MELBOURNE AND SYDNEY

E. A. PETHERICK & CO

LONDON: WILLIAM HEINEMANN

1890

INTRODUCTION.

THE remote Austrian province of Galicia has, in our generation, produced two of the most original of modern novelists, Leopold von Sacher-Masoch and Karl Emil Franzos. The latter, who is the author of the volume here presented to English readers, was born on the 25th of October 1848, just over the frontier, in a ranger's house in the midst of one of the vast forests of Russian Podolia. His father, a Polish Jew, was the district doctor of the town of Czorskow, in Galicia, where the boy received his first lessons in literature from his German mother. In 1858 Franzos was sent, on the death of his father, to the German College at Czernowitz; at the age of fourteen, according to the published accounts of his life, he was left entirely to his own resources, and gained a precarious livelihood by teaching. After various attempts at making a path for himself in science and in law, and finding that his being a Jew stood in the way of a professional career, he turned, as so many German Israelites have done before and since, to journalism, first in Vienna, then at Pesth, then in Vienna again, where he still continues to reside.

In 1876 Franzos published his first book, two volumes entitled *Aus Halb-Asia* ("From Semi-Asia"), a series of ethnological studies on the peoples of Galicia, Bukowina, South Russia, and Roumania, whom he described as in a twilight of semi-barbaric darkness, not wholly in the sunshine of Europe. This was followed in 1878 by *Vom Don zur Donau* ("From the Don to the Danube"), a similar series of studies in ethnography. Meanwhile, in *Die Juden von Barnow* ("The Jews of Barnow"), 1877, he had published his first collection of tales drawn from his early experience. He followed it in 1879 by *Junge Liebe* ("Young Love"), two short stories, "Brown Rosa" and "Brandenegg's Cousins," extremely romantic in character, and written in an elaborate and somewhat extravagant style. These volumes achieved a great and instant success.

The succeeding novels of Franzos have been numerous, and unequal in value. *Moschko von Parma*, 1880, was a pathetic study of the vicissitudes of a young Jewish soldier in the wars. In the same year Franzos published *Die Hexe* ("The Witch"). The best known of his writings in this country is *Ein Kampf um's Recht* ("A Battle for the Right"), 1882, which was published in English, with an Introduction by Mr. George MacDonald, and attracted the favourable, and even enthusiastic, notice of Mr. Gladstone. *Der Präsident*, which is here translated, appeared in Germany in 1884.

EDMUND GOSSE.

THE CHIEF JUSTICE.

CHAPTER I.

In the Higher Court of Bolosch, an important Germano-Slavonic town of northern Austria, there sat as Chief Justice some thirty years ago, one of the bravest and best of those men on whom true justice might hopefully rely in that sorely tried land.

Charles Victor, Baron von Sendlingen, as he may be called in this record of his fate, was the last descendant of a very ancient and meritorious race which could trace its origin to a collateral branch of the Franconian Emperors, and which had once upon a time possessed rich lands and mines on the shores of the Wörther See: now indeed by reason of an adverse fate and the love of splendour of some of its scions, there had gradually come to be nothing left of all this save a series of high sounding titles. But the decline of fame and influence had not kept pace with the loss of lands and wealth; the Sendlingens had entered the service of the Hapsburgs and in the last two hundred years had given the Austrian Hereditary Dominions not only several brave generals, but an almost unbroken line of administrators

and guardians of Justice. And so, although they were entirely dependent on their slender official salaries, they were reckoned with good reason among the first families of the Empire, and a Sendlingen might from his cradle count upon the office of Chief Justice of one of the Higher Courts. Even unkind envy, to say nothing of honest report, was obliged to admit that these hereditary patricians of Justice had always shown themselves worthy of their sacred office, and just as they regularly inherited certain physical characteristics—great stature, bright eyes and coal-black curly hair—so also gifted intellects, iron industry and a sense of duty which often enough bordered on self-denial, were always theirs. "The majesty of the Law is the most sacred majesty on earth." Thus spake the first of this family who had entered the service of the Imperial Courts of Justice, the Baron Victor Amadeus, Chief Judge of the Vienna Senate, in answer to an irregular demand of Ferdinand the Catholic, and his descendants held fast to the maxim in good days and evil, even in those worst days when Themis threatened, in this country also, to sink to the level of the venal mistress of Princes. The greatest of the Hapsburgs, Joseph II., knew how to value this at its right worth, and although he much disliked hereditary offices, he on this account appointed the Baron Charles Victor, in spite of his youth, as his father's successor in one of the most important offices of the State.

This was the grandfather of that Sendlingen whose

story is to be told here, a powerful man of unusual strength of will who had again raised the reputation of the family to a most flourishing condition. But although everything went so well with him, the dearest wish of his heart was not to be realized: he was not to transmit office and reputation to his son. This son, Franz Victor, our hero's father, had to pass his life wretchedly in an insignificant position, the only one among the Sendlingens who went to his grave in mature years, unrenowned and indeed despised.

This fate had not overtaken him through lack of ability or industry. He too proved himself a true son of this admirable race; gifted, persevering, thorough, devoted heart and soul to his studies and his official duties. But a youthful escapade had embroiled him in the beginning of his career with father and relations: a girl of the lower orders, the daughter of the concierge at the Courts where his father presided, had become dear to him and in a moment of passion he had betrayed her. When the girl could no longer conceal the consequences of her fault, she went and threw herself at the feet of the Chief Justice imploring him to protect her from her parent's wrath. The old man could hardly contain his agony of indignation, but he summoned his son and having heard from his lips the truth of the accusation, he resolved the matter by saying: "The wedding will take place next Sunday. A Sendlingen may be thoughtless, he must never be a scoundrel." They were married without show and in

complete secresy, and at once started for a little spot in the Tyrolean mountains whither Baron von Sendlingen had caused his son and heir to be transferred.

This event made a tremendous sensation. For the first time a Sendlingen had married out of his rank, the daughter of a menial too, and constrained to it by his father! People hardly knew how to decide which of the two, father or son, had sinned most against the dignity of the family; similar affairs were usually settled by the nobles of the land in all secresy and without leaving a stain on their genealogical tree. Even Kaiser Franz, although his opinions about morality were so rigid, once signified something of the kind to the honourable old judge, but he received the same answer as was given to his son. The embittered old man was indeed equally steadfast in maintaining a complete severance of the bonds between him and his only son; the letters which every mail from the Tyrol brought, were left unopened, and even in his last illness he would not suffer the outcast to be recalled.

After the death of the Judge, his son came to be completely forgotten: only occasionally his aristocratic relations used to recount with a shrug of the shoulders, that they had again been obliged to return a letter of this insolent fellow to the place where it came from. Nevertheless they learnt the contents of these letters from a good-natured old aunt: they told of the death of his first child, then of the birth of a boy whom

he had called after his grandfather, and while he obstinately kept silence about the happiness or unhappiness of his marriage, he more and more urgently begged for deliverance from the God-forsaken corner of the globe in which he languished and for promotion to a worthier post.

Although the only person who read these letters was, with all her pity, unable to help him, he never grew weary of writing. The tone of his letters became year by year more bitter and despairing, and whereas he had at first asked for special favours, he now fiercely demanded the cessation of these hostile intrigues. Perhaps the embittered man was unjust to his relations in making this reproach,—they seemed in no way to concern themselves about him whether to his interest or his injury—, but he really was badly treated, and leaving out the influence of his name, he was not even able to obtain what he might have expected according to the regulations of the service. An excellent judge of exemplary industry, he was forced to continue for years in this Tyrolean wilderness until at length, one day, he was promoted to a judgeship on the Klagenfurth Circuit. But he was not long able to enjoy his improved position: bitter repentance and the struggle with wretchedness had prematurely undermined his strength. He died, soon after his wife, and his last concern on earth was an imploring prayer to his relations to adopt his boy.

This prayer would perhaps not have been necessary

to secure the orphan that sympathy which his much-to-be-pitied father had in vain sought to obtain for himself. Charles Victor, now fourteen years of age, was carried off in a sort of triumph and brought to Vienna: even the Emperor gratefully remembered the faithful services which this noble house had for centuries rendered to his throne, and he caused its last surviving male to be educated at his expense in the Academy of Maria Theresa.

The beautiful, slender boy won the sympathies of his natural guardians by his mere appearance, the serious expression peculiar to his family and his surprising resemblance to his grandfather; excellent gifts, a quiet, steady love of work and a self-contained, manly sweetness of disposition, made him dear to both his masters and his comrades. He was the best scholar at the Academy, and he justified the hopes which he had aroused by the brilliant success of his legal studies. But his eagerness to obtain a knowledge of the world and to see foreign countries was equally great, and the modest fortune left him by his grandfather made the fulfilment of these desires possible. When, being of age, he returned to Austria and entered on his legal duties, it needed no particular insight to prophesy a rapid advancement in his career.

In fact after a brief term of office as judge-advocate in the Eastern provinces, he was transferred to Bohemia, and shortly afterwards married a beautiful, proud girl who had been much sought after, a daughter of

one of the most important Counts of the Empire. Nobody was surprised that the lucky man had also this good luck, but the marriage remained childless. This only served to unite the stately pair more closely to one another, and this wedded love and the judge's triumphs on the Bench and in the world of letters, sufficed to fully occupy his life. His treatises on criminal law were among the best of the kind, and the practical nature of his judgments obtained for him the reputation of one of the most thorough and sagacious judges of Austria. And so it was more owing to his services than to the influence attached to the name and associations of this remarkable man, that he succeeded in scaling by leaps and bounds that ladder of advancement on the lowest rung of which, his unfortunate father had remained in life-long torture. As early as in his fortieth year he had obtained the important and honourable position of Chief Justice of Bolosch.

The stormy times in which he lived served as a good test of his character and abilities. The fierce flames of 1848 had been extinguished and from the ruins rose the exhalation of countless political trials. Those were sad days, making the strongest demands on the independence of a Judge, and many an honest but weak man became the compliant servant of the authorities. The Chief Justice von Sendlingen, a member of the oldest nobility, bound to the Imperial House by ties of personal gratitude, related by marriage to the leaders of the reaction, was nevertheless not one of the weak

and cowardly judges; just as in that stormy year he had boldly confessed his loyalty to the Emperor, so now he showed that Justice was not to be abased to an instrument of political revenge. This boldness was indeed not without danger; his brother-in-law stormed, his wife was in tears; first warnings, then threats, rained in upon him, but he kept his course unmoved, acting as his sense of justice bade him. If those in authority did not actually interfere with him, he owed this entirely to his past services, which had made him almost indispensable. The methods of administering justice were constantly changed, juries were empanelled and then dismissed, the regulations of the Courts were repeatedly altered: everywhere there were cases in arrear, and confusion and uncertainty.

The Bolosch Circuit was one of the few exceptions. The Chief Justice remained unmolested by the ministry, and the citizens honoured him as the embodiment of Justice, and lawyers as the ornament of their profession.

Respected throughout the whole Empire, he was in his immediate circle the object of almost idolatrous love. And certainly the personal characteristics of this stately and serious man with his almost youthful beauty, were enough to justify this feeling. He was gentle but determined; dignified but affectionate: faithful in the extreme to duty, and yet no stickler for forms.

When his wife died suddenly in 1850, the sympathetic love and veneration of all were manifested in the

most touching manner. He felt the loss keenly, but only his best friend, Dr. George Berger, learnt how deep was the wound. This Dr. Berger was one of the most respected barristers of the town, and in spite of the difference of their political convictions—Berger was a Radical—he enjoyed an almost fraternal intimacy with Sendlingen. This faithful friend did what he could for the lonely Judge ; and his best helper in the work of sympathy was his sense of duty which forbade a weak surrender to sorrow. He gradually became quiet and composed again, and some premature grey hairs at the temples alone showed how exceedingly he had suffered.

In the midst of the regular work of his profession—it was in May, 1850—he was surprised by a laconic command from the Minister of Justice ordering him forthwith to surrender the conduct of his Court to the Judge next him in position, von Werner, and to be in Vienna within three days. This news caused general amazement ; the reactionary party was growing stronger, and it was thought that this sudden call might mean the commencement of an inquiry into the conduct of this true but independent Judge. He himself was prepared for the worst, but his friend Berger took a more hopeful view ; rudeness, he said, had become the fashion again in Vienna, and perhaps something good was in store for him.

This supposition proved correct ; the Minister wished the assistance of the learned specialist in drawing up

a new statute for the administration of Justice. The Commission of Inquiry, originally called for two months, continued its deliberations till the autumn. It was not till the beginning of November that Sendlingen started for home, having received as a mark of the Minister's gratitude the nomination as Chief Justice of the Higher Court at Pfalicz, a post which he was to enter upon in four months.

This was a brilliant and unexampled appointment for one of his years, but the thought of leaving the much-loved circle of his labours made him sorrowful. And this feeling was increased when the citizens testified by a public reception at the station, how greatly they were rejoiced at his return. His lonely dwelling too had been decorated by a friendly hand, as also the Courts of Justice. He found it difficult to announce his departure in answer to the speech of welcome delivered by his Deputy. And indeed his announcement was received with exclamations of regret and amazement, and it was only by degrees that his auditors sufficiently recovered themselves to congratulate their beloved chief.

Only one of them did so with a really happy heart, his Deputy, von Werner, an old, industrious if not very gifted official, who now likewise saw a certain hope of promotion. With a pleased smile, the little weazened man followed Sendlingen into his chambers in order to give him an account of the judicial proceedings of the last six months. Herr von Werner was a sworn enemy

of all oral reports, and had therefore not only prepared two beautifully drawn-up lists of the civil and criminal trials, but had written a memorial which he now read out by way of introduction.

Sendlingen listened patiently to this lengthy document. But when Werner was going to take up the lists with the same intention, the Chief Justice with a pleasant smile anticipated him.

"We will look through them together," he said, and began with the criminal list. It contained the name, age and calling of the accused, the date of their gaol-delivery, their crime, as well as the present position of the trial.

"There are more arrears than I expected," he said with some surprise.

"But the number of crimes has unfortunately greatly increased," objected Herr von Werner, zealously. "Especially the cases of child-murder."

"You are right." Sendlingen glanced through the columns specifying the crimes and then remained plunged in deep thought.

"The number is nearly double," he resumed. "And it is not only here, but in the whole Empire, that this horrible phenomenon is evident! The Minister of Justice complained of it to me with much concern."

"But what else could one expect?" cried old Werner. "This accursed Revolution has undermined all discipline, morals and religion! And then the leniency with which these inhuman women are treated—why it

is years since the death-sentence has been carried out in a case of child-murder."

"That will unfortunately soon be changed," answered Sendlingen in a troubled tone. "The Minister of Justice thinks as you do, and would like an immediate example to be made. It is unfortunate, I repeat, and not only because, from principle, I am an opponent of the theory of deterring by fear. Of all social evils this can least of all be cured by the hangman. And if it is so rank nowadays, I do not think the reason is to be found where you and His Excellency seek it, but in the sudden impoverishment, the uncertainty of circumstances and the brutality which, everywhere and always, follow upon a great war. The true physicians are the political economist, the priest and the schoolmaster! . . . Or have you ever perhaps known of a case among educated people?"

"Oh certainly!" answered Herr von Werner importantly. "I have, as it happens, to preside to-morrow,—that is to say unless you will take the case—at the conclusion of a trial against a criminal of that class; at least she must be well-educated as she was governess in the house of a Countess. See here—Case No. 19 on the list." He pointed with his finger to the place.

Then a dreadful thing happened. Hardly had Sendlingen glanced at the name which Werner indicated, than he uttered a hollow choking cry, a cry of deadly anguish. His face was livid, his features were distorted

by an expression of unutterable terror, his eyes started out of their sockets and stared in a sort of fascination at the list before him.

"Great Heavens!" cried Werner, himself much alarmed, as he seized his chief's hand. "What is the matter with you? Do you know this girl?"

Sendlingen made no reply. He closed his eyes, rested both arms on the table and tried to rise. But his limbs refused to support him, and he sank down in his chair like one in a faint.

"Water! Help!" cried Werner, making for the bell.

A movement of Sendlingen's stopped him. "It is nothing," he gasped with white lips and parched throat. "An attack of my heart disease. It has lately—become —much worse."

"Oh!" cried Werner with genuine sympathy. "I never even suspected this before. Everybody thought you were in the best of health. What do the doctors say?"

Again there was no answer. Breathing with difficulty, livid, his head sunk on his breast, his eyes closed, Sendlingen lay back in his chair. And when he raised his eyelids Werner met such a hopeless, despairing look, that the old gentleman involuntarily started back.

"May I," he began timidly, "call a doctor——"

"No!" Sendlingen's refusal was almost angry. Again he attempted to rise and this time he succeeded.

"Thank you," he said feebly. "I must have frightened you. I am better now and shall soon be quite well."

"But you are going home?"

"Why should I? I will rest in this comfortable chair for half an hour and then, my dear colleague, I shall be quite at your service again."

The old gentleman departed but not without hesitation: even he was really attached to Sendlingen. The other officials also received the news of this attack with genuine regret, especially as Werner several times repeated in his important manner:

"Any external cause is quite out of the question, gentlemen, quite out of the question. We were just quietly talking about judicial matters. Ah, heart disease is treacherous, gentlemen, very treacherous."

Hardly had the door closed, when Sendlingen sank down in his chair, drew the lists towards him and again stared at that particular spot with a look on his face as if his sentence of death was written there.

The entry read thus: "Victorine Lippert. Born 25th January 1834 at Radautz in the Bukowina. Governess. Child-murder. Transferred here from the District Court at Golotz on the 17th June 1852. Confessed. Trial to be concluded 8th November 1852."

The column headed "sentence" was still empty.

"Death!" he muttered. "Death!" he repeated,

loud and shrill, and a shudder ran through his every fibre.

He sank back and hid his face which had suddenly become wasted.

"O my God!" he groaned. "I dare not let her die—her blood would cry out against me, against me only."

And he drew the paper towards him again and stared at the entry, piteously and beseechingly, as though he expected a miracle from Heaven, as though the letters must change beneath the intensity of his gaze.

The mid-day bells of the neighbouring cathedral aroused him from his gloomy brooding. He rose, smoothed his disarranged hair, forced on his accustomed look of quiet, and betook himself to Werner's room.

"You see," he said. "I have kept my word and am all right again. Are there any pressing matters to be rid of?"

"Only one," answered Werner. "The Committee of Discipline has waited your return, as it did not wish to decide an important case without you."

"Good, summon the Committee for five o'clock today."

He now went the round of the other offices, answered the anxious inquiries with the assurance that he was quite well again, and then went down a long corridor to his own quarters which were in another wing of the large building.

His step was still elastic, his face pale but almost cheerful. Not until he had given his servant orders to admit nobody, not even his friend Berger, and until he had bolted his study-door, did he sink down and then give himself up, without restraint, to the fury of a wild, despairing agony.

CHAPTER II.

For an hour or more the unhappy man lay groaning, and writhing like a worm under the intensity of his wretchedness. Then he rose and with unsteady gait went to his secretaire, and began to rummage in the secret drawers of the old-fashioned piece of furniture.

"I no longer remember where it is," he muttered to himself. "It is long since I thought of the old story —but God has not forgotten it."

At length he discovered what he was looking for: a small packet of letters grown yellow with time. As he unloosed the string which tied them, a small water-colour portrait in a narrow silver frame fell out: it depicted the gentle, sweet features of a young, fair, grey-eyed girl. His eyes grew moist as he looked at it, and bitter tears suddenly coursed down his cheeks.

He then unfolded the papers and began to read: they were long letters, except the last but one which filled no more than two small sheets. This he read with the greatest attention of all, read and re-read it with ever-increasing emotion. "And I could resist such words!" he murmured. "Oh wretched man that I am."

Then he opened the last of the letters. "You evi-

dently did not yourself expect that I would take your gift," he read out in an undertone. And then: "I do not curse you; on the contrary, I ardently hope that you may at least not have given me up in vain."

He folded the letters and tied them up. Then he undid them again and buried himself once more in their melancholy contents.

A knock at the door interrupted him: his housekeeper announced that dinner was ready. This housekeeper was an honest, elderly spinster, Fräulein Brigitta, whom he usually treated with the greatest consideration. To-day he only answered her with a curt, impatient, "Presently!" and he vouchsafed no lengthier reply to her question how he was.

But then he remembered some one else. "I must not fall ill," he said. "I must keep up my strength. I shall need it all!" And after he had locked up the letters, he went to the dining-room.

He forced himself to take two or three spoonfuls of soup, and hastily emptied a glass of old Rhine-wine. His man-servant, Franz, likewise a faithful old soul, replenished it, but hesitatingly and with averted countenance.

"Where is Fräulein Brigitta?" asked Sendlingen.

"Crying!" growled the old man. "Hasn't got used to the new state of things! Nor have I! Nice conduct, my lord! We arrive in the morning ill, we say nothing to an old and faithful servant, we go straight into the Courts. There we fall down several times;

we send for no doctor, but writhe alone in pain like a wounded stag." The faithful old fellow's eyes were wet.

"I am quite well again, Franz," said Sendlingen re-assuringly.

"We were groaning!" said the old man in a tone of the bitterest reproach. "And since when have we declined to admit Herr Berger?"

"Has he been here?"

"Yes, on most important business, and would not believe that we ourselves had ordered him to be turned away. . . And now we are eating nothing," he continued vehemently, as Sendlingen pushed his plate from him and rose. "My Lord, what does this mean! We look as if we had seen a ghost!"

"No, only an old grumbler!" He intended this for an airy pleasantry but its success was poor. "Do not be too angry with me."

Then he returned to his chambers. "The old fellow is right," he thought. "It was a ghost, a very ancient ghost, and its name is Nemesis!" His eyes fell on the large calendar on the door: "7th November 1852" he read aloud. "A day like every other—and yet . . ."

Then he passed his hand over his brow as if trying to recall who he was, and rang the bell.

"Get me," he said to the clerk who entered, "the documents relating to the next three criminal trials."

He stepped to the window and awaited the clerk's

return with apparent calm. He had not long to wait; the clerk entered and laid two goodly bundles of papers on the table.

"I have to inform you, my lord," said the clerk standing at attention (he had been a soldier), "that only the papers relating to the trials of the 9th and 10th November are in the Court-house. Those for to-morrow's trial of Victorine Lippert for child-murder are still in the hands of Counsel for the accused, Dr. George Berger."

Sendlingen started. "Did the accused choose her Counsel?"

"No, my lord, she refused any defence because she is, so to speak, a poor despairing creature who would prefer to die. Herr von Werner therefore, ex-officio, allotted her Dr. Kraushoffer as Counsel, and, when he became ill, Dr. Berger. Dr. Kraushoffer was only taken ill the day before yesterday and therefore Dr. Berger has been allowed to keep the papers till to-morrow morning early. Does your Lordship desire that I should ask him for them?"

"No. That will do."

He went back to the niche by the window. "A poor creature who would prefer to die!" he said slowly and gloomily. Frightful images thronged into his mind, but the poor worn brain could no longer grasp any clear idea. He began to pace up and down his room rapidly, almost staggering as he went.

"Night! night!" he groaned: he felt as if he were

wandering aimlessly in pitchy darkness, while every pulsation of lost time might involve the sacrifice of a human life. Then his face brightened again, it seemed a good omen that Berger was defending the girl: he knew his friend to be the most conscientious barrister on the circuit. "And if I were to tell him fully what she is to me—" But he left the sentence unfinished and shook his head.

"I could not get the words out," he murmured looking round quite scared, "not even to him!"

"And why should I?" he then thought. "Berger will in any case, from his own love of justice, do all that is in his power."

But what result was to be expected? The old judges, unaccustomed to speeches, regarded the concluding proceedings rather as a formality, and decided on their verdict from the documents, whatever Counsel might say. It depended entirely on their opinion and what Werner thought of the crime he had explained a few hours ago! And even if before that he had been of another opinion, now that he knew the opinion of the Minister of Justice. . . . "Fool that I am," said Sendlingen between his teeth, "it was I who told him!" Again he looked half-maddened by his anguish and wandered about the room wringing his hands.

Suddenly he stopped. His face grew more livid, his brows contracted in a dark frown, his lips were tightly pressed together. A new idea had apparently occurred

to him, a dark uncanny inspiration, against which he was struggling but which returned again and again, and took possession of him. "That would be salvation," he muttered. "If to-morrow's sentence is only for a short term of imprisonment, the higher Court would never increase it to a sentence of death!"

He paced slowly to the window, his head bowed as if the weight of that thought lay upon his neck like a material burden, and stared out into the street. The early shades of the autumn evening were falling; on the other side of a window in a building opposite, a young woman entered with a lamp for her husband. She placed it on his work-table, and lightly touched his hair with her lips. Sendlingen saw it plainly, he could distinguish every piece of furniture in the room and also the features of the couple, and as he knew them, he involuntarily whispered their names. But his brain unceasingly continued to spin that dark web, and at times his thoughts escaped him in a low whisper.

"What is there to prevent me? Nobody knows my relationship to her and she herself has no suspicion. I am entitled to it, and it would arouse no suspicion. Certainly it would be difficult, it would be a horrible time, but how much depends on me!"

"Wretch!" he suddenly cried, in a hard, hoarse voice. "The world does not know your relationship, but you know it! What you intend is a crime, it is against justice and law!"

"Oh my God!" he groaned: "Help me! Enlight-

en my poor brain! Would it not be the lesser crime if I were to save her by dishonourable means, than if I were to stand by with folded arms and see her delivered to the hangman! Can this be against Thy will, Thou who art a God of love and mercy? Can my honour be more sacred than her life?"

He sank back and buried his face in his hands. "But it does not concern my honour alone," he said. "It would be a crime against Justice, against the most sacred thing on earth! O my God, have mercy upon me!"

While he lay there in the dark irresolute, his body a prey to fever, his soul torn by worse paroxysms, he heard first of all a gentle, then a louder knocking at the door. At length it was opened.

"My Lord!" said a loud voice: it was Herr von Werner.

"Here I am," quickly answered Sendlingen rising.

"In the dark?" asked old Werner with astonishment. "I thought perhaps you had forgotten the appointment—it is five o'clock and the members of the Committee of Discipline are waiting for us. Has your indisposition perhaps returned?"

"No! I was merely sitting in deep thought and forgot to light the candles. Come, I am quite ready."

"Will you allow me a question?" asked Werner, stepping forward as far as the light which streamed in from the corridor. "In fact it is a request. The clerk told me that you had been asking to see the

documents relating to to-morrow's trial. Would you perhaps like to preside at it?"

Sendlingen did not answer at once. "I am not posted up in the matter," he at length said with uncertain voice.

"The case is very simple and a glance at the deed of accusation would sufficiently inform you. In fact I took the liberty of asking this question in order to have the documents fetched at once from Herr Berger. I myself—hm, my daughter, the wife of the finance counsellor, is in fact expecting, as I just learn, to-morrow for the first time—hm,—a happy event. It is natural that I should none the less be at the disposal of the Court, but—hm,—trusting to your official good-nature——"

Sendlingen had supported himself firmly against the back of the chair. His pulses leapt and his voice trembled as he answered:

"I will take the case."

Then both the men started for the Court. When they came out into the full light of the corridor, Werner looked anxiously at his chief. "But indeed you are still very white!" he cried. "And your face has quite a strange expression. You appear to be seriously unwell, and I have just asked you——"

"It is nothing!" interrupted Sendlingen impatiently. "Whom does our present transaction relate to?"

"You will be sorry to hear of it," was the answer. "I know that you too had the best opinion of the

young man. It relates to Herbich, an assistant at the Board of Trade office: he has unfortunately been guilty of a gross misuse of his official position."

"Oh—in what way?"

"Money matters," answered Werner cursorily, and he beckoned to a messenger and sent him to Berger's.

They then entered the Court where the three eldest Judges were already waiting for them. The Chief Justice opened the sitting and called for a report of the case to be read.

It was different from what one would have expected from Werner's intimation: Herbich had not become a criminal through greed of gain. His mother, an old widow, had, on his advice, lent her slender fortune which was to have served as her only daughter's dowry, to a friend of his, a young merchant of excellent reputation. Without any one suspecting it, this honourable man had through necessity gradually become bankrupt, and when Herbich one morning entered his office at the Board of Trade, he found the manager of a factory there who, to his alarm, demanded a decree summoning a meeting of his friend's creditors. Instead of fulfilling this in accordance with the duties of his office, he hurried to the merchant and induced him by piteous prayers to return the loan on the spot. Not till then did he go back to the office and draw up the necessary document. By the inquiries of other creditors whose fractional share had been diminished

by this, the matter came to light. Herbich was suspended, though left at liberty. There was no permanent loss to the creditors, as the sister had in the meantime returned the whole of the amount to the administrator of the estate. The report recommended that the full severity of the law should take effect, and that the young man should not only be deprived of his position, but should forthwith be handed over to justice.

Sendlingen had listened to the lengthy report motionless. Only once had he risen, to arrange the lamp-shade so that his face remained in complete shadow. Then he asked whether the committee would examine the accused. It was in no way bound to do so, though entitled to, and therefore Herbich had been instructed to hold himself in waiting at the Court at the hour of the inquiry.

The conductor of the inquiry was opposed to any examination. Not so Baron Dernegg, one of the Judges, a comfortable looking man with a broad, kindly face. It seemed to him, he explained, that the examination was a necessity, as in this way alone could the motives of the act be brought fully to light. The Committee was equally divided on the subject: the casting vote therefore lay with Sendlingen. He hesitated a long while, but at length said with a choking voice: "It seems to me, too, that it would be humane and just to hear the unfortunate man."

Herbich entered. His white, grief-worn face flushed

crimson as he saw the Judges, and his gait was so unsteady that Baron Dernegg compassionately motioned him to sit down. The trembling wretch supported himself on the back of a chair as he began laboriously, and almost stutteringly, to reply to the Chief Justice's question as to what he had to say in his defence.

He told of his intimate friendship with the merchant and how it was entirely his own doing that the loan had been made. When he came to speak of his offence his voice failed him until at length he blurted out almost sobbing: "No words can express how I felt then! . . . My sister had recently been betrothed to an officer. The money was to have served as the guarantee required by the war-office; if it was lost the wedding could not take place and the life's happiness of the poor girl would have been destroyed. I did not think of the criminality of what I was doing. I only followed the voice of my heart which cried out: 'Your sister must not be made unhappy through your fault!' My friend's resistance first made me conscious of what I had begun to do! I sought to reassure him and myself by sophisms, pointing out how insignificant the sum was compared with his other debts, and that any other creditor would have taken advantage of making the discovery at the last moment. I seemed to have convinced him, but, as for myself, I went away with the consciousness of being a criminal."

He stopped, but as he continued his voice grew stronger and more composed.

"A criminal certainly! But my conscience tells me that of two crimes I chose the lesser. But to no purpose: the thing came out; my sister sacrificed her money and her happiness. I look upon my act now as I did then. Happy is the man who is spared a conflict between two duties, whose heart is not rent, whose honour destroyed, as mine has been; but if he were visited as I was, he would act as I acted if he were a man at all! And now I await your verdict, for what I have left to say, namely what I once was, you know as well as I do!"

A deep silence followed these words. It was for Sendlingen to break it either by another question or by dismissing the accused. He, however, was staring silently into space like one lost to his surroundings. At length he murmured: "You may go."

The discussion among the Judges then began and was hotly carried on, as two opposite views were sharply outlined. Baron Dernegg and the fourth Judge were in favour of simple dismissal without any further punishment, while the promoter, supported by Werner, was in favour of his original proposition. The matter had become generally known, he contended, and therefore the dignity of Justice demanded a conspicuous satisfaction for the outraged law.

The decision again rested with Sendlingen, but it seemed difficult for him to pronounce it. "It is desirable, gentlemen," he said, "that your verdict should be unanimous. Perhaps you will agree more easily

in an informal discussion. I raise the formal sitting for a few minutes."

But he himself took no part in their discussion, but stepped to the window. He pressed his burning forehead against the cool glass: his face again wore that expression of torturing uncertainty. But gradually his features grew composed and assumed a look of quiet resolve. When Werner approached and informed him that both parties still adhered obstinately to their own opinion, he stepped back to the table and said in a loud, calm voice:

"I cast my vote for the opinion of Baron Dernegg. The dignity of Justice does not, in my opinion, require to be vindicated only by excessive severity; dismissal from office and ruin for life are surely sufficient punishment for a fatal *error*."

Werner in spite of his boundless respect for superiors, could not suppress a movement of surprise.

Sendlingen noticed it. "An error!" he repeated emphatically. "Whoever can put himself in the place of this unfortunate man, whoever can comprehend the struggles of his soul, must see that, according to his own ideas, he had indeed to choose between two crimes. His error was to consider that the lesser crime which in reality was the greater. I have never been a blind partisan of the maxim: 'Fiat justitia et pereat mundus,'—but I certainly do consider it a sacred matter that every Judge should act according to law and duty, even if he should break his heart in doing so!

However, I repeat, it was an error, and therefore it seems to me that the milder of the two opinions enforces sufficient atonement."

Then he went up to Werner. "Forgive me," he said, "if I withdraw my promise in regard to to-morrow's trial. I am really not well enough to preside."

"Oh! please—hm!—well if it must be so."

"It must be so," said Sendlingen, kindly but resolutely. "Good evening, gentlemen."

CHAPTER III.

SENDLINGEN went to his own quarters; his old man-servant let him in and followed him with anxious looks into his study.

"You may go, Franz!" he said shortly and sharply. "I am not at home to anybody."

"And should Dr. Berger?"

"Berger?" He shook his head decidedly. Then he seemed to remember some one else. "I will see him," he said, drawing a deep breath.

The old man went out hesitatingly: Sendlingen was alone. But after a few minutes the voice of his friend was audible in the lobby, and Berger entered with a formidable bundle of documents under his arm.

"Well, how goes it now?" cried the portly man, still standing in the doorway. "Better, certainly, as you are going to preside to-morrow. Here are the papers."

He laid the bundle on the table and grasped Sendlingen's outstretched hand. "A mill-stone was rolled from my neck when the messenger came. In the first place, I knew you were better again, and secondly the chief object of my visit at noon to-day was attained without my own intervention."

"Did you come on that account?"

"Yes, Victor,—and not merely to greet you." The advocate's broad, open face grew very serious. "I wanted to draw your attention to to-morrow's trial, not only from motives of pity for the unfortunate girl, but also in the interests of Justice. Old Werner, who gets more and more impressed with the idea that he is combating the Revolution in every case of child-murder, is not the right Judge for this girl. 'There are cases,' once wrote an authority on criminal law, 'where a sentence of death accords with the letter of the law, but almost amounts to judicial murder.' I hope you will let this authority weigh with you,—though you yourself are he. Now then, if Werner is put in a position to-morrow to carry out the practice to which he has accustomed himself in the last few weeks, we shall have one of these frightful cases."

Sendlingen made no reply. His limbs seemed to grow rigid and the beating of his heart threatened to stop. "How—how does the case stand?" he at length blurted out hoarsely and with great effort.

"Your voice is hoarse," remarked Berger innocently. "You must have caught cold on the journey. Well, as to the case." He settled himself comfortably in his chair. "It is only one of the usual, sad stories, but it moved me profoundly after I had seen and spoken to the poor wretch. Victorine Lippert is herself an illegitimate child and has never found out who her father was; even after her mother's death no hint of it was

found among her possessions. As she was born in Radautz, a small town in the Bukowina, and as her mother was governess in the house of a Boyar, it is probable that she was seduced by one of these half-savages or perhaps even a victim to violence. I incline to the latter belief, because Hermine Lippert's subsequent mode of life and touching care for her child, are against the surmise that she was of thoughtless disposition. She settled in a small town in Styria and made a scanty living by music lessons. Forced by necessity, she hazarded the pious fraud of passing as a widow,—otherwise she and her child must have starved. After eight years a mere chance disclosed the deception and put an end to her life in the town. She was obliged to leave, but obtained a situation as companion to a kind-hearted lady in Buda-Pesth, and being now no longer able to keep her little daughter with her, she had her brought up at a school in Gratz. Mother and child saw one another only once a year, but kept up a most affectionate correspondence. Victorine was diligent in her studies, grave and accomplished beyond her years, and justified the hope that she would one day earn a livelihood by her abilities. This sad necessity came soon enough. She lost her mother when she was barely fifteen: the Hungarian lady paid her school fees for a short time, and then the orphan had to help herself. Her excellent testimonials procured her the post of governess in the family of the widowed Countess Riesner-Graskowitz at Graskowitz near Golotz. She

had the charge of two small nieces of the Countess and was patient in her duties, in spite of the hardness of a harsh and utterly avaricious woman. In June of last year, her only son, Count Henry, came home for a lengthy visit."

