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THE WHOLE ART OF GOVERNMENT CONSISTS IN THE ART OF BEING HONEST.—Jefferson.

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Tim Jocelyn's Deed.

My friend Tim Jocelyn possessed to an astonishing degree the power of VENTRILOQUISM. He was humorous, but a frank, noble hearted fellow, an excellent scholar, and much beloved by his class-mates. I was his chum at college, and often did he give me proofs of his astonishishing faculty, by filling the garret with the screams of turkeys, the squealing of pigs, and with different imitations of the human voice, which he would convey off to some distance, and then gradually bring it nearer and nearer till it reached the place where we were sitting. He did not often exercise this power, which the other students knew not that he possessed; but in one instance he made it subservient at least to his own good and thwarting the purpose of villany.

There was a fellow in the Sophomore class named Benson, son of an aristocratic, rich man; he had little talent, although the college teachers made every effort, for his father's sake, in his behalf. This misplaced favoritism, added to the insolent and consequential demeanor of Benson, procured for him the unanimous dislike of all the inmates of the school, and many were the pranks played off upon him. He affected a sentimentality perfectly ridiculous, and would sometimes perpetrate doggerel which he would submit to the criticism of his tutors, or of the students; they were deficient in meaning or measure, except where he had stolen verses from Byron—which never failed to gain for him the sneers of his comrades.

During a summer vacation, Benson and Tim with other collegiates attended a ball given in a neighboring village. Among the young ladies in attendance was Eliza Ayes, a beautiful girl of eighteen, who report said was an heiress. She was an orphan, under the guardianship of a miserly old uncle, whose tyrannies however had not been extended to his ward. Both Tim and Benson were introduced to her—both were charmed with her manners—but it did not require much time for that intelligent girl to observe the difference between the two young men. Annoyed at the vapid fooleries of Benson, she listened respectfully to the conversation of Tim. He was standing by her side as the party broke up, when she invited him to call upon her at her uncle's; and Benson coming up at the moment, she was constrained to extend her invitation to him. He was about to offer to see her home, but Tim had been too quick for him there, and accompanied the lady to her residence, while Benson returned mortified to his room.

Benson thought it was only necessary for Miss Ayres to know that Tim was the son of a farmer in moderate circumstances, while *he* was the son of the rich Major Benson—and Tim would come off second best. He accordingly paid her several visits, in which he was encouraged by her uncle, for reasons that will hereafter appear. He was fairly in love, but could not hide the natural deformities of his character from her scrutiny. Tim, likewise, paid his addresses—was encouraged—and in due time was the accepted lover of Eliza. Benson meanwhile had proposed, but was rejected. He then grew amazing melancholy, and wandered by the river and gazed in its depths, as if intent upon committing suicide by giving his body to the fishes for dissection—but he was not fool enough for that. His refusal becoming known through the college, was a source of much annoyance: one bright-eyed youngster hinted that a fellow who "took great *airs* on himself, had found *Ayres* that could not be so easily taken"—when Benson, instead of joining in the laugh, knocked the chap down, and was himself instantly prostrated by a blow from Jocelyn.

But Tim was not entirely at ease on the score of Miss Ayres. The old uncle had frowned on him as he entered the house, and given him sundry hints that Eliza was not for him, and he had also attempted to lay his commands on her in favor of Benson. Now this uncle, Pell by name, was the sole executor of the will of Eliza's father, himself having the profits of the large estate of the deceased gentleman, after supporting and educating the daughter, during her minority, or until she should marry. An item in the will was to this effect—that if Eliza married a person of moderate fortune, the whole estate, amounting to $60,000, was to become hers, on her marriage day, or when she became of age; but if her husband was himself heir to $30,000, half of the estate became the property of the uncle—which sufficiently explains the anxiety, on the part of Mr. Pell, that Eliza should marry Benson, as he would thereby become possessed of a snug little property.

Tim visited Eliza one evening and found her in tears. On his inquiring the cause, she informed him that Benson had that day repeated his suit, and had again been rejected—that on learning it, her uncle had come in and upbraided her, and threatened that if she persisted in refusing Benson, he would dispossess her of all her property; that he had her father's will, and nobody else knew its contents, and that he could and would so alter the will that unless she married with his consent she was to be disinherited for ever.

