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LIPPINCOTT'S MAGAZINE

OCTOBER, 1885

ON A TEXAS SHEEP-RANCH

I

There are words which have careers as well as men, or, perhaps it may be more happily said, as well as women. Mere words breathed on by Fancy, and sent forth not so much to serve man's ordinary colloquial uses, apparently, as to fascinate his mind, have their *débuts*. their season, their vogue, and finally a period in which it is really too bad if they have not the consolation of reflecting upon their conquests; for conquests they certainly have. The great captivators—the Cleopatras of the vocabulary—one easily recognizes; but besides these there is a host of small flirts and every-day coquettes, whom one hardly suspects till they have a little carried him away. Almost every one remembers how in this light company he first came across the little word *ranch*. It had in its youth distinctly the *cachet* of the verbal flying squadron, the "nameless something," the oenanthic whiff which flies to the head. There are signs that its best days as a word are now over, and in contemplating it at present one has a vision of a *passée* brunette, in the costume of Fifine at the Fair, solacing herself with thoughts of early triumphs. "Would a farm have served?" she murmurs. "Would a plantation, an orange-grove, have satisfied the desperate young man? No, no; he must have his ranch! There was no charm could soothe his melancholy, and wring for him the public bosom, save mine."

I made this reflection during a period of incarceration in

a sleeping-car,—a form of confinement which, like any other, throws the prisoner considerably on his fancy; and a vision somewhat like the above smoothed for a moment the pillow of an "upper berth," and pleased better than the negro porter. Half a dozen of those days of too many paper novels, of too much tobacco, of too little else, followed each other with the sameness of so many raw oysters. Then there came a chill night of wide moonlit vacuity passed on the prairie by the side of the driver of a "jumper,"—a driver who slumbered, happy man!—and at peep of dawn I found myself standing, stiff and shivering, in a certain little Texas town. A much-soiled, white little street, a bit of greenish-yellow, treeless plain soft in the morning mist, a rosy fringe at the edge of the sky,—it was of these things, together with a disagreeable sense of imponderability of body from the cold and sleepless ride, that I was vaguely aware as the jumper—rigorous vehicle!—disappeared round a corner. Frontier towns are not lovely, and the death-like peace which seemed properly to accompany the chalky pallor of the buildings was somewhat uncanny; but it proved to be only what sleep can do for a village with railroad influences one hundred miles away. We entered boldly the adobe before which we had been dropped, and found a genial landlord in an impromptu costume justified by the hour, an inn-album of quite cosmopolitan range of inscriptions, and a breakfast for which a week of traveller's fare had amply fortified the spirit.

The village was the chief, indeed, wellnigh the only, town of

a great west-by-north county, in which Rhode Island would be lost and Massachusetts find elbow-room. It was an irregular little bunch of buildings gathered along an arterial street which, after a run of three hundred yards or so, broke to pieces and scattered its dispersed shanties about a high, barren plain. It stood on the steep bank of a little river, and over against it, on a naked hill, was Uncle Sam's military village,—a fort by courtesy,—where, when not sleeping, black soldiers and white strolled about in the warm sun. When the little street was fairly awake, it presented a very lively appearance and had the air of doing a great deal of business. The wan houses emitted their occupants, and numerous pink-faced riders, in leathers and broad hats, poured in from all sides, and, tying their heavily-accoutred ponies, disappeared into the shops with a sort of bow-legged waddle, like sailors ashore. Off his horse, the cow-boy is frankly awkward. Purchases made, they departed with a rush, filling the glare with dust. Officers from the post, with cork helmets and white trousers, came across the river and stood in the broad shadows of adobe door-ways, gaping, and switching their legs with bamboo canes. "It's magnificent," one seemed to hear them mutter, "but it isn't war!" Groups of Mexicans stood about, or, selecting a white wall, leaned against it, as they are apt to do at home, for the better relief of their swarthy faces and brilliant scarfs; and slowly moving down the street, stopping occasionally to speak to the various clusters of men, there went the beneficent if somewhat untidy figure of the Catholic father, in whose company we

had breakfasted, a fat, jolly, anecdotal inheritor of the mantle of some founder of the Missions. The sun took absolute and merciless possession of the street. You put your hand in your pocket for the smoked glass through which you observed the last eclipse. Everything seemed bleached,—the white buildings, the yellow road, the eyebrows of the cow-boys.

We did the drive of twenty miles to the ranch in a canvas-topped buggy, drawn by a pair of devil-may-care little nags, who took us across dry *arroyos* and the rocky beds of running streams in a style that promised to make sticks of the vehicle. It held good, however, and rattled out a sort of derisive snicker at every fresh attempt to shiver it. The country through which we passed afforded views of superb breadth and a most interesting and delightful quality. No landscape has in the exact sense such charm as one in which Nature manifests herself in a large and simple way: one feels with a thrill that she is about to tell the secret. The earth lay almost in its nakedness beneath the inane dome of the sky. But over the large simplicity of form one was soon aware of an exquisite play of hues. The easy undulations, as they ran off to the unattainable horizon, were so many waves of delicate and varying color. There were great sweeps of ochre, of gray, of fresh, light green, pointed with black dots of live-oak, and traversed by tortuous lines of indigo where the pecan treed creeks pursued their foiled courses, and troops of little hills grouped themselves about,—pink, pinkish, purple, purpling blue, white, as they faded from view like the evanescent cherubs

in the corner of an old master. The hills, however, were little only because the stretch was so vast; it was really a broad plafond upon which they had solemnly entered to dance a minuet with the playful shadows of the clouds. The sky possessed everything. There was so much of it that existence seemed to have become in a sense a celestial—or at least an aerial—affair: the world was your balloon.

After the third creek-crossing the road ran straight as an avenue through a broad, level reach, and we flew along gayly. The little mesquite-trees, prim, dainty, and delicate, stood about in seeming order, civilizing the landscape and giving it the air of an orchard; the prairie-dog villages were thrown into a tumult of excitement by our passage; a chaparral-cock slipped out of a bush, stared an instant, pulled the string that lifts his tail and top-knot, and settled down for a race directly under the horses' feet. We passed the point of a hill, gained a slight rise, and the ranch was in sight. It must be confessed that it was not in appearance all that the name might imply,—not the sort of place for which one starts after having provided one's self with a navy revolver and a low estimate of the value of human life. It was, in fact, a very pretty and domestic scene, a little village of half a dozen buildings and a net-work of white limestone and brush corrals. Shortly I was supping in a neat little cottage, and endeavoring in the usual way to be agreeable to some one in muslin. In this modern world we change our skies, truly, but not—not our bric-à-brac. On the walls of the pretty dining-room one beheld with

rising feeling one's old friends the Japanese fan and the discarded plate still clinging with the touching persistence of the ivy to the oak. To be sure, there was a tall half-breed Indian moving about with the silent agility of the warpath, but he wore a white apron, and his hideous intention was to fill one's wineglass. If the longitude had led me to meditate right buffalo's hump, "washed down" with something coarse and potent enough to justify the phrase, it was clear that I was painfully behind the stroke of the clock. Life, good lady, takes an undignified pleasure in arranging these petty shocks to the expectations, which we soon learn to dismiss with a smile. The cold mutton and *ordinaire* were excellent, and we had some coffee and a cigarette on the piazza. The sun was setting far away behind a hill on the other side of the creek. A soft sound came down the valley from a remote flock of sheep. A little breeze sprang up and ran tremulously about, shaking the tufted grass and the slim boughs of the mesquites, and putting some question with a wistfully hopeful swish. Plainly, one could be very much at home here. The visionary brunette had evidently ranged herself, was living down the reputation of early vivid experiences and successfully cultivating the domestic virtues.

II

Six or eight years earlier, four young men had left New York on a Galveston steamer, their departure being attended by such an assemblage of young women that on the second day out their companions of the voyage confided the supposition that it had been a "bridal party." That little Spanish-American word ravaging our coasts and carrying off the pride of the youth has to answer for many such bridal parties, whose tours have been followed with pins and colored pencils and eyes more eager than those of mothers-in-law. In a month or so the young men had pitched a wall-tent within a day's ride of the Rio Grande, and were seriously occupied in sacrificing each other's feelings on the altar of experimental cookery, in herding sheep with the assistance of paper novels, and in writing exceedingly long letters to the North. This wall-tent was the larva of the ranch. But the arid southern country proved inconvenient, and collecting their effects in a prairie-schooner and driving their flocks before them, they effected a masterly change of base, which brought them two hundred miles to the northward and set them down in a delightful pasture-land, watered by three pretty creeks, near one of which they erected an adobe hut. This solitary house on a broad flat, an object of amazement to wandering hordes of cattle, was the ranch during a most interesting period, and its thatched roof and somewhat fetid walls became for the occupants overgrown with

fine clusters of association. Within a few miles of its site the present village took shape.

The country was a frankly monotonous conformation of alternating hills and valleys,—"divides" and "draws,"—with wide flats near the creeks. Gulches, more or less deep, down the valley-lines of the draws, and traversing the flats to the creeks, —the so-called *arroyos*,—were a common physical feature. In the wet season they were running streams, but for most of the year they were dry, with here and there a waterhole, flowers and chaparral growing in them, and, at intervals, pecans. The pecan-trees grew thickly along the borders of the creeks, while the mesquites cloaked with gossamer wide portions of the flats; and here and there in the valleys and on the sides of the hills the sombre, self-enwrapped live-oaks stood about, like philosophers musing amid the general lightness. Spanish-dagger, bear-grass, and persimmon-bushes freckled the sides of the rocky divides with dark spots, and mistletoe hung its fine green globes like unillumined lanterns in the branches of the mesquites. Over the plains and slopes a sparse turf of various grasses, differing in color and changing with the season, gave the airy landscape its brilliant and versatile complexion. A dozen varieties of cactus, portulaccas, geraniums, petunias, verbenas, scattered over the prairie, morning-glories and sunflowers in the arroyos and along the creeks, and many a flower nameless to the general, abounded. So, it should be added, did in their season plover, snipe, ducks, and geese.

