

AGAINST HIS JUDGMENT

Robert Grant

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THREE days had passed, and the excitement in the neighbourhood was nearly at an end. The apothecary's shop at the corner into which John Baker's body and the living four-year-old child had been carried together immediately after the catastrophe had lost most of its interest for the curious, although the noses of a few idlers were still pressed against the large pane in apparent search of something beyond the brilliant coloured bottles or the soda-water fountains. Now that the funeral was over, the womenkind whose windows commanded a view of the house where the dead man had been lying had taken their heads in and resumed their sweeping and washing, and knots of their husbands and fathers no longer stood in gaping conclave close to the very door-sill, rehearsing again and again the details of the distressing incident. Even the little child that had been so miraculously saved from the jaws of death, although still decked in the dirty finery which its mother deemed appropriate to its having suddenly become a public character, was beginning to fall into obscurity and to cease to be the recipient of the dimes of the tender-hearted. Curiously enough, such is the capriciousness of the human temperament at times of emotional excitement, the plan of a subscription for the victim's family had not been mooted until what was to its parents a small fortune had been bestowed on the rescued child; but the scale of justice had gradually righted itself, and contributions were now pouring in, especially since it was known that the mayor and several other well-known persons had headed the list with subscriptions of fifty dollars each; and there was reason to believe that a lump sum of from fifteen hundred to two thousand dollars would be collected for the benefit of the widow and seven children before the public generosity was exhausted.

Local interest was on the wane; but, thanks to the telegraph and the press, the facts were being disseminated through the country, and every leading newspaper in the land was chronicling, with more or less periphrasis according to the character of its patrons, the item that John Baker, the gatekeeper at a railroad crossing in a Pennsylvania city, had snatched a toddling child from the pathway of a swiftly moving locomotive and been crushed to death.

A few days later a dinner company of eight was gathered at a country-house several hundred miles distant from the scene of the calamity. The host and hostess were people of wealth and leisure, who enjoyed inviting congenial parties from their social acquaintance in the neighbouring city to share with them for two or three days at a time the charms of nature. The dinner was appetizing and the wine good, and all present were engaged in that gracious unbending of self which ordinarily follows the action of refreshment and light on minds under the influence of pleasant impressions.

In a tavern the best result is joviality; at the dinner-table of intelligent gentlefolk and of such we are speaking the texture of the most agreeable conversation, though smooth as the choicest Laffitte and sparkling as champagne, has ever a thread of seriousness in the woof.

They had talked on a variety of topics: of the climate and landscape of Florida, where two of the party had sojourned during the winter months, of amateur photography, in which the hostess was proficient, of the very general use in common parlance of "don't" for "doesn't," and "but what" for "but that"; of Mrs. Langtry's beauty before she became an actress, concerning which one of the gentlemen who had met her in London was very eloquent; of some recent pictures and publications; of the impropriety and the increasing custom of feeing employees to do their duty; and of certain breaches of trust by bank officers and treasurers that, happening within

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a short time of one another, had startled the sensibilities of the community. This last subject begot a somewhat doleful train of commentary from two or three of the company, complaints of a too easy-going standard of morality, of a willingness not to be severe on anybody and to pass over lightly faults that our forefathers never would have condoned, of the decay of ideal considerations, and of the lack of enthusiasm for all but money-spinning among the rank and file of the people.

"The gist is here," reiterated in substance one of the speakers: "we insist upon tangible proof of everything, of being able to see and feel it to get our dollar's worth, in short. We weigh and measure and scrutinize, and discard as fussy and outworn, conduct and guides to conduct that do not promise six per cent. per annum in full sight."

"What have you to say to John Baker?" said mine host, breaking the pause that followed these remarks. "I take it for granted that you are all familiar with his story: the newspapers have been full of it. There was a man who died not step to measure or scrutinize."

A murmur of approbation followed, which was interrupted by Mrs. Caspar Green, a stout and rather languid lady, inquiring to whom he referred. "You know I never read the newspapers," she added, with a decidedly superior air, putting up her eyeglass.