Sendlingen sighed deeply and raised his hand.

"You divine the rest?" asked Berger. "And indeed it is not difficult to do so! The young man had just concluded his initiation into the diplomatic service at our Embassy in Paris, and was to have gone on to Munich in September as attaché. Naturally he felt bored in the lonely castle, and just as naturally he sought to banish his boredom by trying to seduce the wondrously beautiful, girlish governess. He heaped upon her letters full of glowing protestations—I mean to read some specimens to-morrow, and amongst them a valid promise of marriage—and the girl of seventeen was easily fooled. She liked the handsome, well-dressed fellow, believed in his love as a divine revelation and trusted in his oaths. You will spare me details, I fancy; this sort of thing has often happened."

"Often happened!" repeated Sendlingen mechanically, passing his hand over his eyes and forehead.

"Well to be brief! When the noble Count Henry saw that the girl was going to become a mother before she herself had any suspicion of it, he determined to entirely avoid any unpleasantness with his formidable mother, and had himself sent to St. Petersburg. Meantime a good-natured servant girl had explained her

condition to the poor wretch and had faithfully comforted her in her boundless anguish of mind, and helped her to avoid discovery. Her piteous prayers to her lover remained unanswered. At length there came a letter—and this, too, I shall read to-morrow—in which the scoundrel forbade any further molestation and even threatened the law. And now picture the girl's despair when, almost at the same time, the countess discovered her secret,—whether by chance or by a letter of the brave count, is still uncertain. Certainly less from moral indignation than from fear of the expense, this noble lady was now guilty of the shocking brutality of having the poor creature driven out into the night by the men-servants of the house! It was a dark, cold, wet night in April: shaken with fever and weary to death, the poor wretch dragged herself towards the nearest village. She did not reach it; halfway, in a wood, some peasants from Graskowitz found her the next morning, unconscious. Beside her lay her dead, her murdered child."

Sendlingen groaned and buried his face in his hands.

"Her fate moves you?" asked Berger. "It is certainly piteous enough! The men brought her to the village and informed the police at Golotz. The preliminary examination took place the next day. It could only establish that the child had been strangled; it was impossible to take the depositions of the murderess: she was in the wildest delirium, and the prison-doctor expected her to die. But Fate," Berger rose and his

voice trembled—"Fate was not so merciful. She recovered, and was sent first to Golotz and then brought here. She admitted that in the solitude of that dreadful night, overcome by her pains, forsaken of God and man, she formed the resolve to kill herself and the child—when and how she did the deed she could not say. I am persuaded that this is no lie, and I believe her affirmation that it was only unconsciousness that prevented her suicide. Doesn't that appear probable to you too?"

Sendlingen did not answer. "Probable," he at length muttered, "highly probable!"

Berger nodded. "Thus much," he continued, "is recorded in the judicial documents, and as all this is certainly enough to arouse sympathy, I went to see her as soon as the defence was allotted to me. Since that I have learnt more. I have learnt that a true and noble nature has been wrecked by the baseness of man. She must have been not only fascinatingly beautiful, but a character of unusual depth and purity. One can still see it, just as fragments of china enable us to guess the former beauty of a work of art. For this vessel is broken in pieces, and her one prayer to me was: not to hinder the sentence of death! . . . But I cannot grant this prayer," he concluded. "She must not die, were it only for Justice's sake! And a load is taken off my heart to think that a human being is to preside at the trial to-morrow, and not a rhetoric machine!"

He had spoken with increasing warmth, and with a

conviction of spirit which this quiet, and indeed temperate man, seldom evinced.

His own emotion prevented him from noticing how peculiar was his friend's demeanour. Sendlingen sat there for a while motionless, his face still covered with his hands, and when he at length let them fall, he bowed his head so low that his forehead rested on the edge of the writing-table. In this position he at last blurted forth:

"I cannot preside to-morrow."

"Why not?" asked Berger in astonishment. "Are you really ill?" And as he gently raised his friend's head and looked into his worn face he cried out anxiously: "Why of course—you are in a fever."

Sendlingen shook his head. "I am quite well, George! But even if it cost me my life, I would not hand over this girl to the tender mercies of others, if only I dared. But I dare not!"

"You *dare* not!"

"The law forbids it!"

"The law? You are raving!"

"No! no!" cried the unhappy man springing up. "I would that I were either mad or dead, but such is not my good fortune! The law forbids it, for a father——"

"Victor!"

"Everything tallies, everything! The mother's name—the place—the year of birth—and her name is Victorine."

"Oh my God! She is your——"

"My daughter," cried the unfortunate wretch in piercing tones and then quite broke down.

Berger stood still for an instant as if paralysed by pity and amazement! Then he hurried to his friend, raised him and placed him in his arm-chair. "Keep calm!" he murmured. "Oh! it is frightful! . . . Take courage! . . . The poor child!" He was himself as if crushed by the weight of this terrible discovery.

Breathing heavily, Sendlingen lay there, his breast heaving convulsively; then he began to sob gently; far more piteously than words or tears, did these despairing, painfully subdued groans betray how exceedingly he suffered. Berger stood before him helplessly; he could think of no fitting words of comfort, and he knew that whatever he could say would be said in vain.

The door was suddenly opened loudly and noisily; old Franz had heard the bitter lamenting and could no longer rest in the lobby. "My Lord!" he screamed, darting to the sufferer. "My dear good master."

"Begone!" Sendlingen raised himself hastily. "Go, Franz—I beg!" he repeated, more gently.

But Franz did not budge. "We are in pain," he muttered, "and Fräulein Brigitta may not come in and I am sent away! What else is Franz in the world for?" He did not go until Berger by entreaties and gentle force pushed him out of the door.

Sendlingen nodded gratefully to his friend.

"Sit here," he said, pointing to a chair near his own. "Closer still—so! You must know all, if only for her sake! You shall have no shred of doubt as to whom you are defending to-morrow, and perhaps you may discover the expedient for which I have racked my brain in vain. And indeed I desire it on my own account. Since the moment I discovered it I feel as if I had lost everything. Everything—even myself! You are one of the most upright men I know; you shall judge me, George, and in the same way that you will defend this poor girl, with your noble heart and clear head. Perhaps you will decide that some other course is opened to me beside——"

He stopped and cast a timid glance at a small neat case that lay on his writing-table. Berger knew that it contained a revolver.

"Victor!" he cried angrily and almost revolted.

"Oh, if you knew what I suffer! But you are right, it would be contemptible. I dare not think of myself. I dare not slink out of the world. I have a duty to my child. I have neglected it long enough,—I must hold on now and pay my debt. Ah! how I felt only this morning, and now everything lies around me shivered to atoms. Forgive me, my poor brain can still form no clear thought! But—I will—I must. Listen, I will tell you, as if you were the Eternal Judge Himself, how everything came about."

CHAPTER IV.

After a pause he began: "I must first of all speak of myself and what I was like in those days. You have only known me for ten years: of my parents, of my childhood, you know scarcely anything. Mine was a frightful childhood, more full of venom and misery than a man can often have been condemned to endure. My parents' marriage—it was hell upon earth, George! In our profession we get to know many fearful things, but I have hardly since come across anything like it. How they came to be married, you know,—all the world knows. I am convinced that they never loved one another; her beauty pleased his senses, and his condescension may have flattered her. No matter! from the moment that they were indissolubly bound, they hated one another. It is difficult to decide with whom the fault began; perhaps it lay first of all at my father's door. Perhaps the common, low-born woman would have been grateful to him for having made her a Baroness and raised her to a higher rank in life, if only he had vouchsafed her a little patience and love. But he could not do that, he hated her as the cause of his misfortune, and she repaid him ten-fold in insult and abuse, and in holding him up, humbled

enough already, to the derision and gossip of the little town.

"Betwixt these two people I grew up. I should have soon got to know the terms they were on even if they had striven anxiously to conceal them, but that they did not do. Or rather: he attempted to do so, and that was quite sufficient reason for her to drag me designedly into their quarrels, for she knew that this was a weapon wherewith to wound him deeply. And when she saw that he idolized me as any poor wretch does the last hope and joy that fate has left him, she hated me. On that account and on that account alone, she knew that every scolding, every blow, she gave me, cut him to the quick. No wonder that I hated and feared her, as much as I loved and honoured my father.

"What he had done I already accurately knew by the time I was a boy of six: he had married out of his rank and a Sendlingen might not do that! For doing so his father had disowned him, for doing so he had to go through life in trouble and misery, in a paltry hole and corner where the people mocked at his misfortune. My mother was our curse!—Oh, how I hated her for this, how by every fresh ill-usage at her hands, my heart was more and more filled with bitter rancour.

"You shudder, George?" he said stopping in his story. "This glimpse into a child's soul makes you tremble? Well—it is the truth, and you shall hear everything that happened.

"If I did not become wicked, I have to thank my

father for it. I was diligent because it gave him pleasure. I was kind and attentive to people because he commanded it. He was often ill; what would have become of me if I had lost him then and grown up under my mother's scourge, I dare not think. I was spared this greatest evil: his protecting hand continued to be stretched out over me, and when we moved to Klagenfurth he began to live again. The intercourse with educated people revived him and he was once more full of hope and endeavour. My mother now began to be ill and a few months after our arrival she died. We neither of us rejoiced at her death, but what we felt as we stood by her open coffin was a sort of silent horror.

"And now came more happy days, but they did not last long. Mental torture had destroyed my father's vitality, and the rough mountain-climate had injured his lungs. The mild air of the plain seemed to restore him for a time, but then the treacherous disease broke out in all its virulence. He did not deceive himself about his condition, but he tried to confirm me in hope and succeeded in doing so. When, after a melancholy winter, in the first days of spring, his cough was easier and his cheeks took colour, I, like a thoughtless boy, shouted for joy,—he however knew that it was the bloom of death.

"And he acted accordingly. One May morning—I had just completed my fourteenth year—he came to my bed-side very early and told me to dress myself with all speed. 'We are going for an excursion,' he

said. There was a carriage at the door. We drove through the slumbering town and towards the Wörther-see. It was a lovely morning, and my father was so affectionate—it seemed to me the happiest hour I had ever had! When we got to Maria Wörth, the carriage turned off from the lake-side and we proceeded towards the Tauer Mountains through a rocky valley, until we stopped at the foot of a hill crowned with a ruin. Slowly we climbed up the weed-grown path; every step cost the poor invalid effort and pain, but when I tried to dissuade him he only shook his head. 'It must be so!' he said, with a peculiarly earnest look. At length we reached the top. Of the old building, little remained standing except the outer walls and an arched gateway. 'Look up yonder,' he said, solemnly. 'Do you recognize that coat of arms?' It consisted of two swords and a St. Andrew's cross with stars in the field."

"Your arms?" asked Berger.

Sendlingen nodded. "They were the ruins of Sendlingen Castle, once our chief possession on Austrian soil. My father told me this, and began to recount old stories, how our ancestor was a cousin of Kaiser Conrad and had been a potentate of the Empire, holding lands in Franconia and Suabia, and how his grandson, a friend of one of the Hapsburgs, had come to Carinthia and there won fresh glory for the old arms. It was a beautiful and affecting moment,—at our feet the wild, lonely landscape, dreamily beautiful in the

blue atmosphere of a spring day, no sound around us save the gentle murmur of the wind in the wild elder-trees, and with all this the tones of his earnest, enthusiastic voice. My father had never before spoken as he did then, and while he spoke, there rose before my eyes with palpable clearness the long line of honourable nobles who had all gloriously borne first the sword and then the ermine, and the more familiar their age and their names became, the higher beat my heart, the prouder were my thoughts and every thought was a vow to follow in their footsteps.

"My father may have guessed what was passing in my heart, he drew me tenderly to him, and as he told me of his own father, the first judge and nobleman of the land, tears started from his eyes. 'He was the last Sendlingen worthy of the name,' he concluded, 'the last!'

"'Father,' I sobbed, 'whatever I can and may do will be done, but you too will now have a better fate.'

"'I!' he broke in, 'I have lived miserably and shall die miserably! But I will not complain of my fate, if it serves as a warning to you. Listen to me, Victor, my life may be reckoned by weeks, perhaps by days, but if I know my cousins aright, they will not let you stand alone after my death. They will not forget that you are a Sendlingen, so long as you don't forget it yourself. And in order that you may continue mindful of it, I have brought you hither before I die! Unhappy children mature early; you have been in spite

of all my love, a very unhappy child, Victor, and you have long since known exactly why my life went to pieces. Swear to me to keep this in mind and that you will be strict and honourable in your conduct, as a Sendlingen is in duty bound to be.'

"'I swear it!' I exclaimed amid my tears.

"'One thing more!' he continued, 'I must tell you, although you are still a boy, but I have short time to stay and better now than not at all! It is with regard to women. You will resist my temptations, I am sure. But if you meet a woman who is noble and good but yet not of your own rank, and if your heart is drawn to her, imperiously, irresistibly, so that it seems as if it would burst and break within your breast unless you win her, then fly from her, for no blessing can come of it but only curses for you both. Curses and remorse, Victor—believe your father who knows the world as it is. . . . Swear to me that you will never marry out of your rank!"

"'I swear it!' I repeated.

"'Well and good,' he said solemnly. 'Now I have fulfilled my duty and am ready . . . let us go, Victor.'

"He was going to rise, but he had taxed his wasted lungs beyond their strength: he sank back and a stream of blood gushed from his lips. It was a frightful moment. There I stood, paralysed with fear, helpless, senseless, beside the bleeding man—and when I called for help, there was not a soul to hear me in that

deep solitude. I had to look on while the blood gushed forth until my father utterly broke down. I thought he was dead but he had only fainted. A shepherd heard the cry with which I threw myself down beside him, he fetched the driver, they got us into the carriage and then to Klagenfurth. Two days later my poor father died."

He stopped and closed his eyes, then drew a deep breath and continued:

"You know what became of me afterwards. My dying father was not deceived in his confidence: the innocent boy, the last of the Sendlingens, was suddenly overwhelmed with favours and kindness. It was strange how this affected me, neither moving me, nor exalting, nor humbling me. Whatever kindness was done me, I received as my just due; it was not done to me, but to my race in requital for their services, and I had to make a return by showing myself worthy of that race. All my actions were rooted in this pride of family: seldom surely has a descendant of princes been more mightily possessed of it. If I strove with almost superhuman effort to fulfil all the hopes that were set on me at school, if I pitilessly suppressed every evil or low stirring of the heart, I owe it to this pride in my family: the Sendlingen had always been strong in knowledge, strict to themselves, just and good to others,—*must* I not be the same? And if duty at times seemed too hard, my father's bitter fate rose before me like a terrifying spectre, and his white face of suffering

was there as a pathetic admonition—both spurring me onward. But the same instinct too preserved me from all exultation now that praise and honour were flowing in upon me; it might be a merit for ordinary men to distinguish themselves, with a Sendlingen it was a duty!

"And so I continued all those years, first at school, then at the University, moderate, but a good companion, serious but not averse to innocent pleasures. I had a liking for the arts, I was foremost in the ball-room and in the Students' Réunions,—in one thing only I kept out of the run of pleasure: I had never had a love-affair. My father's warning terrified me, and so did that old saying: 'A Sendlingen can never be a scoundrel!' And however much travelling changed my views in the next few years, in this one thing I continued true to myself. Certainly this cost me no great struggle. Many a girl whom I had met in the society I frequented appeared lovable enough, but I had not fallen in love with any, much less with a girl not of my own rank, of whom I hardly knew even one.

"So I passed in this respect as an exemplary young man, too exemplary, some thought, and perhaps not without reason. But whoever had taken me at the time I entered upon my legal career, for an unfeeling calculator with a list of the competitors to be outstripped at all costs, in the place where other people carry a palpitating heart, would have done me a great injustice. I was ambitious, I strove for special pro-

motion, not by shifts and wiles, but by special merit. And as to my heart,—oh! George, how soon I was to know what heart-ache was, and bliss and intoxication, and love and damnation!"

He rose, opened his writing-table, and felt for the secret drawer. But he did not open it; he shook his head and withdrew his hand. "It would be of no use," he murmured, and remained for awhile silently brooding.

"That was in the beginning of your career?" said Berger, to recall him.

"Yes," he answered. "It was more than twenty years ago, in the winter of 1832. I had just finished my year of probation at Lemburg under the eyes of the nearest and most affectionate of my relations, Count Warnberg, who was second in position among the judges there. He was an uncle, husband of my father's only sister. He had evinced the most cruel hardness to his brother-in-law, to me he became a second father. At his suggestion and in accordance with my own wish, I was promoted to be criminal Judge in the district of Suczawa. The post was considered one of the worst in the circuit, both my uncle and I thought it the best thing for me, because it was possible here within a very short time, to give conclusive proof of my ability. Such opportunities, however, were more abundant than the most zealous could desire: in those days there prevailed in the southern border-lands of the Bukowina, such a state of things

as now exists only in the Balkan Provinces or in Albania. It was perhaps the most wretched post in the whole Empire, and in all other respects exceptionally difficult. The ancient town, once the capital of the Moldavian Princes, was at that time a mere confusion of crumbling ruins and poverty-stricken mud-cabins crowded with dirty, half-brutalized Roumanians, Jews and Armenians. Moreover my only colleague in the place was the civil judge, a ruined man, whom I had never seen sober. My only alternative therefore was either to live like an anchorite, or to go about among the aristocracy of the neighborhood.

"When I got to know these noble Boyars, the most educated of them ten times more ignorant, the most refined ten times more coarse, the most civilized ten times more unbridled than the most ignorant, the coarsest and the most unbridled squireen of the West, I had no difficulty in choosing: I buried myself in my books and papers. But man is a gregarious animal—and I was so young and spoiled, and so much in need of distraction from the comfortless impressions of the day, that I grew weary after a few weeks and began to accept invitations. The entertainments were always the same: first there was inordinate eating, then inordinate drinking, and then they played hazard till all hours. As I remained sober and never touched a card, I was soon voted a wearisome, insupportable bore. Even the ladies were of this opinion, for I neither made pretty speeches, nor would I understand

the looks with which they sometimes favoured me. That I none the less received daily invitations was not to be wondered at; a real live Baron of the Empire was, whatever he might be, a rare ornament for their 'salons,' and to many of these worthy noblemen it seemed desirable in any case to be on a good footing with the Criminal Judge.

"One of them had particular reason for this, Alexander von Mirescul, a Roumanianised Greek; his property lay close to the Moldavian frontier and passed for the head-quarters of the trade in tobacco smuggling. He was not to be found out, and when I saw him for the first time, I realized that that would be a difficult business; the little man with his yellow, unctuous face seemed as if he consisted not of flesh and bone, but of condensed oil. It was in his voice and manner. He was manifestly much better educated and better mannered than the rest, as he was also much more cunning and contemptible. I did not get rid of this first impression for a long while, but at length he managed to get me into his house; I gradually became more favourable to him as he was, in one respect at least, an agreeable exception; he was a tolerably educated man, his daughters were being brought up by a German governess and he had a library of German books which he really read. I had such a longing for the atmosphere of an educated household that one evening I went to see him.

"This evening influenced years of my life, or rather,

as I have learnt to-day, my whole life. I am no liar, George, and no fanciful dreamer, it is the literal truth: I loved this girl from the first instant that I beheld her."

Berger looked up in astonishment.

"From the first instant," Sendlingen repeated, and he struggled with all speed through his next words.

"I entered, Mirescul welcomed me: my eye swept over black and grey heads, over well-known, sharp-featured, olive-faces. Only one was unknown to me: the face of an exquisitely beautiful girl encircled by heavy, silver-blond, plaited hair. Her slender, supple figure was turned away from me, I could only see her profile; it was not quite regular, the forehead was too high, the chin too peculiarly prominent; I saw all that, and yet I seemed as if I had never seen a girl more beautiful and my heart began to beat passionately. I had to tear my looks away, and talk to the lady of the house, but then I stared again, as if possessed, at the beautiful, white unknown who stood shyly in a corner gazing out into the night. 'Our governess, Fräulein Lippert,' said Frau von Mirescul, quietly smiling as she followed the direction of my looks.

"'I know,' I answered nervously, almost impatiently; I had guessed that at once. Frau von Mirescul looked at me with astonishment, but I had risen and hurried over to the lonely girl: one of the most insolent of the company, the little bald Popowicz, had approached her. I was afraid that he might wound her by some insult-

ing speech. How should this poor, pale, timorous child defend herself alone against such a man? He had leant over her and was whispering something with his insolent smile, but the next instant he started back as if hurled against the wall by an invisible hand, and yet it was only a look of those gentle, veiled, grey eyes, now fixed in such a cold, hard stare that I trembled as they rested on me. But they remained fixed upon me and suddenly became again so pathetically anxious and helpless.

"At length I was beside her: I no longer required to defend her from the elderly scamp, he had disappeared. I could only offer her my hand and ask: 'Did that brute insult you?' But she took my hand and held it tight as if she must otherwise have fallen, her eyelids closed in an effort to keep back her tears. 'Thank you,' she stammered. 'You are a German, are you not Baron Sendlingen? I guessed as much when you came in! Oh if you knew!'

"But I do know all, I know what she suffers in this 'salon,' and now we begin to talk of our life among these people and our conversation flows on as if it had been interrupted yesterday. We hardly need words: I understand every sigh that comes from those small lips at other times so tightly closed, she, every glance that I cast upon the assembly. But my glances are only fugitive for I prefer looking straight into that beautiful face so sweetly and gently attractive, although the mouth and chin speak of such firm determination.

She often changes colour, but it is more wonderful that I am at times suddenly crippled by the same embarrassment, while at the next moment I feel as if my heart has at length reached home after years and years, —perhaps a life-time's sojourn in a chill strange land.

An hour or more passed thus. We did not notice it; we did not suspect how much our demeanour surprised the others until Mirescul approached and asked me to take his wife in to supper. We went in; Hermine was not there. 'Fräulein Hermine usually retires even earlier,' remarked Frau von Mirescul with the same smile as before. I understood her, and with difficulty suppressed a bitter reply: naturally this girl of inferior rank, whose father had only been a schoolmaster, was unworthy of the society of cattle-merchants, horse-dealers and slave-drivers whose fathers had been ennobled by Kaiser Franz!

"After supper I took my leave. Mirescul hoped to see me soon again and I eagerly promised: 'As soon as possible.' And while I drove home through the snow-lit winter's night, I kept repeating these words, for how was I henceforth to live without seeing her?"

"After the first evening?" said Berger, shaking his head. "That was like a disease!"

"It was like a fatality!" cried Sendlingen. "And how is it to be explained? I do not know! I wanted at first to show you her likeness, but I have not done so, for however beautiful she may have been, her beauty does not unsolve the riddle. I had met girls

equally beautiful, equally full of character before, without taking fire. Was it because I met her in surroundings which threw into sharpest relief all that was most charming in her, because I was lonelier than I had ever been before, because I at once knew that she shared my feelings? Then besides, I had not as a young fellow lived at high pressure. I had not squandered my heart's power of loving; the later the passion of love entered my life, the stronger, the deeper would be its hold upon me.

"Reasons like these may perhaps satisfy you; me they do not. He who has himself not experienced a miracle, but learns of it on the report of another, will gladly enough accept a natural explanation; but to him whose senses it has blinded, whose heart it has convulsed, to him it remains a miracle, because it is the only possible conception of the strange, overmastering feelings of such a moment. When I think of those days and how she and I felt—no words can tell, no subtlest speculation explain it. Look at it as you may, I will content myself by simply narrating the facts.

"And it is a fact that from that evening I was completely metamorphosed. For two days I forced myself to do my regular duties, on the third I went to Oronesti, to Mirescul's. The fellow was too cunning to betray his astonishment, he brimmed over with pleasure and suggested a drive in sleighs, and as the big sleigh was broken we had to go in couples in small

ones, I with Hermine. This arrangement was evident enough, but how could I show surprise at what made me so blessed? Even Hermine was only startled for a moment and then, like me, gave herself up unreservedly to her feelings.

"And so it was in all our intercourse in the next two weeks. We talked a great deal and between whiles there were long silences; perhaps these blissful moments of speechlessness were precisely the most beautiful. During those days I scarcely touched her hand: we did not kiss one another, we did not speak of our hearts: the simple consciousness of our love was enough. It was not the presence of others that kept us within these bounds; we were much alone; Mirescul took care of that."

"And did that never occur to you?" asked Berger.

"Yes, at times, but in a way that may be highly significant of the spell under which my soul and senses laboured at the time. A man in a mesmeric trance distinctly feels the prick of a needle in his arm; he knows that he is being hurt; but he has lost his sense of pain. In some such way I looked upon Mirescul's friendliness as an insult and a danger, but my whole being was so filled with fantastic, feverish bliss that no sensation of pain could have penetrated my consciousness."

"And did you never think what would come of this?"

"No, I could swear to it, never! I speculated as little about my love, as the first man about his life: he

was on the earth to breathe and to be happy; of death he knew nothing. And she was just the same; I know it from her letters later, at that time we did not write. And so we lived on, in a dream, in exaltation, without a thought of the morrow."

"It must have been a cruel awakening," said Berger.

"Frightful, it was frightful!" He spoke with difficulty, and his looks were veiled. "Immediately, in the twinkling of an eye, happiness was succeeded by misery, the most intoxicating happiness by the most lamentable, hideous misery. . . . One stormy night in March I had had to stay at Mirescul's because my horses were taken ill, very likely through the food which Mirescul had given them. . . . I was given a room next to Hermine's.

"On the next day but one—I was in my office at the time—the customs superintendent of the neighbouring border district entered the room. He was a sturdy, honourable greybeard, who had once been a Captain in the army. 'We have caught the rascal at last,' he announced. 'He has suddenly forgotten his usual caution. We took him to-night in the act of unloading 100 bales of tobacco at his warehouses. Here he is!'

"Mirescul entered, ushered in by two of the frontier guards.

"'My dear friend!' he cried. 'I have come to complain of an unheard-of act of violence!'

"I stared at him, speechless; had he not the right to

call me his friend,—how often had I not called him friend in the last few weeks.

"'Send these men away.' I was dumb. The superintendent looked at me in amazement. I nodded silently, he shrugged his shoulders and left the room with his officials. 'The long and the short of it is,' said Mirescul, 'that my arrest was a misunderstanding: the officials can be let off with a caution!'

"'The matter must first be inquired into,' I answered at length.

"'Among friends one's word is enough.'

"'Duty comes before friendship.'

"'Then you take a different view of it from what I do,' he answered coming still closer to me. 'It would have been my duty to protect the honour of a respectable girl living in my house as a member of the family. It would now be my duty to drive your mistress in disgrace and dishonour from my doors. I sacrifice this duty to my friendship!'

"Ah, how the words cut me! I can feel it yet, but I cannot yet describe it. He went, and I was alone with my wild remorse and helpless misery."

Sendlingen rose and walked up and down excitedly. Then he stood still in front of his friend.

"That was the heaviest hour of my life, George—excepting the present. A man may perhaps feel as helpless who is suddenly struck blind. The worst torture of all was doubt in my beloved; the hideous suspicion that she might have been a conscious tool in the

hands of this villain. And even when I stifled this thought, what abominations there were besides! I should act disgracefully if for her sake I neglected my duty, disgracefully if I heartlessly abandoned her to the vengeance of this man! She had a claim upon me —could I make her my wife? My oath to my dying father bound me, and still more, even though I did not like to admit it, my ambition, my whole existence as it had been until I knew her. My father's fate—my future ruined—may a man fight against himself in this way? Still—'A Sendlingen can never be a scoundrel' —and how altogether differently this saying affected me compared to my father! He had only an offence to expiate, I had a sacred duty to fulfil: he perhaps had only to reproach himself with thoughtlessness— but I with dishonour.

"And did I really love her? It is incomprehensible to me now how I could ever have questioned it, how I could ever have had those hideous doubts: perhaps my nature was unconsciously revenging herself for the strange, overpowering compulsion laid on her in the last few weeks, perhaps since everything, even the ugliest things, had appeared beautiful and harmonious in my dream, perhaps it was natural, now that my heart had been so rudely shaken, that even the most beautiful things should appear ugly. Perhaps—for who knows himself and his own heart?

"Enough! this is how I felt on that day and on the night of that day. Oh! how I writhed and suffered!

But when at last the faint red light of early morning peeped in at my window, I was resolved. I would do my duty as a judge and a man of honour: I would have Mirescul imprisoned, I would make Hermine my wife. I no longer had doubts about her or my love, but even if it had not been so, my conscience compelled me to act thus and not otherwise, without regard to the hopes of my life.

"I went to my chambers almost before it was day, had the clerk roused from bed and dictated the record of the superintendent's information and a citation to the latter. Then I wrote a few lines to Hermine, begging her to leave Mirescul's house at once and to come to me. 'Trust in God and me,' I concluded. This letter I sent with my carriage to Oronesti; two hours later I myself intended to set out to the place with gendarmes to search the house and arrest Mirescul. But a few minutes after my coachman had left the court, the Jewish waiter from the hotel of the little town brought me a letter from my dear one. 'I have been here since midnight and am expecting you.' The lady looked very unwell, added the messenger compassionately, and was no doubt ill.

"I hastened to her. When she came towards me in the little room with tottering steps, my heart stood still from pity and fear; shame, remorse and despair—what ravages in her fresh beauty had they not caused in this short space? I opened my arms and with a cry she sank on my breast. 'God is merciful,' she

sobbed. 'You do not despise me because I have loved you more than myself: so I will not complain.'

"Then she told me how Mirescul—she had kept her room for the two last days for it seemed to her as if she could never look anyone in the face again—had compelled her to grant him an interview yesterday evening. He requested her to write begging me to take no steps against him, otherwise he would expose and ruin us both. 'Oh, how hateful it was!' she cried out, with a shudder. 'It seemed to me as if I should never survive the ignominy of that hour. But I composed myself; whatever was to become of me, you should not break your oath as Judge. I told him that I would not write the letter, that I would leave his house at once, and when he showed signs of detaining me by force, I threatened to kill myself that night. Then he let me go,—and now do you decide my fate: is it to be life or death!'

"'You shall live, my wife,' I swore, 'you shall live for me.'

"'I believe you,' said she, 'but it is difficult. Oh! can perfect happiness ever come from what has been so hideously disfigured!'

"I comforted her as well as I could, for my heart gave utterance to the same piteous question.

"Then we took counsel about the future; she could not remain in Suczawa: we could see what vulgar gossip there would be even without this. So we resolved that she should go to the nearest large town, to Czer-

nowitz, and wait there till our speedy marriage. With that we parted: it was to have been a separation for weeks and it proved to be for a lifetime: I never saw the unhappy girl again.

"How did it come about that I broke my oath? There is no justification for it, at best but an explanation. I do not want to defend myself before you any more than I have done: I am only confessing to you as I would to a priest if I were a believer in the Church.

"A stroke of fate struck me in that hour of my growth, I might have overcome it but now came its pricks and stabs. When I left Hermine to return to my chambers, I met the customs superintendent. I greeted him. 'Have you received my citation?' I asked. He looked at me contemptuously and passed on without answering. 'What does this mean?' cried I angrily, catching hold of his arm.

"'It means,' he replied, shaking himself loose, 'that in future I shall only speak to you, even on official matters, when my duty obliges me. That, for a time, is no longer necessary. You released Mirescul yesterday, you did not record my depositions. Both were contrary to your duty: I have advised my superiors in the matter and await their commands.'

"He passed on; I remained rooted to the spot a long while like one struck down; the honourable man was quite right!

"But I roused myself; now at least I would neglect my duty no longer. Scarcely, however, had I got back

to my chambers, when my colleague, the Civil-Judge entered; he was as usual not quite sober, but it was early in the day and he had sufficient control of his tongue to insult me roundly. 'So you are really going to Oronesti,' he began. 'I should advise you not, the manœuvre is too patent. After twenty-four hours nothing will be found, as we set about searching the house just to show our good intentions—eh?'

"'I don't require to be taught by you,' I cried flaring up.

"'Oh, but, perhaps you do, though!' he replied. 'I might for instance teach you something about the danger of little German blondes. But—as you like—I wish you every success!'

"Smarting under these sensations, I drove to Oronesti. Mirescul met me in the most brazen-faced way; he protested against such inroads undertaken from motives of personal revenge. And he added this further protest to his formal deposition; he would submit to examination at the hands of any Judge but me who had yesterday testified that the accusation was a mistake and promised to punish the customs officials, and to-day suddenly appeared on the scene with gendarmes. Between yesterday and to-day nothing had happened except that he had turned my mistress out of his house, and surely this act of domestic propriety could not establish his guilt as a smuggler. You know, George, that I was obliged to take down his protest—but with what sensations!

The search brought to light nothing suspicious; the servants, carters, and peasants whom I examined had all been evidently well-drilled beforehand. I had to have Mirescul arrested: were there not the bales of tobacco which the superintendent had seized? Not having the ordinary means of transit at night, he had had them temporarily stored in one of the parish buildings at Oronesti under the care of two officials. I now had them brought at once to the town.

"When I got back to my chambers in the evening and thought over the events of this accursed day, and read over the depositions in which my honour and my bride's honour were dragged in the mire, I had not a single consolation left except perhaps this solitary one, that my neglect would not hinder the course of justice, for the smuggled wares would clearly prove the wretch's guilt.

"But even this comfort was to be denied me. The next morning Mirescul's solicitor called on me and demanded an immediate examination of the bales: his client, he said, maintained that they did not contain smuggled tobacco from Moldavia, but leaf tobacco of the country grown by himself aad other planters, and which he was about to prepare for the state factories. The request was quite legitimate; I at once summoned the customs superintendent as being an expert; the old man appeared, gruffly made over the documents to my keeping and accompanied us to the cellars of the Court house where the confiscated

goods had been stored. When his eye fell on them he started back indignantly, pale with anger: 'Scandalous!' he cried, 'unheard of! These bales are much smaller—they have been changed!'

"'How is it possible?'

"'You know that better than I do,' he answered grimly.

"The bales were opened; they really contained tobacco in the leaf. My brain whirled. After I had with difficulty composed myself, I examined the two officials who had watched the goods at Oronesti; the exchange could only have been effected there; the men protested their innocence; they had done their duty to the best of their ability; certainly this was the third night which they had kept watch although the Superintendent, before hurrying to the town, had promised to release them within a few hours. This too I had to take down; the proof namely that my hesitation in doing my duty had not been without harm. And now my conscience forbade me to arrest Mirescul, although by not doing so, I only made my case worse.

"So things stood when two days later an official from Czernowitz circuit arrived in Suczawa to inquire into the case. You know him George; he was a relation of yours, Matthias Berger, an honest, conscientious man. 'Grave accusations have been made against you,' he explained, 'by Mirescul's solicitor, by the Civil Judge and by the Customs Superintendent. But

they contradict each other: I still firmly believe in your innocence: tell me the whole truth.'

"But that I could not do: I could not be the means of dragging my bride's name into legal documents, even if I were otherwise to be utterly ruined. So in answer to the questions why I had delayed twenty-four hours, I could only answer that an overwhelming private matter had deprived me of the physical strength to attend to my duties. With regard to Hermine, I refused to answer any questions. Berger shook his head sadly; he was sorry for me, but he could not help me. He must suspend me from my functions while the inquiry lasted and appoint a substitute from Czernowitz: moreover he exacted an oath from me not to leave the place without permission of the Court. Mirescul was let out on bail.

"A fortnight went by. It clings to my memory like an eternity of grief and misery. I have told you what I strove for and hoped for, you will be able to judge how I suffered. Four weeks before I was one of the most rising officers of the State: now I was a prisoner on parole, oppressed by the scorn and spite of men, held up to the ignominy of all eyes. I dared hope nothing from my relations, least of all from my uncle, Count Warnberg: I knew that he would not save me so that I might marry a governess about whom—Mirescul and his friends took care of that—there were the ugliest reports in circulation. And you will consider it human, conceivable, that every letter of Hermine's was a stab in my heart.

"She wrote daily. When she spoke of her feelings during our brief span of joy, it seemed to me as if she depicted my own innermost experiences. This at least gave me the consolation of knowing that I was not tied to an unworthy woman: but the bonds were none the less galling and cut into the heart of my life. Only rarely, very gently, and therefore with a two-fold pathos, did she complain of her fate; but her grief on my account was wild and passionate; she had heard of my plight but not through me. I sought to comfort her as well as I might; but ah me! there was no word of release or deliverance: how could I have broached it, how have claimed it from her?

"One day there came her usual letter; it was written with a visibly trembling hand. My uncle had been to see her; he was hurrying from Lemberg in great anxiety to see me, and had stopped at Czernowitz to treat with her of the price for which she would release me. In every line there was the deepest pathos; she had shown him the door.

