

Every Man His Own Lawyer

A SMARTER trader, a keener appreciator of the tendencies to rise or fall in colonial produce—sugars more especially—than John Linden, of Mincing Lane, it would have been difficult to point out in the wide city of London. He was not so immensely rich as many others engaged in the same merchant-traffic as himself; nothing at all like it, indeed, for I doubt that he could at any time have been esteemed worth more than from eighty to ninety thousand pounds; but his transactions, although limited in extent when compared with those of the mammoth colonial houses, almost always returned more or less of profit; the result of his remarkable keenness and sagacity in scenting hurricanes, black insurrections, and emancipation bills, whilst yet inappreciable, or deemed afar off, by less sensitive organizations. At least to this wonderful prescience of future sugar-value did Mr. Linden himself attribute his rise in the world, and gradual increase in rotundity, riches, and respectability. This constant success engendered, as it is too apt to do, inordinate egotism, conceit, self-esteem, vanity. There was scarcely a social, governmental, or economical problem which he did not believe himself capable of solving as easily as he could eat his dinner when hungry. Common-sense business-habits—his favourite phrase—he believed to be quite sufficient for the elucidation of the most difficult question in law, physic, or divinity. The science of law, especially, he held to be an alphabet which any man—of common sense and business habits—could as easily master as he could count five on his fingers; and there was no end to his ridicule of the men with horse-hair head-dresses, and their quirks, quiddits, cases, tenures, and such-like devil's lingo. Lawyers, according to him, were a set of thorough humbugs and impostors, who gained their living by false pretence—that of affording advice and counsel, which every sane man could better render himself. He was unmistakably mad upon this subject, and he carried his insane theory into practice. He drew his own leases, examined the titles of some house-property he purchased, and set his hand and seal to the final deeds, guided only by his own common-sense spectacles. Once he bid, at the Auction Mart, as high as fifty-three thousand pounds for the Holmford estate, Herefordshire; and had he not been outbidden by young Palliser, son of the then recently-deceased eminent distiller, who was eager to obtain the property, with a view to a seat in parliament, which its possession was said to almost insure—he would, I had not at the time the slightest doubt, have completed the purchase, without for a moment dreaming of submitting the vender's title to the scrutiny of a professional adviser. Mr. Linden, I should mention, had been for some time desirous of resigning his business in Mincing Lane to his son, Thomas Linden, the only child born to him by his long-since deceased wife, and of retiring, an estated squirearch, to the *otium cum*, or *sine dignitate*, as the case might be, of a country life; and this disposition had of late been much quickened by daily-increasing apprehensions of negro emancipation and revolutionary interference with differential duties—changes which, in conjunction with others of similar character, would infallibly bring about that utter commercial ruin which Mr. Linden, like every other rich and about-to-retire merchant or tradesman whom I have ever known, constantly prophesied to be near at hand and inevitable.

With such a gentleman the firm of Flint and Sharp had only professional interviews, when procrastinating or doubtful debtors required that he should put on the screw—a process which I have no doubt he would himself have confidently performed, but for the waste of valuable time which doing so would necessarily involve. Both Flint and myself were, however, privately intimate with him—Flint more especially, who had known him from boyhood—and we frequently

dined with him on a Sunday at his little box at Fulham. Latterly, we had on these occasions met there a Mrs. Arnold and her daughter Catherine—an apparently amiable, and certainly very pretty and interesting young person, to whom, Mr. Linden confidentially informed us, his son Tom had been for some time engaged.

“I don’t know much about her family,” observed Mr. Linden one day, in the course of a gossip at the office, “but she moves in very respectable society. Tom met her at the Slades’; but I *do* know she has something like thirty-five thousand pounds in the funds. The instant I was informed how matters stood with the young folk, I, as a matter of common sense and business, asked the mother, Mrs. Arnold, for a reference to her banker or solicitor—there being no doubt that a woman and a minor would be in lawyers’ leading strings—and she referred me to Messrs. Dobson of Chancery Lane. You know the Dobsons?”

“Perfectly: what was the reply?”

