

BAFFLED VILLAINY.

CHAPTER I.

A LAWYER AND HIS CLIENT.

San Francisco with its one hundred and seventy thousand inhabitants, contains, perhaps, more material for the novelist than most cities of three or four times its size, and, consequently, is a very tempting field for a romancer. But there is no intention in the present instance to attempt a sensational story as the incidents to be narrated are founded on facts, and though they may be regarded in more than one particular as of singular and stirring interest, they only in truth unveil a phase of actual life. There is a simple tale to be told without any elaboration of fancy or sensational coloring, and the only thing fictitious about it is the substitution, for obvious reasons, of spurious names. Otherwise it is literal.

In — street, at the time of this story, the door way of a large building was well lined with professional sign-plates, on one of which was painted in gold letters "Marcus Spearwell, Attorney at Law. Room 8." Ascending the stairs to the upper-floor, room 8 was discovered at the end of a long passage-way having so imperfect a light as to render it difficult to read the door numbers. This might not have been the case in clear weather, but on a dull, cloudy day, such as the one which must introduce the reader to the place, the semi-darkness was not only disagreeable but sufficient to test the strongest eyesight.

The bells of the city were ringing the hour of noon when a man, after reading the sign-plates, mounted the stairs and slowly walked along the dark passage. After getting about half way he halted, and taking a box of matches from his pocket struck a light, by the assistance of which he examined the doors on both sides, and then proceeded some steps further on.

"D—n it!" he at last exclaimed, again halting, "this must be the room."

Without the ceremony of knocking he opened a door and entered, and immediately confronted a face within two inches of his own, which belonged to a gentleman who apparently was on the point of leaving the room.

"Is your name Marcus Spearwell?" the visitor abruptly enquired.

"That's me," replied the other, commencing to rub his hands, and assuming an insinuating smile. "Glad to place my services at your disposal, sir; pray take a seat, my time is yours."

The speaker belonged to that class of persons whose age defies discovery. He might have been only thirty-five, or just as likely, full on to fifty. Whether the wrinkles on his face were the growth of years, of dissipation, or of passion, no one could determine, and it was equally difficult to decide whether his glossy black hair owed its color to nature or artificial dye. Leaving those points unsettled, his complexion was sallow, his face clean shaved with the exception of a small moustache, and he wore glasses. The expression of his eyes was the most noticeable feature of his face; it was wavering, sinister and suspicious; and his lips and chin confirmed the bad opinion which his eyes suggested of his character. Marcus Spearwell might have been a shrewd lawyer, but his physiognomy stamped him alike mercenary, unscrupulous, and treacherous.

His visitor was precisely of the same type of humanity with, however, a marked advantage of eye. His gaze was steady and evidence courage and determination, but his mouth was sensual and cruel. His age must have been about forty, and his appearance so far as dress went, was quietly respectable.

Whatever might have been the purpose of his visit, there could not well arise any difficulty of agreement between two men so similarly constituted and whose principles and opinions so evidently harmonized. This was exactly what the result proved.

The visitor took a seat as requested, and the lawyer quickly placed himself in his professional chair, more firmly adjusting his glasses the while.

"I have heard of you, Mr. Spearwell," his visitor said, "and my object in calling is to consult you professionally."

"I am quite at your service, sir," was the sententious reply.

"I am glad to hear it. You act in divorce matters, do you not?"

Mr. Spearwell hesitated, and it was evident that he wished, before replying, to gain some direct information respecting the nature of the business referred to. It might be to his advantage to answer in the affirmative, or it might serve his purpose to deny all complicity in

any such practice. Like a cautious man, he desired to see his way clear before committing himself.

"Well, sir," he guardedly replied, "the term 'divorce matters' has such a wide application that I hardly know how to answer your question. If you will please explain yourself more fully, I shall doubtless understand you better."

"Why, confound it, man," the other brusquely exclaimed, "what is there to explain? The question is simple enough for a Stockton lunatic to answer: Do you undertake divorce cases? If so, I may have call for your services; if not, there is no d—n use to put a fee in your way."

It was clear to Mr. Spearwell that he had an irascible person to deal with, who, however, had a decided temper of his own that was not to be trifled with. Still, he judged a little more equivocation would be most prudent before coming to the point. Assuming the part of interrogator, he briefly asked—

"Do you call on me on your own behalf?"

"Most assuredly," was the reply. "Think you that I would be such a cursed fool as to meddle in another man's domestic affairs?"

"Has any other lawyer been consulted in the matter?" Mr. Spearwell next asked, paying no attention to his visitor's enquiry.

"Thunder! no; didn't I say I had heard of you and wished your advice?"

"You flatter me, sir," the lawyer rejoined with a smile, "and without questioning you further for the present, I shall be happy to undertake any business with which you may be pleased to entrust me. Have you any objection to tell me your name?"