The business of the ranch was the antediluvian occupation of rearing and shearing sheep, and to that end the village included a shearing-shed and a large wool-house. Besides these there were three cottages and several other buildings, among which one called the "ranch-house" was the focus of the activity of the place, and, being also a survival from a comparatively early day, was a somewhat characteristic affair. It was a box-house, painted red, with a broad porch thatched with bear-grass, and a saddle-shed butting up against it. The interior, barring a little store at one end, was a single large room, bedroom, sitting-room, office, furnished with home-made tables with blankets for cloths, knocked-up chairs with cowhide seats and coyote-skin backs, deers' antlers draped with "slickers" (Texan for the 'longshoreman's yellow water-proof) and wide-brimmed "ten-dollar" hats, and at one end two tiers of bunks, with leather cases for six-shooters nailed to their sides. This room served for the abode of the storekeeper, for the transaction of business, and for the accommodation of the perennial casual guest. It was rude, but, especially of evenings about the lamp, it had a marked air of pipe-and-tobacco comfort.

The little store was patronized by the cow-boy, so much abused with sensational or picturesque intentions, and by the small farmers with irrigation patches in the vicinity. It was likewise the resort of Encarnacion and Tomas, and others their brethren, from the Mexican village a few miles up the creek, or from isolated abiding-places round about. Here they would

come, and, rolling cigarettes of the brown paper they affect and the eleemosynary tobacco open on the counter, to which all were welcome (such were the amenities of shopping on the ranch), they would lounge about, ever smiling and chattering in soft voices, finally to say '*uenos dias* with two bits' worth of bacon, or corn-meal, or pink candy for the *chiquitas*. Here, too, would come Tomasa, and, with even more than usual feminine zeal in matters of dress, at once try on the ready-made calico gown she purchased, while the store-keeper smoked his pipe and stroked his beard.

Excepting the cow-boys, the people composing the clientage of the store were for the most part resident in one of two farm-settlements located on the creek, about ten miles apart, one exclusively Mexican, the other almost entirely "white." Besides these, the families of many of the Mexican hands lived close by. These last were constantly assisting conversation at the cottages with such incidents as the following:

The cook—a tall, gaunt negro of a mediaevally "intense" nature—came in with an excited manner, followed by Madame Alguin, very much troubled, wringing her hands, and dissolved in tears.

"Panchot's little boy," said the cook, "is killed."

We were naturally aghast. Little Panchot had been *colero* at the recent shearing.

"Is he dead?" we queried hoarsely.

"He was dead," replied the cook, with seriousness: "he is not

dead now."

With this light and delicate touch the cook swept the gamut of our emotions from awe at little Panchot's sudden taking off to pleasure at his speedy resurrection. We repaired at once to Madame Alguin's residence to view the subject of this miracle: lest the miracle should not be so complete as one might wish, we carried with us a little hartshorn and Pond's extract. Madame Alguin's villa was a fine wide-spreading live-oak, with a tent as a sort of annex, about two minutes from the ranch. On our arrival we found four Mexican women, seven children, one man, three dogs, four goats, and several roosters, gathered round the form of little Panchot stretched beneath the live-oak. A fire smouldered a little way off, and a cradle hung from the branch of the fatherly tree. Little Panchot had a nasty cut about an inch long through his cheek. He had been herding his goats on the bank of the creek when he was knocked over by a stone from the other side. He swooned,—then he was dead; he came to,—and, *presto*, he was alive again. He was soon running about with his wonted friskiness, and making himself useful in chasing wild tennis-balls. This little boy's mother was, poor woman, very much of a sloven, but he had a string of little sisters who were as nice as could be. They went about in white cotton gowns—amazingly clean, considering that they lived under a tree—tied at the waist with red scarfs; their black hair was smoothly gathered at the backs of their pretty heads, and they had a demure and quaintly maternal air; they looked at you with a tranquil, moon-like gaze,

which seemed to say that their ideas, which were on the way, had tarried for the moment in some boon southern country.

III

In riding about the range it was very pleasant to find, as one constantly did, by the side of some "motte" (Texan for a considerable cluster of scrub growth), or beneath the shade of a great live-oak, or on the barren face of a divide, the little canvas A-tents of the herders, nestled cosily to circular pens for the sheep, and generally surrounded by brush to prevent the intrusion of inquisitive cattle. Within the tent a sheepskin or so, stretched on the ground or on a lattice of branches, for his bed, and without, a padlocked chest, with a coffee mill screwed to the top, in which he keeps his rations, a skillet and a few other utensils hanging from the branches of a neighboring tree, a whitened buffalo's skull for a *metate*, a smouldering fire,—this little spot, with its surrounding fence shutting out the solitude, is the herder's palace, schloss, villa, town-and country-house. "*Seguro*," says Juan, as he lights a brown cigarette and quenches the yellow fuse in an empty cartridge-shell, "man wants but little here below." They were a genial and hospitable set, the herders, and if one arrived about mid-day they would regale him with scraps of jerked beef, a cake of unleavened bread cooked in the skillet, and coffee which, considering what it was made of, was a very inspiring drink. In particular I recall the *pastor* Patricio, a very pretty fellow, with curly black hair and black eyes, a fine nose with a patrician lift to the nostrils, a little black moustache bristling

like a cat's on a smiling lip, a red handkerchief about his neck: he was very voluble of soft words, and made the waste blossom with his distinguished manner. A dozen of these camps were to be discovered about the range, and the brush fences and unused corrals of many more, which had been used and would be used again as the sheep were moved from grazing-ground to grazing-ground and portions of the range temporarily exhausted.

From his camp the herder goes forth at daybreak with his flock of fourteen hundred ewes and lambs or two thousand wethers, grazing slowly toward the creek or neighboring water-hole where at noon he lies up in the shade; and to it he slowly returns in the cool of the afternoon, the flock moving in loose order among the mesquites, taking a nip here, a nip there, but ever hanging together and dependent, the most gregarious of animals. In their unity of action, in their interdependence and solidarity, the timid sheep are capable of a momentary suggestion of awe. About weaning-time a couple of large flocks got temporarily together, and one could see driven by the herder a compact mass of four thousand advancing over the prairie with a quick step, "a unit in aggregate, a simple in composite," their impassible countenances gazing fixedly forward, resembling, it seemed to me, a brigade going into action. For most of the year it is thought by no means advisable to fold the sheep in the corral at night, so they sleep at large near it. Especially on moonlight nights they are apt to be uneasy and to move from their bed-ground short distances, when the herder quits his tent, and,

rolling a cigarette, follows his fanciful flock about the blanched and wistful prairie till they subside; then, throwing his cloak over his shoulder with the swing of an hidalgo, he falls asleep beside them.

The herder's incidents are the fortnightly arrival of his rations and the weekly or possibly more frequent visit of the superintendent to count and examine his flock and inquire after the general condition of things. The Mexican herder invariably denies all knowledge of English and compels one to meet him on his own ground, which, it is needless to say, is a far cry from Castile; and in encounters between Juan and the superintendent the fine feathers of syntax are apt to fly in a way I shall not attempt to reproduce.

"Good-afternoon, Juan," says the superintendent.

"Good-afternoon, señor."

"How's the flock, Juan?"

"Oh, pretty well, señor."

"No better than pretty?"

"No, señor."

"How's that?"

And then Juan goes on to explain that the recent unusually wet weather has made many lame, etc., etc., to which the superintendent listens with a grave countenance. Perhaps some unfortunate ewe has been bitten by a "cat," or in some way received a wound in which the fly has deposited its malignant egg: they lay her on her side and doctor her in company.

Finally, the superintendent gives the herder some tobacco, some cigarette-papers, and a couple of yards of yellow fuse, and, mounting his horse, nods farewell, and Juan touches his hat, smiles, and says, "*Adios*."

In the ordinary course of events this is his weekly allowance of human intercourse. It was the common opinion that none but Juan and his brethren could stand this sort of thing; but what there is in the Mexican character that adapts him to it only becomes a mystery on acquaintance therewith. His most obvious and, one inclines to think, his highest and most estimable quality is his sociability. He has a sense of the agreeableness of life, with a very considerable feeling for manners. This feeling makes it a pleasure for him to meet you; it causes him to put *himself* into the most commonplace conversation, the simplest greeting, and make it, in his small way, a matter of art. It makes it a pleasure for him to call upon a friend beneath the shade of some live-oak or in a dugout or *jacal*, carrying some white sugar for his wife or some candy for his little ones. Our instinctive disposition to infer deplorable lacunae in the region of morals from the possession of a talent for manners is in the case of the poor Mexican too thoroughly justified. For him there is no such region; it is an undiscovered country. He is the lightest of light-weights. When his heart is warmest he is tossing a silver dollar in the air and thinking; of *monte*. Cimental herded industriously during the winter, and became the proud possessor of a horse and saddle, a Winchester, and a big ivory-handled pistol. In May, shearing

going on, he drove his flock to the shearing-shed, and spent the night at the ranch. In the morning he came into the store laughing. What about? Oh, he had had a little *monte* over-night, and horse, saddle, rifle, revolver, all were gone. He had been shorn of half a year's growth. But there was still a large deposit at his bank,—the bank of Momus.

The herder has, of course, his "consolatory interstices and sprinklings of freedom;" he undoubtedly mitigates his solitary life by frequent derelictions, nightly visits to the farm—settlements (or the *jacal*) which a few possess, and where he keeps, possibly, a wife and family. But, on the whole, his life, and not unfrequently his death, is lonely, Just before shearing-time Juan Lucio and his flock were lost. The flock was found, but not Juan. It was impossible to say what had become of him: he had a reputation for steadiness, and it seemed unlikely that he had taken French leave. When shearing was in full swing, a couple of freighters came for a load of wood. After some talk, they drove off to camp, a little way up the creek, proposing to return in the morning. About sunset they were seen slowly approaching the shearing-shed, It seemed that in watering their horses they had seen a man in the creek. The small freighter imparted this information in a low voice, with some hesitation and a deprecatory half-smile. The young and large freighter stood aloof, with a half-smile too, but he had evidently found the sensation disagreeably strong. This, it seemed certain, must be the lost Juan Lucio. The next day, which was Sunday, the

ranchmen and a county officer proceeded toward the scene of the discovery. The shearers heard of the affair, and paused in the arrangement of a horse-race. They went in a body to the store and purchased candles, and then the motley cavalry coursed over the prairie after the rest. They lifted Juan Lucio from the river and bore him to a live-oak tree, where the coroner and his jurymen debated his situation. They inclined to think that he had come to his death by drowning. Then the Mexicans dug a grave for him, and stood a moment round it with their candles lighted; each lifted a handful of earth and tossed it in. Finally, they covered the prairie-grave with brush to protect it from the coyotes, and rode slowly home in twos and threes. About a month after, a young Mexican rode into the ranch: he had ridden from San Anton, two hundred miles away, to put a board cross above his father's grave, marked for him by the store-keeper, "Juan Lucio, May, 1884."