"'He will implore you to leave me,' she concluded; 'act as your conscience bids you. And I will tell you something that I refused to tell Count Warnberg; he asked me whether I had another, a more sacred claim upon you. I don't know, Victor, but as I understand our bond in which I live and suffer, that does not affect it; if you will not make me your wife for my own sake, neither could regard for the mother of your child be binding on you!'

"Two hours after I received this letter, my uncle arrived. I was terrified at the sight of him, his face was so dark, and hard, and strange. My father had once said to me shortly before his death: 'Take care never to turn that iron hand against you; it would crush you as it has crushed me.' I had never before understood these words, indeed I had completely forgotten them, but now they came back to me and I understood them before my uncle opened his mouth.

"'Tell your story,' he began, and his voice sounded to me as if I had never heard it before. 'Tell the whole truth. This at least I expect of you. You surely don't wish to sink lower than—than another member of your family. A Sendlingen has at all events never lied! Now tell your story.'

"I obeyed: he was told what you have just been told, though no doubt it sounded different; confused, passionate and scarcely intelligible. But he understood it; he had no single question to ask after I had finished.

"'The same story as before,' he said, 'but uglier, much uglier. The father only sullied his coat of arms, the son his judge's honour as well.'

"I fired up. I tried to defend myself, he would not allow it. 'Tirades serve no good purpose,' he said, coldly. "You wish to convince me that you were not in criminal collusion with Mirescul? I have never thought so. That he is really guilty and can be convicted in spite of your neglect of duty? I have been

through the papers and have just cross-examined the customs superintendent. The police are already on the way to re-arrest him; he will be put in prison. But your fault will be none the less in consequence; if there is no lasting stigma on the administration of justice, there is upon your honour. Your conduct in this man's house, your hesitation,—it would be bad for you if you had to suffer what you have merited! According to justice and the laws, your fate is sealed; it is only a question whether you will prove yourself worthy of pardon and pity!'

"'In anything that you may ask,' I answered, 'except only in one thing: Hermine is to be my wife. A Sendlingen can never be a scoundrel.'

"He drew himself up to his full height and stepped close up to me. 'Now listen to me, Victor, I will be brief and explicit. Whether you stain your honour by marrying this girl, or whether you do so by not marrying her, the all-just God above us knows. We, His creatures, can only judge according to our knowledge and conscience, and in my judgment, the girl is unworthy of you. In this matter there is your conviction against my conviction. But what I do know better than you is, that this marriage would load you with ignominy before the whole world! You will perhaps answer: better the contempt of others than self-contempt, but that is not the question. If you marry this girl, I am as sure as I am of my existence, that you will soon be ashamed of it, not only before others but

in your own heart. For pure happiness could not come of such a beginning—it is impossible. The gossip of the world, the ruin of your hopes, would poison your mind and hers,—you would be wretched yourself and make her wretched, and would at length become bad and miserable. The man who forgets his duty to himself and to the world for a matter of weeks and then recovers himself, is worthy of commiseration and help ; but he who is guilty of a moral suicide deserves no pity. And therefore listen to me and choose. If you marry this girl your subsequent fate is indifferent to me ; you will very likely be stripped of your office ; or in the most favourable event, transferred, by way of punishment, to some out of the way place where your father's fate may be repeated in you. If you give her up you may still be saved, for yourself, for our family and for the State : then I will do for you, what my conscience would allow me to do for any subordinate of whose sincere repentance I was convinced, and I will intercede for the Emperor's pardon as if you were my own son. To-morrow I return to Lemberg, whether alone or with you—you must decide by to-morrow.' He went."

Sendlingen paused. "How I struggled with myself," he began again, but his voice failed him, until at length he gasped forth with hollow voice and trembling lips : "Oh ! what a night it was ! The next morning I wrote a farewell letter to Hermine, and started with Count Warnberg to Lemberg."

Then there followed a long silence. At length Berger asked: "You did not know that she bore your child in her bosom?"

"No, I know it to-day for the first time. In that last letter of mine I had offered her a maintenance: she declined it at once. Then I left that part of the country. A few months later I inquired after her; I could only learn that she had disappeared without leaving a trace. And then I forgot her, I considered that all was blotted out and washed away like writing from a slate, and rarely, very rarely, in the dusk, or in a sleepless night, did the strange reminiscence recur to me. But Fate keeps a good reckoning—O George! I would I were dead!"

"No, no!" said Berger with gentle reproof. He was deeply moved, his eyes glistened with tears, but he constrained himself to be composed. "Thank God, you are alive and willing, and I trust able to pay your debt. How great this debt may be—or how slight—I will not determine. Only one thing I do know: you are, in spite of all, worthy of the love and esteem of men, even of the best men, of better men than I am. When I think of it all; your life up to that event and what it has been since, what you have made of your life for yourself and others, then indeed it overcomes me and I feel as if I had never known a fate among the children of men more worthy of the purest pity. This is no mere sad fate, it is a tragic one. Against the burden of such a fate, no parade of sophistry,

no petty concealments or prevarications will be of avail. You say it is against your feelings to preside at to-morrow's trial?"

"Yes," replied Sendlingen. "It seems to me both cowardly and dishonourable; cowardly, to sacrifice the law instead of myself, dishonourable to break my Judge's oath! But I shrink from doing so for another reason; an offence should not be expiated by an injustice; I dread the all-just Fates."

"I cannot gainsay you," said Berger rising. "But in this one thing we are agreed. Let us wait for the verdict, and then we will consider what your duty is. It is long past midnight, the trial will begin in seven hours. I will try and get some sleep. I shall need all my strength to-morrow. Follow my example, Victor, perhaps sleep may be merciful to you."

He seized his friend's hands and held them affectionately in his; his feelings again threatened to overcome him and he hastily left the room with a choking farewell on his lips.

Sendlingen was alone. After brooding awhile, he again went to the secret drawer of his writing-table. At this moment the old servant entered. "We will go to bed now," he said. "We will do it out of pity for ourselves, and Fraulein Brigitta, and me!"

His look and tone were so beseeching that Sendlingen could not refuse him. He suffered himself to be undressed, put out the lamp, and closed his eyes. But sleep refused to visit his burning lids.

CHAPTER V.

When the grey morning appeared, he could no longer endure to lie quietly in his bed while his soul was tormented with unrest, he got up, dressed himself, left his room and went out of doors.

It was a damp, cold, horrid autumn morning: the fog clung to the houses and to the uneven pavement of the old town : a heavy, yellow vapor, the smoke of a factory chimney kept sinking down lower and lower. The lonely wanderer met few people, those who recognized him greeted him respectfully, he did not often acknowledge the greeting and when he did, it was unconsciously. Most of them looked after him in utter astonishment; what could have brought the Chief Justice so early out of doors? It seemed at times as if he were looking for something he had lost; he would walk along slowly for a stretch with his looks fixed on the ground, then he would stop and go back the same way. And how broken down, how weary he looked today!—as if he had suddenly become an old man, the people thought.

Freezing with cold, while his pulses beat at fever-speed, he thus wandered for a long while aimlessly through the desolate streets, first this way, then that,

until the morning bells of the Cathedral sounded in his ears. He stood still and listened as if he had never heard their mighty sound before; they appeared to vibrate in his heart; his features changed and grew gentler as he listened; a ray of tender longing gleamed in his white face, and, as if drawn by invisible cords, he hurried faster and faster towards the Cathedral. But when he stood before its open door and looked into the dark space, lit only by a dim light, the sanctuary lamp before the high-altar, he hesitated; he shook his head and sighed deeply, and his features again resumed their gloomy, painful look.

He looked up at the Cathedral clock, the hands were pointing to seven. "An hour more," he murmured and went over towards the Court-House. It was a huge, straggling, rectangular building, standing on its own ground. In front were the Chief Justice's residence and the offices; at the back the criminal prison.

He turned towards his own quarters. He had just set his foot on the steps, when a new idea seemed to occur to him. He hesitated. "I must," he hissed between his teeth and he clenched his hands till the nails ran painfully into the flesh; "I must, if only for a minute."

He stepped back into the street, went around the building and up to the door at the back. It was locked; there was a sentinel in front of it. He rang the bell, a warder opened the door and seeing the Chief Justice respectfully pulled off his hat.

"Fetch the Governor," muttered Sendlingen, so indistinctly that the man hardly understood him. But he hurried away and the Governor of the prison appeared. He was visibly much astonished. "Does your Lordship wish to make an inspection?" he asked.

"No, only in one or two particular cases."

"Which are they, my lord?"

But the unhappy man felt that his strength was leaving him. "Later on," he muttered, groping for the handle of the door so as to support himself. "Another time."

The Governor hastened towards him. "Your Lordship is ill again—just as you were yesterday—we are all much concerned! May I accompany you back to your residence? The nearest way is through the prison-yard, if you choose."

He opened a door and they stepped out into the prison-yard; it was separated by a wall from the front building; the only means of communication was an unostentatious little door in the bare, high, slippery wall. It seemed to be seldom used; the Governor was a long time finding the key on his bunch and when at length it opened, the lock and hinges creaked loudly.

"Thank you," said Sendlingen. "I have never observed this means of communication before."

"Your predecessor had it made," answered the Governor, "so that he might inspect the prison without being announced. The key must be in your possession."

"Very likely," answered Sendlingen, and he went back to his residence.

Franz placed his breakfast before him. "There'll be a nice ending to this," he growled. "We are dangerously ill and yet we trapse about the streets in all weathers. Dr. Berger, too, is surprised at our new ways."

"Has he been here already?"

"He was here a few minutes ago, but will be back at eight. . . . But now we have got to drink our tea." He did not budge till the cup had been emptied.

With growing impatience Sendlingen looked at the clock. "He can have nothing fresh to say," he thought. "He must guess my intention and want to hinder me. He will not succeed."

But he did succeed. As he entered, Sendlingen had just taken up his hat and stick.

"You are going to the trial?" began his faithful friend almost roughly. "You must not, Victor, I implore you. I forbid you. What will the judges think if you are too ill to preside, and yet well enough to be present with no apparent object. But the main thing is not to torment yourself, it is unmanly. Do not lessen your strength, you may require it."

He wrested his hat from him and forced him into an armchair.

"My restlessness will kill me if I stay here," muttered Sendlingen.

"You would not be better in there, but worse. I

shall come back to you at once; I think, I fear, it will not last long. Don't buoy yourself up with any hopes, Victor. Before a jury, I could get her acquitted, with other judges, at a different time, we might have expected a short term of imprisonment . . . but now——"

"Death!" Like a shriek the words escaped from his stifled breast.

"But she may not, she will not die!" continued Berger. "I will set my face against it as long as there is breath in my body, nay, I would have done so even if she had not been your daughter. God bless you, Victor."

Berger gathered up his bundle of papers and proceeded along the corridor and up some stairs, until he found himself outside the court where the trial was to take place. Even here a hum of noise reached him, for the court was densely crowded with spectators. As far as he could see by the glimmer of grey morning light that broke its difficult way in by the round windows, it was a well-dressed audience in which ladies preponderated. "Naturally," he muttered contemptuously.

For a few seconds eye-glasses and opera-glasses were directed upon him, to be then again immediately turned on the accused. But her face could not be seen; she was cowering in a state of collapse on her wooden seat, her forehead resting on the ledge of the dock; her left arm was spread out in front of her, her

right hung listlessly by her side. Public curiosity had nothing to sate itself on but the shudders that at times convulsed her poor body; one of the long plaits of her coal-black, wavy hair had escaped from beneath the kerchief on her head and hung down low, almost to the ground, touching the muddy boots of the soldier who did duty as sentinel close beside her.

Berger stepped to his place behind her; she did not notice him until he gently touched her icy cold hand. "Be brave, my poor child," he whispered.

She started up in terror. "Ah!" went from every mouth in Court: now at length they could see her face. Berger drew himself up to his full height; his eyes blazed with anger as he stepped between her and the crowd.

"Oh, what crowds of people!" murmured the poor girl. Her cheeks and forehead glowed in a fever-heat of shame: but the colour soon went and her grief-worn face was white again; the look of her eyes was weary and faint. "To think that one should have to suffer so much before dying."

"You will not die!" He spoke slowly, distinctly, as one speaks to a deaf person. "You will live, and after you have satisfied the justice of men, you will begin life over again. And when you do friendship and love will not be wanting to you." While he was saying this, and at the same time looking her full in the face, her resemblance to his friend almost overpowered him. She was like her father in the

colour of her hair and eyes, in her mouth and her forehead.

"Love and care are waiting for you!" he continued with growing warmth. "This I can swear. Do you hear? I swear that it is so! As regards the trial, I can only give you this advice: tell, as you have hitherto done, the whole truth. Bear up as well as you can; oppose every lie, every unjust accusation."

She had heard him without stirring, without a sign of agreement or dissent. It was doubtful whether she had understood him. But he had not time to repeat his admonition; the Crown-advocate and the five Judges had entered with Werner at their head. If Berger had hitherto cherished any hope, it must have vanished now; two of the other Judges were among the sternest on the bench; the fourth never listened and then always chimed in with the majority; it was but a slender consolation to Berger when he finally saw the wise and humane Baron Dernegg take his place beside the judges.

Werner opened the proceedings and the deed of accusation was then read out by the Secretary of the Court. Its compiler—a young, fashionably dressed junior Crown-advocate of an old aristocratic family, who had only been in the profession a short time,—listened to the recital of his composition with visible satisfaction. And indeed his representation of the matter was very effective.

According to him the Countess Riesner-Graskowitz

was one of the noblest women who ever lived, the Accused one of the most abandoned. A helpless orphan, called by unexampled generosity to fill a post which neither her years nor abilities had fitted her for, she had requited this kindness by entangling the young Count Henry in her wiles in order to force him into a marriage. After he had disentangled himself from these unworthy bonds, and after Victorine Lippert knew her condition, instead of repentantly confiding in her noble protectress, she had exhausted all the arts of crafty dissembling in order not to be found out. And when at length she was, as a most just punishment, suddenly dismissed from the castle, she in cold blood murdered her child so as to be free from the consequences of her fault. In his opinion, the Accused's pretended unconsciousness was a manifest fable, and the crime a premeditated one, as her conduct at the castle sufficiently proved. Her character was not against the assumption, she was plainly corrupted at an early age, being the daughter of a woman of loose character.

"It is a lie! a scandalous lie!"

Like a cry from the deepest recesses of the heart, these words suddenly vibrated through the Court with piercing clearness.

It was the Accused who had spoken. She had listened to the greatest part of the document without a sound, without the slightest change of countenance, as if she were deaf. Only once at the place where it

spoke of "manifest fable" she had gently and imperceptibly shaken her head; it was the first intimation Berger had that she was listening and understood the accusation. But now, hardly had the libel on her dead mother been read, when she rose to her feet and uttered those words so suddenly that Berger was not less motionless and dumfounded than the rest.

And then broke forth the hubbub; such an interruption, and in such language, had never before occurred in Court. The spectators had risen and were talking excitedly; the crown-advocate stood there helplessly; even Herr von Werner had to clear his throat repeatedly before he could ejaculate "Silence!"

But the command was superfluous for hardly had the poor girl uttered the words, when she fell back upon her seat, from thence to the ground, and was now lying in a faint on the boards.

She was carried out; it was noticed by many and caused much scandal, that the counsel for the Accused lifted the lifeless body and helped carry it, instead of leaving this to the warders.

The proceedings had to be interrupted. It was another half hour before the Accused appeared in Court again, leaning on Berger's arm, her features set like those of an animated corpse. There was a satirical murmur in the crowd, and Werner, too, reflected whether he should not, there and then, reprove the Counsel for unseemly behaviour. And this determined him to be all the severer in the reprimand which he addressed

to the Accused on account of her unheard of impertinence. She should not escape her just punishment, the nature and extent of which he would determine by the opinion of the prison-doctor.

Then the reading of the deed of accusation was finished; the examination began. There was a murmur of eager expectation among the spectators; their curiosity was briefly but abundantly satisfied. To the question whether she pleaded guilty, Victorine Lippert answered quietly but with a steadier voice than one would have supposed her capable of:

"Yes! . . . What I know about my deed, I have already told in evidence. I deserve death, I wish to die. It is a matter of indifference to one about to die what men may think of her; God knows the truth. He knows that much, yes most, of what has just been read here, is incorrect. I do not contest it, but one thing I swear in the face of death, and may God have no mercy on me in my last hour if I lie; my mother was noble and good; no mother can ever have been better and no wife more pure. She trusted an unworthy wretch, and he must have been worse than ever any man was, if he could forsake her—but she was good. I implore you, read her testimonials, her letters to me—I beseech you, I conjure you, just a few of these letters.—For myself I have nothing to ask—"

Her voice broke, her strength again seemed to forsake her and she sank down on her seat.

There was a deep silence after she had ended: in

her words, in her voice, there must have been something that the hearts of those present could not shut out; even the crown-advocate looked embarrassed. Herr von Werner alone was so resolutely armed to meet the Hydra of the social Revolution, which he was bent on combating in this forlorn creature, as to be above all pity. He would certainly have begun a wearisome examination and have spared the poor creature no single detail, but his daughter was expecting a happy event to-day, and Baron Sendlingen had, notwithstanding, not had sufficient professional consideration to take over the conduct of this trial, and the half hour's faint of the Accused had already unduly prolonged the proceedings—so he determined to cut the matter as short as was compatible with his position. The accused had just again unreservedly repeated her confession; further questions, he explained, would be superfluous.

The examination of the witnesses could be proceeded with at once. This also was quickly got through. There were the peasants, who had found Victorine and her lifeless child on the morrow of the deed, and the prison doctor, none of whom could advance any fresh or material fact.

The only witness of importance to the Accused was the servant-girl who had helped her in her last few months at the castle. The girl had been shortly after dismissed from the Countess' service, and in the preliminary inquiry, she had confirmed all Victorine's

statements; if she to-day remained firm to her previous declarations, the accusation of premeditated murder would be severely shaken. To Berger's alarm she now evasively answered that her memory was weak,—she had in the meantime gone into service at Graskowitz again. In spite of this and of the protest of the defence, she was sworn: Berger announced his intention of appealing for a nullification of the trial.

Then the depositions of the Countess and her son were read; the Court had declined to subpœna them. The Countess had not spared time or trouble in depicting the murderess in all her abandonment; but the depositions which Count Henry had made at his embassy, were brief enough: as far as he recollected he had made the girl no promise of marriage, and indeed there was no reason for doing so. Berger demanded, as proof to the contrary, that the letters which had been taken from the Accused and put with the other papers, should he read aloud; this the Court also declined because they did not affect the question of her guilt.

Then followed the speeches for and against. The Crown-Advocate was brief enough: the trial, he contended, had established the correctness of the charge. If ever at all, then in the present case, should the full rigour of the law be enforced. By her protestation that she had received a most careful bringing up from a most excellent mother, she had herself cut from under her feet the only ground for mitigation. All the

more energetically and fully did Berger plead for the utmost possible leniency; his knowledge of law, his intellect and his oratorical gifts had perhaps never before been so brilliantly displayed. When he had finished, the people in Court broke out into tumultuous applause.

The Judges retired to consider their verdict. They were not long absent; in twenty minutes they again appeared in Court. Werner pronounced sentence: death by hanging. The qualification of "unanimous" was wanting. Baron Dernegg had been opposed to it.

There was much excitement among the spectators. Berger, although not unprepared for the sentence, could with difficulty calm himself sufficiently to announce that every form of appeal would be resorted to. The Accused had closed her eyes for a moment and her limbs trembled like aspen-leaves, but she was able to rise by herself to follow the warders.

"Thank you," she said pressing Berger's hands. "But the appeal——"

"Will be lodged by me," he said hastily interrupting her. "I shall come and see you about it to-day."

He hurried away down the stairs. But when he got into the long corridor that led to Sendlingen's quarters, he relaxed his pace and at length stood still. "This is a difficult business," he murmured and he stepped to a window, opened it and eagerly drank in the cool autumn air as if to strengthen himself.

When a few minutes after he found himself in Send-

lingen's lobby, he met Baron Dernegg coming out of his friend's study.

"Too late!" he thought with alarm. "And he has had to hear it from some one else."

The usually comfortable-looking Judge was much excited. "You are no doubt coming on the same errand, Dr. Berger," he began. "I felt myself in duty bound to let the Chief Justice know about this sentence without delay. The way in which he received it showed me once more what a splendid man he is, the pattern of a Judge, the embodiment of Justice! I assure you, he almost fainted, this—hm!—questionable sentence affected him like a personal misfortune. Please do not excite him any more about it and talk of something else first."

"Certainly," muttered Berger as he walked into the study.

Sendlingen lay back in his arm-chair, both hands pressed to his face. His friend approached him without a word; it was a long, sad silence. "Victor," he said at last, gently touching his shoulder, "we knew it would be so!"

Sendlingen let his hands fall. "And does that comfort me?" he cried wildly. And then he bowed his head still lower. "Tell me all!" he murmured.

Berger then began to narrate everything. One thing only he omitted: how Victorine had spoken of her mother's betrayer. "This very day," he concluded, "I shall lodge a nullity appeal with the Supreme

Court. Perhaps it will consider the reasons weighty enough to order a new trial; in any case when it examines the question, it will alter the sentence."

"In any case?" cried Sendlingen bitterly.

"We cannot but expect as much from the sense of justice of our highest Judges. Perhaps the chief witness's suspicious weakness of memory may prove a lucky thing for us. If she had stuck by her former depositions, or if the Court had not put her on her oath, then a simple appeal to the Supreme Court would alone have been possible. Now, the case is more striking and more sensational."

"And therefore all the worse!" interrupted Sendlingen. "Woe to him for whom in these days the voice of the people makes itself heard; to the gentry in Vienna it is worse than the voice of the devil. Besides, just now, according to the opinion of the Minister of Justice, the world is to be rid of child-murder by the offices of the hangman! And this is the first case in educated circles, a much talked of case,—what a magnificent opportunity of striking terror!"

"You take too black a view of the matter, Victor."

"Perhaps!—and therefore an unjust view! But how can a man in my position be just and reasonable. Oh, George, I am so desolate and perplexed! What shall I do; merciful Heaven, what shall I do?"

"First of all—wait!" answered Berger. The decision of the Supreme Court will be known in a comparatively short time, at latest in two months!"

"Wait—only two months!" Sendlingen wrung his hands. "Though what do I care for myself! But she —two months in the fear of death! To sit thus in a lonely cell without light or air, or consolation,—behind her unutterable misery, before her death——. Oh, she must either go mad or die!"

"I shall often be with her, and Father Rohn, too, I hope. And then, too," he added, half-heartedly, "one or other of the ladies of the Women's Society for Befriending Female Criminals. Certainly these comforters are not worth much."

"They are worth nothing," cried Sendlingen vehemently. "Oh, how they will torture the poor girl with their unctuous virtue and self-satisfied piety! I have to tolerate these tormentors, the Minister of Justice insists on it, but at least they shall not enter this cell, I will not allow it—or at least, only the single one among them who is any good, my old Brigitta——"

"Your housekeeper?" asked Berger, in perplexity and consternation. "That must not be! She might guess the truth. The girl!" he hesitated again—"is like you, very like you Victor—and anyone who sees you so often and knows you so well as Brigitta——"

"What does that matter?" Sendlingen rose. "She is discreet, and if she were not—what does it matter, I repeat. Do you suppose that I never mean to enter that cell?"

"You! Impossible!"

"I shall and I must! I will humour you in everything except in this one thing!"

"But under what pretext? Have you ever visited and repeatedly visited other condemned criminals?"

"What does that matter to me? A father must stand by his child!"

"And will you tell other people so?"

"Not until I am obliged; but then without a moment's hesitation. She, however, must be told at once, in fact this very day."

"You must not do that, Victor. Spare the poor girl this sudden revelation."

"Then prepare her beforehand! But to-morrow it must be!"

Berger was helpless; he knew what Victorine would say to her father if she suddenly encountered him.

"Give her a little more time!" he begged, "Out of pity for her shattered nerves and agitated mind, which will not bear any immediate shock."

This was a request that Sendlingen could not refuse.

"Very well, I will wait," he promised. "But you will not wish to prevent me from seeing her to-morrow. I have in any case to inspect the prison. But I promise you: I will not betray myself and the governor of the jail shall accompany me."

CHAPTER VI.

WEIGHED down by sorrow, Berger proceeded homewards. To the solitary bachelor Sendlingen was more than a friend, he was a dearly loved brother. He was struck to the heart, as by a personal affliction, with compassion for this fate, this terrible fate, so suddenly and destructively breaking in upon a beneficent life, like a desolating flood.

Would this flood ever subside again and the soil bring forth flowers and fruit? The strong man's looks darkened as he thought of the future: worse than the evil itself seemed to him the manner in which it affected his friend. Alas! how changed and desolated was this splendid soul, how hopeless and helpless this brave heart! And it was just their last interview, that sudden flight from the most melancholy helplessness to the heights of an almost heroic resolve, that gave Berger the greatest uneasiness.

"And it will not last!" he reflected with much concern. "Most certainly it will not! Perhaps even now, five minutes after, he is again lying back in his arm chair, broken down, without another thought, another feeling, save that of his misery! And could anything else be expected? That was not the energetic resolve of a clear, courageous soul, but the diseased, visionary

effort of feverishly excited nerves! Again he does not know whether he will see her or what he ought to do. . . . And do I know, would any one know in the presence of such a fate?"

Had he deserved this fate?

"No!" cried Berger to himself. "No!" he passionately repeated as he paced up and down his study, trying to frame the wording of the appeal. Clumsy and uncouth, blind and cruel, seemed to him the power that had ordered things as they had come about. It seemed no better than some rude elemental force. "He can no more help it," he muttered, "than the fields can help a flood breaking in upon them."

But he could not long maintain this view, comforting as it was to him, much as he strove to harbour it. "He has done wrong," he thought, "and retribution is only the severer because delayed." Other cases in his experience occurred to him: long concealed wrongs and sins that had afterwards come into the light of day, doubly frightful. "And such offences increase by the interest accruing until they are paid," he was obliged to think. From the moment that he heard his friend's story, all the facts it brought to light seemed to him like the diabolical sport of chance; but now he no longer thought it chance but in everything saw necessity, and he was overcome by the same idea to which he had given voice at the conclusion of his friend's narration, namely that this was no mere sad fate, but a tragic one.

It was a singular idea, compounded of fear and reverence. When Berger reflected how one act dovetailed into another, how link fitted into link in the chain of cause and effect, how all these people could not have acted otherwise than they were obliged to act, how guilt had of necessity supervened, and now retribution, the strong man shuddered from head to foot: he had to bow his head before that pitiless, all-just power for which he knew no name . . . But was it really all-just? If all these people, if Sendlingen and Victorine had not acted otherwise than their nature and circumstances commanded, why had they to suffer for it so frightfully? And why was there no end to this suffering, a great, a liberating, a redeeming end?

"No!" cried an inward voice of his deeply agitated soul, "there must be such a glorious solution. It cannot be our destiny to be dragged into sin by blind powers which we cannot in any way control, like puppets by the cords in a showman's hands, and then again, when it pleases those powers, into still greater sins, or into an atonement a thousand times greater than the sin itself, and so, on and on, until death snaps the cords. No! that cannot be our destiny, and if it were, then we should be greater than this Fate, greater, juster, more reasonable! There must be in Sendlingen's case also, a solution bringing freedom, there *must*—and in his case precisely most of all! It would have been an extraordinary fate, no matter

whom it had overtaken, but had it befallen a commonplace man, it would never have grown to such a crushing tragedy. A scoundrel would have lied to himself: 'She is not my daughter, her mother was a woman of loose character,' and he would have repeated this so often that he would have come to believe it. And if remorse had eventually supervened, he would have buried it in the confessional or in the bottle.

"Another man, no scoundrel,—on the contrary! a man of honour of the sort whose name is Legion,—would not have hesitated for a moment to preside in Court in order to obtain by his authority as Chief Justice, the mildest possible sentence. Then he would have been assiduous in ameliorating the lot of the prisoner by special privileges, and after she had been set at liberty, he would have bought her, somewhere at a distance, a little millinery business or a husband, and every time he thought of the matter, he would have said with emotion: 'What a good fellow you are!' This has only become a tragic fate because it has struck one of the most upright, most sensitive and noble of men, and because this is so, there must come from that most noble and upright heart a solution, an act of liberation bursting these iron bonds! There must be a means of escape by which he and his poor child and Justice herself will have their due! There *must* be—simply because he is what he is!"

There was a gleam of light in Berger's usually placid, contented face, the reflection of the thought that filled

his soul and raised him above the misery of the moment. Notwithstanding, his looks became serious and gloomy again.

"But what is this solution?" he asked, continuing his over-wrought reflections. "And how shall this broken-down, sick man, weary with his tortures, find it? And I—I know of none, perhaps no one save himself can find it. 'Against the burden of such a fate, no parade of sophistry will be of any avail,' I said to him yesterday. But can small expedients be of any use? Will it be a solution if I succeed with my appeal, if the sentence of death is commuted to penal servitude for life or for twenty years? Can this lessen the burden of the fate?—for her, for him?"

"What to do?" he suddenly exclaimed aloud. He wrung his hands and stared before him.

Suddenly there was a curious twitching about his mouth, and his eyes gleamed with an almost weird light. "No, no!" he muttered vehemently, "how can such a thought even occur to me. I feel it, I am myself becoming ill and unstrung!"

He bounded up with a heavy stamp and hastily passed his hand over his forehead, as though the thought which had just passed through his brain stood written there and must be swiftly wiped away. But that thought returned again and again and would not be scared away, that enticing but fearful thought; how she might be forcibly liberated from prison and carried off to new life and happiness in a distant country?

"Madness!" he muttered and added in thought: "He would rather die and let her die, than give his consent to this or set his hand to such a deed! He whose conscience would not allow him to preside at the trial! And if in his perplexity and despair he were to go so far, I should have to bar the way and stop him even if it cost me my life. . . What was it he said yesterday: 'An offence should not be expiated by an injustice!' and will he attempt it by another offence. 'Cowardly and dishonourable!' yes, that it would be, and not that great deed of which I dream; greater and more just than Fate itself."

He seized the notes which he had made from the papers connected with the trial, and forced himself to read them through deliberately, to weigh them again point by point. This expedient helped him: that horrible thought did not return, but a new thought rose, bringing comfort in its train and took shape: "When a great act cannot be achieved, we should not on that account omit even the smallest thing that can possibly be done. I will set my energies against the sentence of death, because it is the most frightful thing that could happen!"

And now he recovered courage and eagerness for work.

He sat at his writing table hour after hour, marshalling his reasons and objections into a solid phalanx which in the fervour of the moment seemed to him as if they must sweep away every obstacle, even prejudice,

even ill-will. He had bolted himself in, nobody was to disturb him, he only interrupted himself for a few minutes to snatch a hasty meal. Then he worked away until the last sentence stood on the paper.

For the first time he now looked at the clock ; it was pointing to ten. It was too late to visit the poor prisoner, and he was grieved that he had not kept his promise. If she was perhaps secretly nourishing the hope of being saved, she would now be doubly despairing. But it could not now be helped and he resolved to make good his remissness early the next morning. Sendlingen, however, he would go and see. "Perhaps he is in want of me," he thought. "I should be much surprised if he were not now more helpless than ever."

He made his way through the wet, cold, foggy autumn night ; things he had never dreamt of were in store for him.

When he pulled the bell, the door was at once opened : Fräulein Brigitta stood before him. The candlestick in her hand trembled : the plump, well-nourished face of the worthy lady was so full of anguish that Berger started. "What has happened ?" he cried.

"Nothing!" she answered. "Nothing at all! It is only that I am so silly." But her hand was trembling so much that she had to put down her candle and the tears streamed down her cheeks as she continued with an effort : "He went out—and has not come back—and so I thought—but I am so silly."

"So it seems," Berger roughly exclaimed, trying to

encourage both her and himself, but a sudden anguish so choked his utterance that what he next said sounded almost unintelligible. "May he not pay a visit to a friend and stay to supper there? Is he so much under your thumb that he must give you previous notice of his intention? He is at Baron Dernegg's I suppose."

"No," she sobbed. "He is not there, and Franz has already looked for him in vain in all the places where he might be. He was twice at your house, but your servant would not admit him. And now the old man is scouring the streets. He will not find him!" she suddenly screamed, burying her face in her hands.

"Nonsense!" cried Berger almost angrily. He forced the trembling woman into a chair, sat down beside her and took her hand. "Let us talk like reasonable beings," he said, "like men, Fräulein Brigitta. When did he go out?"

"Seven hours ago, just after his dinner, which he hardly touched; it must have been about four o'clock. And how he has been behaving . . . and especially since mid-day yesterday. . . . Dr. Berger," she cried imploringly, clasping her hands, "what happened yesterday in Chambers? When he came back from Vienna he was still calm and cheerful. It must be here and yesterday that some misfortune struck him. I thought at first that it was illness, but I know better now: it is a misfortune, a great misfortune! Dr. Berger, for Christ's sake, tell me what it is!"

She would have sunk down at his feet, if he had not

hastily prevented her. "Be reasonable!" he urged. "It is an illness, Fräulein Brigitta,—the heart, the nerves."

She shook her head vigorously. "I guess what it is." She pointed in the direction of the jail. "Something has happened in the prison over there that is a matter of life and death to him."

He started. "Why do you suppose that?"

"Because he behaved so strangely—just listen to this." But she had first the difficult task of calming herself before she could proceed. "Well, when I went into his room to-day to tell him dinner was ready, he was standing in front of his writing-table rummaging in all the drawers. 'What are you looking for, my Lord?' I asked. 'Nothing,' he muttered and he sent me away, saying he was just coming. Twenty minutes later I ventured to go back again; he was still searching. 'Have you ever,' he now himself asked, 'heard of any keys that my predecessor is said to have handed over?' 'Yes,' I replied, 'the keys of the residence.' 'No, others, and among them the key of the door which——' He checked himself suddenly and turned away as though he had already said too much. 'What door?' I asked in utter astonishment. He muttered something unintelligible and then roughly told me the soup could wait. It cuts me to the heart. Dear Heaven, how wretched he looks, and I am not accustomed to be spoken to by him in that way; but what does that matter? I went and spoke to Franz.

'Perhaps,' he said, 'he means the keys that are in the top drawer of his business table.' So we went and looked and there, sure enough, was a bunch of keys—quite rusty, Dr. Berger."

"Go on, to the point," said Berger impatiently.

"Well, I took them to him; as I said, a whole bunch with a written label on each. He looked through them with trembling hands, Dr. Berger, and at last his face lit up. 'That's the one!' he muttered and took the key off the bunch and put it in his breast pocket. Then he turned round and when he saw me—great Heaven! what eyes he had—wicked, frightened eyes. 'Are you still here?' he said flaring up into a rage. 'What do you want playing the spy here?' Yes, Dr. Berger, he said 'playing the spy'—and he has known me for fifteen years."

"He is ill you see!" said Berger soothingly. "But go on!"

"Then he sat down to dinner and there he behaved very strangely. God forgive me . . . Usually he only drinks one glass of Rhine-wine—you know the sort—to-day he gulped down three glasses one after another, took a few spoonfuls of soup and then went back to his room. And then I said: Franz, I said—but you won't want to hear that, Dr. Berger. But what follows you must hear; it's very strange—God help us! only too strange."

"Well?"

"After about ten minutes or so, I heard his step in

the lobby; the door slammed; well, he had gone out. 'By all that's sacred!' thinks I in great trouble of mind. Then Franz came in quite upset. 'Fräulein!' he whispered, 'he's going up and down in the court outside!' 'Impossible!' said I, 'what does he want there?' We went to the bedroom window that looks down into the court and there, sure enough, is his Lordship! He was going—or rather he was creeping along by the wall that separates our court from the prison yard. It was drizzling at the time and it was no longer quite light, but I could see his face plainly: it was the face of a man who doesn't know what to do—ah me! worse still—the face of a man who doesn't know what he's doing. And he behaved like it, Dr. Berger! He stopped in front of the little door in the wall, looked anxiously up at the windows to see if anyone was watching him—but the clerks and officials had all gone, we were the only people who saw him—he pulled out that key from his breast pocket and tried to unlock the door. For a long time he couldn't succeed, but at last the door opened. However, he only shut it again quickly and locked it. Then he began anxiously to pace up and down again. It was just as if he had only wanted to try whether the key would open the door. What do you think of that?"

"The door through which one can get from here into the prison?" Berger spoke slowly, in a muffled tone, as if he were speaking to himself. Then he continued in the same tone: "Oh, how frightful that

would be! This soul in the mire, this splendid soul! —Go on!" he then muttered as he saw that the housekeeper was looking at him in amazement.

