

CHAPTER XV

In the following month Cashel Byron, William Paradise, and Robert Mellish appeared in the dock together, the first two for having been principals in a prize-fight, and Mellish for having acted as bottle-holder to Paradise. These offences were verbosely described in a long indictment which had originally included the fourth man who had been captured, but against whom the grand jury had refused to find a true bill. The prisoners pleaded not guilty.

The defence was that the fight, the occurrence of which was admitted, was not a prize-fight, but the outcome of an enmity which had subsisted between the two men since one of them, at a public exhibition at Islington, had attacked and bitten the other. In support of this, it was shown that Byron had occupied a house at Wiltstoken, and had lived there with Mellish, who had invited Paradise to spend a holiday with him in the country. This accounted for the presence of the three men at Wiltstoken on the day in question. Words had arisen between Byron and Paradise on the subject of the Islington affair; and they had at last agreed to settle the dispute in the old English fashion. They had adjourned to a field, and fought fairly and determinedly until interrupted by the police, who were misled by appearances into the belief that the affair was a prize-fight.

Prize-fighting was a brutal pastime, Cashel Byron's counsel said; but a fair, stand-up fight between two unarmed men, though doubtless technically a breach of the peace, had never been severely dealt with by a British jury or a British judge; and the case would be amply met by binding over the prisoners, who were now on the best of terms with one another, to keep the peace for a reasonable period. The sole evidence against this view of the case, he argued, was police evidence; and the police were naturally reluctant to admit that they had found a mare's nest. In proof that the fight had been premeditated, and was a prize-fight, they alleged that it had taken place within an enclosure formed with ropes and stakes. But where were those ropes and stakes? They were not forthcoming; and he (counsel) submitted that the reason was not, as had been suggested, because they had been spirited away, for that was plainly impossible; but because they had existed only in the excited imagination of the posse of constables who had arrested the prisoners.

Again, it had been urged that the prisoners were in fighting costume. But cross-examination had elicited that fighting costume meant practically no costume at all: the men had simply stripped in order that their movements might be unembarrassed. It had been proved that Paradise had been--well, in the traditional costume of Paradise (roars of laughter) until the police borrowed a blanket to put upon him.

That the constables had been guilty of gross exaggeration was shown by their evidence as to the desperate injuries the combatants had inflicted upon one another. Of Paradise in particular it had been alleged that his features were obliterated. The jury had before them in the dock the man whose features had been obliterated only a few weeks previously. If that were true, where had the prisoner obtained the unblemished lineaments which he was now, full of health and good-humor, presenting to them? (Renewed laughter. Paradise grinning in confusion.) It was said that these terrible injuries, the traces of which had disappeared so miraculously, were inflicted by the prisoner Byron, a young gentleman tenderly nurtured, and visibly inferior in strength and hardihood to his herculean opponent. Doubtless Byron had been emboldened by his skill in mimic combat to try conclusions, under the very different conditions of real fighting, with a man whose massive shoulders and determined cast of features ought to have convinced him that such an enterprise was nothing short of desperate. Fortunately the police had interfered before he had suffered severely for his rashness. Yet it had been alleged that he had actually worsted Paradise in the encounter--obliterated his features. That was a fair sample of the police evidence, which was throughout consistently incredible and at variance with the dictates of common-sense.

Attention was then drawn to the honorable manner in which Byron had come forward and given himself up to the police the moment he became aware that they were in search of him. Paradise would, beyond a doubt, have adopted the same course had he not been arrested at once, and that, too, without the least effort at resistance on his part. That was hardly the line of conduct that would have suggested itself to two lawless

prize-fighters.

An attempt had been made to prejudice the prisoner Byron by the statement that he was a notorious professional bruiser. But no proof of that was forthcoming; and if the fact were really notorious there could be no difficulty in proving it. Such notoriety as Mr. Byron enjoyed was due, as appeared from the evidence of Lord Worthington and others, to his approaching marriage to a lady of distinction. Was it credible that a highly connected gentleman in this enviable position would engage in a prize-fight, risking disgrace and personal disfigurement, for a sum of money that could be no object to him, or for a glory that would appear to all his friends as little better than infamy?

The whole of the evidence as to the character of the prisoners went to show that they were men of unimpeachable integrity and respectability. An impression unfavorable to Paradise might have been created by the fact that he was a professional pugilist and a man of hasty temper; but it had also transpired that he had on several occasions rendered assistance to the police, thereby employing his skill and strength in the interests of law and order. As to his temper, it accounted for the quarrel which the police--knowing his profession--had mistaken for a prize-fight.

Mellish was a trainer of athletes, and hence the witnesses to his character were chiefly persons connected with sport; but they were not the less worthy of credence on that account.

