

Literature, &c.

THE SPIRIT OF THE MAGAZINES.

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THE HEIR-AT-LAW.

CHAPTER III.

CAPTAIN TOULMIN had, we found, already left the Priory, after hurriedly excusing himself to his mother and Mrs Herbert, by the pretext of urgent and suddenly remembered business affairs. He did not re-appear till three clear days had elapsed, and then looking like a man recently fallen from the clouds, and hardly yet certain whether he had alighted upon his head or his feet. His bearing towards Clara was awkwardly but strictly in accordance with the prescribed pattern—a change which terribly mystified Mrs Selwyn, and for a time evidently disconcerted and annoyed Clara. Pride, however, as her sister anticipated, soon came to her relief, and before the discomfited captain's uncomfortable visit terminated, her manner was as cold and haughty as his was affectedly indifferent and neglectful: there was no longer, thank Heaven, any fear that her affections had been seriously entangled. The man was possessed of astonishing self-command; but for all that, an attentive observer could easily see frequent flashes of the volcanic rage within breaking through the exterior mask—prophetic of vengeance upon Mrs Calvert and her relatives, should fate ever place the means of inflicting it within his power. And that passionately longed for opportunity would it daily become more clearly apparent, were long afforded him. Little Francis drooped rapidly; he was not precisely ill; that is, no cognizable, definite malady, had as yet attacked him, but he suffered under an increasing *malaise*—a dejection of spirit which would almost certainly render him an easy prey to any active disease by which he might be assailed—this was more evidently than ever Mrs Calvert's decided conviction, and greatly contributed, of course, to the pleasure she felt, and she could hardly help openly expressing at observing the fresh life and vigour that marked the hymeneal aspirations of the reverend rector since she, to him and others, unaccountable withdrawal of Captain Toulmin's formidable pretensions. Very natural in an attached sister was that pleasurable feeling. A union with the Rev. Charles Atherley would place Clara high out of adverse fortune's reach; and that great point secured, no other evil of any magnitude was to be apprehended. Mary herself, it was understood, enjoyed a quite sufficient income, though to what amount was not known, she being the very reverse of communicative upon the subject; and Mrs Selwyn would be fairly enough provided for by the Selwyn one-hundred-a-year patrimony, and the rent of Beach Villa. The future of myself alone seemed entirely bleak and cheerless, but even for me Mary had words of encouragement and hope; and it was in a manner tacitly agreed between us, that if our fears were realised, I should abide with her till, at all events, a more eligible home presented itself for my acceptance. The duration of Mrs Calvert's stay at the Priory, I should mention, was governed by two motives; in the first place, her own children being, as she told me in perfect health, and under the care of trustworthy persons, she was desirous of remaining till a change for the worse or better took place in her sister's son; secondly, the colonial bishop I have spoken of was shortly expected to arrive in England, and would, of course, pay a visit to Ashe Priory, when the important question relative to the personality would be set at rest.

The dreaded blow was not long delayed, and our low-whispered apprehensions were bruited through the stately mansion by Dr Mitchell's announcement, that Francis Herbert was attacked by scarletina—a disease just then extremely prevalent, and very generally fatal.—The rigidly demure, but wical demoniac aspect of Captain Toulmin—now again a constant and defiant visitor at the Priory—presented an unmistakable daily bulletin of the mortal progress of the disease, till the fifth day, when mocking us with idle hopes, it appeared to be almost miraculously arrested. The fever had certainly abated there was considerable moisture on the skin, and the pretty patient had enjoyed brief but seemingly refreshing sleep. An incident arose out of this pause between life and death, from which I drew, perhaps unjustly, a terrible inference, whether fairly justified by the facts the reader will decide for himself. I was near at hand in one of the corridors, though not visible to the speakers, when I heard Captain Toulmin ask Dr. Mitchell, who was just leaving the house, whether it was true that the little boy was, as reported, so much better.—The physician replied that the child certainly was very much better but whether the improvement would continue or not, he could not say. Dr. Mitchell then passed on; Captain Toulmin entered the blue drawing-room, as it was called; and I, still unobserved by him, went into the sick-chamber, where it was my turn to watch, and sent Mrs Calvert, who was nearly worn out with fatigue and anxiety, to bed. It was the close of a dull December day, and when I sat down by the bedside, no candle, lest it should disturb