"Except the deaths and marriages," exclaimed her husband, a lynx-eyed little stockbroker, who was perpetually poking what he called fun at his more ponderous half.

"Well, this was a death: so there was no excuse for her not seeing it," said Henry Lawford, the host. "No, seriously, Mrs. Green, it was a splendid instance of personal heroism: a gatekeeper at a railway crossing in Pennsylvania, perceiving a child of four on the track just in front of the fast express, rushed forward and managed to snatch up the little creature and deposit it on one side before poor fellow! he was struck and killed. There was no suggestion of counting upon six per cent. there, was there?"

"Unless in another sphere," interjected Caspar Green.

"Don't be sacrilegious, Caspar," pleaded his wife, though she added her mite to the ripple of laughter that greeted the sally.

"It was superb! superb!" exclaimed Miss Ann Newbury, a young woman not far from thirty, with a long neck and a high-bred pale, intellectual face. "He is one of the men who make us proud of being men and women." She spoke with sententious earnestness and looked across the table appealingly at George Gorham.

"He left seven children, I believe?" said he, with precision.

"Yes, seven, Mr. Gorham the oldest eleven," answered Mrs. Lawford, who was herself the mother of five. "Poor little things!"

"I think he made a great mistake," remarked George laconically.

For an instant there was a hiatus. The company was evidently making sure that it had understood his speech correctly. Then Miss Newbury gave a gasp, and Henry Lawford, with a certain stern dignity that he knew how to assume, said:

"A mistake? How so, pray?"

"In doing what he did sacrificing his life to save the child."

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"Why, Mr. Gorham?" exclaimed the hostess, while everybody turned toward him. He was a young man between thirty and thirty-five, a lawyer beginning to be well thought of in his profession, with a thoughtful, pleasant expression and a vigorous physique.

"It seems to me," he continued slowly, seeking his words, "if John Baker had stopped to think, he would have acted differently. To be sure, he saved the life of an innocent child but, on the other hand, he robbed of their sole means of support seven other no less innocent children and their mother. He was a brave man, I agree; but I, for one, should have admired him more if he had stopped to think."

"And let the child be killed?" exclaimed Mr. Carter, the gentleman who had deplored so earnestly the decay of ideal considerations. He was a young mill-treasurer, with aristocratic tendencies and a strong interest in church affairs.

"Yes, if needs be. It was in danger through no fault of his. Its natural guardians had neglected it."

"What a frightful view to take!" murmured Mrs. Green, and, although she was very well acquainted with George Gorham's physiognomy, she examined him disapprovingly through her glass, as if there must be something compromising about it that had hitherto escaped detection.

"Well, I don't agree with you at all," said the host emphatically.

"Nor I," said Mr. Carter.

"Nor I, Mr. Gorham," said Mrs. Lawford, so plaintively as to convey the impression that if a woman as ready as she to accept new points of view abandoned him there could be no chance of his being right.

"No, you're all wrong, my dear fellow," said Casper Green. "Such ideas may go down among your long-haired artistic and literary friends at the Argonaut Club, but you can't expect civilized Christians to accept them. Why, man, it's monstrous monstrous, by Jove! to depreciate that noble fellow's action a man that we all ought to be proud of, as Miss Newbury says. If we don't encourage such people, how can we expect them to be willing to risk their lives?" Thereupon the little broker, as a relief to his outraged feelings, emptied his champagne glass at a draught and scowled irascibly. His jesting equanimity was rarely disturbed; consequently, everybody felt the importance of his testimony.

"I'm sorry to be so completely in the minority," said Gorham, "but that's the way the matter strikes me. I don't think you quite catch my point though, Caspar," he added, glancing at Mr. Green. At a less heated moment the company, with the possible exception of Mrs. Green, might have tacitly agreed that this was extremely probable, but now Miss Newbury, who had hitherto refrained from comment in order to digest the problem thoroughly before speaking, came to the broker's aid.

