



THE WILKIE COLLINS SOCIETY

The Victims of Circumstances Discovered in Records of Old Trials

By Wilkie Collins

CASE I.

*John Jennings, who was executed at Hull, for a
Highway Robbery, in the Year 1742.*

A GENTLEMAN, travelling to Hull, was stopped late in the evening, about seven miles short of it, by a single highwayman, with a mask on, who robbed him of a purse containing twenty guineas. The highwayman rode off a different road, full speed, and the gentleman pursued his journey. It, however, growing late, and he being already much affrighted and agitated at what had passed, he rode only two miles farther, and stopped at the Bell Inn, kept by Mr. James Brunell. He went into the kitchen to

**Second Edition,
with an Analysis of both the Historical Sources available to,
and the 'dramatic colouring' added by the Author,
Updated from the Latest Scholarship,
By Graham Law.**

Front Cover Illustration: The central part of the first page (p. 65) of the Appendix (of exemplary cases) to *The Theory of Presumptive Proof, Or, An Inquiry Into the Nature of Circumstantial Evidence* (London: W. Clarke & Sons, 1815), unsigned but authored by Samuel March Phillips. Image from a copy in the possession of the editor.

The illustration on page 4 accompanied ‘A Sad Death and Brave Life’ in the *Boy’s Own Paper* (23 October 1886), p. 58. Image taken with thanks by Andrew Gasson from a copy in his possession.

The illustration on page 5 represents the upper part of the third leaf (of six) of the original manuscript of ‘The Hidden Cash’, bearing some compositor’s marks, now held in the British Authors’ Collection, Department of Special Collections, Stanford University Libraries, and reproduced by courtesy of the Department.

The pictures on pages 11-13 of the three ‘Victims’ sketches as they appeared in the *Youth’s Companion* are reproduced from photographs taken from the run of the journal held in the George J. Mitchell Department of Special Collections and Archives, Bowdoin College Library, Maine, with the kind permission of the Director.

Inside Back Cover Illustration: Verso of the 1886 Prospectus for the *Youth’s Companion*, issued by Perry Mason & Co. Image taken with thanks by Andrew Gasson from a copy in his possession.



THE WILKIE COLLINS SOCIETY

Second Updated Edition of ‘The Victims of Circumstances’, Analysing the Sources and Composition of the Three Tales

Graham Law

Introduction

There are two main reasons for issuing this substantially revised version of *The Victims of Circumstances*: first, an update is required as the initial edition was issued more than twenty years ago, before the appearance of a collected edition of Collins’s correspondence, among other relevant scholarly publications; and second, and even more important, these questions of publishing history were to the fore and there was little or no discussion of the literary form or content of the three sketches.¹ To fill that gap, I will here discuss in turn: general developments in trial accounts as a genre over the course of the nineteenth century; the sources that Collins must have had access to in selecting specific historical cases of miscarriage of justice; and the nature of the ‘dramatic colouring’ that he was to add in the composition of the three sketches, as he put it in writing to Charles Kent on 18 April 1885 ([2414]/IV90-91).²

Bernadette Meyler’s fascinating 2012 article on ‘Wilkie Collins’s Law Books: Law, Literature, and Factual Precedent’ explores that ‘moment in the nineteenth century when reports of particular trials and collections of cases were both becoming common and self-consciously addressing a lay audience’—whether for purposes of civic education or popular entertainment (pp. 135-36). Relying on the published reconstruction of Collins’s library, she notes that, among other major compilations of criminal cases, the author was in possession of most of the pioneering multi-volume series (see Baker, #418, #349, #275, and #43): in France, *Causes Célèbres et Intéressantes* (1872–81) by François Richer, and *Recueil des Causes Célèbres* (1808) by Maurice Méjan (where, most famously, the Douhault case provided the seed for the plot of *The Woman in White*); and in Britain William Jackson’s *New and Complete Newgate Calendar* (1795) and George Henry

¹ This new version retains the edited texts of *The Victims of Circumstances* without substantial change, while providing superior quality images of the three magazine pages where they initially appeared. It includes an updated chronology of the writing and publication of the three tales, but omits the following editorial material in the original edition, which remains available: the brief history of *Youth’s Companion*; the analysis of trends in later Victorian serial publishing; and the explanation of how the third tale was lost and found.

² Citations of the published letters of Wilkie Collins will be given throughout in this format, with the recipient and date clarified in the related sentence. Here [xxxx] indicates the permanent four-digit number used to uniquely identify each item of correspondence in Baker et al., eds, *The Collected Letters* (the Intelix ‘Past Masters’ digital edition), while e.g. IVxx indicates the volume and page numbers in Baker et al. eds, *The Public Face* (the four-volume edition from Pickering and Chatto/Routledge). In the case of a single letter only which is not found in *The Public Face* itself, the second citation refers to its publication in the relevant issue of the ‘Addenda and Corrigenda’ pamphlet issued annually by the Wilkie Collins Society. Details of the two distinct editions are provided because of the limited availability of the Intelix Past Masters edition in particular.

Borrow's *Celebrated Trials* (1825). Moreover, it was then quite common for scholarly treatises to combine legal theory with an appendix of related cases in narrative form, which on occasion could resemble a collection of sensational tales. Led by jurists such as Jeremy Bentham, widespread discussion around the turn of the nineteenth century of the pros and cons of the reliance on presumptive evidence in the courtroom made this an especially fruitful topic for such works. Here, according to Meyler (p. 148), the seminal volume was one not located in Collins's library—*The Theory of Presumptive Proof; or, an Inquiry into the Nature of Circumstantial Evidence* (1815), unsigned but attributed to the jurist Samuel March Phillipps (1780-1862: *ODNB*). Phillipps was the author of *Treatise on the Law on Evidence* (1814), and the 1816 New York edition of this monumental general work (from Gould, Banks, and Gould) incorporated *The Theory of Presumptive Proof* in its entirety. Following a theoretical exposition leading to the proposal of thirteen 'general and fixed rules ... for the discovery of truth' in criminal trials (pp. 11-64; p. 57), the second half of this work consisted of an Appendix offering eleven illustrative cases (pp. 65-107).³ Although there seem to have been no new British editions during the author's lifetime, a decade after the author's death a series of adaptations appeared in the United States under the title *Famous Cases of Circumstantial Evidence*, where the Appendix gradually expanded to cover over fifty instances, dwarfing the initial theoretical section, now reduced to the status of an Introduction flagged as preliminary by its pagination in small Roman numerals.

By this time, such gatherings of trial reports had appeared in more popular print formats, often relying a good deal on cases lifted from Phillipps's collection: in 1833, for instance, J. Post in New York issued the anonymous pamphlet *Remarkable Instances of Circumstantial Evidence*; in 1845, among the many volumes of their *Miscellany of Useful and Entertaining Tracts* (1845-47), the Chambers brothers of Edinburgh offered (nine) 'Cases of Circumstantial Evidence', which concluded by taking a strong stand against capital punishment (p. 32); and in later 1870 the uplifting penny weekly *Leisure Hour* issued in London by the Religious Tract Society (RTS) carried 'Circumstantial Evidence',⁴ a series of eight articles, each containing two or three trial stories accompanied by commentary. Collins's contributions to the *Youth's Companion* clearly follow this line. Meyler's study overlooks the three 'Victims of Circumstances', but instead discusses Collins's 1875 novel *The Law and the Lady*, which, as Jenny Taylor puts it in the Introduction to her fine edition, represents 'the quest of the heroine to discover the truth of her husband's first marriage in order to save her own' (p. x). Meyler shows in detail how the recently married Valeria Woodville's careful study of the report on the murder trial of her husband, Eustace, whose reputation has been destroyed by the Scotch verdict of 'Not Proven', demonstrates the unreliability of circumstantial evidence (pp. 155-62). In conclusion, Meyler suggests that, like a 'lay' scholar with the potential to become a model juror by engaging with 'collections of celebrated trials', in the course of Collins's novel the heroine progresses 'from naive to critical reader', able to 'recognize the impact of the form in which law appears' (p. 163).

In fact, each of the three historical cases which Collins finally selected as examples of the capital miscarriage of justice due to over-reliance in the courtroom on circumstantial

³ Following the pagination in the original 1815 London edition of *The Theory of Presumptive Proof*; in that appended to the 1816 New York edition of *Treatise on the Law on Evidence* the pagination differs slightly.

⁴ The RTS also published the *Boy's Own Paper* which contracted to carry WC's 'Victims' sketches in London.

evidence, is reported in the Phillips collection, whether the initial 1815 version or the expanded American editions of the 1870s. With regard to the original *Theory of Presumptive Proof* itself, Collins's first and third sketches, 'A Sad Death and a Brave Life' and 'The Hidden Cash', respectively represent retellings from Phillipps's Appendix of 'Case I: *John Jennings, who was executed at Hull, for a Highway Robbery, in the Year 1742*' (pp. 65-71) and 'Case III: *Thomas Harris, who was executed at York, for the Murder of James Gray, in the Year 1642*' (pp. 74-79), while the case underlying 'Farmer Fairweather', the second sketch, appears merely in skeleton form (with none of the actors named, in only a little over 200 words, final comment included) in the primary theoretical section (pp. 39-40). There it is quoted verbatim from Matthew Hale's *Historia Placitorum Coronæ* (II, p. 289), which in turn cites Edward Coke's *Third Part of the Institutes of the Laws of England* (p. 232).⁵ (The most detailed previous nineteenth-century version located (about 650 words), apparently deriving directly from Coke rather than via Hale or Phillipps, is found in 'Dangers of Circumstantial Evidence' in *Chambers's Journal* of 1833.) By the 1873 appearance in America of *Famous Cases of Circumstantial Evidence*, the trial of Jennings had become Case II (pp. 4-10), that of Harris (now with the forename James rather than Thomas) remained Case III (pp. 11-13), while the case of the executed farmer was cited in abbreviated form as before (pp. xxiv-xxv); by the fourth iteration of 1879, though the cases of Jennings and Harris remained as they were, the skeletal third report appeared in duplicate, in its own right as 'LV. Case in Warwick' (pp. 396-97) as well as the citation in the Introduction. It should be noted here that, while accounts underlying the first and last of the 'Victims of Circumstances' both feature in several derivative compilations (including the New York pamphlet *Remarkable Instances of Circumstantial Evidence*, pp. 20-26, 3-8, and 'Circumstantial Evidence' in the British journal *Leisure Hour*, pp. 566-67, 567-68), Phillipps remains the only available source identified which reports all three cases selected by Collins.