The herders on the ranch were all Mexicans, and throughout the county it was generally so. An old Scotchman who paused one moment to smoke a pipe beneath the porch was a solitary instance to the contrary. He was a most markedly benevolent-looking old man, and had about him that copious halo of hair with which benevolence seems to delight to surround itself. He had also about him the halo of American humor, having just been up to answer a charge of murder, in another county, of which he was extravagantly innocent. He carried a crook, as seemed fitting, and had with him two sheep-dogs, one of which the kindly man assured us he had frequently cured of a recurrent disease

by cutting off pieces of its tail. This sacrificial part having been pretty well used up, the beast's situation in view of another attack was very ticklish. And it had, in fact, the air of occupying the anxious-seat. The Mexican, it may be added, uses neither dog nor crook. He may have a cur or *pillone* to share his solitude, but its function is purely social: for catching sheep there is his lariat. He is measurably faithful and trustworthy, a careful observer of his flock, and quick to appreciate their troubles. Of course he loses sheep semi-occasionally, causing those long sheep-hunting rides among the hills which the ranchman curses and the visitor enjoys; and occasionally in winter on cold nights he is overpowered by the temptation to visit a friend, the whole flock gets astray, and, fearing consequences, Juan, not stopping to fold his tent like the Arab, silently steals away.

IV

The busiest periods of the sheepman's year are the lambing- and shearing-seasons. The first begins early in March, when the little mesquite-trees are of a feathery greenness and the brown gramma and mesquite grass are beginning to freshen, and lasts about six weeks. It is an exacting time for the conscientious proprietor. He says good-by to his cottage, and goes off to camp with a small army of Mexicans, who, proof against the toils of the day, make night crazy with singing, dancing, and uncontrollable hilarity. He is as much concerned about the weather as a sailor or one in conversation's straits. His terror is the long, cold storm which covers the grass with a hopeless coating of ice. The weakened ewe cannot graze, and the norther comes down with a bitter sweep to devastate the starved flock.

The camp is pitched within easy reach of the bed-grounds of two ewe-flocks, each of twelve hundred, who absorb all the attention of the superintendent and his numerous aids. Each flock goes out on the range at daybreak under the charge of two herders. The ewes that have dropped lambs over-night are retained in the corral with their offspring for about six hours, or till afternoon, when the lamb should be in possession of sufficient strength to move about; then the ewes go forth slowly to graze, followed by their *chiquitas*. The unnatural mothers who deny their children are caught, with a lariat by a Mexican, with a crook

by a Yankee, and confined in separate little pens alone with their lambs. If necessary to compel them to acknowledge their maternal responsibilities, they are kept in solitary confinement two days, without food. If still obdurate at the end of these two days, mother and child, marked with red chalk or tagged alike with bright cloth, are turned out, the herder in charge of the solitaries "roping" the ewe for the convenience of the lamb whenever the latter indicates a desire for nourishment.

The flock grazing out on the range will have gone by noon perhaps a mile from the bed-ground. Here a little corral is made, and the lambs born in the vicinity, with their mothers, are penned here over-night, one of the two herders sleeping with them. In the afternoon the remaining herder takes the flock grazing back to the bed-ground. The next day, with many more to follow, repeats the routine of this and its incidents. The lambs and good mothers of a period of twenty-four hours are bunched together and placed a little remote from the bed-ground, with a little pen and a herder to themselves: they constitute a so-called "baby-flock." After five days the lambs lose their tails and have their ears punched and marked; on the sixth day they are still farther removed from their native spot, placed in charge of a strange herder, and become the nucleus of a so-called "lamb-flock," which, fed from many sources, grows till it includes six hundred ewes, with their lambs, when it is a full flock, and is in its turn removed and the formation of a new lamb-flock begun. During the six days' novitiate of a baby-flock five other such flocks have

been formed: so that, somewhat remotely round about the main pen at the bed-ground of each flock, there are six baby-flocks, with their pens and herders and several little prison-pens for unnatural mothers, with other little pens in which mothers bereft by death of their proper children are confined with the extra twin lambs of prolific ewes, clad in the lost ones' skins, in the sure hope that they will adopt them. The ruse may be said never to fail. The solitary-confinement pens are in the charge of still another herder, a much perplexed and irritated man, on whose part considerable swearing—Mexican for small ills, English for serious occasions—is to be excused. A superintendent of two lambing ewe-flocks, it will thus be seen, has to oversee eighteen herders or so, with their charges, besides the growing lamb-flock, all more or less distant from each other. He is a busy man. His head-quarters, like those of General Pope, may be said to be in the saddle. His note-book is in constant use. It contains a record of each day's births and deaths, of the twins (which are tagged or marked alike for easy identification) and the still-born, that each bereft mother may be provided with a foster-child, and the daily count of the daily-changing flocks.

The first lamb born starts the refrain, to be taken up as the season waxes by thousands of others scattered over the range, and swollen into a roaring, shrieking chorus, as though an enormous public school had just turned its urchins into the play-ground. A listener standing in the hall of the Stock Exchange gets some faint idea of it when there has been a serious break in Lake Shore,

say, or when C.C.C.&I. has "gone off" a considerable number of points. Out of these thousands of voices, not to be differentiated by the human ear, the ewe knows the note of her little one with very remarkable certainty, and the lamb the answering cry of its dam. With this sound ringing in his ears, and daily becoming more and more insufferable from monotony and increase, the sheep-man rides out in the morning among his Mexicans, and returns to camp at night aweary, with haply a couple of little ones abandoned by their mothers in his arms, to be brought up on that *pis-aller* of infancy,—and, alas! occasionally of age,—the bottle.

V

When the prickly pear had made a golden garden of the prairie and the heart of *Cereus phoeniceus* was warm with the intention of lighting its gorgeous crimson torch on the divides; when the arroyo, but lately a pretty streamlet, had told wellnigh all its beads to the sun-god, and had but here and there in its parched length an isolated pool; when the flock at noon no longer flushed the last teal from the creek, because that lingering bird had finally winged its way toward Manitoba or some other favorite retreat northerly,—at this time the constant wind, gentle but never-failing, and almost always from the south, was overweighted with a roar of multitudinous bleating and befouled with dust; for shearing was going on at the ranch. It is a very picturesque occupation, but it soils the most delightful season of the year, the fresh month of May, with a fortnight of dusty toil, anticipating the sun, and not halting promptly on his setting.

The shearing-shed lay somewhat apart from the other ranch buildings, with a system of pens at its back, with chutes and swinging wickets for "cutting out" lambs from their mothers destined for the shears, and other incidental purposes. The shed was a roof of bearded mesquite-grass, stayed by boughs and supported on live-oak or pecan posts, the outside or bounding rows of which were sheathed up with boards four feet or so, the remainder space up to the roof being open for draught. On

these boards Baleriano Torres, Secundino Ramon, and others their companions of the shears, who had worked and played beneath this shade in springs past, had written their names in large characters of stencil-ink. One could see in the county roofs made of fresh boughs, through which the sunlight sifted, flecking the swarthy faces and arms of the shearers and the mantles of the sheep with a very picturesque effect; but it is probably best to resist the temptation to treat the shearing-shed as an artistic composition. The ground-plan of the shed was one hundred feet or so long by twenty-five wide. The floor was of trampled earth, and on it were placed shearing-tables, s s s, and burring-and tying-tables, B B. The shearing-tables were about fifteen inches high, the burring-tables high enough for a man to stand up to. It is the custom in many parts of the country to shear on the floor. In Mr. Hardy's picturesque novel, "Far from the Madding Crowd," the shearers shear in a cathedral-like barn, on a shining black-oak floor,—probably for purposes of contrast. Round the ranch, however, shearers preferred very generally the low wooden tables. The space back of the shearing-tables was occupied, when shearing was going on, by a "bunch" of sheep admitted through the movable panels from a pen containing the unshorn: after shearing, they departed through the panels into another pen, and eventually over the prairie to their pleasant grazing-grounds, angular and grotesque in appearance, but happy, their troubles past, their year's chief purpose served.

[Illustration: Movable Panels. CORRALS.]

The shearers this year were a band of forty or so Mexicans from Uvalde and other border towns, jollily travelling two hundred miles up the country in charge of a *capitan* and *grande capitan* responsible fellows, who had contracted with the ranchmen of the neighborhood to do their shearing. Early in May we heard of them on the creeks, and made preparation for them, the shed and corrals being put to rights in every detail, the supply of bacon and *frijoles* augmented at the store, and all hands, including the stranger within the gates, set to hemming wool-sacks with coarse twine and sailors' needles. One evening, but shrewdly in time for supper, a couple of Mexicans on horses, thridding their way through the mesquites, came into the ranch, quickly followed by others, one or two on *burros*, more on ponies, most on the skeleton of a prairieschooner drawn by four horses, —and the shearers had arrived. They were a dark, black-eyed, hilarious set, some forty odd in all, rather ragged as a crew, but with extremes of full and neat attire or insufficient tatters according as the goddess Fortune or the Mexican demi-goddess Monte had smiled or frowned; but all were equally jolly, and almost all fiercely armed, the greatest tatterdemalion and sans-culotte of all with a handsome Winchester, in a case, slung over brown shoulders that would have been better for a whole shirt. The hat, though cheap, was, even among the ragged, frequently elaborate, and served excellently to carry off a protruding toe or knee, or to reconcile the association in one person of an ancient

boot with a still more ancient shoe. Many of these fellows were undoubtedly trustworthy, other some as undoubtedly, if they had had consciences, would have had homicides on them; but all were light-hearted. Life is one thing to the man who lets the breath out of his companion with a knife, and, leaving his body in the brush, straightway goes about his idleness laughing, and quite another to him who cannot get over the hideous fact that he has tied his cravat awry.

