

## *A Life Assurance*

BESIDES being the confidential advisers, attorneys are the “confessors” of modern England; and the revelations—delicate, serious, not unfrequently involving life as well as fortune and character—confided to the purchased fidelity and professional honour of men whom romancers of all ages have stereotyped as the ghouls and vampires of civilised society, are, it is impossible to deny, as rarely divulged as those which the penitents of the Greek and Latin churches impart to their spiritual guides and helpers; and this possibly for the somewhat vulgar, but very sufficient reason, that “a breach of confidence” would as certainly involve the professional ruin of an attorney as the commission of a felony. An able but eccentric jurisconsult, Mr. Jeremy Bentham, was desirous that attorneys should be compelled to disclose on oath whatever guilty secrets might be confided to them by their clients; the only objection to which ingenious device for the conviction of rogues being, that if such a power existed, there would be no secrets to disclose; and, as a necessary consequence, that the imperfectly-informed attorney would be unable to render his client the justice to which every person, however criminal, is clearly entitled—that of having his or her case presented before the court appointed to decide upon it in the best and most advantageous manner possible. Let it not be forgotten either that the attorney is the only real, practical defender of the humble and needy against the illegal oppressions of the rich and powerful—the shrewd, indomitable agent who gives prosaic reality to the figurative eloquence of old Chancellor Fortescue, when he says “that the lightning may flash through, the thunder shake, the tempest beat, upon the English peasant’s hut, but the king of England, with all his army, cannot lift the latch to enter in.” The chancellor of course meant that in this country overbearing violence cannot defy, or put itself in the place of the law. This is quite true; and why? Chiefly because the attorney is ready, in all cases of *provable* illegality, with his potent strip of parchment summoning the great man before “her Sovereign Lady the Queen,” there to answer for his acts; and the *richer* the offender, the more keen and eager Mr. Attorney to prosecute the suit, however needy his own client; for he is then sure of his costs, if he succeed! Again, I cheerfully admit the extreme vulgarity of the motive; but its effect in protecting the legal rights of the humble is not, I contend, lessened because the reward of exertion and success is counted out in good, honest sovereigns, or notes of the Governor and Company of the Bank of England.

Thus much by way of conciliatory prologue to the narrative of a few incidents revealed in the attorney’s privileged confessional; throughout which I have of course, in order to avoid any possible recognition of those events or incidents, changed the name of every person concerned.

Our old city firm, then, which, I am happy to say, still flourishes under the able direction of our active successors, I will call—adopting the nomenclature appropriated to us by imaginative ladies and gentlemen who favour the world with fancy pen-and-ink portraits of the lawyer tribe—that of Flint and Sharp; Sharp being myself, and Flint the silver-haired old bachelor we buried a few weeks since in Kensal Green Cemetery.

“Mr. Andrews,” said a clerk as he threw open the door of the inner office one afternoon. “Mr. Jesse Andrews.”

“Good-day, Mr. Andrews,” was my prompt and civil greeting: “I have good news for you. Take a chair.”

The good-humoured, rather intelligent, and somewhat clouded countenance of the newcomer brightened up at these words. “News from my Cousin Archibald?” he asked as he seated himself.

“Yes. He laments your late failure, and commiserates the changed position and prospects of your wife and boy, little Archibald, his godson. You he has not much compassion for, inasmuch as he attributes your misfortunes entirely to mismanagement, and the want of common prudence.”

“Candid, certainly,” grumbled out Mr. Jesse Andrews; “but an odd sort of good news!”

“His deeds are kinder than his words. He will allow, till Archibald attains his majority— Let me see: how old is that boy of yours now?”

“Ten. He was two years old when his godfather went to India.”

“Well, then, you will receive two hundred pounds per annum, payable half-yearly, in advance, for the next ten years—that is, of course, if your son lives—in order to enable you to bring him up, and educate him properly. After that period has elapsed, your cousin intimates that he will place the young man advantageously; and I do not doubt will do something for you, should you not by that time have conquered a fair position for yourself.”

“Is that all?” said Mr. Andrews.

“All! Why, what did you expect?”

“Two or three thousand pounds to set me afloat again. I know of a safe speculation, that with, say three thousand pounds capital, would realise a handsome fortune in no time.”

