

# HIS FIRST CASE AND LAST.

The Story of a Young Barrister, Written for This Paper.

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## CHAPTER I.

In becoming a member of the bar, Victor D'Aubry's only idea was to continue the dignity of the family. Why should he think of ever getting down to the drudgery of the profession? His father, one of the most honored magistrates of Caen, had left him a large fortune; he was an only child and upon his marriage with Marcelline du Chauvannes, of whom he was the accepted suitor, more gold would pour upon him, for the Count, her father, was one of the wealthiest landholders of Calvados. More from an aesthetic standpoint, therefore, than from one of utility, Victor had caused to be fitted up in his mother's home a suite of working apartments—outer office, library, and consultation-room.

The first client to be shown into the office of the young lawyer gave little promise of a large fee. He was a man of 50, ill-tempered and travel-stained. He halted at the doorway, took off a tattered hat and having wiped the perspiration from his brow, deposited his stick in the nearest corner. Victor motioned to him to be seated, but the man's eye had fallen upon a carafe of water standing on a small table and in a low voice, almost a whisper, he asked to be permitted to slake his thirst.

The lawyer nodded acquiescence.

"And now, my friend," said Victor, "tell me what brings you here?"

"I come to you, sir," the man began, "for justice. I am not a peasant about to ask you to plead against a neighbor. I'm a discharged convict. I have just left a prison where I have spent nearly twenty years for a crime committed by another."

The young lawyer gave a start. Was his first case to be one that would attack the majesty of the law, prove it to be capable of committing a crime itself? Bah! Do not all criminals profess to be innocent and accuse the judges who sentence them?

"The day which I have been waiting for, for the last twenty years," resumed the stranger, solemnly, "has come at last. I shall be able to prove my innocence if you, sir, will assist me, but I'm penniless—at least for the present. In the end, however, you shall be paid, for when you have established my innocence, the hard-hearted will relent toward me. I shall have friends. I shall have money."

"Who are you?" asked Victor, breaking in upon the man's appeal.

"I belong to a respectable family," replied the man, "my father's name was Joseph Gouillard."

"Then you are Michel Gouillard, the murderer of Viscount de Varville!" exclaimed Victor, springing up and making a gesture of horror.

"Yes, Monsieur D'Aubry," answered Gouillard, "so your high courts of justice decreed, but they condemned an innocent man. They have robbed me of twenty of the best years of my life. You were too young to remember the particulars of the trial. Shall I—"

"No," he said quickly from the lawyer's lips. "You may spare yourself the trouble. I've lately gone over all the evidence. It's a celebrated case—Varville murder case. The body was found in a ditch, close to a spot called the 'Cat's Hole,' dressed in shirt and trousers, his foot bare, the shoe on the other with its laces untied. One of the owners pocketed a small boot bound in blue. The Viscount had been shot in the forehead, the bullet belonging to the old-fashioned smooth-bore rifle. There could be no question of suicide, for the young Viscount had everything to make a man satisfied with life. It was evident that he had been shot at the very moment of his crossing the ditch—that he was flying for his life. You were Count de Chauvannes' game-keeper. You had a young and pretty wife. It was shown in the trial that the Viscount had often made excuses to visit your house—that you were inflamed with jealousy against him. And further, that a mysterious ailment had seized your wife, Huguette, the very day after the murder. Her symptoms indicated poisoning, and after her death the post-mortem confirmed the opinion of the physicians. Upon searching your house a short carbine was found secreted in a cupboard. The bullet fitted it exactly."

In giving this outline of the celebrated Varville murder case, the young lawyer had been surprised at his own vehemence, his excellent emphasis and intonation. He was quite proud of himself and waited breathlessly to hear what reply Michel Gouillard would make to it.

"But, sir," began the discharged convict almost in a whisper, "in all this there is no proof of my guilt. It was preposterous to charge me with being suspicious of Huguette; she was the best and most honest of women. As for the carbine secreted in my house, it may have been put there by the arm that killed the viscount, but where was the proof that the shot was fired by me? They lied the court with the low-lived villains brought in to swear my life away. Before God and man I protest my innocence of poisoning my beloved Huguette. I helped to nurse her. All the world knew how I loved her. The wretches, they told everything except the truth. They perjured their souls to fix the crime on me, although Count de Chauvannes swore that I had always been a steady and honest man."

"Ay, so he did!" exclaimed Victor, "but so terribly overwhelming was the burden of proof against you that you were even led to confess your own guilt."

"You are right, sir, I did confess," replied Michel Gouillard, lowering his voice and taking a step nearer to the young lawyer, "but that confession was wrung from me when I was no longer a calm and reasoning being. For six months I was plagued and harassed by a committing magistrate till my brain reeled. I should have been a raving maniac had I not got rid of that persecutor, that sleuth hound of the law, forever at my heels—"

All of a sudden the ex-convict ceased speaking, a death-like pallor overspread his countenance, and then a yell of hatred burst from his throat as he clenched his fist toward a portrait hanging on the wall. He seemed overcome by some terrible emotion.

"Ah, there he is! There is the wretch who tortured me, disgraced me, ruined my life, and for all I know has killed my daughter."

"Silence, you villain!" shouted Victor D'Aubry, springing upon Gouillard, as if to strike him down. "That honest man was my father!"

The ex-convict staggered back a step or two at these words.

"Your father!" he whispered hoarsely, passing his hand in front of his face as if trying to brush away the film that within two years had laid upon his eyes. "And so he is dead?"

"Better so. Now I can understand your

like to hear whether the principal actors in the drama are still alive."

