

THE ADVOCATE'S FIRST PLEA.

BY GEORGE BARR McCUTCHEON.

Tall and ungainly, young and self-conscious, he walked into the crowded courtroom, fresh from the law school, utterly without advice or experience. His pale boyish features wore the flush of knowledge, but it was the painful knowledge that everybody was looking at him. Convinced that he was creating an unusual stir among the old and staid lawyers, the straight-backed bailiffs, and the habitual hangers-on he took a seat at one of the broad tables and assumed that posture of importance attained only by extreme youth.

By his side was another youth, not over 16, fair, ruddy cheeked and comely. It may seem strangely coincident that on the day Edward Gray first entered the courtroom as a full-fledged attorney his younger brother should be there as a witness—a witness in a case wherein a man was being tried for forgery. The brothers had gone to the courtroom together, the elder leading the way with the importance of his position, the younger following in some trepidation, full of inquiry as to how he should do. With superior indifference the attorney replied gruffly, affording the earnest interrogator but little satisfaction, no consolation and the assurance that he was going into a place where none but the greatest of men could enter.

When Frank Gray stepped into the big courtroom for the first time in his life he knew no more of its etiquette than if he had been an untutored savage. His magnificent brother upon whom he looked with respect and awe, had told him nothing, except that it was the home of justice, of truth and of dignity. Little did he know that the strutting attorney at whose heels he tagged was filled with a fear and trembling in comparison with which his own was but a trilling flutter.

Ignorant as was this honest country lad, raw from the district school, unlearned in the ways of the great city proudly known as the country seat of a community whose population did not exceed 50,000, he was not half so crude as the mighty brother felt himself at heart. His dignity was assumed, his importance the fruit of a determined conviction, his superiority as feeble in reality as the years which marked his bare majority. But he assumed, he acted all three with the desperation of an unpracticed intelligence; he distressed himself with the wish that he could be seen for all he was worth, that he could display himself all that had taken others a lifetime to achieve—ability. Such is youth.

The case on trial was of considerable prominence. A cashier, holding a responsible position in a large mercantile establishment, had forged the name of a customer and had drawn the money, intending to replace it and destroy the cheque before discovery. His plans had gone awry and he was arrested. Frank Gray, the boy, was in the store when the sergeant of police served the warrant on the forger, and heard every word of the conversation which passed between them. He was subpoenaed by the defendant, who wished by him to disprove certain allegations made by the officer.

The boy was alarmed at the prospect, dreaming for nights before of the ordeal through which he expected to pass on that awful day when he faced the court. His brother merely—and sharply—instructed him to see that nothing but the truth was told—"the whole truth and nothing but the truth."

The lad's wondering, honest blue eyes had barely become accustomed to the strangeness of his surroundings when he was suddenly startled by hearing his brother's name called out in the muffled, rasping tones of the court's voice.

"Any motions, Mr.—Mr.—" (he heard the court lean over and asked the nearest bailiff a question) "Mr. Gray?"

"None Your—Your Honor," came the wee small voice of the mighty brother, notwithstanding the ponderous effort he made to make the tones loud and firm.

"Then, bailiff, you may call the case of State vs. Royal."

The usual preliminaries were rushed through, the indictment read, and the opening statement made by the prosecuting attorney before Frank quite understood what was happening. Several witnesses were introduced, examined and cross-examined, proving the fact that the signature was a forgery, and then the police sergeant was called to the stand.

The officer was asked to detail or to give in substance the conversation which had passed between him and Royal, the accused man. By this time Young Gray was deeply interested, his ruddy face the picture of rapt attention. He drank in every word of the sergeant's story approving it as remarkably accurate. In fact, he could hardly comprehend how the man remembered everything so clearly. His learned brother apparently ignored the case on trial, looking over the pages of a volume of reports with a very intellectual frown between his eyes.

"You may state Sergeant Greeting if possible, the exact reply of the defendant when you asked what cause required him to secure the money at that particular time," asked the counsel for the State.

"You want me to give his very words, sir?"

"Yes, sir, if you can."

"Well, he said this: 'I just had to have \$500 that night. I had been gambling and had to pay my losses or be kicked out of the club—I belong to the Bear Club.'"

Frank heard this statement with growing wonder. He straightened up in his chair and allowed his astonished eyes to wander from the witness to the prisoner, on whose face there was a look of hopeless misery. Then his own sturdy frame stiffened, his honest blue eyes flashed from beneath a flushed brow, and his strong young voice cried out boldly.

"He didn't say that at all. He said—"

"Silence!" shouted the astonished court, and two bailiffs hurried toward the dissenter threateningly. His brother half started from his chair with the shock he had received, his cheek flushing, and then blanching, as if a sort of terror had seized upon his heart.

"I ask to have this young man ejected from the courtroom," cried the State's attorney, spitting in amazement. The sergeant police looked guiltily defiant, the prisoner's face lit up, and the whole room strained their necks to see the owner of the disturbing voice.

"Well, he lied, that's all. Mr. Royal didn't say that—he said he had to have it because his wife had been sick for two months and the doctor wouldn't come to see her day more if he didn't pay him. I heard him say it Judge," cried Frank, his heart now beating with fright which strove to overcome the truth that struggled to his indignant lips.

"Take him from the room, sheriff. I never heard of such impudence!" cried the outraged judge. "I never did in all my life."

"But I'm a witness," stammered Frank, a surly resentment taking possession of him. He was looking at the court manfully.

"That's enough, sir! Is it possible that you do not know enough to observe orders in a court room? Where do you come from? I shall attend to your case in a few minutes, sir. You cannot disturb this court with impunity—why, I never heard of such a thing!" blustered the judge, and to see his expression was to believe him.

