

Literature, &c.

THE SPIRIT OF THE MAGAZINES.

From Eliza Cook's Journal.

THE TEMPTRESS.

FROM THE DIARY OF A LAW-CLERK.

RICHARD PENSON was a native of Westmoreland, his place of birth being the small village of Bedstone, on the borders of Gilgrath forest, some miles north of Appleby. His father had been what is called a "statesman" in those parts, that is, he farmed his own land; but long continued ill-health, the death of his notable wife, and other crosses and losses, so reduced him in the world, that he died—when Richard, his only child, was in his twentieth year—in little better than insolvent circumstances; the son, who, from his desultory and rather bookish habits, had never been of much use upon the farm, finding himself, after everything had been disposed of and all debts paid, the master of about £200 only, and destitute withal, of skill in either head or hand to turn his modest capital into account. Being, however, so young, of stout frame and sanguine temperament, he might not for some time have fully realized the undesirableness of his position and prospects, but for the light unexpectedly shed over them by the dark, scornful eyes of Judith Morton, a damsel of about seventeen, and the daughter of John Morton, a statesman of comfortable means, with whom, whilst his father yet lived in reputedly fair circumstances, he had been on terms of sweetheart intimacy, or at least as much so as some half dozen other bovine youths whom Judith Morton's handsome person and comparatively cultivated airs and graces attracted round her. The first time Richard Penson met her, after the final winding up of his father's affairs, he was so thoroughly made to understand that an idle, know-nothing young fellow, with £200 for all his fortune, was no match for Judith Morton, that the next half hour was passed in mental debate as to which of the three expedients for ridding himself of hateful life—hanging, drowning, or poisoning—he should adopt; and he at length decided upon almost as desperate a leap in the dark as either of them, by forthwith writing to a London attorney, whose advertisement, setting forth a willingness to accept an active, clever young man as articled clerk, at a moderate premium, had strongly arrested his attention the day previous at Appleby—*that he should be in London for the purpose of having a personal interview with the advertiser as quickly as the coach, leaving Appleby on the following morning, would carry him thither.*

Three days afterwards, accordingly, Richard Penson presented himself at the attorney's office. That worthy's business lay chiefly at the Old Bailey, and he was rightly reputed one of the sharpest, least scrupulous practitioners that classic institution could boast of. He quickly discerned with those keen, vulpine eyes of his, that there was the stuff for a clever fellow in Richard Penson; and a bargain was finally struck by which, in consideration of the greatest part of his cash, and his services for five years, the young countryman secured himself of board, lodging and a small salary during that period, and his articles at the end thereof. Penson took readily to his new vocation, and ultimately became noted as a keen adept in the tortuous, shifty practice so highly appreciated by the class of clients with whom he had chiefly to deal; though I do not believe he would have lent himself to any decidedly unprofessional expedient, dangerously near as, in the fervor of his temperament, he might at times have ventured near the faintly-traced boundary-line which marks the limit which an attorney may not overstep in defence of the most liberal and interesting of clients. For the rest, Richard Penson was a fairly-conducted, pleasant, companionable young fellow, except when, more freshly primed than usual, and alone with some one or two of his intimates, he got maudlin about Judith Morton,—her charms, caprices, cruelties. A detestable infatuation, I well remember, were those obliging confidencios; but rested so slightly upon my memory, that the sole and hazy impression I derived from them was, that he had been jilted by a handsome young shrew, who most likely, on account of her brimstone temper, had not yet obtained a husband; when Richard Penson finished his time, and inscribed his name on the roll as an attorney of the Court of King's Bench. Soon after that event he left town for Westmoreland, in renewed quest I had on doubt, of his old flame. I neither saw nor heard anything of him again till about three years afterwards, when I met him just by the Great Turnstile, Holborn; but so changed was he, that I for some moments vainly cast about in my memory as to whom the pallid, careworn, poverty-stricken man, whose proffered hand I mechanically held in mine, could be.

'You do not remember me?' he said, with a dull, wintry smile. The voice and a peculiar north-country accent enabled me to do so

instantly; and I blurted out, 'Richard Penson! But, Good God! what has come to you? You look like an old man!'

