beach."

"Oh, at Pebble Beach. What were you doing at Pebble Beach—overhauling the plumbing?"

"I was just staying there."

"Oh, just staying there—at the hotel?"

"Yes, sir," said the witness meekly.

The court-room sat up.

"So you were staying at the Pebble Beach Hotel as a boarder," persisted Hubbard's tormentor. "What rates did you pay?"

"I don't know, sir."

"You don't know—didn't you pay your bill?"

"No, sir."

Mr. Greer was beginning to look uncomfortable. He interposed some futile objections to the line the questioning was taking, but he was overruled.

"Now just tell us how you came to go to Pebble Beach," said De la Vigne persuasively.

"Well, I went to Mr. Greer's office and told him what I knew about the case, and he told me to go to Pebble Beach and stay there until he sent for me, and I went."

"Oh!" said De la Vigne. "Did Mr. Greer pay you anything besides your board?"

"Only wages—what I would have earned if I had stayed in the city."

"Oh, I see, the railroad paid your board and your wages. Now, as a matter of fact, isn't it true, Mr. Hubbard, that you never saw the inside of the Palmetto Cove Hotel in your life?"

The witness hesitated a moment.

"Yes, sir," he said, almost inaudibly.

"That's all," said De la Vigne, seating himself at his table and idly turning the pages of a book.

The judge looked at the corporation attorneys.

"I believe you said you had no more witnesses?" he said inquiringly.

The attorneys conferred for a moment.

"That closes our case, your honor," said the least important of the triumvirate.

"Mr. De la Vigne," said the judge, "are you ready to go on with your witnesses?"

"Your honor," said the defendant's lawyer suavely, "I had some witnesses, but I have decided not to put them on. I submit the case on the plaintiff's evidence."

The breaking down of the witness had created a profound sensation, and De la Vigne had struck while the iron was hot. The judge instructed the jury perfunctorily, and the defendant was acquitted without the jury leaving the box.

"Well, De la Vigne presented us with a fine Christmas present, didn't he?" fumed Greer to his dumfounded associates. "We were all beautifully taken in."

Some one murmured: "Perjury!"

"Drop it, for Heaven's sake, drop it," said Greer, turning an apoplectic hue. "I tell you De la Vigne sent the fellow, and we were fools enough to bite, that's all. For Heaven's sake, hush it up as quietly as you can. One doesn't care to confess to the world that one has been made a fool of. To think of our accepting the fellow's story without investigation!" and Mr. Greer snorted with indignation.

Presently De la Vigne passed his confrères in the hall. He raised his immaculate hat, and said politely, without a shadow of expression in his face:

"I wish you all a very merry Christmas, gentlemen."

"There goes the Sphinx," said Greer when he had passed. "If ever I'm in trouble, he can defend me. Merry Christmas, boys—and better luck next time!"

Foreign Nobility in New York.

BY FRITZ CUNLIFFE-OWEN.

MEMBERS OF THE EUROPEAN ARISTOCRACY WHO FIGURE IN AMERICAN SOCIAL AND BUSINESS LIFE—THE WANING OF THE OLD PREJUDICE CREATED BY A HORDE OF VISITORS FLAUNTING QUESTIONABLE OR TARNISHED TITLES.

TO the many foreign colonies that contribute to render New York the most cosmopolitan city of the New World, there must now be added one which has come into existence very quietly, but which is beginning to make its presence felt in the daily life of the great American metropolis. It is composed of men of birth and high social standing abroad, generally possessed of means, but not sufficient to enable them to exist in idle luxury, who take up their residence in New York to go into business here, to acquire experience of American commercial methods—in a word, to make their fortune.

These men are neither the black sheep of the European aristocracy nor yet pursuers of American heiresses. They have little in common with that once familiar type, the continental count or prince who used to dawdle through the winter season in New York and the summer at Newport, dangling to the petticoats of equally frivolous women. That elegant individual has had his day, and is no longer welcomed by the fashionable set as of yore. The foreigners of whom I am speaking are, as a rule, members of reputable European clubs—always a criterion of a man's standing abroad. Some of them are married, and many who possess titles drop them, being sensible enough to realize that a handle to one's name constitutes a handicap rather than an advantage to a man who wishes to "get on" in the business world of New York.

THE PLAGUE OF DOUBTFUL TITLES.

Until about fifteen or twenty years ago the possession of any well-known patronymic was sufficient in itself to in-

sure a cordial welcome for any foreigner who happened to have agreeable manners and the appearance of affluence. Nobiliary pretensions, even of the most preposterous character, were admitted without any question; letters of introduction, vulgarly known as "soup tickets," were accepted at their face value. But a long series of instances of the grossest abuse of hospitality on the part of "distinguished foreigners" served to modify the readiness of New Yorkers to open their homes, their clubs, and, last but not least, their purses, to visitors from abroad.

People here learned by sad experience that titles, and even names, are sometimes usurped by individuals who have not a vestige of right thereto; that letters of recommendation are often given in Europe in lieu of money to objectionable relatives and friends forced for one reason or another to expatriate themselves. Even the hall-mark of the diplomatic corps at Washington has been found untrustworthy. Some twelve years ago a popular foreign envoy, a thorough man of the world, discovered to his horror that he had been entertaining, and introducing right and left in New York, a nobleman whose blazon, while genuine, was stained by a sentence of two years' penal servitude duly performed in the prisons of the very country represented by the plenipotentiary in question.

Matters came to such a pass that all foreigners, whatever their standing, were viewed with suspicion by American society. If they showed the slightest indication of prolonging their stay, the query was immediately put as to what offense they had perpetrated abroad to