Mr. Jesse Andrews, I may observe, was one of that numerous class of persons who are always on the threshold of realising millions—the only and constant obstacle being the want of a sufficient “capital.”

I condoled with him upon his disappointment; but as words, however civil, avail little in the way of “capital,” Mr. Jesse Andrews, having pocketed the first half-yearly installment of the annuity, made his exit in by no means a gracious or grateful frame of mind.

Two other half-yearly payments were duly paid him. When he handed me the receipt on the last occasion, he said, in a sort of offhand, careless way, “I suppose, if Archy were to die, these payments would cease?”

“Perhaps not,” I replied unthinkingly. “At all events, not, I should say, till you and your wife were in some way provided for. But your son is not ill?” I added.

“No, no; not at present,” replied Andrews, colouring, and with a confusion of manner which surprised me not a little. It flashed across my mind that the boy was dead, and that Andrews, in order not to risk the withdrawal or suspension of the annuity, had concealed the fact from us.

“Let me see,” I resumed, “we have your present address—Norton Folgate, I think?”

“Yes, certainly you have.”

“I shall very likely call in a day or two to see Mrs. Andrews and your son.”

The man smiled in a reassured, half-sardonic manner. “Do,” he answered. “Archy is alive, and very well, thank God!”

This confidence dispelled the suspicion I had momentarily entertained, and five or six weeks passed away, during which Andrews and his affairs were almost as entirely absent from my thoughts as if no such man existed.

About the expiration of that time, Mr. Jesse Andrews unexpectedly revisited the office, and as soon as I was disengaged, was ushered into my private room. He was habited in the deepest mourning, and it naturally struck me that either his wife or son was dead—an impression, however, which a closer examination of his countenance did not confirm, knowing as I did how affectionate a husband and father he was, with all his faults and follies, reputed to be. He looked flurried, nervous, certainly; but there was no grief, no sorrow in the restless, disturbed glances which he directed to the floor, the ceiling, the window, the fireplace, the chairs, the table—everywhere, in fact, except towards my face.

“What is the matter, Mr. Andrews?” I gravely inquired, seeing that he did not appear disposed to open the conversation.

“A great calamity, sir—a great calamity,” he hurriedly and confusedly answered, his face still persistently averted from me—“has happened! Archy is dead!”

“Dead!” I exclaimed, considerably shocked. “God bless me! when did this happen?”

“Three weeks ago,” was the reply. “He died of cholera.”

“Of cholera!” this occurred, I should state, in 1830.

“Yes: he was very assiduously attended throughout his sufferings, which were protracted and severe, by the eminent Dr. Parkinson, a highly respectable and skilled practitioner, as you doubtless, sir, are aware.”

I could not comprehend the man. This dry, unconcerned, business sort of gabble was not the language of a suddenly-bereaved parent, and one, too, who had lost a considerable annuity by his son’s death. What could it mean? I was in truth fairly puzzled.

After a considerable interval of silence, which Mr. Andrews, whose eyes continued to wander in every direction except that of mine, showed no inclination to break, I said— “It will be necessary for me to write immediately to your cousin, Mr. Archibald Andrews. I trust, for your sake, the annuity will be continued; but of course, till I hear from him, the half-yearly payments must be suspended.”

“Certainly, certainly: I naturally expected that would be the case,” said Andrews, still in the same quick, hurried tone. “Quite so.”

“You have nothing further to say, I suppose?” I remarked after another dead pause, during which it was very apparent that he was labouring with something to which he nervously hesitated to give utterance.

“No—yes—that is, I wished to consult you upon a matter of business—connected with—with a life assurance office.”

“A life assurance office?”

“Yes.” The man’s pale face flushed crimson, and his speech became more and more hurried as he went on. “Yes: fearing, Mr. Sharp, that should Archy die, we might be left without resource, I resolved, after mature deliberation, to effect an insurance on his life for four thousand pounds.”

“Four thousand pounds!”

“Yes. All necessary preliminaries were gone through. The medical gentleman—since dead of the cholera, by the way—examined the boy of course, and the insurance was legally effected for four thousand pounds, payable at his death.”

I did not speak, a suspicion too horrible to be hinted at held me dumb.