"Can't you get possession of the will?" inquired Tim.

"I should think it impossible, as my uncle keeps it close in an iron safe."

"I'll manage it, my dear, and get that will, or I'm no conjurer. You've told me, I think, that your uncle is very superstitious?"

"He is," said Eliza, "he imagines often that he hears voices of those who in their life-time he oppressed."

"In what part of the house does your uncle lodge?"

"On the first floor of the wing at the extremity of the building."

Tim bade her good evening, and then went to consult Mr. Fletcher, his attorney. After a time he was wending his way in a brown study to his boarding-house, when he was accosted by Pell's black servant, Peter:

"Good ebenin', Massa Jocelyn—I want to 'peak to you."

Peter was a stout, humorous old fellow, who was a favorite with Eliza's father. He commenced—

"Massa Jocelyn don't know what been goin' on at Massa Pell's since I let him out de gate dis ebenin'. Dat feller Benson come agin to see Missus, and she scamper off to her room and shet herself up, and den Benson go away—pretty soon Massa Pell come and call young Missus out and tell her she muss marry dat Benson in a month or he turn her out door—poor young Missus cry and take on so I had to blubber too—'caze you see she my old Massa's darter and I carry her in my arms when she little piccaninny. Dat old Massa Pell bery cruel—he say she hab no property if she not marry Benson. Now, Massa Jocelyn, what to be done? Can't you lick dat Benson? be sure you can—"

Here Tim, finding Peter had no love for his new master, and might aid him in his plan, interrupted him by asking him where he slept?

"In little room in de wing close by Massa Pell's bed room. He make me sleep dare 'caze he 'fraid—see ghost—and den call me in de room and make me set up all night wid candle."

Tim then informed Peter of the circumstances relating to the will—that he was anxious to obtain possession of it for the purpose of having it proved and recorded, and then it would be out of old Pell's power to injure his mistress. Tim also explained his powers of *ventriloquism*—and they together formed a project for frightening old Pell out of the will, that very night.

It was five minutes of twelve o'clock. The night was dark, and the shutters of the mansion creaked as the wind howled over the top of the trees. Old Pell had retired to his room, undressed himself, put on his night cap, and was busy in mind respecting the $30,000 he was to obtain if Eliza married Benson. He went to the iron safe, took out the will, read it over, and thus soliloquized:—"The jade must be made to submit, or, she gets no property. Here is a blank in the will sufficiently large to insert what is necessary—and as I drew it originally, it will be the same hand writing, and never be detected. So I'll just insert here, where it says Eliza is to become possessed of her property on her birth-day—*provided she marries with the consent of Samuel Pell*—whom I have constituted a guardian, and sole executor of my last will and testament." Peter's room was adjoining that of Pell; there was a glass window in the door between them, and there was *one* who had been an attentive *observer* and *listener* to the conduct and soliloquy of old Pell. The scoundrel had dipped his pen in the inkstand, smoothed out the folded parchment, and crooked his elbow to write—when

"*Forgery!*" cried a deep-toned, hollow, supernatural voice at his elbow. "*Forgery!*" reiterated the same voice, in another part of the room; and again the word "*Forgery!*" was slowly pronounced, and its tone gradually sunk in the earth beneath the floor.

Old Pell dropped the pen, and shrunk back pale and trembling, with horror and fright depicted in his countenance. Gradually he looked around the room and under the bed: nothing was to be seen. He listened: nothing could be heard but the *snoring* of Peter in the adjoining room. He began to think it an illusion, recovered his courage, and was about to take up the will again, but as he placed his hand upon it,

"*Forgery!*" again cried the voice in tones of thunder.

Pell drew away his hand as if he had received an electric shock, and leaving the will on the table he ran into Peter's room and *awakened* him.

"What's de trouble, Massa Pell?" asked the negro.

"Get up," said Pell, shaking with fright, "and come into my room."

Peter went in, and Pell asked,

"Did you hear nothing, Peter?"