All the same, Collins's correspondence offers no evidence on the specific 'Records of Old Trials' where his three cases were found, although the letters to Charles Kent in particular appear to cast doubt on the conclusion that he relied on a single source. On 18 April 1885 Collins requested help from Kent in finding his last subject ('Two cases I have got already to work on. And one more I am looking for.' ([2414]/IV90-91), while on 12 June 1885, reporting that the third subject 'is not yet found', he asked Kent to consult the legal specialist W.F. Finlason to see if he could recommend 'references to Trials ... that are not too well known' ([2430]/IV99). According to Finlason's letter to Kent of 24 June 1885, the jurist came up with a number of cases 'for the most part ... turning generally upon secret, doubtful, or double marriages' and excluding murders (PARRISH 5/4), but when Collins reported to Kent on 6 October 1885 that he had tried to return the bundle of case notes, there is no indication that he had found there what he needed ([3142]/A&Cv16).⁶ At the same time, his correspondence with Watt confirms that, while he had sent off the manuscript of the first sketch by 19 April 1885 (Outgoing Letterbooks, BERG), he only completed the second and third over a year later on 3 and 10 of June 1886, respectively ([2569]/IV169-70, [2572]/IV171-72). Thus, though there is no documentary evidence to confirm such an inference, it remains quite likely that, with the publisher's

⁵ My thanks to Karl Sabbagh, who first identified these sources for 'Farmer Fairweather' in *Trials of Lady Jane Douglas*, p. 317.

⁶ That is, the letter did not appear in Baker et al., eds, *The Public Face*, but was first published in Baker et al., eds, *The Collected Letters of Wilkie Collins: Addenda and Corrigenda* (5), p. 16.

extended deadline looming and despite the case being already ‘well known’, Collins returned for his third and final topic to the set of Trial Records used for the first two, that is, Phillipps. If so, given his use of the name ‘Thomas (rather than James) Harris’ in the ‘The Hidden Cash’ among other details, this is likely to have been the original 1815 edition. And even if it was not employed as the immediate source for all three of his trial stories, it seems probable that any alternative source used was derived from *The Theory of Presumptive Proof*.

That volume thus serves here as the main reference point in analysing the embellishments added by the author in the process; given that the three trial narratives that he ended up using were perhaps ‘too well known’, the interest and originality of that ornamentation must have assumed greater than usual significance. Here, though not necessarily in the same order, we need to consider briefly the questions, Who?, When?, Where?, How? and Why?; that is, the naming/characterisation of the actors (whether originally present or freshly interpolated), the temporal and spatial settings, the narrative framework of the story (typically the most innovative feature), and, finally, commentary on the juridical significance of each case which might reveal the influence of the author’s early legal training.



‘Jennings was fast asleep’

(‘A Sad Death and Brave Life’, *Boy’s Own Paper*, 23 October 1886, pp. 57-59; p. 57)

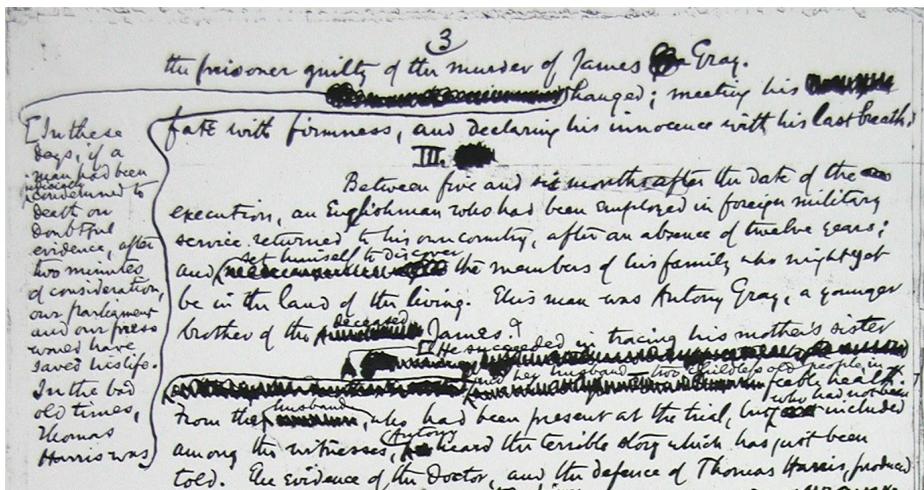
‘A Sad Death and Brave Life’ (around 2000 words as against the 1350-word version in Phillipps) is the only sketch where Collins specifies the historical setting, ‘the year 1762’, fully twenty years after the date given in *The Theory of Presumptive Proof*. The reason was presumably the desire to please both the owners and readers of the New England weekly by creating a new frame story located in Boston around the era of the ‘Tea Party’

rebellion against undemocratic taxation in particular and colonial rule more generally. This is done by providing for the sad victim of injustice (the poor waiter at the Yorkshire inn, John Jennings, falsely convicted of highway robbery due to the machinations of the villainous landlord Brunell) a brave young fiancée (Esther Calvert), who, after his ‘death on the scaffold’ abandons her ‘native land’, which still suffers under the long ‘tyranny of George the Third’, to start a new life in the budding republic across the Atlantic by acting as the ‘gentle English housekeeper’ to the kindly Anderkin family (p. 14a-b, in this edition). The one incongruity in this new characterisation by Collins is that he does not erase the suggestion in Phillipps’s account that Jennings is a drunkard who thus renders himself vulnerable to Brunell’s nefarious plot. In ‘A Sad Death and Brave Life’, it is not just the landlord who describes the servant’s ‘habits of drinking’ and his returning to the inn ‘intoxicated’, or the victim of the robbery who thus refers to ‘this drunken waiter of yours’, but also the narrator who confirms that Jennings is already ‘fast asleep’ when they go to his room to search his pockets immediately after supper (p. 15b; compare the illustration above from the *Boy’s Own Paper* with that in the *Youth’s Companion*). Although no explicit legal lesson is drawn from the story, the implicit message seems to be the radical one that the fairness of the English jury system can be severely compromised by inequalities in the social and political environment in which it operates.

Since the trial record of merely 230 words on which it seems to have been based was all bones with no flesh, ‘Farmer Fairweather’ (c. 2450) clearly offered Collins the greatest freedom to embellish. In the brief telling by Phillipps (pp. 39-40), even the setting in Warwickshire during 1610 specified by Coke (‘In the county of Warwick ... *anno* 8 *Jac. Regis*’, p. 231) is not mentioned, while Collins invents the apparently rural ‘town of Betminster’ (§I), though no particular county or period is specified. More importantly, in the brief source text, there is no Dame Roundwood—the old maid who narrates Collins’s story and acts as a crucial witness at the trial where the farmer/uncle/guardian is falsely convicted of murdering his niece and ward (now given not only the name of Dina Coomb but also a number of distinctly personal features and qualities)—and thus no Morcom, the ‘rascally brother-in-law’ who spirits young Dina away to France, whence she eventually returns ‘with a French husband at her heels’ to claim her inheritance (§IV). As these details suggest, despite the caveats from Perry Mason & Co. concerning the youthful character of their readership, Collins is not afraid to coyly but consistently sexualise the ‘runaway creature’ who in Hale is referred to simply as ‘the child’ (II p. 289), but in Coke is specified as ‘about eight or nine years of age’ when she flees (across the county line rather than the channel) and only ‘sixteen years old’ when she returns to claim her inheritance (p. 232). Finally, Collins offers a footnote concerning the legal takeaway from the tale, where he suggests that such a ‘terrible miscarriage of justice’ could not occur in modern society where widespread press coverage would draw attention to an error which would have in any case would have been precluded by a judicial requirement to prove the existence of the *corpus delicti* (§III); this indeed was the key lesson derived from the case by Hale, while Phillipps himself, following Coke, interpreted it as illustrating that it is not uncommon for one accused of a crime (like the uncle who presents a duplicate child to try to establish his innocence) ‘to defend a good cause by foul means, or false pretences’ (p. 40).

In many respects, Collins’s final sketch, ‘The Hidden Cash’ (around 2150 words as against the 1250 in Phillipps’s version) sends a contrary social message to the first: here the well-to-do landlord of the Yorkshire inn, Thomas Harris, proves to be the innocent

victim of a conspiracy by his inferiors, the two servants. Though Collins does supply a name for the chamber-maid (Maria Mackling) and a forename (Elias) for the 'waiter, hostler, and gardener' Morgan, he otherwise adds little to the characterization of the perjured pair, who already in Phillipps's version are 'not only fellow servants but sweethearts' eager to exploit their master's miserliness and the fortuitous death of a passing traveller (James Gray) for personal profit (p. 77). Moreover, Collins's setting of the crime at an inn 'within a day's ride of the ancient city of York' (§I) is merely a slight variation on Phillipps's 'public house, about eighteen miles from York, on the road to Newcastle' (p. 74). The author's main embellishment is thus the invention of a narrative scaffolding in two distinct segments: at the beginning he briefly interpolates the timorous local magistrate Parson Tibbald, who against his own inclinations ends up committing Harris to the assizes (§I); and, in the much longer passage after the trial and execution (§III-V), he introduces Anthony Gray, the military brother of the dead traveller, who astutely plays the role of detective to belatedly exculpate the executed landlord and condemn the two servants to prison, where they die of gaol fever. This is as in the source, though Phillipps the careful jurist regrets that they thus 'escaped the public punishment due to their crime' (pp. 78-79), whereas Collins the dramatic artist reads the event as embodying the spirit of 'poetical justice' (§V). He does, however, offer a couple of comments pointing out the legal moral of the story, the second clearly inserted on the manuscript as an afterthought (see the illustration): the fact that the defendant was deprived of the benefit of counsel, and that the jury could reach a guilty verdict without due deliberation in only a couple of minutes, both indicate that the trial belongs to the 'bad old times', now thankfully over, when the law code was 'merciless' (§II). It is then rather surprising that Collins deprives his readers of the information offered by Phillipps, that the events described took place in 1642-43 during the reign of Charles I, long before the Black Act of 1723 which heralded the dramatic increase in the number of crimes subject to the death penalty which reached its peak under 'the Bloody Code' of George III.



