

"Yah, yah! you are too fast, young sir!" broke in the master, who was sitting on the verandah smoking, and listening to Kampei. "You are too fast. She is mine for two years. I have the agreement, signed by herself, with her receipt for the money."

"Money!" cried Kampei. "She has sold herself, then. But," he continued more calmly, "I am willing to pay you back again. See," and saying this he drew out his purse, showing to the master of the house a number of gold coins. "How much was it, I pray you, good sir?"

"Eighty *riyos*," the host replied.

"Eighty *riyos*!" echoed Kampei, a light dawning upon him.

"Why," the host went on angrily, "that is the very purse in which I gave the girl the money, and yet you pretend not to know that she is bound to me! What is the meaning of this deceit?"

Kampeï recoiled. All was now plain to him. To save his parents from ruin, his father probably from death, this poor girl, tenderly reared, sold herself into virtual slavery, where exhausting labour, ill-treatment, even stripes, would be her lot! And he had almost allowed her to drown herself when driven mad by his taunts! Poor Niya! And she did this for—was it for his parents, or for him? The question made him thoughtful.

Meanwhile Niya, her forehead pressed against the partition, sobbed. The moment she longed for had arrived. Kampei now knew why she was there, knew that it was for his sake she left her dear village. Yet she was frightened. What business had she to interfere in the affairs of grown people? What did she know of the great world that she should face it so lightly? Above everything, there was Kampei only a few feet from her, looking at her most intently—she knew it without turning round; she felt his gaze

pierce her—there was Kampei, and what should she do?

Kampeï rose, moved to Niya's side, and whispered, "Was it for my sake you did this, Niya?"

"Why should I do it for you?" she replied, evasively.

"Niya," he said, looking sharply at her, "I am no longer affianced to O-Suba; she loves a fair-haired foreigner, and is about to marry him."

She turned quickly, her cheeks glowing, her eyes sparkling through tears like the sun through mist; and, in the happy smile that lit up her face, Kampei read her secret.

"Then you love me!" he cried, and Niya's smile and blush said "Yes."

"You did not consult the girl's relations," said the young man, turning to the host.

"She told me she had none," stammered the other, alarmed for the legality of his agreement.

"Destroy the indenture, and receive back your money, good sir, I beg," said Kampei.

The tea-house keeper agreed, and, while the two men drank a cup together, he confided to Kampei that he was not sorry to cancel the bargain, as the girl did not suit. "She moped too much," he said; "she had some hidden grief—the cause of which," he added, with a smile, "I can now divine."

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O-Suba and her husband left Morioka, and went to live in one of the open ports; and Kampei and Niya, after their marriage, occupied the cottage formerly tenanted by the sisters. They now have three children, whom their relatives combine to ruin by indulgence; and the eldest, a sturdy boy, already speaks of the time when he will wear his father's sword, and take his place in fighting against the enemies of the Mikado.

FUNDS "IN CHANCERY."



WHEN Shelley, in his bitter poem, "To the Lord Chancellor," spoke of the "heaps of fraud-accumulated gold," his words had the substance of truth as to the fact of the "heaps," if not as to the manner of their accumulation. For many scores of years funds have been accumulating in Chancery, the extent of which few know, and the methods of acquirement and disposal of which most are ignorant of. There are millions of money "in Chancery" waiting for rightful heirs, and of late, at intervals, means of acquiring information as to these millions have been devised.

First, however, we may show that money may fairly

accumulate without "fraud" in Chancery, or rather in the Supreme Court of Judicature. If a railway company needs to buy land to extend its lines, it sometimes happens that no one is entitled to the money immediately. For instance, when A has a life interest in the land, it would be obviously improper to give it either to him or to B, to whom it may pass on A's death. Hence the money is paid into Chancery. A receives the interest, and B, if alive at A's death, then receives the principal. If, however, B have only a life interest, the money remains with the custodian; and there are circumstances which may arise that render the recipient doubtful. In such a case the interest is added to the principal until the right is proved to receive. Legacies left by wills may be paid into the same receptacle when the legatee cannot be found;

money left to minors may pass to the same source, and in the case of the death of a minor, the sum might remain till others proved their legal claim. So, in a hundred ways, money might and does pass without fraud into the custody of that Court which looks after the property of those who cannot themselves look after it.

But the Court is a custodian merely, and often a custodian for unknown persons, and it takes steps to bring to these the knowledge of the funds it holds, so that they may apply for them.

