

## CHAPTER XIII.

As soon as the Senators seated themselves at the table in the consultation-room, Wolf began to set forth in an animated manner the grounds upon which he thought the case ought to be reversed.

The President, always an ill-natured man, was in a particularly bad humor to-day. While listening to the case during the session he formed his opinion, and sat, absorbed in his thoughts, without listening to Wolf. These thoughts consisted in a recollection of what note he had made the other day in his memoirs anent the appointment of Velianoff to an important post which he desired for himself. The President, Nikitin, quite sincerely thought that the officials with whom his duties brought him in contact were worthy of a place in history. Having written an article the other day in which some of these officials were vehemently denounced for interfering with his plan to save Russia from ruin, as he put it, but in reality for interfering with his getting a larger salary than he was now getting, he was now thinking that posterity would give an entirely new interpretation to that incident.

"Why, certainly," he said to Wolf, who was addressing him, although he did not hear what Wolf said.

Bé listened to Wolf with a sad face, drawing garlands on a piece of

paper which lay before him. Bé was a liberal of the deepest dye. He scarcely held to the traditions of the sixties, and if he ever deviated from strict impartiality, it was invariably in favor of liberality. Thus, in this case, besides the consideration that the complaining president of the stock company was an unclean man, Bé was in favor of affirming the judgment, also because this charge of libel against a journalist was a restriction on the freedom of the press. When Wolf had finished his argument, Bé, leaving the garland unfinished, in a sad--it was sad for him to be obliged to prove such truisms--soft, pleasant voice, convincingly proved in a few simple words that the charge had no foundation, and, again drooping his hoary head, continued to complete the garland.

Skovorodnikoff, who was sitting opposite Wolf, continually gathering with his thick fingers his beard and mustache into his mouth, as soon as Bé was through with his argument, stopped chewing his beard, and, in a loud, rasping voice, said that although the president of the stock company was a villain, he should favor a reversal if there were legal grounds to sustain it, but as there were none, he joined in the opinion of Ivan Semenovitch (Bé), and he invariably rejoiced at this shot aimed at Wolf. The President supported Skovorodnikoff's opinion, and the judgment was confirmed.

Wolf was dissatisfied, especially because by this judgment he seemed to stand convicted of arguing in bad faith; but, feigning indifference, he opened his papers in the next case, Maslova's, and

began to peruse it attentively. The other Senators in the meantime called for tea, and began a talk about Kamensky's duel and his death, which was then the subject of conversation throughout the city.

The usher entered and announced the desire of the lawyer and Nekhludoff to be present at the hearing of the case.

"This case here," said Wolf, "is a whole romantic story," and he related what he knew of Nekhludoff's relations to Maslova.

After talking awhile of the story, smoking cigarettes and finishing their tea, the Senators returned to the session-room, announced their decision in the preceding case, and began to consider Maslova's case.

Wolf very circumstantially set forth Maslova's appeal from the sentence, and again not without partiality, but with the evident desire to reverse the judgment.

"Have you anything to add?" the President asked Fanirin.

Fanirin rose, and, projecting his broad, starched front, with remarkable precision of expression began to discuss the errors of the court below in the application of the law on the six points raised, and permitted himself, though briefly, to touch upon the merits of the case and the crying injustice of the decision. By the tone of his short but strong speech, he seemed to excuse himself, to insist that

the honorable Senators with their power of penetration and judicial wisdom saw and understood better than he, but that he was speaking only because his duties demanded it. After Fanirin's speech there seemed to be no doubt left that the Senate had to reverse the judgment. When he was through, Fanirin smiled triumphantly. Looking at his lawyer and seeing that smile, Nekhludoff was convinced that the case was won. But as he looked at the Senators Nekhludoff saw that Fanirin alone was smiling and triumphant. The Senators and Associate Attorney General were neither smiling nor triumphant, but wore the air of people suffering from ennui and saying: "Oh, we know these cases! You are wasting your time." They were all evidently relieved only when the lawyer had finished, and they were no longer unnecessarily detained. After the speech the President turned to Selenin, who plainly, briefly and accurately expressed himself against a reversal. Then the Senators arose and went to consult.

The Senators were divided. Wolf favored a reversal. Bé, who thoroughly understood the case, warmly argued also in favor of a reversal, and in glowing terms pictured the court scene and the misunderstanding of the jury. Nikitin, who, as usual, stood for severity and for strict formality, was against it. The whole case, then, depended on Skovorodnikoff's vote. And his vote was thrown against a reversal, principally for the reason that Nekhludoff's determination to marry the girl on moral grounds was extremely repugnant to him.

Skovorodnikoff was a materialist, a Darwinist, and considered every

manifestation of abstract morality, or, worse still, piety, not only as contemptible and absurd but as an affront to his person. All this bustle about a fallen girl, and the presence there in the Senate of her famous counsel and Nekhludoff himself, was to him simply disgusting. And, stuffing his mouth with his beard, and making grimaces, he in a very natural manner pretended to know nothing of the entire affair, except that the grounds of appeal were insufficient, and therefore agreed with the President to affirm the judgment.

The appeal was denied.