From the Third Leaf of the Manuscript of 'The Hidden Cash'

In his initial correspondence with the proprietors, Wilkie Collins had expressed less

concern about questions of copyright and payment than the amount of space he would be allocated in the weekly *Youth's Companion*. In the postscript to his letter to Perry Mason & Co. of 27 November 1884, he emphasized that 'the main condition of success, in relating cases of circumstantial evidence, rests on the skillful presentation of details. For this reason, where narrow limits are assigned to the writer, the difficulty of interesting the reader is very seriously increased.' ([2372]/IV68). Although they seem initially to have proposed only 5,000 words for all three sketches, in their reply of 11 December the proprietors conceded an extension of fully fifty per cent: 'We prefer to have articles which do not exceed 1,800 words; but if an increase of space will enable you to add to the interest of the subject we will not object if they sum up to 7,500 words.' (The *Youth's Companion*, BERG). When on 26 December the author thanked the publishers warmly for their 'perfectly just and perfectly liberal' conditions ([2383]/IV74-75), he was clearly referring to the length permitted as much as the money on offer. The nature of the flourishes that were added to the trial accounts in Phillipps confirm that, in the main, he used the extra words wisely; in particular, the narrative framework constructed for all the sketches allows the inclusion of telling details that enhance their dramatic interest as stories of crime and miscarriage of justice. When he visited Collins in Gloucester Place in June 1886, William H. Rideing of the *Youth's Companion* was shown the sources the author was using; in his *Reminiscences* published decades later (p. 247), he wrote:

He was writing for us a few stories based on circumstantial evidence, and he frankly exhibited to me the books of remarkable trials which he was using as material. Let not any literary aspirant in the imitative age think from this that he can do the same thing . . . The trials are accessible to all, but all attempts to transmute them, as Wilkie Collins did, into little dramas enacted by human beings in natural surroundings, are sure to be futile, and the discouraged novice will learn that what seems so easy depends after all on the possession and exercise of that creative imagination which the books do not supply.

On the other hand, the general absence of attention to historical context does tend to detract from the instructive value of the tales; apart from in 'A Sad Death and Brave Life' where Collins manufactures his own historical moment to provide a concrete setting, we are offered little other than a vague contrast between 'the bad old times' and 'these days' (in 'The Hidden Cash', §II). Despite the demonstration in *The Law and the Lady* of his ability to combine both, in the *Victims of Circumstances* Collins undoubtedly proves more adept at performing the role of popular entertainer than civic educator for the young subscribers to the *Youth's Companion*.

Chronology

What follows is an updated chronology of the documentary evidence concerning Collins's contacts with the Boston paper—either directly or via his literary agent, A.P. Watt, the sources he tracked down, and the sketches he eventually wrote using them:

27 November 1884: WC writes to Perry Mason & Co. in response to a request (together with 'specimens' of their weekly *Youth's Companion*) for a series of two or three sketches illustrating miscarriages of justice due to the misuse of circumstantial evidence ([2372]/IV68); he also writes to A.P. Watt asking him to negotiate terms ([2373]/IV69)

11 December 1884: Perry Mason & Co. write a detailed letter to WC himself concerning length ('from 1600 to 2500 words each'), audience ('intelligent young people'), and remuneration ('the sum of £80 stg.'), as well as perhaps 'irksome' conditions relating to copyright (The *Youth's Companion*, BERG)

26 December 1884: WC replies to Perry Mason & Co., thanking them for the liberal conditions they have offered regarding the three sketches and for a copy of their special annual holiday number ([2383]/IV74-75)

20 January 1885: Perry Mason & Co. write in reply to Watt complaining that, under the conditions of publication proposed (following a memo written by WC), ‘we shall practically be paying for advance sheets instead of for a contribution written ... exclusively for us’, but grudgingly accepting them (The Youth’s Companion, BERG)

18 February 1885: W.H. Rideing of the *Youth’s Companion* writes to Watt (who has also offered a story by his client Sarah Tytler), stating that it is preferable that all three of WC’s sketches should be received by 1 May (The Youth’s Companion, BERG)

18 April 1885: WC writes to his friend Charles Kent saying he has ideas for two of the sketches, both of which he expects to complete and send off to America before the deadline of Thursday 23 April (to reach Boston by the beginning of May), but needs a new idea for the third sketch ([2414]/IV90-91)

19 April 1885: WC writes to Watt to say that he has finished the manuscript of the first sketch (‘A Sad Death and Brave Life’) and sent it to Boston—the letter itself remains untraced but is referred to in Watt’s reply of the next day (Outgoing Letterbooks, BERG)

20 April 1885: Watt replies to WC, mentioning that Perry Mason & Co. have written to him to say that the three sketches will be published on three separate occasions beginning sometime in 1886, and that notice will be given before the publication of each (Outgoing Letterbooks, BERG)

28 April 1885: WC writes to Watt to say that he will get the second sketch done for Perry Mason & Co. as soon as possible ([2419]/IV93)

2 May 1885: WC writes to Watt to say that he is still not getting on with the second sketch ([2420]/IV94)

21 May 1885: WC writes again to Watt ([2426]/IV96-97), returning a letter of 9 May from Perry Mason & Co. in Boston to Watt about the date of publication of the sketches, confirming that there is in fact no rush for the second and third sketches (Outgoing Letterbooks, BERG)

12 June 1885: WC writes to Charles Kent, thanking him for suggesting that the legal specialist W.F. Finlason, his neighbour, might be able to help in finding the as yet undetermined subject of the third sketch ([2430]/IV99)

26 June 1885: WC writes again to Charles Kent thanking him for forwarding a letter from Finlason, who has collected a ‘precious bundle’ of case notes ([2437]/IV103); these detail a number of potential scenarios for the third sketch, most ‘turning generally upon secret, doubtful, or double marriages’ (PARRISH 5/4)

6 October 1885: WC writes again to Charles Kent concerning his efforts to return to Finlason the bundle of case notes as requested ([3142]/A&Cv16)

28 December 1885: WC writes to Watt asking him to contact Perry Mason & Co. to apologize for the delay in completing the sketches ([2513]/IV140-41)

27 January 1886: Watt writes to WC enclosing a letter from Perry Mason & Co. to the effect that the other sketches are not required until ‘late in the year’ ([2519]/IV143)

1 June 1886: WC writes to Daniel S. Ford, editor of the *Youth’s Companion*, to say that he has begun the second sketch and will send it to Boston in a few days, promises to start on the third sketch straight away, and asks for Watt to be informed of the dates of publication so as to be able to arrange simultaneous publication in order to preserve the British copyright; he also agrees to meet Rideing on his visit to London ([2568]/IV169)

3 June 1886: WC writes to Watt to say that he has finished the second sketch and wants it copied ([2569]/IV169-70)

5 June 1886: Watt sends the manuscript of the second sketch (entitled ‘Farmer Fairweather’) to Boston, after having a typed copy made for WC (Outgoing Letterbooks,

BERG); WC writes to thank Watt the following day, adding that he hopes to finish the final sketch before the end of the week ([2570]/IV170)

10 June 1886: WC writes to Watt to say that he has finished the third sketch and wants it copied ([2572]/IV171-72)

12 June 1886: After having a typed copy made for WC, Watt sends the manuscript of the third sketch (entitled 'The Hidden Cash') to Boston, requesting both payment and information about the dates of publication for all three stories (Outgoing Letterbooks, BERG)

16 June 1886: WC writes to Watt asking him about a possible British venue for the three sketches ([2574]/IV172-73)

5 July 1886: Watt forwards a bank draft for £80 to WC from Perry Mason & Co. as payment for the American serial rights to the three sketches (Outgoing Letterbooks, BERG)

6 July 1886: WC acknowledges receipt of the draft from Watt and forwards a cheque for Watt's 10% commission ([2582]/IV176); the sum of £80 was credited to WC's bank account on 7 July and Watt's £8 was debited the following day (COUTTS)

19 August 1886: 'A Sad Death and Brave Life' appears with an illustration (the traveller and the landlord in the waiter's bedroom) in *Youth's Companion* on p. 317

2 September 1886: Perry Mason & Co. reply to a complaint from Watt, claiming that the date of publication of Collins's first sketch was sent as soon as known, and that the publishers intend to fulfil their agreement 'in its spirit as well as in the letter'; the letter was received by Watt on 13 September (PEMBROKE LCII 2841)

14 September 1886: WC writes to Watt instructing him to accept an offer of £10 from the Religious Tract Society for the English serial rights to the three 'Victims of Circumstances' sketches, to be published in the *Boy's Own Paper* ([2612]/IV191-92)

23 October 1886: 'A Sad Death and Brave Life' appears with a historiated initial and an illustration ('Jennings was fast asleep') in the *Boy's Own Paper* on pp. 57-59

15 December 1886: WC writes to Watt asking him to refuse an offer from Perry Mason & Co. to write for them again, because of their cavalier attitude to his English copyrights ([2654]/IV215-16)

16 December 1886: 'Farmer Fairweather' appears with an illustration (Dame Roundwood being questioned at the witness stand) in the *Youth's Companion* on p. 512; on the same day WC registers the British copyright in the story at Stationer's Hall (Stationer's Company, London, BERG)

22 December 1886: WC writes in belated response to a letter from W.H. Rideing of the *Youth's Companion*, explaining in detail the reasons for his refusing to write for the journal again ([2658]/IV217-18)

25 February 1887: WC writes to Watt, reporting that he has received a letter from Perry Mason & Co. suggesting April 21 as the date of publication of the third sketch ([2680]/IV227-28)

26 February 1887: 'Farmer Fairweather' appears in the *Boy's Own Paper* with a historiated initial on pp. 345-46

21 April 1887: 'The Hidden Cash' appears without illustration in the *Youth's Companion* on p. 178

9 May 1888: Watt writes to WC, forwarding a cheque for £6 14s. only from the Religious Tract Society for the English serial rights to the 'Victims of Circumstances' stories instead of the £10 negotiated—because the *Youth's Companion* published the third one at such short notice that the story was pirated in Britain by an untraced 'penny Journal' before the *Boy's Own Paper* had chance to print it (Outgoing Letterbooks, BERG); WC acknowledges receipt the following day ([2839]/IV312-13), but the cheque may have been cashed as the credit does not appear in WC's bank account (COUTTS)

Sources

Archival

- BERG = A.P. Watt Archive, Berg Collection, New York Public Library.
COUTTS = Coutts Archives, Coutts & Co, London.
PARRISH = Letters of Wilkie Collins, M.R. Parrish Collection, Princeton U. Library.
PEMBROKE = Letters of Wilkie Collins to A.P. Watt (LCII 2840-2), Pembroke College Library, Cambridge.
STANFORD = Manuscript of 'The Hidden Cash' held at Stanford U. Library (M0121 I:19).

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For the Companion.

THE VICTIMS OF CIRCUMSTANCES.

Discovered in Records of Old Trials.

By Wilks Collins.

At that memorable time in the early history of the United States when American citizens resented the tyranny of George the Third and his Parliament...