It was now the visitor's turn to show caution, and apparently he began to see more than ever that he had a crafty practitioner to deal with. But he was not the man to be led by the nose against his will, and looking the lawyer boldly in the face, he said:

"What my name has to do with the matter at present I can't see, and look'ee, sir, I don't want any more beating about the bush. Come to the point, man, and answer me one or two direct questions in an equally direct manner. You undertake divorce cases, I know: will you pull me through—yes or no?"

"If the particulars warrant proceedings I will do my best," was the reply, still somewhat guarded.

"D—n it, sir, answer me yes or no, and let's go ahead."

"How can I be more explicit when I know nothing of the circumstances, or how to give a definite guarantee when you tell me nothing? You say you wish to consult me; well, sir, state your case."

This was professional, as the visitor was not slow to perceive, and drawing his chair closer to the lawyer, he came to the point in the most pointed manner he knew of.

"I will tell you," he said, "that I am a rich man, and look upon expense as nothing to the accomplishment of my object. I want a divorce from my wife—there you have it—and money is no consideration in getting it. You are smart that way, I have heard, and have managed cases quite as groundless as mine."

"What am I to understand by groundless?" Mr. Spearwell asked in the most innocent way, but the cunning expression of his eye grew keener as he spoke.

"What do you mean by groundless?"

"What do I mean? Why, simply that I have no charge to bring against my wife, and that—come! I know you well enough to feel safe in saying it—fabrication must take the place of truth."

"Of course, as a lawyer, I understand what you mean, and, however as a man I oppose such proceedings, I will professionally listen to your statement. Proceed, sir."

"Proceed—how? Haven't I called to be advised by you? You know what I want; can you succeed in it?"

Mr. Spearwell understood the matter perfectly well, and was unscrupulous enough to undertake any business, no matter how disreputable, provided he got well paid for it; but in the present case he was ignorant on one point, which he deemed all important to know, and when he next spoke it was to get the information.

"Of course," he said, "in the face of proceedings so unusual as will be necessary in your case to ensure a successful issue, no lawyer would accept the responsibility before knowing something definite about his client."

"Will you do your best for me if I satisfy you that I am fully able to be liberal in payment?"

"You must see that the expenses will necessarily be heavy and—"

"Yes, yes, all right," the visitor interrupted. "Have you ever heard of Reuben Spotter?"

"What, of North Beach? Certainly."

"Well, I'm the man. Now, if we can agree upon the action to be taken, I will give you a check for \$1,000 before leaving, bear all the expenses as matters progress, and, if you succeed in procuring the divorce, place a bonus of \$5,000 in your hands when all is finished."

A full hour was passed after this between the two in earnest consultation, and when they parted, lawyer and client shook each other warmly by the hand, having clearly arrived at an understanding which, whatever might have been the nature of its conditions, was mutually satisfactory.

After Mr. Spotter's departure the lawyer reflectively stroked his moustache, but there was a smile upon his face that was sardonic in the extreme. Evidently Mr. Spearwell had found the character and business of his new client eminently to his taste, and had no doubt that he possessed the ability to reap a golden harvest from the proceedings he had undertaken to institute. It is not necessary to say that, notwithstanding his well acted caution at the commencement of the interview, and his apparent hesitation preliminary to the offer of his services, he was eager from the first to get control of the case, his only anxiety being as to the power or inclination of his visitor to pay well for the services required. Satisfied on that point, he was prepared to take all other chances no matter how hazardous.

Mr. Spearwell was startled out of his reflections by some one entering his office. Turning around he recognized the intruder at a glance, and immediately exclaimed:

"Ah, Reedy, glad to see you. Your coming sav's me the bother of writing you a note."

"Another innocent victim, eh, Spearwell?" replied the new comer, who was a man of about thirty, of a nondescript appearance, having nothing about it to indicate his station in society. Not a few of his class may be seen every day hanging around the skirts of the City Hall and at the junction of Montgomery and California streets. No physiognomist could be ever tempted to trust them with a dime, and probably it is not too much to say that no honest man has ever encouraged their acquaintance without having had good reasons for repenting it afterward.

"That's not to the point," the lawyer said a little harshly. "Business is business, and if one is paid for doing it I don't see what else is wanted. That is the way to regard the question if I understand it rightly. Now, if you have nothing to do, I have a little affair to place in your hands, for which, if you manage it as cleverly as you did the last, I will see that you are still better paid."

"All right, my boy, I'm your man, and if there is money in the way you well know that I will not scruple at trifles. Meanwhile I'm hard up; can you help me with twenty dollars down?"

"To be sure I can," Spearwell quickly replied, taking some gold from his pocket and handing the sum mentioned to his companion. "There," he continued, "is your retainer which pledges your best services to me; and now, you must listen attentively, while I explain to you all that is necessary for you to know."