'I am one,' he answered. 'Age is not always truly reckoned by years.'

'Surely,' I said after a slight pause, 'that old craze of your's about the Westmoreland spitfire you used to talk of, cannot have made such a wreck of a sensible man!'

'Certainly not; or, at least, not in the way you appear to suppose. But come; if you have an hour to spare, and will stand treat for a few glasses, I will tell you all about it.'

'Stand treat for a few glasses!' The hot blood burnt in my cheeks and temples as I echoed this sad confession of meanness and degradation from my former acquaintance; but he did not appear to heed, or was callous to, the implied meaning of the exclamation; and upon my stammering out that he was welcome to as many glasses as he chose to have, he brightened up into a kind of sickly gaiety, said 'I was always a trump,' and led the way to a tavern in Chancery Lane. There, and at subsequent interviews, I was made acquainted with the following strange and warning story. Much of the dialogue, which he had a morbid fondness for repeating, he had written out.

When Richard Penson, after an absence of more than five years, revisited his birth-place, he found Judith Morton still single, and though in her twenty-third year, as freshly beautiful, to his mind, as when he had last seen her. He soon found, moreover, that it was quite out of the question that she should become his wife, albeit the refusal was this time more gently intimated than on a former occasion. According to the gossip of the neighbourhood, one Robert Masters, a thriving "statesman," but about ten years her senior, had been courting her off and on for a long time; but somehow the affair seemed as far or farther off than ever from a matrimonial termination. It was also reported that a former beau of hers, Charles Harpur, who had emigrated to America, and greatly prospered there, with whom she had constantly corresponded, was shortly expected to pay a visit to England, and of course to Westmoreland. Thus admonished of the folly of further indulgence of his dream-fancies, Penson turned his lingering steps, first toward Appleby, where, however, no opening for an additional attorney presented itself, and finally he came as far southward as Liverpool, opened an office in Scotland Road, and diligently strove to edge himself into the legal business of that flourishing city. The result was so disheartening, that at the end of about six months' fruitless endeavour, he had made up his mind to sell his office-desk, stool, chairs, and brass plate, and return to the service of his old master, who would, he knew, be glad to employ him when an opening for the exercise of his peculiar talents suddenly presented itself, and he was tempted to venture upon the perilous path, the near end of which was destruction.

He was sitting, he told me, in his office, one wet, gloomy afternoon in January, before a handful of fire, alternately revolving in his mind his own dismal present and future, and two or three startling paragraphs that had just been copied into the Liverpool journals from the Westmoreland county paper. To him they were of great interest, but in some degree unintelligible. Robert Masters, the quondam bachelor of Judith Morton, before spoken of, had, it appeared, been killed at a place in Gilgrath Forest by a pistol-shot; and according to one account, robbery must have been the motive of the assassin, as the deceased's pockets had been rifled, and his gold watch carried off; whilst according to another and later paragraph, Charles Harpur a person of good property, recently arrived from abroad, had been fully committed for the murder; the suggested cause whereof was jealousy with respect to a Jemima Morton, a young woman, the paper stated, of great personal attractions. 'The mistake in the Christian name, Jemima for Judith,' mused Penson, "is obvious enough; but how comes it that both jealousy and plunder are spoken of as motives for the crime? Charles Harpur is not a robber, and yet both money and watch were missing. I must even, poor as I am, pay a visit to Bedstone. Ha! Well this is strange!"

A slight noise at the window had caused him to look suddenly up in that direction, and to his great surprise, almost consternation, he saw the handsome and excited countenance of Judith Morton just above the dwarf Venetian blinds, the dark, flashing eyes peering eagerly into the office, wherein she yet, he observed, discerned nothing. His sudden starting up revealed him to her; a kind of wild smile of recognition glanced over her features, and in another minute Judith Morton was face to face with Richard Penson,—she, this time, the suppliant for favor.

