

A Cuff Button

From the Files of an Attorney

by Sylvanus Cobb, Jr.

On an afternoon in early September I returned to my office after dinner, and found a boy sitting on the door step. I recognized the youngster who had been employed, for the few years last past, as errand and chore-boy at the Dutton House. He informed me that Mrs. Marshall would like to see me at “the House” some time during the coming evening, if I could make it convenient to call. I bade him to tell the lady that I would call without fail.

Mrs. Clara Marshall was, at that time, deep in the sympathies and commiseration of the better class of our townspeople. In fact, she had the sympathy of every right-thinking and true-hearted man and woman who knew her. The case was as follows:

By far the wealthiest man of our town had been Solomon Dutton, who had died on the 28th of March last past. His only relatives had been a nephew, Mark Dutton, aged twenty-seven, son of a younger brother, and Clara Marshall, formerly Miss Allen, aged twenty-five, daughter of a younger sister.

She had married John Marshall, a hard-working mechanic of the village, at the age of eighteen, very much against her old uncle’s will and pleasure. He wanted her to marry her cousin, Mark. The result of her unfortunate love match was that three years later, when John Marshall died, leaving Clara a widow, with one child—a little son—her old uncle made a will bequeathing all his property to his nephew, Mark Dutton. Mark had lived with him, taking care of his business, and contriving to hide from him his gross dissipation and debauchery.

But the old man had discovered it after a time. At a social gathering, in a neighboring village one evening, Mark Dutton, while badly intoxicated, had drawn a dirk-knife from his pocket and stabbed a man so badly as to very nearly kill him. The young man lived; but old Dutton refused, point blank, to bail his nephew pending the trial; and as nobody else would be bondsman for him, he had to remain in jail. In the end, however, when the injured man had recovered, he refused to prosecute, and the matter was patched up, and Mark Dutton went free.

But his old uncle would not take him back to his love, nor to his home. While he had been in jail old Solomon had succeeded in unearthing the whole of his nephew's previous course of dissipation and duplicity. Thereupon, little more than two years previous to the time of Clara Marshall’s request that I would call on her, the old man had sent for Clara to come to him, with her child. She went; and the old man gave her his whole heart.

At that time Frederic Bassett had been living—the oldest attorney in the town—and had been old Dutton’s legal adviser long before I entered upon the profession. He sent for Bassett, and caused a new will to be written, bequeathing everything to his niece, Clara Allen Marshall. When the

new will had been completed, by the old man's direction Bassett deposited the document in a certain drawer of an ancient cabinet, which stood in the library.

And here comes the strange part of the business. Old Dutton—he was then almost eighty—believed that Bassett had destroyed, or would destroy, the old will; because he told Clara, a few months later, that that thing had been done. But he had given the attorney no express order in relation to the matter; and when the new will was put away the old one was placed with it; and there they lay. Unfortunately, the old will had been put into the drawer first, and the other on the top of it. Old Dutton had looked at the latter instrument several times without discovering the former instrument beneath it.

That was in August. During the December next following Frederic Bassett died. Shortly after the opening of the new year next following that Solomon Dutton was taken sick, and on the last of February he was confined to his bed. Then the discarded nephew, Mark Dutton, made his way to his uncle's bedside, got down upon his knees; and prayed so devoutly, and begged so hard, and shed tears so copiously, that the old man so far relented as to allow him to remain in the house; but he would not do more at that time.

So Mark took up his abode beneath the old roof; and though he had aforesaid abused and traduced this cousin Clara most shamefully, and even wickedly, she forgave him all, and treated him as she might have treated a brother. By dint of patient endeavor and earnest solicitation, Mark was at length permitted to share with Clara the care and the watching. On Saturday evening, the twenty-eighth day of March, at ten o'clock or a little later, he, Mark, relieved his cousin at the old man's bedside, promising that he would call her if he should detect any change. If he did not call her, she would sleep until four o'clock in the morning. At four o'clock the next morning Solomon Dutton was dead, and Clara was not called at all. The striking of the clock awoke her, and she arose, dressed, and went to her uncle's chamber, to find him dead, and Mark in the act of pulling up a sheet over the dead face as she entered. He told her that he knew not—he had no idea—when the old man died.