“Unfortunately,” Andrews continued, “this insurance was only effected about a fortnight before poor Archy’s death, and the office refuses payment, although, as I have told you, the lad was attended to the very hour of his death by Dr. Parkinson, a highly respectable, most unexceptionable gentleman. Very much so indeed.”

“I quite agree in that,” I answered after a while. “Dr. Parkinson is a highly respectable and eminent man. What reason,” I added, “do the company assign for non-payment?”

“The very recent completion of the policy.”

“Nonsense! How can that fact, *standing alone*, affect your claim?”

“I do not know,” Andrews replied; and all this time I had not been able to look fairly in his face; “but they *do* refuse; and I am anxious that your firm should take the matter in hand, and sue them for the amount.”

“I must first see Dr. Parkinson,” I answered, “and convince myself that there is no legitimate reason for repudiating the policy.”

“Certainly, certainly,” he replied.

“I will write to you tomorrow,” I said, rising to terminate the conference, “after I have seen Dr. Parkinson, and state whether we will or not take proceedings against the insurance company on your behalf.”

He thanked me, and hurried off.

Dr. Parkinson confirmed Mr. Jesse Andrews in every particular. He had attended the boy, a fine, light-haired lad of eleven or twelve years of age, from not long after his seizure till his death. He suffered dreadfully, and died unmistakably of Asiatic cholera, and of nothing else; of which same disease a servant and a female lodger in the same house had died just previously. “It is of course,” Dr. Parkinson remarked, in conclusion, “as unfortunate for the company as it is strangely lucky for Andrews; but there is no valid reason for refusing payment.”

Upon this representation we wrote the next day to the assurance people, threatening proceedings on behalf of Mr. Jesse Andrews.

Early on the morrow one of the managing directors called on us, to state the reasons which induced the company to hesitate at recognising the plaintiff’s claim. In addition to the doubts suggested by the brief time which had elapsed from the date of the policy to the death of the child, there were several other slight circumstances of corroborative suspicion. The chief of these was, that a neighbour had declared he heard the father indulging in obstreperous mirth in a room adjoining that in which the corpse lay only about two hours after his son had expired. This unseemly, scandalous hilarity of her husband the wife appeared to faintly remonstrate against. The directors had consequently resolved, *non obstante* Dr. Parkinson’s declaration, who might, they argued, have been deceived, to have the body exhumed in order to a postmortem examination as to the true cause of death. If the parents voluntarily agreed to this course, a judicial application to enforce it would be unnecessary, and all doubts on the matter could be quietly set at rest. I thought the proposal, under the circumstances, reasonable, and called on Mr. and Mrs. Andrews to obtain their concurrence. Mrs. Andrews was, I found, absent in the country, but her husband was at home; and he, on hearing the proposal, was, I thought, a good deal startled—shocked rather—a natural emotion perhaps.

“Who—who,” he said, after a few moments’ silent reflection— “who is to conduct this painful, revolting inquiry?”

“Dr. Parkinson will be present, with Mr. Humphrey, the surgeon, and Dr. Curtis, the newly-appointed physician to the assurance office, in place of Dr. Morgan, who died, as you are aware, a short time since of cholera.”

“True. Ah, well, then,” he answered almost with alacrity, “be it as they wish. Dr. Parkinson will see fair play.”

The examination was effected, and the result was a confirmation, beyond doubt or quibble, that death, as Dr. Parkinson had declared, had been solely occasioned by cholera. The assurance company still hesitated; but as this conduct could now only be looked upon as perverse obstinacy, we served them with a writ at once. They gave in; and the money was handed over to Mr. Jesse Andrews, whose joy at his sudden riches did not, I was forced to admit, appear to be in the slightest degree damped by any feeling of sadness for the loss of an only child.

We wrote to inform Mr. Archibald Andrews of these occurrences, and to request further instructions with regard to the annuity hitherto paid to his cousin. A considerable time would necessarily elapse before an answer could be received, and in the meantime Mr. Jesse Andrews plunged headlong into the speculation he had been long hankering to engage in, and was, he informed me a few weeks afterwards, on the royal road to a magnificent fortune.

Clouds soon gathered over this brilliant prospect. The partner, whose persuasive tongue and brilliant imagination had induced Mr. Andrews to join him with his four thousand pounds, proved to be an arrant cheat and swindler; and Mr. Andrews' application to us for legal help and redress was just too late to prevent the accomplished dealer in moonshine and delusion from embarking at Liverpool for America, with every penny of the partnership funds in his pockets!