Some years before her departure from England, Esther had suffered an affliction, associated with a deplorable public event...

Esther had been well practiced in domestic duties during the long illness of her mother. Intelligent, modest and sweet-tempered, she soon became a favorite with Mrs. Anderkin and the members of her young family...

In her intervals of leisure, she soon became the chosen friend of Mrs. Anderkin's children; always ready to teach them new games, clever at dressing the boys' dolls and at mending the boys' knives...

Esther took the right way to silence children whose earliest passions had taught them the golden rule. Do as you would be done by...

But there was another member of the family, whose desire to know something of the housekeeper's history was, from motives of delicacy, concealed from Esther herself...

On the day before he sailed on his homeward voyage, the sea-captain called to take leave of his niece—and then asked if he could say his respects to Mrs. Anderkin...

He had been in England," he said, "I should have kept the matter secret, for the sake of the family. Here, in America, a stranger—here she will stay—and no slur will rest on the family name at home...

More than one hundred years have passed since those words were spoken.

Esther's sad story may be harshly told now. In the year 1762, a young man named John Jennings, employed as a waiter at a Yorkshire inn, intimated his master by announcing that he was engaged to be married...

Further inquiry showed that the young woman's name was Esther Culver, and that Jennings was really her inferior in rank and rank. Her father's consent to the marriage depended on her lover's success in rising in the world...

on his side. He made no objection, and the marriage engagement was sanctioned accordingly.

One evening, when the last days of Jennings's service were drawing to an end, a gentleman on horseback stopped at the inn. In a state of great agitation, he informed the landlady that he was on his way to Hull, but that he had been so frightened as to make it impossible for him to continue his journey...

"I have got a water here, named Jennings," he said; "a man superior to his station in life—good manners and a fair education—in fact, a general favorite. But, for some little past, I have observed that he has rather less with his money in betting, and that habits of drinking have grown on him...

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contradicted by facts. He was charged before a magistrate with the theft of the money, and, as a matter of course, was committed for trial. The circumstances were so strongly against him that his own friends recommended Jennings to plead guilty, and appeal to the mercy of the court. He refused to follow their advice, and he was heartily encouraged to persist in that decision by the poor girl, who believed in his innocence with her whole heart...

At the next assize the case was tried. The proceedings before the judge were a repetition (at great length and with more solemnity) of the proceedings before the magistrate. No skill in cross-examination could shake the direct statements of the witnesses. The evidence was almost absolutely complete, by the appearance of the tradesman to whom Mr. Brinnell had paid the marked guinea. The coin (so marked) was a curiosity; the man had kept it, and he now produced it in court.

The judge summed up; finding literally nothing that he could say, as an honest man, in favor of the prisoner. The jury returned a verdict of guilty, after a consultation which was a mere matter of form. Clearer circumstantial evidence of guilt has never been spoken, in the opinion of every person—but one—who was present at the trial. The sentence on Jennings for days, death on the scaffold, by the law of those days, was pronounced.

Friends were found to help Esther in the last

domestic priviledges followed another, so gradually and so modestly that the housekeeper found herself a loved and honored member of the family, without being able to trace by what accession of events she had risen to her present position. The secret confided to the two ladies had been strictly preserved; Esther never even suspected that her lover had ever been the lover of her lover's death. Her life, after what she had suffered, was not prolonged to a great age. She died—no more than a year after the death of her lover's death. Her last words were spoken with a smile. She looked at the loving friends assembled round her bed, and said to them, "My dear one is waiting for me. Good-by."

WOODS.

On the woods we long delayed / When morning was so late to bid / For nature knew no count of grief / But we were busy as we died / And she was busy as we died / Showed pearls of our green forest sea / The starveling flowers of tripe tree / Which love sprang the brooks to be / While the thick and simple shade.

—Lord Lovell's Poem on Quebec.

For the Companion.

FABRIC-PAINING IN OIL.

Improved Stamping on all Goods.

As painting on silk, satin, plush, velvet, felt and cloth is now very extensively done from designs stamped in wax, the following instructions, it is necessary to thoroughly understand how to do first-class stamping.

Lay the fabric to be stamped on a smooth, clean table, holding it in place at the corners with pins firmly pressed in. Then arrange pattern with glass, holding it tight and secured by an iron or other weight. White powder is used for dark goods, and blue for light goods; liquid stamping for plush and velvets. We will begin by describing the powder stamping.

After pattern is arranged, take up on the pounce or distributing pad some of the powder, rub evenly over every part of the pattern, taking up more powder as occasion requires. When every part is gone over, lift up one end of the pattern carefully to see if all the lines are developed on the goods. If not, rub on a little more powder. Then remove pattern, and set the stamping.

If the fabric is muslin, silk, satin, cashmere, felt, or cloth, lay soft paper over the impression, and press thoroughly with an iron that is medium hot. When paper will not stick to stamping remove the paper, and press again with an iron that is quite hot, but will not scorch the fabric. If the fabric upon which you are placing the stamp is either muslin or cotton, it is pressed with an iron, but hold the impression in front of a brisk fire until the stamping is set.

Liquid stamping is indelible, and for that reason is very nice for muslin, plush or velvet. In fact, if well managed, it is to be preferred to the stamping done with the powder.

To Prepare the Liquid.

Have the druggist mix well ten cents' worth pure French zinc in boiled linseed oil, and to this add ten drops of benzine. The mixture should be of the consistency of thick cream. When using it, if found too thick, add a drop or two of the linseed oil. Place the pattern over the goods as described for the powder stamping, holding both pattern and goods at the corners with pins. Rub the liquid on the pattern with a medium-sized long-handled bristle brush, coating five off on both sides with a sponge dipped in benzine. If you wish to use a color in the liquid (to stamp on light goods), add one cent's worth of blue, red or yellow. The mixture is of an excellent and economical of the liquid. If a mistake is made in arranging pattern, the impression may be removed from colors by a small sponge wet in gasoline. In using either benzine or gasoline, do not work near a fire.

Specs of Wild Roses.

In any kind of art-work, first-class materials are necessary. As to brushes, three sizes each of the long-handled camel's hair and bristle brushes would suggest a palette and palette-knives, one bristle painting oil, one of turpentine, one of boiled linseed oil, and one of benzine. A pan of glass and an ordinary thin-bladed knife will answer in place of palette and palette-knives.

If only one or two designs are to be painted, just such colors as will be needed may be purchased. As to brushes, three sizes each of the long-handled camel's hair and bristle brushes should be purchased. The bristle brushes are good for painting on velvet or plush. Prepare one fine outlining brush of each sort, and then two brushes each a little larger.

To paint the spray of wild roses on brown satin, first stamp your design, then lay the brush over the placed two thickness of newspaper underneath to a smooth blue paper. The boards on which each color is used should be washed, and answer nicely for this purpose. Rub the blue and green paint will be needed; lemon yellow,



THE VICTIMS OF CIRCUMSTANCES.

out to get some small silver for me; giving him a guinea to change. He came back intoxicated, telling me that change was not to be had. I ordered him to bed—and then happened to look at the guinea which he had brought back. Unfortunately I had not, at that time, heard of the robbery; and I paid the guinea away with some other money, in settlement of a tradesman's account. But that I am sure there was a mark on the guinea which Jennings gave back to me.

In this, of course, I took that there might have been a mark (which occupied my notice) on the guinea, which I took out of my purse when I sent for change?"

"Yes," my traveler suggested, "it may have been one of my stolen guineas, given back by mistake, by this drunken wretch of yours, instead of the guinea handed to him by yourself. Do you think he is asleep?"

"Sure to be asleep, sir,—in his condition."

"The man object, Mr. Brinnell, after what you have told me, to setting this matter at rest by searching the man's clothes?"

The landlady insisted, "If I seem hard on Jennings," he said, "it proves to have been suspicious of him without a cause. Can you speak positively, sir, to the mark which you put on your money?"

The traveler declared that he could swear to his mark. Mr. Brinnell yielded. The two went up together to the waiter's room.

Jennings was fast asleep. At the very outset of the search, they found the stolen bag of money in his pocket. The guinea—alighted in manner—had a mark on each one of them, and that mark the traveler identified. After this discovery, there was nothing to talk. The waiter's protestations of innocence, when they woke him and accused him of the robbery, were words flatly

effort that the faithful creature could now make—the attempt to obtain a commutation of the sentence. She was admitted to an interview with the Home Secretary, and her petition was presented to the king. Here, again, the indisputable evidence forbade the exercise of mercy. Esther's betrothed husband was hanged at Hull. His last breath declared his innocence—with the repetition of his own name.

Before a year had passed, the one poor creature that she could hope for, in this world, found Esther in her misery. The proof that Jennings had died a martyr to the fallibility of human justice was made public by the confession of the guilty man.

Another criminal trial took place at the assizes. The landlady of an inn was found guilty of having stolen the property of a person staying in his house. It was stated in evidence that this was not his first offense. He had been habitually a robber on the highway, and his name was Brinnell. The wretch confessed that he was the marked highwayman who had stolen the bag of guineas. Telling, by a means many times was known, of the traveler, he had reached the inn first. There, he found a person in trade waiting by appointment to receive the money. Not having enough of his own about him to pay the whole amount, Brinnell had made use of one of the stolen guineas, and had only allowed the traveler declare that his money was marked, after the tradesman had left the house. To ask for the return of the fatal guinea was more than he dared to attempt. But one other alternative presented itself. The merciless villain consented to man himself by the sacrifice of an innocent man.

At the time when the sea-captain had paid his visit at Mrs. Anderkin's house, Esther's portrait was made subject to certain changes. A little

wind. I am pleased to say that this circumstance brought about his reformation."

The writer adds the words which the Lord would send a similar gust of wind to every tobacco-chewing minister.

THE CHRISTMAS PEACE.

How leagues of battle, the number of peace.
East, west, north, and south, the low quarrel
Saw the song of great joy that the angels sang,
Sings of glory to God and of good will to man.
Hark! joining in chorus
The heavens heard,
The dark night is ending, and dawn has begun.

—Wright.

For the Companion.

THE VICTIMS

Of Circumstantial Evidence: From the Records of Old Trials. No. 2.

By Wilkie Collins.

Farmer Fairweather.

I.

I am the last surviving witness who appeared at the trial, and unless I reduce to writing what I happen to know, there will be no record of the true particulars left after my death.

In the town of Betmister, and round about it for many a good English mile, I am known as Dame Roundwood. I have never been married, and, at my present age, I never shall be. My one living relative, at the past time of which I now write, was my sister—married to a man named Marcom. He was settled in France, as a breeder of horses. Now and then he crossed over to England on his business, and went back again.

