

a staunch little friend : better than any sister. I have never even wanted one with you, but now you will have one of your own, and I'm sure you'll love her. You couldn't help caring for her. I couldn't, and—and—it was just a month before I came home that I told her so, and we became engaged——”

Jill still looked away. Her old plucky spirit did not fail her, but she could not have then either moved or spoken had her life depended on it.

Jack went on : a shade chilled by this quiet reception of his great news ; but it soon passed.

“I ought to have told you all before. I can't think how it is I did not. I mean to tell the parents to-night, and as soon as possible I want them to ask Carol down to stay. Carol! isn't it a pretty name, Jill? She was born on Christmas Day, so they named her that. Why, how white you look!” he suddenly exclaimed, breaking off. “Did Kitty frighten you with that last shy? Don't be afraid, dear ; I can manage her.”

Jill gave a little smile. “I'm stupid,” she said. “Do you mind stopping at the next farm for a cup of water? I shall be all right then.”

Jack was genuinely distressed. “You poor little thing!” he said. “Just see how quietly she is going. We'll stop here for some water.” And after Jill had sipped a little, they drove on again.

Jack continued the conversation. He seemed to have so much to say that he did not notice the small share Jill took in the talk.

And Jill sat still and cold, though the sun was blazing down upon her. The fields and the trees flew past, and she never noticed. A tiny dead bird lay on the roadside ; that she saw. Her heart gave quick, uneven beats. She felt faint and sick, and there was darkness everywhere. But the dead bird, with the flowers nodding over it, stood clearly out.

That night, driving back, someone else occupied the seat by Jack's side ; Jill preferred the brake. She had not yet got over her fright, he thought, she still looked very white : but had he heard the way the girl laughed, so lightly and merrily, leading the fun of the party, he might have been perplexed.

That same night Jack told his mother of his engagement. “Does Jill know?” was her question.

“Yes, I told her this morning,” said Jack ; and then Mrs. Ashton understood, but was too loyal to brave-hearted Jill to make any remark.

“Poor little Jill ! My poor little girl !” her loving heart was saying, and yet she could not blame her son. It was natural, brought up together as they had been, that he had for her only the old brotherly love. She tried to give him all the sympathy she could, and hid her own keen disappointment. He need not know of Jill, she thought : that could do no good now, and would only sadden his joy, poor fellow !

So she asked of Carol, and talked of Carol, and made promises about Carol ; though her heart was away with Jill, and, she thought, it is best she is going to India now.

His mother's question, “Does Jill know?” came back to Jack afterwards in a queer, haunting way.

“Does Jill know?” Why Jill? Why not his father first? Let it not be that! The thought was unbearable. He sought Mrs. Ashton again. He must have this horrible fear laid once and for all.

“Mother,” he began hoarsely, and his young face was lined with anxiety, “you do not think—oh, it cannot, must not be!—that—that—Jill——”

He gave one look at his mother's sorrowful face, and, with a groan, left the room.

Poor Jack ; and, poor Jill !

Next month Jill sailed for India.

A. V.

ANIMAL TRIALS BY JURY.

BY ALEX. H. JAPP, LL.D., F.R.S.E., AUTHOR OF “EXPRESSION IN ANIMALS,” ETC.



HERE can be no doubt that in animals the sense of justice is more or less developed, and that in some instances it reaches a very high level. Not only do they individually exercise the revenge for injuries which Lord Bacon defined as a kind of wild justice ; but, in

certain circumstances, they will combine for protection, and actually proceed precisely as men do

in parliaments and in law courts against enemies to the common good. This is especially noticeable among certain orders of birds, but it is not unknown amongst mammals either ; the most careful observers and the closest thinkers, however sceptical of many stories, having to admit that, in not a few of the most remarkable cases reported, there could be no room to doubt that animals had instituted law courts, conducted what were really trials by jury, and appointed certain of their number to see the sentence carried out—that is, to act as executioners of the will of the majority, or of the whole met in solemn council. A few of the most striking and thoroughly verified instances may be given, and, we think, cannot fail of interest for our readers.