A favourable reply from Mr. Archibald Andrews had now become a question of vital importance to his cousin, who very impatiently awaited its arrival. It came at last. Mr. Andrews had died rather suddenly at Bombay a short time before my letter arrived there, after executing in triplicate a will, of which one of the copies was forwarded to me. By this instrument, his property—about thirty-five thousand pounds, the greatest portion of which had been remitted from time to time for investment in the British funds—was disposed of as follows:—Five thousand pounds to his Cousin Jesse Andrews, for the purpose of educating and maintaining Archibald Andrews, the testator's godson, till he should have attained the age of twenty-one, and the whole of the remaining thirty thousand pounds to be then paid over to Archibald, with accumulated interest. In the event, however, of the death of his godson, the entire property was devised to another more distant and wealthier cousin, Mr. Newton and his son Charles, on precisely similar conditions, with the exception that an annuity of seventy pounds, payable to Jesse Andrews and his wife during their lives, was charged upon it.

Two letters were despatched the same evening—one to the fortunate cousin, Mr. Newton, who lived within what was then known as the twopenny post delivery, and another to Mr. Jesse Andrews, who had taken up his temporary abode in a cottage near St. Alban's, Hertfordshire. These missives informed both gentlemen of the arrival of the Indian mail, and the, to them, important despatches it contained.

Mr. Newton was early at the office on the following morning, and perused the will with huge content. He was really quite sorry, though, for poor Cousin Jesse: the loss of his son was a sad stroke, much worse than this of a fortune, which he might have expected to follow as a matter of course. And the annuity, Mr. Newton thoughtfully observed, was, after all, no contemptible provision for two persons, without family, and of modest requirements.

A very different scene was enacted when, late in the evening, and just as I was about to leave the office, Mr. Jesse Andrews rushed in, white as a sheet, haggard, and wild with passion. "What devil's fables are these you write me?" he burst forth the instant he had gained the threshold of the room. "How dare you," he went on almost shrieking with fury—"how dare you attempt to palm off these accursed lies on me? Archy rich—rich—and I— But it is a lie! An infernal device got up to torture me—to drive me wild, distracted—mad." The excited man literally foamed with rage, and so astonished was I, that it was a minute or two before I could speak or move. At last I rose, closed the door, for the clerks in the outer office were hearers and witnesses of this outbreak, and led the way to an inner and more private apartment. "Come with me, Mr. Andrews," I said, "and let us talk this matter calmly ever."

He mechanically followed, threw himself into a chair, and listened, with frenzied impatience to the reading of the will.

"A curse is upon me," he shouted, jumping up as I concluded: "the curse of God—a judgment upon the crime I but the other day committed—a crime, as I thought—dolt, idiot that I was—so cunningly contrived, so cleverly executed! Fool, villain, madman that I have been; for now, when fortune is tendered for my acceptance, I dare not put forth my hand to grasp it: fortune, too, not only for me, but— Oh God, it will kill us both, Martha as well as me, though I alone am to blame for this infernal chance!"

This outburst appeared to relieve him, and he sank back into his chair somewhat calmer. I could understand nothing of all that rhapsody, knowing as I did that his son Archibald had died from natural causes. "It is a severe blow," I said, in as soothing a tone as I could assume; "a very great disappointment: still, you are secured from extreme poverty—from anything like absolute want"—

"It is not that—it is not that!" he broke in, though not quite so wildly as before. "Look you, Mr. Sharp, I will tell you all! There may be some mode of extrication from this terrible predicament, and I must have your advice professionally upon it."

"Go on; I will advise you to the best of my ability."

"Here it is, then: Archy, my son Archy, is alive! –alive! and well in health as either you or I!"