I took such a dislike to Marcom that I refused to be present at the wedding. This, of course, to a quarrel. Nephews and nieces, if there had been any, might perhaps have reconciled me with my sister. As it was, I never wrote to each other after she went to France with her husband. And I never saw her again until she lay on her death-bed. So much about my subject, to begin with.

II.

Circumstances, which it is neither pleasant nor pleasant to dwell on in full, occasioned the loss of my income, while I was still in the prime of my life. I had no choice but to make the best of a bad bargain, and to earn my bread by going out to service.

Having provided myself with good recommendations, I applied for the vacant place of housekeeper to Farmer Fairweather. I had heard of him as a well-to-do old huckster, cultivating his land high on five miles in a north-westerly direction beyond Betmister. But I positively declare that I had never been in his house, or exchanged a word with him, on the day when I set forth for the farm.

The door was opened to me by a nice little girl. I noticed that her manners were pretty, and her voice was a remarkably strong one for her age. She had, I may also mention, the most blue eyes I ever saw in any young creature's face. When she looked at you, there was just a coax, as they call it, in her left eye, scarcely noticeable, and not a deformity in any sense of the word. The one drawback that I could find in this otherwise pleasing young person was that she had rather a sallow look, and that she seemed to be depressed in her spirits.

But, like most people, the girl was really enough to talk about herself. I found that her name was Dina Coomb, and that she had lost both her parents. Farmer Fairweather was her guardian, as well as her uncle, and held a fortune of ten thousand pounds ready and waiting for her when she came of age.

What would become of the money if she died in her youth, was more than Dina could tell me. Her mother's time-piece had been already given to her, by directions in her mother's will. It looked of great value to my eyes, and it flattered her vanity to see how I admired her grand gold watch.

"I hope you are coming to stay here," she said to me.

"This seemed, as I thought, rather a sudden fancy to take to a stranger. "Why do you want me to stay with you?" I asked.

And she hung her head, and had nothing to say. The farmer came in from his fields, and I entered on my business with him. At the same time I noticed, with some surprise, that Dina slipped out of the room by one door when her uncle came in by the other.

He was pleased with my recommendations, and he civily offered me sufficient wages. Moreover, he was still fair to look upon, and not (as some farmers are) slovenly in his dress. So far from being an enemy to this miserable man, he was, as I have fairly asserted, I gladly engaged to take my place at the farm on the next day at twelve o'clock, noon.

A friendly neighbor at Betmister, one Master Gouch, gave me a cast in his gig. We arrived late to the appointed time. While Master Gouch waited to bring my box after me, I opened the garden-gate and rang the bell at the door. There was no answer. I had just rung once more, when I heard a scream in the house. These were the words that followed the scream, in a voice which I recognized as the voice of Dina Coomb,—

"O uncle, don't kill me!"

"I was too frightened to know what to do. Master Gouch, having heard that dreadful cry as I did, jumped out of the gig and tried the door. It was not fastened inside. Just as he was stepping over the threshold, the farmer bounced out of a room that opened into the passage, and asked what he did there.

"My good neighbor answered, "Here, sir, is Dame Roundwood, come to your house by your own appointment."

Thereupon Farmer Fairweather said he had changed his mind, and meant to do without a housekeeper. He spoke in an angry manner, and he took the door in his hand, as if he meant to shut us out. But before he could do this, we heard a knocking in the room that he had just come out of. Says my neighbor,—

"There's somebody hurt, I'm afraid."

Says I, "Is it your niece, sir?"

The farmer slammed the door in our faces, and then locked it against us. There was no help for it after this, but to go back to Betmister.

Master Gouch, a cautious man in all things, recommended that we should wait awhile before we spoke of what had happened, on the chance of receiving an explanation and apology from the

Everybody in Betmister was talking of it.

The girl said her story, and the people who had discovered her told their story. It was all plain and straightforward, and I had just begun to wonder what I was wanted for, when up got the lawyer who had the farmer's interests in charge, and asked that the witnesses might be ordered to face the court. We were turned out, under care of an orderly, and we were sent for as the authorities wanted us, to speak to the identity of Dina Coomb at a time. The parson of Farmer Fairweather's parish church was the first witness called. Then came the turn of the laborers. I was sent for last.

When I had been sworn, and when the girl and I were, for the first time, set close together face to face, a most extraordinary interest seemed to be felt in my evidence. How I first came to be in Dina Coomb's company, and how long a time passed while I was talking with her, were questions which I answered as I had answered them once already, ten days since.

When a voice warned me to be careful and to take my time, and another voice said, "Is that Dina Coomb?" I was too much excited—I may even say too much frightened—to turn my head

for murder, he had made this desperate attempt to get himself acquitted by deceiving the law. His confession, and the fact that he was a farmer of innocence availed him nothing. Farmer Fairweather was hanged.^{*}

IV.

With the passing away of time, the memory of things passed away. I was beginning to be an old woman, and the trial was only remembered by elderly people like myself, who I got a letter relating my sister. It was written for her by the Knicker-Boys at the French town in which she lived. He informed me that she had been a widow for some years past; and he summoned me mutually to her bedside, if I wished to see her again before she died.

I was just in time to find her living. She was just speaking to me; but, thank God, she understood what I meant when I kissed her, and asked her to forgive me. Towards evening the poor soul passed away quietly, with her head resting on my breast.

The Consul had written down what she wanted to say to me. I had the persons who may read this to judge what my feelings were when I discovered that my sister's husband was the wretch who had assisted the escape of Dina Coomb, and who had thus been the means of condemning an innocent man to death on the scaffold.

On one of those visits on business to England which I have already spoken, he had met a little girl sitting under a hedge at the side of the high road, lost, footsore, and frightened, and had spoken to her. She owned that she had run away from home that afternoon, and that she showed the marks. A worthy man would have put her under the protection of the nearest magistrate.

My rascally brother-in-law noticed her valuable watch; and, suspecting that she might be connected with wealthy people, he encouraged her to talk. When he was well-versed of her expectations, and of the use to which he might put them, in her friendless situation, he offered to adopt her, and he took her away with him to France.

My sister, having no child of her own, took a liking to Dina, and really believed what her husband chose to tell her. For three years the girl lived with them. She cared little for the good woman who was always kind to her, but she was most unreasonably fond of the villain who had kidnapped her.

After his death, this runaway creature—then aged fifteen—was missing again. She left a farewell letter to my sister, saying that she had found another friend; and from that time forth nothing more had been heard of her, for years on years. This had puzzled me very much in my mind, and this was what she had wanted to tell me on her death-bed. Knowing nothing of the trial, she was aware that Dina belonged in the neighborhood of Betmister, and she thought in her loneliness that I might communicate with Dina's friends, if such persons existed.

On my return to England, I thought it a duty to show to the Mayor of Betmister what the Consul had written from my sister's direction. He read it and heard what I had to tell him. Then he reckoned up the years that had passed. Says he, "The girl must be of age by this time. I shall cause inquiries to be made by London."

In a week more we did hear of Dina Coomb. She had returned to her own country, with a French husband, and at her heels, had proved her claim, and had got her justice.

* The terrible misdeeds of justice happened before the time when that and the newspapers had not yet to our valuable notice. Since that time it has been a fact and permanent condition of a trial that the murderer of the innocent should have been discovered and identified.—W. C.

EX-PRESIDENTS.

Mr. Hayes is now the only living ex-President of the United States. When President Cleveland had taken the oath of office in March, 1885, there were three ex-Presidents, but the death of General Grant in the summer of 1885, and that of Mr. Arthur in November, 1886, has reduced the number to one.

Washington, as is well known, died in December, 1799, during the presidency of his immediate successor, Mr. Adams. Thus the long period of a quarter of a century elapsed before another ex-President died. At the beginning of July, 1826, John Quincy Adams, being in Paris, died. His ex-Presidents survived: John Adams, Jefferson, Madison and Monroe. The number was reduced to two by the death of Adams and Jefferson on July 4th.

Monroe died July 4, 1821; Madison, June 28, 1836; Harrison died in office April 4, 1841; and Jackson, June 22, 1845. Thus the long period of the close of Mr. Tyler's administration there were at all times at least two ex-Presidents living, and during much of the time there were three. From March 4, 1849, to July 4, 1859, there were, in the course of the same year, there were four, namely, John Quincy Adams, Jackson, Van Buren and Tyler. Jackson's death again reduced the number to three, and when the second Adams died, February 23, 1848, there were two left only. Polk was President at the time. His term expired March 4, 1849, and he died three days later, so that the increase of the number was but transient.



THE VICTIMS OF CIRCUMSTANCES.

farmer, when he recovered his temper. I agreed to this. But there I am a woman, and I did take a lady (a particular friend of mine) into my confidence. The next day it was all over the town. Inquiries were made of the laborers on the farm said strange things; the mayor and alderman heard of what was going on. When I next saw Farmer Fairweather, he was charged with the murder of his niece, and I was called, along with Master Gouch and the laborers, as witnesses against him.

III.

The ins and outs of the law are altogether better. I can only report that Dina Coomb was certainly missing—and this, taken with what Master Gouch and I had heard and seen, was (as the lawyers said) the case against the farmer. His defence was that Dina was a bad girl. He found it necessary, standing towards her in the place of her father, to correct his niece with a leather strap from time to time; and we upset his temper by trying to get into his house when strangers were not welcome, and might misinterpret his actions. As for the disappearance of Dina, he could only conclude that she had run away, and where she had gone was more than he had been able to discover.

To this the law answered, "You have friends to help you, and you are rich enough to pay the expenses of a strict search. Find Dina Coomb, and produce her here to prove what you have said. We will give you reasonable time. Make the best use of it."

Ten days passed, and we, the witnesses, were summoned again. How it came out, I don't know,

and see who was speaking to me. The longer I looked at the girl, the more certain I felt that I was not looking at Dina.

What could I do? As an honest woman giving evidence on her oath, it was bound, come what might of it, to tell the truth. To the voice which had asked me if that was Dina Coomb, I answered positively, "No."

My reasons, when given, were in number. First, both this girl's eyes were as straight as straight could be—not so much as the vestige of a crook could I see in her left eye. Secondly, she was fatter than Dina in the face, and fatter in the neck and arms, and rounder in the shoulders. I owed, when the lawyer put the question to me, that was of the same height as Dina, and had the same complexion and the same fine blue color in her eyes. But it struck fast to the differences that I had noticed—and they said I turned the case against the prisoner.