"It seems to me, Mr. Gorham," she said, "that your proposition is a very plain one: you claim simply that John Baker had better not have saved the child if in order to do so it was necessary to lose his own life."

"Precisely," exclaimed Mr. Green, in a tone of some contempt.

"Was not Mr. Gorham's meaning that, though it required very great courage to do what Baker did, a man who stopped to think of his own wife and children would have shown even greater courage in restraining his impulse to save the child?" asked Miss Emily Vincent. She was the youngest of the party, a beautiful girl, of fine presence, with a round face, dark eyes, and brilliant pink-and-white colouring. She had been invited to stay by the Lawfords because George Gorham was attentive to her; or, more properly speaking, George Gorham had been asked because he was attentive to her.

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"Thank you, Miss Vincent: you have expressed my meaning perfectly," said Gorham, and his face gladdened. He was dead in love with her, and this was the first civil word, so to speak, that she had said to him during the visit.

"Do you agree with him?" inquired Miss Newbury, with intellectual sternness.

"And do you agree with Mr. Gorham?" asked Mrs. Lawford, at the same moment, caressingly.

All eyes were turned on Emily Vincent, and she let hers fall confusedly. She felt that she would have given worlds not to have spoken. Why had she spoken?

"I understand what he means, but I don't believe a man in John Baker's place could help himself," she said quietly.

"Of course he couldn't!" cried Mrs. Lawford. "There, Mr. Gorham, you have lost your champion. What have you to say now?" A murmur of approval went round the table.

"I appreciate my loss, but I fear I have nothing to add to what has been said already," he replied, with smiling firmness. "Although in a pitiful minority, I shall have to stand or fall by that "

"Ah, but when it came to action we know that under all circumstances Mr. Gorham would be his father's son," said Mrs. Lawford, with less than her usual tact, though she intended to be very ingratiating. Gorham's father had been killed in the Civil War, after having become conspicuous for gallantry.

Gorham bowed a little stiffly, feeling that there was nothing for him to say. There was a pause, evincing that the topic was getting threadbare, which prompted the host to anticipate Mr. Carter, who, having caught Miss Newbury's eye, was about to philosophize further on the same lines, by calling his wife's attention to the fact that one of the candles was flaring. This turned the current of conversation, and the subject was not alluded to again.

During the twelve months following his visit at the Lawfords' the attentions of George Gorham to Emily began to be noticeable.

He had loved her for three years in secret; but the consciousness that he was not able to support a wife had hindered him from devoting himself pronouncedly to her. He knew that she, or rather her father, had considerable property; but Gorham was not willing to take this into consideration, he would never offer himself until his own income was sufficient for both their needs. But, on the other hand, his ideas of a sufficient income were not extravagant.

He looked forward to building a comfortable little house in the suburbs in the midst of a few acres of garden and lawn, so that his neighbours' windows need not overlook his domesticity. He would have a horse and buggy wherewith to drive his wife through the country on summer afternoons, and later, if his bank-account warranted it, a saddle-horse for Emily and one for himself. He would keep open house in the sense of encouraging his friends to visit him; and, that they might like to come, he would have a thoroughly good plain cook thereby eschewing French kickshaws and his parlour and his own snuggerly should afford the best new books, and on the walls etchings and sketches winsome to the eye, done by men who were rising rather than men who had risen. There should be no formality; his guests should do what they pleased and wear what they pleased, and, above all, they should become intimate with his wife, instead of merely tolerating her after the manner of the bachelor friends of so many other men.

Thus he had been in the habit of depicting to himself the future as he would have it be, and at last, by dint of strict undeviating attention to his business, he had got to the point where he could afford to realize his project if his lady-love were willing. His practice was increasing steadily, and he had laid by a few thousand dollars to meet any unexpected emergency. His life was insured for fifty thousand dollars, and the policy was now ten years old.