I was thunderstruck. Here was indeed a revelation. "Alive and well," continued Andrews. "Listen: when the cholera began to spread so rapidly, I bethought me of insuring the boy's life in case of the worst befalling, but not, as I hope for mercy, with the slightest thought of harming a hair of his head. This was done. Very soon the terrific disease approached our neighbourhood, and my wife took Archy to a country lodging, returning herself the same evening. The next day our only servant was attacked, and died. A few hours after that, our first-floor lodger, a widow of the name of Mason, who had been with us but a very short time, was attacked. She suffered dreadfully; and her son, a boy about the age of Archy, and with just his hair and complexion, took ill also. The woman was delirious with pain; and before effective medical aid could be obtained she was seized in the middle of the night—she expired. Her son, who had been removed into another room, became rapidly worse, and we sent for Dr. Parkinson: the poor fellow was

also partially delirious with pain, and clung piteously round my wife's neck, calling her mother, and imploring her to relieve him. Dr. Parkinson arrived, and at first sight of the boy, said, "Your son is very ill, Mrs. Andrews—I fear past recovery; but we will see what can be done." I swear to you, Mr. Sharp, that it was not till this moment the device which has ruined us flashed across my brain. I cautioned my wife in a whisper not to undeceive the doctor, who prescribed the most active remedies, and was in the room when the lad died. You know the rest: and now, sir, tell me, can anything be done—any device suggested to retrieve this miserable blunder, this terrible mistake?"

"This infamous crime, you should say, Mr. Andrews," I replied; "for the commission of which you are liable to be transported for life."

"Yes, crime; no doubt that is the true word! But must the innocent child suffer for his father's offence?"

"That is the only consideration that could induce me to wag a finger in the business. Like many other clever rogues you are caught in the trap you lured for others. Come to me tomorrow: I will think over the matter between this and then; but at present I can say nothing. Stay," I added, as his hand was on the door; "the identity of your son can be proved, I suppose, by better evidence than your own?"

"Certainly, certainly."

"That will do, then; I will see you in the morning."

If it should cross the mind of any reader that I ought to have given this self-confessed felon into custody, I beg to remind him that for the reasons previously stated, such a course on my part was out of the question—impossible; and that had it not been impossible I should do so, Mr. Jesse Andrews would not have intrusted me with his criminal secret. The only question now therefore, was how, without compromising this guilty client, the godfather's legacy could be secured for the innocent son.

A conference the next morning with Mr. Flint resulted in our sending for Mr. Jesse Andrews, and advising him, for fear of accidents or miscarriage in our plans, to betake himself to the kingdom of France for a short time. We had then no treaty of extradition with that country. As soon as I knew he was safely out of the realm, I waited upon the insurance people.

"The money ought not to have been received by Jesse Andrews, you say, Mr. Sharp?" observed the managing gentleman, looking keenly in my face.

"Precisely. It ought not to have been received by him."

"And *why* not, Mr. Sharp?"

"That is quite an unnecessary question, and one that you know I should not answer if I could. That which chiefly concerns you is, that I am ready to return the four thousand pounds at once,



here on the spot, and that delays are dangerous. If you refuse, why of course—and I rose from my chair—I must take back the money.”

“Stay—stay! I will just consult with one or two gentlemen, and be with you again almost immediately.”

In about five minutes he returned. “Well, Mr. Sharp,” he said, “we had, I suppose, better take the money—obtained, as you say, by mistake.”

“Not at all; I said nothing about mistake. I told you it ought not to have been received by Andrews!”

“Well—well; I understand. I must, I suppose, give you a receipt?”

“Undoubtedly; and, if you please, precisely in this form.”

I handed him a copy on a slip of paper. He ran it over, smiled, transcribed it on a stamp, signed it, and as I handed him a cheque for the amount, placed it in my hands. We mutually bowed, and I went my way.

Notwithstanding Mr. Newton’s opposition, who was naturally furious at the unexpected turn the affair had taken, the identity of the boy—whom that gentleman persisted in asserting to be dead and buried—was clearly established; and Mr. Archibald Andrews, on the day he became of age, received possession of his fortune. The four thousand pounds had of course been repaid out of Jesse Andrews’ legacy. That person has, so to speak, since skulked through life a mark for the covert scorn of every person acquainted with the very black transaction here recorded. This was doubtless a much better fate than he deserved; and in strict, or poetical justice, his punishment ought unquestionably to have been much greater—more apparent also, than it was, for example sake. But I am a man not of fiction, but of fact, and consequently relate events, not as they precisely ought, but as they do, occasionally occur in lawyers’ offices, and other unpoetical nooks and corners of this prosaic, matter-of-fact, working-day world.

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.