



## LITERATURE.

## THE FEAR OF DEATH.

BY MARY L. LAWSON.

It is not that I shrink to yield  
My soul to God, whose claim is just;  
I know my spirit is his own,  
And that this human frame is dust;  
To him my higher powers I owe,  
The light of mind the faith of love;  
Too mean the service of a life  
My ceaseless gratitude to prove;  
But still I pause in mortal fear,  
And life is sweet and death is drear.

The ties that bound me close to earth  
With deep affection's tender chain,  
Were severed by his sovereign will;  
And tears and agony were vain;  
And blighted hope and withering care  
Their shadows o'er my soul have cast;  
And sunny dreams, that fancy wove  
Of rainbow hues, too soon have past;  
But still I pause in mortal fear,  
And life is sweet—and death is drear.

For memory brings to me again  
The dear ones that are laid to rest,  
And scenes 'mid which they bore a part  
In lovely visions haunt my breast;  
Their looks, their words, their beaming smiles,  
Soft tears from out my eyelids press;  
They're with me through the waking day,  
My nightly slumbers gently bless;  
But still I pause in mortal fear,  
For life is sweet—and death is drear.

My faithful friends whose gentle deeds  
Of kindness words were poor to tell;  
My daily walks, my favorite flowers,  
The page where genius throws its spell,  
And Nature with its varied hues,  
Where spring and summer brightly glow,  
By many a fine and subtle link  
Of custom round my being grows;  
And still I pause in mortal fear,  
For life is sweet—and death is drear.

Kind Lord, subdue this trembling dread,  
My spirit nerve with firmer zeal,  
Death is the portal of our life,  
Its promised good Thou wilt reveal;  
And in thy word I read with joy  
The blessings that believers share,  
And peace within my bosom steals,  
The heavenly peace that springs from prayer;  
No more I pause in mortal fear,  
The grave is sweet when Thou art near.

## EXPERIENCES OF A BARRISTER.

## CIRCUMSTANTIAL EVIDENCE.

In the second year of my connexion with the Northern Circuit, when even junior briefs were much less numerous than acceptable, I was agreeably surprised, as I sat musing on the evening of my arrival in the ancient city of York upon the capricious mode in which those powerful personages the attorneys distributed their valuable favours, by the entrance of one of the most eminent of the race practising in that part of the country, and the forthwith tender of a bulky brief in the Crown Court, on which, as my glance instinctively fell on the interesting figures, I perceived that the large fee, in criminal cases, of fifty guineas was marked. The local newspapers, from which I had occasionally seen extracts, had been for some time busy with the case; and I knew it therefore, to be relatively to the condition in life of the principal person implicated, an important one. Rumour had assigned the conduct of the defence to an eminent leader on the circuit—since, one of our ablest judges; and on looking more closely at the brief, I perceived that that gentleman's name had been crossed out, and mine substituted. The fee also—a much less agreeable alteration—had been, I saw considerably reduced: in accordance, doubtless, with the attorney's appreciation of the difference of value between a silk and a stuff gown.

"You are not, sir, I believe, retained for the prosecution in the crown against Everett?" said Mr. Sharpe in his brief, business manner.

"I am not, Mr. Sharpe."

"In that case, I beg to tender you the leading brief for the defence. It was intended, as you perceive, to place it in the hands of our great *nisi prius* leader, but he will be so completely occupied in that court, that he has been compelled to decline it. He mentioned you: and from what I have myself seen of you in several cases, I have no doubt my unfortunate client will have ample justice done him. Mr. Kingston will be with you."

I thanked Mr. Sharpe for his compliment, and accepted his brief. As the commission would be opened on the following morning, I at once applied myself to a perusal of the bulky paper, aided as I read by the verbal explanations and commentaries of Mr. Sharpe. Our conference lasted several hours; and it was arranged that another should be held early the next morning at Mr. Sharpe's office, at which Mr. Kingston would assist.

Dark, intricate, compassed with fearful mystery, was the case so suddenly submitted to my guidance; and the few faint gleams of light derived from the attorney's research, prescience, and sagacity, served but to render dimly visible a still profounder and blacker abyss of crime than that disclosed by the evidence for the crown. Young as I then was in the profession, no marvel that I felt oppressed by the weight of the responsibility cast upon me; or that, when wearied with thinking, and dizzy with profuse conjecture, I threw myself into bed; perplexing images and shapes of guilt and terror pursued me through my troubled sleep! Happily the next day was not that of trial; for I awoke with a throbbing pulse and burning brain, and should have been but poorly prepared for a struggle involving the issues of life and death. Extremely sensitive, as under the circumstances, I must necessarily have been, to the arduous nature of the grave duties so unexpectedly devolved upon me, the following *resumé* of the chief incidents of the case, as confided to me by Mr. Sharpe, will, I think, fully account to the reader for the nervous irritability under which I for the moment laboured:—