Among the beavers it is undoubted that courts were held, and judicial functions exercised, and the sentences



THE "ROGUE" ELEPHANT.

carried out with most exact discipline. This is proved by the fact that near to every beaver settlement there exists a class of what are called "bachelor beavers." This is composed of two sections, old males who had lost their mates and were held to be no longer of true use to the community, and younger "bachelors" who had been expelled the settlement for misconduct, idleness, and laziness, more generally theft, and by a jury awarded a sentence of perpetual exclusion, a kind of penal servitude, which all the community of beavers were bound to join in order to see thoroughly carried out. These "bachelors" live alone, not in warm houses protected by dams, as in community, but in holes in the banks of the rivers—prison cells, in fact—where they just manage to live, and where they can at a pinch succeed in storing sufficient winter food. Sometimes their privations must be great, but there is no escape for them. If they endeavour to build a proper beaver house—at all events, within ken of any of their old associates—it is reported, and it becomes the bounden duty of the members of the community to turn out and destroy what has been done. Penal servitude among beavers really existed, as it does among us. The beaver-thief is compelled to work hard, in isolation from his family, and yet cannot secure the most primary personal comforts—cannot exercise himself in that craft of construction in which alone he can find true pleasure. He must atone to society for his fault, just as our convicted prisoners do. Anyone who has seen the beavers at the Zoological Gardens ceaselessly comforting themselves and passing their time in constructing houses that they do not need, will realise what a punishment a jury of beavers mete out to one of their own kind who is idle or lazy, or has been guilty of theft, or violated any of the essential laws of the beaver community, when they make him a "bachelor" beaver and will not let him erect a house near to them.

The herds of wild elephants undoubtedly exercise judicial functions, and sit as juries in the case of any offence or departure from elephant rules. They will gather together in circles, the culprit in the middle, and after certain communications made with each

other will trumpet distressfully, as if in concord, after which the poor offending elephant will be beaten by the trunks of the rest, driven out, rusticated, forced into solitary life, absolutely without any association with its friends,

for a longer or shorter period, according, apparently, to what has been originally decided regarding it. Just as with the beavers, there are "solitary" elephants, which live apart from the herd; and it is not unreasonable to conclude that, as they are often great thieves, they have been made outcasts on account of this. In some cases, at all events, the names they get are significant—in India they are called grondaahs, and in Ceylon horas, or rogues.

Of course, this judicial capacity will be found in its highest forms among social animals, that is, animals which live in herds, or in groups, and where, for their safety from enemies, very strict rules of sentinel conduct and united watchfulness are required. In these cases the maxim that "Unity is strength" is very thoroughly acted upon.

Dogs will often sit as jurymen in cases of any wrong from which they have all alike suffered. I know one case in which this happened. A big, rough dog, a cross between a collie and a hound—a sort of lurcher, in fact, which used daily to accompany a milk-cart into the town I come from, had for a long time borne the character of a surly tyrant, dealing blows, in the shape of bites, to the little dogs in the town, till more than one of them bore his memorial marks on head or body. He was a big bully of the worst sort, ill-used dogs smaller than himself, and took care not to meddle with a bigger one. With a friend I was walking in the twilight one evening, along a lane a little distance from the town, and not far from the farm where that big, rough lurcher stayed. What was our surprise to be overtaken by a bevy of dogs, big and little, some dozen or fifteen of them rushing past us from the town with such speed that they made quite a wind as they went. We speculated much on what this could mean. Next day, we heard that Nelson's "Victor" had been found in a dreadful condition at his master's door, bleeding and torn, and with just life left in him and no more. A very noticeable change was to be detected in him when he got better after that, and came into town as before. He did not meddle with the little dogs any more; but kept close beneath the master's cart, instead of roaming about and dealing punishment to smaller specimens. It was a matter of common remark, indeed, that Nelson's "Victor" was a changed dog. Are we not justified in assuming that the dogs had sat as a jury on it—perhaps engaged one or two bigger dogs in their cause—and themselves proceeded, as we saw them, to be the executioners of the law? The person who along with me saw that sight of the dogs proceeding to inflict legal punishment is now dead, but often, indeed very often, up almost to the end, was that incident referred to. The dogs acted

precisely as boys at school do, when at length they find out "the bully," and, led by a lad of energy, determine to teach him better manners and put him down.

Among birds the exercise of judicial functions is still more common. Who has not heard accounts of trials by jury among the crows? At the building time more especially, young crows will be found rather apt to try to save themselves the trouble of foraging for the necessary sticks and lining materials, and will go and pull a bit or two out from the nest of another pair more advanced in their work, and during their absence. Found out in their pilfering, the offending pair are taught that, whatever the crows may do outside their

thoroughly verified, gave the following at page 324, from the pen of the late Bishop of Carlisle:—

"I have seen a jackdaw in the midst of a congregation of rooks, apparently being tried for some misdemeanour. First, Jack made a speech, which was answered by a general cawing of the rooks; this subsiding, Jack again took up his parable, and the rooks in their turn replied in chorus. After a time, the business, whatever it was, appeared to be settled satisfactorily. If Jack was on his trial, as he seemed to be, he was honourably acquitted by acclamation; for he went to his home in the towers of Ely Cathedral, and the rooks also went their way."