"Well, then he went quickly back through the hall into the street and on towards the square. Franz crept after him at a distance. He seemed at first as if he wanted to go to your house, then he came back here, but to the other door, on the prison side. There he stood, close up to it, for a long time, a quarter of an hour Franz says, and then went to the left down Cross Street and then—what do you think, Dr. Berger?"

"Back the same way," said Berger slowly, "and again stood for a long time in front of the prison."

"How can you know that?" asked the old lady in astonishment.

Berger's answer was a strange one. "I can see it!" he said. And indeed, with the eyes of his soul, Berger could see his unhappy friend wandering about in the misty darkness, dragged hither and thither, by whirling, conflicting thoughts. "Perhaps he is at this moment standing there again!" He had not meant to say this, but the thought had involuntarily given itself voice.

"What now!" Fraulein Brigitta crossed herself. "We will go and see at once! Come! Oh, that would be a good thing! I will just go and fetch my shawl. But you see I was right. This trouble is connected with the prison; some injustice has been done, and he feels it nearly because he is such a just judge."

"Because he is such a just judge," repeated Berger, mechanically, without thinking of what he was saying, for while he spoke those words he was saying to himself: "He has gone mad!"

Then, however, he shook off the spell of this horror that threatened to cripple both soul and body. "You stay at home," he said in a tone of command. "I will find him and bring him back, you may rely upon that. One thing more, where did Franz leave him?"

"Ah, he was too simple! When his Lordship came into the square for the third time, Franz went up to him and begged him to come home. Upon that he became very angry and sent Franz off with the strongest language. But he called after him that he was going to Baron Dernegg's, only as I said, he has not been there, and——"

"Keep up your spirits, Fräulein Brigitta! I shall be back soon." He went down the steps. "Keep up your spirits!" he called back to her once more; she was standing at the top of the steps holding the candle at arm's length before her.

Berger stepped into the street and walked swiftly round the building to the prison door. He himself was in need of the exhortation he had given: he felt as if in the next moment he might see something frightful.

But there was nothing to be seen when he at length reached the place and approached the door, nothing save the muddy slippery ground, the trickling, mouldy

walls, the iron-work of the door shining in the wet—nothing else, so far as the red, smoky light of the two lanterns above the door could show through the fog and rain. And there was nothing to be heard save the low pattering of the rain-drops on the soft earth or, when a sudden gust of the east-wind blew, the creaking of some loosened rafter and a whirring, long-drawn, complaining sound that came from the bare trees on the ramparts when they writhed and bent beneath its icy breath.

"Victor!"

There was a movement in the sentry box by the door; the poor, frozen Venetian soldier of the Dom Miguel regiment who had sheltered himself inside as well as he could from the rain and cold, poked out his heavy sleepy head so that the shine of his wet leather shako was visible for an instant. He muttered an oath and wrapped himself the closer in his damp overcoat.

Berger sighed deeply. A minute before he was sure he had seen the poor madman standing motionless in the desolate night, his eyes rigidly fixed upon the door that separated him from his daughter, and now that he was spared the sight, he could take no comfort, for a far worse foreboding convulsed his brain.

Hesitatingly he returned to the front part of the building and, increasing his pace, he went down the street towards the market-place, aimlessly, but always swifter, as if he had to go where chance led him, so as to arrive in time to stop some frightful deed.

The streets were deserted, nothing but the wind roamed through the drenching solitude, nothing but the voices of the night greeted his ear; that ceaseless murmur and rustle and stir, which, drowned by the noise of the day, moves in the dark stillness, as though dead and dumb things had now first found a voice to reach the sense of men.

He often had to stop; it seemed to him as if he heard the piteous groaning of a sick man, or the half stifled cry for help of one wounded. But it was nothing; the wind had shaken some rotting roof, or somewhere in the far distance a watch-dog had given a short, sharp bark. The lonely wanderer held his breath in order to hear better, looked also perhaps into some dark corner and then hurried on.

He reached the market place. Here he came upon human beings again, the sentries before the principal guard-house, and as he passed the column commemorative of the cholera in the middle of the square, there was the night-watchman who had pitched upon a dry sleeping place in one of the niches of the irregular monument. Berger stopped irresolutely; should he wake him up and question him?

Another form at this moment emerged from a neighbouring street; a man who with bowed head and halting pace glided along by the houses: was this not Franz? Berger could not yet, by the light of the meagre lamps, accurately distinguish him in the all-pervading fog. But the man came nearer and nearer:

he was behaving peculiarly ; he was looking into every door-way, and when he came to the "Sign of the Arbour," a very ancient shop full of recesses, he went into each of these recesses, so that a spectator saw him alternately appearing and disappearing. When he at length reappeared just under a lamp Berger recognised him ; it was really the old servant. "Like a faithful dog seeking his master," he said to himself as he hurried towards him.

Franz rushed to meet him. "You know nothing of him ?"

"Be quiet, man. We will look for him together."

"No, separately !" He seized Berger's arm and grasped it convulsively. "You by the river-side and I up here. There is not a moment to lose."

Berger asked no more questions but hurried down the broad, inclined street that led to the river. Here, in Cross Street, where most of the pleasure-resorts were, there were still signs of life ; he had repeatedly to get out of the way of drunken men who passed along bawling ; poor forlorn looking girls brushed past him. In one of the quieter streets he noticed a moving light coming nearer and nearer : it was a large lantern in the hand of a servant who was carefully lighting the gentleman who followed him.

Berger recognised the features of the little, wizened creature who, in spite of the awful weather was contentedly tripping along, with satisfaction in every lineament, under the shelter of a mighty umbrella ; it

was the Deputy Chief-Justice, Herr von Werner. He would have passed by without a word, but Werner recognised him and called to him.

"Eh! eh! it's Dr. Berger!" he snickered. "Out so late! Hee, hee! I seem to be meeting all the important people! First—hee! hee! the Lord Chief Justice and now——"

"Have you seen him?"

"Why yes. You are surprised? So was I! Just as I stepped out of my son-in-law's house, he passed by. I called after him because I wanted to tell him the news. For you may congratulate me, Dr. Berger. Certainly, you annoyed me this morning, you annoyed me very much! but in my joy I will forgive you! My first grandson, a splendid boy, and how he can cry!"

"Where did you see him? When?"

"Eh! goodness me, what is the matter with you? It was scarcely five minutes ago, he was going—only fancy—towards Wurst Street. You seem upset! And he wouldn't listen to me! Why, what is the matter?"

Berger made no reply. Without a word of farewell, he rushed precipitately down the street out of which Werner had come and turned to the right into a narrow, dirty slum which led by a steep incline to the river.

This was Wurst Street, the poorest district of the town, the haunt of porters, boatmen and raftsmen; alongside the narrow quay in which the street ended, lay their craft; the corner building next the river was

the public house which they frequented. A light still glimmered behind its small window-panes and, as Berger hurried by, the sound of rough song and laughter greeted his ears.

He did not stop till he came right up to the river's edge. Its waters were swollen by the autumn rains; swift and tumultuous they coursed along its broad bed, perceptible to the ear only, not to the eye, so fearfully dark was the night. Berger could not even distinguish the wooden foot-bridge that here crossed the river, until he was close up to it.

Hesitatingly he stepped upon the shaky structure. The bridge was scarcely two foot broad, its balustrade was rotten and the footway slippery. Over on the other side a solitary light, a lantern, was struggling against wind and fog; its reflection swayed uncertainly on the soaking bridge; when it suddenly flared up in the wind, its flickering, red light revealed for a moment the angry, swollen flood.

Berger stood still irresolutely; the place was so desolate, so uncanny; should he stay any longer? Then suddenly a low cry escaped him and he darted forward a step. The lantern opposite had just flared up and by its reflection he had seen a man approach the bridge and step upon it. It seemed to Berger as if this were Sendlingen, but he did not know for certain, as the lantern was again giving only the faintest glimmer.

The man approached nearer, slowly, and with uncertain step, groping for the balustrade as he came. Once

more the lantern flared up—there was the long Inverness, the gray hat—Berger doubted no longer.

"Victor!"

He would have shouted at the top of his voice, but the word passed over his lips huskily, almost inaudibly: he would have darted forward . . . but could only take one solitary step more, so greatly had the weirdness of the situation overpowered him.

Sendlingen did not perceive him: he stopped scarcely ten paces from his friend and bent over the balustrade. Resting on both arms, there he stood, staring at the wild and turbulent water.

Thus passed a few seconds.

Again the lantern flickered up, for a moment only it gave a clear light. Sendlingen had suddenly raised himself and Berger saw, or thought he saw, that the unfortunate man was now only resting with one hand on the railing, that his body was lifted up. . . .

"Victor!"

In two bounds, in two seconds, he was beside him, had seized him, clasped him in his arms.

"George!"

Awful, thrilling was the cry—a cry for help?—or a cry of baffled rage?

Then Berger felt this convulsive body suddenly grow stiff and heavy—he was holding an unconscious burden in his arms.

CHAPTER VII.

SHORTLY after there was such vigorous knocking at the windows of the little river-side inn that the panes were broken. The landlord and his customers rushed out into the street, cursing. But they ceased when they saw the scared looking figure with its singular burden; silently they helped to bring the prostrate form into the house. The landlord had recognized the features; he whispered the news to the others, and so great was the love and reverence that attached to this name, that the rough, half-drunken fellows stood about in the bare inn-parlor, as orderly and reverent as if they were in Church.

The body lay motionless on the bench which they had fetched; a feather, held to the lips, scarcely moved, so feebly did the breath come and go. The one remedy in the poor place, the brandy with which his breast and pulses were moistened, proved useless; not till the parish doctor, whom a raftsman hurriedly fetched, had applied his essences, did the unconscious man begin to breathe more deeply and at length open his eyes. But his look was fixed and weird; the white lips muttered confused words. Then the deep red eyelids closed again; they showed, as did the tear-

stains on his cheeks, how bitterly the poor wretch had been weeping in his aimless wanderings.

"We must get him home at once," said the Doctor. "There is brain fever coming on."

Berger sent to the hospital for a litter; it was soon on the spot; the sick man was carefully laid on it. The bearers stepped away rapidly; the doctor and Berger walked alongside. When they reached the market-place they came across Franz. "Dead?" he screamed; but when he heard the contrary, he said not another word, but hurried on ahead.

In this way Fräulein Brigitta was informed; she behaved more calmly than Berger could have believed. The bed was all ready; the Doctor attached to the Courts was soon on the spot. He was of the same opinion as his colleague. "A mortal sickness," he told Berger, "the fever is increasing, his consciousness is entirely clouded. Perhaps it is owing to overwork at the Inquiry in Vienna?" he added. "He may have caught a severe cold on the top of it."

The parish doctor departed, Franz was obliged to go to the chemist's; Berger and the resident doctor remained alone with the invalid. The barrister had a severe struggle with himself; should he tell the doctor the whole truth? To any unsuspecting person, Sendlingen's demeanor must have seemed like the paroxysm of a fever, but he knew better! Certainly the sufferer was physically ailing, but it was not under the weight of empty fancies that he was gently sobbing or

burying his anguish-stricken face in the pillow; the excess of his suffering, the terror of his lonely wanderings had completely broken down his strength; all mastery of self had vanished; he showed himself as he was; in a torment of helplessness. And that which seemed to the doctor the most convincing proof of a mind unhinged Berger understood only too well; as for instance when Sendlingen beckoned to him, and beseechingly whispered, as if filled with the deepest shame: "Go, George, can't you understand that I can no longer bear your looks?"

After this Berger went out and sank into a chair in the lobby, and the gruesome scene rose before him again; the lonely bridge lit by the flickering lantern; the roaring current beneath him . . "Oh, what misery!" he groaned, and for the first time for many years, for the first time perhaps, since his boyhood, he broke out into sobs, even though his eyes remained dry.

A rapid footstep disturbed him. It was Franz returning with the medicine. Berger told him to send the doctor to him at once.

"Doctor," he said, "you shall know the truth as far as I am at liberty to tell it." A misfortune, he told him, had befallen Sendlingen, a misfortune great enough to crush the strongest man. "Your art," he concluded, "cannot heal the soul, I know. But you can give my poor friend what he most of all needs; sleep! Otherwise his torture will wear out both body and soul."

The doctor asked no questions; for a long while he

looked silently on the ground. Then he said, briefly: "Good! Fortunately I have the necessary means with me."

He went back to the sick-room. Ten minutes later, he opened the door and made Berger come in. Sendlingen was in a deep sleep; and it must have been dreamless, for his features had smoothed themselves again.

"How long will this sleep last?" asked Berger.

"Perhaps till mid-day to-morrow," replied the doctor, "perhaps longer, since the body is so exhausted. At least, we shall know to-morrow whether there is a serious illness in store. But even if there is not, if it is only the torture of the mind that returns, it will be bad enough. Very bad, in fact. Do you know no remedy for it?"

"None!" answered the honest lawyer, feebly. They parted without a word in the deepest distress.

By earliest dawn, when the bells of the Cathedral rang forth for the first time, Berger was back again in his friend's lobby. "Thank God, he is still sleeping," whispered Fraülein Brigitta. "The worse has past, hasn't it?"

"We will hope so," he replied, constrainedly. For a long time he stood at the window and stared out into the court-yard; involuntarily his gaze fixed itself on the little door in the wall which was so small and low that he had never noticed it before; now he observed it for the first time.

Then he roused himself and went to the other part of the building to see his unfortunate client. "How is Victorine Lippert?" he asked of the Governor who happened to be at the door.

"Poor thing!" he said, with a shrug of the shoulders. "It will soon be all over with her, and that will be the best thing for her."

"Has she been suddenly taken ill?"

"No, Dr. Berger, she is just the same as before, but the doctor does not think she will last much longer. 'Snuffed out like a candle,' he says. If she had any sort of hope to which her poor soul might cling; but as it is . . . Herr von Werner had sent him to her to see what punishment she could bear for yesterday's scene in Court, but the doctor said to him afterward: 'It would be sheer barbarity! Let her die in peace!' But Herr von Werner was of opinion that he could not pass over the offence without some punishment, and that she would survive one day of the dark cell; he only relented when Father Rohn interceded for her. The priest was with her yesterday at two o'clock, and has made her peace with God. Do you still intend to appeal? Well, as you think best. But it will be labor in vain, Dr. Berger! She will die before you receive the decision."

"God forbid!" cried Berger.

The Governor shook his head. "She would be free in that case," he said. "Why should you wish her to live? What do you hope to attain? Commutation to

penal servitude for life, or imprisonment for twenty years! Does that strike you as being better? I don't think so; in my profession it is impossible to believe it, Dr. Berger. Well, as you think best! If you want to speak to Victorine Lippert, the warder shall take you round."

The Governor departed; Berger stood looking after him a long while. Then he stepped out into the prison yard and paced up and down; he felt the need of quieting himself before going into her cell. "That would be frightful," he thought. "And yet, perhaps, the man is right, perhaps it would really be best for her—and for him!" He tried to shake off the thought, but it returned. "And it would mean the end of this fearful complication, a sad, a pitiable end—but still an end!" But then he checked himself. "No, it would be no end, because it would be no solution. In misery he would drag out his whole existence; in remorse; in despair! No, on the contrary, her death might be the worst blow that could befal him! But what is to be done to prevent it? It would be possible to get her ordered better food, a lighter cell, and more exercise in the open. But all that would be no use if she is really as bad as the doctor thinks! She will die—O God! she will die before the decision of the Supreme Court arrives."

More perplexed and despairing than before, he now repaired to her cell. The warder unlocked it and he entered.

Victorine was reclining on her couch, her head pressed against the wall. At his entrance, she tried to rise, but he prevented her. "How are you?" he asked. "Better, I hope?"

"Yes," she answered softly, "and all will soon be well with me."

He knew what she meant and alas! it was only too plainly visible that this hope at least was not fallacious. Paler than she had latterly been it was almost impossible that she should become, but more haggard Berger certainly thought her; her whole bearing was more broken down and feeble. "She is right," he thought, but he forced himself and made every endeavour to appear more confident than he really was.

"I am glad of that!" He tried to say it in the most unconstrained manner in the world, but could only blurt it out in a suppressed tone of voice. "I hope——"

She looked at him, and, in the face of this look of immeasurable grief, of longing for death, the like of which he had never seen in any human eyes, the words died on his lips. It seemed to him unworthy any longer to keep up the pretence of not understanding her. "My poor child," he murmured, taking her hand, "I know. I know. But you are still young, why will you cease to hope? I have drawn up the appeal, I shall lodge it to-day—I am sure you will be pardoned."

"That would be frightful!" she said in a low tone.

"I begged you so earnestly to leave it alone. But I am not angry with you. You have done it because your pity constrained you, perhaps, too, your conscience and sense of justice—and to me it is all one! My life at all events, is only a matter of weeks: I shall never leave this cell alive! Thank Heaven! since yesterday afternoon this has become a certainty!"

"The doctor told you? Oh, that was not right of him."

"Do not blame him!" she begged. "It was an act of humanity. If he had only told me to relieve me of the fear of the hangman, he should be commended, not reproved. But it happened differently; at first he did not want to tell me the truth, it was evident from what he was saying, and when the truth had once slipped out, he could no longer deny it. He was exhorting me to hope, to cling to life, he spoke to me as you do, 'for otherwise' he said, 'you are lost! My medicines cannot give you vital energy!' His pity moved him to dwell on this more and more pointedly and decidedly. 'If you do not rouse yourself,' he said at last, 'you will be your own executioner.' He was frightened at what he had said almost before he had finished, and still more when I thanked him as for the greatest kindness he could have done me. He only left me to send Father Rohn. He came too, but——"

She sighed deeply and stopped.

"He surely didn't torture you with bigoted speeches?" asked Berger. "I know him. Father

Rohn is a worthy man who knows life; he is a human being . . ."

"Of course! But just because he is no hypocrite he could say nothing that would really comfort me for this life. At most for that other life, which perhaps—no certainly!" she said hurriedly. "So many people believe in it, good earnest men who have seen and suffered much misfortune, how should a simple girl dare to doubt it? Certainly, Dr. Berger, when I think of my own life and my mother's life, it is not easy to believe in an all-just, all-merciful God. But I do believe in Him—yes! though so good a man as Father Rohn could only say: amends will be made up there. Only the way he said it fully convinced me! But, after all, he could only give me hope in death, not hope for life."

"Certainly against his will," cried Berger. "You did not want to understand him."

"Yes, Dr. Berger, I did want to understand him and understood him—in everything—excepting only one thing," she added hesitatingly. "But that was not in my power—I could not! And whatever trouble he took it was in vain."

"And what was this one thing?"

"He asked me if there was no one I was attached to, who loved me, to whom my life or death mattered? No, I answered, nobody—and then he asked—but why touch upon the hateful subject! let us leave it alone, Dr. Berger."

"No," cried Berger, white with emotion, "I implore you, let us talk about it. He asked you whether you did not know your father."

She nodded; a faint red overspread her pale cheeks.

"And you answered?"

"What I have told you: that I did not know him, that if he were living I should not love and reverence him as my father, but hate and despise him as the wretch who ruined my mother!" She had half raised herself, and had spoken with a strength and energy that Berger had not believed possible. Now she sank back on her couch.

He sighed deeply. "And you adhered to that," he began again, "whatever Father Rohn might say? He told you that on the threshold of—that in your situation one should not hate, but forgive, that whoever hopes for God's mercy must not himself condemn unmercifully!"

"Yes," she replied, "he said so, if perhaps in gentler words. For he seemed to feel that I did not require to depend on God's mercy, but only on His justice."

"Forgive me!" muttered Berger. "For I know your fate and know you. But just because I know your affectionate nature and your need of affection——" He stopped. "Gently," he thought, "I must be cautious." "Don't consider me unfeeling," he then continued, "if I dwell upon this matter, however painful it may be to you. Just this one thing: does it follow that this man must be a wretch? Were there not perhaps

fatal circumstances that bound him against his will and prevented him doing his duty to your poor mother?"

"No," she answered. "I know there were not!"

"You know there were not?" murmured Berger in the greatest consternation. "But do you know him?"

"Yes. I know his heart, his character, and that is enough. What does it matter to me what his name is, or his station? Whether he is living or dead? To me he has never lived! I know him from my mother's judgment, and that she, the gentlest of women, could not judge otherwise, proves his unworthiness. Only one single time did she speak to me of him, when I was old enough to ask and to be told why people sometimes spoke of us with a shrug of the shoulders. 'If he had been thoughtless and weak,' she said to me, 'I could have forgiven him. But I have never known a man who viewed life more earnestly and intelligently: none who was so strong and brave and resolute as he. It was only from boundless selfishness, after mature, cold-blooded calculation that he delivered me to dishonor, because I was an obstacle in his career.' You see he was more pitiless than the man whom I trusted."

"No," cried Berger in the greatest excitement. "You do him injustice!"

"Injustice! How do you know that? Do you know him?"

He turned away and was silent. "No," he then murmured, "how should I know him?"

"Then why do you dissent from me with such conviction? Oh, I understand," she went on bitterly, "you, even you, don't think my mother's words trustworthy, and simply because she allowed herself to be deluded by a wretch!"

"No, indeed!" returned Berger, trying to compose himself, "for I know how noble, how true and good your mother was, I know it from her letters. The remark escaped me unawares. But you are right. Let us drop this subject."

Then he asked her if she would like to have some books. She answered in the negative and he left the cell.

"Sendlingen must never see her!" he thought when he was back in the street. "If he were to enter her cell he would betray himself and then learn what she thinks of him! It would utterly crush him. That, at least, he shall be spared."

But the next few minutes were to show him that he had been planning impossibilities. As he passed the Chief Justice's residence, an upstairs window opened; he heard his name called loud and anxiously. It was Fraulein Brigitta. "Quickly," cried she, beckoning him to come up.

He hurried up the stairs, she rushed to meet him. "Heaven has sent you to us," she cried, weeping and wringing her hands. "How fortunate that I accidentally saw you passing. We were at our wits' end? He insists on going out. Franz is to dress him. We do

not know what has excited him so. Father Rohn has been to see him, but he talked so quietly with him that we breathed again indeed. It is manifestly a sudden attack of fever, but we cannot use force to him."

Berger hurried to the bedroom. Sendlingen was reclining in an arm-chair, Franz was attending to him. At his friend's entrance he coloured, and held up his hand deprecatingly. "They have fetched you," he cried impatiently. "It is useless! I am not going to be prevented!"

Berger signed to Franz to leave the room. Not until the door was closed behind him did he approach the sick man, and take his hand, and look searchingly into his face. It reassured him to see that, though his eyes were dim, they no longer looked wild and restless as they did a few hours ago.

"You are going to her?" he asked. "That must not be."

"I must!" cried Sendlingen despairingly. "It is the one thought to which I cling to avoid madness. When I awoke—I was so perplexed and desolate, I felt my misery returning—then I heard Rohn's voice in the next room. They were going to send him away: I was still asleep, they said,—but I made him come in, because I wanted to hear some other voice than that of my conscience, and because I was afraid of myself. I did not dream that he was bringing me a staff by which I could raise myself again."

"You asked him about her?"

"No, by the merest chance he began to tell me of his talk with her yesterday, and how she was wasting away because there was no one on earth for whose sake she could or would rouse herself. Oh, what I felt! Despair shook my heart more deeply than ever, and yet I could have thanked him on my knees for these good tidings. Now my life has an object again, and I know why Fate has allowed me to survive this day."

Berger was silent—should he, dared he, tell the truth? "Think it over a while" he begged. "If you were to betray yourself to the officials——"

"I shall not do so. And if I did, how could that trouble me? Don't you see that a man in my situation cannot think of himself or any such secondary consideration?"

"That would be no secondary consideration. And could you save her by such a step? The situation remains as it was!"

"Are you cruel enough to remind me of that?" cried Sendlingen. "But, thank God! I am clear enough to give you the right answer instead of allowing myself to be oppressed by misery. Now listen; I shall do what I can! From the hangman, from the prison, I may not be able to save my child, but perhaps I can save her from despair, from wasting away. I shall say to her: live for your father, as your father lives for you! Perhaps this thought will affect her as it has affected me; it has saved me from the worst. Another night like last night, George!" He stopped and a shudder

ran through his body. "Such a night shall not come again! I do not know what is to be done later on, but my immediate duty is clear. I have been fighting against the instinct that drew me to her, as against a suggestion of madness; I now see that it was leading me aright."

He laid his hand on the bell to summon Franz. Berger prevented him. "Wait another hour," he implored. "I will not try to hinder you any more; I see that it would be useless, perhaps unjust. But let me speak to her first. Humour me in this one thing only. You agreed to do so yesterday."

"So be it!" said Sendlingen. "But you must promise not to keep me waiting a minute longer than is absolutely necessary."

Berger promised and took his leave. He was not a religious man in the popular sense of the word, and yet as he again rang the prison bell, he felt as if he must pray that his words would be of effect as a man only can pray for a favour for himself.

The warder was astonished when he again asked admission to the cell, and Victorine looked at him with surprise.

He went up to her. "Listen to me," he begged. "I have hitherto wished to conceal the truth from you, with the best intentions, but still it was not right. For falsehood kills and truth saves, always and everywhere—I ought to have remembered that. Well then; I know your father; he is my best friend, a man so

noble and good, so upright and full of heart, as are few men on this poor earth."

She rose. "If that were so my mother would have lied," she cried. "Can I believe you rather than my mother? Can you expect that of me?"

"No," he replied. "Your mother judged him quite correctly. He did not betray her through thoughtlessness, nor forsake her through weakness. But much less still from cold-blooded calculation. No external constraint weighed upon him but an internal,—the constraint of education, of his convictions, of his views of the world and men, in short, of his whole being, so that he could hardly have acted differently. With all this there was such a fatal, peculiar concatenation of external circumstances, that it would have needed a giant soul not to have succumbed. We are all of us but men. I would not trust anyone I know, not even myself, to have been stronger than he was! Not one, Victorine! Will you believe me?"

"My mother judged otherwise!" she replied. "And will you perhaps also attempt to justify the fact that he never concerned himself about his child?"

"He knew nothing of you," cried Berger. "He did not dream that he had a child in the world! And one thing I can assure you: if he had accidentally heard that you were alive, he would not have rested until he had drawn you to his heart, he would have sheltered you in his arms, in his house, from the battle with misery and the wickedness of men. Not only his heart

would have dictated this, but the absence of children by his marriage, and his sense of justice: so as to make good through you what he could no longer make good to your poor mother. If you could only imagine how he suffers!—You must surely be able to feel for him: a noble man, who suddenly learns that his offence is ten times greater than he had thought or dreamt; that he has a child in the world against whom also he has transgressed, and who learns all this at a moment when he can make no reparation—in such a moment—can you grasp this, Victorine?"

Her face remained unmoved. "What shall I say?" she exclaimed gloomily. "If he really suffers, the punishment is only just. What did my mother not suffer on his account! And I!"

"But can we ascribe all the blame to him?" he cried. "All, Victorine?"

"Perhaps," she answered. "But if not all, then the most, so much that I will certainly believe you in one thing; if he is a human being at all, then he should now be suffering all the tortures of remorse. Still, as great as my sorrow, his cannot be! And is my guilt greater than his? And has he, too, to expiate it with honour and life?"

"Quite possibly!" he cried. "Perhaps with his life, seeing that he cannot, situated as he now is, expiate it with his honour. Oh, if you knew all! If you knew what an unprecedented combination of circumstances has heightened the sense of his guilt, has increased his

sorrow to infinite proportions. And you shall know all."

"I will not hear it," she cried with a swift movement of repulsion, "I do not care, I may not care about it. I will not be robbed of my feelings against this man. I will not! His punishment is just—let us drop the subject."

"Just! still this talk about just! You are young but you have experienced enough of life, you have suffered enough, to know how far this justice will bring us. An eye for an eye and a tooth for a tooth — shall this pitiless web of guilt and expiation continue to spin itself everlastingly from generation to generation? Can't you understand that this life would be unendurable if a high-minded deed, a noble victory over self, did not at times rend the web? You should understand this, poor child, you more than anyone. Do such a deed, forgive this unhappy man!"

"Did he send you to me on this mission?"

"No. I will be truthful in the smallest detail: I myself wrested from him permission to prepare you for his coming. I wished to spare you and him the emotions of a melancholy contest. For he does not even suspect what you think of him."

"He does not suspect it?" she cried. "He thinks that the balance is struck, if he graces a fallen, a condemned creature with a visit! Oh, and this man is noble and sensitive!"

"You are unjust to him in that, too," protested Ber-

ger. "And in that most of all. That he who can usually read the hearts of men like a book, has not thought of this most obvious and natural thing, shows best of all how greatly his misery has distracted and desolated him. He only wants one thing: to come to you, to console you, to console himself in you."

"I will not see him, you must prevent it."

"I cannot. I have tried in vain. He will come; his reason, perhaps his life, depend upon the way you may receive him."

"Do not burden me with such responsibilities," she sobbed despairingly. "I cannot forgive him. But I desire nobody's death, I do not wish him to die. Tell him what you like, even that I forgive him, but keep him away, I implore you."

She would have thrown herself at his feet but he prevented her. "No, not that," he murmured. "I will not urge any more. As God wills."

A few minutes later he was again with Sendlingen. "She knows all," he told him, "except your name and station. She does not desire your visit—she—dreads the excitement."

He stopped short and looked anxiously at his friend; he feared another sudden outburst of despair.

But it did not come. Sendlingen certainly started as in pain, but then he drew himself up to his full height. "You are concealing the truth from me," he said. "She does not wish to see her mother's betrayer. I did not think of it before, but I read it at

once in your looks of alarm. That is bad, very bad—but stop me, it cannot. Where the stranger has tried in vain the father will succeed. My heart tells me so."

He called for his hat and stick and leaning on Berger's arm, went down the steps. In the street he loosed his hold: the energy of his soul had given his body new strength. With a firm step he walked to the prison door, and the quiver in his voice was scarcely perceptible as he gave the warder the order to open Victorine Lippert's cell.

The official obeyed. The prisoner hardly looked up when she heard the bolts rattle yet another time. The warder felt himself in duty bound to call her attention to the importance of the visit she was about to receive. "His Lordship, the Chief Justice, Baron Sendlingen!" he whispered to her. "Inspection of the Cells. Stand up." He stepped back respectfully to admit Sendlingen and locked the door after him.

The two were alone. Victorine had risen as she had been told: once only did she cast a transient and nonchalant look at the tall figure before her, then she remained standing with bowed head. Similar inspections had frequently taken place before; in each case the functionary had briefly asked whether the prisoner wished anything or had any complaint to make. This question she was waiting for now in order to reply as briefly in the negative; she wanted nothing more.

But he was silent, and as she looked up surprised

—"Merciful God!" she cried, and reeled back on to her couch, covering her face with her trembling hands.

She knew who this man was at once, at the first glance. How she had recognised him with such lightning speed, she could not determine, even later when she thought the matter over. It was half dark in the cell, she had not properly seen his features and expression. Perhaps it was his attitude which betrayed him. With bowed head, his hands listlessly hanging by his sides, he stood there like a criminal before his judge.

At her exclamation, he looked up and came nearer. "Victorine," he murmured. She did not understand him, so low was his stifled articulation. "My child!" he then cried aloud and darted towards her. She rose to her feet and stretched out her hands as if to repel him, gazing at him all the while with widely opened eyes. And again she did not know what it was that suddenly penetrated and moved her heart. Was it because his face seemed familiar to her, mysteriously familiar, as if she had seen it ever since she could think? . . . Yes, it was so! For what unknown to herself, had overpowered her, was the likeness to her own face. Or was it perhaps the silent misery of his face, the beseeching look of his eyes? She felt the bitter animosity to which she had despairingly clung, the one feeling of which she would not be robbed, suddenly melt away.

"I cannot," she still faltered, but in the same breath

she lifted up her arms. "Father!" she cried and threw herself on his breast.

He caught her in his arms and covered her head and face with tears and kisses. Then he drew her upon his knees and laid her head on his breast. Thus they sat and neither spoke a word; only their tears flowed on and on.

CHAPTER VIII.

HALF an hour might have passed since Sendlingen entered his daughter's cell: to Berger, who was pacing up and down outside as sentry, it seemed an eternity. The warder, too, was struck by the proceeding. This zealous, but very loquacious official, whom Berger had known for many years, approached him with a confidential smile. "There must—naturally enough—be something strange going on in there," he said as he pointed with a smirk towards the cell. "Something very strange."

Berger at first stared at the man as much disconcerted as if he had said that he knew the secret. "What do you mean by that," he then said roughly. "Your opinions are not wanted."

The warder looked at him amazed. "Well, such as we—naturally enough—are at least entitled to our thoughts," he replied. "There has been a run upon this cell since yesterday as if it contained a princess! First the doctor, Father Rohn and you, Herr Berger—and now his Lordship the Chief Justice, and all in little more than an hour's time. That doesn't occur every day, and I know the reason for it."

Berger forced himself to smile. "Of course you do,

because you're such a smart fellow, Höbinger! What is the reason of it?"

"Well with you, Dr. Berger, I can — naturally enough—talk about the matter," replied the warder flattered, "although you are the prisoner's counsel and a friend of the Chief Justice. But in 1848 you made great speeches and were always on the side of the people; you will not betray me, Dr. Berger. Well—naturally enough—it is the old story: there is no such thing as equality in this world! If she, in there, were a servant-girl who had been led astray by a servant-man, not a soul would trouble their heads about her! But she is an educated person, and what is the principal thing—her seducer is a Count—that alters matters. Of course she had to be condemned—naturally enough—because the law requires it, but afterwards every care is taken of her, and if she were to get off with a slight punishment I, for one, shouldn't be surprised. Of course the Governor says that that's nonsense; if it were a case of favouritism he says, Herr von Werner would have behaved differently to her: the Vice Chief Justice, he says, has a very keen scent for favouritism; you, Höbinger, he says—naturally enough—are an ass! But I know what I know, and since his Lordship has taken the trouble to come, not in a general inspection, but on a special visit that is lasting longer than anything that has ever been heard or dreamt of, I am quite convinced that it is not I, but on the contrary, the Governor. . . ."

But the crafty fellow did not allow this disrespect to his superior to pass his lips, but contented himself by triumphantly concluding: "Naturally enough—is it not, Dr. Berger?"

Berger thought it best to give no definite answer. If this chatter-box were to confide his suspicions to the other prison officials, it would at least be the most harmless interpretation and therefore he only said: "You think too much, Höbinger. That has often proved dangerous to many men."

Another half hour had gone by and Berger's anxiety and impatience reached the highest pitch. He was uncertain whether to put a favourable or an unfavourable interpretation upon this long stay of Sendlingen's, and even if he had succeeded in touching his child's heart, yet any further talk in this place and under these conditions was a danger. How great a danger, Berger was soon to see plainly enough.

The artful Höbinger was slinking about near the cell more and more restlessly. Only Berger's presence kept him from listening at the key-hole, or from opening the little peep-hole at the door, through which, unobserved by the prisoner, he could see the inside of every cell.

The desire was getting stronger and stronger; his fingers itched to press the spring that would open it. At last, just as Berger had turned his back, he succumbed to his curiosity; the little wooden door flew

open noiselessly—he was going to fix his eyes in the opening. . . .

At that moment Berger happened to turn round. "What are you doing there?" he cried in such a way that the man started and stepped back. In a second Berger was beside him, had seized his arms and flung him aside. "What impertinence!" he cried.

The warder was trembling in every limb. "For God's sake," he begged, "don't ruin me. I only wanted to see whether—whether his Lordship was all right."

"That's a lie!" cried Berger with intentional loudness. "You have dared——"

He did not require to finish the sentence; his object was attained: Sendlingen opened the door and came out of the cell. His face bore once more its wonted expression of kindly repose; he seemed to have recovered complete mastery of himself.

"You can lock up again," he said to the warder. He seemed to understand what had just passed for he asked no questions.

Still Höbinger thought it necessary to excuse himself. "My Lord," he stammered, "I only wanted to do my duty. It sometimes happens that—that criminals become infuriated and attack the visitors."

"Does that poor creature in here strike you as being dangerous?" asked Sendlingen. It seemed to Berger almost unnatural that he could put forth the effort to say this, nay more, that he could at the same time force a smile.

"My Lord——"

"Never mind, Höbinger! You were perhaps a little inquisitive, but that shall be overlooked in consideration of your former good conduct. Besides, prisoners are allowed no secrets, at all events after their sentence." Turning to Berger he continued: "She must be taken to the Infirmary this afternoon, it is a necessity. Have you anything else to do here? No? Well, come back with me."

It all sounded so calm, so business-like—Berger could hardly contain his astonishment. He would never have believed his friend capable of such strength and especially after such a night—after such an interview! "I admire your strength of nerve," cried he when they got out into the street. "That was a fearful moment."