As I afterwards discovered, we witnesses had not been agreed. The laborers declared that the girl was Dina. The parson, who had seen Dina hundreds of times at his school, said exactly what I had said. Other competent witnesses were sought for and found the next day. Their testimony was our testimony repeated again and again. Later still, the abominable father and deception were discovered, and were afterwards, punished, along with the man who had paid the money.

Driven to the wall, the prisoner owned that he had failed to find his runaway niece; and that, in terror of being condemned to die on the scaffold


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For the Companion.

## THE VICTIMS OF CIRCUMSTANCES.

Discovered in Records of old Trials.

By Wilkie Collins.

**[A Sad Death and Brave Life]**

[Vol. 59, 19 August 1886, p.317]  
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At that memorable period in the early history of the United States when American citizens resented the tyranny of George the Third and his Parliament by destroying a cargo of taxed tea, a Bristol trader arrived in the harbor of Boston, having one passenger on board. This person was a young English woman, named Esther Calvert; daughter of a shopkeeper at Cheltenham, and niece of the captain of the ship.

Some years before her departure from England, Esther had suffered an affliction—associated with a deplorable public event—which had shaken her attachment to her native land. Free, at a later period, to choose for herself, she resolved on leaving England, as soon as employment could be found for her in another country. After a weary interval of expectation, the sea-captain had obtained a situation for his niece, as housekeeper in the family of Mrs. Anderkin—a widow lady living in Boston.

Esther had been well practised in domestic duties during the long illness of her mother. Intelligent, modest and sweet-tempered, she soon became a favorite with Mrs. Anderkin and the members of her young family. The children found but one fault with the new housekeeper; she dressed invariably in dismal black; and it was impossible to prevail upon her to give the cause. It was known that she was an orphan, and

she had acknowledged that no relation of hers had recently died—and yet she persisted in wearing mourning. Some great grief had evidently overshadowed the life of the gentle English housekeeper.

In her intervals of leisure, she soon became the chosen friend of Mrs. Anderkin's children; always ready to teach them new games, clever at dressing the girls' dolls and at mending the boys' toys, Esther was in one respect only not in sympathy with her young friends—she never laughed. One day, they boldly put the question to her: "When we are all laughing, why don't you laugh too?"

Esther took the right way to silence children whose earliest lessons had taught them the golden rule: Do unto others as you would they should do unto you. She only replied in these words:

"I shall think it kind of you if you won't ask me that question again."

The young people deserved her confidence in them; they never mentioned the subject from that time forth.

But there was another member of the family, whose desire to know something of the housekeeper's history was, from motives of delicacy, concealed from Esther herself. This was the governess—Mrs. Anderkin's well-loved friend, as well as the teacher of her children.

On the day before he sailed on his homeward voyage, the sea-captain called to take leave of his niece—and then asked if he could also pay his respects to Mrs. Anderkin. He was informed that the lady of the house had gone out, but that the governess would be happy to receive him. At the interview which followed, they talked of Esther, and agreed so well in their good opinion of her, that the captain paid a long visit. The governess had persuaded him to tell the story of his niece's wasted life.

But he insisted on one condition.

"If we had been in England," he said, "I should have kept the matter secret, for the sake of the family. Here, in America, Esther is a stranger—here she will stay—and no slur will be cast on the family name at home. But mind one

thing! I trust to your honor to take no one into your confidence—excepting only the mistress of the house.”

More than one hundred years have passed since those words were spoken.

Esther's sad story may be harmlessly told now.

In the year 1762, a young man named John Jennings, employed as waiter at a Yorkshire inn, astonished his master by announcing that he was engaged to be married, and that he proposed retiring from service on next quarter day.

Further inquiry showed that the young woman's name was Esther Calvert, and that Jennings was greatly her inferior in social rank. Her father's consent to the marriage depended on her lover's success in rising in the world. Friends with money were inclined to trust Jennings, and to help him to start a business of his own, if Miss Calvert's father would do something for the young people on his side. He made no objection, and the marriage engagement was sanctioned accordingly.

One evening, when the last days of Jennings's service were drawing to an end, a gentleman on horseback stopped at the inn. In a state of great agitation, he informed the landlady that he was on his way to Hull, but that he had been so frightened as to make it impossible for him to continue his journey. A highwayman had robbed him of a purse containing twenty guineas. The thief's face (as usual in those days) was concealed by a mask; and there was but one chance of bringing him to justice. It was the traveller's custom to place a private mark on every gold piece that he carried with him on a journey; and the stolen guineas might possibly be traced in that way.

The landlord (one Mr. Brunell) attended on his guest at supper. His wife had only that moment told him of the robbery; and he had a circumstance to mention which might lead to the discovery of the thief. In the first place, however, he wished to ask at what time the crime had been committed. The traveller answered that he had been robbed late in the evening, just as it was

beginning to get dark. On hearing this, Mr. Brunell looked very much distressed.

“I have got a waiter here, named Jennings,” he said; “a man superior to his station in life—good manners and a fair education—in fact, a general favorite. But, for some little time past, I have observed that he has been rather free with his money in betting, and that habits of drinking have grown on him. I am afraid he is not worthy of the good opinion entertained of him by myself and by other persons. This evening, I sent him out to get some small silver for me; giving him a guinea to change. He came back intoxicated, telling me that change was not to be had. I ordered him to bed—and then happened to look at the guinea which he had brought back. Unfortunately I had not, at that time, heard of the robbery; and I paid the guinea away with some other money, in settlement of a tradesman's account. But this I am sure of—there was a mark on the guinea which Jennings gave back to me. It is, of course, possible that there might have been a mark (which escaped my notice) on the guinea which I took out of my purse when I sent for change.”

“Or,” the traveller suggested, “it may have been one of my stolen guineas, given back by mistake, by this drunken waiter of yours, instead of the guinea handed to him by yourself. Do you think he is asleep?”

“Sure to be asleep, sir,—in his condition.”

“Do you object, Mr. Brunell, after what you have told me, to setting this matter at rest by searching the man's clothes?”

The landlord hesitated. “It seems hard on Jennings,” he said, “if we prove to have been suspicious of him without a cause. Can you speak positively, sir, to the mark which you put on your money?”

The traveller declared that he could swear to his mark. Mr. Brunell yielded. The two went up together to the waiter's room.

Jennings was fast asleep. At the very outset of the search they found the stolen bag of money in his pocket. The

guineas—nineteen in number—had a mark on each one of them, and that mark the traveller identified. After this discovery, there was but one course to take. The waiter's protestations of innocence, when they woke him and accused him of the robbery, were words flatly contradicted by facts. He was charged before a magistrate with the theft of the money, and, as a matter of course, was committed for trial.

The circumstances were so strongly against him that his own friends recommended Jennings to plead guilty, and appeal to the mercy of the court. He refused to follow their advice, and he was bravely encouraged to persist in that decision by the poor girl, who believed in his innocence with her whole heart. At that dreadful crisis in her life, she secured the best legal assistance, and took from her little dowry the money that paid the expenses.

At the next assizes the case was tried. The proceedings before the judge were a repetition (at great length and with more solemnity) of the proceedings before the magistrate. No skill in cross-examination could shake the direct statements of the witnesses. The evidence was made absolutely complete, by the appearance of the tradesman to whom Mr. Brunell had paid the marked guinea. The coin (so marked) was a curiosity; the man had kept it, and he now produced it in court.

The judge summed up, finding literally nothing that he could say, as an honest man, in favor of the prisoner. The jury returned a verdict of guilty, after a consultation which was a mere matter of form. Clearer circumstantial evidence of guilt had never been produced, in the opinion of every person—but one—who was present at the trial. The sentence on Jennings for highway robbery was, by the law of those days, death on the scaffold.

Friends were found to help Esther in the last effort that the faithful creature could now make—the attempt to obtain a commutation of the sentence. She was admitted to an interview with the Home Secretary, and her petition was presented to the king. Here, again, the

indisputable evidence forbade the exercise of mercy. Esther's betrothed husband was hanged at Hull. His last words declared his innocence—with the rope round his neck.

Before a year had passed the one poor consolation that she could hope for, in this world, found Esther in her misery. The proof that Jennings had died a martyr to the fallibility of human justice was made public by the confession of the guilty man.

Another criminal trial took place at the assizes. The landlord of an inn was found guilty of having stolen the property of a person staying in his house. It was stated in evidence that this was not his first offence. He had been habitually a robber on the highway, and his name was Brunell.

The wretch confessed that he was the masked highwayman who had stolen the bag of guineas. Riding, by a nearer way than was known to the traveller, he had reached the inn first. There, he found a person in trade waiting by appointment for the settlement of a bill. Not having enough money of his own about him to pay the whole amount, Brunell had made use of one of the stolen guineas, and had only heard the traveller declare that his money was marked, after the tradesman had left the house. To ask for the return of the fatal guinea was more than he dared to attempt. But one other alternative presented itself. The merciless villain ensured his own safety by the sacrifice of an innocent man.

After the time when the sea-captain had paid his visit at Mrs. Anderkin's house, Esther's position became subject to certain changes. One little domestic privilege followed another, so gradually and so modestly that the housekeeper found herself a loved and honored member of the family, without being able to trace by what succession of events she had risen to the new place that she occupied. The secret confided to the two ladies had been strictly preserved; Esther never even suspected that they knew the deplorable story of her lover's death. Her life, after what she had suffered, was not prolonged to a great age. She died—peacefully unconscious

of the terrors of death. Her last words were spoken with a smile. She looked at the loving friends assembled round her bed, and said to them, "My dear one is waiting for me. Good-by."

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For the Companion.

## THE VICTIMS

Of Circumstantial Evidence: From the Records of Old trials. No. 2.

By Wilkie Collins.

### **Farmer Fairweather**

[Vol. 59, 16 December 1886, p. 512]  
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I.

I am the last surviving witness who appeared at the trial, and unless I reduce to writing what I happen to know, there will be no record of the true particulars left after my death.

In the town of Betminster, and round about it for many a good English mile, I am known as Dame Roundwood. I have never been married, and, at my present age, I never shall be. My one living relative, at the past time of which I now write, was my sister—married to a man named Morcom. He was settled in France, as a breeder of horses. Now and then he crossed over to England on his business, and went back again.

I took such a dislike to Morcom that I refused to be present at the wedding. This led, of course, to a quarrel. Nephews and nieces, if there had been any, might perhaps have reconciled me with my sister. As it was, we never wrote to each other after she went to France with her husband. And I never saw her again until she lay on her death-bed. So much about myself, to begin with.

II.

Circumstances, which it is neither needful nor pleasant to dwell on in this place, occasioned the loss of my income, while I was still in the prime of my life. I had no choice but to make the best of a bad bargain, and to earn my bread by going out to service.