Mr. Frederick Everett, the prisoner about to be arraigned before a jury of his countrymen for the frightful crime of murder, had, with his father, Captain Antony Everett, resided for several years past at Woodlands Manor-House, the seat of Mrs. Eleanor Fitzhugh, a rich, elderly maiden lady, aunt to the first, and sister by marriage to the last-named gentleman. A generous, pious, high-minded person Mrs. Fitzhugh was represented to have been, but extremely sensitive withal on the score of "family." The Fitzhughs of Yorkshire, she was wont to boast, "came in with the Conqueror;" and any branch of the glorious tree then firmly planted in the soil of England that degraded itself by an alliance with wealth, beauty, or worth, dwelling without the pale of her narrow prejudice, was inexorably cut off from her affections, and, as far as she was able, from her memory. One—the principal of these offenders—had been Mary Fitzhugh, her young, fair, gentle, and only sister. In utter disdain and slight of the dignity of ancestry, she had chosen to unite herself to a gentleman of the name of Mordaunt, who, though possessed of great talents, an unspotted name, and, for his age, high rank in the civil service of the East India Company, had—inexorable misfortune—a trader for his grandfather! This crime against her "house" Mrs. Eleanor Fitzhugh resolved never to forgive; and she steadily returned, unopened, the frequent letters addressed to her by her sister, who pined in her distant Indian home for a renewal of the old sisterly love which had watched over and gladdened her life from infancy to womanhood. A long silence—a silence of many years—succeeded; broken at last by the sad announcement that the unforgiven one had long since found an early grave in a foreign land.

The letter which brought the intelligence bore the London post-mark, and was written by Captain Everett; to whom, it was stated, Mrs. Eleanor Fitzhugh's sister, early widowed, had been united in second nuptials, and by whom she had borne a son, Frederick Everett, now nearly twenty years of age. The long-pent-up affection of Mrs. Fitzhugh for her once idolized sister burst forth at this announcement of her death with uncontrollable violence; and, as some atonement for her past sinful obduracy, she immediately invited the husband and son of her long-lost Mary to Woodlands Manor-House, to be henceforth, she said, she hoped their home. Soon after their arrival, Mrs. Fitzhugh made a will—the family property was entirely at her disposal—revoking a former one, which bequeathed the whole of the real and personal property to a distant relative whom she had never seen, and by which all was devised to her nephew, who was immediately proclaimed sole heir to the Fitzhugh estates, yielding a yearly rental of at least £12,000. Nay, so thoroughly was she softened towards the memory of her deceased sister, that the will—of which, as I have stated, no secret was made—provided, in the event of Frederick dying childless, that the property should pass to his father, Mary Fitzhugh's second husband.

No two persons could be more unlike than were the father and son—mentally, morally, physically, Frederick Everett was a fair-haired, blue-eyed young man, of amiable caressing manners, gentlest disposition, and ardent poetic temperament. His father, on the contrary, was a dark-featured, cold, haughty, repulsive man, ever apparently wrapped up in selfish and moody reveries. Between him and his son there appeared to exist but little of cordial intercourse, although the highly sensitive and religious tone of mind of Frederick Everett caused him to treat his parent with unvarying deference and respect.

The poetic temperament of Frederick Everett brought him at last as poetic temperaments are apt to do, into trouble. Youth, beauty, innocence, and grace, united in the person of Lucy Carrington—the only child of Mr. Stephen Carrington, a respectable retired merchant of moderate means, residing within a few miles of Woodlands Manor-House—crossed his path; and spite of his shield of many quarterings, he was vanquished in an instant, and almost without resistance. The at least tacit consent and approval of Mr. Carrington and his fair daughter secured, Mr. Everett, junior—hasty, headstrong lover that he was—immediately disclosed his matrimonial projects to his father and aunt. Captain Everett received the announcement with a sarcastic smile, coldly remarking, that if Mrs. Fitzhugh was satisfied, he had no objection to offer. But, alas! no sooner did her nephew, with much periphrastic eloquence, impart his passion for the daughter of a mere merchant to his aunt, than a vehement torrent of indignant rebukes broke from her lips. She would die rather than consent to so degrading a *mesalliance*; and should he persist in yielding to such gross infatuation, she

would not only disinheritor, but banish him her house, and cast him forth a beggar on the world. Language like this, one can easily understand, provoked language from the indignant young man which in less heated moments he would have disdained to utter; and the aunt and nephew parted in fierce anger, and after mutual denunciation of each other—he as a disobedient ingrate, she as an imperious, ungenerous tyrant. The quarrel was with some difficulty patched up by Captain Everett; and with the exception of the change which took place in the disappointed lover's demeanour—from light-hearted gaiety to gloom and sullenness—things, after a few days, went on pretty nearly as before.