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He had every reason to expect that in course of time as the older lawyers died off he would either succeed to the lucrative conduct of large suits or be made a judge of one of the higher tribunals. In this manner his ambition would be amply satisfied. His aim was to progress slowly but solidly, without splurge or notoriety, until every one came to regard him tacitly as a man of sound dispassionate judgment, keen understanding, and simple, earnest life. His especial antipathy was for so-called cranks, people who went off at half-cock, who thought nothing out, but were governed by the impulse of the moment, shilly-shally and controlled by unmasculine sentimentality.

It was with hope and yet with his heart in his mouth that he set out one afternoon determined to ask Emily Vincent to become his wife. She lived in the suburbs, within fifteen miles by the train, or an hour's walk from town. Gorham took the cars. It was a beautiful day, almost the counterpart of that which they had passed together at the Lawfords' just a year before. As he sat in the train he analysed the situation once more for the hundredth time, taking care not to give himself the advantage of any ambiguous symptoms. Certainly she was not indifferent to him; she accepted his attentions without demur, and seemed interested in his interests. But was that love? Was it any more than esteem or cordial liking that he would turn to pity at the first hint of affection on his part? But surely she could not plead ignorance of his intentions; she must long ere this have realized that he was seriously attentive to her. Still girls were strange creatures. He could not help feeling nervous, because so very much was involved for him in the result. Should she refuse him, he would be and remain for a long time excessively unhappy. He obliged himself to regard that alternative, and his heart sank before the possibility of its coming to pass. Not that the idea of dying or doing anything desperate presented itself to him. Such extravagance would have seemed out of keeping with respect either for her or for himself. Doubtless he might recover some day, but the interim would be terribly hard to endure. Rejection meant a dark, dreary bachelorhood; success, the crowning of his dearest hopes.

He found his sweetheart at home, and she came down to greet him with roses that he had sent her in her bosom. It was not easy for him to do or say anything extravagant, and Emily Vincent, while she might have pardoned unseemly effusiveness to his exceeding love for her, was well content with the deeply earnest though unriotous expression of his passion. When finally he had folded her in his arms she felt that the greatest happiness existence can give was hers, and he knew himself to be an utterly blissful lover. He had won the prize for which he had striven with a pertinacity like Jacob's, and life looked very roseate.

The news was broken to her family that evening, and received delightedly, though without the surprise the lovers had expected. They were left alone for a little while before the hour of parting and in the sweet kisses given and taken Gorham redeemed himself in his mistress's estimation for any lack of folly he had been guilty of when he had asked her to be his wife. There was riot now in his eyes and in his embraces, revealing that he had needed only to be sure of her encouragement to become as ridiculous as she could desire. He stood disclosed to himself in a new light; and when he had kissed her once more for the last time he went tripping down the lawn radiantly happy, turning now and again to throw back with his fingers a message from his lips to the one being in all the world for him who stood on the threshold, adding poetry and symmetry to the beautiful June evening.

When out of sight of the house, Gorham sped fleetly along the road. He intended to walk to town, for he felt like glorying in his happiness under the full moon which was shedding her silver light from a clear heaven. The air was not oppressive, and it was scented with the perfume of the lilacs and apple-blossoms so that Gorham was fain every now and then to draw a deep breath in order to inhale their fragrance. There was no dust, and nature looked spruce and trig, without a taint of the frowiness that is observable in the foliage a month later.

Gorham took very little notice of the details; his eyes were busy rather with mind-problems than with the particular beauties of the night; yet his rapt gaze swept the brilliant heaven as though he felt its lustre to be in harmony with the radiance in his own soul. He was imagining the future—his hearth forever blessed by her sweet presence, their mutual joys and sorrows sweetened and alleviated through being shared, his efforts to live a life in accord with the highest intimations of his being, fortified by her example and counsel. How the pleasures of walking and riding and reading and travelling of everything in fact would be a hundredfold enhanced by

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being able to interchange impressions with each other! He pictured to himself the cosy evenings they would pass at home beside the lamp when the day's work was done, and the jolly trips they would take together when vacation time arrived. How he would watch over her, and how he would guard her and tend her and comfort her if fortune came or ill-health assailed her! There would be little ones, perhaps, to claim their joint devotion and bid him redouble his energies, he smiled at the thought of baby fingers about his neck, and there arose to his mind's eyes a sweet vision of Emily sitting, pale but triumphant, rocking her new-born child upon her breast.