"VICTOR'S" PUNISHMENT.

settlement, no thieving is allowed among themselves. Crow courts, or trials by jury, have often been observed and described. What a chattering and loud caw-cawing there is—these are the calls to come to court. Then one old fellow, the head village-man, patriarch, or chief, who for years on years "has led the clanging rookery home," as the poet sings, takes up the parable and addresses his companions in the most solemn judicial tones. Then there follows the chorus of agreement in the law laid down, "caw, caw," "hear hear," "let judgment be done," and straightway the nest of the offending pair is torn to pieces, to be worked into other nests by-and-by, and the offenders are driven out—for a time at all events—to find a site for their nest-building and pairing elsewhere than with their own family or tribe.

Mr. Romanes in his "Animal Intelligence," into which he admitted no statement that he had not

Many observers have noted about the stork that, in certain circumstances, the decision of whole communities holds with regard to certain offences, as they evidently regard them, though generally the poor female storks, who are the victims, become to the others monsters through the devices of men. Here are a few instances vouched for by the Rev. Mr. Morris, the famous ornithologist:—

"A French surgeon at Smyrna, wishing to procure a stork, and finding great difficulty, on account of the extreme veneration in which they are held by the Turks, stole all the eggs out of a nest and replaced them with those of a hen. In process of time the young chickens came forth, much to the astonishment of the storks. In a short time the male went off, and was not seen for two or three days, when he returned with an immense crowd of his companions, who all assembled in the place and formed a circle, taking no notice



“ITS COMPANIONS STOOD LISTENING, TO ALL APPEARANCE WITH GREAT EMOTION.”

of the numerous spectators which so unusual an occurrence had collected. The female was brought forward into the midst of the circle, and after some consultation the whole flock fell upon her and tore her to pieces; after which they immediately dispersed and the nest was entirely abandoned.”

The following, in many respects similar, case occurred on the estate of a gentleman of large landed property near Berlin, and is a valuable corroboration of what might to many appear as unworthy of credit:—“A pair of storks built a nest on one of the chimneys of his mansion; having a curiosity to inspect the nest, the owner climbed up and found in it one egg, which, being about the size of a goose’s egg, was replaced by one belonging to that bird. The storks seemed not to notice the exchange, but no sooner was the egg hatched than the male bird, perceiving, rose from the nest, and flying round it several times, with loud screams, disappeared, and was not seen again for three days, during which time the female continued to tend what she took for her own offspring as usual. Early on the fourth morning, however, the inmates of the house were disturbed by loud and discordant cries in the field fronting the house, when they perceived about five hundred storks assembled in a dense body, and one standing about twenty yards before the rest apparently haranguing its companions, who stood listening, to all appearance with great emotion. When this bird had concluded it retired and another took its place, and seemed to address them in a similar manner. This proceeding and noise was repeated by several successive birds until about eleven o’clock in the forenoon, when the whole flock simultaneously rose in the air, uttering dismal cries. The female all this time was observed to remain on her nest, watching their motions with apparent trepidation. In a short time the body of storks made towards her, headed by one bird supposed to be the male, who struck her vehemently three or four times and knocked her out of the nest;

the whole mass then followed the attack, until they had not only destroyed the female stork (who made no attempt either to escape or defend herself) but the young gosling, and utterly removed every vestige of the nest itself. Since that time no stork has been known to build there.”

“Some hen’s eggs were laid in a stork’s nest and the others removed. The female stork, not aware of the change, sat patiently the appointed number of days, till the shells were broken and the young chickens made their appearance. No sooner were they seen by the old birds than they testified their surprise by harsh notes and fierce looks, and after a short pause they jointly fell upon the unfortunate chickens and pecked them to pieces, as if conscious of the disgrace which might be supposed to attach to a dishonoured nest.”

Something of the trial by jury character also connects itself with the habit of the small birds to follow and surround the owl if he chances to find himself out of his nest through the day. Those who have witnessed this little bit of animal revenge say that it is very funny. The owl goes tumbling and blinking, incapable of flying straight in the clear daylight, and they flutter around him, scream and set up their feathers, while he becomes nothing but a nondescript bunch of feathers. The little birds play precisely the same part with the cuckoo in the brooding season. The male cuckoo has a peculiarly hawk-like aspect; and when he is thus surrounded and hunted by juries of small birds, he often presents a very wretched aspect. Clever and selfish though he is, his life is not all pleasant either.

