

CHAPTER XIX.

WAITING FOR THE TRIAL.

As he returned to Cambridge Caldigate was not altogether contented with himself. He tried to persuade himself, in reference to the money which he had refunded, that in what he had done he had not at all been actuated by the charge made against him. Had there been no such accusation he would have felt himself bound to share the loss with these people as soon as he had learned the real circumstances. The money had been a burden to him. For the satisfaction of his own honour, of his own feelings, it had become necessary that the money should be refunded. And the need of doing so was not lessened by the fact that a base conspiracy had been made by a gang of villains who had thought that the money might thus be most readily extracted from him. That was his argument with himself, and his defence for what he had done. But nevertheless he was aware that he had been driven to do it now,—to pay the money at this special moment,—by an undercurrent of hope that these enemies would think it best for themselves to go as soon as they had his

money in their hands. He wished to be honest, he wished to be honourable, he wished that all that he did could be what the world calls "above board;" but still it was so essential for him and for his wife that they should go! He had been very steady in assuring these wretched ones that they might go or stay, as they pleased. He had been careful that there should be a credible witness of his assurance. He might succeed in making others believe that he had not attempted to purchase their absence; but he could not make himself believe it.

Even though a jury should not convict him, there was so much in his Australian life which would not bear the searching light of a cross-examination! The same may probably be said of most of us. In such trials as this that he was anticipating, there is often a special cruelty in the exposure of matters which are for the most part happily kept in the background. A man on some occasion inadvertently takes a little more wine than is good for him. It is an accident most uncommon with him, and nobody thinks much about it. But chance brings the case to the notice of the police courts, and the poor victim is published to the world as a drunkard in the columns of all the newspapers. Some young girl fancies herself in love, and the man is unworthy. The feeling passes away, and none but herself, and perhaps her mother, are the wiser. But if by some chance, some treachery, a letter should get printed and read, the poor girl's

punishment is so severe that she is driven to wish herself in the grave.

He had been foolish, very foolish, as we have seen, on board the *Goldfinder*,—and wicked too. There could be no doubt about that. When it would all come out in this dreaded trial he would be quite unable to defend himself. There was enough to enable Mrs. Bolton to point at him with a finger of scorn as a degraded sinner. And yet,—yet there had been nothing which he had not dared to own to his wife in the secrecy of their mutual confidence, and which, in secret, she had not been able to condone without a moment's hesitation. He had been in love with the woman,—in love after a fashion. He had promised to marry her. He had done worse than that. And then, when he had found that the passion for gold was strong upon her, he had bought his freedom from her. The story would be very bad as told in Court, and yet he had told it all to his wife! She had admitted his excuse when he had spoken of the savageness of his life, of the craving which a man would feel for some feminine society, of her undoubted cleverness, and then of her avarice. And then when he swore that through it all he had still loved her,—her, Hester Bolton,—whom he had but once seen, but whom, having seen, he had never allowed to pass out of his mind, she still believed him, and thought that the holiness of that love had purified him. She believed him;—but who else

would believe him? Of course he was most anxious that those people should go.

Before he left London he wrote both to Mr. Seely and to Robert Bolton, saying what he had done. The letter to his own attorney was long and full. He gave an account in detail of the whole matter, declaring that he would not allow himself to be hindered from paying a debt which he believed to be due by the wickedness of those to whom it was owing. "The two things have nothing to do with each other," he said, "and if you choose to throw up my defence, of course you can do so. I cannot allow myself to be debarred from exercising my own judgment in another matter because you think that what I decide upon doing may not tally with your views as to my defence." To Robert Bolton he was much shorter. "I think you ought to know what I have done," he said; "at any rate, I do not choose that you should be left in ignorance." Mr. Seely took no notice of the communication, not feeling himself bound to carry out his threat by withdrawing his assistance from his client. But Robert and William Bolton agreed to have Crinkett's movements watched by a detective policeman. They were both determined that if possible Crinkett and the woman should be kept in the country.

In these days the old Squire made many changes in his residence, vacillating between his house in Cambridge and the house at Folking. His books

were at Cambridge, and he could not have them brought back; and yet he felt that he ought to evince his constancy to his son, his conviction of his son's innocence, by remaining at Folking. And he was aware, too, that his presence there was a comfort both to his son and Hester. When John Caldigate had gone up to London, his father had been in Cambridge, but on his return he found the old Squire at his old house. "Yes," he said, telling the story of what he had just done, "I have paid twenty thousand pounds out of hand to those rascals, simply because I thought I owed it to them!" The Squire shook his head, not being able to approve of the act. "I don't see why I should have allowed myself to be hindered from doing what I thought to be right because they were doing what they knew to be wrong."

"They won't go, you know."

"I daresay not, sir. Why should they?"