the child, who was uneasily slumbering, having been lighted, it was quite dark, save for a faint star-light which shone coldly in through the casement. There was no one I knew, except Captain Toulmin in the blue drawing-room the door which I heard once, twice, thrice gently opened, and footsteps, light, stealthy footsteps approach the sick-chamber, pause irresolutely, as it were and go back again. Once more the steps approached, and this time came so near that I distinctly saw—the door being partially open for the admission of air—the shadow of a man upon the wall just within, and in the attitude of listening. Two or three slight knuckle-taps on the door followed, to which I astonished, anxious, but not in the least alarmed, did not reply.—The next instant, Captain Toulmin entered the chamber, walked lightly and swiftly towards the bed on the opposite side to where I sat and drew back the curtain. 'Captain Toulmin,' I exclaimed not loudly, suddenly standing up and confronting him, 'you here!' I could not see his face distinctly, and the start of terror or surprise, which he could not repress, I would gladly not have seen. His agitation from whatever cause arising was not easily mastered, and his voice shook uncontrollably as he, not immediately, replied: 'Oh, its you Miss Redburn—how is the—child?'

'Better, sir, considerably better, as I heard Dr. Mitchell tell you not many minutes since.' 'True, true—I know; but it struck me that the nurse, or—whoever might be here, could give me more positive, more decisive information before I left the Priory for the night. Good evening, Miss Redburn.'

This was all that passed, and it scared me terribly—not at the moment, curiously enough, but upon after reflection. If he did intend—undeterminedly, as I think, at the worst—any evil to the child, and had not been balked, he would have needlessly stained his soul with murder; for before the next day dawned, the disease had accomplished its mission, and the child heir-at-law was no more! I said nothing of the strange appearance of Captain Toulmin in the sick-room; and it was not, I think, till last year that I mentioned it, and then in a manner unintentionally, to Mary. It is a circumstance that my mind, even now, does not love to dwell upon.

Various were the emotions excited by that premature boy-death! Captain Toulmin—and, knowing the man, one can hardly feel surprised at it—had not the decency to effect concealment of his rampant joy; whilst the struggle in his lady-mother's breast between the promptings of sympathetic kindness of disposition and motherly exultation, was very palpable. Mrs Selwyn entered forthwith upon her accustomed course of hysterics; Mary, sad, grieving, but calm, entirely devoted herself to soothe the bitter anguish of the bereaved young mother; and as for the Rev. Charles Atherley, it was plain as truth that he was mentally accusing himself of detestable depravity, and hardness of heart, because that pulsating organ would throb with a quicker, wilder beat, and illumine with a brighter glow the tell-tale tablet of his face.

Well, a few flutters only of the wings of Time sufficed to subdue, modify, and harden all those varying emotions and passions. Captain Toulmin, calmed considerably down from the fierce ecstacy of triumph with which he clutched the splendid prize that not very long since appeared to be hopelessly beyond his reach, had taken quiet possession of the Priory, already projected numerous modernising alterations therein, and had furthermore lent a favourable ear, it was said to a deputation of numerous free and independent electors. These gentlemen had suddenly discovered, that of all the esquires in that division of the county, there was no one so admirably qualified to fill the legislative seat, soon to be vacated by the retirement of its present occupant from the fatigues and responsibilities of public life, as Captain Augustus Toulmin, of Ashe Priory. It was still but ten days subsequent to the funeral, when Mrs Selwyn, Mrs Herbert, Mrs Calvert, Captain and the Hon. Mrs Toulmin, the Rev. Charles Atherley, and myself, were all assembled in the library, awaiting, with at least outward composure, the expected arrival of his lordship, the colonial bishop, from whom a letter had been received, addressed to 'Mrs Herbert, Ashe Priory, Lancashire,' announcing his lordship's intention of calling on her that day about twelve o'clock, on his way to North Wales—a communication which, brief as it was, suggested the probability, aware as his lordship must have been of her son's death, that he was in possession, or cognizant, of a will distributive of the personals, in which Clara was interested. The desirableness of awaiting the bishop's arrival in order to the decisive clearing up of that essential point, was the reason, I understood, that we had not yet taken our departure from a residence where even its late mistress was already looked upon as little better than an unauthorised, unwelcome intruder. Clara, poor, timid, nervous Clara, would have yielded entire possession of everything without a struggle or a word of protest; but her sister—who really seemed made for occasions of difficulty, with such admirable firmness and decision did she act when there was a right to be vindicated, or insolence to be repressed—would not bear of her leaving Ashe Priory till after the bishop's visit; and Captain Toulmin, with a very ill grace, acquiesced, probably because he could not legally do otherwise.