By this time the young fellow's face was white and drawn. Humiliation was stamped all over his crushed, drooping figure. Still the boyish indignation and resentment would not down, his pride was cut to the quick, his very heart cried out within him. A sharp glance at the white face of his brother—a glance which was a prayer for help—showed him that he was alone in the fight; the ally was trembling and his eyes were riveted on the floor. As the moment's silence like unto the space that intervenes between the flash of lightning and the clap of thunder. Scores of eyes peered at the bowed, stubborn head of the boy, whose face was red and twitching; then they turned towards the court, upon whose turkey red features grew the blue of rage. His eyes were glaring down upon the boy ominously; his back was very straight, the cords of his neck were strained and hard with the tension his anger imposed.

"Young man," he began, and then stopped to clear the lump of wrath from his throat. "Young man, you have committed an indiscretion which cannot be overlooked; you have insulted this court, you have outraged this bench of justice. In sheer amazement I realize that you are almost a man and not a child as one might suspect from your rashness, from your utter indifference of the consequences which you must certainly have known would be the result of your outburst. I do not know who you are, but you surely have not been reared with an absolute disregard for the respect due to age and to men who occupy such positions as that held by this court. To me it looks like pure viciousness on your part, and I shall certainly teach you the error of your way. It will be a painful duty for me to fine you and send you to jail, but I firmly believe that it is the only course to pursue when one of your age and apparent intelligence commits an act such as you have committed."

Frank's sudden burst of uncontrolled weeping interrupted the court at this juncture. The poor boy threw his arms upon the table beside which he sat; his face was instantly buried upon them, and his body shook with the most pitiful sobs. Before the judge could resume his reprimand, tall, unsteady figure of that deserting brother arose, his embarrassed face turned towards the bench, his bloodless lips moving stiffly as though they were uttering words. No sound, however, came from them. There was a supreme effort put forth. One hand clutched the back of the chair against which his stiff legs braced themselves, and these words came out in strange, unnatural tones, as if some untold power produced them: "Your honor, I beg your indulgence for a moment. You certainly will listen to a weak appeal for leniency before you too severely condemn my brother—my ignorant, impulsive brother. If a penalty must be inflicted for the dishonor shown to this court, I feel that all the punishment should fall upon another and more deserving head. Your honor, upon me should be cast all the blame, all the indignant reproaches brought about by this unfortunate occurrence. It was I, who, knowing full well the conduct he should have pursued during the hours when justice reigns, refused, through an unbrotherly explanation of my own superiority to respond to his eager questions when he sought for information. I revelled in my knowledge. He has never seen a courtroom before; knew nothing of its rules, its exactions. In my miserable heart I felt that I was unkind to him, but my foolish pedestal was too high to allow me to come down to him in his helplessness. It was, perhaps, an added fault of mine that I told him to tell the truth only when here; a fault, I say, your honor, because he needed no such caution, no such insult from me who knows his virtues as I know them. He has never told a lie, that I swear. Not all the power on earth could make my brother utter a falsehood. What he interposed during the testimony of

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that witness was true, absolutely true, or he would not have said it. His blunder in crying out was due to his own uncovered honesty and to my injunction to tell the truth. He did not know the rules; he knew nothing, and I please your honor, save that he was being told, and his heart cried out the truth.

"I am to blame for his first mistake. For the second—the insult to the court—nature itself must be held accountable. I ask you to go back to the day when you were his age, the years when youthful pride overruled discretion, judgment, every thing. Place yourself in his position, your heart bursting with injury to your boyish pride, filled with young anger, turbulent resentment and youthful horror of ridicule stirring every fibre, and how would you have felt it? He, with the unfortunate courage of ignorance, blurted out his ill-suppressed feelings; you would have felt as he did, you might have done as he did. I leave that to the considerate remembrance of your own boyish impressions.

"Remember, your honor, the heat of despairing anger when you, as a boy, were subjected to sharp criticism, merited or not; whether by age or youth. Remember, sir, your resentment, even against your father, your best of friends, the mother you now hold so dear, and then put your self in this boy's place. Can you again feel the insufferable rankling of pride, of scorned immaturity in your heart—you, a judge of man and all their emotions?"

"Go back, your honor, to the days when your very soul burned with resentment, and have a pity on this offender. He is innocent of wrong intention. He would not show the least dishonor to you or any man on earth had he not felt that a man—the prisoner—was being harshly treated. He is honest; he is a boy, a boy such as you were; such as all of these men were; such as I am who speak to you. I ask you not to punish him, for he would never forget the disgrace.

"I ask you to suspend further reprimand and allow me to take him from the room until he is asked to come and tell his honest story under oath. What more you might say to him could have no more weight than what you have said. Your first command, 'Silence,' crushed him. It was sufficient for the tender, untutored heart. He tells as you felt when you were a boy, your honor."

The stiff figure relaxed, the pleading, white face drooped forward, as if unsupported, the tall frame sank in to the chair, and the advocate's first plea was over. Tears stood in the eyes of the court, a glow of sympathy went around the room, a clapping of hands arose from the reminiscent lawyers, and it was evident that the young fellow had won his point.

He did not hear the plaudits, for he had fainted!

WILL NOT EAT FOOD.

Baltimore, Oct. 7.—Miss Louise Cole, eighteen years old, the daughter of Joseph Cole, seems doomed to starve to death, although surrounded by the daintiest and most inviting luxuries.

For more than two years Miss Cole has not tasted water, and has taken no nourishment save milk and ice cream, and these in small quantities. A week ago she refused to eat even the latter, and since that



Mrs. E. Powless

period had passed, and it restored me to perfect health. My advice to suffering women is to try your Vegetable Compound, and they will not be disappointed."—Mrs. E. Powless, Des Moines, Ont.

Another Woman's Case.

Dear Mrs. Pinkham—
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