"No, Massa—what you hear dat scare you so?"

"No matter. I want you to stay with me, and keep a candle burning—I'll go to bed."

He accordingly prepared to turn in, but bethought himself that it would be best to put the will again in the safe before he retired. He advanced to the table, and was in the act of taking up the parchment, when the same unearthly voice exclaimed,

"*Let the will alone, Sam Pell!*"

He started back with so much force as to upset Peter, who, falling against the table, upset that also, the candle was extinguished, and all was darkness.

Peter exclaimed, "What dis time ail you, Massa—what scare you now?"

"Did n't you hear a voice, Peter?"

"No Massa, I hear noting."

During the darkness and confusion, Tim slipped into Pell's room, and with a phosphoric preparation wrote on the wall the ominous word "*Forgery!*" in large, gleaming characters, *picked up the will*, and made his exit back into Peter's room. If anything could have added to the consternation of the horror struck Pell, it was beholding that terrible word blazing and twinkling on the opposite wall. He swooned away with fright. Peter raised his master on a chair, threw some water in his face, and relighted the candle. Pell soon revived, and inquired of Peter if he saw nothing on the wall? the servant saw nothing but massa's cloak hanging up. He charged Peter to stay with a lighted candle in the room all night, and parted his curtains for a leap into bed:

"*Don't come in here, you old sinner!*" shrieked the same voice, issuing from the bed clothes; but Pell had already thrown himself upon the bed, where he swooned again.

Peter threw more water in his face, and Pell again revived; but he was so exhausted with his numerous frights, that he was fast sinking into a sleep, when the same voice in a singing tone exclaimed—

"Good night, good night, old Sammy Pell,
And recollect, 'twill be as well,
That nought of this night's scene you tell!
Good night, o-l-d S-a-m-m-y P-e-l-l."

Tim now made his escape from the house, and went home. Next morning he called on Mr. Fletcher, and after due consultation, the subscribing witness to the will, a Mr. Sampson, was found, and before night the will was duly proved, and put on record.

"Do you intend to keep the will?" asked Mr. Fletcher.

"No, I intend to return it. There is no fear of *forgery* now, since it has been proved and recorded."

Fletcher replied that Tim would be an excellent lawyer.

Pell rose next morning after his nocturnal scene, pale and troubled in mind. Peter answered his numerous inquiries by stoutly asserting he saw and heard nothing the night before except that he knocked the table over and extinguished the candle, himself.

"It's very strange," said Pell.

On looking for the will, it was not to be found! and Pell no longer doubted that it was the apparition of the testator who had warned him, and had *spirited* away the will to prevent its mutilation. He kept his room, gloomy and moody, not daring to tell any of the last night's occurrence. Night came on, and he made Peter sleep in his room, but with no light burning.

His sleep was undisturbed: but what his astonishment to find in the morning that Peter was snoring away most unmusically in his own room! also, the centre table upset, the candle lying on the floor, and the *will* but a few feet from the prostrate table, all in the same situation as they probably were when in his fright he had overturned the table on the evening previous to the last! He cautiously approached the will, touched it with his cane, and listened, but hearing no noise he grew more bold, and at last grasped it up, hurried it to the safe, locked it, and put the key in his pocket. He next went into Peter's room, and after awaking him asked what he meant by leaving him and going to his own room to sleep, when he charged him to the contrary?

"I not understand you, Massa Pell," replied Peter.

"Why you black scoundrel! didn't I tell you to sleep in my room last night, and didn't I go to bed and leave you sitting there?"

"Ki! Massa, how can you tell me dat when *you hab been 'sleep yourself eber since night afore last?*"

Pell opened his mouth in wonder—"What do you say, Peter? have I been sleeping all this time?"

"Yes, you hab, and I couldn't wake you up, all I could do."

Pell scratched his head: the fright he had endured had affected his senses, and having an indistinct recollection of the scene he had passed through, finding himself contradicted by Peter in everything he attempted to relate, and withal not a little willing to believe that the horrors he suffered were imaginary, he settled down in the conclusion that it was even as Peter represented—he had been asleep thirty-six hours—had dreamed—and that was all!