"As I have told you, I have seen Gouillard, but I am not at all certain as to what has become of the other witnesses with the exception of the woman called 'The Hag.'"

"Oh, indeed," remarked Moreau, "this is an unfortunate witness. And the Count de Chauvannes, is he alive also?"

"Yes," said Victor, "and what is more, I am going to marry Marcelline de Chauvannes shortly."

Moreau gave a start, and fixed his gaze intently upon the young barrister. A deep silence ensued. Moreau was the first to break it.

"Monsieur D'Aubry," began the aged lawyer in a voice broken with emotion, "you have come to me for counsel, for guidance. I am sorry to be honest with you regarding the consequences. I am going to tell you all I know."

Victor bowed his head.

"You will recollect," he continued, "that a small blue book was found in the pocket of Varville's pocket. It was an odd volume of Balaam. One day I took it to press an idle half-hour.

Imagine my feelings upon discovering that on the page I was reading certain letters had small, almost invisible, black spots set underneath them. By some curious impulse I set to work putting these letters together. I found that they could be made up into words, and that these words were burning utterances of love—deep and passionate love felt by two beings for each other—first his, then hers in reply." Saying which the aged lawyer read off these utterances in slow and measured tones, setting the emphasis exactly where it belonged.

"Great God!" whispered Victor, springing up and pressing his hand to his brow. "Monsieur Varville the lover of the Countess Chauvannes?"

Moreau nodded assent, and after a short pause went on:

"Now, my young friend, you see clearly, do you not? Viscount Varville went to the appointment offered him by the Countess de Chauvannes. The husband, who probably had his suspicions, came upon them unawares. Varville escaped half undressed. He was pursued and killed by Count de Chauvannes or by one of his trusty servants. But the honor of the real criminal had to be shielded. Your father must have known the facts. He lent himself to the infamous business. The story of a love intrigue between Varville and the game-keeper's wife was trumped up. Huguette often guarded the lover against surprise. Varville had been noticed several times at the lodge. But mark what took place after the murder. Huguette fell ill, stricken down with a violent attack of fever. It is certain that during that night she witnessed some terrible scene, and the affair took such hold on her mind that fever was the result, but still there is a chance of recovery. The moment may come when the delirium will end, and she will be able to speak to her husband—to point out the real criminal. She must be gotten rid of at all costs, and before her reason returns, to tell you who guess who and an interest lies dead?"

Two days after the murder of Varville, and several days before the death of Huguette, the Countess de Chauvannes started for Nice, where for two years she struggled against the weight of grief and struggled until death mercifully came to her rescue. She died among strangers, abandoned by every one, after having given birth to a daughter—Mademoiselle de Chauvannes, your intended wife."

Victor sat there with a dazed and piteous look upon his face. Moreau turned away to give the young man time to collect his thoughts.

"Merciful heaven," murmured D'Aubry to himself, "Can this all be possible? Is my beloved Marcelline the daughter of a murderer?"

"My dear young colleague," said Moreau, "take courage. Halt where you

exact date on which his father had first been stricken with loss of reason.

"Why, my son," replied Madame D'Aubry, "what turned your thoughts in that channel? Let me see, it was in December—yes, Dec. 10, 1849."

"Yes, but mother," pursued Victor, "had he not been ailing long before that, had you not noticed any change in his manner, was there not a gradual failing of his mental powers?"

"Alas, yes," said Madame D'Aubry, with a sigh. "It was the terrible anxiety the long continued strain caused by the examinations which he conducted in a celebrated murder case, the shooting of Viscount de Varville, by Michel Gouillard, a game-keeper in the employment of Marcelline's father. I'm confident he overworked himself. He seemed possessed of the idea that unless he could extort a confession from the murderer that his reputation as a committing magistrate would be gone, that disgrace, in fact, would come upon his name. Time and again during the examination he returned home in a half-dazed condition, his face the color of crimson, his nerves unstrung. At such times even the ticking of the clock disturbed him so that it would be necessary to stop it. And once on leaving the house he said, 'Wife, get me my gown. That wretched Gouillard doesn't seem to know who I am, but when she sees me in my gown he'll begin to tremble and tell everything."

These words confirmed the terrible suspicion that tortured Victor's mind since the ex-convict had turned away from him with a curse on his lips for both father and son.

"Mother," he cried out, "how do we know that in the year 1847, the year of Gouillard's trial, father may not already have been affected by the terrible malady which terminated his life in so painful and horrible a manner? How do we know that he was not under the influence of that morbid excitement, that he was not suffering for what might be called a mania for persecution, and that this man Gouillard was really one of his victims and that the so-called confession was extorted from the wretched?"

"Oh, not so loud, my son," whispered Madame D'Aubry. "It's all past and gone now. It would do no good to drag the matter to light now. The man was certainly guilty of the murder, confession or no confession."

Victor made a gesture of dissent.

"But, my son," continued Madame D'Aubry, "there's something we may do. We may rescue Gouillard's daughter Esther from a life of shame. I'm informed that she is plying the calling of beggar hereabout; everybody recalls her; she is known as the murderer's child. The people throw her a crust and then set the dogs on her if she loiters about the house."

"Mother," exclaimed Vic, joyfully,

"will you cause search to be made for the girl this very day, will you take her in your employment, speak a kind word to her, hold out a helping hand to her so she may not be driven to her ruin from sheer despair?"

"I will, I will, my dear son," said Victor, springing up, "Never!"

"Never!" exclaimed Victor, springing up, "never!"