"Indeed it was!" agreed Sendlingen, his voice trembling for the first time. "If the fellow had cast one single look through the peep-hole, we should have both been lost! Fancy Höbinger, the warder, seeing the Chief Justice with a criminal in his arms!"

"Ah then, it came to that?"

"Should I otherwise be so calm? I am calm because I have now an object again, because I see a way of doing my duty. Oh, George, how right you were: happy indeed am I that I live and can pay my debt."

"What do you think of doing?"

"First of all the most important thing: to preserve her life, to prepare her for life. As I just said, she

shall be allotted a cell in the Infirmary and have a patient's diet. I may do this without dereliction of duty: I should have to take such measures with anyone else if I knew the circumstances as accurately as I do in this case."

"But you will not be able to visit her too often in the Infirmary," objected Berger.

"Certainly not," replied Sendlingen. "I see that the danger is too great, and I told her so. Yes, you were right in that too: it is no secondary consideration whether our relationship remains undiscovered or not. I cannot understand how it was that I did not see this before: why, as I now see, *everything* depends upon that. And I see things clearly now; this interview has worked a miracle in me, George—it has rent the veil before my eyes, it has dispelled the mist in my brain. I know I can see Victorine but seldom. On the other hand Brigitta will be with her daily: for she is a member of the 'Women's Society,' and it will strike nobody if she specially devotes herself to my poor child."

"It will not strike others, but will she not herself guess the truth?"

"Why, she shall know all! I will tell her this very day. She is entirely devoted to me, brave and sterling, the best of women. Besides I have no choice. Intercourse with a good, sensible woman is of the most urgent necessity to my poor dear. But I have not resolved on this step simply for that reason. I shall need this faithful soul later on as well."

"I understand—after the term of imprisonment is at an end."

Sendlingen stood still and looked at his friend; it was the old look full of wretchedness and despair. "Yes!" he said unsteadily. "Certainly, I had hardly thought of that. I do not indulge any extravagant hopes: I am prepared for anything, even for the worst. And just in this event Brigitta's help would be more than ever indispensable to me."

"If the worst were to happen?" asked Berger. "How am I to understand that?"

Sendlingen made no reply. Not until Berger repeated the question did he say, slowly and feebly: "Such things should not be talked about, not with anyone, not even with a best friend, not even with one's self. Such a thing is not even dwelt upon in thought; it is done when it has to be done."

His look was fixed as he spoke, like a man gazing into a far distance or down into a deep abyss. Then his face became calm and resolved again. "One thing more," he said. "You have finished drawing up the appeal? May I read it? Forgive me, of course I have every confidence in you. But see! so much depends upon it for me, perhaps something might occur to me that would be of importance!"

"What need of asking?" interrupted Berger. "It would be doing me a service. We will go through the document together this very day."

When he called on his friend in the evening with

this object, Fräulein Brigitta came out to see him. The old lady's eyes were red with crying, but her face was, as it were, lit up with a strong and noble emotion.

"I have already visited her," she whispered to Berger. "Oh believe me, she is an angel, a thousand times purer than are many who plume themselves on their virtue. I bade her be of good cheer, and then I told her much about his Lordship—who knows better how, who knows him better? She listened to me peacefully, crying quietly all the time and I had to cry too—. But all will come right; I am quite sure of it. If the God above us were to let these two creatures perish, *these* two——"

Her voice broke with deep emotion. Berger silently pressed her hand and entered the study.

He found his friend calm and collected. Sendlingen no longer complained; no word, no look, betrayed the burden that oppressed his soul. He dispatched his business with Berger conscientiously and thoroughly, and as dispassionately as if it were a Law examination paper. More than that—when he came to a place where Berger, in the exaltation of the moment, had chosen too strong an expression, he always stopped him: "That won't do: we must find calmer and more temperate words!" And usually it was he too who found these calmer and more temperate words.

Down to the last word he maintained this clearness, this almost unnatural calm. Not until Berger had folded his paper and was putting it in his pocket did

the consciousness of his misery seem to return. Involuntarily he stretched forth his hand towards the paper.

"You want to refer to something again?" asked Berger.

"No!" His hand dropped listlessly. "Besides it is all labour in vain. My lot is cast."

"Your lot?" cried Berger. "However much you may be bound up with the fate of your child, you must not say that!"

"*My* lot, *only* my lot!"

Berger observed the same peculiar look and tone he had before noticed when Sendlingen said that such things should not be spoken of even to one's self. . . . But this time Berger wanted to force him to an explanation. "You talk in riddles," he began; but he got no further, for, with a decision that made any further questions impossible, Sendlingen interrupted him:

"May I be spared the hour when you learn to know this riddle! Even you can have no better wish than this for me! Why vainly sound the lowest depths? Good night, George, and thanks a thousand, thousand times!"

CHAPTER IX.

Six weeks had elapsed since the dispatch of the appeal: Christmas was at the door. The days had come and gone quickly without bringing any fresh storm, any fresh danger, but certainly without dispelling even one of the clouds that hung threateningly over the heads of these two much-to-be-commiserated beings.

Berger was with Sendlingen daily, and daily his questioning look received the same answer; a mute shake of the head—the decision had not yet arrived. The Supreme Court had had the papers connected with the trial brought under its notice; beyond the announcement of this self-evident fact, not a line had come from Vienna. This silence was certainly no good sign, but it did not necessarily follow that it was a bad one. To be sure the lawyer examining the case, unless, from the first, he attributed no importance whatever to Berger's statements, should have demanded more detailed information from the Court at Bolosch, and all the more because Baron Dernegg's dissentient vote was recorded in the papers. Still, perhaps this silence was simply to be explained by the fact that he had not had an opportunity of going into the case.

Berger held fast to this consoling explanation, or at least pretended to do so, when the subject came up in conversation, which was seldom enough; he did not like to begin it, and Sendlingen equally avoided it. It almost seemed to Berger as if his unhappy friend welcomed the delay in the decision, as if he gladly dragged on in a torture of uncertainty from day to day —anything so as not to look the dread horror in the face. And indeed Sendlingen every morning sighed with relief, when the moment of horrid suspense had gone by, when he had looked through the Vienna mail and found nothing. But this did not arise from the motive which Berger supposed, but from a better feeling. Sendlingen rejoiced in every hour of respite that gave his poor child more time to gather strength of soul and body.

The shattered health of Victorine mended visibly, day by day. The deathly pallor disappeared, her weakness lessened, the look of her eyes was clearer and steadier. The doctor observed it with glad astonishment and no little pride; he ascribed the improvement to his remedies, to the better nourishment and care which on his representations had been allotted her. When he boasted of it to his friend, Father Rohn, the good priest met him with as bantering a smile as his kind heart would allow; he knew better. If this poor child was blossoming again, the merit was entirely his. Had not the doctor himself said that she could only be saved by a change in her frame of mind? And had not this

change really set in even more visibly than her physical improvement?

A new spirit had entered into Victorine. She no longer sat gazing in melancholy brooding, she no longer yearned for death, and when the priest sought to nourish in her the hope of pardon—in the sincerest conviction, for he looked upon the confirmation of the death-sentence as an impossibility — she nodded to him, touched and grateful. She seemed, now, to understand him when he told her that the repentance of a sinner and his after life of good works, were more pleasing to the good God above than his death. And when he once more led the conversation to the man who, in spite of everything, was her father and perhaps at this moment was suffering the bitterest anguish on her account, when he begged her not to harden her heart against the unknown, he had the happiness of hearing her say with fervour in her looks and voice: "I have forgiven him from the bottom of my heart. The thought of him has completely restored me! Perhaps God will grant me to be a good daughter to him some day!" So the words of comfort and the exhortations of the good priest had really not been in vain.

The true state of the case nobody even suspected; the secret was stringently kept. No doubt it struck many people and gave occasion to a variety of gossip, that Fräulein Brigitta visited the condemned prisoner almost daily, and the Chief Justice almost weekly, but

a sufficient explanation was sought and found. Good-natured and inoffensive people thought that Victorine Lippert was a creature so much to be pitied, that these two noble characters were only following their natural instincts in according her a special pity; the malevolent adopted the crafty Höbinger's view, and talked of "favouritism"; the aristocratic betrayer and his mother the Countess, they said, had after all an uneasy conscience as to whether they had not behaved too harshly to the poor creature, and the representations they had made to their fellow-aristocrat, Baron von Sendlingen, had not been in vain. Certainly this report could only be maintained in uninitiated circles; anyone who was intimately acquainted with the aristocratic society of the province knew well enough, that the Countess Riesner-Graskowitz was assuredly the last person in the world to experience a single movement of pity for the condemned girl.

Be that as it might, Sendlingen behaved in this case as he had all his life behaved in any professional matter: humanely and kindly, but strictly according to the law and without over-stepping his duty by a hair's breadth. The better attention, the separate cell in the Infirmary, would certainly have been allotted to any one else about whom the doctor had made the same representations. When Father Rohn, moved by his sense of compassion, sought to obtain some insignificant favour that went beyond these lines—it had reference to some absolutely trifling regulation of the

house—the Governor of the gaol was ready to grant it, but the Chief Justice rigidly set his face against the demand.

When Berger heard of this trivial incident, a heavy burden which he had been silently carrying for weeks, without daring to seek for certainty in a conversation on the subject, was rolled from his heart. He had put an interpretation on the mysterious words that Sendlingen had uttered the day after the trial, which had filled him with the profoundest sorrow,—more than that with terror. Now he saw his mistake: a man who so strictly obeyed his conscience in small matters where there was no fear of discovery, would assuredly in any greater conflict between inclination and duty, hold fast unrelentingly to justice and honour.

He was soon to be strengthened in this view.

It was three days before Christmas-day when he once more entered his friend's chambers. He found him buried in the perusal of letters which, however, he now pushed from him.

"The mail from Vienna is not in yet," he said, "the train must have got blocked in the snow. But I have letters from Pfalicz. The Chief Justice of the Higher Court there, to whose position I am to succeed, asks whether it would not be possible for me to release him soon after the New Year, instead of at the end of February, as the Minister of Justice arranged. He is unwell, and ought to go South as soon as possible."

"Great Heavens!" cried Berger. "Why, we have

forgotten all about that." And indeed those stormy days and the succeeding weeks of silent, anxious suffering had hardly allowed him to think of Sendlingen's impending promotion and departure."

"I have not," replied Sendlingen, gloomily. "The thought that I had to go, has often enough weighed me down more heavily than all my other burdens. How gladly I would stay here now, even if they degraded me to—to the post of Governor of the prison! But I have now no option. I have definitely accepted the position at Pfalicz and I must enter upon it."

"And do you really think of departing at the New Year?"

"No, that would be beyond my duty. I should be glad to oblige the invalid, but as you know, I cannot. I shall stay till the end of February; the decision must have come by that time."

He again bent over a document that lay before him. Berger too, was silent, he went to the window and stared out into the grey dusk; it seemed as if the snow-storm would never cease.

There was a knock at the door; a clerk of the Court of Record entered. "From the Supreme Court," he announced, laying a packet with a large seal on the table. "It has just arrived. Personally addressed to your lordship."

The clerk departed; Berger approached the table. When he saw how excited Sendlingen was, how long he remained gazing at the letter, he shook his head.

"That cannot be the decision," he said. "It would not be addressed to you. It is some indifferent matter, a question of discipline, a pension."

Sendlingen nodded and broke the seal. But at the first glance a deathly pallor overspread his face, and the paper in his hands trembled so violently that he had to lay it on the table in order to read it to the end. "Read for yourself," he then muttered.

Berger glanced through the paper; he too felt his heart beat impetuously as he did so. It was certainly not the decision, only a brief charge, but its contents were almost equivalent to it.

The lawyers examining the appeal had, as Berger hoped, been struck by Baron Dernegg's dissentient vote and the motives for this. Dernegg was not of the opinion of his brother judges that this was a case of premeditated murder, maliciously planned months beforehand, but a deed done suddenly, in a paroxysm of despair, nay, most probably in a moment when the girl was not accountable for her actions. Against this more clement view, there certainly were the depositions of the Countess, and Victorine's attempts to conceal her condition. But on the other hand, her only *confidante*, the servant-girl, had deposed at the preliminary inquiry that Victorine had only made these attempts by her advice and with her help, and, moreover, with the sole object of staying in the house until the young Count should come to her aid. This testimony, however, she had withdrawn at the trial.

Berger had chiefly based his appeal to nullify the trial, on the fact that the witness, in spite of this contradiction, had been put on her oath, and to the examining lawyer, also, this seemed a point of decisive importance. The Chief Justice was, therefore, commissioned to completely elucidate it by a fresh examination of the witness. Probably the charge had been directed to him personally because, as it stated, neither Herr von Werner nor any of the other judges who had been in favour of putting her on oath, could very well be entrusted with the inquiry. But if Sendlingen were actually too busy with other matters to conduct the examination, he might hand it over to the third Judge, Herr von Hoche.

"What will you do?" asked Berger. "The matter is of the gravest importance. That the girl gave false evidence at the trial, that this was her return for being taken back into the Countess' service, we know for a certainty. The only question is whether we can convict her of it. An energetic Judge could without doubt do so, but will old Hoche, now over seventy, succeed? He is a good man, but his years weigh heavily upon him, he is dragging himself through his duties till the date of his retirement—four weeks hence—I fancy as best he can. And therefore once again—what will you do, Victor?"

"I don't know," he murmured. "Leave me alone. I must think it out by myself. Forgive me! my conscience alone can decide in such a matter. Good-bye till this evening, George."

Berger departed; his heart was as heavy as ever it had been. In the first ebullition of feeling, moved by his pity for these two beings, he had wished to compel his friend to undertake the inquiry, but now he had scruples. Was not the position the same as on the day of the trial? And if he then approved of his friend's resolution not to preside, could he now urge him to undertake a similar task? Certainly the conflict was now more acute, more painfully accentuated, but was Sendlingen's duty as a Judge any the less on that account? Again the thought rose in Berger's mind which a few weeks ago had comforted him and lifted him above the misery of the moment: that there was a solution of these complications, a great, a liberating solution—there must be, just because this man was what he was! But even now he did not know how to find this solution; one thing only was clear to him: if Sendlingen undertook the inquiry and thus saved his child, it would be an act for which there would be all manner of excuses but it would assuredly not be that great, saving act of which he dreamt! And yet if Hoche in his weakness ruined the case and did not bring the truth to light, if she perhaps had to die now that she had begun to hope again, now that she had waked to a new life . . . Berger closed his eyes as if to shut out the terrible picture that obtruded itself upon him, and yet it rose again and again.

At dusk, just as he was starting to his friend's, Fräulein Brigitta called to see him.

"I am to tell you," she began, "that his Lordship wants you to postpone your visit until to-morrow. But it is not on that account that I have come, but because I am oppressed with anxiety. Has the decision arrived? He is as much upset again as he was on the day of the trial."

Berger comforted her as well as he could. "It is only a momentary excitement," he assured her, "and will soon pass."

"I only thought so because he is behaving just as he did then. It is a singular thing; he has been rummaging for those keys again. You know,—the one that opens the little door in the court-yard wall. I came in just in the nick of time to see him take it out of his writing-table drawer. And just as before, it seemed to annoy him to be surprised in the act.—Isn't that strange?"

"Very strange!" he replied. But he added hastily: "It must have been a mere chance."

"Certainly, it can only have been a coincidence," he thought after Brigitta had gone, "it would be madness to impute such a thing to him, to him who was horrified at the idea of conducting the trial and equally at the thought of conducting this examination. And yet when he first seized upon that key, the idea must certainly have taken a momentary possession of him, and that it should have returned to him to-day, to-day of all days."

As he was the next day walking along the corridor

that led to Sendlingen's chambers, he met Mr. Justice Hoche. The hoary old man, supporting himself with difficulty by the aid of a stick, was looking very testy.

"Only think," he grumbled, "what an odious task the Chief Justice has just laid upon me. It will interest you, you were Counsel for the defence in the case." And he told him of the charge at great length. "Well, what do you say to that? Isn't it odious?"

"It is a very serious undertaking!" said Berger. "The matter is one of the greatest importance."

"Yes, and just for that reason," grumbled the old man, almost whimpering. "I do not want to undertake any such responsibility, now, when merely thinking gives me a head-ache. I suffer a great deal from head-aches, Dr. Berger. And it is such a ticklish undertaking! For you see either the maid-servant told the truth at the trial, in which case this fresh examination is superfluous, or she lied and *ergo* was guilty of perjury and *ergo* is a very tricky female! And how am I ever to get to the bottom of a tricky female, Dr. Berger?"

"Did you tell the Chief Justice this?" asked Berger.

"Oh, of course! For half an hour I was telling him about my condition and how I always get a head-ache now if I have to think. But he stuck to his point, 'you will have to undertake the matter: you must exert yourself!' Good Heavens! what power of exertion has one left at seventy years of age! Well, good morning, dear Dr. Berger! But it's odious—most odious!"

Berger looked after the old man as he painfully hobbled along: "And in such hands," he thought, "rests the fate of my two friends."

Under the weight of this thought, he had not the courage to face Sendlingen. He turned and went home in a melancholy mood.

When the next day towards noon, he was turning homewards after a trial at which he had been the defending barrister, he again met Mr. Justice Hoche, who was just leaving the building, in the portico of the Courts. The old gentleman was manifestly in a high state of contentment.

"Well," asked Berger, "is the witness here already? Have you begun the examination?"

"Begun? I have ended it!" chuckled the old man.

"And *re bene gesta* one is entitled to rest. I shall let the law take care of itself to-day and go home. I haven't even got a head-ache over it; certainly it didn't require any great effort of thought—I soon got at the truth."

"Indeed?—and what is the truth?"

"H'm! I don't suppose it will be particularly agreeable to you," laughed the old Judge, leaning confidentially on Berger's arm. "Though for the matter of that you may be quite indifferent about it: you have done your duty, your appeal was certainly splendidly drawn up, but what further interest can you have in this person? For she is a thoroughly good-for-nothing person, and that's why she is dying so young!

What stories that servant-girl has told me about her, stories, my dear doctor, that an old barrack-wall would have blushed to hear. She was hardly seventeen years old when she came to the Countess', but already had a dozen intrigues on her record, and what things she told her *confidante* about them, and which were repeated to me to-day—why, it is a regular Decameron, my dear doctor, or more properly speaking: Boccaccio in comparison is a chaste Carthusian."

Berger violently drew his arm out of the old man's. "That's a lie!" he said between his teeth. "A scandalous calumny!"

The old Judge looked at him, quite put out of countenance. "Why, what an idea," he cried. "If it were not so, this servant-girl would be a tricky female."

"So she is."

"She is not! Oh, I know human nature. On the contrary, she is good-natured and stupid. No one could tell lies with such assurance, after having just been solemnly admonished to speak the truth. It is all incontestably true; all her adventures: and how from the first she had hatched a regular plot to corrupt the young Count. The crafty young person calculated in this way: if our *liaison* has consequences, I shall perhaps inveigle the young man into a marriage, and if I don't succeed I shall kill the child and look out for another place!"

"But just consider this one fact," cried Berger. "If this had actually been Victorine Lippert's plan she

would certainly have reflected: if I can't force a marriage, I shall at least get a handsome maintenance! and in that case she would not have killed her child, but carefully have preserved its life."

The old Judge meditatively laid his finger on his nose. "Look here, Dr. Berger," he said importantly, "that is a very reasonable objection. But it has been adduced already, not by me, to tell the truth, but by my assistant, a very wise young man. But the witness was able to give a perfectly satisfactory explanation on the subject. To be sure, she only did so after repeated questions and in a hesitating and uncertain manner—the good, kind-hearted girl could with difficulty bring herself to add still more to the criminal's load, but at length she had to speak out. Thus we almost accidentally extracted a very important detail that proved to be of great importance in determining the case. It is a truly frightful story. Only fancy, this mere girl, this Victorine Lippert, has always had a sort of thirst for the murder of little children. She repeatedly said to the girl long before the deed, before the young Count came to the Castle at all: 'Strange! but whenever I see a little child, I always feel my hands twitching to strangle it.' Frightful—isn't it, Dr. Berger?"

"Frightful indeed!" cried Berger, "if you have believed this poorly-contrived story of the wretched, perjured woman—poorly-contrived, and invented in the necessity of the moment so as to meet the objection of

your assistant, so as not to be caught in her net of lies, so as to render the Countess another considerable ser-

"Really, you will not listen to reason," said the old man, now seriously annoyed. "I feel my head-ache coming on again. Do you mean to say that you accuse the Countess of conniving at perjury! A lady of the highest aristocracy! Excuse me, Dr. Berger—that is going too far! You are a liberal, a radical, I know, but that doesn't make every Countess a criminal. But if this is really your opinion of the witness, take out a summons for perjury at once!"

"It may come to that," replied Berger.

The old man shook his head. "Spare yourself the trouble," he said good-naturedly, "it will prove ineffectual, but you may certainly get yourself into great difficulties. Why expose yourself, for the sake of such an abandoned creature, to an action for libel on the part of the Countess and her servant? How abandoned she is, you have no suspicion! I have, thank Heaven, concealed the worst of all from you, and you shall not learn it at my hands. You may read for yourself in the minutes. I do not wish to make a scene in the street. I was so enjoying this fine afternoon, and you have quite spoilt my good humour. Well, good-bye, Dr. Berger, I will forgive you. You have allowed yourself to be carried away by your pity, but you are bestowing it upon an unworthy creature! The witness gave me the impression of being absolutely trustworthy, and I

have stated so in the minutes! I considered myself bound in conscience to do so."

"Then you have a human life on your conscience!" Berger blurted out. He had not meant to say anything so harsh, but the words escaped him involuntarily.

The old man started and clasped his hands. His face twitched, and bright tears stood in his eyes.

"What have I done to you?" he moaned. "Why do you say such a horrible thing? Why do you upset me? I have always considered you a good man, and now you behave like this to me!"

Berger stepped up to him and offered his hand. "Forgive me," he said, "your intention is good and pure, I know. And just for that reason I implore you to reflect well before you let the minutes go out of your hands."

"That is already done. I have just handed them to the Chief Justice."

"And what did he say?"

"Nothing, what should he say? Certainly he too seemed to be put out about something, for when I was about to enter on a brief discourse, he dismissed me a little abruptly."

"But it is open to you to demand the minutes back, and examine the witness again. Keep a sterner eye upon her, and the contradictions in which she gets involved will certainly become evident to you. At her first examination she could only say the best

things of Victorine Lippert, at the trial she had lost her memory, and now of a sudden nothing is too bad."

"Oh, you barristers!" cried the Judge. "How you twist everything! The kind-hearted creature wanted to save Victorine Lippert and pity moved her to lie at first: she has just openly and repentantly confessed that she did. But at the trial, before the Crucifix, before the Judges, her courage left her. She was silent, because like a good and chaste girl, she could not bring herself to speak before a crowd of people of all those repulsive details. You see, everything is explained. You are talking in vain."

"In vain!" Berger sighed profoundly. "Good-bye," he said turning to go.

But after he had gone a few steps, Hoche called after him. The old man's eyes were full of tears. "You are angry with me?" he said.

"No."

"Well, you have no reason to be angry, though I have—but I forgive you. By what you said you might easily have made me unhappy if the case had not been so clear. Certainly I am upset now. To-morrow is Christmas Eve; my children and grand-children will come and bring me presents, and I shall give them presents, and I shall think all the time: Hoche, what a frightful thing if you were a murderer! You will take back your words, won't you? I am no murderer, am I?"

Berger looked at the childish old man. "O tragi-comedy of life!" he thought, but added aloud:

"No, Herr Hoche, you are no murderer."

In the evening he went to see Sendlingen and look over the minutes which he too had the right of disputing. He would have been disconsolate enough if he had not already known their contents; as it was the extraordinary tone of the document cheered him a little. The 'wise young man' was perhaps himself an author, or at least had certainly read a great many cheap novels; the style in which he had reproduced the servant girl's imaginations was, in the worst sense of the word "fine!" How this lessened the danger of the contents was shown especially, by that worst fact of all which Hoche could not bring himself to pronounce, and which was of such monstrous baseness that the faith of even the most vapid of judges must have been shaken in all the rest.

"That is quite harmless," said Berger. "More than that, these monstrous lies are just the one bit of luck in all our misfortunes."

"Certainly!" Sendlingen agreed. "But we must not count too much upon them. The examining judge may not believe everything, but he will certainly not discredit everything. It could not be expected after Hoche's enthusiastic advocacy of the witness' credibility."

"And yet these minutes must be sent off. Would it not be possible to hand over the inquiry to some one else?"

"Impossible, or I would have done so yesterday. Either I or Hoche—the charge of the Supreme Court is clear enough! And *I* could not do it! It seemed to me mean and cowardly, treacherous and paltry, to break my Judge's oath, trusting to the silence of the three people who beside me know the secret, trusting moreover never to have to undergo punishment for my offence. To this consideration it seemed to me that every other must give way."

Berger was silent. "Would it not be possible to take out a summons for perjury?" he resumed.

"No," cried Sendlingen, "it would be an utterly useless delay! Success in the present position of things is not to be hoped for."

Berger bowed his head.

"Then Justice will suffer once again," he said in deep distress. "I will not reproach you. When I put myself in your place—I cannot trust myself to say that I should have done the same. I only presume I should, but this one thing I do know, that in accordance with your whole nature you have acted rightly. Still, ever since the moment that I spoke to Hoche, I cannot silence a tormenting question. Ought fidelity to the Law be stronger than fidelity to Justice? You would not undertake the inquiry because a father may not take part in an examination conducted against his child, but were you justified in handing it over to a man who was no longer in a condition to find out the truth, to fulfil his duty? Has not justice suffered at

your hands by your respect for the law, that justice, I mean, which speaks aloud in the heart of every man?"

Sendlingen was staring gloomily at the floor. Then he raised his eyes and looked his friend full in the face. The expression of his countenance, the tone of his voice became almost solemn.

"I have fought out for myself an answer to this question. I may not tell you what it is; but one thing I can solemnly swear: this outraged justice to which you refer will receive the expiation which is its due."

CHAPTER X.

CHRISTMAS was past, New Year had come, the year 1853, one of the most melancholy that the Austrian Empire had ever known. The atmosphere was more charged than ever, coercion more and more severe, the confederacy between the authorities of Church and State closer and closer. Melancholy reports alarmed the minds of peaceful citizens: the Italian Provinces were in a state of ferment, a conspiracy was discovered in Hungary, and a secret league of the Slavs at Prague. How strong or how weak these occult endeavours against the authority and peace of the state might be, no one knew. One thing only was manifest: the severity with which they were treated; and perhaps in this severity lay the greatest danger of all. It was the old sad story that so often repeats itself in the life of nations, and was then appearing in a new shape; tyranny had called forth a counter-tyranny and this, in its turn, a fresh tyranny. The police had much to do everywhere, and in some districts the Courts of Justice too.

One of the greatest of the political investigations had, since Christmas 1852, devolved upon the Court at Bolosch. The middle classes of this manufacturing town were exclusively Germans, the working-classes

principally Slavs. It was among these latter that the police believed they had discovered the traces of a highly treasonable movement. About thirty workmen were arrested and handed over to Justice. Sendlingen, assisted by Dernegg, personally conducted the investigation. He had made the same selection in all the political arrangements of the last few years, although he knew that any other would have been more acceptable to the authorities. Certainly neither he nor Dernegg were Liberals—much less Radicals—who sympathised with Revolution and Revolutionaries. On the contrary both these aristocrats had thoroughly conservative inclinations, at all events in that good sense of the word which was then and is now so little understood in Austria, and is so seldom given practical effect. They were, moreover, entirely honourable and independent judges. But there was a prejudice in those days against men of unyielding character, especially in the case of political trials. There was an opinion that "pedantry" was out of place where the interests of the state were at stake. Sendlingen, on the other hand, was convinced that a political investigation should not be conducted differently from any other, and it was precisely in this inquisition into the conduct of the workmen that he manifested the greatest zeal, but at the same time the most complete impartiality.

Divers reasons had determined him to devote all his energy to the case. The diversion of his thoughts

from his own misery did him good: the ceaseless work deadened the painful suspense in which he was awaiting the decision from Vienna. Moreover his knowledge of men and things had predisposed him to believe that these poor rough fellows had not so much deserved punishment as pity, and after a few days he was convinced of the justice of this supposition.

These raftsmen and weavers and smiths who were all utterly ignorant, who had never been inside a school, who scarcely knew a prayer save the Lord's Prayer, who dragged on existence in cheerless wretchedness, were perhaps more justified in their mute impeachment of the body politic, than deserving of the accusations brought against them. They did not go to confession, they often sang songs that had stuck in their minds since 1848, and some of them had, in public houses and factories, delivered speeches on the injustice of the economy of the world and state as it was reflected in their unhappy brains. This was all; and this did not make them enemies of the State or of the Emperor. On the contrary, the record of their examination nearly always testified the opinion: "the only misfortune was that the young Emperor knew nothing of their condition, otherwise he would help them." Sendlingen's noble heart was contracted with pity, whenever he heard such utterances. And these men he was to convict of high treason! No! not an instant longer than was absolutely necessary should they remain away from their families and trades.

On the Feast of the Epiphany Sendlingen was sitting in his Chambers examining a raftsman, an elderly man of herculean build with a heavy, sullen face, covered with long straggling, iron-grey hair; Johannes Novyrok was his name. The police had indicated him as particularly dangerous, but he did not prove to be worse than the rest.

"Why don't you go to confession?" asked Sendlingen finally when all the other grounds of suspicion had been discussed.

"Excuse me, my Lord," respectfully answered the man in Czech. "But do you go?"

Sendlingen looked embarrassed and was about to sharply reprove him for his impertinent question, but a look at the man's face disarmed him. There was neither impertinence nor insolence written there, but rather a painful look of anxiety and yearning that strangely affected Sendlingen. "Why?" he asked.

"Because I might be able to regulate my conduct by yours," replied the raftsman. "You see, my Lord, I differ from my brethren. People such as we, they think, have no time to sin, much less to confess. The God there used to be, must surely be dead, they say, otherwise there would be more justice in the world; and if he is still alive, he knows well enough that anyhow we have got hell on this earth and will not suffer us to be racked and roasted by devils in the next world. But I have never agreed with such sentiments; they strike me as being silly and when my mates say:

rich people have a good time of it, let them go to confession,—why, its arrant nonsense. For I don't believe that any one on earth has a good time of it, not even the rich, but that everybody has their trouble and torment. And therefore I should very much like to hear what a wise and good man, who must understand these things much better than I do, has to say to it all. It might meet my case. And I happen to have particular confidence in you. In the first place because you're better and wiser than most men, so at least says every one in the town, and this can't be either hypocrisy or flattery, because they say so behind your back. But I further want to hear your opinion, because I know for certain that you have an aching heart and plenty of trouble."

"How do you know that?"

Novyrok glanced at the short-hand clerk sitting near Sendlingen and who was manifestly highly tickled at the simplicity of this ignorant workman. "I could only tell you," he said shyly, "if you were to send that young man out of the room. It is no secret, but such fledglings don't understand life yet."

The young clerk was much astonished when Sendlingen actually made a sign to him to withdraw.

"Thank you," said the raftsman after the door was shut. "Well, how I know of your trouble? In the first place one can read it in your face, and secondly I saw you one stormy night—it may be eight weeks ago —wandering about the streets by yourself. You went

down to the river; I was watchman on a raft at the time and I saw you plainly. There were tears running down your cheeks, but even if your eyes had been dry —well no one goes roaming alone and at random on such a night, unless he is in great trouble."

Sendlingen bowed his head lower over the papers before him. Novyrok continued:

"An hour later, your friend brought you into our inn whither I had come in the meanwhile after my mate had relieved me of the watch. You were unconscious. I helped to carry you and take you home. . . . I don't tell you this in the hope that you may punish me less than I deserve, but just that I may say to you: you too, my Lord, know what suffering is—do you find the thought of God comforting, and what do you think of confession?"

Sendlingen made no reply; the recollection of that most fatal night of his existence and the solemn question of the poor fellow, had deeply moved him. "You must have experienced something, Novyrok," he said at length, "that has shaken your Faith."

"Something, my Lord? Alas, everything!—Alas, my whole life! I don't believe there are many people to whom the world is a happy place, but such men as I should never have been born at all. I have never known father or mother, I came into the world in a foundling hospital on a Sylvester's Eve some fifty years ago—the exact date I don't know—and that's why they called me 'Novyrok' (New-Year). I had to suffer a

great deal because of my birth ; it is beyond all belief how I was knocked about as a boy and youth among strangers—even a dog knows its mother but I did not. And therefore one thing very soon became clear to me : many disgraceful things happen on this earth, but the most disgraceful thing of all is to bring children into the world in this way. Don't you think so, my Lord ?"

Sendlingen did not answer.

"And I acted accordingly," continued Novyrok, "and had no love-affair, though I had to put great restraint upon myself. I don't know whether virtue is easy to rich people ; to the poor it is very bitter. It was not until I became steersman of a raft and was earning four gulden a week that I married an honest girl, a laundress, and she bore me a daughter. That was a bright time, my Lord, but it didn't last long. My wife began to get sickly and couldn't any longer earn any thing ; we got into want, although I honestly did my utmost and often, after the raft was brought to, I chopped wood or stacked coal all night through when I got the chance. Well, however poorly we had to live, we did manage to live ; things didn't get really bad till she died. My mates advised me then to give the care of my child to other people—and go as a raftsman to foreign parts, on a big river, the Elbe or the Danube : "Wages," they said, "are twice as much there and you, as an able raftsman, can't help getting on." But I hadn't got it in my heart to leave my little daughter. Besides I was anxious about her ; to be sure she was

only just thirteen, and a good, honest child, but she promised to be very nice-looking. If you go away, I said to myself, you may perhaps stay away for many years, and there are plenty of men in this world without a conscience, and temptation is great! So I stayed, and so as not to be separated from her even for a week, I gave up being a raftsman and became a workman at a foundry. But I was awkward at the work, the wages were pitiful, and though my daughter, poor darling, stitched her eyes out of her head, we were more often hungry than full. I frequently complained, not to her, but to others, and cursed my wretched existence—I was a fool! for I was happy in those days; I did my duty to my child."

Novyrok paused. Sendlingen sighed deeply. "And then?" he asked.

"Then, my Lord," continued the raftsman, "then came the dark hour, when I yielded to my folly and selfishness. Maybe I am too hard on myself in saying this, for I thought more of my child's welfare than my own, and many people thought what I did reasonable. But otherwise I must accuse Him above, and before I do that I would rather accuse myself. But I will tell you what happened in a few words. A former mate of mine who was working at the salt shipping trade on the Traun, persuaded me to go with him, just for one summer, and the high wages tempted me. My girl was sixteen at that time; she was like a rose, my Lord, to look at. But before I went I told her my story,

where I was born and who my mother very likely was, and I said to her: 'Live honestly, my girl, or when I come back in the autumn I will strike you dead, and then jump into the deepest part of the river.' She cried and swore to me she'd be good. But when I came back in the autumn——"

He sobbed. It was some time before he added in a hollow voice: "Hanka was my daughter's name. Perhaps you remember the case, my Lord. It took place in this house. Certainly it's a long while ago; it will be seven years next spring."

"Hanka Novyrok," Sendlingen laid his hand on his forehead. "I remember!" he then said. "That was the name of the girl who—who died in her cell during her imprisonment upon trial."

"She hanged herself," said Novyrok, sepulchrally. "It happened in the night; the next morning she was to have come before the Judges. She had murdered her child."

There was a very long silence after this. Novyrok then resumed:

"You didn't examine me about the case, you would have understood me. The other Judge before whom I was taken didn't understand me when I said: 'This is a controversy between me and Him up above, for either He is at fault or I am.' The Judge at first thought that grief had turned my head, but when he understood what I said, he abused me roundly and called me a blasphemer. But I am not that. I be-

lieve in Him. I do not blaspheme Him, only I want to know how I stand with Him. It would be the greatest kindness to me, my Lord, if you could decide for me."

"Poor fellow," said Sendlingen, "don't torment yourself any more about it; such things nobody can decide."

Novyrok shook his head with a sigh. "A man like you ought to be able to make it out," he said, "although I can see that it is not easy. For look here —how does the case stand? A wretched blackguard, a linendraper for whom she used to sew, seduced her in my absence. If I had stayed here, it would not have happened. When I came back I learnt nothing about it, she hid it from me out of fear of what I had said to her at parting, and that was the reason why she killed her child, yes, and herself too in the end. For I am convinced that it was not the fear of punishment that drove her to death, but the fear of seeing me again, and no doubt, she also wished to spare me the disgrace of that hour. Now, my Lord, all this——"

They were interrupted. A messenger brought in a letter which had just arrived. Sendlingen recognised the writing of the count, his brother-in-law, who was a Judge of the Supreme Court. He laid the letter unopened on the table; very likely belated New-year's wishes, he thought. "Go on!" he said to the Accused.