On the morning of the first day we turned out at four o'clock, and, while we were getting a dew-bite of crackers and a sip of coffee, *el capitan* circulated among the recumbent figures that had dotted the prairie over-night: with a shake and a pull of the big hat by way of toilet, they proceeded in twos and threes toward the shearing-shed, their shears in their hands and all their personal property in weapons dangling about them. The burrers, too, Mexicans hired in the neighborhood, put in an appearance and ranged themselves behind their tables, A flock had been penned at the shed over-night, and, while a fraction of it was being driven through the movable panels into the space behind the shearing—table, the shearers were ranged along it by the captain: they hung up their rifles and revolvers to the posts, some their hats and jackets, and fell to chattering, lighting their cigarettes, and sharpening their shears. When the supply of sheep was in and the panels closed, the captain gave the shrill cry, "_Vaminos__" and all hands rushed in among the frightened animals and dragged out their chosen victims by the leg. They

showed great shrewdness in selecting the small, the light-woolled, the easy-to-be-shorn. "The loud clapping of the shears" at once filled the shed, and it was not five minutes before a light fleece was tossed upon the burring-table, and a grinning fellow came running up to the ranchman seated in a chair thereon, the better to supervise affairs, and called out, "Check-e!" amid *vivas* for the first sheep shorn. He received a tin token, which he thrust into his pocket, and plunged over the low platform after another sheep. Calls of "*Cole*!" "*Colero*" "*Cole, muchacho, echale*" began to ring out, and, with an answering call of "*Onde?*" ("Where?"), two little, laughing Mexican boys, with tumbled, curly black wigs, and cheeks like bronzed peaches, darted about with boxes of powdered charcoal, and clapped a pinch of it on the cut made by careless shears. The burrers threw out the fleeces smooth upon the table, and, one on either side, patted them over with their hands to discover the cockle-burrs entangled in the wool; these removed, they folded and rolled the fleeces up with care and handed them to a man who, with the aid of a small, square box, tied them tightly with two strings, and tossed them out of the shed, where they were received by the ranchman who was grading the wool and supervising the packing.

The packing was done in two frames, seven feet high, in which an iron ring held the sacks open. To a man on one of these frames the fleeces in their compact little bundles were tossed up, and he trod them down, packing them in the sack. Then the sack was let down, sewed up, rolled to the scales and weighed, marked

with the ranch-mark, the weight, the grade, and was ready for the freighters and a market. About ten thousand pounds of wool were sheared, burred, packed, marked, and perhaps shipped, in a day.

Inside and out, seventy men were at work about the shed: the fleeces rapidly piled up on the burring-tables; tied and tossed out, they grew into little mountains, and around the scales for a wide space the packed sacks cumbered the ground. The ranchmen moved about to see that coal was used where needed, and that it was not needed too frequently, that fleeces were not broken, and were thoroughly burred and nicely tied; and the Mexicans, ceaselessly chattering, singing, laughing, calling jokes to each other, crying, "Viva Rito!" "Viva Encarnacion!" ran for their checks, dashed in for their sheep, and kept the shears clashing, while the perplexed ewe, with an uproar perhaps more distinctly justifiable, called to the lamb she had left in the pen, and the lamb answered cry for cry. All this went on in a strong south wind heavy with dust and the acrid sheep smell. It was the liveliest possible spectacle of organized confusion, and the accompanying noise was calculated to split the ears of the groundlings. As the number unshorn of the installment of sheep in the pen dwindled toward zero, little groups of unoccupied shearers gathered round the posts near the low tables, lit fresh cigarettes, whipped out cards, and started a little game of *monte* for the checks they had in their pockets, continuing till the captain's *revenons à nos moutons* once more started their shears. The sun crept up in the sky, a fitting cessation occurred, and, a ranchman having given

the signal, a tide set in for the cook-house and breakfast.

In Mr. Hardy's story, just mentioned, his hero performs rather a feat in shearing three and a half pounds of washed wool in twenty-three and one-half minutes, A Mexican would have to take a reef in his big hat if he could not do better than that. His tin check is worth four and a half cents to him, and a fair hand ought to have at least fifty in his pocket at sunset, in return for as many seven-pound unwashed fleeces,—always provided he has not sacrificed them to *monte* during the day. A first-rate man will have seventy, and, if called upon to show what he is made of, will shear a heavy-woolled wether in six minutes. At evening each shearer turns in his checks, and receives in return a signed paper with his name and their number.

The interior of the shed when shearing is at its height commends itself very forcibly to the attention of the artist. The heaps of fleeces, mellow masses of gray, yellow, and white, the throng of anxious sheep, watching with painful interest their companions struggling in the swarthy arms of the stalwart, bare-chested shearers, saddles, broad sombreros, whips, and weapons grouped in so many pendent escutcheons of the great Mexican vagabond family, the flitting *coleritos*, the scarfed shearers themselves, all are so many veritable "bits." But it is not only that the details are good: they compose admirably about the long aisle, with here and there a dagger of sharp light thrust into the shade, and without, the luminous clouds of dust. The shearer puts one foot on the low table, the neck of the sheep

resting over his knee, and its fleece rolling off like a robe; his broad chest is thrown out, his head back, his nostrils vent smoke like an angry god's, and his glancing white teeth, disclosed in a broad smile, tightly grip a cigarette. He is chattering, laughing, smoking: incidentally he is shearing.

The presence of the shearers at the ranch causes a flutter in surrounding Mexican society. They are known to be keen hands, *viveurs*, jolly good fellows withal, and, moreover, men who can wrestle with wethers ten hours a day (no light task on the muscles) and yet have spirit to dance and play all night. So, at evening, the *jacals*—the little farms and settlements on the creek—are likely to send forth a contingent bound for the cook-house and a night of it. A harp and an accordion are found, and to the sharply-marked music produced by this combination an impromptu *baile* forms itself. The swarthy sombreros clutch each other, and hop about, their spurs gleaming and jangling, their pistols sticking out behind like incipient tails; and soon the *baile* overflows the kitchen, and the glowing cigarette-tips circle like fire-flies to the music in the dark night-air without. In a corner, against the salt-house, by the light of a fire, a group is gathered round a blanket spread on the ground, with little piles of silver before them, over the always-absorbing *monte*; and other groups are very harmlessly singing. By midnight the music dies away and the dancing ceases, but the sombreros bend over the *monte* blanket and the silver clinks on it till morning.

About two weeks with days and nights of this character

sufficed, with slight interruptions occasioned by bad weather, to get one hundred thousand pounds of wool off the backs of the sheep. On Sunday the shearers would not work: the day was sacred—to pleasure. The store was thronged with purchasers, the cook-house became the temple of *monte*, the road a race-track. The ranch had the air of a *fête*. The races were short rushes with horses started with a jab of the spur or thwack of the *cuerta*, to see who first should cross a line scratched in the dust, at either end of which a throng kneeled and craned forward and held out silver dollars and called bets.

At length the last sheep was shorn, the last sack marked, the pools on that interesting figure, the total clip of the year, decided, and the shearers in motley tableau assembled in the ranch-house, before the table, to have their paper slips redeemed. They did not understand checks on San Antonio banks; they "didn't want paper;" they had a rather praiseworthy doubt of green-backs; they wanted the solid *dinero*,—the "Buzzard," the "Trade," or the radiant Mexican *peso*. Toward midnight it ceased to be a laughing-matter, paying off, and one was glad to turn in even in an atmosphere heavy with cigarette-smoke and not over-fragrant. Next morning the shearers leisurely saddled up and disappeared through the brush, the Grande Capitan and Capitan lifting their hats with grace and dignity and calling, "*Adios*!" They left a rather relaxed ranch, with a marked tendency toward hammocks and long siestas, varied with a little mild lawn-tennis at evening in an old corral, which, by the way, with its surrounding fence to

stop the balls, made in many respects an admirable court.

VI

Toward the end of August the pluvial god, assisted by the physical characteristics of the region, provided us with a genuine sensation. Hitherto we had had mere weather; this was a pronounced case of meteorology: until then I had taken no special satisfaction in the word. It had been raining frequently during the month, in quite unusual volume; the arroyos were pretty brooks, the sides of the divides wept, and there were wide, soft places on the prairies; the flocks went very lame from the excessive dampness, and riding was a splashing and spattering business; but the oldest inhabitant dropped no hint suggestive of the veritable meteorological *coup* which was quietly preparing.

We retired one night in our usual unsuspecting frame of mind, and awoke next morning to hear above the dull reverberation of the rain the booming of a torrent. The arroyo near the ranch was no longer an arroyo, but a stream fifty feet wide; and on the hither side of the pecan-trees of the creek could be seen a silver line: the water had already surpassed the banks. Before noon there was neither creek nor arroyo, but a river a mile wide rushing down the valley: we knew where the trees had been, by the swirling waves. A flood is like those serpents which fascinate before they strike. The monotonous rain failing *ohne Hast, ohne Rast*, the dead immutable murk of the sky, the rush of gray wave after wave, induced a state of dull lethargic wonder:

the feet—the foot more, would it accomplish that? Already the floor of the ranch-house was under water. But there was soon a sufficient dashing about of riders in long yellow oil-skin coats, and all was done that the situation seemed to demand or admit of. The culminating moment of the day came toward two in the afternoon, when we stood on the roof of the ranch-house, with our eyes glued to a sulphur-colored patch a mile up the valley. It was a flock of sheep congregated on an unsubmerged knoll in the middle of the torrent. There was a sudden movement in the mass, the sulphur patch vanished, and there was borne to us distinctly a long, plaintive cry: the flock had been swept away. In a few minutes, however, we caught sight of many of them swimming admirably, and, much to our astonishment, they found a desperate footing opposite the ranch across the swift sweep of the arroyo. A dozen Mexicans were equal to the emergency. They stripped, threw themselves in, stemmed the current, and, with amazing pluck and fortitude, worked about amid the submerged cactus and chaparral, which must have wounded them savagely, holding the sheep together. Finally, after desperate urging, a wether was induced to breast the rush of the arroyo and landed safely high and dry on the hither bank, when, thanks to their disposition to follow a leader, all plunged in, and, after a vigorous push, found their perils at an end. But the count showed some six hundred missing.

It ceased raining toward four o'clock, and the sun set in great splendor. The next day the water had quite subsided, and I went,

unsuccessfully, after plover over the bed of yesterday's river, but the beauty of the creek had been destroyed for the season. And farther down, where the flood had come at midnight, it had swept away many lives.