Irregularly at first, and now at intervals of three years, there is published a list of funds under accounts which have not been touched (except to add or invest dividends) for fifteen years before the publication of the list. This publication is one of bald fact, but it embodies much of romance and quaintness. It is issued in the form of a supplement to the *London Gazette*, and the latest one occupies 138 pages. It records simply "the titles of the account," the year in which it was opened, and the "date and value of last transaction." For instance, here is a brief record, not without its interest: "Black *v.* Straphan. 1749. . . . 10th Aug., 1773. Payment out." But that short record tells the story of a case in Chancery, begun in 1749, when money was there placed in custody. Twenty-four years later there was a "Payment" out of the account, but a remnant was left which in all these years has been untouched, except by the addition of interest. Black and Straphan have passed away, after the legal struggle, but there the money—whatever its amount—waits for a proper claimant. Another entry is as brief and more pathetic: "Mary King, a lunatic. 1742. Not dealt with." Poor Mary has passed away from her "case," alike of interest to the medical and legal professions, but the account opened 145 years ago has remained untouched in the safe grasp of the Court which Dickens terribly satirised. There is an entry "ex-parte the unknown person or persons interested in the freehold estate" known as "Nos. 19, 20, and 21 in Great Bell Alley, and No. 14 in White's Alley, in the City of London." In 1835 the account was opened, and it has since been "Not dealt with." Thirty-five years ago one Susannah Bloss left a legacy "to be given to Eliza Smith," but from the absence of the legatee or other causes, an account was opened in Chancery, and the account has not been dealt with since. And, as a final instance, let us quote that of "Conway *v.* Lord Conway, on account of the personal estate of Francis, Lord Conway, deceased. 1744. 3rd Aug., 1752. Payment out."

Thus, arising out of the insanity, the absence of the minority of persons, the want of proof as to the legal recipient, and allied causes, large sums accumulate. Public companies and public needs cause other aggregations. Great railway companies, for public purposes, need land or buildings, and in default of owners having power to sell, they pay the sum into Chancery, where it remains until there is proved right

to receive a share of it, or the total sum. And thus the long list is fed by the changing circumstances of humanity; and death, removal, and ignorance of bequests, brings at times some of the accounts within the range of those "which have not been dealt with otherwise than by the continuous investment, or placing on deposit of dividends during the fifteen years immediately preceding the publication of the list." This long production of the Pay Office of the Supreme Court of Judicature is a proof of the comparative permanence of property, and of the care taken by the old Court of Chancery of the possessions of peer and peasant, lord and lunatic, children, and people unknown or "beyond the seas." The long list is a noble testimony to the care that the State, through one of its creations, has of its people's goods and coins, of the watchfulness it has that the behests of the dead are fulfilled, or provision made for their carrying out, if claimants come after scores of years, and of the solicitude that it has to keep up the record of that judicial system—a system which Frederic Harrison has styled "a thing of antiquity when the House of Commons first emerges into view," which has "had the longest life in the past, whilst its splendid maturity promises it yet an almost incalculable future." But it has its sad aspect, has that list. It speaks, if not in Shelley's words of "fraud-accumulated gold," yet of amounts kept from the heirs, of bequests that cannot be given to those for whom they are meant because of mental incapacity, or other inability to acquire what was devised to them; it points to the litigation for centuries; it speaks of wealth waiting to fructify in the hands of unknown owners, all the poorer for their ignorance; and it tells of the countless thousands that, for want of owners, are thrown by the incidents of life and time into the care of that much-abused Court.

Of the method of obtaining money out of the Court little need be said. The reader who believes that he is heir to some of these millions will have to make assurance doubly sure. He will need to prove his personality, his legitimacy, his birth; to have affidavits of this, that, and the other; to state his claim in petition form, to prove that he alone is the person entitled to the share he asks, and that "all others," as the advertisement puts it, are "impostors." And having done all this, he must wait for the decision of the Vice-Chancellor or other official. Before this, he will have found out the meaning of those mysterious legal notices, and probably may have attained the dignity of figuring therein in some shape such as "Reader's Settled Estates—petition, 11.30, Vice-Chancellor's Court." He will have to prove by certificate that he is "of age," and no small portion of his time will be given up to satisfy inquisitive lawyers. Finally, he may find that the "millions" may be merely scores of pounds, and that he is only entitled to have the interest thereon for life. And, in such a case, his thought will be that it would be better if the Supreme Court would say exactly the sums it holds in each case, and for whom they are held.

J. W. S.