"Well, my Lord, all this seems to tell against me,

but it might be turned against Him too. I might say to Him: 'Wasn't I obliged to try and keep her from sin by using the strongest words? And why didst Thou not watch over her when I was far away; Hanka was Thy child too, and not only mine! And if Thou wouldst not do this, why didst Thou suffer us two to be born? Thou wilt make reparation, sayst Thou, in Thy Heaven? Well, no doubt it is very beautiful, but perhaps it is not so beautiful that we shall think ourselves sufficiently compensated.' You see, my Lord, I might talk like this— But if I were to begin, He too would not be silent, and with a single question He could crush me. 'Why did you go away?' He might ask me. 'Why did you not do your duty to your child? I, O fool, have untold children; you had only this one to whom you were nearest. You say in your defence that you did not act altogether selfishly, that you wanted to better her condition as well. May be, but you did think of *your own* condition, *of yourself* as well, and that a father may not do! I warned you by your own life, and by causing your conscience and presentiments to speak to you—why did you not obey Me? Besides you would not have starved here?' You see, my Lord, He might talk to me in this way and He would be right, for a father may not think of himself for one instant where his child's welfare is concerned. Isn't that so?"

"Yes, that is so!" answered Sendlingen solemnly.

"Well, that is why I sometimes think: you should

certainly go to confession! What do you advise, my Lord?"

This time, too, Sendlingen could find no relevant answer, much as he tried to seek the right words of consolation for this troubled heart. He strove to lessen his sense of guilt, that sensitive feeling which had so deeply moved him, and finally assured him also of a speedy release. But Novyrok's face remained clouded; the one thing which he had wished to hear, a decision of his singular "controversy" with "Him," he had to do without, and when Sendlingen rang for the turnkey to remove the prisoner, the latter expressed his gratitude for "his Lordship's friendliness" but not for any comfort received.

Not until he had departed did Sendlingen take up his brother-in-law's letter, which he meant hastily to run through. But after a few lines he grew more attentive and his looks became overcast. "And this too," he muttered, after he had read to the end, and his head sank heavily on his breast.

The Count informed him, after a few introductory lines, of the purport of a conversation he had just had with the Minister of Justice. "You know his opinion," said the letter, "he honestly desires your welfare, and a better proof of this than your appointment to Pfalicz he could not have given you. All the more pained, nay angered, is he at your obstinate disregard of his wishes. He told you in plain language that he did not desire you and Dernegg to take part in any political

investigations. You have none the less observed the same arrangement in the present investigation against the workmen. I warn you, Victor, not for the first time, but for the last. You are trifling with your future ; far more important people than Chief Judges, however able, are now being sent to the right-about in Austria. The anger of the minister is all the greater, because your defiance this time is notorious. Scarcely a fortnight ago, the Supreme Court instructed you to undertake the brief examination of a witness ; you handed the matter over to Hoche and excused yourself on the plea of the pressure of your regular work ; and yet this work now suddenly allows you personally to conduct a complicated inquiry against some three dozen workmen." The letter continued in this strain at great length and concluded thus : "I implore you to assign the inquiry to Werner and to telegraph me to this effect to-day. If this is not done, you will to-morrow receive a telegram from the Minister commanding you to do so. And if you don't obey then, the consequences will be at once fatal to you. You know that I am no lover of the melodramatic, and you will therefore weigh well what I have said."

His brother-in-law—and Sendlingen knew it—certainly never affected a melodramatic tone, and often as he had warned him, he had never before written in such a key. What should he do ? It was against his conscience to submit and leave these poor fellows to their fate ; but might he concern himself more about

men who were strangers to him, than about the well-being of his own child? If he did not yield, would he not perhaps be suddenly removed from his office, and just at the moment when his unhappy daughter most of all required his help?

He went to his residence in a state of grievous interior conflict, impotently drawn from one resolve to another. He sighed with relief when Berger entered; his shrewd, discreet friend could not have come at a more opportune moment.

But he, too, found it difficult to hit upon the right counsel, or at least, to put it into words. "Don't let us confuse ourselves, Victor," he said at length. "First of all, you know as well as I do, that the Minister has no right to put such a command upon you. You are responsible to him that every trial in your Court shall be conducted with the proper formalities; the power to arrange for this is in your hands. And therefore they dare not seriously punish your insistence on your manifest right. Dismissal on such a pretext is improbable and almost inconceivable, especially when it is a question of a man of your name and services."

"But it is possible."

"Anything is possible in these days," Berger was obliged to admit. "But ought this remote possibility to mislead you? You would certainly not hesitate a moment, if consideration for your child did not fetter you. Should this consideration be more authoritative than every other? In my opinion, no!"

"Because you cannot understand my feelings!" Sendlingen vehemently interposed. "A father may not think of himself when his child's welfare is concerned. The voice of nature speaks thus in the breast of every man, even the roughest, and should it be silent in me?"

"My poor friend," said Berger, "in your heart, too, it has surely spoken loud enough. And yet, so far, you have not hesitated for a moment to fulfil your duty as a judge when it came into conflict with your inclination. You would not preside at the trial, you would not conduct the examination. The struggle is entering on a new phase, you cannot act differently now."

"I must! I cannot help these poor people—besides Werner himself will hardly be able to find them guilty. And the cases are not parallel; I should have broken my oath if I had presided at the trial: I do not break it if I obey the Minister's command."

"That is true," retorted Berger. "But I can only say: Seek some other consolation, Victor,—this is unworthy of you! For you have always been, like me, of the opinion that it is every man's duty to protect the right, and prevent wrong, so long as there is breath in his body! If I admonish you, it is not from any fanatical love of Justice, but from friendship for you, and because I know you as well as one man can ever know another. Your mind could endure anything, even the most grievous suffering, anything save one thing: the consciousness of having done an injus-

tice however slight. If you submit, and if these men are condemned even to a few years' imprisonment, their fate would prey upon your mind as murder would on any one else. This I know, and I would warn you against it as strongly as I can. . . . Let us look at the worst that could happen, the scarcely conceivable prospect of your dismissal. What serious effect could this have upon the fate of your child? You perhaps cling to the hope of yourself imparting to her the result of the appeal; that is no light matter, but it is not so grave as the quiet of your conscience. It can have no other effect. If the purport of the decision is a brief imprisonment, you could have no further influence upon her destiny, whether you were in office or not; she would be taken to some criminal prison, and you would have to wait till her term of imprisonment was over before you could care for her. If the terms of the decision are imprisonment for life, or death (you see, I will not be so cowardly as not to face the worst), the only course left open to you is, to discover all to the Emperor and implore his pardon for your child. Is there anything else to be done?"

Sendlingen was silent.

"There is no other means of escape. And if it comes to this, if you have to sue for her pardon, it will assuredly be granted you, whether you are in office or not. It will be granted you on the score of humanity, of your services and of your family. It is inconceivable that this act of grace should be affected by the fact that you

had just previously had a dispute with the Minister of Justice. It is against reason, still more against sentiment. The young Prince is of a chivalrous disposition."

"That he is!" replied Sendlingen. "And it is not this consideration that makes me hesitate, I had hardly thought of it. It was quite another idea. . . . Thank you, George," he added. "Let us decide to-morrow, let us sleep upon it." He said this with such a bitter, despairing smile, that his friend was cut to the heart.

The next morning when Berger was sitting in his Chambers engaged upon some pressing work, the door was suddenly flung open and Sendlingen's servant Franz entered. Berger started to his feet and could scarcely bring himself to ask whether any calamity had occurred.

"Very likely it is a calamity," replied the old man, continuing in his peculiar fashion of speech which had become so much a habit with him, that he could never get out of it. "We were taken ill again in Chambers, very likely we fell down several times as before, we came home deadly pale but did not send in for the Doctor, but for you, sir."

Berger started at once, Franz following behind him. As they went along, Berger fancied he heard a sob. He looked round: there were tears in the old servant's eyes. When they got into the residence, Berger turned to him and said: "Be a man, Franz."

Then the old fellow could contain himself no longer; bright tears coursed down his cheeks. "Dr. Berger," he stammered. He had bent over his hand and kissed it before Berger could prevent him. "Have pity on me! Tell me what has been going on the last two months! We often speak to Brigitta about it—I am told nothing! Why? We know that this silence is killing me. I could long ago have learned it by listening and spying, but Franz doesn't do that sort of thing. If you cannot tell me, at least put in a word for me. Surely we do not want to kill me!"

Berger laid his hand on his shoulder. "Be calm, Franz, we have all heavy burdens to bear."

He then went into Sendlingen's room. "The minister's telegram?" he asked.

"Worse!"

"The decision? What is the result?" The question was superfluous; the result was plainly enough written in Sendlingen's livid, distorted features. Berger, trembling in every limb, seized the fatal paper that lay on the table.

"Horrible!" he groaned—it was a sentence of death.

He forced himself to read the motives given; they were briefly enough put. The Supreme Court had rejected the appeal to nullify the trial, although the credibility of the servant-girl had appeared doubtful enough to it, too. At the same time, the decision continued, there was no reason for ordering a new trial, as

the guilt of the accused was manifest without any of the evidence of this witness. The Supreme Court had gone through this without noticing either her recent statement incriminating the Accused, nor her first favorable evidence. The Countess' depositions alone, therefore, must determine Victorine's conduct before the deed, and her motives for the deed. These seemed sufficient to the Supreme Court, not to alter the sentence of death.

For a long time Berger held the paper in his hands as if stunned; at length he went over to his unhappy friend, laid his arms around his neck and gently lifted his face up towards him. But when he looked into that face, the courage to say a word of consolation left him.

He stepped to the window and stood there for, perhaps, half an hour. Then he said softly, "I will come back this evening," and left the room.

Towards evening he received a few lines from his friend. Sendlingen asked him not to come till to-morrow; by that time he hoped to have recovered sufficient composure to discuss quietly the next steps to be taken. He was of opinion that Berger should address a petition for pardon to the Emperor, and asked him to draw up a sketch of it.

Berger read of this request with astonishment. He would certainly have lodged a petition for pardon, even if Victorine Lippert had been simply his client and not Sendlingen's daughter. But he would have done it more from a sense of duty, than in the hope of

success. That this hope was slight, he well knew. The petition would have to take its course through the Supreme Court, and it was in the nature of the case that the recommendation of the highest tribunal would be authoritative with the Emperor; exceptions had occurred, but their number was assuredly not sufficient to justify any confident hopes. All this Sendlingen must know as well as himself. Why, therefore, did he wish that the attempt should be made? In this desperate state of things, there was but one course that promised salvation; a personal audience with the Emperor. Why did Sendlingen hesitate to choose this course?

Berger made up his mind to lay all this strongly before him, and when on the next day he rang the bell of the residence, he was determined not to leave him until he had induced him to take this step.

"We are still in Chambers," announced Franz. "We want you to wait here a little. We have been examining workmen again since this morning early, and have hardly allowed ourselves ten minutes for food."

"So he has none the less resolved to go on with that?" said Berger. Perhaps, he thought to himself, the telegram has not arrived yet.

"None the less resolved?" cried Franz. "We have perhaps seldom worked away with such resolution and Baron Dernegg, too, was dictating to-day—I say it with all respect—like one possessed."

Berger turned to go. It occurred to him that he

had not seen Victorine for a week, and he thought he would use the interval by visiting her. "I shall be back in an hour," he said to Franz. "In the meanwhile I have something to do in the prison."

"In the prison?" The old man's face twitched, he seized Berger's arm and drew him back into the lobby, shutting the door. "Forgive me, Dr. Berger. My heart is so full. . . . You are going to her—are you not? To our poor young lady, to Victorine?"

"What? Since when?" . . .

"Do I know it?" interrupted Franz. "Since yesterday evening!" And with a strange mixture of pride and despair he went on: "We told me everything! . . . Oh, it is terrible. But we know what I am worth! My poor master! ah! I couldn't sleep all night for sorrow. . . . But we shall see that we are not deceived in me. . . . I have a favour to ask, Dr. Berger. Brigitta has the privilege naturally, because she is a woman and a member of the 'Women's Society.' But I, what can I appeal to? Certainly I have in a way, been in the law for twenty-five years, and understand more of these things than many a young fledgling who struts about in legal toggery, but—a lawyer I certainly am not—so, I suppose, Dr. Berger, it is unfortunately impossible?"

"What? That you should pay her a visit? Certainly it is impossible, and if you play any pranks of that kind——"

"Oh! Dr. Berger," said the old man imploringly.

"I did but ask your advice because my heart is literally bursting. Well, if this is impossible, I have another favour, and this you will do me! Greet our poor young lady from me! Thus, with these words: 'Old Franz sends Fräulein Victorine his best wishes from all his heart—and begs her not to despair. . . . and—and wants to remind her that the God above is still living.'" . . .

Berger could scarcely understand his last words for the tears that choked the old man's voice. He himself was moved; as yesterday, so to-day, Franz's tears strongly affected him, for the old servant was not particularly soft by nature. "Yes, yes, Franz," he promised, and then betook himself to the prison. He resolved to continue to be quite candid with Victorine, but not to mention the result of the appeal by a single word. . . .

But when he entered her cell, she came joyfully to meet him, her eyes glistening with tears. "How shall I thank you?" she cried much moved trying to take his hand.

He fell back a step. "Thank me?—What for?"

"Oh, I know," she said softly with a look at the door as if an eavesdropper might have been there. "My father told me that it was not official yet. He hurried to me this morning as soon as he had received the news, but it is still only private information, and for the present I must tell nobody! Whom else have I to thank but you?"

"What?" he asked. And he added with an unsteady voice: "I have not seen him for the last few days. Has he had news from Vienna?"

"To be sure! The Supreme Court has pardoned me. My imprisonment during trial is to be considered as punishment. In a few weeks I shall be quite free."

Berger felt all the blood rush to his heart. "Quite free!" he repeated faintly. "In a few weeks!" And at the same time he was tortured by the importunate question: "Great God! he has surely gone mad? How could he do this? What is his object?"

"Merciful Heaven!" she cried. "How pale you have turned. How sombre you look! Merciful Heaven! you have not received other news? He has surely not been deceived? Oh, if I had to die after all!—now—now——"

She staggered. Berger took her hand and made her sink down on to the nearest chair. "I have no other news," he said as firmly as possible. "It came upon me with such a shock! I am surprised that he has not yet told me anything. But then, of course, he did not hear of it till to-day. If he has told you, you can, of course, look upon it as certain."

"May I not?" She sighed with relief. "I need not tremble any more? Oh, how you frightened me!"

"Forgive me—calm yourself!"

He took up his hat again.

"Are you going already? And I have not yet half thanked you!"

"Don't mention it!" he said curtly, parrying her remark. "Au revoir," he added with more friendliness, and leaving the cell, hurried to Sendlingen's residence.

He had just come in; Berger approached him in great excitement. "I have just been to see Victorine," he began. "How could you tell this untruth? How *could* you?"

Sendlingen cast down his eyes. "I had to do it. I was afraid that otherwise the news of her condemnation might reach her."

"No," cried Berger. "Forgive my vehemence," he then continued. "I have reason for it. Such empty pretexts are unworthy of you and me. You yourself see to the regulation of the Courts and the prison. The Accused never hear their sentence until they are officially informed."

"You do me an injustice," replied Sendlingen, his voice still trembling, and it was not till he went on that he recovered himself: "I have no particular reasons that I ought or want to hide from you. I told her in an ebullition of feeling that I can hardly account for to myself. When I saw her to-day she was much sadder, much more hopeless, than has been usual with her lately. She certainly had a presentiment—and I, in my flurry at this, feared that some report might already have reached her. Such a thing, in spite of all regulations, is not inconceivable; chance often plays strange pranks. In my eager desire to comfort her, those

words escaped me. The exultation with which she received them, robbed me of the courage to lessen their favourable import afterwards! That is all!"

Berger looked down silently for a while. "I will not reproach you," he then resumed. "How fatal this imprudence may prove, you can see as well as I. She was prepared for the worst and therefore anything not so bad, might perhaps have seemed like a favour of Heaven. Now she is expecting the best, and whatever may be obtained for her by way of grace, it will certainly dishearten and dispirit her. But there is no help for it now! Let us talk of what we can help! You want me to lodge a petition for pardon? It would be labour in vain!"

"Well," said Sendlingen hesitatingly, "in some cases the Emperor has revoked the sentence of death in spite of the decision of the Supreme Court."

"Yes, but we dared not build on this hope if we had no other. Fortunately this is the case. You must go to Vienna; only on your personal intercession is the pardon a *certainty*. And my petition could at best only get the sentence commuted to imprisonment for life, whereas your prayer would obtain a shorter imprisonment and, after a few years, remission of the remainder. You must go to-morrow, Victor—there is no time to lose."

Sendlingen turned away without a word.

"How am I to understand this?" cried Berger, anxiously approaching him. "You *will* not?"

The poor wretch groaned aloud, "I will——" he exclaimed. "But later on—later on——. As soon as your petition has been dispatched."

"But why?" cried Berger. "I have hitherto appreciated and sympathised with your every sentiment and act, but this delay strikes me as being unreasonable, unpardonable. I would spare you if less depended on the cast, but as it is, I will speak out. It is unmanly, it is ——" He paused. "Spare me having to say this to *you*, to you who were always so brave and resolute. There is no time to lose, I repeat. Who will vouch that it may not then be too late? If my petition is rejected, the Court will at the same time order the sentence to be carried out. Do you know so certainly that you will still be here then, that you will still have time then to hurry to Vienna? Think! Think!"

Berger had been talking excitedly and paused out of breath. But he was resolved not to yield and was about to begin again when Sendlingen said: "You have convinced me; I will go to Vienna sooner, even before the dispatch of your petition."

"Then you still insist that I shall proceed with it?"

"Please; it can do no harm; it may do good. And at least we shall gain time by it. I cannot undertake the journey to Vienna until the inquiry against the working men is ended. In this, too, there is not a day to be lost; neither Dernegg nor I know whether there is not an order on the road that may in some way make us harmless. I trust we shall by that time have suc-

ceeded in proving that no punishable offence has been committed. I have received the Minister's telegram to-day, and at once replied that the inquiry was so complicated, and had already proceeded so far, that a change in the examining Judges would be impracticable."

"I am glad that you have followed my advice," said Berger. "And in spite of these aggravated conditions! You hesitated as long as the decision was not known to you, as long as you simply feared it, and when your fears were confirmed, you were brave again and did not hesitate for an instant in doing your duty as an honourable man! Victor, few people would have done the like!" He reached out his hand to say good-bye. "You have now taken old Franz into your confidence?" he asked, "another participator in the secret —it would have been well to consider it first! But I will not begin to scold again. Adieu!"

CHAPTER XI.

More than two weeks had passed since this last interview. January of 1853 was drawing to a close and still there seemed no likelihood of an end to the investigations against the workmen.

Berger observed this with great anxiety. He had long since presented the petition for pardon: the time was drawing near when it would be laid before the Emperor, and yet, whenever the subject of the journey to Vienna arose, Sendlingen had some reason or motive for urging that he could not leave and that there was still time. When he made such a remark Berger looked at him searchingly, as if he were trying to read his inmost soul and then departed sadly, shaking his head. Every day Sendlingen's conduct seemed to him more enigmatical and unnatural. For this was the one means of saving Victorine's life! If he still hesitated it could only proceed from fear of the agony of the moment, from cowardice!

But as often as Berger might and did say this to himself, he did not succeed in convincing himself. For did not Sendlingen at the same time evince in another matter and where the welfare and sufferings of stran-

gers to him were concerned, a moral courage rarely found in this country and under this government.

The conflict between Sendlingen and the Minister of Justice had gradually assumed a very singular character; it had become a "thoroughly Austrian business," as Berger sometimes thought with the bitter smile of a patriot. To Sendlingen's respectful but decided answer, the Minister had replied as rudely and laconically as possible, commanding him to hand over the investigation forthwith to Werner. No one could now doubt any longer that a further refusal would prove dangerous, and Sendlingen sent his rejoinder,—a brief dignified protest against this unjustifiable encroachment—with the feeling that he had at the same time undersigned his own dismissal. And indeed in any other country a violent solution would have been the only one conceivable; but here it was different. Certainly a severe censure from the Minister followed and he talked of "further steps" to be taken, but the lightning that one might have expected after this thunder, did not follow. The same result, was, however, sought by circuitous means, attempts were made to weary the two Judges and to put them out of conceit with the case. When they proposed to the Court that the case against one of the Accused might be discontinued, the Crown-Advocate promptly opposed it and called the Supreme Court to his assistance. With all that, the police were feverishly busy and overwhelmed the two Judges by repeatedly bringing forward new grounds of suspicion

against the prisoners, and these had to be gone through however evidently worthless they might be at the first glance.

There was not a single person attached to the Law-Courts with all their diversity of character, who did not follow the struggle of Sendlingen for the independence of the Judge's position, with sympathy, and the townspeople were unanimous in their enthusiastic admiration. This courageous steadfastness was all the more highly reckoned as it was visibly undermining his strength. His hair grew gray, his bearing less erect, and his face now almost always bore an expression of melancholy disquiet. People were not surprised at this; it must naturally deeply afflict this man who was so manifestly designed to attain the highest places in his profession, perhaps even to become the Chief Judge of the Empire—to be daily and hourly threatened with dismissal.

Only the three participators in the secret, and Berger in particular, knew that the unhappy man could scarcely endure any longer the torture of uncertainty about his child's fate. All the more energetic, therefore, were Berger's attempts to put an end at least to this unnecessary torment but again and again he spoke in vain.

This occurred too on the last day in January. Sendlingen stood by his answer: "There is still time, the petition has not yet come into the Emperor's hands," and Berger was sorrowfully about to leave his Cham-

bers, when the door was suddenly flung open and Herr von Werner rushed in.

"My Lord," cried the old gentleman almost beside himself with joy and waving a large open letter in his hand like a flag, "I have just received this; this has just been handed to me. It means that I am appointed your successor, it is the decree."

Sendlingen turned pale. "I congratulate you," he said with difficulty. "When are you to take over the conduct of the Courts?"

"On the 22nd February," was the answer. "Oh, how happy I am! And you I am sure will excuse me! Why should the news distress you? You will in any case be leaving here at the end of February to——" he stopped in embarrassment. "To go to Pfalicz as Chief Justice of the Higher Court there," he continued hastily. "We will continue to believe so, to suppose the contrary would be nonsensical. You have annoyed the Minister and he is taking a slight revenge —that is all! Good-bye, gentlemen, I must hurry to my wife!" The old gentleman tripped away smiling contentedly.

"That is plain enough," said Sendlingen, after a pause, turning to his friend. "My successor is appointed without my being consulted: the decree is sent direct to him and not through me; more than that, I am not even informed at the same time, when I am to hand over the conduct of the Courts to him. To the minister I am already a dead man! But what

can it matter to me in my position? Werner's communication only frightened me for a moment, while I feared that I had to surrender to him forthwith. But the 22nd February—that is three weeks hence. By that time *everything* will be decided."

Two days later, on Candlemas Day, on which in some parts of Catholic Austria people still observe the custom of paying one another little attentions, Sendlingen also received a present from the minister. The letter read thus: "You are to surrender the conduct of the Courts on the 22nd February to the newly appointed Chief Justice, Herr von Werner. Further instructions regarding yourself will be forwarded you in due course."

The tone of this letter spoke plainly enough. For "further instructions" were unnecessary if the previous arrangement—his appointment to Pfalicz—was adhered to. His dismissal was manifestly decreed.

All the functionaries of the Courts fell into the greatest state of excitement: who was safe if Sendlingen fell? And wherever the news penetrated, it aroused sorrow and indignation. On the evening of the same day the most prominent men of the town met so as to arrange a fête to their Chief Justice before his departure. It was determined to present him with an address and to have a farewell banquet.

Berger, who had been at the meeting, left as soon as the resolution was arrived at, and hurried to Sendlingen for he knew that his friend would need his conso-

lation to-day most of all. But Sendlingen was so calm that it struck Berger as almost peculiar. "I have had time to get accustomed to these thoughts," he said.

"How do you think of living now?" asked Berger.

"I shall move to Gratz," replied Sendlingen quickly; he had manifestly given utterance to a long-cherished resolve.

"Won't you be too lonely there?" objected Berger. "Why won't you go to Vienna? By the inheritance from your wife, you are a rich man who does not require to select the Pensionopolis on the Mur on account of its cheapness. In Vienna you have many friends, there you will have the greatest incitement to literary work, besides you may not altogether disappear from the surface. Your career is only forcibly interrupted but not nearly ended. A change of system, or even a change in the members of the Ministry, would bring you back into the service of the State, and, perhaps, to a higher position than the one you are now losing."

"My mind is made up. Brigitta is going to Gratz in a few days to take a house and make all arrangements."

They talked about other things, about the fête that had been arranged to-day. "I will accept the address," Sendlingen explained, "but not the banquet. I have not the heart for it." Berger vehemently opposed this resolution; he must force himself to put in

an appearance at least for an hour; the fête had reference not only to himself personally, but to a sacred cause, the independence of Judges. All this he unfolded with such warmth, that Sendlingen at length promised that he would consider it.

The next morning the Vienna papers published the news of the measures taken with regard to Sendlingen, which they had learnt by private telegrams. A severe censorship hampered the Austrian press in those days; the papers had been obliged to accustom the public to read more between the lines than the lines themselves: and this time, too, they hit upon a safe method of criticism. As if by a preconcerted agreement, all the papers pronounced the news highly incredible; and that it was, moreover, wicked to attribute such conduct to the strict but just government which Austria enjoyed. A severer condemnation than this defence of the government against "manifestly malicious reports" could not easily be imagined, and the public understood it as it was intended.

In a moment, Sendlingen's name was in every mouth, and the investigation against the workmen the talk of the day, first in the capital, soon throughout the whole country.

A flood of telegrams and letters, inquiries and enthusiastic commendations, suddenly burst upon Sendlingen. Had there been room in his poor heart, in his weary tormented brain, for any lucid thought or feeling, he would now have been able, in the days of his

disgrace, to have held up his head more proudly than ever. It was not saying too much when Berger told him that a whole nation was now showing how highly it valued him. But he scarcely noticed it and continued, dark and hopeless, to do his duty and to drag on the Sisyphus-task of his investigation in combat with both the police and the Crown lawyers.

Suddenly those hindrances ceased. When Sendlingen one morning entered his Chambers soon after the news of his deposal had appeared in the papers, he for the first time, for weeks, found no information of the police on the table. That might be an accident, but when there was none the second day, he breathed again. The Superintendent of Police at Bolosch was the zealous servant of his masters; if he in twice twenty-four hours did not discover the slightest trace of high treason, there must be good reason for it. In the same way nothing more was heard from the Crown-Advocate.

"They have almost lost courage in the face of the general indignation!" cried Berger triumphantly. "Franz has just told me that Brigitta is to start the day after to-morrow for Gratz. Let her wait a few days, and so spare the old lady having to make the journey to Pfalicz by the very round about way of Gratz."

"You cannot seriously hope that," said Sendlingen turning away, and so Berger went into Brigitta's room later on to bid her good-bye.

The old lady was eagerly reading a book which she hastily put on one side as he entered. "I am disturbing you," he said. "What are you studying so diligently?"

"Oh, a novel," she replied quickly. Her eyes were red and she must have been crying a great deal lately.

"I thought perhaps it was a description of Gratz," said he jokingly. "It seems to me that you have a genuine fear of this weird city where life surges and swells so mightily!" And he attempted to remove her fears by telling her much of the quiet, narrow life of the town on the Mur.

While he was speaking, the book, which she had laid on her workbox, slid to the ground and he picked it up before she had time to bend down for it. It was a French grammar. "Great heavens!" he cried in astonishment. "You are taking up the studies of your youth again, Fräulein Brigitta?"

The old lady stood there speechless, her face crimson, as if she had been caught in a crime. "I have been told," she stammered, "that—that one can hardly get along there with only German."

"In Gratz?" Berger could not help laughing heartily. "Who has been playing this joke upon you? Reassure yourself. You will get along with the French in Gratz without any grammar." Still laughing, he said good-bye and promised to visit her in Gratz.

Meanwhile the excitement into which the press and

the public were thrown by the "Sendlingen incident" grew daily. In Bolosch new proposals were constantly being made, to have the fête on a magnificent and uncommon scale. It did not satisfy the popular enthusiasm that the address to be presented was covered with thousands of signatures. A proposal was made in the town-council to call the principal street after Sendlingen: some of the prominent men of the town wanted to collect subscriptions for a "Sendlingen Fund" whose revenue should be devoted to such officers of the State as, like Sendlingen, had become the victims of their faithfulness to conviction; the gymnastic societies resolved upon a torch-light procession. The chairman of the Committee arranging the festivities—he was the head of the first Banking house of the town—was in genuine perplexity; he still did not know which acts of homage Sendlingen would accept and he sought Berger's interposition.

"Save me," implored the active banker. "People are pressing me and the Chief Justice is dumb. Yesterday I hoped to get a definite answer from him but he broke off and talked of our business."

"Business? What business?" asked Berger.

"I am just doing a rather complicated piece of business for him," answered the Banker. "I thought that you, his best friend, would have known about it. He is converting the Austrian Stock in which his property was hitherto invested, into French, English and Dutch stock, and a small portion of it into ready money."

"Why?" asked Berger in surprise. "He is going to stay in Austria?"

"So I asked," replied the Banker, "and received an answer which I had, willy nilly, to take as pertinent. For he is hardly to be blamed, if after his experiences, his belief in the credit of the State has become a little shaky."

Berger could not help agreeing with this, and therefore did not refer to it in his talk with Sendlingen. With regard to the fête he received a satisfactory answer. Sendlingen without any further hesitation, accepted the banquet and even the torch-light procession. Both were to take place on the 21st February, the last day of his term of office.

All this was telegraphed to Vienna and was bravely used by the papers. Even in Bolosch, they said, these melancholy reports, so humiliating to every Austrian, were not seriously believed; how long would the government hesitate to contradict them? The demand was so universal, the excitement so great, that an official notice of a reassuring character was actually issued. The government, announced an official organ, had in no way interfered with the investigation; that this was evident, the present position of the inquiry, now without doubt near a close, sufficiently proved. With regard, however, to Sendlingen's dismissal there was some "misunderstanding" in question.

As so often before, in the case of the like oracular utterances from a similar source, everybody was now

asking what this really meant. Berger thought he had hit the mark and exultingly said to his friend: "Hurrah! they have now entirely lost their courage! They are only temporising so as not to have to admit that public opinion has made an impression upon them."

Sendlingen shrugged his shoulders. "It is all one to me, George," he said.

"Now — that I can understand," replied Berger warmly. "In a few months you will speak differently! When do you go to Vienna?"

Sendlingen reflected. "On the seventeenth I should say," he at length replied hesitatingly. "That is to say if Dernegg and I can really dismiss the workmen on the sixteenth as we hope to do."

This hope was realised; on the 16th February 1852, the workmen were released from prison. Their first step related to Sendlingen: in the name of all, Johannes Novyrok made a speech of thanks of which this was the peroration:

"We know well what we ought to wish you in return for all you have done for us: good-luck and happiness for you and for all whom you love! But mere good wishes won't help you, and we can do nothing for you, although every man of us would willingly shed his blood for your sake, and as to praying, my Lord, it is much the same thing—you may remember, perhaps, what I have already said to you on the subject. And so we can only say: think of us when you are in afflic-

tion of mind and you will certainly be cheered! You can say to yourself: 'I have lifted these people out of their misfortune and lessened their burden as much as I could,'—and you will breathe again. For I believe this is the best consolation that any man can have on this poor earth. God bless you! for you are noble and good, and what you do is well done, and sin and evil are far from you. A thousand thanks, my Lord. Farewell!"

"Farewell!" murmured Sendlingen, his voice choking as he turned away.

. . . On the next day, the 17th February, Sendlingen should have started by the morning train to Vienna; he had solemnly promised Berger to do so the evening before. The latter, therefore, was much alarmed when he accidentally heard, in the course of the afternoon, that Sendlingen was still in Chambers.

He hastened to him. "Why have you again put off going?" he asked impetuously.

Sendlingen had turned pale. "I have not been able to bring myself to it," he answered softly.

"And you know what is at stake!" cried Berger in great excitement, wiping the cold sweat from his forehead. "Victor, this is cowardice!"

"It is not," he replied as gently as before, but with the greatest determination. "If I had been a coward, I would long since have had the audience."

Berger looked at him in astonishment. "I do not understand you," he said. "It may be a sophism by

which you are trying to lull your conscience, but it is my duty to rouse you. O Victor!" he continued with passionate grief, "you can yourself imagine what it costs me to speak to you in this way. But I have no option."

Sendlingen was silent. "I will talk about it later," he said. "Let me first tell you a piece of news that will interest you. I have received a letter from the Minister this morning. . . . You were right about their 'courage.'" He handed the letter to his friend. "The Minister reminds me that it is my duty, in consequence of the appointment made last November, to be in Pfalicz on the morning of the 1st March to take over the conduct of the Higher Court there."

"After all!" cried Berger. "And how polite! Do you see now that we liberals and our newspapers are some good? The Minister has no other motive for beating a retreat."

"Perhaps this letter, which came at the same time, may throw some light on it," observed Sendlingen taking up a letter as yet unopened. "It is from my brother-in-law, Count Karolberg!" He opened it and glanced at the first few lines. "True!" he exclaimed. "Just listen."

"You do not deserve your good fortune," he read, "and I myself was fully persuaded that you were lost. But it seems that the Minister talked to us more sharply than he thought, and that from the first he meant nothing serious. That he kept you rather long

in suspense, proved to be only a slight revenge which was perhaps permissible. He meant no harm; I feel myself in duty bound to say this to his credit."

"And your brother-in-law is a clever man," cried Berger, "and himself a Judge! Does he not understand that this very explanation tells most of all against the Minister? Oh, I always said that it was another thoroughly Austrian——"

A cry of pain interrupted him. "What is this?" cried Sendlingen horror-struck and gazing in deadly pallor at the letter.

Berger took the letter out of his trembling hands, in the next instant he too changed colour. His eyes had lit upon the following passage.

"When do you leave Bolosch? I hope that the last duty that you have to do in your office, will not affect your soft heart too much. Certainly it is always painful to order the execution of a woman, and especially such a young one, and perhaps you can leave the arrangements for the execution to your successor who fortunately is made of sterner stuff."

The letter fell from Berger's hands. "O Victor——" he murmured.

"Don't say a word," Sendlingen groaned; his voice sounded like a drowning man's. "No reproaches!—Do you want to drive me mad."

Then he made a great effort over himself. "The warrant must have come already," he said, and he rang for the clerk and told him to bring all the papers

that had arrived that day. The fatal document was really among them; it was a brief information to the Court at Bolosch stating that the Emperor had rejected the petition for pardon lodged by Counsel for the defence, and that he had confirmed the sentence of death. The execution, according to the custom then prevailing, was to be carried out in eight days.

"I will not reproach you," said Berger after he had glanced through the few lines. "But now you must act. You must telegraph at once to the Imperial Chancellery and ask for an audience for the day after to-morrow, the nineteenth, and to-morrow you must start for Vienna!"

"I will do so," said Sendlingen softly.

"You *must* do it!" cried Berger, "and I will see that you do. I will be back in the evening."

When Berger returned at nightfall, Franz said to him in the lobby: "Thank God, we are going to Vienna after all!" and Sendlingen himself corroborated this. "I have already received an answer; the audience is granted for the nineteenth. I have struggled severely with myself," he then added, and continued half aloud, in an unsteady voice, as if he were talking to himself; "I am a greater coward than I thought. However fixed my resolve was, my courage failed me —and so I must go to Vienna."

Berger asked no further questions, he was content with the promise.

CHAPTER XII.

THE 18th February 1853, was a clear, sunny day. At midday the snow melted, the air was mild; there seemed a breath of spring on the country through which the train sped along, bearing the unhappy man to Vienna. But there was night in his heart, night before his eyes; he sat in the corner of his carriage with closed lids, and only when the train stopped, did he start up as from sleep, look out at the name of the station, and deeply sighing, fall back again into his melancholy brooding.

Was the train too slow for him?

There were moments when he wished for the wings of a storm to carry him to his destination, and that the time which separated him from the decisive moment might have the speed of a storm. And in the next breath, he again dreaded this moment, so that every second of the day which separated him from it, seemed like a refreshing gift of grace. Alas! he hardly knew himself what he should desire, what he should entreat, and one feeling only remained in his change of mood, despair remained and spread her dark shadow over his heart and brain.