In November, when the broom on the sides of the hills was a fine pink-brown, and when the wet places which the flood had left abounded in jack-snipe and afforded the neatest shooting in the world, I turned my back upon the ranch, where I had been very prodigal of the best of riches,—"the loose change of time." I did so with a warm feeling of regret,—a feeling somewhat tempered by the thought that I should soon be in a region of homes, constant greetings, and the morning newspapers. But after a few weeks of the morning newspapers it has been borne in upon me that a great deal is to be said for the place which does not know them.

E.C. REYNOLDS.

THE LADY LAWYER'S FIRST CLIENT

TWO PARTS

I

Mrs. Tarbell sat in her office, pretending to read a law-journal, but really looking at her name on the office door; and she was not without justification, perhaps, seeing that it had taken her six years to get it there. Furthermore, though it was six weeks since it had been lettered upon the glass panel, she had as yet found nothing to do but look at it. She was at last a lawyer; she had triumphed over prejudice and ridicule; and a young lawyer has three privileges,—he may write Esquire after his name, he is exempt from jury duty, and he can wait for clients. Mrs. Tarbell had always been exempt from jury duty, and her brother told her that, historically speaking, she ought to be called *equestrienne*, if she was to have any title: so it seemed that it was only left to her to wait for clients and contemplate her sign. The sign read,—

Ellen G. Tarbell,
Alex. H. Juddson,

Attorneys-at-Law.
Commissioner for Colorado.

Mrs. Tarbell had been a Miss Juddson before her marriage with – Tarbell, Esq. (of Hinson & Tarbell, mourning goods), and Mr. Alexander H. Juddson was her brother. When Mr. Tarbell died, his widow told her family and friends that she was going to read law.

Mrs. Tarbell had always been a woman of progressive notions, but this was going too far. Her family and some of her friends were short-sighted enough to attempt to argue the general question,—namely, ought women to have Rights? When Mrs. Tarbell proved to them that they were both unfair and illogical, they then said that, though they had no objection to other women making lawyers of themselves, they did not see the necessity in her case.

Mrs. Tarbell replied that she must get a living; and it was quite true that the late Tarbell had failed a few months before his death, leaving his widow rather poorly off; for he had not put his property in her name before making an assignment. And Mrs. Tarbell went on to say that, as she could not be a nurse, and would not be a governess or keep a boarding-house, she would read law. It was reported at the time that Mr. Juddson said he hoped his sister would go and read law, if anywhere, in Colorado, for which State it was he, of course, who was the commissioner; but, whether this report were true or not, Mrs. Tarbell stayed at home and pursued her studies under his direction.

After going through all sorts of examinations, at which she flung herself determinedly, and which she kept on passing with the greatest credit, after meeting with innumerable disappointments and delays, after being politely told by one judge after another that she was a woman, and therefore could not be a man,—hence, *a fortiori*, she could not be a lawyer,—after six years, I say, Mrs. Tarbell succeeded. Her name went on the list of attorneys. The court-clerk gave her a certificate, and received two dollars and sixty cents. The newspapers chronicled the circumstance. Her friends were triumphant. Judge Measy, who admitted her to the bar, was compared to Lord Mansfield and to Mr. Lincoln.

But marriage is not the only lofty undertaking attended by petty miseries. Mrs. Tarbell could bear her great misfortunes with courage and resolution: as she had great hopes, so she expected great disasters. Not Lars Porsenna of Clusium himself was more clapped on the back, and huzzahed after, and backed up by the augurs, nor more frequently told that he was the beloved of heaven, than Mrs. Tarbell had been by her soothsayers and partisans. At first this was all very well, but afterward it grew tiresome. If Mrs. Tarbell, emerging from widowhood and placing herself in the van of feminine progress, was really a pioneer in a heaven sent mission (as perhaps she was), there was no need to repeat the phrase so often. When two or three years had gone by, and it began to be apparent that Mrs. Tarbell had a long and up-hill struggle before her, she became very impatient

of enthusiasm. She had never liked it, even when the female welkin (if there be such a thing) had first rung with applause for her, and now it was painfully uncomfortable. Mrs. Lucretia Pegley (authoress of "Woman's Wrongs," "The Weaker Sex?" "Eve *v.* Adam," etc., etc., editor of "Woman's Sphere," and chief contributor to the "Coming Era;" her friends called her a Boadicea, and denied that she had withdrawn from the study of medicine because she had fainted at her first operation),—Mrs. Pegley observed her friend's shortness of temper, and took her to task about it. "Ellen Tarbell," she said, "you surprise me very much. Do you wish to give the impression that your motives are purely personal and—forgive me, but the word is necessary—selfish? that you have no interest in the movement in which you are a pioneer? that your heart is not with the cause which after so many years of weary waiting looks to you for advancement? Mr. Botts is a most worthy and indefatigable man; perhaps a trifle too much addicted to repetition for the sake of rhetorical effect,—a thing, I admit, very trying; but it is of the highest importance (I say this between ourselves, of course, and you may imagine that I would not give publicity to such a statement),—it is of the *highest* importance that the feelings of our—hem—masculine colleagues should not be—"

"Yes, yes," interrupted Mrs. Tarbell hastily, "I appreciate that fully,

I assure you. But yesterday evening I was rather tired, and I—"

"Tired!" said Mrs. Pegley, in the voice of acute anguish which

caused her to be known as a woman of the most extraordinary intensity of convictions. "It is a wonder we are not all in our *graves*," she added, in tones whose sombre depth was brightened by a little colloquial levity, for she felt that she had been too severe with Mrs. Tarbell. "Still," she continued, "after Mr. Bott's *very* flattering remarks you might have spoken with a little more —er—*earnestness* and—er—*vigor* yourself, you know. And for such an audience as we had last night, three minutes is really—"

After this, Mrs. Tarbell resolved that her next effort at public speaking should be made before an American jury, or not at all. Indeed, she went so far as to think it a great mistake to suppose that woman's cause could not be advanced without calling meetings and haranguing them till eleven o'clock at night. Very likely her ideals were still of the highest order, and certainly she still hoped that when women were allowed to practise law the law would be so changed that you would hardly recognize it; but she wanted to carry on her part of the work occultly and quietly. She had got over a good many of her own illusions, and she was taking a more practical view of life. She smiled when she thought of the prophecies which had been made about her, and she no longer read the paragraphs about herself in the newspapers. She kept her brother's dockets and drew his papers. Alexander frowned a good deal, and said it wasn't necessary, but she insisted that she must pay him in some way for her education. She put his desk in order and gave him new papers every other day, which practices he never could get her to forego.

In short, she settled down into a routine of study, office-work, and regularly recurring attempts to *get in*. And when she finally did get in, she had become a cynic. Everybody remembers, of course, how at the end of his last term Judge Oldwigg announced his intention to retire into private life and decline a reelection, and how the managers of the party in power chose Judge Measy as their candidate for the vacant place. The prospective judge was waited on privately by a deputation of Mrs. Tarbell's friends, headed by Mrs. Pegley, and asked to define his position on the Tarbell question. The deputation did not contain many voters, and no bargain which Mr. Measy, as he then was, could have made with it would have increased his majority very largely: as he was pretty sure of a majority, he must be cleared of all suspicion of making a bargain. But he did deliver to Mrs. Pegley an oracular answer, which was in course of time interpreted in Mrs. Tarbell's favor. She came up before him; Mr. Juddson made the motion which he had so often made before, and made it, I regret to say, in rather hurried tones, when, to everybody's surprise, Judge Measy produced a manuscript and read it out, and proved that a lawyer was a person who practiced law, and that therefore, as a woman was a person, she could be a lawyer, interspersing his remarks with graceful historical allusions and several profound reflections upon the design of Nature in creating the female sex. Then, acting as man, not judge, he descended to the side-bar, beckoned to Mrs. Tarbell, grasped her by the hand, and made her a speech. "Madam," said the courtly judge, "Mrs. Tarbell, I

congratulate you,"—which was one for himself as well,—"and let me add that it gives me the sincerest satisfaction to be able to testify in this manner to the veneration which I have always entertained for woman; and I am quite sure that in no long space of time you will have proved to us that the law cannot say it has nothing to gain from her refining influence. For I remember my *own* mother, Mrs. Tarbell," said Judge Measy. The bar listened in awed admiration. Mrs. Tarbell bit her lips, bowed, and thanked his honor as best she could. The idea of suggesting that she was anybody's mother, or that even if she had a family that was any reason for permitting her to be a barrister! But from the other side of the court-room was heard an expressive rustling, and audible whispers of satisfaction were wafted across the lawyers on their chairs. Mrs. Pegley and her train were sitting by, radiant, triumphant, majestic. The dignity of motherhood was vindicated.

And now that Juddson and Tarbell were moving to their new offices, who should also at the very same time become a tenant of the Land and Water Insurance Company but the Honorable Franklin Blood Pope? The Land and Water Company's new building was in a very desirable locality, and several lawyers deserted their old nooks and corners to occupy its spacious and well-calcimined apartments. Juddson and Tarbell took the rooms on the back of the third floor, Mr. Pope those on the front ditto: they were very near neighbors. In former days Mrs. Tarbell had often complained to her husband of Mr. Pope's success. It was an argument that men had not as much common sense as

they pretended to have, she said, or else they would see through Franklin B–'s absurd pretensions. "Even I can perceive that the man is a humbug," she continued. "In fact, any woman could. Why is he successful, then? Why has he an enormous practice? Why has he been sent to Congress? If it is because he has a majestic appearance and can talk a great deal, women certainly can fulfill these conditions, and that by your own account of them."

To which Mr. Tarbell would answer, "Exactly, my love, by all means; and so is your friend Mrs. Pegley a great talker, and a fine-looking woman."

"Then give her all the rights you give to Mr. Pope," cried Mrs. Tarbell.

"She shall have 'em, and welcome," said Tarbell; but he did not tell his wife that he had voted for Mr. Pope on the opposition ticket, and had even consulted him on matters of business,—once going so far as to suggest to him that a certain proposed alteration in the tariff would seriously affect the mourning-goods industry,—from which it may be gathered that it was not from any lack of prudence that Mr. Tarbell died a bankrupt and left his widow to become a lady-lawyer.

Mr. Pope himself it was who betrayed Mr. Tarbell's confidence and opened Mrs. Tarbell's eyes. "Your husband was my very good friend, my dear madam," said the Honorable Franklin, "and I was proud to call him my client. Yes, I had the honor of advising him in several matters and of carrying

through some rather delicate negotiations for him. A man of the strictest integrity, ever genial and urbane, of sound judgment and independent views, endowed with strong common sense and quick perceptions. You see, I had the highest opinion of Mr. Tarbell, and have often wished to tell his widow—alas that I should have to call her so!—how certain I am that she will succeed in the career she has chosen, and how deeply I grieve that her husband could not have lived to find in her a better adviser than I ever could have been to him."