Having provided myself with good recommendations, I applied for the vac-

ant place of housekeeper to Farmer Fairweather. I had heard of him as a well-to-do old bachelor, cultivating his land nigh on five miles in a northerly direction beyond Betminster. But I positively declare that I had never been in his house, or exchanged a word with him, on the day when I set forth for the farm.

The door was opened to me by a nice little girl. I noticed that her manners were pretty, and her voice was a remarkably strong one for her age. She had, I may also mention, the finest blue eyes I ever saw in any young creature's face. When she looked at you, there was just a cast, as they call it, in her left eye, barely noticeable, and not a deformity in any sense of the word. The one drawback that I could find in this otherwise pleasing young person was that she had rather a sullen look, and that she seemed to be depressed in her spirits.

But, like most people, the girl was ready enough to talk about herself. I found that her name was Dina Coomb, and that she had lost both her parents. Farmer Fairweather was her guardian, as well as her uncle, and held a fortune of ten thousand pounds ready and waiting for her when she came of age.

What would become of the money if she died in her youth, was more than Dina could tell me. Her mother's time-pieced had been already given to her, by directions in her mother's will. It looked of great value to my eyes, and it flattered her vanity to see how I admired her grand gold watch.

"I hope you are coming to stay here," she said to me.

This seemed, as I thought, rather a sudden fancy to take to a stranger. "Why do you want me to stay with you?" I asked.

And she hung her head, and had nothing to say. The farmer came in from his fields, and I entered on my business with him. At the same time I noticed, with some surprise, that Dina slipped out of the room by one door when her uncle came in by the other.

He was pleased with my recommendations, and he civilly offered me

sufficient wages. Moreover, he was still fair to look upon, and not (as some farmers are) slovenly in his dress. So far from being an enemy to this miserable man, as has been falsely asserted, I gladly engaged to take my place at the farm on the next day at twelve o'clock, noon.

A friendly neighbor at Betminster, one Master Gouch, gave me a cast in his gig. We arrived true to the appointed time. While Master Gouch waited to bring my box after me, I opened the garden-gate and rang the bell at the door. There was no answer. I had just rung once more, when I heard a scream in the house. These were the words that followed the scream, in a voice which I recognized as the voice of Dina Coomb,—

"Oh, uncle, don't kill me!"

I was too frightened to know what to do. Master Gouch, having heard that dreadful cry as I did, jumped out of the gig and tried the door. It was not fastened inside. Just as he was stepping over the threshold, the farmer bounced out of a room that opened into the passage, and asked what he did there.

My good neighbor answered, "Here, sir, is Dame Roundwood, come to your house by your own appointment."

Thereupon Farmer Fairweather said he had changed his mind, and meant to do without a housekeeper. He spoke in an angry manner, and he took the door in his hand, as if he meant to shut us out. But before he could do this, we heard a moaning in the room that he had just come out of. Says my neighbor,—

"There's somebody hurt, I'm afraid."

Says I, "Is it your niece, sir?"

The farmer slammed the door in our faces, and then locked it against us. There was no help for it after this, but to go back to Betminster.

Master Gouch, a cautious man in all things, recommended that we should wait awhile before we spoke of what had happened, on the chance of receiving an explanation and apology from the farmer, when he recovered his temper. I agreed to this. But there! I am a woman, and I did take a lady (a particular friend of

mine) into my confidence. The next day it was all over the town. Inquiries were made; some of the laborers on the farm said strange things; the mayor and aldermen heard of what was going on. When I next saw Farmer Fairweather, he was charged with the murder of his niece, and I was called, along with Master Gouch and the laborers, as witness against him.

III.

The ins and outs of the law are altogether beyond me. I can only report that Dina Coomb was certainly missing—and this, taken with what Master Gouch and I had heard and seen, was (as the lawyers said) the case against the farmer. His defence was that Dina was a bad girl. He found it necessary, standing towards her in the place of her father, to correct his niece with a leather strap from time to time; and we upset his temper by trying to get into his house when strangers were not welcome, and might misinterpret his actions. As for the disappearance of Dina, he could only conclude that she had run away, and where she had gone to was more than he had been able to discover.

To this the law answered, "You have friends to help you, and you are rich enough to pay the expense of a strict search. Find Dina Coomb, and produce her here to prove what you have said. We will give you reasonable time. Make the best use of it."

Ten days passed, and we, the witnesses, were summoned again. How it came out, I don't know. Everybody in Betminster was talking of it; Farmer Fairweather's niece had been found.

The girl told her story, and the people who had discovered her told *their* story. It was all plain and straightforward, and I had just begun to wonder what I was wanted for, when up got the lawyer who had the farmer's interests in charge, and asked that the witnesses might be ordered to leave the court. We were turned out, under care of an usher; and we were sent for as the authorities wanted us, to speak to the identity of Dina, one at a time. The parson of Farmer Fairweather's parish church was

the first witness called. Then came the turn of the laborers. I was sent for last.

When I had been sworn, and when the girl and I were, for the first time, set close together face to face, a most extraordinary interest seemed to be felt in my evidence. How I first came to be in Dina's company, and how long a time passed while I was talking with her, were questions which I answered as I had answered them once already, ten days since.

When a voice warned me to be careful and to take my time, and another voice said, "Is that Dina Coomb?" I was too much excited—I may even say, too much frightened—to turn my head and see who was speaking to me. The longer I looked at the girl, the more certain I felt that I was *not* looking at Dina.

What could I do? As an honest woman giving evidence on her oath I was bound, come what might of it, to tell the truth. To the voice which had asked me if that was Dina Coomb, I answered positively, "No."

My reasons, when given, were two in number. First, both this girl's eyes were as straight as straight could be—not so much as the vestige of a cast could I see in her left eye. Secondly, she was fatter than Dina in the face, and fatter in the neck and arms, and rounder in the shoulders. I owned, when the lawyer put the question to me, that she was of the same height as Dina, and had the same complexion and the same fine blue color in her eyes. But I stuck fast to the differences that I had noticed—and they said I turned the scale against the prisoner.

As I afterwards discovered, we witnesses had not been agreed. The laborers declared that the girl was Dina. The parson, who had seen Dina hundreds of times at his school, said exactly what I had said. Other competent witnesses were sought for and found the next day. Their testimony was our testimony repeated again and again. Later still, the abominable father and mother who had sold their child for purposes of deception were discovered, and were afterwards punished, along

with the people who had paid the money.

Driven to the wall, the prisoner owned that he had failed to find his runaway niece; and that, in terror of being condemned to die on the scaffold for murder, he had made this desperate attempt to get himself acquitted by deceiving the law. His confession availed him nothing; his solemn assertion of innocence availed him nothing. Farmer Fairweather was hanged.*

IV.

With the passing away of time, the memory of things passes away too. I was beginning to be an old woman, and the trial was only remembered by elderly people like myself, when I got a letter relating to my sister. It was written for her by the English Consul at the French town in which she lived. He informed me that she had been a widow for some years past; and he summoned me instantly to her bedside if I wished to see her again before she died.

I was just in time to find her living. She was past speaking to me; but, thank God, she understood what I meant when I kissed her, and asked her to forgive me. Towards evening the poor soul passed away quietly, with her head resting on my breast.

The Consul had written down what she wanted to say to me. I leave the persons who may read this to judge what my feelings were when I discovered that my sister's husband was the wretch who had assisted the escape of Dina Coomb, and who had thus been the means of condemning an innocent man to death on the scaffold.

On one of those visits on business to England of which I have already spoken, he had met a little girl sitting under a hedge at the side of the high road, lost, footsore, and frightened, and had

spoken to her. She owned that she had run away from home, after a most severe beating. She showed the marks. A worthy man would have put her under the protection of the nearest magistrate.

My rascally brother-in-law noticed her valuable watch; and, suspecting that she might be connected with wealthy people, he encouraged her to talk. When he was well-assured of her expectations, and of the use to which he might put them, in her friendless situation, he offered to adopt her, and he took her away with him to France.

My sister, having no child of her own, took a liking to Dina, and readily believed what her husband chose to tell her. For three years the girl lived with them. She cared little for the good woman who was always kind to her, but she was most unreasonably fond of the villain who had kidnapped her.

After his death, this runaway creature—then aged fifteen—was missing again. She left a farewell letter to my sister, saying that she had found another friend; and from that time forth nothing more had been heard of her, for years on years. This had weighed on my sister's mind, and this was what she had wanted to tell me on her death-bed. Knowing nothing of the trial, she was aware that Dina belonged to the neighborhood of Betminster, and she thought in her ignorance that I might communicate with Dina's friends, if such persons existed.

On my return to England, I thought it a duty to show to the Mayor of Betminster what the Consul had written from my sister's dictation. He read it and heard what I had to tell him. Then he reckoned up the years that had passed. Says he, "The girl must be of age by this time: I shall cause inquiries to be made in London."

In a week more we did hear of Dina Coomb. She had returned to her own country, with a French husband at her heels, had proved her claim, and had got her money.

* This terrible miscarriage of justice happened before the time when trials were reported in the newspapers, and led to one valuable result: Since that time it has been a first and foremost condition of a trial for murder that the body of the slain person shall have been discovered and identified.—W.C.

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For the Companion.

## THE VICTIMS OF CIRCUMSTANCES.

Derived from the Records of old Trials.

By Wilkie Collins.

### **The Hidden Cash.**

[Vol. 60, 21 April 1887, p.178]  
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I.

Parson Tibbald, a magistrate living within a day's ride of the ancient city of York, surprised the members of his family, one morning, by presenting himself at breakfast without an appetite. Upon his wife asking him if the dishes on the table were not to his taste, he answered, "My day's work is not to my taste. For the first time since I have been one of his majesty's justices, a charge of murder is coming before me, and the man accused is one of our neighbors."

The person in this miserable plight was Thomas Harris, an inn-keeper, charged with murdering James Gray, a traveller sleeping in his house.

The witnesses against him were his own servants: Elias Morgan, variously employed as waiter, hostler and gardener; and Maria Mackling, chambermaid. In his evidence against his master, Morgan declared that he had seen Thomas Harris on the traveller's bed, killing the man by strangling. In fear of what might happen if he remained in the room, Morgan feigned to go downstairs. Returning secretly, he looked through the keyhole of a door in an adjoining bed-chamber, and saw the landlord rifling James Gray's pockets.

Harris answered to this, that all his neighbors knew him to be an honest man. He had found Gray in a fit, and had endeavored to restore him to his senses without success. The doctor who had examined the body, supported this assertion by declaring that he had found

no marks of violence on the dead traveller. In the opinion of the magistrate, the case against Harris had now broken down, and the prisoner would have been discharged, but for the appearance of the maid-servant asking to be sworn.