The train stopped again, this time at a larger station.

There were many people on the platform, something extraordinary must have happened; they were crowding round the station-master who held a paper in his hand and appeared to be talking in the greatest excitement. The crowd only dispersed slowly as the train came in; lingeringly and in eager talk, the travellers approached the carriages.

Sendlingen looked out; the guard went up to the station-master who offered him the paper; it must have been a telegram. The man read it, fell back a step turning pale and cried out: "Impossible!" upon which those standing around shrugged their shoulders.

Sendlingen saw and heard all this; but it did not penetrate his consciousness. "Heldenberg," he said, murmuring the name of the station. "Two hours more."

The train steamed off, up a hilly country and therefore with diminished speed. But to the unhappy man it was again going too swiftly—for each turn of the wheels was dragging him further away from his child, for a sight of whose white face of suffering, he was suddenly seized with a feverish longing, his poor child, that now needed him most of all.

"Frightful!" he groaned aloud. His over-wrought imagination pictured how she had perhaps just received the news that she was to fall into the hangman's hands! It was possible that the sentence had passed through the Court of Records and been added to the rolls; some of the lawyers attached to the Courts

might have read it, or some of the clerks—if one of them should tell the Governor, or the warders, if Victorine should accidentally hear or it!

"Back!" he hissed, springing up. "I must go back." Fortunately he was alone, otherwise his fellow travellers would have thought him mad. And there was something of madness in his eyes as he seized his portmanteau from the rack, and grasped the handle of the door as if to open it and spring from the train.

The guard was just going along the foot-board of the carriages, the engine whistled, the train slackened, and in the distance the roofs of a station were visible. The guard looked in astonishment at the livid, distorted features of the traveller; this look restored Sendlingen to his senses, and he sank back into his seat. "It it useless," he reflected. "I must go on to Vienna."

The train pulled up. "Reichendorf! One minute's wait!" cried the guard.

It was a small station, no one either got in or out; only an official in his red cap stood before the building. Nevertheless, the wait extended somewhat beyond the allotted time. The guards were engaged in eager conversation with the official.

Sendlingen could at first hear every word. "There is no doubt about it!" said the official. "I arranged my apparatus so that I could hear it being telegraphed to Pfalicz and Bolosch. What a catastrophe."

"And is the wound serious?" asked one of the

guards. He was evidently a retired soldier, the old man's voice trembled as he put the question.

"The accounts differ about that," was the answer. "Great Heavens! who would have thought such a thing possible in Austria!"

"Oh! it can only have been an Italian!" cried the old soldier. "I was ten years there and know the treacherous brood!"

Thus much Sendlingen heard, but without rightly understanding, without asking himself what it might mean. More than that, the sound of the voices was painful to him as it disturbed his train of thought; he drew up the window so as to hear no more.

And now another picture presented itself to him as the train sped on, but it was no brighter or more consoling. He was standing before his Prince who had said to him: "It is frightful, I pity you, poor father, but I cannot help you! It is my duty to protect Justice without respect of persons; I confirmed the sentence of death not because I knew nothing of her father, and supposed him a man of poor origin, but because she was guilty, by her own confession and the Judges' verdict. Shall I pardon her now because she is the daughter of an influential man of rank, because she is your daughter? Is her guilt any the less for this, will this bring her child to life again? Can you expect this of me, you, who are yourself a Judge, bound by oath to judge both high and low with the same measure?" Thus had the Emperor spoken, and

he had found no word to say against it—alas! no syllable of a word—and had gone home again. And it was a dark night—dark enough to conceal thieving and robbery or the blackest crime ever done by man—and he was creeping across the Court-yard at home; creeping towards the little door that opened into the prison.

"Oh!" he groaned stretching out his hands as if to repel this vision, "not that!—not that!—And I am too cowardly to do it. I know—too cowardly! too cowardly!"

Once more the train stopped, this time at a larger station. Sendlingen did not look out, otherwise he must have noticed that this was some extraordinary news that was flying through the land and filling all who heard it with horror. Pale and excited the crowd was thronging in the greatest confusion; all seemed to look upon what had happened as a common misfortune. Some were shouting, others staring as if paralyzed by fear, others again, the majority, were impatiently asking one another for fresh details.

"It was a shot!" screamed an old gray-headed man in a trembling voice, above the rest, before he got into the train. "So the telegram to the prefect says."

"A shot!" the word passed from mouth to mouth and some wept aloud.

"No!" cried another, "it was a stab from a dagger, the General himself told me so."

Confused and unintelligible, the cries reached Send-

lingen's ears till they were drowned by the rush of the wheels, and again nothing was to be heard save the noise of the rolling train.

And again his over-wrought imagination presented another picture. The Emperor had heard his prayer and said: "I grant her her life, I will commute the punishment to imprisonment for life, for twenty years. More than this I dare not do; she would have died had she not been your daughter, but I dare not remit the punishment altogether, nor so far lessen it that she, a murderess, should suffer the same punishment as the daughter of a common man had she committed a serious theft." And to this too he had known of no answer, and had come home and had to tell his poor daughter that he had deceived her by lies. She had broken down under the blow, and had been taken with death in her heart to a criminal prison, and a few months later as he sat in his office and dignity at Pfalicz, the news was brought him that she had died.

"Would this be justice?" cried a voice in his tortured breast. "Can I suffer this? No, no! it would be my most grievous crime, more grievous than any other."

The train had reached the last station before Vienna, a suburb of the capital. Here the throng was so dense, the turmoil so great, that Sendlingen, in spite of his depression, started up and looked out. "Some great misfortune or other must have happened," he thought, as he saw the pale faces and excited gestures

around him. But so great was the constraining force of the spell in which his own misery held his thoughts, that it never penetrated his consciousness so as to ask what had happened. He leant back in his corner, and of the Babel of voices outside only isolated, unintelligible sounds reached his ears.

Here the people were no longer disputing with what weapon that deed had been done which filled them with such deep horror. "It was a stab from a dagger," they all said, "driven with full force into the neck." Their only dispute was as to the nationality of the malefactor.

"It was a Hungarian!" cried some. "A Count. He did it out of revenge because his cousin was hanged."

"That is a lie!" cried a man in Hungarian costume. "A Hungarian wouldn't do it—the Hungarians are brave—the Austrians are cowards—the blackguard was an Austrian, a Viennese!"

"Oho!" cried the excited crowd, and in the same instant twenty fists were clenched at the speaker so that he began to retire. "A Lie! It was no Viennese! on the contrary, a Viennese came to the rescue!"

"Yes, a Vienna citizen!" shouted others, "a butcher!"

"Was not the assassin an Italian?" asked the guard of the train, and this was enough for ten others to yell: "It was a Milanese—naturally!—they are the

worst of the lot!" while from another corner of the platform there was a general cry: "It was a Pole! a student! He belonged to a secret society and was chosen by lot!"

Two Poles protested, the Hungarian and an Italian joined them; bad language flew all over the place; fists and sticks were raised; the police in vain tried to keep the peace. Then a smart little shoemaker's apprentice hit upon the magic word that quieted all.

"It was a Bohemian!" he screeched, "a journeyman tailor from Pardubitz!"

In a moment a hundred voices were re-echoing this.

This cry alone penetrated the gloomy reflections in which Sendlingen was enshrouded, but he only thought for an instant: "Probably some particularly atrocious murder," and then continued the dark train of his thoughts.—Now he tried to rouse himself, to cheer himself by new hopes, and he strove hard to think the solution of which Berger had spoken, credible.

He clung to it, he pictured the whole scene—it was the one comfort left to his unhappy mind. He chose the words by which he would move his Prince's heart, and as the unutterable misery of the last few months, the immeasurable torment of his present position once more rose before him, he was seized with pity for himself and his eyes moistened—assuredly! the Emperor, too, could not fail to be touched, he would hear him and grant him the life of his child. Not altogether, he could not possibly do that, but perhaps he

would believe living words rather than dead documentary evidence and would see that the poor creature was deserving of a milder punishment. And when her term of punishment was over—oh! how gladly he would cast from him all the pomp and dignity of the world and journey with her into a foreign land where her past was not known—how he would sacrifice everything to establish her in a new life, in new happiness. . . . A consoling picture rose before him: a quiet, country seat, apart from the stream of the world, far, far away, in France or in Holland. Shady trees clustered around a small house and on the veranda there sat a young woman, still pale and with an expression of deep seriousness in her face, but her eyes were brighter already, and there was a look about her mouth as if it could learn to smile again.

"Vienna."

The train stopped; on the platform there was the same swaying, surging crowd as at the suburb, but it was much quieter for the police prevented all shouting and forming into groups. Sendlingen did not notice how very strongly the station was guarded. The consoling picture he had conjured up was still before his mind; like a somnambulist he pushed through the crowd and got into a cab. "To the Savage," he called to the driver; he gave the order mechanically, from force of habit, for he always stayed at this hotel.

The shadows of the dusk had fallen upon the streets as the cab drove out of the station, the lamps' red

glimmer was visible through the damp evening mist that had followed upon the sunny day. Sendlingen leant back in the cushions and closed his eyes to continue his dream; he did not notice what an unusual stir there was in the streets. It was as if the whole population was making its way to the heart of the city; the vehicles moved in long rows, the pedestrians streamed along in dense masses. There was no shouting, no loud word, but the murmur of the thousands, excitedly tramping along, was joined to a strange hollow buzz that floated unceasingly in the air, and grew stronger and stronger as the carriage neared the centre of the town. More and more police were visible, and at the Glacis there was even a battalion at attention, ready for attack at a moment's notice.

Even this Sendlingen did not notice, it hardly entered his mind that the cab was driving much more slowly than usual. That picture of his brain was still before him and hope had visited his heart again. "Courage!" he whispered to himself. "One night more of this torment—and then she is saved! He is the only human being who can help us, and he will help us."

His cab had at length made way through the crowd that poured in an ever denser throng across the Stefansplatz and up the Graben towards the Imperial Palace—and it was able to turn into the Kärtnerstrasse. It drew up before the hotel. The hall-porters darted out and helped Sendlingen to alight, the proprietor

himself hurried forward and bowed low when he recognised him.

"His Lordship, the Chief Justice!" he cried. "Rooms 7 and 8. What does your Lordship say to this calamity? It has quite dazed me!"

"What has happened?" asked Sendlingen.

"Your Lordship does not know?" cried the landlord in amazement. "That is almost impossible! A journey-man tailor from Hungary, Johann Libényi, attempted His Majesty's life to-day at the Glacis. The dagger of the miscreant struck the Emperor in the neck. His Majesty is severely wounded, if it had not been for the presence of mind of the butcher, Ettenreich——"

He stopped abruptly. "What is the matter?" he cried darting towards Sendlingen.

Sendlingen tottered, and but for his help would have fallen to the ground.

CHAPTER XIII.

On the evening of the next day Count Karolberg, Sendlingen's brother-in-law, entered his room at the hotel. "Well, here you are at last!" he cried, still in the door-way. "Is this the way to go on after a bad attack of the heart on the evening before? Three times to-day have I tried to get hold of you, the first time at nine in the morning and you had already gone out."

"Thank you very much!" replied Sendlingen. "My anxiety for authentic news about the Emperor's condition, drove me out of doors betimes, and so I went to the Imperial Chancellery as early as was seemly. But I only learnt what is in all the papers: that there was no danger of his life, but that he would need quite three weeks of absolute rest to bring about his complete recovery. Meanwhile the Cabinet is to see to all current affairs: the sovereign authority of the Emperor is suspended, and none of the princes of the blood are to act as Regent during the illness."

"But you surely did not inquire about that?" cried Count Karolberg in astonishment. "That goes without saying."

"Goes without saying!" muttered Sendlingen, and

for a moment his self-command left him and his features became so listless and gloomy that his brother-in-law looked at him much concerned.

"Victor!" he said, "you are really ill! You must see Oppolzer to-morrow."

"I cannot. I must go back to Bolosch to-night. I require two days at least, to arrange the surrender of matters to my successor. But then I shall come back here at once."

"Good! You are going to spend the week before entering on your new position here; the Minister of Justice has just told me. It was very prudent of you to visit him at once."

"It was only fitting that I should," said Sendlingen. Alas! not from any motives of fitness or prudence had he gone to the Minister of Justice; it was despair that drove him there after the information he got at the Chancellery, a remnant of a hope that by his help, he might at least attain the postponement of the execution till the Emperor was better again.

Not until he was in the Minister's ante-room, and had already been announced, did he recover his senses and recognise that the Minister could as little command a postponement as he himself, and so he kept silence. "He was very friendly to me!" he added aloud.

"He is completely reconciled to you," Count Karolberg eagerly corroborated. "He spoke to me of your ill-health with the sincerest sympathy, and told

me that you had hinted at not accepting the post at Pfalicz but contemplated retiring. I hope that is far from being your resolve! If you require a lengthy cure somewhere in the South, leave of absence would be sufficient. How could you have the heart to renounce a career that smiles upon you as yours does?"

"Of, course," replied Sendlingen, "I shall consider the subject thoroughly." He then asked to be excused for a minute in order to write a telegram to Bolosch.

He sat down at the writing-table. He found the few words needed hard to choose. He crossed them out and altered them again and again—it was the first lie that that hand had ever set down.

At length he had finished. The telegram read as follows:

"George Berger, Bolosch. End desired as good as attained. Have procured postponement till recovery of decisive arbiter. Return to-morrow comforted. Victor."

He then drove with Count Karolberg to his house and spent the evening there in the circle of his relations. He was quiet and cheerful at he used to be, and when he took his leave of the lady of the house to go to the station, he jokingly invited himself to dinner on the 22d of February.

The weather had completely changed, since the morning heavy snow had fallen: the Bolosch train had to wait a long time at the next station till the snow-ploughs had cleared the line, and it was not till late

next morning that it reached its destination. Sendlingen was deeply moved that, notwithstanding, the first face he saw on getting out of the train, was that of his faithful friend. And at the same time it frightened him: for how could he look him in the face?

But in his impetuous joy, Berger did not observe how Sendlingen shrank at his gaze. "At last!" he cried, embracing him, and with moistened eyes, he pressed his hand, incapable of uttering a word.

"Thank you!" said Sendlingen in an uncertain voice. "It—it came upon you as a surprise?"

"You may imagine that!" cried Berger. "Soon after your departure, I heard the news of the attempt on the Emperor's life. I thought all was lost and was about to hurry to you when your telegram came. And then, picture my delight! I sent for Franz—the old man was mad with joy!"

They had come out to the front of the station and had got into Berger's sleigh. "To my house!" he called to the driver!

"What are you thinking of?" asked Sendlingen.

"You forget that you have no longer a habitable home!" cried Berger. "There is such a veritable hurly-burly at the residence, that even Franz hardly knows his way about—where do you mean to stay?"

"At the Hofmann Hotel," replied Sendlingen. "I have already commissioned Franz to take rooms there. It is impossible for me to stay with you, George. Please do not press me. I cannot do it."

Berger looked at him astonished. "But why not? And how tragically it affects you? To the Hofmann Hotel!" he now ordered the driver. "But now tell me everything," he begged, when the sleigh had altered its direction. "Who granted you the postponement?"

"The Archduke Ferdinand Maximilian," replied Sendlingen quickly, "the Emperor's eldest brother. I had an interview with him yesterday. The order to Werner to postpone the execution, should be here by the day after to-morrow. For my own part, I shall stay in Vienna until the Emperor has recovered. The Archduke himself could not give a final decision."

"Once more my heartiest congratulations!" cried Berger. "I will faithfully watch over Victorine till you return. And now as to other things. Do you know whom this concerns?" He pointed to some bundles of fir-branches that were being unloaded at several houses. Here and there, too, some black and yellow, or black, red and yellow flags were being hung out. "You, Victor. The whole of Bolosch is preparing itself for to-morrow, it will be such a fête as the town has not seen for a long time. The Committee has done nothing either about the decorations or the illuminations. Both are spontaneous, and done without any preconcerted arrangement."

"This must not take place!" cried Sendlingen impatiently. "I cannot allow it! It would rend my heart!"

"I understand you," said Berger. "But in for a

penny etc. Besides your heart may be easier now, than at the time you agreed to accept the torch-light procession and the banquet. Do not spoil these good people's pleasure, they have honorably earned your countenance. Every third man in Bolosch is inconsolable to-day because there are no more tickets left for the banquet, although we have hired the biggest room in the place, the one in the town-hall. The only compensation that we could offer them, was the modest pleasure of carrying a torch in your honour and at the same time burning a few holes in their Sunday clothes. Notwithstanding, torches have since yesterday become the subject of some very swindling jobbery."

In this manner he gossiped away cheerfully until the sleigh drew up at the hotel. Herr Hofmann, the landlord, was almost speechless with pleasure. "What an honour," stammered the fat man, his broad features colouring a sort of purple-red. "Your Lordship is going to receive the procession on my balcony?"

"Yes indeed," sighed Berger, "and it is I who got you this honour!" He drove away, promising to send Franz who was waiting at his house.

After a short interval Franz appeared at the hotel; his face beamed as he entered his master's room, and a few minutes later, when he came out again, it was pale and distorted and his eyes seemed blinded; the old man was reeling like a drunkard as he went back to Berger's house to fetch the trunks to the hotel.

Without making good his lost night's rest, Sendlin-

gen betook himself to his Chambers. Herr von Werner was already waiting for him; they at once went to their task and began with the business of the Civil Court. It was not difficult work, but it consumed much time, especially as Werner in accordance with his usual custom would not dispatch the most insignificant thing by word of mouth. Seldom can any mortal have written his signature with the same pleasure as he to-day signed: "von Werner, Chief Justice."

Sendlingen held out patiently, without a sign of discomposure, "like a lamb for the sacrifice" thought Baron Dernegg who was assisting with the transfer. They only interrupted their work to take a scanty meal in Chambers; twice, moreover, Franz sent for his master to make a brief communication. At length, about ten at night, the work was done. For the next day, when the affairs of the Criminal Court were to be disposed of, Werner promised to be more brief. "You had better, if you value your life," cried Dernegg laughing. "The Citizens of Bolosch won't be made fools of. Woe to you if you don't release the hero of to-morrow's fête in good time!"

Sendlingen went to Berger who had now been waiting for him several hours with increasing impatience. "I shall never forgive Herr von Werner this!" he swore as they sat down to their belated meal. "And it is the last evening in which I shall have you to myself! Franz told me that you were going to Vienna by

the express at four in the morning. Why will you not take a proper rest after the excitement of the fête? You had better go the day after to-morrow by the mid-day train."

"I cannot," replied Sendlingen. "The Minister of Justice has asked me to attend an important conference the day after to-morrow, and therefore I am even thinking of going by the mail-train to-morrow. It starts shortly after midnight and——"

"That is quite impossible!" interrupted Berger. Just consider, the procession takes place between eight and nine, the banquet begins at ten, it will be eleven before the first speeches are made—then you are to reply in all speed, rush out, hurry to the hotel, change your clothes, fly to the station——Why, it is quite impossible, and the people would be justly offended if you fled from the feast in an hour's time as if it were a torment!"

"And so it is!" cried Sendlingen. "When you consider what my feelings are likely to be at leaving Bolosch, then you will certainly not try to stop me, but will rather help me, so that the torment be not too long drawn out."

Berger shrugged his shoulders. "You always get your own way!" he said. "But it is not right to offend the people and then victimise yourself all night in a train that stops at even the smallest stations."

Then they talked of the political bearings, of the consequences, which the crime of the 18th February,

the act of a half-witted creature, might have on the freedom of Austria. Victorine's name was not mentioned by either of them this time.

Sendlingen never closed his eyes all that night, although Herr Hofmann had personally selected for him the best pillows in the hotel. It was a dark, wild night; the snow alone gave a faint glimmer. An icy northeast wind whistled its wild song through the streets, fit accompaniment to the thoughts of the sleepless man.

Towards eight in the morning—it had just become daylight—he heard the sound of military music; the band was playing a buoyant march. At the same time there was a knock at his door and Franz entered. The old man was completely broken down. "We must dress," he said. "The band of the Jägers and the choral society are about to serenade. Besides I suppose we have not slept!"

"Nor you either, Franz?"

"What does that matter! But we will not survive it!" he groaned. "Oh! that this day, that this night, were already past."

"It must be, Franz."

"Yes, it must be!"

The band came nearer and nearer. At the same time the footsteps, the laughter and shouts of a large crowd were audible. The old man listened. "That's the Radetzky March!" he said. "Ah! how merrily they are piping to our sorrow."

The procession had reached the hotel.

"Three cheers for Sendlingen!" cried a stentorian voice. The band struck up a flourish and from hundreds and hundreds of throats came the resounding shout: "Hip, hip, Hurrah! Hurrah! Hurrah!" Then the band played a short overture and the singers followed with a chorus. Meanwhile Sendlingen had finished dressing; he went into the adjoining room, and, after the song was finished and the cheering had begun again, he opened a window and bowed his thanks.

At his appearance the shouts were louder and louder; like the voice of a storm they rose again and again: "Hurrah for Sendlingen! Hurrah! Hurrah!" and mingling with them was the cry of the Czech workmen: "Slava—Na zdar!" All the windows in the street were open; the women waved their handkerchiefs, the men their hats; as far as the eye could see, bright flags were floating before the snow-covered houses, and decorations of fir were conspicuous in all the windows and balconies. The unhappy man stared in stupefaction at the scene beneath him, then a burning crimson flushed his pale face and he raised his hand as if to expostulate.

The crowd put another interpretation on the sign and thought that he wanted to make a speech. "Silence," shouted a hundred voices together and there was a general hush. But Sendlingen quickly withdrew, while the cheering broke forth afresh.

"My hat!" he cried to Franz. He wanted to escape to the Courts by the back door of the hotel. But it was too late; the door of the room opened, and the Committee entered and presented the address of the inhabitants of Bolosch. Then the mayor and town-council appeared bringing the greatest distinction that had ever been conferred on a citizen of Bolosch—not only the freedom of the city, but the resolution of the town-council to change the name of Cross Street forthwith into Sendlingen Street. Various other deputations followed: the last was that of the workmen. Their leader was Johannes Novyrok; he presented as a gift, according to a Slavonic custom, a loaf of bread and a plated salt-cellar, adding:

"Look at that salt-cellar, my Lord! If you imagine that it is silver you will be much mistaken, it is only very thinly plated and cost no more than four gulden, forty kreutzer, and I must candidly say that the dealer has very likely swindled us out of a few groschen in the transaction; for what do we understand of such baubles? Well, four gulden and forty kreutzer, besides fifteen kreutzer for the bread and five kreutzer for the salt, make altogether five gulden of the realm. Now you will perhaps think to yourself, my Lord: Are these men mad that they dare offer *me* such a trifling gift—but to that I answer: Five gulden are three hundred kreutzer of the realm, and these three hundred kreutzer were collected in this way: three hundred workmen of this town after receiving their wages last Saturday,

each subscribed one kreutzer to give you a bit of pleasure. And now that you know this, you will certainly honour their trifling gift. We beg you to keep this salt-cellar on your table, so that your heart may be always rejoiced by the gift of poor men whose benefactor you have been."

In the Law Courts, too, a solemn ovation was awaiting him. Two Judges received him at the entrance and conducted him to the hall of the Senate, where all the members of the Court were gathered. Werner handed him their parting-gift: a water-colour painting of the Courts of Justice, and an album with the photographs of all connected with them. "To the model of every judicial virtue," was stamped on it in gold letters. Then Dernegg stepped forward. A number of the Court officials had clubbed together to adorn the walls with Sendlingen's portrait. Dernegg made a sign and the curtain was withdrawn from the picture.

"Not only to honour you," he continued turning to Sendlingen, "have we placed this picture here, but because we desire that your portrait should look down upon us to admonish and encourage us, whenever we are assembled here in solemn deliberation. It was here that four months ago you gave utterance to a sentiment that, to me, will always be more significant of your character than anything I ever heard you say. We were discussing the condemnation of an unfortunate government clerk. 'I have never been,' you said on that occasion, 'a blind adherent of the maxim

Fiat justitia et pereat mundum—but at least it must so far be considered sacred, as binding each of us Judges to act according to law and duty, even if our hearts should break in doing so.' Such things are easily said, but hard to do. Fate, however, had decreed that you were, since then, to give a proof that this conviction had indeed been the loadstar of your life. Who should know that better than I, your colleague in those sorrowful days. You never hesitated, even when all that the heart of man may cling to, was at stake in your life."

He had intended to go into this at greater length, but he came to a speedy conclusion when he saw how pale Sendlingen had turned. "Very likely his heart is troubling him again," he thought. But the attack seemed to pass quickly. Certainly Sendlingen only replied in a very few words, but he went to work again with Werner zealously.

The three men—Dernegg was assisting to-day as well—betook themselves to the prison. In the Governor's office, the register of prisoners was gone through. Werner started when he saw the list of the sick.

"So many?" he cried. "Our doctor would be more suited to a philanthropic institute than here. Here, for instance, I read: 'Victorine Lippert. Since the 9th November, 1852.' Why that must be the child-murderess, that impertinent person who made such a scene at the trial. And here it says further: 'Convalescent since the middle of December, but must re-

main in the infirmary till her complete recovery on account of grave general debility.' This person has been well for two months, and is still treated as if she were ill! Isn't that unjustifiable?"

Sendlingen made no reply; he was holding one of the lists close to his eyes, so that his face was not visible. Dernegg, however, answered: "Perhaps the contrary would be unjustifiable. The doctor knows the case, we don't. He is a conscientious man."

"Certainly," agreed Werner, "of course he is—but much too soft-hearted. Let us keep to this particular case. Well, this person has been tended as an invalid for more than two months. That adds an increase of more than twenty kreutzer daily to the public expenditure, altogether, since the middle of December, fourteen gulden of the realm. We should calculate, gentlemen, calculate. And is such a person worth so much money? Well, we can soon see for ourselves whether she is ill!"

They began to go the rounds of the prison. That was soon done with, but in the first room of the Infirmary, Werner began a formal examination of the patients.

Sendlingen went up to him. "Finish that to-morrow," he said sharply, in an undertone. "You are my successor, not my supervisor."

Werner almost doubled up. "Excuse me—" he muttered in the greatest embarrassment. "You are right,—but I did not dream of offending you—you whom I honour so highly. Let us go."

They went through the remainder of the rooms without stopping, until they came to the separate cells for female patients. Here, only two female warders kept guard. Werner looked through the list of the patients' names. "Why, Victorine Lippert is here," he said. "Actually in a separate cell. My Lord Chief Justice," he continued in an almost beseeching tone of voice, turning to Sendlingen, "this one case I should like at once to—I beg—it really consumes me with indignation—otherwise I must come over this afternoon."

Sendlingen had turned away. "As you wish," he then muttered, and they entered her cell.

Victorine had just sat down at her table and was reading the Bible. She looked up, a crimson flush overspread her face, trembling with a glad excitement she rose—the pardon must at length have arrived from Vienna, and the Judges were coming to announce it.

The danger increased Sendlingen's strength. He had not been able to endure Dernegg's words of praise, but now that the questioning look of his child rested on him, now that his heart threatened to stand still from compassion and from terror of what the next moment might bring forth, not a muscle of his face moved.

Perhaps it decisively affected his and Victorine's fate, that this unspeakable torture only lasted a few moments. "There we are!" Werner broke forth. "Rosy

and healthy and out of bed. A nice sort of illness. But this shall be put a stop to to-day."

With a low cry, her face turning white, Victorine staggered back. Werner did not hear her, he had already left the cell, the other two followed him. "It was on account of your request that I was so brief," said Werner in the corridor turning to Sendlingen. "Besides one glance is sufficient! Tell me yourself, my Lord, does she look as if she were ill?"

"You must take the Doctor's opinion about that," said Dernegg.

"That would be superfluous," said Sendlingen, his voice scarcely trembling. "The sentence of death is confirmed; she must be executed in a few days; the 25th February at the latest, as the sentence reached here on the seventeenth. I can only share your view," he continued turning to Werner, "she really looks healthy enough to be removed into the common prison. But what would be the good? We have not got any special 'black hole' in which condemned criminals spend the day before their execution, and one of these cells in the Infirmary is always used for the purpose."

"You are right as usual," Werner warmly agreed. She can remain in the cell for the two days: that will be the most practical thing to do. On the twenty-third, I will announce the sentence, on the twenty-fourth, the execution can take place."

Sendlingen gave a deep sigh. "We have finished

with the prisons now," he said, "let us go back to Chambers. Allow me to show you the nearest way."

He beckoned to the Governor of the Prison to follow them. The cells of the Infirmary were in a short corridor that opened into the prison-yard. The Governor opened the door and they stepped out into the yard. "I have a key to this door," said Sendlingen to Werner, "as well as to that over there." He pointed to the little door in the wall which separated the prison-yard from the front part of the building. "I will hand both these keys over to you presently. My predecessor had this door made, so as to convince himself, from time to time, that the prison officials were doing their duty. But he forgot to tell me about this, and so the keys have been rusting unused in my official writing-table. I first heard of this accidentally a few months ago."

"Certainly this means of access requires some consideration," observed Dernegg. "An attempt at escape would meet with very slight obstacles here. Anyone once in the Infirmary Corridor, would only need to break through two weak doors, the one in the yard and this one in the wall, and then get away scot free by the principal entrance which leads to the offices and private residence of the Chief Justice!"

"What an idea!" laughed Werner. "In the first place: how would the fellow get out of the sick-room or out of his cell into the corridor of the female patients? He would first have to break through two or

three doors. And if he should succeed in getting out into the yard, he would perhaps never notice the door, it is so hidden away; and if, groping about in the dark, he were to find it, he would not know where it led to, or whether there might not be a sentry on the other side with a loaded rifle. No, no, I think this arrangement is very ingenious, very ingenious, gentlemen, and I purpose often to make use of it."

Sendlingen took no part in this talk; he had altogether become very taciturn and remained so, as they set to work again in Chambers. But the evening had long set in, the illumination of the town had begun, and the lights were burning in the windows of the room where they were working, before they had completed all the formalities. When all was finished, Sendlingen handed his successor the keys of which he had spoken.

Franz was waiting outside with a carriage from the hotel. It was a nasty night; an icy wind was driving the snow-flakes before it. Notwithstanding Sendlingen wanted to proceed on foot. "My forehead burns," he complained. But Franz urged: "I have brought it on account of the crowds of people about. If we are recognised, we should never get along or escape from the cheering." So Sendlingen got in.

This precaution proved to be well-founded. In spite of the stormy weather, the streets were densely packed with people slowly streaming hither and thither, and admiring the unwonted spectacle of the

illuminations. The carriage could only proceed at a walking pace : Sendlingen buried himself deeper in its cushions so as not to be recognised.

"The good people!" said old Franz who was sitting opposite him. "I have always known who it was I was serving, but how much we are loved and honoured in this town, was not manifest till to-night. But we are not looking at the illuminations, they are very beautiful."

"And *who* is it they are there for!" cried Sendlingen burying his face in his hands.

The carriage which had been going slower and slower, was now obliged to stop ; it had come to the beginning of Cross Street which since the morning bore the superscription : "Sendlingen Street!" The inhabitants of this street in order to show themselves worthy of the honour, had illuminated more lavishly than anyone else, and as the Hofmann Hotel was situated here, the crowd had formed into such a dense mass at this point, that a passage through it was not to be thought of. Sendlingen had to quit the carriage and, half deafened with the cheers, he hurried through the ranks and breathed again when he reached the shelter of the hotel.

There Berger, who had been impatiently awaiting him, met him. "Now quick into your dress clothes," he cried, "in ten minutes the procession will be here." Sendlingen had hardly finished dressing, when the sound of music and the shouts of the crowd, an-

nounced the approach of the procession. He was obliged to yield to his friend's pressure and go out on the balcony. There was a red glimmer from the direction of the river, and like a giant fire-serpent, the procession wound its way through the crowd. It stopped before the hotel, the torch-bearers formed themselves in line in the broad street. Unceasingly, endlessly, like the roar of wild waves, resounded the cheers.

Berger's eyes sparkled. "This is a moment which few men live to see," he said. "Know this, and be glad of it! He who has won such love is, in spite of anything that could happen, one of the favoured of this earth!"

Then they drove to the banquet at the town-hall. The large room was full to overflowing, and all agreed that this was the most brilliant assembly that had ever been gathered together within its walls. "But he deserves it," all said. "What has this man not suffered in the last few weeks through his fidelity to conviction! One can see it in his face—this agitation has broken his strength for years!" People therefore did not take it ill that his replies to the two toasts, "Our last honorary citizen" proposed by the Mayor, and the "Rock of Justice" proposed by the chairman of the committee, were very briefly put. He thanked them for the unmerited honour that had been done him, assured them that he would never forget their kindness, and, to be brief, made only the most commonplace remarks, without fulfilling either by his style or

his thoughts, the expectation with which this speech had been looked forward to. Nevertheless, after he had finished, he was greeted with wild cheering, and the same thundering applause followed him as he left the hall towards eleven o'clock.

Berger and Dernegg accompanied him to the hotel, then to the station. The first bell had already rung when they got there; so their farewell had to be brief. Silently, with moistened eyes, Sendlingen embraced his friend before he got into the train; Franz took his place in a second-class compartment of the same carriage. Both waved from the windows after the train had moved off and was gliding away, swifter and swifter, into the stormy night.

. . . . . .

Next morning about nine o'clock, when Berger had just sat down at his writing-table, there was a violent knock at his door and a clerk of the Law Courts rushed in. "Dr. Berger!" he cried, breathlessly, "Herr von Werner urgently begs you to go to him at once. Victorine Lippert has escaped from the prison in the night."

Berger turned deadly pale. "Escaped?"

"Or been taken out!" continued the clerk. "Herr von Werner hopes you may be able to give some hint as to who could have interested themselves in the person."

"Very well," muttered Berger. "I know little enough about the matter, but I will come at once."

The clerk departed; Berger sat at his table a long time, staring before him, his head heavily sunk on his breast. "Unhappy wretch!" he thought. "Now I understand all!"

Now he understood all: why Sendlingen had hesitated so long in taking the journey to Vienna, why he had taken Franz and Brigitta into his confidence, why he had spent the last two days at the hotel where he and his servant could make all preparations undisturbed, and why he had chosen the mail train which stopped at every station. The next station to Bolosch was not distant more than half an hour's drive by sleigh. "They must both have left the train there," he thought, "and hurried back in a sleigh that was waiting for them, then released Victorine and hastened away with her, perhaps to the first station where the express stops, perhaps in the opposite direction towards Pfalicz. At this moment, very likely, she is journeying under Franz's protection to some foreign country where Brigitta awaits her, somewhere in France, or England, or Italy, while he is hurrying to Vienna, so as not to miss his appointment with the Minister of Justice!"

"Monstrous!" he groaned. And surely, the world had never before seen such a thing: such a crime committed by such a man, and on the very day when his fellow-citizens had done honour to him as the "Rock of Justice!" And such he would be for all time, in the eyes of all the world; it was not to be

supposed that the very faintest suspicion would turn against him: he would go to Pfalicz and there continue to judge the crimes of others. The honest lawyer boiled over, he could no longer sit still but began to pace up and down excitedly. Bitter, grievous indignation filled his heart; the most sacred thing on earth had been sullied, Justice, and by a man whom of all men he had loved and honoured.

And then this same love stirred in his heart again. He thought of last night, of the moment when he had stood by his friend, while the thousands surged below making the air ring with their cheers. Pity incontinently possessed his soul again. "What the poor wretch must have suffered at this moment!" he thought. "It is a marvel that he did not go mad. And what he must have suffered on his journey to Vienna, and long weeks before, when the resolve first took shape in him!"

He bowed his head. "Judge not, that ye be not judged," cried a voice of admonition within him. His bitterness disappeared, and deep sorrow alone filled his heart: sin had bred other sins, crime, another crime and fresh remorse and despair. How to judge this deed, what was there to be said in condemnation, what in vindication of it: that deed of which he had once dreamed, it certainly was not; it was no great, liberating solution of these complications, but only an end of them, a hideous end! Certainly Victorine might have now suffered enough to have been granted freedom, and the opportunity of new life, and no less

certainly would Sendlingen, honourable and loving justice in the extreme, carry in his conscience through life, the punishment for his crime—but Justice had been outraged, and this sacred thing would never receive the expiation that was its due. "A wrong should not be expiated by a crime!" Sendlingen had once said to him—but now he had done it himself. "Re-assure yourself," he had once exclaimed at a later date, "outraged Justice shall receive the expiation that is its due!" This would not, could not be—never—never!