“That Catherine Arnold, when she came of age—it wants but a very short time of that now—would be entitled to the capital of thirty-four thousand seven hundred pounds, bequeathed by an uncle, and now lodged in the funds in the names of the trustees, Crowther and Jenkins of Leadenhall Street, by whom the interest on that sum was regularly paid, half-yearly, through the Messrs. Dobson, for the maintenance and education of the heiress. A common-sense, business-like letter in every respect, and extremely satisfactory; and as soon as he pleases, after Catherine Arnold comes of age, and into actual possession of her fortune, Tom may have her, with my blessing over the bargain.”

I dined at Laurel Villa, Fulham, about two months after this conversation, and Linden and I found ourselves alone over the dessert—the young people having gone out for a stroll, attracted doubtless by the gay aspect of the Thames, which flows past the miniature grounds attached to the villa. Never had I seen Mr. Linden in so gay, so mirthful a mood.

“Pass the decanter,” he exclaimed, the instant the door had closed upon Tom and his fiancée. “Pass the decanter, Sharp; I have news for you, my boy, now they are gone.”

“Indeed; and what may the news be?”

“Fill a bumper for yourself, and I’ll give you a toast. Here’s to the health and prosperity of the proprietor of the Holmford estate; and may he live a thousand years, and one over!—Hip-hip-hurra!”

He swallowed his glass of wine, and then, in his intensity of glee, laughed himself purple.

“You needn’t stare so,” he said, as soon as he had partially recovered breath; “I am the proprietor of the Holmford property—bought it for fifty-six thousand pounds of that young scant-grace and spendthrift, Palliser—fifteen thousand pounds less than what it cost him, with the outlay he has made upon it. Signed, sealed, delivered, paid for yesterday. Ha! ha! ho! Leave John Linden alone for a bargain! It’s worth seventy thousand pounds if it’s worth a shilling. I say,” continued he, after a renewed spasm of exuberant mirth, “not a word about it to anybody—mind! I promised

Palliser, who is quietly packing up to be off to Italy, or Australia, or Constantinople, or the devil—all of them, perhaps, in succession—not to mention a word about it till he was well off—you understand? Ha! ha!—ho! ho!” again burst out Mr. Linden. “I pity the poor creditors though! Bless you! I shouldn’t have had it at anything like the price, only for his knowing that I was not likely to be running about exposing the affair, by asking lawyers whether an estate in a family’s possession, as this was in Dursley’s for three hundred years, had a good title or not. So be careful not to drop a word, even to Tom—for my honour’s sake. A delicious bargain, find no mistake! Worth, if a penny, seventy thousand pounds. Ha! ha!—ho! Ho!”

“Then you have really parted with that enormous sum of money without having had the title to the estate professionally examined?”

“Title! fiddlestick! I looked over the deeds myself. Besides, haven’t I told you the ancestors of Dursley, from whose executors Palliser purchased the estate, were in possession of it for centuries. What better title than prescription can there be?”

“That may be true enough; but still—”

“I ought, you think, to have risked losing the bargain by delay, and have squandered time and money upon fellows in horse-hair wigs, in order to ascertain what I sufficiently well knew already? Pooh! I am not in my second childhood yet!”

It was useless to argue with him; besides the mischief, if mischief there was, had been done, and the not long delayed entrance of the young couple necessitating a change of topic, I innocently inquired what he thought of the Negro Emancipation Bill which Mr. Stanley, as the organ of the ministry, had introduced a few evenings previously, and was rewarded by a perfect deluge of loquacious indignation and invective; during a pause in which hurly-burly of angry words I contrived to effect my escape.

“Crowther and Jenkins!” exclaimed one morning Mr. Flint, looking up from the *Times* newspaper he held in his hand. “Crowther and Jenkins!—what is it we know about Crowther and Jenkins?”

The question was addressed to me, and I, like my partner, could not at the moment precisely recall why those names sounded upon our ears with a certain degree of interest as well as familiarity. “Crowther and Jenkins!” I echoed. “True: what *do* we know about Crowther and Jenkins? Oh, I have it!—they are the executors of a will under which young Linden’s pretty bride that is to be inherits her fortune.”

“Ah!” exclaimed Mr. Flint, as he put down the paper, and looked me gravely in the face—“I remember now: their names are in the list of bankrupts. A failure in the gambling corn-trade too. I hope they have not been speculating with the young woman’s money.”

The words were scarcely out of his mouth when Mr. Linden was announced, and presently in walked that gentleman, in a state of considerable excitement.