In fine, the charge would have been hard to believe even if supported by the strongest evidence. But when there was no evidence--when the police had failed to produce any of the accessories of a prize-fight--when there were no ropes nor posts--no written articles--no stakes nor stakeholders--no seconds except the unfortunate man Mellish, whose mouth was closed by a law which, in defiance of the obvious interests of justice, forbade a prisoner to speak and clear himself--nothing, in fact, but the fancies of constables who had, under cross-examination, not only contradicted one another, but shown the most complete ignorance (a highly creditable ignorance) of the nature and conditions of a prize-fight; then counsel would venture to say confidently that the theory of the prosecution, ingenious as it was, and ably as it had been put forward, was absolutely and utterly untenable.

This, and much more argument of equal value, was delivered with relish by a comparatively young barrister, whose spirits rose as he felt the truth change and fade while he rearranged its attendant circumstances. Cashel listened for some time anxiously. He flushed and looked moody when his marriage was alluded to; but when the whole defence was unrolled, he was awestruck, and stared at his advocate as if he half feared that the earth would gape and swallow such a reckless perverter of patent facts. Even the judge in the city; and was eventually invited to represent a Dorsetshire constituency in Parliament in the Radical interest. He was returned by a large majority; and, having a loud voice and an easy manner, he soon acquired some reputation both in and out of the House of Commons by the popularity of his own views, and the extent of his wife's information, which he retailed at second hand. He made his maiden speech in the House unabashed the first night he sat there. Indeed, he was afraid of nothing except burglars, big dogs, doctors, dentists, and street-crossings. Whenever any accident occurred through any of these he preserved the newspaper in which it was reported, read it to Lydia very seriously, and repeated his favorite assertion that the only place in which a man was safe was the ring. As he objected to most field sports on the ground of inhumanity, she, fearing that he would suffer in health and appearance from want of systematic exercise, suggested that he should resume the practice of boxing with gloves. But he was lazy in this matter, and had a prejudice that boxing did not become a married man. His career as a pugilist was closed by his marriage.

His admiration for his wife survived the ardor of his first love for her, and she employed all her forethought not to disappoint his reliance on her judgment. She led a busy life, and wrote some learned monographs, as well as a work in which she denounced education as practised in the universities and public schools. Her children inherited her acuteness and refinement with their father's robustness and aversion to study. They were precocious and impudent, had no respect for Cashel, and showed any they had for their mother principally by

running to her when they were in difficulties. She never punished nor scolded them; but she contrived to make their misdeeds recoil naturally upon them so inevitably that they soon acquired a lively moral sense which restrained them much more effectually than the usual methods of securing order in the nursery. Cashel treated them kindly for the purpose of conciliating them; and when Lydia spoke of them to him in private, he seldom said more than that the imps were too sharp for him, or that he was blest if he didn't believe that they were born older than their father. Lydia often thought so too; but the care of this troublesome family had one advantage for her. It left her little time to think about herself, or about the fact that when the illusion of her love passed away Cashel fell in her estimation. But the children were a success; and she soon came to regard him as one of them. When she had leisure to consider the matter at all, which seldom occurred, it seemed to her that, on the whole, she had chosen wisely.

Alice Goff, when she heard of Lydia's projected marriage, saw that she must return to Wiltstoken, and forget her brief social splendor as soon as possible. She therefore thanked Miss Carew for her bounty, and begged to relinquish her post of companion. Lydia assented, but managed to delay this sacrifice to a sense of duty and necessity until a day early in winter, when Lucian gave way to a hankering after smiled once or twice; and when he did so the jurymen grinned, but recovered their solemnity suddenly when the bench recollected itself and became grave again. Every one in court knew that the police were right--that there had been a prize-fight--that the betting on it had been recorded in all the sporting papers for weeks beforehand--that Cashel was the most terrible fighting man of the day, and that Paradise had not dared to propose a renewal of the interrupted contest. And they listened with admiration and delight while the advocate proved that these things were incredible and nonsensical.

It remained for the judge to sweep away the defence, or to favor the prisoners by countenancing it. Fortunately for them, he was an old man; and could recall, not without regret, a time when the memory of Cribb and Molyneux was yet green. He began his summing-up by telling the jury that the police had failed to prove that the fight was a prize-fight. After that, the public, by indulging in roars of laughter whenever they could find a pretext for doing so without being turned out of court, showed that they had ceased to regard the trial seriously.

Finally the jury acquitted Mellish, and found Cashel and Paradise guilty of a common assault. They were sentenced to two days' imprisonment, and bound over to keep the peace for twelve months in sureties of one hundred and fifty pounds each. The sureties were forthcoming; and as the imprisonment was supposed to date from the beginning of the sessions, the prisoners were at once released.