The sudden rupture of the hopes Mrs. Eleanor Fitzhugh had reposed in her nephew as the restorer of the glories of her ancient "house," tarnished by Mary Fitzhugh's marriage, affected dangerously, it soon appeared, that lady's already failing health. A fortnight after the quarrel with her nephew, she became alarmingly ill.—Unusual and baffling symptoms showed themselves; and after suffering during eight days from alternate acute pain, and heavy, unconquerable drowsiness, she expired in her nephew's arms. This sudden and fatal illness of his relative appeared to awaken all Frederick Everett's tenderness and affection for her. He was incessant in his close attendance in the sick chamber, permitting no one else to administer to his aunt either aliment or medicine. On this latter point, indeed, he insisted, with strange fierceness, taking the medicine with his own hand from the man who brought it; and after administering the prescribed quantity, carefully locking up the remainder in a cabinet in his bedroom.

On the morning of the day that Mrs. Fitzhugh died, her ordinary medical attendant, Mr. Smith, terrified and perplexed by the urgency of the symptoms exhibited by his patient, called in the aid of a locally eminent physician, Dr. Archer, or Archford—the name is not very distinctly written in my memoranda of these occurrences; but we will call him Archer—who at once changed the treatment till then pursued, and ordered powerful emetics to be administered, without, however, as we have seen, producing any saving or sensible effect. The grief of Frederick Everett, when all hope was over, was unbounded. He threw himself, in a paroxysm of remorse or frenzy upon the bed, accusing himself of having murdered her, with other strange and incoherent expressions, upon which, an intimation soon afterwards made by Dr. Archer threw startling light. That gentleman, conjointly with Mr. Smith, requested an immediate interview with Captain Everett, and Mr. Hardyman, the deceased lady's land-steward and solicitor, who happened to be in the house at the time. The request was of course complied with, and Dr. Archer at once bluntly stated that, in his opinion, *poison* had been administered to the deceased lady, though of what precise kind he was somewhat at a loss to conjecture—opium essentially, he thought, though certainly not in any of its ordinary preparations—one of the alkaloids probably, which chemical science had recently discovered. Be this as it may, a *post-mortem* examination of the body would clear up all doubts, and should take place as speedily as possible. Captain Everett at once acceded to Dr. Archer's proposal, at the same time observing that he was quite sure the result would entirely disprove that gentleman's assumption. Mr. Hardyman also fully concurred in the necessity of a rigid investigation; and the *post-mortem* examination should, it was arranged, take place early on the following morning.

"I have another and very painful duty to perform," continued Dr. Archer, addressing Captain Everett. "I find that your son, Mr. Frederick Everett, alone administered medicine and aliment to Mrs. Fitzhugh during her illness. Strange, possibly wholly frenzied expressions, but which sounded vastly like cries of remorse, irrepressible by a person unused to crime, escaped him in my hearing just after the close of the final scene; and—But perhaps, Capt. Everett, you had better retire; this is scarcely a subject"—

"Go on, sir," said the captain, over whose countenance a strange expression—to use Dr. Archer's own words—had flashed; "go on: I am better now."

"We all know," resumed Dr. Archer, "how greatly Mr. Frederick Everett gains in wealth by his aunt's death, and that her decease, moreover, will enable him to conclude the marriage to which she was so determinedly opposed. I think, therefore, that, under all the circumstances, we shall be fully justified in placing the young gentleman under such—I will not say custody, but *surveillance*, as will prevent him either from leaving the house should he imagine himself suspected, or of destroying any evidence which may possibly exist of his guilt, if indeed he be guilty."

"I entirely agree with you, Dr. Archer," exclaimed Mr. Hardyman, who had listened with much excitement to the doctor's narrative; "and will, upon my own responsibility, take the necessary steps for effecting the object you have in view."

"Gentlemen," said Captain Everett, rising from his chair, "you will of course do your duty; but I can take no part, nor offer any counsel, to such a case; I must leave you to your own devices." He then left the apartment.

He had been gone but a few minutes, when Frederick Everett, still in a state of terrible excitement, entered the room, strode fiercely up to Dr. Archer, and demanded how he dared propose, as the butler had just informed him he had done, a dissection of his aunt's body.

"I will not permit it," continued the agitated young man: "I am master here, and I say it shall not be done. What new horror would you evoke? Is it not enough that one of the kindest of God's creatures has perished, but another sacrifice must—What do I say? Enough that I will not permit it. I have seen similar cases in—India!"

The gentleman so strangely addressed had exchanged significant glances during the delivery of this incoherent speech; and, quite confirmed in their previous impression, Mr. Hardyman, as their spokesman, interrupted the speaker, to inform him that he was the suspected assassin