“I fell asleep at ten o'clock,” he said, “and left uncle all right, I thought. I awoke not fifteen minutes ago, finding him dead.”

What could Clara do? She could only bow her head in grief, and submit to the inevitable.

The little legal business done for Mr. Dutton after the death of Mr. Bassett had been done by a lawyer named Wilson, of the adjoining town of Buckport. He was a middle-aged man, and had been a student of Bassett's; hence the old man's preference. In fact, Dutton had known but little of me. I was young, and had been in practice only two years at the time of his death.

On that very Sabbath morning Mark Dutton assumed control of affairs. Among the servants of the household and with Clara he was masterful. None disputed him. The funeral took place on Tuesday. Mark sent for Silas Wilson, Esq., to come and find and read the will. He came, and found the will. Clara told him where to look. But *it was the old will he found*. Search was made high and low, but no later statement came to light.

Then Mark Dutton declared that his uncle had told him, on the very afternoon before he died, that he need not worry; for he, the old man, had left him, the younger, master of the old place.

And from that time the probating of the will had been in abeyance. The judge had been appealed to by Clara's friends not to admit the will, and he had held it off; and now the case was to come before the Superior Court and a jury. The term was two weeks distant on this afternoon when I received Clara's request. Mark himself was the appellant.

I reached the Dutton house, where Mrs. Marshall still resided. I found her alone with her boy, ready to receive me. She was a small woman, and many cares and much trial had given her an appearance of age beyond her years. Those years, as I have already stated, were five-and-twenty. Her son, whom she called George, was in his fourth year—a bright, smart, intelligent, happy boy; as good as a boy of his age could be.

We sat in the very library where Solomon Dutton had spent the greater part of his walking hours during the last twenty years of his life. Clara commenced by telling me that she had resolved to respond at the coming trial, and she wished me to conduct her cause.

And then she went on and told me much of that which I have already repeated.

I asked how long she thought her uncle had been dead on that Sunday morning in March, when she had come in and found his breath of life gone. She shook her head. She could only say that the body was cold and rigid; and Mark had bound up the lower jaw with a large napkin.

“He had been dead at least more than an hour?”

“It must have been more than that. Doctor Danforth says he must have died about midnight.”

It was then that I asked her about the new will which Mr. Bassett had made, and that I received from her the explanation, which I have given. The old uncle had believed the former will destroyed.

“Evidently,” said I, “if Mark purloined the new will, he entered upon the work without expecting to find the other. So that must have been an agreeable surprise to him.”

Mrs. Marshall nodded assent. She did not like to accuse her cousin of having stolen the new will; but she was forced to it.

“I know that my uncle was in the right mind when, only two days before he died, he kissed my boy, and repeated, for the hundredth time, his happy expression about his—Georgie—being master of Dutton Hall, and the whole grand estate.”

I next asked her what means Mark had at hand on that Saturday evening for gaining access to the old *secretaire*.

“The readiest that can be imagined!” she answered. “The keys were under the old man's pillow.”

“Will you show the place where the wills were deposited?” I asked her.

The keys of the old cabinet were hanging from one of the lower drawers. She asked me to come with her; and, taking a lamp in her hand, she took the keys from the lower lock, and proceeded to open the double doors of the upper part. This done, with a smaller key she unlocked a drawer, on the right-hand side—near the centre of that division—and pulled it open. It was very deep for its size, being not more than seven or eight inches wide, by fifteen inches long, and over twelve inches deep.

“Very often,” said I, “in making so important an instrument lawyers make preparatory notes, or minutes. I would like to see if Bassett left anything of that kind in this drawer. You are sure the wills were here?”

She said she knew the new will had been there; for her uncle had once taken it out and showed it to her.

I took the drawer out entirely, and carrying it to the centre-table, where I could have more light, I took out paper after paper, glancing my eyes at their margins, but found nothing that I cared for. At length I saw the last paper, and on lifting it, heard something drop, with a metallic ring, upon the bottom. I looked in, at the same time tipping the drawer over, and saw something glitter in the lamplight. I took it out, and found it to be a gentleman’s *gold cuff button!*

“Did old Dutton ever wear buttons like that?” I asked, holding it towards Clara Marshall.