He now resolved more firmly than ever not to be thwarted in his designs respecting Eliza, and it being daytime he again brought out the will, fearlessly. He then sat down at the table, took up his pen, and, after some trembling, he finally inserted the clause, the purport of which the reader has already seen. He then went to Eliza, and informed her that she must be prepared to marry Benson in a month, hinting that it would be useless for her to protest against it, for if she persisted in marrying Tim, she would thereby forfeit all claim to her father's property. Eliza however had been informed by Tim that the will had been proved, and he could not now harm her. She therefore wore a composed countenance, as Pell made this announcement, and replied,

"If I must be married so soon, uncle, I should prefer, as it is summer, that the wedding be at my aunt Winthrop's, at the beautiful Farmingdell Park. It will be so delightful to get married in that retreat, and as it is but eight miles distant I am sure our friends would be glad to accompany us."

Pell, who expected another shower of tears and complaints against his cruelty in compelling her to marry Benson, was overjoyed to find her so tractable on this point, and in the exuberance of his joy he promised that the wedding should be at her aunt's. It was therefore arranged that Eliza should go to the Park, there to remain until the day of her nuptials. The arrangement was soon communicated by Pell to Benson, who was exceedingly delighted with it, and consequently put on an extra supercilious behavior toward his classmates, and rubbed his hands and laughed when he saw Tim.—Tim paid but one visit to the Park before the wedding day, and how well he played his card there we shall see in the sequel. Suffice it to say, Mrs. Winthrop liked Tim, and always had disliked Pell. At this point, Tim communicated his secret to me, with a request that I should be his groomsman on the occasion.

The day of the nuptials arrived. The elite of the country adjacent, and of the College, were invited. Benson procured a splendid hack to convey himself and his groomsman to the Park. Tim and myself were dressed in the extreme of fashion, and procured a coach still more splendid, in which we wended our way in advance of Benson and his party, of whom old Pell was one. Having the lead of the train, by applying the whip to our horses we found ourselves at the Park some twenty minutes before the remainder of the party arrived.

On entering the parlor, we found Mrs. Winthrop, and Eliza, in her bridal dress, and her cousin Mary Winthrop, as bridesmaid; and also Mr. Strong, the clergyman, to the latter of whom Mrs. Winthrop introduced Tim as the bridegroom, and myself as his groomsman. It was arranged that as soon as the party arrived and had properly assembled, the bride and bridesmaid, and also Tim and myself, should take our stations at the upper end of the parlor, when the clergyman should perform the ceremony.

The whole party arrived soon after, and were arranging themselves for their appearance in the parlor. Benson, on his arrival, asked Mrs. Winthrop for Eliza, and was answered that she chose not to appear till the hour for the ceremony began, when she would enter the room from the wing adjoining the parlor, with her bridesmaid. In less than an hour, every thing was in readiness for the ceremony to commence. Pell had seated himself near the upper end of the room, and Mrs. Winthrop was stationed near him. Eliza and her bridesmaid made their appearance from an adjoining room, Eliza led in by Tim, and I had the honor of conducting her cousin to the place where we were to stand. We had just arranged ourselves, when Benson and his groomsman came up—and here considerable confusion ensued; Benson offered his hand to Eliza, who did not extend hers, but waved it, and curtseying, requested him to be seated, as there was an unoccupied seat near her uncle Pell. Tim could hardly contain himself from laughing outright, while Benson was so staggered with surprise, mortification, and disappointment, he only moved a few paces back, and looked indeed like the very picture of despair.

The lovers joined hands, and the minister commenced repeating the ceremony, when Pell, who had cast his eyes toward that end of the room, discovered what was going on, and screamed out, "I forbid the bans!"

The minister stopped: "I forbid the bans!" repeated Pell, his teeth gnashing with rage, "because I have not given my consent."

"You have no consent to give," replied Mrs. Winthrop. "Will you please proceed with the ceremony," Mr. Strong. Mr. Pell, this is my niece's wedding, and in my own house—I therefore hope you will take the him, and let us have no more of your interruptions."

"I say," replied Pell, "'tis written in her father's will, that she cannot marry without my consent."