Messrs.—I mean Mrs. and Mr.—Tarbell and Juddson were just moving into their new offices when Mr. Pope uttered these kind wishes. He met Mrs. Tarbell on the door-step: he was standing there, indeed, when she came in. He was always standing on the door-step: he carried on most of his business, especially with the politicians, in public. "I beg that you will use my library on all occasions," he continued, raising his voice a little. "If I may say so myself, it is rather comprehensive; in fact, I am very proud of it. And any assistance which I can give you in any way, my dear madam, will, I need hardly say, be given most heartily."

Use his library, indeed! Mrs. Tarbell would have been as likely to go to the Vatican and ask Pope Leo for the loan of a few works *contra hæreticos*. Why had she and her brother ever come to the Land and Water Company's building? The idea of meeting the Honorable Pope every day, of every day beholding his portly figure, statesman-like features, and lion mane, and

acknowledging his bland bows and salutations, was inexpressibly odious. And, what was worse, Mr. Pope continued to flourish like a green bay-tree, or like the proprietors of a patent medicine or a blackguard newspaper, or any other comparison you please. Feet tramped along the hall, hands knocked at his door, lips innumerable whispered into his ears, and Mrs. Tarbell sat and looked at her sign, wondering what had become of all the women who were to have employed her. She had not said, "Walk in, madam," to one of them; and Mr. Juddson's clients all regarded her as if she were a curiosity.

Mrs. Tarbell looked, in fact, like the president of a Dorcas society or a visitor of a church hospital. She had pleasing features, dark hair, slightly touched with gray, as became a lawyer of thirty-five, and dignified manners. She dressed very plainly in a black dress with just one row of broad trimming down the front, and, though she felt that it was an abuse of authority, she drew her hair straight back from her forehead. This question of her hair had given her some little anxiety, and it had cost her some time to decide what kind of hat or bonnet she should wear. Alexander said she might use her riding-hat for the sake of economy, but she had decided on a tweed walking-hat, which could be taken off very quickly in the court-room. For, whatever she might do in church, it was now impossible for her to remain covered before the bench of judges.

Mrs. Tarbell's desk was in the middle of the back room,—she could just see the outer door obliquely through that of her

partition,—and Mr. Juddson's was in a similar position in the front room. This was not a very good arrangement. Mrs. Tarbell could not very well be put in the front room with the office-boy, and yet the proximity of the office-boy was not agreeable to Mr. Juddson either. Then, too, most of the books were in the back room, and so was the sofa: altogether it looked as if Mrs. Tarbell were the senior. Mr. Juddson was thinking seriously of having another partition built, and that would at any rate save him from being asked "if Mr. Juddson were in," for, as every one knows, there is a vast difference between being asked "if Mr. Juddson be in," and "is this Mr. Juddson?" But Mr. Juddson had the picture of Chief-Justice Marshall and the map of the battle-field of Gettysburg, so he was not so badly off; and Mrs. Tarbell was very comfortable.

She was just musing over her future, and saying to herself, "When I die, I *know* that they will call a bar-meeting, and that Mr. Pope will make a eulogy on my character," when the door opened, and Mr. Juddson came in. Mrs. Tarbell returned to business-life immediately.

"Did you find Mullany?" she said.

Mr. Juddson, a tall, black-whiskered man of about fifty, rubbed his hands for a moment over the fire, and then answered shortly that he *had* found Mullany.

"What did he say?"

"Oh,—what I expected," said Mr. Juddson, turning over the papers on his table. He disliked unnecessary questions. Mrs.

Tarbell had no interest in Mullany, and the most she ought to do was to ask about him in an off-hand way in the street-car on the way home. Mr. Juddson discovered the paper for which he was searching, and turned toward the door.

"Are you going out?" said Mrs. Tarbell.

The door was already half open.

"Reference before Murray. Back at one," was all Mr. Juddson deigned to say.

"Alexander!" cried Mrs. Tarbell,—when the office-boy was in, she called her brother Mr. Juddson,—"Alexander!"

"*Well*?" said Mr. Juddson. He was late as it was.

"You will make the office very cold if you leave the door—but never mind. Don't let me keep you. I only wanted to tell you that I should like to talk to you about something some time to-d—" The rest of the sentence was lost upon Mr. Juddson, who had already shut the door behind him, and Mrs. Tarbell felt aggrieved.

So much aggrieved, in fact, that she found it impossible to return to the law-journal.

"I suppose I need a sedative," she said to herself. "If I were a man, I would put my feet up on the table and light a cigar, or —no! I would never practise that vilest form of the vice." (What she meant by this last phrase I cannot imagine, unless she referred to something which Mr. Juddson had been driven to do because he could not very well smoke while his sister was in the office.) "What," continued Mrs. Tarbell, "what can there be to recommend the position?" She looked at the desk.

"Is it an easy position?" she said. She looked down at her feet.

"Is it even a graceful position?" She swung herself to and fro on her revolving-chair.

She looked about her. The office was empty; the office-boy had gone on a very long errand. "I will try it," she said, with determination.

She removed all the books and papers on the right side of the table to the left side. Then she tilted back her chair, elevated her left foot cautiously, put it down, and elevated her right, placed it determinedly on the table, crossed the other foot over it, leaned forward with some difficulty to arrange her skirts, leaned back again.

"My book seems to lie very easily in my lap," she said to herself. "And the leaves turn over quite willingly."

One page, two pages, three pages. "After all," said she, —"after all—if one were quite alone—and had been sitting for a long time in another attitude—"

Tap-tap! came a timid knock at the door.

"Come in!" cried Mrs. Tarbell, resuming her former position in a great hurry, and dropping the law-journal.

Tap-tap!

"Come in!" said Mrs. Tarbell, picking up the law-journal. "*Come in*!" she said.

And the door opened slowly.

"Well?" said Mrs. Tarbell.

"Is Mrs. Tarbell in?" said the party of the knocks.

"I am Mrs. Tarbell. Come in, please. What can I do for you?"

"I wanted to see you, ma'am."

"Take a chair. Well?"

"I suppose it's April weather," said the new-comer; "but the rain is right chilly, so it is; like it was a November rain, somehow. Will I put my umbreller right down here? The spring is dreadful late, and the farmers is all complainin', they tell me."

Mrs. Tarbell shuddered.

The new-comer was tall and gaunt and thin; her shoulders sloped, she stooped, her chin was up in the air, and she peered through spectacles. Her hat was rusty, her india-rubber gossamer was rusty, the crape on her dress was so very rusty that it seemed to be made of iron-filings. Her cheeks were the color of unburned coffee-grains or of underdone gingerbread; her nose was long; her eyes, were small and bleary; her protruding lips wrinkled up as she spoke, and displayed her poor yellow old tusks; her scant hair was dirty gray, her forehead was bald, her neck was scraggy: she was particularly and pathetically ugly. Her dress bagged about over her long waist and spidery arms. No wonder Mrs. Tarbell shuddered.

"If I ain't disturbing you, Mrs. Tarbell," the visitor continued, "and if you *could* just spare the time to listen to me for a minnit, I wanted just to ask you for a little advice. My name is Stiles, ma'am,—Mrs. Annette Gorsley Stiles. Gorsley was my given name before I was married—But I feel as if I was taking up your time, Mrs. Tarbell."

"Not at all," said Mrs. Tarbell hastily.

"Well, ma'am, my husband he's dead, been dead this six years now, and left me with four to feed, and—well, I don't know just how to begin, rightly. You see, it's this way. Celandine, my eldest,—that was *his* name for her; he had a right pretty knack at names, and was always for names that ran easy,—Celandine she's eighteen now, 'n' she wants to be doing something for herself. It drives me real hard to pay for all four of them out of a sewing-machine and the little I make selling candies over a counter,—five cents' worth of chocolate drops and penny's-worths of yellow taffy; never more than fifty cents a day, living where we do, in Pulaski Street,—and Celandine she's bound to help me some way. The next oldest to Celandine is on'y ten; and if I was to starve I wouldn't have him to sell papers or black boots, and his father a foreman; and the' ain't no call for office-boys nowadays, 'r else it's because Augustus is so small for his age—"

"We have an office-boy," murmured Mrs. Tarbell.

"I know, ma'am," said Mrs. Stiles. "Leastways, I guessed as much. I was thinking of asking you about Celandine." Mrs. Tarbell stirred uneasily, and Mrs. Stiles hurried on: "Celandine and me we were talking things over the other day,—we've been reading about you in the newspapers, Mrs. Tarbell, nigh on to four years now; Celandine has always been a comprehending child, precocious, as they say, and quick-witted, and she's been watching your career, ma'am, just as clost as you could yourself. And the day you was admitted she come home,—a friend of hers

gave her the afternoon paper,—and she says, 'Mother,' she says, 'Mrs. Tarbell is admitted!'—just like it was a personal friend of yours, Mrs. Tarbell; and reely, ma'am, I suppose I oughtn't to say it, but there's been a good many women all over this country felt themselves personal friends of yours, ma'am, knowing how much there was meant by your success and feeling how near the question come to themselves; and if good wishes brings good luck, that's what you have to thank for succeeding. But Celandine she's an ambitious girl, Mrs, Tarbell, and the long and the short of it is just this, that she's set her heart on being a lawyer, and she's either too shy or too proud, mebbe, to come here with me to speak to you, ma'am: so I just put on my bunnit the first day I could, rain or shine, and rain it's turned out to be, to say a word to you about her and just ask you what you *thought*."

"A lawyer?" gasped Mrs. Tarbell.

"Yes, ma'am; a lady lawyer."

Mrs. Tarbell had never a word to say. In spite of having triumphed over all the arguments, both those epicene and those particularly masculine, which had been used against herself, she had not now the strength of mind to use them in her turn. In spite of being a lawyer, she had a conscience. She had looked forward to taking students, but they were all to have been Portias, every woman Jane of them; and before her own learning was fairly dry (which I think an eminently proper adjective to describe legal learning) there appeared to her an obviously crack-brained old party in an india-rubber cloak, who kept a candy-store and

wanted her daughter to become a lawyer. No wonder Mrs. Tarbell was embarrassed. Was she to say to the crack-brained one, "Madam, pay me one hundred dollars per annum and I will take your daughter as a student"? On the other hand, how in the name of that Orloff, that Pitt, that Kohinoor diamond among precious virtues, consistency, was she to go so far as even to hint to Mrs. Stiles that any woman couldn't be a lawyer? As Mrs. Tarbell hesitated, she began to fear she was lost.