Berger roused himself and went forth on his bitter errand. When he reached the Courts of Justice, old Hoche, who had entered on his retirement some weeks ago, was just coming out. Berger was going to pass him with a brief salutation, but the old gentleman button-holed him.

"What do you say to this?" he cried. "Monstrous, isn't it? I am heartily glad that the misfortune has not befallen Sendlingen! But do not imagine that I wish it to Herr von Werner. On the contrary, I have just given him a piece of advice—ha! ha! ha!—that should relieve him of his perplexity. You cross-examine Dr. Berger sharply, I said to him; that is the safest way of getting to know the secret of who took her out. For the way Dr. Berger interested himself in this person, is not to be described. Me, a Judge, he called a murderer for her sake, upon my word, a murderer. Ha! ha! ha! there you have it."

Berger had turned pale. "This is not a subject of jest," he said, angrily.

"Oh, my dear Dr. Berger!" replied the old man soothingly, "I have only advised Herr von Werner—and naturally without the slightest suspicion against you—to formally examine you on oath as a witness. For anyone connected with the prisoner is likely to know best. And besides: a record of evidence can never do any harm—*ut aliquid fecisse videatur*, you know. They will see in Vienna that Werner has taken a lot of trouble. Well, good-bye, my dear doctor, good-bye."

He went. Berger strode up the steps. His face was troubled and a sudden terror shook his limbs. He had never thought of that. Supposing he should now be examined on oath? Could he then say: 'I have no suspicion who could have helped her?' Could he be guilty of perjury to save them both? "May God help them then," he hissed, "for I cannot."

He entered the corridor that led to the Chief Justice's Chambers. The examination of the prison officials had just been concluded, but a few warders were standing about and attentively listening to the crafty Höbinger's explanation of this extraordinary case. "Favouritism!" Berger heard him say as he went by, "her lover, the young Count, has got her out." The two female warders of the Infirmary cells were there too, sobbing.

Berger entered the Chief Justice's Chambers. Baron

Dernegg and the Governor of the prison were with Werner. At a side-table sat a clerk; a crucifix and two unlighted candles were beside him. "At last!" cried Werner. "I begged you so particularly to come at once. There is not a moment to be lost. Light the candles!" he called to the clerk.

"But that may be quite useless," cried Dernegg. "Do you know anything about the matter?" he then asked Berger.

"No!" The sound came hoarsely, almost unintelligibly, from his stifled breast.

Werner stood irresolute. "But Dr. Berger was her Counsel," he said, "and the authorities in Vienna——"

"Must see that you have taken trouble," supplemented Dernegg. "They will hardly see this from documents with nothing in them. We have more important things to do now: the escape was discovered three hours ago, and the description of her appearance has not yet been drawn up and telegraphed to Vienna and the frontier stations."

Werner still looked irresolutely at the lighted candles for a few seconds: to Berger they seemed an eternity of bitter anguish such as his conscience had never endured before. "Put out the candles! Come, the description of her appearance!" He seized the papers relating to the trial. "Please help me!" he said turning to Dernegg. "My head is swimming! O God! that I should have lived to see this day!"

While the clerks were writing at the dictation of the

two judges, Berger turned to the Governor and asked him how the escape had been effected.

"It is like magic!" he replied. "When one of the female warders was taking her breakfast to her this morning, she found the door merely latched and the cell empty. The lock must have been opened from the inside. Her course can be plainly traced: she escaped through the yard; the locks of all the doors have been forced from inside by a file used by someone with great strength. This is the first riddle. Such a thing could hardly be done by the hand of the strongest man; it is quite impossible that Victorine Lippert had sufficient strength! The doctor vouches for it, and for the matter of that you knew her yourself, Dr. Berger."

Berger shrugged his shoulders and the Governor continued: "You see the theory of external assistance forces itself imperatively upon us, and yet it is not tenable. The help cannot have come from outside, as all the locks were forced on the inside. And in the prison she can likewise have received no assistance. There is not one of the warders capable of such a crime, besides there is only one door between the general prison and the corridor of the female patients, and that was locked and remained locked. Since any external help is not to be thought of, we are obliged, difficult as it is, to credit Victorine Lippert with sufficient strength. But there we are confronted with the second riddle: how did she come by the file? And in

the face of such incomprehensibilities, it is a small thing that she should also have been aware of an exit that is known to few!"

"Mysterious in every way!" said Berger. "Most extraordinary!" To him the rationale of the thing was plain enough: Master and servant had by means of the official keys or of duplicates which they had had made, penetrated the prison, and on their return had filed the locks. By this ruse, all suspicion of external help would be removed, and at the same time, as far as Sendlingen could do so, it would be averted from the prison officials.

Meanwhile the two Judges had drawn up the description of the fugitive's appearance, and Dernegg renewed his advice to telegraph it abroad at once. Werner objected that this was "a new method" that he would not agree to. "Everything according to rule!" he said. "We will publish the description in the official paper, distribute it among the police, and send a copy to Vienna. It is inconceivable that the person has got out of the country; where would she get the money from? We will therefore not telegraph, and that is enough!"

But after the old man had roused himself to this judgment of Solomon, his self-control deserted him altogether. "What a calamity!" he moaned. "What a beginning to my life as Chief Justice! But I am innocent! Alas! I shall, none the less, receive a reprimand from the Minister which I shall carry about me

all my life, unless Sendlingen saves me. But my friend Sendlingen, that best of colleagues, will speak for me and save me. Excuse me, gentlemen—but I shall have no peace, until I have written and asked for his help!"

He sat down to his writing-table, the others took their leave.

The next morning Berger received a letter from Vienna, the handwriting of the address was known to him and, with trembling hands, he opened the envelope. This was the letter.

"I know that you cannot forgive me and I do not ask you to do so. One favour only do I implore: do not give up hope that the time will one day come when I shall again be worthy of your regard. The first step to this I took yesterday: I have left the service of the State for ever, and I do not doubt that I shall have courage to take the second step, the step that will resolve all; when God will grant me the grace to do this, I know not. Pray with me that I may not have too long to wait.

"Farewell, George, farewell for ever!

"VICTOR."

Berger stared for a long while at these lines, his lips trembled—he was very sore at heart.

Then he drew a candle towards him, lit it, and held the letter in its flame until it had turned to ashes.

"Farewell, thou best and purest of men," he whispered to himself, and a sudden tear ran down his cheek.

CHAPTER XIV.

THREE years had passed, it was the summer of 1856. Bright and hot, the June sun shone upon the Valley of the Rhine ripening the vineyards that hung upon its rocky declivities. The boat steaming down the Valley from Mayence to the holy city of Cologne, had its sheltering awning carefully stretched over the deck, and all went merrily on board, merrily as ever. More beautiful landscapes there may be in the world, but none that make the heart more glad. And so thought two grave-looking men who had come aboard at Mayence that morning. They had come from Austria, and were going to London; they did not want to miss the opportunity of seeing the beautiful river, but at the beginning of the journey they made but a poor use of the favourable day. They sat there oppressed and scarcely looking up, consulting together about the weighty business that lay on their shoulders. But an hour later, when they got into Nassau, they yielded to the charm of the scenery, and as they glided by Rüdesheim, they began to consider whether, after all, the Rhine was not the proper place to drink Rhine-wine, and when they passed the Castle called the Pfalz at Caub, they first saw this venerable building through

their spectacles, and then through the green-gold light of the brimming glasses they were holding to their eyes.

These two men were Dr. George Berger of Bolosch and a fellow barrister from Vienna. They had a difficult task to perform in London. One of the largest iron-foundries in Austria, that at Bolosch, had got into difficulties, and an attempt to stave off bankruptcy had failed, less from the action of the creditors, than from the miserable red-tapism of the Chief Justice of Bolosch, Herr von Werner. The foundry, which employed thousands of men, would be utterly ruined if it did not succeed in obtaining foreign capital. With this object, these two representatives of the firm were making their way to England.

On the Rhine, everybody forgets their cares and this was their good-fortune too. And so greatly had the lovely river, which both now saw for the first time, taken possession of their hearts, that they could not part company with it even at Cologne, where most people went ashore. They resolved to continue the journey by the river as far as Arnhem, and they paced up and down the now empty deck cheerfully talking in the cool of the evening. No mountains, no castles, were any longer reflected in the stream, but the look of its shores was still pleasant, and when they saw the light of dying day spread its rosy net over the broad and swiftly flowing waters, they did not repent their resolve, and extolled the day that had ended as beautiful as it had begun.

The shades of evening fell, the banks of the river grew more and more flat and bare, factories became more and more plentiful, and behind Dusseldorf, they saw the red glare of countless blast-furnaces, brightly glowing in the dark.

This sight reminded them of their task.

"Who knows," sighed Berger's friend Dr. Moldenhauer, "how soon these fires at home may not be extinguished! And why? Because of the narrow-mindedness of one single man. Nothing in my life ever roused my indignation more than our dealings with your Chief Justice! What pedantry! what short-sightedness! Now his predecessor, Baron Sendlingen, was a different sort of man!"

Berger sighed deeply. "That he was!" he replied.

"The Werners stay, the Sendlingens go," continued Dr. Moldenhauer. "And they are allowed to go cheerfully, nay, even forced to go! At least it was generally said that, when Baron Sendlingen suddenly retired a few years ago, it was not on account of heart-disease, as officially reported, but because he had had a difference with the Minister of Justice. The regret at this was so great that His Excellency had to hear many a reproach."

"Perhaps unjustly for once," said Berger, heavy at heart.

"I don't think so," cried Moldenhauer. "Sendlingen certainly went away in deep dudgeon, otherwise he would not have renounced his pension and then left

Austria for ever. Even his brother-in-law, Count Karolberg, does not know where he has gone. You were very intimate with him, do you know?"

"No!"

"Count Karolberg thinks he may have died suddenly in some of his travels abroad."

"That too is possible," answered Berger shortly; he was anxious to drop the subject.

But Moldenhauer stuck to his theme. "What a thousand pities it is!" he continued. "How great a lawyer he was, his last work, 'On Responsibility and Punishment in Child-murder,' which appeared anonymously some three years ago, most clearly shows—You know the book of course."

"Yes," said Berger, "but I doubt whether it is by Sendlingen." This was an untruth, he had never doubted it.

"It is attributed to other writers as well," replied Dr. Moldenhauer, "but his brother-in-law is convinced that it is by him. He says he recognised the style and also some of the thoughts, which Sendlingen explained to him in conversation. Whoever the author may be, he need not have concealed his identity. The work is the finest ever written on this subject and has made a great sensation. It is chiefly owing to its influence, that our new penal code so definitely emphasizes the question of unsoundness of mind in such crimes, and has so materially lessened the punishment for them."

He talked for a long time of the excellencies of the

work, but Berger hardly heard him, and was silent and absent-minded for the rest of the evening. When Moldenhauer retired to his cabin for the night, Berger still remained on deck; he was fascinated, he said, by this wondrous spectacle of the night.

And indeed the aspect of the scene was strange enough and not without its charm. The moon-light lay in a faint glimmer on the stream that here, having almost poured forth its endless waters, was slowly flowing with a gentle murmur towards its grave, the vast sandy plain of the sea. On the level shores, the dim light showed the distant, dusky outlines of solitary high houses and windmills, and then again came blast-furnaces, smoking and flaming, denser and denser was the forest of them the further the boat glided on, and, here and there, where one stood close to the shore, it threw its blood-red reflex far on to the waters reaching almost to the boat, so that its lurid light and the faint lustre of the celestial luminary, seemed to be struggling for the mastery of it.

The lonely passenger on the deck kept his eyes riveted on the scene, but his thoughts were far away. His recent conversation had powerfully stirred up the memory of his unhappy friend.

Since that last letter he had received no line, no sign or token of any sort from him. Why? he asked himself. From mistrust? Impossible. From caution? That would be exaggerated; the writing on the envelope would not betray to any meddlesome person in

what corner of the earth he had buried himself with his child. Besides he had no need to be apprehensive of any inquiry; no one knew of his child, Victorine Lippert's escape from prison had never been cleared up, the investigation had soon after been discontinued without result. The Governor of the Prison had been reprimanded for want of care in searching the cell, the little door in the wall had been bricked up, so that Herr von Werner had never been able to make use of the arrangement which he had thought so "ingenious" —those were the only consequences. Among the prison officials as among the lower classes, the opinion was sometimes expressed that it was Count Riesner-Graskowitz who had liberated his sweetheart, but this was not believed in higher circles; against Sendlingen, however, there was never the slightest breath of suspicion. Sendlingen himself must know this well enough, otherwise he would not have dared to let his book appear, that curious work in which every reader might perceive beneath the stiff, solid legal terminology, the beatings of a deeply-moved heart. He had not put his name to it, but he must have known that his name would rise to the lips of anyone who had carefully read his earlier writings.

If he had not feared this, he might well have ventured upon a letter. If he was none the less silent, it must be because he preferred to be silent. Had he, perhaps, thought Berger, not had the courage to take that second step, had he perhaps renounced the inten-

tion and was now ashamed to confess it? That would be superfluous anxiety indeed. Is there a man in the wide world, who would have the heart to blame him for this?

Or was he silent because he could speak no more? The thought had never entered his head before; now in this lonely hour of night it overmastered him. Of course, his brother-in-law was right, he had died a sudden death and now slept his last sleep somewhere in a strange land and under a strange name. And if that were so, would it be cause for complaint? Would not Death have been a deliverer here?

Softly murmuring, the waters of the river glided on, not a sound came from its banks; in deep and solemn stillness, night lay upon the land and waters. The solitary figure on deck alone could find no rest, and the early dawn was trembling in the East over the distant hills of Guelderland, ere he at length went in search of sleep.

He had scarcely rested a couple of hours when the steward knocked at his cabin-door—the passengers were to come on deck, the boat was approaching Lobith, on the Dutch frontier, where the luggage had to be examined.

The two travellers answered to the call. The steamer was already nearing the shore by the landing stage of the village of which the custom-house seemed the only inhabitable building. The Dutch Customs officers in their curious uniforms came on deck.

The were speedily finished with the luggage of the two lawyers, as also with that of the few other passengers. On the other hand four mighty trunks, which the Captain had with him, gave them much trouble. They were full throughout of things liable to duty: new clothes, linen, lace and articles of luxury. They required troublesome measuring, weighing and calculation. Half an hour had passed, and scarcely the half had been gone through.

"We shall miss the train at Arnhem," said Berger turning impatiently to the Captain. "We must be in London to-morrow, you are responsible for the delay."

"I shall make up the time by putting on steam," he reassuringly said in his broad Cologne dialect. "Excuse me, Sir, but I did not imagine that women's finery would take up so much time."

"You are getting a trousseau for a daughter, I suppose."

"God forbid! Thank Heaven, I am unmarried. I have, out of pure goodnature, brought these things for someone else from Cologne and undertaken to pay the duty for him. It is the most convenient thing to him, though certainly not to me. But what would one not do for a compatriot. He is a Herr von Tessenau."

"Tessenau?" The name seemed familiar to Berger, but he could not remember where he had heard or read it.

"Yes, that is his name," said the captain. "He comes from Bavaria, and is said to have been in the

diplomatic service. He is now living with his daughter at Oosterdaal House near Huissen, the station before Arnhem. I know both of them well, they sometimes use my boat for the journey to Arnhem, and as they are such nice people, I could not refuse them this service. The wedding, which is to take place the day after to-morrow, would otherwise have had to be postponed—ask women and lovers."

"So Fräulein von Tessenau is the happy bride?"

"The daughter of the old gentleman, yes—but she is a 'Frau,' a young widow. Her name is von Tessenau, because she was married to a cousin. It seems that she lost her husband after a brief married life, for she is still very young, scarcely twenty-two. A beautiful, gentle lady and still looks quite girlish. But I must hurry up these easy-going Mynheers."

He turned to the Customs officers and paid them the required duty. They left the steamer which now began to proceed at a much greater speed.

Notwithstanding this, Moldenhauer was pacing up and down excitedly, now and then consulting time-tables and pulling out his watch every five minutes. It was another cause that robbed Berger of calm. "If it should be they?" The thought returned to him however often he might say: "Nonsense! an old father and a young daughter—the conjunction is common enough—and I know nothing else about them. That I must often have heard the name Tessenau tells rather against the supposition—for Sendlingen would

hardly have chosen the name of some Austrian family for his pseudonym!"

Still his indefinite presentiment gave him no rest, and he at length went up to the captain! "I once," he began, "knew a family of von Tessenau, and would be very pleased if I were perhaps unexpectedly to come across them here. The old gentleman, you say, comes from Bavaria?"

"Yes, you must certainly be a countryman of his?"

"No. I am an Austrian."

"Then the two dialects must be very much alike for you speak just like him. That he comes from Bavaria I know for certain. Herr Willem van der Weyden told me so quite recently, and he must surely know, as he is to become his son-in-law."

"Who is the bridegroom?"

"A capital fellow," replied the captain. "A man of magnificent build—no longer young, somewhere in the forties I should say, but stately, brave and capable—all who know him, praise him. He holds a high position in Batavia, he is manager of the Java Mines. Some ten months ago he came back to Europe, after a long absence, on a year's furlough: to find a wife, people say. None seemed to please him however. Then he came to Arnhem where his brother is settled, and in an excursion in the country about, he accidentally got to know the young Frau von Tessenau at Oosterdaal House, and fell in love with her. There seemed at first to be great obstacles in the way; at all events he was always

very melancholy when he rode on my boat from Arnhem to Huissen. Well one day he was very happy, the betrothal was solemnized, and now the wedding is to come off. Yes," added the Captain pleasantly, "when one is everlastingly taking the same journey, one gets to know people by degrees and kills time by sharing their joys and sorrows."

"And is Herr van der Weyden going back to Java again?"

"Yes, in a month from now, when his furlough will be up. He is naturally going to take his young wife with him, and the old gentleman is going to join them too. He has no other relations. The father and daughter lived hitherto in great retirement with an old house-keeper and an equally old man-servant. But if you are interested in the family, come and look over when we get to Huissen. The old man-servant at least, will be at the landing-stage to receive the trunks, and perhaps Herr von Tessenau himself."

"Do you know what the man-servant is called?" Berger's voice trembled at this question.

"Franz is his name."

The captain did not notice how pale Berger had become, how hastily he turned away. "No more room for doubt," he thought. But the doubt did rise again. That some details agreed, might only be a coincidence, and the name of the man-servant — such a common name—was not sufficient proof. Besides how much was against the supposition! It was inconceivable

that Sendlingen should have deceived his future son-in-law and passed off Victorine as a widow! "It would be outrageous to impute such a thing to him!" he thought.

With growing impatience, he looked out for the landing-stage, the steamboat had long since left the river and was steaming along the narrow Pannerden Canal. The monotonous, fruitful, thoroughly Dutch landscape extended far and wide; rich meadows on which cattle were pasturing; narrow canals, on which heavily laden boats drawn by horses on the banks, slowly made their way; on the horizon a few windmills lazily turned by their large sails. At length a few large, villa-like buildings came in sight.

"That is Huissen," said the Captain. "We will see who is at the landing-stage." He produced a telescope. "Right, there is the man-servant," he said, handing Berger the telescope. "See if you know the man."

Berger only held the glass to his eye for a second and then handed it back to the Captain.

"No," he said, "I don't know him, it must be another family of von Tessenau."

He went down to the cabin and stayed there, till the boat had got well beyond the landing-stage.

It had been Franz.

Berger had to stay in London a week before his task was done. He left the completion of the agreement to his colleague, and began his journey home. At first he intended to go by Dover and Calais. But at the sta-

tion in London he was overcome by his feelings; he could not let his friend depart forever without seeing him again. He went back by Holland, and the next day was in Arnhem.

Not until he was in the carriage which he had hired to take him to Oosterdaal, was he visited by scruples, the same sort of feeling which a week before had kept him from remaining on the deck of the steamer. Was it not indelicate and selfish to gratify his own longing at the price of deeply and painfully stirring up his friend's heart? Sendlingen did not wish to see him again, otherwise he would have written and told him of his whereabouts. And what would he not feel if he was so suddenly reminded of the fatality of his life, if his wounds were suddenly torn open again just as they were beginning to heal? And when Berger thought of Victorine, he altogether lost courage to continue the journey. Unfriendly,—nay it would be cruel, inhuman, to remind the newly-married girl of the misery of the past, and to plunge her in fatal embarrassment.

The roof of the house was already visible in the distance above the tops of the trees, when these reflections overmastered Berger. "Stop, back to Arnhem!" he ordered the driver.

But that could not be done at once; the horses would have to be fed first, explained the driver. The carriage proceeded still nearer the house, and stopped at a little friendly-looking inn opposite the entrance

to the avenue of poplars which led up to the door. While the driver drove into the yard, the landlady suggested to Berger to take the refreshment he had ordered in front of the house. This, however, he declined and entered the inn-parlour. His remorse increased every minute, and he feared to be seen, if by chance one of the occupants of the house went by.

Sighing deeply, he looked out of the window at the driver leisurely unharnessing his horses. The landlady, a young, plump, little woman, tried to console him by telling him he would not have to wait more than an hour. She spoke in broken German; she had been maid to the young German lady up at the house, she said, and had learnt the language there. They were kind, good people at Oosterdaal, the driver had told her that the gentleman was going to have driven there, why had he given up the idea? They would certainly be very glad to see a countryman again, even if he were only a slight acquaintance. No German had ever come to see them, not even at the wedding. The festivities had altogether been very quiet, but very nice. Had the gentry no relations in Germany then?

"How can I tell you," replied Berger impatiently. "I don't know them."

"Indeed" she asked astonished. "Then I suppose you have come to buy the house?" Several people had been with that intention, she added, but Herr von Tessenau had already made it over to his son-in-law, and he to his brother, Herr Jan van der Weyden. In

a fortnight they were all going to Batavia. The Housekeeper, Fräulein Brigitta, too, and the old German man-servant. "But won't you go up to the house after all?" she asked again. Before he could answer, however, she cried out: "There they come!" and flew to the window.

A carriage went by at a leisurely trot. "Do come here," cried the landlady. Berger had retired deeper into the room, but he could still plainly see his friend. Sendlingen was looking fresher and stronger than when he saw him last; but his hair had the silver-white hue of old age, although he could hardly have reached the middle of the fifties. But in the young, blooming, happy woman at his side, Berger would scarcely have recognized his once unfortunate client, if he had met her under other circumstances. She was just laughingly bending forward and straightening the tie of her husband opposite her. The stately, fair-haired man smilingly submitted to the operation.

"How happy they are!" cried the landlady. "But they deserve it. Why the carriage is stopping," she cried, bending out of the window. "What an honour, they are going to come in."

Berger turned pale. But in the next instant he breathed again: the carriage drove on. "Oh, no!" cried the landlady, "only Franz has got down! Good day!" she cried to the old man as he went by. "A glass of wine!"

"No," answered Franz. "I am only to tell you to

come up to the house. But for the matter of that as I *am* here——"

Then Berger heard his footsteps approaching on the floor outside; the door was opened. "Well, a glass of ——" he began, but the words died on his lips. Pale as death, he started back and stared at Berger as if he had seen a ghost.

"It is I, Franz," said Berger, himself very pale. "Don't be afraid—I only want——"

"You have come to warn us?" he exclaimed, trembling all over as he approached Berger. "It is all discovered, is it not?"

"No!" replied Berger. "Why, what is there to discover?"

He made a sign to draw Franz's attention to the landlady, who was inquisitively drinking in the scene.

"I am glad to see you," he said meaningly. "I am going to continue my journey at once."

"Excuse me, Marie," said Franz, turning to her, "but I have something to say to this gentleman. He is an old acquaintance."

"After all!" she cried, and left the room shaking her head.

"She will listen," whispered Berger. "Come here, Franz, and sit beside me."

"Oh, how terrified I am," he replied in the same whisper. "So people suspect nothing? It would have been frightful if misfortune had come now, now, when everything is going so well. Certainly my fears

were foolish; how should it be found out? We had arranged everything with such care: even the duplicate keys were not made at Bolosch, but at Dresden, where Brigitta was waiting for us."

"Enough!" said Berger, checking him. "I don't wish to know anything about it. How has Baron Sendlingen been since?"

"Bad enough at first!" replied Franz. "We did not eat, nor sleep, and we fell into a worse decline than at Bolosch—but it was perhaps less from the fear of discovery than from remorse. And yet we had only done, what had to be done—isn't that so, Dr. Berger?"

Berger looked on the ground and was silent. Old Franz sighed deeply. "If even you—" he began, but he interrupted himself and continued his story. "Gradually we became calmer again. Fear vanished though remorse remained, but for this too there was a salve in seeing how the poor child blossomed again. Then we began to write a book. It deals with the punishment of—h'm. Dr. Berger——"

"I know the work," said Berger.

"Indeed? We did not put our name to it. Well, while we were working at the book, we forgot our own sorrow, and later on, after the work had appeared and all the newspapers were saying that it would have great influence, there were moments when we seemed happy again. Then came this business with the Dutchman, and we got as sad and despairing as ever.

But we took courage and told the man everything: our real name, and that we were only called von Tessenau here——"

"How did he come by this name?" asked Berger. "It sounds so familiar to me."

"Probably because it is one of the many titles of the family. Tessenau was the name of an estate in Carinthia, which once belonged to the family. We were obliged to choose this name, because on settling here it was necessary to prove our identity to the police. Well, we confessed this to Herr Willem and also what the young lady's plight was——"

Berger gave a sigh of relief.

"We said to him: she is not called von Tessenau because she was married to a cousin, but because we adopted the name here with the proper formalities. She was never married, she was betrayed by a scoundrel. That we said no more, nothing of the deed that brought her to prison, nothing of the way she was released—that, Dr. Berger, is surely excusable."

"Of course!" assented Berger. "And Herr van der Weyden?"

"Acted bravely and magnanimously, because he is a brave and magnanimous man, God bless him! He made her happy, her and himself. And now at length we got peace of heart once more. We are going to Batavia. May it continue as heretofore!"

"Amen!" said Berger deeply moved. "Farewell, Franz."

"You are not going up to the house?"

"No. Don't tell him of my visit till you are on the sea. And say to him that I will always think of him with love and respect. With *respect*, Franz, do not forget that!"

He shook hands with the old servant, got into his carriage, and drove back to Arnhem.

CHAPTER XV.

THREE weeks later, on a glowing hot August day, the Austrian Minister of Justice sat in his office, conferring with one of his subordinates, when an attendant brought him a card ; the gentleman, he said, was waiting in the ante-room and would not be denied admittance.

"Sendlingen!" read the Minister. "This is a surprise ; it has not been known for years whether he was alive or dead. Excuse me," he said to his companion, "but I cannot very well keep him waiting."

The official departed, Sendlingen was shown in. He was very pale ; the expression of his features was gloomy, but resolved.

The Minister rose and offered his hand with the friendliest smile. "Welcome to Vienna," he cried. "I hope that you are completely recovered, and are coming to me to offer your services to the State once more."

"No, your Excellency," replied Sendlingen. "Forgive me, if I cannot take your hand. I will spare you having to regret it in the next instant. For I do not come to offer you my services as Judge, but to deliver myself into the hands of Justice. I am a criminal and desire to undergo the punishment due to me."

The Minister turned pale and drew back: "The man is mad," he thought. The thought must have been legible in his face, for Sendlingen continued:

"Do not be afraid, I am in my senses. I have indeed abused my office in a fashion so monstrous, that perhaps nothing like it has ever happened before. I released from prison, by means of official keys, a condemned woman, who was to have been executed the next day, and suggested, furthered, and carried out her flight to a foreign country. Her name was Victorine Lippert: the crime was done on the night of 21–22 February, 1853."

"I remember the case," muttered the Minister. "She escaped in the most mysterious way. But you! Why should you have done this?"

"A father saved his child: Victorine is my natural daughter."

The Minister wiped the sweat from his forehead. "This is a frightful business." He once more searchingly looked at his uncomfortable visitor. "He certainly seems to be in his senses," he thought.

"Allow me to tell you how every thing came about?"

The Minister nodded and pointed to a chair.

Sendlingen remained standing. He began to narrate. Clearly and quietly, in a hollow, monotonous voice, he told of his relations with Herminie Lippert, then how he had made the discovery in the lists of the Criminal Court, and of his struggles whether he should preside at the trial or not.

"I had the strength to refuse," he continued. "My sense of duty conquered. Sentence of death was pronounced. It was—and perhaps you will believe me although you hear it at such a moment, from such a man—it was a judicial murder, such as could have been decreed by a Court of Justice alone. And therefore my first thought was: against this wrong, wrong alone can help. I sought out the prison keys, and for some hours was firmly resolved to release my daughter. But then my sense of duty—perhaps more strictly speaking my egoism—conquered. For I said to myself that I, constituted as I was, could not commit this crime without some day making atonement for it. I knew quite well even then, that an hour would come in my life, like the present, and I could not find it in my heart to end as a criminal. But my conscience cried: "Then your child will die!" and so suicide seemed to me the only thing left. I was resolved to kill myself; whether I could not bring myself to it at the last moment, whether a chance saved me—I do not know: there is a veil cast over that hour that I have never since been able to pierce. I survived, I saw my daughter, and recovered my clearness of mind; the voice of nature had conquered. I now knew that it was highly probable that there was no means that could save us both, that the question was whether I should perish, or she, and I no longer doubted that it must be I. I was resolved to liberate her, and then to expiate my crime; but until extreme necessity com-

pelled, I wanted to act according to law and justice. That I did so, my conduct proves when the Supreme Court ordered a fresh examination of the chief witness. Everything depended upon that; I made over this inquiry also to another—who assuredly did not bring the truth to light. The Supreme Court confirmed the sentence of death; it was pronounced upon me, not upon my child; that extreme necessity had now arrived. I now knew that I must become a criminal, and only waited for the result of the Counsel's petition for pardon, because the preparations for the act required time, and because I first wanted to save some men unjustly accused of political offences."

"I remember, the workmen," said the Minister. He still seemed dazed, it cost him an effort to follow the unhappy man's train of thought. "One thing only I do not understand," he slowly said, passing his hand over his forehead. "Why did you not discover yourself to me, or why did you not appeal to the Emperor for pardon?"

"For two reasons," replied Sendlingen. "I have all my life striven to execute Justice without respect of persons. It was ever a tormenting thought to me that the Aristocrat, the Plutocrat, often receives where the law alone should decide, favours that would never fall to the lot of the poor and humble. And therefore it was painful to me to lay claim to such a favour for myself."

"You are indeed a man of rare sense of justice,"

cried the Minister. "And that such a fate should have befallen you. . ."

He paused.

"Is tragic indeed," supplemented Sendlingen, his lips trembling. "Certainly it is—— But I will not make myself out better than I am; there was another reason why I hesitated to appeal to the Emperor. What would have been the result, your Excellency? Commutation to penal servitude for life, or for twenty years. The mere announcement of this punishment would have so profoundly affected this weakly, broken-down girl, that she would scarcely have survived it, and if she had—a complete pardon could not have been attained for ten, for eight, in the most favourable case for five years, and she would not have lived to see it. I was persuaded of that, quite firmly persuaded, still," his voice became lower, "I too was only a human being. When I received the confirmation of the death-sentence by the Emperor, cowardice and selfishness got the better of me, I journeyed to Vienna—it was the 18th February."

"The date of the attempt!" cried the Minister. "What a frightful coincidence! Thus does fate sport with the children of men."

"So I thought at first!" replied Sendlingen. "But then I saw that that coincidence had not decided my fate: it was sealed from the first. By my whole character and by all that had happened. In this sense there is a Fate, in this sense what happens in the world

must happen, and my fate is only a proof of what takes place in millions of cases. I returned to Bolosch and liberated my daughter. How I succeeded, I am prepared to tell my Judges so far as my own share in the act is concerned. I had no accomplice among the prison officials. Your Excellency will believe me, although I can only call to witness my own word, the word of honour of a criminal!"

"I believe you," said the Minister. "You took the girl abroad?"

"Yes, and sought to make good my neglect. Fate was gracious to me, my daughter is cared for. And I may now do that which I was from the first resolved to do, although I did not know when the day would be vouchsafed me to dare it—I may present myself to you, the supreme guardian of Justice in this land, and say: 'Deliver me to my Judges!'"

Sendlingen was silent; the Minister, too, at first could find no words. White as a ghost, he paced up and down the room. "But there can be no question of such a thing!" he cried at length. "For thousands of reasons! We are not barbarians!"

"It can be and must be! I claim my right!"

"But just consider!" cried the Minister, wringing his hands. "It would be the most fearful blow that the dignity of Justice could receive. A former Chief-Justice as a criminal in the dock! A man like you! Besides you deserve no punishment! When I consider what you have suffered, how all this has come

about—good God, I should be a monster if I were not moved, if I did not say: if this man were perhaps really a criminal, he has already atoned for it a thousand times over."

"Then you refuse me justice?"

"It would be injustice! Go in peace, my Lord, and return to your daughter."

"I cannot. I could not endure the pangs of my conscience! If you refuse to punish me, I shall openly accuse myself!"

"Great Heavens: this only was wanting!" The Minister drew nearer to him. "I beseech you, let these things rest in peace! Do not bring upon that office of which you were so long an ornament, the worst blemish that could befal it. And your act would have still worse consequences: it would undermine the authority of the State. Consider the times in which we live—the Revolution is smouldering under its ashes."

"I cannot help it, your Excellency. Do your duty voluntarily, and do not oblige me to compel you to it."

The Minister looked at him: in his face there was the quiet of immovable resolve. "A fanatic," he thought, "what shall I do with him?" He walked about the room in a state of irresolution.

"My Lord," he then began, "you would oblige the State to take defensive measures. Accuse yourself openly by a pamphlet published abroad, and I would give out that you were mad. I should be believed, you need not doubt."

"I do doubt it," replied Sendlingen. "I should take care that there was no room left for any question as to my sanity. Once more, and for the last time, I ask your Excellency, to what Court am I to surrender myself?"

Again the Minister for a long while paced helplessly up and down. At length a saving thought seemed to occur to him.

"Be it so," he said. "Do what you cannot help doing; we, on the other hand, will do what our duty commands. You naturally want to conceal where your daughter is now living?"

Sendlingen turned still paler and made no reply.

"But we shall endeavor to find out, even if it should cost thousands, and if we should have to employ all the police in the world. We shall find your daughter and demand her extradition. There is no state that would refuse to deliver a legally condemned murderess! You must decide, my Lord, whether this is to happen."

Sendlingen's face had grown deadly pale—a fit of shuddering shook his limbs. There was a long silence in the room, it endured perhaps five minutes. At length Sendlingen muttered:

"I submit to your Excellency's will. May God forgive you what you have just done to me."

The Minister gave a sigh of relief. "I will take that on my conscience," he said. "I restore the father to his child. Farewell, my Lord."

Sendlingen did not take the proffered hand, he bowed silently and departed.

. . . . . .

Two days later Dr. George Berger received a letter of Sendlingen's, dated from Trieste. It briefly informed his friend of the purport of his interview with the Minister of Justice, and concluded as follows:

"It is denied me to expiate my crime: it is impossible to me, a criminal, to go unpunished through life; so I am going to meet death. When you read this, all will be over. Break the news to my daughter, who has already set out on her journey, as gently as possible; hide the truth from her, I shall help you by the manner in which I am doing the deed. And do not forget Franz, he is waiting for me at Cologne; I was only able to get quit of him under a pretext.

"Farewell, thou good and faithful friend, and do not condemn me. You once said to me: there must be a solution of these complications, a liberating solution. I do not know if there was any other, any better than that which has come to pass. For see, my child has received her just due, and so too has Justice: with a higher price than that of his life, nobody can atone for a crime. And I—I have seen my child's happiness, I have honourably paid all my debts, and now I shall find peace forever—I too have received my due! . . . And now I may hope for your respect again!

"Farewell! and thanks a thousand times!

"VICTOR."

Berger, deeply moved, had just finished reading this letter, when his clerk entered with the morning paper in his hand.

"Have you read this, Sir?" he asked. "Baron Sendlingen——"

He laid the paper before his chief and this was what was in it:

"A telegram from Vienna brings us the sad news that Baron von Sendlingen, the retired Chief Justice and one of the most highly esteemed men in Austria, fell overboard while proceeding by the Lloyd steamer last night from Trieste to Venice. He was on deck late in the evening and has not been seen since; very likely, while leaning too far over the bulwarks, a sudden giddiness may have seized him so that he fell into the sea and disappeared. The idea of suicide cannot for personal reasons be entertained for a moment; the last person he spoke to, the captain of the steamer, testifies to the cheerful demeanour of the deceased. He leaves no family, but everyone who knew him will mourn him.

"All honour to his memory!"

"All honour to his memory!" muttered Berger, burying his face in his hands.

THE END.