A quick, startled cry burst from her lips, and she quivered from head to foot.

“That—*that*,” she gasped, catching her breath, “is Mark’s. *He lost it that night*— the night that uncle died. I buttoned the pair of them in for him that Saturday morning, He missed it after daylight, Sunday morning, when he changed his underclothing; and he asked me if I had seen it. He thought he must have lost it off while helping Uncle Solomon up and down on his pillows; and after that we looked the bedding through and through. Oh, he must have been to this drawer on that night. Isn’t this proof?”

“We will see,” said I.

And then I asked her if she knew what her cousin’s present thought was with regard to his cuff button. I will say here, the button was of solid gold, and had been made to order for Mark at a time when he was flush. It was very elaborately engraved, and marked with his monogram.

She said he still believed he had lost the button somewhere around, or in a bed. It might have rolled away on the carpet, and his opinion of the servants led him to believe that any one of them, having found it, would keep it. That was his estimate of his fellows. He believed them all rascals.

I asked from Clara Marshall one solemn promise: That to no human being would she breathe a word of the cuff button. And she gave it. Little George had been sound asleep on the sofa; so he had heard nothing.

The day set for the trial came, and the case was called. Mark Dutton had retained Silas Wilson to conduct his cause. Wilson was smart and tricky, and I knew that his client had promised him a very large sum of money if he won it. The jury were intelligent, and sympathized with my client; but they could not go against the evidence of their own senses.

The judge was a just and clear-headed man; a man of generous impulses and large heart; but he could neither rule nor charge against the testimony presented.

To all appearances I was allowing the case to go by default. I let Wilson go on as he pleased.

At length I called three witnesses. Two of them were the witnesses of Solomon Dutton's last will—the will which had been made by Frederic Bassett, one year ago last August; and they both swore that their master—they were family servants—had told them that he had, by that will which they were called to witness, made his niece, Clara, his heir. My third witness was Bassett's old clerk. He simply swore that he saw Mr. Bassett put both wills—the new and the old—into a drawer of the secretaire that stood in the room where the will had been made.

I then called Mark Dutton. He seemed at first to doubt if he had heard aright; but he at length took the stand a second time. Wilson had had him up almost an hour.

I asked him, in my easiest and most pleasant manner, several questions relative to the dying of his uncle: Had he spoken? Had he been in possession of his faculties, etc. At length, as pleasantly and simply as possible, I said:

“Mr. Dutton, in lifting your uncle on his bed during that Saturday night, or Sunday morning, you lost a cuff button, either of pearl or of gold?”

“Of gold, sir,” he answered, promptly.

“Such a thing, in falling upon a tightly-fitting carpet, might roll to a considerable distance. You never thought of looking into an adjoining apartment for it?”

“No, sir; I did not.”

“If a servant had found that button would you be able to swear to it?”

“I should, sir; for it had my monogram on it.”

Wilson was trying with all his might to get his client's eye and stop his answering me, but he did not succeed.

“Is that it?” said I, showing him the button.

He had gone too far to hold back now, and he answered without hesitation in the affirmative. I told him he might go down, but when he offered to take the button I told him to wait a little while. I then turned to the court; and then to the jury.

“Your honor, and gentlemen of the jury, I will tell you where, and how, and when I found the button.” And I then went on and told the story; told it in a very few words, but in words that worked wonders.

Wilson tried to beat me down, but I made him a laughing-stock before I had done with him. Suffice it to say, the judge’s charge to the jury amounted to nothing more nor less than a direction to find for the respondent. And they did it, without leaving their seats.

What might have been done with Mark Dutton, had he remained home long enough, I cannot say. On the very next day after the trial he disappeared. He had contrived to get into his possession about one thousand pounds in money, and with that he decamped, and we have never seen him from that day to this.

Of the fear which I ultimately received at the hands of my fair client it scarcely becomes me to speak. I will only say, I possess it still—the light, the joy, and the blessing of my life. She is my wife.

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