“I told you,” he began, “some time ago about Crowther and Jenkins being the persons in whose names Catherine Arnold’s money stood in the funds?”

“Yes,” replied Flint; “and I see by the Gazette they are bankrupts, and, by your face, that they have speculated with your intended daughter-in-law’s money, and lost it!”

“Positively so!” rejoined Mr. Linden, with great heat. “Drew it out many months ago! But they have exceedingly wealthy connections—at least Crowther has—who will, I suppose, arrange Miss Arnold’s claim rather than their relative should be arraigned for felony.”

“Felony!—you are mistaken, my good sir. There is no felony—no *legal* felony, I mean—in the matter Miss Arnold can only prove against the estate like any other creditor.”

“The devil she can’t! Tom, then, must lookout for another wife, for I am credibly informed there won’t be a shilling in the pound.”

And so it turned out. The great corn firm had been insolvent for years; and after speculating desperately, and to a frightful extent, with a view to recover themselves, had failed to an enormous amount—their assets, comparatively speaking, proving to be *nil*. The ruin spread around, chiefly on account of the vast quantity of accommodation-paper they had afloat, was terrible; but upon no one did the blow fall with greater severity than on young Linden and his promised wife. His father ordered him to instantly break off all acquaintance with Miss Arnold; and on the son, who was deeply attached to her, peremptorily refusing to do so, Linden senior threatened to turn him out of doors, and ultimately disinherit him. Angry, indignant, and in love, Thomas Linden did a very rash and foolish thing: he persuaded Catherine Arnold to consent to a private marriage, arguing that if the indissoluble knot were once fairly tied, his father would, as a matter of course—he being an only child—become reconciled to what he could no longer hope to prevent or remedy.

The imprudent young man deceived both himself and her who trusted in his pleasing plausibilities. Ten minutes after he had disclosed his marriage to his father, he was turned, almost penniless, out of doors and the exasperated and inexorable old man refused to listen to any representation in his favour, by whomsoever proffered, and finally, even to permit the mention of his name in his hearing.

“It’s of no use,” said Mr. Flint, on returning for the last time from a mission undertaken to extort, if possible, some provision against absolute starvation for the newly-wedded couple. “He is as cold and hard as adamant, and I think if possible, even more of a tiger than before. He will be here presently to give instructions for his will.”

“His will! Surely he will draw that up himself after his own common-sense, business fashion?”

“He would unquestionably have done so a short time since; but some events that have lately occurred have considerably shaken his estimate of his own infallibility, and he is, moreover, determined, he says, that there shall be no mistake as to effectually disinheriting his son. He has

made two or three heavy losses, and his mind is altogether in a very cankered, distempered state.”

Mr. Linden called, as he had promised to do, and gave us the written heads of a will which he desired to have at once for many drawn up. By this instrument he devised the Holmford estate, and all other property, real and personal, of which he might die possessed, to certain charitable institutions, in varying proportions, payable as soon after his death as the property could be turned into money. “The statute of mortmain does not give me much uneasiness,” remarked the vindictive old man, with a bitter smile. “I shall last some time yet. I would have left it all to you, Flint,” he added, “only that I knew you would defeat my purpose by giving it back to that disobedient, ungrateful, worthless boy.”

“Do leave it to me,” rejoined Mr. Flint, with grave emphasis, “and I promise you faithfully this—that the wish respecting it, whatever it may be, which trembles on your lip as you are about to leave this world for another, and when it may be too late to formally revoke the testament you now propose, shall be strictly carried out. That time cannot be a very distant one, John Linden, for a man whose hair is white as yours.”

It was preaching to the winds. He was deaf, blind, mute, to every attempt at changing his resolve. The will was drawn in accordance with his peremptorily-iterated instructions, and duly signed, sealed, and attested. Not very long afterwards, Mr. Linden disposed of his business in Mincing Lane, and retired to Holmford, but with nothing like the money-fortune he had once calculated upon, the losses alluded to by Mr. Flint, and followed by others, having considerably diminished his wealth.

We ultimately obtained a respectable and remunerative situation for Thomas Linden, in a mercantile house at Belfast, with which we were professionally acquainted, and after securing berths in the “Erin” steamer, he, with his wife and mother-in-law, came, with a kind of hopeful sadness in their looks and voices, to bid us farewell—for a very long time they and we also feared.