Maria Mackling then made the statement that follows:

"On the morning when my fellow-servant found Mr. Harris throttling James Gray, I was in the back wash-house, which looks out on the garden. I saw my master in the garden, and wondered what he wanted there at that early hour. I watched him. He was within a few yards of the window, when I saw him take a handful of gold pieces out of his pocket, and wrap them up in something that looked like a bit of canvas. After that, he went on to a tree in a corner of the garden, and dug a hole under the tree and hid the money in it. Send the constable with me to the garden, and let him see if I have not spoken the truth."

But good Parson Tibbald waited awhile to give his neighbor an opportunity of answering the maid-servant. Thomas Harris startled everybody present by turning pale, and failing to defend himself intelligently against the serious statement made by the girl. The constable was accordingly sent to the garden with Maria Mackling—and there, under the tree, the gold pieces were found. After this the magistrate had but one alternative left. He committed the prisoner for trial at the next assizes.

II

The witnesses having repeated their evidence before the judge and the jury, Thomas Harris was asked what he had to say in his own defence.

In those days the merciless law did not allow prisoners to have the assistance of counsel. Harris was left to do his best for himself. During his confinement in prison, he had found time to compose his mind, and to consider beforehand how he might most fitly plead his own cause. After a solemn assertion of his innocence, he proceeded in these words:

“At my examination before the magistrate, my maid-servant’s evidence took me by surprise. I was ashamed to acknowledge what I am now resolved to confess. My lord, I am by nature a covetous man, fond of money, afraid of thieves, and suspicious of people about me who know that I am well-to-do in the world. I admit that I did what other miserly men have done before me: I hid the gold as the girl has said. But I buried it in secret for my own better security. Every farthing of that money is my property, and has been honestly come by.”

Such was the defence in substance. Having heard it, the judge summed up the case.

His lordship dwelt particularly on the circumstance of the hiding of the money; pointing out the weakness of the reasons assigned by the prisoner for his conduct, and leaving it to the jury to decide which they believed—the statement given in evidence by the witnesses, or the statement made by Harris. The jury appeared to think consultation among themselves, in this case, a mere waste of time. In two minutes they found the prisoner guilty of the murder of James Gray.

In these days, if a man had been judicially condemned to death on doubtful evidence, after two minutes of consideration, our parliament and our press would have saved his life. In the bad old times Thomas Harris was hanged; meeting his fate with firmness, and declaring his innocence with his last breath.

III.

Between five and six months after the date of the execution, an Englishman who had been employed in foreign military service returned to his own country, after an absence of twelve years, and set himself to discover the members of his family who might yet be in the land of the living. This man was Antony Gray, a younger brother of the deceased James.

He succeeded in tracing his mother’s sister and her husband, two childless old people in feeble health. From the

husband, who had been present at the trial, but who had not been included among the witnesses, Antony heard the terrible story which has just been told. The evidence of the doctor and the defence of Thomas Harris produced a strong impression on him. He asked a question which ought to have been put at the trial:

“Was my brother James rich enough to have a handful of gold pieces about him, when he slept at the inn?”

The old man knew little or nothing of James and his affairs. The good wife, who was better informed, answered: “He never, to my knowledge, had as much as a spare pound in his pocket at any time in his life.”

Antony, remembering the landlord’s explanation of his brother’s death, asked next if his aunt had ever heard that James was liable to fits. She confessed to a suspicion that James had suffered in that way. “He and his mother,” she explained, “kept this infirmity of my nephew’s (if he had it) a secret. When they were both staying with us on a visit, he was found lying for dead in the road. His mother said, and he said, it was an accident caused by a fall. All I can tell you is, that the doctor who brought him to his senses called it a fit.”

After considering a little with himself, Antony begged leave to put one question more. He asked for the name of the village in which the inn, once kept by Thomas Harris, was situated. Having received this information, he got up to say good-by. His uncle and aunt wanted to know why he was leaving them in that sudden way.

To this he returned rather a strange answer: “I have a fancy for making acquaintance with two of the witnesses at the trial, and I mean to try if I can hear of them in the village.”

IV.

The man-servant and the woman-servant who had been in the employment of Thomas Harris, had good characters, and were allowed to keep their places by the person who succeeded to possession of the inn. Under the new proprietor the business had fallen off.

The place was associated with a murder, and a prejudice against it existed in the minds of travellers. The bed-rooms were all empty, one evening, when a stranger arrived, who described himself as an angler desirous of exercising his skill in the trout-stream which ran near the village.

He was a handsome man, still young, with pleasant manners, and with something in his fine upright figure which suggested to the new landlord that he might have been at one time in the army. Everybody in the village liked him; he spent his money freely; and he was especially kind and considerate towards the servants.

Elias Morgan frequently accompanied him on his fishing excursions. Maria Mackling looked after his linen with extraordinary care; contrived to meet him constantly on the stairs; and greatly enjoyed the compliments which the handsome gentleman paid to her on those occasions.

In the exchange of confidences that followed, he told Maria that he was a single man, and he was thereupon informed that the chambermaid and the waiter were engaged to be married. They were only waiting to find better situations, and to earn money enough to start in business for themselves.

In the third week of the stranger's residence at the inn, there occurred a change for the worse in his relations with one of the two servants. He excited the jealousy of Elias Morgan.

This man set himself to watch Maria, and made discoveries which so enraged him, that he not only behaved with brutality to his affianced wife, but forgot the respect due to his master's guest. The amiable gentleman, who had shown such condescending kindness towards his inferiors, suddenly exhibited a truculent temper. He knocked the waiter down. Elias got up again with an evil light in his eyes. He said, "The man who once kept this house knocked me down, and he lived, sir, to be sorry for it."

Self-betrayed by those threatening words, Elias went out of the room.

Having discovered in this way that his suspicions of one of the witnesses

against the unfortunate Harris had been well founded, Antony Gray set his trap next to catch the woman, and achieved a result which he had not ventured to contemplate.

Having obtained a private interview with Maria Mackling, he presented himself in the character of a penitent man. "I am afraid," he said, "that I have innocently lowered you in the estimation of your jealous sweetheart; I shall never forgive myself, if I have been so unfortunate as to raise an obstacle to your marriage."

Maria rewarded the handsome, single gentleman with a look which expressed modest anxiety to obtain a position in *his* estimation.

"I must forgive you, if you can't forgive yourself," she answered, softly. "Indeed, I owe you a debt of gratitude. You have released me from an engagement to a brute. And, what is more," she added, beginning to lose her temper, "an ungrateful brute. But for me, Elias Morgan might have been put in prison, and have richly deserved it!"

Antony did his best to persuade her to speak more plainly. But Maria was on her guard and plausibly deferred explanation to a future opportunity. She had, nevertheless, said enough already to lead to serious consequences.

The jealous waiter, still a self-appointed spy on Maria's movements, had heard in hiding all that passed at the interview. Partly in revenge, partly in his own interests, he decided on anticipating any confession on the chambermaid's part. The same day he presented himself before Parson Tibbald as a repentant criminal, resigned to enlighten justice in the character of King's Evidence.

V.

The infamous conspiracy to which Thomas Harris had fallen a victim had been first suggested by his own miserly habits.

Purely by accident, in the first instance, the woman-servant had seen him secretly burying money under the tree, and had informed the man-servant of her discovery.

He had examined the hiding-place, with a view to robbery which might benefit his sweetheart and himself, and had found the sum secreted too small to be worth the risk of committing theft. Biding their time, he and his accomplice privately watched the additions made to their master's store. On the day when James Gray slept at the inn, they found gold enough to tempt them at last.

How to try the experiment of theft without risk of discovery, was the one difficulty that presented itself. In this emergency, Elias Morgan conceived the diabolical scheme of charging Harris with the murder of the traveller who had died in a fit. The failure of the false evidence, and the prospect of the prisoner's discharge, terrified Maria Mackling.

Elias had placed himself in a position which threatened him with indictment for perjury. The woman claimed to be heard as a witness, and deliberately sacrificed her master on the scaffold to secure the safety of her accomplice.

The two wretches were committed to prison. It is not often that poetical justice punishes crime, out of the imaginary court of appeal which claims our sympathies on the stage. But, in this case, retribution did really overtake atrocious guilt. Elias Morgan and Maria Mackling both died in prison of the disease then known as gaol fever.

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#### Note on the Text

With the two exceptions noted below, the compositor for the *Youth's Companion* faithfully followed the substantive content of WC's manuscript of 'The Hidden Cash', though the writing is heavily revised in several places. However, there are many minor differences in terms of spelling preferences (American '-or' replaces WC's '-our' throughout), paragraphing (many paragraph breaks are added for the newspaper columns), and accidentals (the manuscript uses hyphens much less and semi-colons rather more).

The two changes of substance, both amplifications but neither of any great significance, are as follows:

- 1) in the second sentence of the fourth paragraph of section II, the manuscript has simply 'the judged summed up' rather than 'the judge summed up the case' as found in the printed version.
- 2) in the second sentence of the fourth paragraph of section III, the manuscript has only 'The good wife, better informed, answered' rather than 'The good wife, who was better informed, answered' as found in the printed version.

There are many minor differences in accidentals etc. (similar in nature to those noted above) between the printed texts of 'A Sad Death and Brave Live' and 'Farmer Fairweather' in the *Youth's Companion* and *Boy's Own Paper*, but only one difference of substance. In 'A Sad Death and Brave Live', eighteenth paragraph (p. 15, col. 2, in the present edition), while the *Youth's Companion* has 'rather free with his money in betting' the *Boy's Own Paper* has only 'rather free with his money'. Though these details might suggest that the *Boy's Own Paper* version follows Collins's intentions more closely, we should note that the section breaks present in the *Youth's Companion* version of 'Farmer Fairweather', but omitted in the *Boy's Own Paper*, seem likely to have authorial sanction. We should also remember that the English journal was likely to have been working from copies of the author's manuscript made by some third party. If, as seems probable, the manuscripts have not survived, we will never be quite certain of Wilkie Collins's minute intentions in the case of the first two sketches.

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will be published during the year, written by new and old contributors, including Elizabeth Stuart Phelps, Rebecca Harding Davis, Frank R. Stockton, Marie B. Williams, Joel Chandler Harris, the authors of "Petherick's Peril" and "Miss Bashby," Louise Chandler Moulton, H. H. Boyesen, Edgar Fawcett, F. W. Calkins, and Rose Terry Cooke.

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