It was, however not near twelve o'clock when we thus met our being gathered together so early having been arranged—except as regarded the rector, who as usual, was self-invited—by dear fidgety well-intentioned Mrs Toulmin.—The worthy lady's never quite accurately poised mind had been sadly thrown off its equivocal balance by the most domestic revolution that had just taken place and a vague notion been set floating in her brain, that the lover intimacy formerly subsisting between her son, Captain Toulmin, and 'sweet Mrs Herbert,' which had been so suddenly and mysteriously broken off, might be renewed by the genial influence of a sort of family council, and possibly—so altogether flighty had she lately become—that the Right Reverend gentlemen about to appear on the scene, might conclude the affair connubially off-hand without further ado or delay, and thereby reconcile the conflicting emotions by which she was agitated. The aspect of the 'council' would have sufficed to convince any one less hopelessly obtuse than the Hon Mrs Toulmin of the desperate character of her enterprise.—Her admirable son was loling sublimely insolent, upon a luxurious leather-chair near the fire, and fondling Ponto, a huge Newfoundland dog, one of the numerous quadrupedal additions he had already made to the establishment at Ashe Priory; his elaborately got up, sardonic smile and sneer saying, as plainly as he could make them say: 'You Ponto my fine fellow, are the only creature in the room I care a button for, or that has any right to be here.' Clara as pale as a lily, frightened-looking—tears in her eyes, that a jarring whisper would cause to overflow—was standing at further end of the apartment, as far away from Captain Toulmin as she well could be with one hand elapsed tightly round her sister's waist, looking, or pretending to look over portfolios of prints and drawings she had seen twenty times before, which the delighted rector was lugging from the library-cases and displaying before her with a zealous assiduity infinitely rewarded by the occasional faint smile and blush of thanks which it called forth. For myself seated near the fire opposite Captain Toulmin, I was soon thoroughly absorbed in painful retrospection, especially of the former scene I had witnessed in that library between Mary and Captain Toulmin, and the different positions in which they stood to each other then and now—a train of ill-boding reverie, from which I was suddenly roused by loud sharp, pellet-like sentences emitted by the Hon. Mrs Toulmin, the precise tenor of which I did not catch, in answer to some observation of her son's, as was evident by his rude rejoinder: 'Really, madam, you are too absurd in persisting that a pastime which may have amused an idle hour or two, indicated a serious purpose.—*N'est ce pas* friend Ponto?'

This was said in a sneering, taunting tone clearly intended to be heard and understood by the group at the further end of the library.—That it was quite perfectly heard and understood, Clara's agitation and varying colour—the Rev. Mr Atherley's fierce, I had almost written fighted look, directed full at the insolent speaker—and Mary's angry, yet, if the phrase may be permitted, pleased disdain, abundantly testified. Captain Toulmin no more comprehended that puzzling expression of Mary's countenance than I did, though it greatly irritated him, or even he would not have replied to it by saying: 'As to your proposal of last evening, my lady-mother, that I should allow the fair widow of my cousin, Francis Herbert, a pension, or something of that sort, I did not, as at present advised, see any necessity for doing so; her portion of the hereditary Selwyn property being doubtless amply sufficient for the needs of an unencumbered young lady.'

I do not believe that this brutality was levelled at, or deliberately meant to annoy Clara; it was a sudden, savage retort upon Mary for the bitter humiliation to which she had subjected him in that very room, and which the queenly look she had now, as then, assumed, must have vividly recalled to his mind, as it did to mine.—'Mary,' I for the hundredth time mentally exclaimed, 'is wonderfully changed. Her husband, I remember, was a person of distinguished air and carriage; it must have been through long companionship with him that she has learned that lofty bearing.'

The Hon. Mrs Toulmin said something I did not hear, to which Mary replied: 'Pray, do not apologise, my dear madam: your son's words, I have no doubt, quite faithfully reflect his peculiarly constituted mind. I have only to remark, though it is scarcely worth while to do so, that under no possible circumstances will Mrs Francis Herbert condescend to hold the slightest avoidable intercourse with Captain Toulmin. As to pensions, it is quite possible he may yet be the suppliant to her for such favours, instead of the bestower of them.'

'Come, come,' interposed the Hon. Mrs Toulmin, who alone of us all did not appear to heed the implied menace contained in the last sentence: 'that is a little too harsh: you should not forget!'

'I forget nothing, my dear madam,' interrupted Mary; 'and I must beg that the subject be let drop. These painful, but I have no doubt, fleeting trials,' she added, addressing the excited rector, and seating herself on a couch beside her sister, so as to screen her from observation, 'will I trust, be sanctified to her, and

—Ha! here, at last, I hope, is the bishop's carriage.'