"But the jury will believe that you intended to purchase their absence."

"I think I have made all that clear."

"I am afraid not, John. The man applied to you for the money, and was refused. That was the beginning of it. Then the application was repeated by the woman with a threat; and you again refused. Then they present themselves to the magistrates, and make the accusation; and, upon that,

you pay the money. Of course it will come out at the trial that you paid it immediately after this renewed application from Bollum. It would have been better to have defied them."

"I did defy them," said John Caldigate. But all that his father said seemed to him to be true, so that he repented himself of what he had done.

He made no inquiry on the subject, but, early in May he heard from Mr. Seely that Crinkett and the woman were still in London, and that they had abandoned the idea of going at once to Australia. According to Mr. Seely's story,—of the truth of which he declared himself to be by no means certain,—Crinkett had wished to go, but had been retained by the woman. "As far as I can learn," said Mr. Seely, "she is in communication with the Boltons, who will of course keep her if it be possible. He would get off if he could; but she, I take it, has got hold of the money. When you made the cheque payable to her order, you effectually provided for their remaining here. If he could have got the money without her name, he would have gone, and she would have gone with him."

"But that was not my object," said Caldigate angrily. Mr. Seely thereupon shrugged his shoulders.

Early in June the man came back who had been sent out to Sydney in February on behalf of Caldi-

gate. He also had been commissioned to seek for evidence, and to bring back with him, almost at any cost, whatever witness or witnesses he might find whose presence in England would serve Caldigate's cause. But he brought no one, and had learned very little. He too had been at Ahalala and at Nobble. At Nobble the people were now very full of the subject, and were very much divided in opinion. There were Crinkettors and anti-Crinkettors, Caldigatites and anti-Caldigatites. A certain number of persons were ready to swear that there had been a marriage, and an equal number, perhaps, to swear that there had been none. But no new fact had been brought to light. Dick Shand had not been found,—who had been living with Caldigate when the marriage was supposed to have been solemnised. Nor had that register been discovered from which the copy of the certificate was supposed to have been taken. All through the Colony,—so said this agent,—a very great interest was felt in the matter. The newspapers from day to day contained paragraphs about it. But nobody had appeared whom it was worth while to bring home. Mrs. Henniker, of the hotel at Nobble, had offered to swear that there had been no marriage. This offer she made and repeated when she had come to understand accurately on whose behalf this last agent had come to the Colony. But then, before she had understood this, she had offered to

swear the reverse; and it became known that she was very anxious to be carried back to the old country free of expense. No credible witness could be found who had heard Caldigate call the woman Mrs. Smith after the date assigned to the marriage. She no doubt had used various names, had called herself sometimes Mrs. Caldigate, sometimes Mrs. Smith, but generally, in such documents as she had to sign in reference to her mining shares, Euphemia Cettini. It was by that name that she had been known in Sydney when performing on the stage, and it was now alleged on her behalf that she had bought and sold shares in that name under the idea that she would thus best secure to herself their separate and undisturbed possession. Proof was brought home that Caldigate himself had made over to her shares in that name; but Mr. Seely did not depend much on this as proof against the marriage.

Mr. Seely seemed to depend very little on anything,—so little that Caldigate almost wished that he had carried out his threat and thrown up the case. “Does he not believe you when you tell him?” his wife asked. Caldigate was forced to confess that apparently the lawyer did not believe him. In fact, Mr. Seely had even said as much. “In such cases a lawyer should never believe or disbelieve; or, if he does, he should never speak of his belief. It is with your acquittal or conviction

that I am concerned, in which matter I can better assist you by cool judgment than by any fervid assurance." All this made Caldigate not only angry but unhappy, for he could not fail to perceive that the public around him were in the same mind as Mr. Seely. In his own parish they believed him, but apparently not beyond his parish. It might be possible that he should escape,—that seemed to be the general opinion; but then general opinion went on to declare that there was no reason for supposing that he had not married the woman merely because he said that he had not done so.

Then gradually there fell upon poor Hester's mind a doubt,—and, after that, almost a conviction. Not a doubt as to her husband's truth! No suspicion on that score ever troubled her for a moment. But there came upon her a fear, almost more than a fear, that these terrible enemies would be strong enough to override the truth, and to carry with them both a judge and a jury. As the summer months ran on, they all became aware that for any purpose of removing the witnesses the money had been paid in vain. Crinkett was living in all opulence at a hotel at Brighton; and the woman, calling herself Mrs. Caldigate, had taken furnished apartments in London. Rumour came that she was frequently seen at the theatres, and that she had appeared more than once in an open carriage in the parks. There was no doubt but that Caldigate's money had made them

very comfortable for the present. The whole story of the money had been made public, and of course there were various opinions about it. The prevailing idea was, that an attempt had been made to buy off the first wife, but that the first wife had been clever enough to get the money without having to go. Caldigate was thought to have been very foolish; on which subject Bollum once expressed himself strongly to a friend. "Clever!" he said; "Caldigate clever! The greatest idiot I ever came across in my life! I'd made it quite straight for him,—so that there couldn't have been a wrinkle. But he wouldn't have it. There are men so soft that one can't understand 'em." To do Bollum justice it should be said that he was most anxious to induce his uncle and the woman to leave the country when they had got the money.