"*Forgery!*" cried the same supernatural voice, which Pell well recollected. It came in a smothered tone—no one heard it but Pell and Mrs. Winthrop; Old Pell grew pale, and said no more. The ceremony was now finished without further interruptions, and Tim and Eliza were pronounced "man and wife." Then there was a tittering laugh all over the house. The students of the college, particularly, enjoyed it much. The idea that Tim had outgeneralled Benson in this hymeneal campaign, was too good, and they laughed together an hour. Benson only waited for the pronunciation of the sentence that Tim and Eliza were man and wife—he then rushed out of the door, followed by his groomsman and old Pell, and called for his hack. As he came rushing out, the students hailed him with "Benson, how ungallant you are, running away from *your bride!*" His carriage was soon ready, and in jumped Benson, groomsman, and old Pell, driving off at the rate of ten miles an hour.

After his departure, the evening passed off merrily, the good fortune of Tim, and the discomfiture of Benson and old Pell, furnishing matter of conversation and laughter for the whole party.

Next morning, a servant announced the arrival of Mr. Pell at the Park, with his lawyer, Mr. Ridgley. Pell directed that Mrs. Winthrop, Tim, and Eliza, be summoned to the parlor. The servant departed for that purpose, and in a few moments the three inmates entered the parlor, where Pell and Ridgley had seated themselves.

Eliza broke the silence by roguishly remarking, "You have come early, uncle, to pay your regards to the bride. You can't think how much I feel honored by this mark of your friendship and solicitude for my happiness!"

Old Pell's wrath was now up: "I've come to tell you, madam," said he to Eliza, "that by your disobedience to me, you have forfeited all claim to your father's estate, which, by his will, has now become my property. You and your husband will please never to show your faces at the homestead."

Tim replied, "If you were not an old man, my only answer would be by handing you into the street. As it is, I have to reply, that unless you yourself immediately quit the homestead, and render up, as executor, the possession of my wife's estate, you will meet with trouble of which you are not aware."

Mr. Ridgley then stated, "I have examined the will of your wife's father, Mr. Jocelyn, and find in it a condition that she was only to be possessed of the property by marrying with the consent of Mr. Pell, the executor of his will. It is therefore needless for me to say, that any attempt on your part to litigate so plain a feature in the instrument, would only involve you in costs, and the mortification of failure. Madam," he continued, addressing Eliza, "you did very wrong in being so disobedient, and yet," he added, turning his eye on Tim's noble figure, and frank and intellectual countenance, "there seems abundant excuse for your conduct."

Tim answered, "I entertain great respect for you Mr. Ridgley, and regret that you have not a more worthy client. Lucky will it be for him, if your services are not hereafter required to shield him from the Penitentiary. I wish you both a good morning!" and, presenting his arm to Eliza and Mrs. Winthrop, left them abruptly in the parlor.

"The impertinent youngster!" said old Pell; "let us go, Mr. Ridgley, and get the will proved. Mr. Sampson is the subscribing witness. I'll call upon him, have it established this afternoon, and then we'll see who has the homestead and estate."

They took their departure. In the afternoon, Pell called upon Mr. Sampson, and, producing the will, told him that, as he was the subscribing witness, he wished him to go before the Judge of Probates, and prove the will.

"Why," said Sampson, "I have done that, already, six weeks ago."

"What do you mean, Sampson?"

"Just-as I say—that, about six weeks ago, I swore to the will, before the Judge of Probates."

"Impossible!" replied Pell, taking the will out his pocket—but, as he took it out, his eye for the first time fell upon the following endorsement:

Essex County, ss: The within instrument duly proved and recorded in liber M of Wills, page 374, this 17th day of June, A. D 1824.

S. HALE, Judge of Probates.

Pell was wild with astonishment. At length he inquired who produced the will at the time it was proven?

"A Mr. Jocelyn," replied Sampson.

The whole truth now flashed upon Pell's mind. Tim it was who had so frightened him on the evening the will was missing, and he must have been the apparition who had taken it off. Pell's rage was now without bounds, and not recollecting how he stood affected by what had transpired, or that his own crime of