Miss Morton was habited in deep mourning, and her appearance and manner evinced much flurry and disquietude. Hastily seating herself, she drew forth a sealed packet from her reticule, saying as she did so, in reply to Penson's questioning glance at her

mourning dress, 'For my father, he died about three months since.' Then holding the packet or parcel in her hand, she gazed fixedly for a moment or two at her astounded auditor, as if to ascertain if the influence she once possessed over him had been weakened by time and absence. Apparently the scrutiny was satisfactory; a bright gleam of female pride danced in her eyes, and there was an accent of assured confidence in the tone with which she said: 'I am here, Richard Penson, to retain you professionally in a matter deeply affecting myself, with the full persuasion that spite of—perhaps in some degrees because of—bygone, you will not fail me in this hour of need.'

Penson's heart was in his throat, and a few broken words could only gurgle through, to the effect that he was soul and body at her service. The prideful smile shot more brightly across the face of the temptress, and the voice was gentle and caressing which replied, 'I knew that would be your answer Richard.' After hesitating for a moment, she took a note from her purse and placed it before the wonder-mute attorney; it was a bank of England note for fifty pounds; and in the excitement of his chivalrous enthusiasm he rejected it almost indignantly.

'Nay, nay,' said Judith Morton, 'you must accept it. My father, as I told you, is no more, and I am tolerably well off,' adding with insinuating meaning, 'and better perhaps than that, I am now my own mistress.' Penson took the note thus pressed upon him, and an embarrassing but brief silence ensued, broken by Judith Morton, who, having unsealed the packet of papers said, 'These are office copies of the depositions made in the case of Charles Harpur, of which you have doubtless heard.' The attorney's countenance fell as Judith pronounced that name, and she hastened to say, 'It is not, you will find, for his sake I am chiefly interested—but first you must read those papers. I will go and take tea while you do so, at the inn below, where the coach stopped; I shall not be gone more than half an hour.'

The peremptory manner of the young woman forbade reply, and as soon as the street door closed behind her, Penson addressed himself to the perusal of the depositions. It was some time before the palpitating bewilderment of his brain so far subsided as to enable him to distinctly seize and comprehend what he read; but professional habit at length resumed its influence, and by the time Miss Morton returned, he had thoroughly mastered the case as far as it was disclosed by the depositions.

'Well,' said she, with seeming calmness, 'your opinion upon this sad affair.'

'There can be but one opinion upon it,' replied Penson, 'the facts lie in a nutshell; Harpur met the deceased at a farmer's dinner, after which, both being elevated by wine, Harpur took offence at something—it is not stated what—that Masters said respecting you; a violent quarrel and fight ensued. Three nights afterwards, Masters is found dead with a bullet through his brain. James Blundell, a respectable man whom I know well, swears positively that he heard the report, and about ten minutes afterwards saw Harpur running from the spot, not far from which the body was next morning found—his face, clearly visible in the brilliant moonlight, as white as chalk, and holding a pistol in his hand. There can be no doubt, therefore, that Harpur killed the deceased, though perhaps under circumstances that, if provable, might reduce the offence to manslaughter.'

'You noticed that the man's watch and money were not to be found?' said Judith Morton.

'Yes; and that is certainly an odd circumstance; but probably, as I see is suspected, they were stolen by some person who discovered the body earlier in the morning than Blundell and the constable did.'

'Is there nothing which in your opinion affects the credibility of Blundell's testimony?'

'Not essentially: to be sure there appears to have been ill-blood between him and Masters, but that fact cannot have any weight against the —'

'Not if strengthened—made weighty,' interrupted the young woman, with suggestive emphasis.

'I—I do not comprehend you,' stammered Penson; greatly startled, as he told me, more by her manner than words.

'You must then, and thoroughly,' said Judith Morton, who was now deathly pale, 'or nothing effectual will, I see be done. There is no one within hearing?'

'Not a soul!'

'Draw your chair closer to mine, however, that I may speak the secret, which will place me in your power, in a whisper: it was I slew Robert Masters!'

'God of heaven—you!—impossible!'

'It is true, and therefore possible, as you shall hear—but first let me ask you this question: With all my faults of temper, caprices, vexatious follies, was I not always a truthful girl?'

'Certainly; you were ever sincere and plain-spoken.'