Even the shy and shrinking swallows have been known to sit as a jury and to resolve on combined action against an enemy. Here is a story of the way in which the wiles of a cat to make prey of some of their number were defeated by them. It was told and vouched for by the Rev. Philip Skelton:—

"I once saw a remarkable instance of the sense and humour of the swallows played off upon a cat which had, on a very fine day, placed herself on the top of a gate-post, as if in quiet contemplation, when about a dozen swallows, knowing her to be an enemy, took it into their heads to tantalise her. One of these birds, coming from behind, flew close to her ear, and she made a snatch at it, but was too late. Another, in five or six seconds, did the same, and she made the same unsuccessful attempt to catch it. Then followed a third, and a fourth, and all the rest; and every one, when it passed, seemed to set up a laugh at the disappointed enemy. Then they formed a kind of circle in the air, and flew round and round her for nearly an hour; till at last pussy, tired of being made a butt of, jumped down and fled, as much baffled, I believe, as I had been diverted."

Sir John Lubbock has completely demonstrated that ants, by their antennæ, communicate with each other and hold conference, among many other things, with regard to the intrusion into their nest of certain individuals of other species of ants. After a great deal of discussion and conference—trial by jury, in fact—has ended, certain members of the ants are delegated to turn out the intruders, which they do in the most deliberate and systematic way.

There are certain insects which very closely imitate the colours of bees, and intrude themselves into the hives of these bees, with the definite object of robbing them of their honey. When they are detected there is great excitement in the hive, one bee communicating to another, and considerable disorder seems to prevail, until, finally, a sort of court is held, after which the business of dealing with the intruders comes on, when a certain number of bees, as though deputed for the purpose, proceed to seize with their pincers the unlucky personator, and either turn him out or tear him to pieces.

But there are instances of hive-bees on being injured, as they conceive, by a human being, taking up a definite case against the individual, and deputing certain of their number to watch and deal out sentence, as is attested by the following anecdote, vouched for by a correspondent of *Land and Water* :—

"A friend of mine at Stratford-on-Avon, wishing, this past autumn, to procure some honey from his

hives, applied the fungus to stupefy the bees, as usually done. However, whether from his own awkwardness or the badness of the fungus, he could not thoroughly succeed. The consequence is, he has become an out-cast from his garden. The inmates of those two hives will on no account allow him to enter it. His wife and children walk as usual, and stand and watch the hives without any molestation, but immediately he is recognised, however far off, he is pursued and stung by constantly-increasing numbers, and made to fly at his best pace; and this occurs months after the event; and he expects the only remedy must be the total destruction of those hives and their vindictive little tenants."

Here is another instance of jury-like deliberation issuing in definitely concerted action for punishment, on the part of ducks, not generally credited with much cleverness or power of united action, vouched for by another clergyman. He writes :—

"One more anecdote in evidence of the sagacity of the duck. I had five Aylesbury ducks, with a number of fowls. The lord of the yard, a most despotic chanticleer, would never suffer the ducks to feed with his family and friends when, at the regular meal-times, the grain was scattered for their common use. Ferociously and without pity he drove them from the ground. This had been going on for many weeks, and one day, at the usual twelve o'clock repast, the act of expulsion was performed as usual. I was present, and saw the discomfited ducks retire to a corner of the yard. There they evidently held a conference, or resolved themselves into a jury. Having been so engaged some five minutes, they proceeded with deliberate and resolute air, in single file, as is their wont, towards their oppressor. Having reached the tyrant, they surrounded him, each duck turned his posterior towards the enemy, and with concerted action fairly hustled him clean out of the yard. To see the surprise of the cock, as he jumped from side to side to avoid the pressure of the attacking party, was ludicrous in the extreme. The victory was complete; from that hour the ducks were never again molested."