Though very miserable, Hester was very brave. In the presence of her husband she would never allow herself to seem to doubt. She would speak of their marriage as a thing so holy that nothing within the power of man could disturb it. Of course they were man and wife, and of course the truth would at last prevail. Was not the Lord able, in His own good time, to set all these matters right? And in discussing the matter with him she would always seem to imply that the Lord's good time would be the time of the trial. She would never herself hint to him that there might be a

period of separation coming. Though in secrecy she was preparing for what might befall him, turning over in her woman's mind how she might best relieve the agony of his jail, she let no sign escape her that she looked forward to such misery. She let no such sign escape her in her intercourse with him. But with his father she could speak more freely. It had, indeed, come to be understood between her and the old Squire, that it would be best that they should discuss the matter openly. Arrangements must be made for their future life, so that when the blow came they might not be unprepared. Hester declared that nothing but positive want of shelter should induce her to go back to Chesterton. "They think him to be all that's bad," she said. "I know him to be all that's good. How is it possible that we should live together?" The old man had, of course, turned it over much in his mind. If it could be true that that woman had in truth become his son's wife, and that this dear, sweet, young mother had been deceived, betrayed, and cheated out of her very existence, then that house at Folking could be no proper home for her. Her grave would be best, but till that might be reached any home would be better than Folking. But he was almost sure that it was not so, and her confidence,—old as he was, and prone to be suspicious—made him confident.

When the moment came he could not doubt how

he would answer her. He could not crush her spirit by seeming for a moment to have a suspicion. "Your home, of course, shall be here," he said. "It shall be your own house."

"And you?"

"It shall be my house too. If it should come to that, we will be, at any rate, together. You shall not be left without a friend."

"It is not for myself," she said; "but for his boy and for him;—what will be best for them. I would take a cabin at the prison-gate, so as to be nearest to him,—if it were only myself." And so it was settled between them that should that great misery fall upon them she would remain at Folking and he would remain with her. Nothing that judge or jury could do would deprive her of the right to occupy her husband's house.

In this way the months of May and June and the first fortnight of July wore themselves away, and then the time for the trial had come. Up to the last it had been hoped that tidings might be heard either by letter or telegram from Dick Shand; but it seemed that he had vanished from the face of the earth. No suggestion of news as to his whereabouts was received on which it might have been possible to found an argument for the further postponement of the trial. Mr. Seely had been anxious for such postponement,—perhaps thinking that as the hotel at Brighton and the carriages in the park

were expensive, Crinkett and the lady might take their departure for Australia without saying a word to the lawyer who had undertaken the prosecution. But there was no adequate ground for delay, and on Tuesday the 17th July the trial was to be commenced. On the previous day Caldigate, at his own request, was introduced to Sir John Joram, who had been brought down special to Cambridge for his defence. Mr. Seely had advised him not to see the barrister who was to defend him, leaving it, however, quite at his option to do so or not as he pleased. "Sir John will see you, but I think he had rather not," said Mr. Seely. But Caldigate had chosen to have the interview. "I have thought it best to say just one word to you," said Caldigate.

"I am quite at your service," said Sir John.

"I want you to hear from my own lips that a falser charge than this was never made against a man."

"I am glad to hear it," said Sir John,—and then he paused. "That is to say, Mr. Caldigate, I am bound in courtesy to you to make some such civil reply as I should have made had I not been employed in your case, and had circumstances then induced you to make such a statement to me. But in truth, as I am so employed, no statement from your lips ought to affect me in the least. For your own sake I will say that no statement will affect me. It is not for me to believe or disbelieve anything in

this matter. If, carried away by my feelings, I were to appeal to the jury for their sympathy because of my belief, I should betray your cause. It will be my duty not to make the jury believe you, who, in your position, will not be expected even to tell the truth; but to induce them, if possible, to disbelieve the witnesses against you who will be on their oath. Second-hand protestations from an advocate are never of much avail, and in many cases have been prejudicial. I can only assure you that I understand the importance of the interests confided to me, and that I will endeavour to be true to my trust."

Caldigate, who wanted sympathy, who wanted an assurance of confidence in his word, was by no means contented with his counsellor; but he was too wise at the present moment to quarrel with him.