"Celandine is a real bright girl," said Mrs. Stiles, who had now regained her breath. Was this the woman who had knocked so timidly at the door? "Celandine is a *real* bright girl; her mind is thorough, logical, and comprehensive,—that's what Professor Jamieson said, up to the High School. Them was his very words. Celandine is to graduate this year: she's in the class with girls two and three years older than herself, Mrs. Tarbell. It was a terrible strain on me to keep her at school, ma'am, and again and *again* I've thought I couldn't stand it, what with her being in the shop only in the afternoon, and the washing, and trying to keep her clothes always nice; though she's been as good as *gold*,—making *all* her dresses her_self_, and wearing a calico till you'd have thought the stitches would have dropped right *out* of it. And she's ambitious, as I say. She don't seem to be able to face the idea of going into a store; and, oh, dear me! they're terrible places, those big stores, for girls. They're as bad as the factories; and *often* and *often* when I see those poor creatures that stand behind counters all day coming home at night and thinking so much about the

way their hair's done, and then consider what slaves they are, and what they're exposed to, and how many wicked people are on the watch to work them to death for no pay at all, and bully them, and to lead them all wrong, if they can, why, it just makes me think how *sensible* the good Lord is, that he's able to take care of them so well and look after them as much as he does. Professor Jamieson has been as kind as could *be* about Celandine, and said he'd try to get a place for her as teacher; but you can't do that, you know, Mrs. Tarbell, not onless you've got friends in politics; and I haven't, not one. And a governess ain't often asked for; and you need influence for that, too. And Celandine, though she would take copying or typewriting, or be a telegraph operator, her own idea is to be a lawyer. And I just thought, Mrs. Tarbell, that I'd come to you and ask your advice; for I knew you'd sympathize."

"I—I don't know," gasped Mrs. Tarbell. The shock was almost as great as if she had thought Mrs. Stiles was a client. And what was she to do? Mrs. Stiles was not asking her to accept Miss Celandine as a student: she was asking her whether Miss Celandine ought to study at all. Mrs. Tarbell would have given anything to have a few platitudes at her tongue's end, but her conscience rendered her helpless. "Well, you see, Mrs. Stiles," she said at length, "we are trying a—hem—an experiment, you know."

"An experiment!" cried Mrs. Stiles, astounded. "Law bless us, you're admitted to be a lawyer, ain't you? And if one lady can be a lawyer—"

"Yes, yes," said Mrs. Tarbell hastily; "but that is not the question. I mean that it is not yet certain that women are going to succeed at the bar." Absolutely, though she was no fool, she had never made the concession before,—not even to herself.

"But you are a lawyer," repeated Mrs. Stiles.

"It doesn't follow that I shall make money at the law," said Mrs. Tarbell impatiently, but with a sense of her own justice.

Mrs. Stiles was staggered. "Not make any money?" she faltered.

"My good woman," said Mrs. Tarbell, "let me tell you that I have not yet had a single client, that I have not yet made a single dollar!" And, really, this was rather magnanimous. "The fact is, Mrs. Stiles," she continued, "it is impossible to say how long it will be before women inspire public confidence in their ability to do what has always been supposed to be man's work."

"Law!" said Mrs. Stiles.

"And your daughter had better wait till that is settled in our favor before she commits herself."

In Mrs. Stiles's cheeks a queer tinge appeared upon the gingerbread hue before spoken of,—a faint reddish tinge, a sprinkling of powdered cinnamon and sugar, as it were. "But, Mrs. Tarbell," she cried, "I thought—why, I thought the courts arranged all that."

"You don't mean to tell me it was your belief that the members of the bar are paid by the court?" said Mrs. Tarbell, aghast.

"Why, no, not exactly," stammered Mrs. Stiles. "But, then,

I thought they—sort of—distributed things, you know. Don't they? I heerd of a young gentleman who was appointed to be lawyer for a man who cut his wife's throat with a pair of scissors, and the gentleman had never seen him before, not once."

"Did you suppose," said Mrs. Tarbell,—the affair was arranging itself very easily, after all,—"did you suppose that the judges undertake to see that the business of the courts is equally distributed among the lawyers?"

"I—I don't know, ma'am, I'm sure."

"My good, woman," said Mrs, Tarbell, with great seriousness, "a lawyer is just as much dependent upon custom as you are. There are many confectioners who do a large business, there are some who fail. So it is with lawyers. And many lawyers have to wait ten or twelve years before they become known at all. So you see in what a critical situation your daughter runs the risk of placing herself, and how seriously you ought to reflect before you allow her to take such a risk."

She looked anxiously toward the door. At that moment it opened, and the office-boy entered. She rose instantly, and Mrs. Stiles had to follow her example. Mrs. Tarbell represented to herself that the rain would not hurt her, and that Mrs. Stiles must be got rid of, and, feeling that this could now be accomplished, smiled at Mrs. Stiles in a friendly and reassuring manner.

"Who was the gentleman who was ten years before he got any work to do?" said Mrs. Stiles, standing up very crooked and looking very bewildered.

"Oh," said Mrs. Tarbell glibly, "that has happened to a great many lawyers. Let me see: I can't at this moment recall—Chief-Justice—no—Lord—Lord—Eldon," she mumbled hastily, "and Lord-Kilgobbin, and Chief-Justice Coleridge, all had to wait a —a longer or a shorter time. In fact, it is very often a matter of chance that a lawyer obtains any business at all." She walked past Mrs. Stiles, and took up her umbrella. Mrs. Stiles followed her with an irresolute glance. Mrs. Tarbell put on her ulster.

"Celandine will be dreadful disappointed," said Mrs. Stiles, in a mournful tone. "And, dear me, Mrs. Tarbell, I never said a word to you about what she's like; and me so proud of her, too."

In spite of her success, Mrs. Tarbell was by no means satisfied with herself, and the pathetic note in Mrs. Stiles's voice proved too much for her. "Mrs. Stiles," she said, turning round quickly, "perhaps I have been putting one side of the matter too strongly before you. If you will bring your daughter here some morning, we can discuss the subject together for a little while, and I can advise her definitely as to what course I think she had better pursue."

The expression of Mrs. Stiles's face changed a little; she seemed to be surprised and gratified; but it was evident that the overthrow of her delusions in regard to the remunerative character of the legal profession had saddened and disturbed her. "It's right kind of you to take so much trouble, Mrs. Tarbell," she said, buttoning up her gossamer. "I feel as grateful to you as *can* be; but I don't think I'll tell Celandine all you've said, because—"

"Perhaps it would be wiser," said Mrs. Tarbell impatiently.

"And then, in a week or so—"

"Precisely; a week or so." Mrs. Tarbell found that *precisely* was a very short and lawyer-like word, so she repeated it.

"Well, then—" said Mrs. Stiles.

"Some time during the morning," said Mrs. Tarbell; and she turned to the office-boy, with whom she began to converse in an undertone. Mrs. Stiles came walking across the floor, slow and lugubrious. She bade Mrs. Tarbell good-day. Mrs. Tarbell bowed her out as quickly as possible, and then waited for a couple of minutes to give her time to get out of the way.

But on going down-stairs Mrs. Tarbell found her standing in the door-way, holding her umbrella half open and peering out into the rain, Mrs. Stiles explained that she was waiting for a car.

"They run every two or three minutes," said Mrs. Tarbell sweetly. "*Good*-day."

"Here's one now," said Mrs. Stiles. "Mrs. Tarbell, I just wanted to say—mebbe you might think I wasn't appreciative of your kindness, and that all I cared about was—"

"Not at all," said Mrs. Tarbell. "Not at all, I assure you. I understand, perfectly. You will miss your—"

"That's so, that's so," said Mrs. Stiles. "Driver! driver!" And she ran down the steps, flourishing her umbrella wildly.

Mrs. Tarbell put up her own umbrella, and looked down the street. The rain splashed up from the pavement, the tree-boxes were wet and dismal, the little rivers in the gutters raced

along, shaking their tawny manes, the umbrellas of the passing pedestrians were sleek and dripping, like the coats of the seals in the Zoological Garden. Now that she was rid of Mrs. Stiles, was it absolutely necessary for her to go out? She hesitated a moment.

Suddenly she heard a cry from the street. Two or three men in front of her stopped quickly, and then ran toward the prostrate figure of somebody who had fallen from the car which had halted a few steps farther on. The car-horses were plunging and swinging from one side of the car to the other; the conductor had alighted and was hurrying back toward the victim of the accident; the passengers were pushing out on the back platform. Mrs. Stiles had slipped or been thrown down on the muddy car-track. Mrs. Tarbell recognized her long black figure as it was lifted up. A sad sight the poor woman was, her india-rubber cloak spotted and streaked with mud and muddy water, her head hanging back from her shoulders, her face the color of a miller's coat exactly, —a dirty, grayish white,—and her arms shaking about with the motion of her bearers. She had fainted; her bearers were looking about in the hope of seeing an apothecary's shop, or some other such occasional hospital, when Mrs. Tarbell accosted them.

Mrs. Tarbell stood in the established attitude of a woman in front of a rainy-day gutter, holding her skirts with one hand and leaning forward at such an angle that the drippings from the mid-rib of her umbrella fell in equal streams upon the small of her back and a point precisely thirteen inches from the tips of her galoshes.

"Bring her in here," cried Mrs, Tarbell, shaking her umbrella. "Bring her in here." And she waved the umbrella in an elliptical curve about her head.

"Where?" said the foremost of those addressed, an active-looking man with a red moustache, a wet fur cap, and an umbrella under his arm.

"Here," said Mrs. Tarbell, thrusting her umbrella at the Land and Water Company's building. To make her directions more accurate, she went to the steps and nodded at the hall-way.

"The lady is my—has just been having a consultation with me," said Mrs. Tarbell to the man in the red moustache, "and—"

"Which way?" said he.

"Right up-stairs: the first door at the head of the stairs, on the third floor. I think you had better take her up in the elevator, because—"

"Cert'nly, cert'nly," he said, interrupting Mrs. Tarbell, who had intended to be as brief and business-like as possible.