It was the bishop's carriage; and in a very few minutes the right reverend gentleman entered the library, and saluted the two sisters with an almost undignified briskness of cordiality. To Clara he addressed a few words of pious condolence; congratulated Mary upon her health and cheerful looks; inquired for her sons; appeared surprised they were not at the Priory; then made a comprehensive bow, and seated himself: his stay could not, his lordship added, be longer on this occasion than a quarter of an hour at the most, he having to attend a church missionary-meeting twelve miles off at three o'clock precisely; but on his return he would, if permitted, make a longer stay. This being the case, instead of adjourning to partake of the luncheon prepared in the dining-room, some sherry and biscuits were brought into the library at his request.

'Your lordship being so pressed for time, presently observed Captain Toulmin, 'will hardly be able to do more than acquaint us with the general purport of the important papers forwarded to your address immediately after the decease of Mr Edmund Herbert.'

'This gentleman is—?' queried the bishop, averting his gold hand-spectacles from the speaker's face towards that of Mrs Calvert.

'Captain Toulmin,' replied Mary quickly.—'This lady's, the Hon. Mrs Toulmin, son.'

'I remember—I remember: a distant relative of the family's. Well, sir, I did receive some important papers, as you mention; that is to say, they would be important were any one insane enough to dispute that a Herbert could have contracted a valid marriage with an estimable lady, though not of his own rank in life.'

'No one wants to dispute that your lordship must be quite aware,' said Captain Toulmin.

'Exactly so,' replied the bishop; 'in which case the papers are not very important.'

'There was no will, then amongst them, I conclude?'

'There was not,' said the bishop, 'which I regret,' repeated his lordship, who had paused for a moment startled by the d'emonic glance of triumph that Captain Toulmin darted at Mary; 'as it would be more satisfactory to all parties if his wishes could be known with precise accuracy. This lady, Mrs Francis Herbert he intended, as I know from one of his letters, to provide handsomely for. But, after all,' added the bishop, 'the absence of a will can be of little consequence, under the actual circumstance. Edmund Herbert knew, as I know, that his intentions will be substantially fulfilled as certainly as if engrossed and sealed upon parchment.'

'Permit me to differ from your lordship upon that point,' said Captain Toulmin with a sneering laugh; 'I have declared that I feel bound by no obligation moral or legal, to provide for Mrs Francis Herbert.'

'You have already declared!' said the bishop looking bewilderedly towards Mrs Calvert.—'Really I don't understand! What does the gentleman, Captain Toulmin mean?'

The bright smile curling Mary's lip and dancing in her eyes, sent a wild electric thought, hope, through me; and so fiercely did my heart beat, with the bare imagination flashing in my brain, that I caught at the back of a chair for support. But no—no, that were too good too glorious to be true; and yet—

'Not understand me? Captain Toulmin was saying the while, though why, I know not his voice sounded as if speaking at a great distance off. 'I do not, for all that speak in parables. The late heir-at-law to the Herbert property, Mrs Francis Herbert's son, being dead, I am of course the present heir-at-law; that is plain English, I believe.'

'The late heir-at-law, Mrs Francis Herbert's son, being dead,' echoed the bishop still with his eyes intently fixed upon Mrs Calvert. 'he is of course the present heir-at-law!'

'Your lordship must understand,' said Mary 'that I have disclosed nothing; I had powerful reasons for not doing so till you were present.'

'Oh, now I comprehend,' exclaimed the bishop, rising from his chair, a motion which from sympathy, I suppose lifted everybody else at the same moment to their feet. 'It is not known, then, to you, ladies, and to you gentlemen, that this lady, who for perfectly justifiable reasons, has for a time borne the name of Calvert, is in reality the widow of Mr Edmund Herbert, to whom she was espoused by myself, in the church of the parish of which I was then rector in his own proper name; and that, consequently, her eldest son, not Captain Toulmin is the heir-at-law to the Herbert estates, real and personal.'

A silence like that which follows crashing thunder—v silence that could be felt in the audibly beating pulse, followed the bishop's announcement. What others felt, or how they looked, I know not; I remember only that my own almost suffocating emotions at last finding vent, I threw myself, in a paroxysm of sobs and tears, into Clara's arms almost strangling her in an excess of delight very little short, for a time of delirium. When I partially recovered I saw that the terrible counter-stroke had prostrated Captain Toulmin, who was lying, pale and senseless, upon a couch—his mother to whom