He walked swiftly on the wings of transport. It was almost as light as day, yet he met but few travellers along the country road. An occasional vehicle passed him, breaking the silvery stillness with its nimble that subsided at last into the distance. A pair of whispering lovers, arm in arm, who slunk into the shadow as he came abreast of them, won from him a glance of sympathy, and just after he had left them behind the shrill whistle of a locomotive jarring upon the silence seemed to bring him a message from the woman he adored. Had he not preferred to walk, that was the train he would have taken, and it must have stopped not many hundred yards from her door. He breathed a prayer of blessing on her rest, as he listened to it thundering past almost parallel to him in the cut below.

A little beyond this point the road curved and ran with gradual incline so as to cross the railroad track at grade about half a mile further on. This stretch of road was lined on each side by horse-chestnut trees set near to one another, the spreading foliage of which darkened the gravelled footpath, so that Gorham, who was enjoying the moonlight, preferred to keep in the middle of the road, which, by way of contrast, gleamed almost like a river. He was pursuing his way with elastic steps, when of a sudden his attention was arrested about a hundred and fifty yards from the crossing by something lying at the foot of one of the trees on the right-hand side. At a second glance he saw that it was a woman's figure. Probably she was asleep: but she might be ill or injured. It was a lonely spot: so it occurred to him that it was proper for him to ascertain which. Accordingly he stepped to her side and bent over her. From her calico dress, which was her only covering, she evidently belonged to the labouring class. She was a large, coarse-looking woman, and was lying, in what appeared to Gorham to be drunken slumber, on her bonnet, the draggled strings of which protruded. He hesitated a moment, and then shook her by the arm. She groaned boozily, but after he had shaken her again two or three times she rolled over and raised herself on her elbow, rubbing her eyes and staring at him glassily. "Are you hurt, woman?" he asked.

She made a guttural response which might have meant anything but she proved that she was uninjured by getting on her feet. She stared at her disturber bewilderedly, then, perceiving her bonnet, stooped to pick it up, and stood for a moment trying sleepily to poke it into shape and readjust its tawdry plumage. But all of a sudden she gave a start and began looking around her with recovered energy.

She missed something, evidently. Gorham followed the direction of her gaze as it shifted, and as his glance met the line of the road he perceived a little figure standing in the middle of the railway crossing. It was a child her child, without doubt and as he said so to himself the roar of an approaching train, coupled with the sound of the whistle, made him start with horror. The late express from town was due. Gorham remembered that there was a considerable curve in the railroad at this point. The woman had not perceived the situation she was too far in the shade but Gorham from where he stood commanded a clear view of the track.

Without an instant's hesitation he sprang forward and ran at full speed. His first thought was that the train was very near. He ran with all his might and main, his eyes fixed on the little white figure and shouting to warn it of its danger. Suddenly there flashed before his mind with vividness the remembrance of John Baker, and he recalled his argument at the Lawfords'. But he did not abate his speed. The child had plumped itself down on one of the sleepers and was apparently playing with some pebbles. It was on the further track, and, startled by his cries and by the clang of the approaching train, looked up at him. He saw a pale, besmeared little countenance; he heard behind him the agonizing screams of the mother, who had realized her baby's peril, in his ears rang the shrill warning of the engineer as the engine rounded the curve Would he be in time?

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As he reached the edge of the tracks, thought of Emily and a terrible consciousness of the sorrow she would feel if anything were to happen to him compressed his heart. But he did not falter. He was aware of the jangle of a fiercely rung bell, the hiss of steam, and a blinding glare; he could feel on his cheek the breath of the iron monster. With set teeth he threw himself forward, stooped, and reached out over the rail; in another instant he had tossed the child from the pathway of danger, and he himself had been mangled to death by the powerful engine.