For an eternity, it seemed, on reading the account of the loss of the “Erin,” a few days afterwards, with every soul on board! Their names were published with those of the other passengers who had embarked, and we had of course concluded that they had perished, when a letter reached us from Belfast, stating that through some delay on the part of Mrs. Arnold, they had happily lost their passage in the “Erin,” and embarked in the next steamer for Belfast, where they arrived in perfect safety. We forwarded this intelligence to Holmford, but it elicited no reply.

We heard nothing of Mr. Linden for about two months, except by occasional notices in the *Hereford Times*, which he regularly forwarded to the office, relative to the improvements on the Holmford estate, either actually begun or contemplated by its new proprietor. He very suddenly reappeared. I was cooling my heels in the waiting-room of the chambers of the Barons of the Exchequer, Chancery Lane, awaiting my turn of admission, when one of our clerks came in half breathless with haste. “You are wanted, sir, immediately; Mr. Flint is out, and Mr. Linden is at

the office raving like a madman.” I instantly transferred the business I was in attendance at chambers upon to the clerk, and with the help of a cab soon reached home.

Mr. Linden was not *raving* when I arrived. The violence of the paroxysm of rage and terror by which he was possessed had passed away, and he looked, as I entered, the image of pale, rigid, iron, dumb despair. He held a letter and a strip of parchment in his hand: these he presented, and with white, stammering lips, bade me read. The letter was from an attorney of the name of Sawbridge, giving notice of an action of ejectment, to oust him from the possession of the Holmford estate, the property, according to Mr. Sawbridge, of one Edwin Majoribanks; and the strip of parchment was the writ by which the letter had been quickly followed. I was astounded; and my scared looks questioned Mr. Linden for further information.

“I do not quite understand it,” he said in a hoarse, palpitating voice. “No possession or title in the venders: a niece not of age—executors no power to sell—Palliser discovered it, robbed me, absconded, and I, oh God! am a miserable beggar!”

The last words were uttered with a convulsive scream, and after a few frightful struggles he fell down in a fit. I had him conveyed to bed, and as soon as he was somewhat recovered, I hastened off to ascertain from Sawbridge, whom I knew very intimately, the nature of the claim intended to be set up for the plaintiff, Edwin Majoribanks.

I met Sawbridge just as he was leaving his office, and as he was in too great a hurry to turn back, I walked along with him, and he rapidly detailed the chief facts about to be embodied in the plaintiff’s declaration. Archibald Dursley, once a London merchant, and who died a bachelor, had bequeathed his estate, real and personal, to his brother Charles, and a niece, his sister’s child—two-thirds to the niece, and one-third to the brother. The Holmford property, the will directed, should be sold by public auction when the niece came of age, unless she, by marriage or otherwise, was enabled, within six months after attaining her majority, to pay over to Charles Dursley his third in money, according to a valuation made for the purpose by competent assessors. The brother, Charles Dursley, had urged upon the executors to anticipate the time directed by the will for the sale of the property; and having persuaded the niece to give a written authorization for the immediate sale, the executors, chiefly, Sawbridge supposed, prompted by their own necessities, sold the estate accordingly. But the niece not being of age when she signed the authority to sell, her consent was of no legal value; and she having since died intestate, Edwin Majoribanks, her cousin and undoubted heir-at-law—for the property could not have passed from her, even by marriage—now claimed the estate. Charles Dursley, the brother, was dead; “and,” continued Mr. Sawbridge, “the worst of it is, Linden will never get a farthing of his purchase money from the venders, for they are bankrupt, nor from Palliser, who has made permanent arrangements for continuing abroad, out of harm’s reach. It is just as I tell you,” he added, as we shook hands at parting; “but you will of course see the will, and satisfy yourself. Good-bye.”

Here was a precious result of amateur common-sense lawyership! Linden could only have examined the abstract of title furnished him by Palliser’s attorney, and not the right of Dursley’s executors to sell; or had not been aware that the niece could not during her minority, subscribe an effective legal consent.

I found Mr. Flint at the office, and quickly imparted the astounding news. He was as much taken aback as myself.

“The obstinate, pig-headed old ass!” he exclaimed; “it almost serves him right, if only for his Tom-fool nonsense of ‘Every man his own lawyer.’ What did you say was the niece’s name?”