"Go ahead! but I say, if there is any more false swearing in it, mind you, I must get something handsome. A man oughtn't to perjure his soul cheaply, should he?" expostulated the man Reedy in a tone of voice intended to be serenely virtuous.

"Come, come, no nonsense; I mean business, and no play at hypocrisy can deceive me, as you ought to know before this time. I have satisfied you in the matter of payment previously, haven't I?" the lawyer enquired somewhat sneeringly.

"Well, I won't say no; but let me hear what I am to do, and I'm with you, whatever it is," Reedy said with an oath.

"Now you're sensible, and I will at once explain to you the precise trouble, only withholding names for the present," Mr. Spearwell proceeded, with his usual caution. "It will be enough to state that there is a gentleman who has become thoroughly disgusted with his wife, and is determined, by fair means or foul, to procure a divorce from her. The lady, from what I have discovered, belongs to the ultra righteous few whose reputation for Spartan virtue does not depend upon empty supposition, and who are so strictly correct in their conduct as to afford no ground for complaint. For some time past the husband has vainly sought to trap his wife, without allowing her to discover his intention, into some misfame of propriety, so as to obtain what we lawyers call a *casus belli* for active pro-

ceedings against her, and he is now sufficiently desperate, being resolved upon freeing himself from what he terms his 'hateful connection' at all hazards, to have recourse to legal strategy to accomplish his purpose. He has consulted me about the matter, and I have advised him upon a course of action which is bound to be successful, if cunningly pursued, and with his consent the necessary steps are to be at once taken. All this is simple enough, and so, also, is the part I wish to assign to you in the comedy, and for which, as I have already promised, you will be well paid."

"And my part of the performance is what?" enquired the attentive listener.

"Exceedingly simple, as I have said," continued the lawyer. "You are a clever fellow, Reedy, I well know, and would do much for a frequent employer of your services who so liberally pays for them as I do. Remember, further that in this instance you will be better rewarded than ever before. Well, then, the plan is this: The purity of the wife's character must be assailed, and I have decided that you shall be the gay Lothario to work it out. No, do not interrupt me yet. It is the easiest thing in the world, as I have arranged it with the husband. If you consent to carry out my instructions, as I feel assured you will, all that you will have to do is this: Take a message from me to the gentleman, who will see you at the hour I shall send you, and conduct you secretly to his wife's bedroom, where you will hide yourself under the bed or in some other place until the lady shall make her appearance, and partially undress, when you will show yourself, and the husband enter the room. You will then be accused of being harbored by his wife, and she charged with infidelity. That may be sufficient, but if any false swearing be subsequently required, you are to do it."

"Well, it is a villainous arrangement, I must say," Reedy emphatically remarked; "and all the dirty work is for me to do, as usual; but say five hundred dollars, half now and half when it's over, and I'll do it."

"Agreed—your hand upon it," the lawyer exclaimed, and the two villains shook hands.

CHAPTER II.

THE TEMPTRESS AND THE VICTIM.

When a man is bent upon villainy, he might as well give up all struggle with his conscience, for the simple reason that he will follow out his intention, despite all his convictions of the disgracefulness or criminality of his conduct. The inception of evil in thought is, in most cases, soon followed by evil in action. Let a man passively muse over the possible consequences of a meditated wrong, and he will quickly put into force the active test. As "the woman who deliberates is lost," so the man who hesitates without resisting a temptation is certain to find himself drawn within the vortex of sin.

Reuben Spotter, though a slave to his passion, was far from inherently bad, and would, as a general thing, shrink from the perpetration of actual crime as the purest Christian on earth; but, like a vast number of men, he followed an ethical code of his own in many respects, and might have been apt to designate white what a clearer moral vision would unhesitatingly pronounce black. So far as this is concerned, however, his was no exceptional case, since society has always been composed of a large percentage of an elastic moral material, that conveniently adapts itself more to expediency than integrity, and finds encouragement in every shifting phase of desire.

During five years after his marriage, Spotter might have been considered a happy man. He was then a successful mechanic, who, with constant employment, accompanied by liberal wages, had good reason to think that his lot had fallen in pleasant places, and to hope for still better fortune in the future. Apparently he had married after the choice of his heart, and truly Rachel Stark, who was the only daughter of a prosperous carpenter, Spotter's warm friend and fellow workman, appeared at the age of eighteen a most estimable young woman. Decidedly good looking, of an amiable disposition, and domesticated habits, she was in every way suited to make a man's home a happy one, and this Spotter afterwards realized from experience. After a short time the husband's circumstances greatly improved, enabling him to start in business for himself, and subsequently to gratify a favorite ambition that had long possessed him to purchase a residence to which he would be proud to invite his many