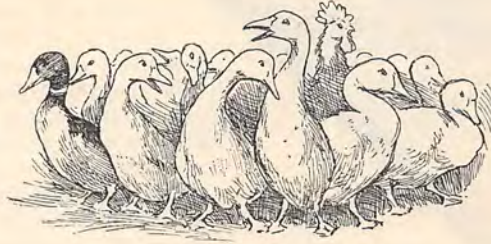
Now, concerted action, in all these cases, with a definite penal purpose, could only have resulted from conference at which a systematic process of procedure was settled on. That the animals perfectly understood and agreed to this was essential to success. We might cite many more cases, but the principle in all is the same—the recognition of a common cause, or right, or interest first; next, the full consciousness that individual action could not avail, but that united action would prevail. There could hardly be a higher or more definite proof of the exercise of reason. The animals suffer from the fact that they have no clerks to make record for them, as we human beings have; but human beings, observing their action are compelled to draw certain inferences, that animals, the more closely they are observed, reveal more and more likenesses to men, even in the higher aspects of moral and social development. Surely, that nice observer and thorough lover of the animals, Henry Thoreau, was right when he summed up his deliberate conviction



"THE SMALL BIRDS' REVENGE."

in the words : "Animals are undeveloped men, standing on their defence awaiting their transformation." Thoreau in much anticipated Mr. Darwin—only, though he would have joyfully hailed many of Mr. Darwin's results, he would have mourned over the lack of that sympathy and poetic imagination which

seemed more and more to have, on his own confession, deserted Mr. Darwin the more completely the longer that he lived, observed and succeeded in justifying his theories. No gain but there is loss to set against it. Mr. Darwin was a kind of martyr, too, to his own success.

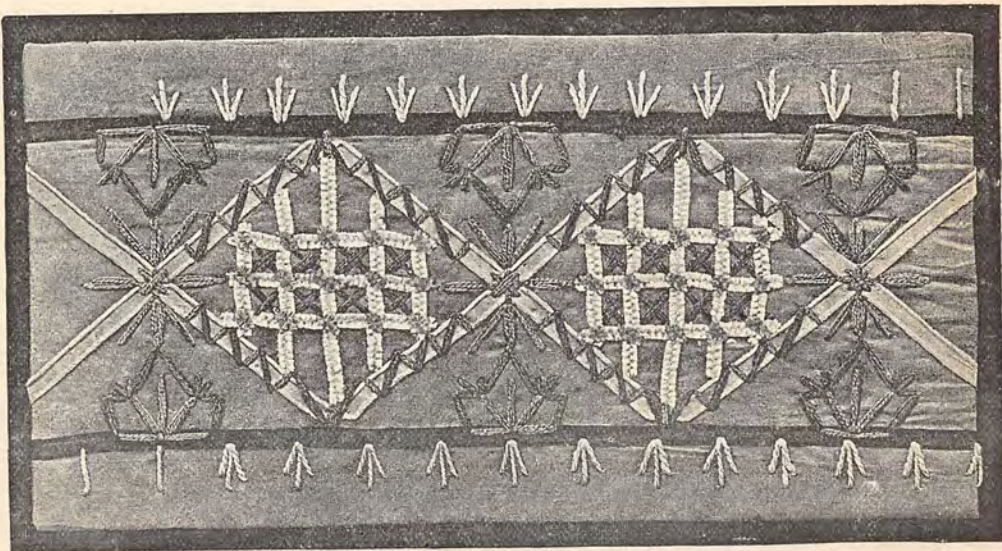


NEW RIBBON WORK.

INGENUITY is now busy devising various ways in which skilful fingers can utilise the baby ribbons, for which there has been such a rage of late, in the adornment of embroidery and fancy knick-knacks of all kinds. This is scarcely to be wondered at when the enormous variety of colours and shades in which these ribbons are to be had is remembered, and they certainly seem better suited for the decoration of fancy work than for using in hats and bonnets, and on dresses, where they had decidedly a straggling and weedy appearance. Many baby ribbons are of dull silk merely corded, others are satin ; more frequently than not, whatever may be the centre, the edge is corded, or is more fanciful, but the width seldom exceeds a quarter of an inch. Velvet is to be had in

about the same width ; and in many cases, when used with the silk, contributes greatly to the richness of the effect.

Ribbon work, as it is at present, may be divided into two classes : that executed with ribbon pure and simple, and that in which the ribbons, while still forming the main part of the decoration, are employed upon silk, velvet, or linen, and held in place with fancy stitches of coloured silks. In the ribbon embroideries executed by our great grandmothers, it is the finer makes still that were utilised, such as could easily be drawn through the material with the aid of a large needle. Except when the coarsest kinds of canvas are employed, baby ribbons are unsuitable for this class of work, and the designs worked are consequently of a very simple nature without many curves and windings.



BAND EMBROIDERED WITH SILKS AND BABY RIBBON.