'I was sure you would do me that justice: you will then have no misgiving as to the exact truth of what I am about to relate, which I will do as briefly as possible. Charles Harpur, one of my old lovers, as you know—though after what has passed he can never be, under any circumstances, more to me than he is at this moment—lately returned from America much richer than he left England, and renewed his addresses, which were accepted. This came to the knowledge of Masters, who was once engaged to me, and he, as you know, met and quarrelled with Harpur. The injurious hints thrown out against me on that occasion were dismissed from Harpur's mind, after an explanation with me, and Masters, foiled in his selfish and malignant purpose, had the audacious inscience to write me word that unless I broke with Harpur he would send him some foolish letters of mine, long since written, of no harm whatever if read and interpreted by calm reason, but which would I know drive Harpur mad with jealous fury. I so far supplied by mind as to write a note to Masters, demanding, in the name of manliness and honor, the return of those letters to me. Judging by his reply, he was in some degree affected by the justice and earnestness of my appeal, and promised if I would meet him at nine o'clock that evening at an old tryston-place he mentioned, he would return my letters, should he not succeed in persuading me not to marry Harpur. I determined on meeting him; the evenings were light and calm, and I have ever felt an almost man-like want of fear. Yet, as the hour approached, and I set off for the place of meeting, I was disturbed by a vague sense of misgiving, as of the near approach of calamity and misfortune, as I called at Harpur's lodging, with the purpose of informing him of what had occurred, and guiding myself by his counsel. Unhappily, he was not at home, and after waiting some time I again determined to keep the appointment with Masters at all hazard.

As I turned to leave the room, an open case containing two small pistols caught my eye, and I immediately seized one, precisely why I hardly know myself, except from an undefined thought of shielding myself from possible insult, should Masters' rage at finding me invincible to his entreaties prompt him to offer me any. I concealed the weapon beneath my shawl, and did not, I well remember, bestow a thought even as to whether it was loaded or not. I met Robert Masters—he urged me by every argument he could think of to discard Harpur and renew my long since broken engagement with himself. I refused firmly, perhaps scornfully, to do so, and passionately insisted upon the fulfilment of his promise respecting the letters. In his exasperation, Masters swore he would do no such thing, and taking one from his pocket, he opened and pretended to read from it a love passage which, had I not been almost out of my senses with rage and indignation, I must have been sure I never could have written. I sprang forward to clutch the letter; a struggle for its possession ensued, and—how it happened I know not, certainly by no voluntary act of mine—the pistol in my hand went off; there was a flash and a report, sounding to me like thunder, and Robert Masters lay dead at my feet! What followed I can only confusedly describe, for a time I was transfixed—rooted with terror to the spot, but presently the stunning sense of horror was succeeded by apprehension for myself; and, by what prompt cunning I know not, though doubtless with a wild hope of thereby inducing a belief that the deed had been committed by robbers, I threw myself on my knees beside the corpse, and not only possessed myself of the letters but of the slain man's watch and purse. I had scarcely done so when I heard footsteps approaching, and I started up and fled with the speed of guilt and fear, leaving the fatal pistol on the ground. The footsteps were Harpur's; he had reached home soon after I left, and followed me only to arrive too late! I disclosed everything to him: he had faith in my truth, as I am sure you have, and swore never to betray me; he has, you know, faithfully kept his word though himself apprehended for the crime.'

Judith Morton ceased speaking, and Penson, aghast, stupefied, could not utter a word.

'Well, Richard Penson,' said she, after a painful silence of some minutes, 'have you no counsel to offer me in this strait?'

'Counsel, Judith,' replied Penson, with white lips, 'what counsel can I offer? The only effect of this confession, if made public, would be to consign you to the scaffold instead of Harpur; for those who would sit in judgment upon your life would not believe that the pistol was accidentally discharged.'

'That is also my opinion; and can you do nothing to save my life—my innocent life, Richard; for be assured that rather than a guiltless man shall perish through my deed, I will denounce myself as the slayer of Robert Masters. You have a reputation for lawyer-craft' she added, 'and money shall not be wanting.'

'There is no possibility of obtaining an acquittal,' said Penson, 'except by having re