“Well, I don’t remember that Sawbridge told me; he was in such a hurry; but suppose you go at once and look over the will?”

“True: I will do so;” and away he went.

“This is a very singular affair, Sharp,” said Mr. Flint on his return from Doctors’ Commons, at the same time composedly seating himself, hooking his thumbs into the arm-holes of his waistcoat, crossing his legs, and tilting his chair back on its hind legs. “A very singular affair. Whom, in the name of the god of thieves—Mercury, wasn’t he called?— do you suppose the bankrupt executors to be? No other,” continued Mr. Flint with a sudden burst, “than Crowther and Jenkins !”

“The devil!—and the niece then is—”

“Catherine Arnold—Tom Linden’s wife—supposed to have been drowned in the ‘Erin!’ That’s checkmate, I rather fancy—not only to Mr. Edwin Majoribanks, but some one else we know of. The old fellow up stairs won’t refuse to acknowledge his daughter-in-law now, I fancy!”

This was indeed a happy change in the fortunes of the house of Linden; and we discussed, with much alacrity, the best mode of turning disclosures so momentous and surprising to the best account. As a first step, a letter, with an enclosure, was dispatched to Belfast, requiring the return of Thomas Linden and family immediately; and the next was to plead in form to the action. This done, we awaited Catherine Linden’s arrival in London, and Mr. Linden senior’s convalescence—for his mental agitation had resulted in a sharp fit of illness—to effect a satisfactory and just arrangement.

Mr. and Mrs. Thomas Linden and Mrs. Arnold arrived by the earliest steamer that left Belfast after the receipt of our letter; and much astonished were they by the intelligence that awaited them. Catherine Linden was for confirming the validity of the sale of the Holmford estate by her now authoritative consent at once, as a mere act of common justice and good faith; but this, looking at the total loss of fortune she had sustained by the knavery of the executors, and the obstinate, mulish temper of the father-in-law, from whom she had already received such harsh treatment, could not for a moment be permitted; and it was finally resolved to take advantage of the legal position in which she stood, to enforce a due present provision for herself and husband, and their ultimate succession to the estate.

John Linden gradually recovered; and as soon as it was deemed prudent to do so, we informed him that the niece was not dead, as the plaintiff in the action of ejectment had supposed, and that of course, if she could now be persuaded to ratify the imperative consent she had formerly

subscribed, he might retain Holmford. At first he received the intelligence as a gleam of light and hope, but he soon relapsed into doubt and gloom. "What chance was there," he hopelessly argued, "that, holding the legal power, she would not exercise it?" It was not, he said, in human nature to do otherwise; and he commissioned us to make liberal offers for a compromise: half—he would be content to lose half his purchase-money; even a greater sacrifice than that he would agree to—anything, indeed, that would not be utter ruin—that did not involve utter beggary and destitution in old age.

Three days after this conversation, I announced to him that the lady and her husband were below, and desirous of seeing him.

"What do they say?" he eagerly demanded. "Will they accept of half—two-thirds? What do they say?"

"I cannot precisely tell you. They wish to see you alone, and you can urge your own views and offers." He trembled violently, and shrank nervously back as I placed my hand on the door-handle of the private office. He presently recovered in some degree his self-possession, passed in, and I withdrew from the humiliating, but salutary spectacle, of obdurate tyrant power compelled to humble itself before those whom it had previously scorned and trampled upon.

The legal arrangements which Flint and I had suggested were effected, and Linden senior, accompanied by his son, daughter-in-law, and Mrs. Arnold, set off in restored amity for Holmford House. Edwin Majoribanks abandoned his action, and Palliser, finding that matters were satisfactorily arranged, returned to England. We afterwards knew that he had discovered the defect of title, on applying to a well-known conveyancer to raise a considerable sum by way of mortgage, and that his first step was to threaten legal proceedings against Crowther and Jenkins for the recovery of his money; but a hint he obtained of the futility of proceedings against them, determined him to offer the estate at a low figure to Linden, relying upon that gentleman's ostentatious contempt of lawyers that the blot in the title, subjected only to his own common-sense spectacles, would not be perceived.

From *Leaves from the Diary of a Law-Clerk* by the Author of "Recollections of a Detective Police Officer," &c. London: J.C. Brown & Co., 1857.