Mrs. Tarbell followed the procession into the elevator, and when they arrived on the third floor, John, the office-boy, had already opened the door, scenting an excitement afar off with curious nostril, as it were; and Mrs. Stiles was duly carried in and laid on the sofa. "John, get some water instantly," cried Mrs. Tarbell. And at the same moment a red-cheeked young man bustled into the room and said that he was a doctor.

He pushed everybody out of the way, darted to the sofa, took off his hat. "Heard there was an accident, and if my services—

unless there is another practitioner—thank you, sir, you are doing the very best thing possible; and now let us see whether there is a fracture," he said.

The promptitude and directness with which this young gentleman went to work commanded the attention and admiration of all the spectators. He asked for water, he called for salts of ammonia, he ran his hands lightly over Mrs. Stiles's prostrate form, all in an instant; then he asked how the accident had happened.

"She tried to get on while the car was going," growled the conductor, who had accompanied the party up-stairs.

"I'll *bet* she didn't," observed the party with the red moustache.

"Ankle, probably," murmured the doctor to himself. "Possibly a rib also." And in a minute or two he was able to declare that the injury had been done to the lady's ankle, the lady herself having assisted him to this conclusion by coming to her senses, groaning, and putting her hand down to the suffering joint.

The conductor frowned. "What is the lady's name and address, please, ma'am?" he asked of Mrs. Tarbell. "I have to make a report of the accident."

"*You*'ll find it out soon enough," said a thin man with a fresh complexion, very silvery hair, and spectacles. "The company will not have to wait long for the information." He looked about with a cheerful smile, and the conductor glared at him contemptuously. "*She* never tried to get on while you were going," continued the thin man. "It was your driver; that's what it was."

"The lady's name is Stiles, conductor," said Mrs. Tarbell, —"Stiles; and she lives—dear me!—on Pulaski Street. Can I do anything for you, doctor?"

"You might send your boy for a carriage," said the doctor, who was engaged in removing Mrs. Stiles's shoe. "Nothing else, thank you, unless you happen to have some lead-water about you." He gave a professional smile, and Mrs. Stiles groaned dismally.

Mrs. Tarbell despatched John for the carriage, and then, turning, and blushing in a way that was rather out of keeping with her tone of voice, she said, "Now, I should be obliged if you gentlemen who saw the accident would furnish me with your names and addresses."

On hearing this the crowd began to diminish rapidly; but the man with the red moustache set a good example by giving his name loudly and promptly as "Oscar B. Mecutchen, tobacconist, d'reckly opposite the City Hall." So three or four other men allowed Mrs. Tarbell to set them down as observers of the disaster. The gentleman in spectacles was named Stethson, another man, a tall, fat-cheeked countryman, Vickers, and a dried up little party, in a Grand-Army-of-the-Republic suit, Parthenheimer. Mrs. Tarbell had the names down pat, and scrutinized each prospective witness carefully, as if warning him that it would be no use for him to give a fictitious name in the hope of evading his duties, as she would now be able to pick him out of a regiment.

"I am very much obliged to you," she said, in a stately manner.

"Now, you all agree that the accident was the result of the negligence of the driver of the car?"

"Why, yes, certainly," they all agreed at once.

"Leastways—" said Mecutchen.

"That is—" said Parthenheimer.

"How was it, anyway?" asked Stethson.

"Thought you saw it," cried the others, turning on him instantly.

"So I did," said Stethson; "but I thought I'd like to hear what you gentlemen's impression was."

"Well," said Mecutchen and Vickers, the tall man, together, tipping back their hats with a simultaneous and precisely similar movement on the part of each,—nothing is more indicative of the careful independence of the average American than the way in which he always keeps his head covered in the presence of his lawyer,—"Well," said Vickers and Mecutchen.

Mr. Mecutchen bowed to Mr. Vickers, and Mr. Vickers bowed to Mr. Mecutchen, with a sort of grotesque self-effacement. Mr. Vickers waved his hand, and Mr. Mecutchen proceeded.

"Why," said he, "the lady stopped the car in the middle of the block,—just like a woman,—got on the platform, car started with a jerk, and she fell off."

Vickers and Parthenheimer nodded assent, but Stethson said that *his* view of it was that the car started off again while she was trying to get on.

"That makes it stronger," said Mecutchen.

"Well, of course," said Stethson, settling his spectacles farther back on his nose; and Vickers murmured that you couldn't have it too strong, as he knew from the point of view (as he said) of cows. "It's wonderful what you can get for cows," he added pensively.

"Ag'in' a railroad company," said the grizzled old Parthenheimer, "the stronger the better, because some cases, no matter how aggerawated they are, you only git a specific sum and no damages. But a railroad case, which is a damage case right through, the worse they are the more you git. I had a little niece to be killed by a freight-train, and they took off that pore little girl's head, and her right arm, and her left leg, all three, like it was done by a mowing-machine,—so clean cut, you know. Well, sir, they got a werdick for six thousand dollars, my brother and his wife did; and their lawyer stood to it that the mangling brought in three thousand; and I think he was right about it, too."

"Six thousand!" said Vickers, with immense appreciation.

"The court set it aside for being excessive," said Parthenheimer," and aft'werds they compromised for less. But there it was. And the way it was done was odd, too. Right arm and left leg."

"Ah," said Vickers, "living right on a railroad, the way I do, you see some queerer accidents than that. Now, I remember—"

But Mrs. Tarbell found this conversation growing quite too ghastly to be listened to with composure, so she turned abruptly toward the sofa. The doctor was now bathing and examining Mrs.

Stiles's ankle, and Mrs. Stiles looked not merely the picture but the dramatic materialization of misery.

"How do you feel now, Mrs. Stiles? How do you think she is, doctor?"

These two questions were put in Mrs. Tarbell's sweetest tones.

Mrs. Stiles lay for a moment without answering, but the doctor replied that he was afraid it was a nasty business. "There is a dislocation, and there may be nothing more, except a sprain," he said. "But it will be impossible to tell until the swelling is reduced; and if there is a fracture of the fibula, why, such a complication is apt to be serious."

Mrs. Stiles groaned feebly, and then looked up at Mrs. Tarbell with gratitude. "I never thought to be so much trouble to you," she murmured.

"Do not think of that for a moment," said Mrs. Tarbell. "If I only had my cologne-bottle," she said, half aloud, in an apologetic voice. This was one of the luxuries she had refused herself in her professional toilet; more than this, she did not allow herself to carry a smelling-bottle, though Mr. Juddson had told her it could be used with great effect to disconcert an opposing counsel.

"I am afraid you are suffering very much," she went on.

"Yes, ma'am," said Mrs. Stiles sadly. "If I hadn't only been such a fool as to try to get on that there car while it was a-going."

Mrs. Tarbell started. The doctor rose and laughed.

"You don't mean that," said he.

"Mean what, doctor?"

"That you tried to get on while the car was going. All these gentlemen here say the car started while you were trying to get on, which is a very different thing, you know." The doctor had evidently kept his ears open while attending to the sufferer. Mrs. Tarbell, rather red in the face, kept silent, not knowing exactly what she ought to do.

"I don't know," said Mrs. Stiles feebly. "I don't s'pose I remember much."

"Of course you don't," said the doctor cheerfully. "Bless you, you'll sue the company and have a famous verdict; I wouldn't take ten thousand dollars for your chances if I had them. You observe," he went on confidentially to Mrs. Tarbell, "I am doing my best for the community of interests which, ought to exist among the learned professions. I raise this poor woman's spirits by suggesting to her dreams of enormous damages, and at the same time I promote litigation, to the great advantage of her lawyer. I think that is the true scientific spirit."

"I—I—" began Mrs. Tarbell, in some confusion.

"Beg pardon?" said the doctor. "Well, I must be off. I've done all I can for the poor woman. She ought to send for her own doctor as soon as she gets home. I suppose—will you—?" He looked at Mrs. Tarbell doubtfully, as if wondering whether he ought to take it for granted that she was in charge of the case.

"I will tell her," said Mrs. Tarbell.

"I could tell her myself," said the doctor. "To be sure. Well, if

I could only inform her lawyer what I've done for him, he might induce my fair patient to employ me permanently." He smiled at his joke, shook his head waggishly, and turned to look for his hat.

As Mrs. Tarbell looked after him in some perplexity, John, the office-boy, came back to report that the carriage was engaged and at the door; and Mrs. Stiles was presently carried down-stairs again, it being quite impossible for her even to limp.

But before she was lifted up she turned her head and beckoned to Mrs. Tarbell.

"Could I," she said,—"could I have a case against the railway company?"

"Ye-es,—I suppose so," Mrs. Tarbell answered.

"Did they say it was the fault of the conductor that I fell off that car?"

"Of the driver,—yes."

"Well, then, ma'am, would you advise me to bring a case against them?"

"You had better decide for yourself," said Mrs. Tarbell faintly. But then, remembering that it was her duty to advise, she added, "Yes, I think you ought to sue."

"Then you'll take the case, Mrs. Tarbell, won't you, please?" said Mrs. Stiles, closing her eyes again, as if satisfied of the future.

Mrs. Tarbell! There was a general movement of surprise as the lady lawyer's name was pronounced, and the doctor was so much taken aback that heh burst out laughing.

"I'm sure I beg your pardon, Mrs. Tarbell," he cried. "I had no idea in the world—"

"Ah," said Stethson, "I looked at the sign on the door coming in. I knew it was the lady lawyer. My, if my wife could see you, Mrs. Tarbell!"

"And I never knew who I was talking to!" grumbled Mecutchen disgustedly.

A quarter of an hour later, when Mr. Juddson returned to his office,

Mrs. Tarbell was engaged in drawing up a paper which ran as follows:

ANNETTE GORSLEY STILES } *Court of Common*

vs. } *Pleas.*

THE BLANK AND DASH } *May Term, 1883.*

AVENUES PASSENGER } *No.* –

RAILWAY CO. }

To the Prothonotary of the said Court:

Issue summons in case returnable the first Monday in May, 1883.

TARBELL, pro plff.

It was a *precipe* for a writ.

"Alexander!" said Mrs. Tarbell, in an expressive voice, regardless of the office-boy.

"Yes?" said Mr. Juddson. The referee had refused to admit some of his testimony.

Конец ознакомительного фрагмента.

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