

THE AFFAIR AT ISLINGTON.*

By Matthew White, Jr.,

Author of "One of the Profession," "Allan Kane's Friend," etc.

SYNOPSIS OF CHAPTERS PREVIOUSLY PUBLISHED.

THE Deans were a happy household until Estelle Osgood, the leading woman of the "Borrowed Plumes" company, and an old love of Gilbert Dean's, came between husband and wife. Dean and the actress realize the hopelessness of their love, and the danger it threatens, but despite Estelle's remonstrances Gilbert persists in communicating with her. The wife's suspicions are finally aroused, and when the "Borrowed Plumes" company plays in Islington, she goes to the hotel where Estelle is stopping and there encounters her husband. She bitterly reproaches him, and an angry conversation ensues which is overheard by some of the hotel employees.

On the following morning Mrs. Dean is found dead in her house, and marks on her throat point conclusively to violence. Gilbert has not passed the night at home, and at the inquest circumstantial testimony against him is so damaging that a warrant is issued for his arrest. The detectives follow him to Schenectady, and when taken into custody his own words form but another link in the chain of evidence which is steadily dragging him to his doom.

XII.

IT was the day of the trial. The court room was packed to suffocation, and those who could not get inside formed groups in the halls and on the street without, all discussing the one absorbing topic.

Dean had protested his innocence from the first, but even those who had been his closest friends had their faith in him staggered, not only by the evidence brought forward at the inquest, but by his own words when apprehended in the hotel at Schenectady. What his defense would be none knew except his lawyer, Philip Wilton, a Lakefield chum of his, who had been summoned from New York to take charge of the case.

The State was represented by Amos Grymes, the district attorney, who entered upon this trial with almost savage delight. It furnished him the opportunity he had dearly craved. He was ambitious for political advancement. What mattered it to him whether this advancement were built upon the grave of a fellow man? He had no sentiment in his cold nature. He did not know the meaning of an emotion. The

conviction of Dean meant glory for him, and what was Dean to him? What was any man to him?

"Every one for himself in this world," was Grymes' creed. "The world has always been against my family—against me. I have progressed simply because I have fought the world, and now I have made a start, I'll show them that a Grymes can compel recognition."

Amos Grymes was not a comely man to look upon. He was of a stubby type, with square jaw and heavy features—almost sullen, they were. His hands were hard, with stumpy fingers. The fiber of the man was coarse. Avarice and ambition were the passions of his life. He had risen to be district attorney through the manipulation of machine politics. His strength lay with the worst element. This tragedy at the Deans' had set on fire his miserable soul. He saw at once opening before him visions of power that had hitherto seemed afar off.

A hush as of death fell upon the room when the prisoner was brought in. The most morbid of the spectators could not have imagined a change in him more awful than was the reality. There was a dullness in the eye, a languor in the carriage, a droop of the shoulders, that made him as different from the Gilbert Dean of yore as pale moonbeams differ from the radiant shafts of sunlight.

The judge entered and took his seat, a jury was sworn in, and then the clerk of the court read the indictment, charging Gilbert Dean with the murder of his wife, Louise Dartmouth Dean. Thereupon Amos Grymes stepped forth, and made a presentation of the case.

"The crime which I shall seek to bring home to its proper source," he said, among other things, "is one of peculiar atrociousness. Not the greed of gain, nor the desire of revenge, nor the stroke that seeks its victim in a moment of passion—with none

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of these do we have to deal. Cold, deliberate, unprovoked murder confronts us, and should the guilty one escape, through any false sympathy due to hitherto good standing in the community, it will be a blot upon the justice of our county that can never be effaced."

Grymes then proceeded to state what he proposed to prove, which was that the prisoner could not be more plainly guilty than if he had been taken red handed in the very act.

The district attorney now called the first witness, a maid in the service of Mrs. Dean. She testified that she had admitted her mistress to the house about five o'clock in the afternoon preceding the tragedy; that Mrs. Dean had seemed much disturbed in mind, and scarcely tasted of her dinner. She stated furthermore that Mr. Dean did not come home according to his custom.

"He was not in the habit, then, of staying away from this meal?" asked Grymes.

"Oh, no, sir."

"Very good," said the attorney, with such a look of satisfaction that the poor witness came near breaking down on the stand, fearing that she had said something to convict her master.

"Will you kindly state," Grymes went on, "when was the next time you saw Mr. Dean?"

"Not till this blessed minute as I see him now afore me, God have mercy on us all."

"Never mind sentiment," snapped Grymes, adding: "But the fact that you did not see him would not prevent his having come to the house without your knowledge? He carried a latch key, did he not?"

"Yes, sir, always."

"At what time did you retire on the night of the murder?"

"About ten, sir."

"And you were roused by no noise during the night?"

"No, sir."

"Were you ever aroused by any noise in the night?"

"I can't just think now, but I suppose, sir, I have been."

"I dare say. In case a burglar had effected an entrance, you might have heard him without being sufficiently awakened to be alarmed?"

"Oh, sir, I don't know."

"Are you a light sleeper?"

"Yes, sir, I think I am."

Grymes then proceeded to another point of attack.

"When you came down stairs the next morning did you pass out by the front door for any purpose?"

"Yes, sir; to sweep off the piazza."

"Did you notice that the lock of the door had been tampered with in any way?"

"No, sir."

"And when you came to open the windows, did you find anything wrong about them?"

"No, sir."

"And was there any silver or jewelry or money missing from the house?"

"No, sir; not a thing."

This witness was then dismissed, and the cook was called, and put through an almost similar catechism. Her answers were to the same end—that no alarm was heard in the night, that nothing was missing in the morning, no locks broken, nor was there any evidence about the place to show that any stranger had been there.

A chambermaid from the Forest King House was next placed on the stand, and after testifying as to her name and occupation, had this question put to her by Grymes:

"Did you, or did you not, hear high voices coming from the ladies' parlor in the hotel on the afternoon preceding the murder?"

"I did, sir."

"Was it a man's or a woman's voice that seemed to be the most threatening?"

"A man's voice, sir."

"Could you catch what he said?"

"Yes, sir; some of it."

"Will you tell the jury what you heard?"

"Well, sir, one thing he said was, 'You shall not get away,' very savage-like."

Profound sensation in the court. Grymes' stubby mustache raised itself slightly, making about his mouth a close approach to a smile. Dean made a quick movement as if about to speak, then sank back listlessly.

"You have no means of knowing, of course," Grymes went on, "to whom this remark was addressed?"

"Yes, sir, I have," answered the witness; "because the next minute Mrs. Dean rushed out of the room like as if she had tore herself loose from somebody a holding of her."

Another sensation, and another gleam of satisfaction in the district attorney's covetous eyes.

"Did you hear anything else after Mrs. Dean had taken her departure?" he now went on.

"Yes, sir."

There was breathless silence in the court,

and heads were eagerly craned not to lose a syllable of the testimony that was about to be submitted.

"Will you tell the jury what you heard? What remark did the prisoner make just after his wife had gone?"

"He said that he would find a way to silence her, that the actress woman need not be alarmed."

A low murmur of indignation swept through the court room, which was checked by the judge. Again Dean started up as if to protest, but once more sank back, with the same hopeless look in his eyes.

"What response, if any, did Miss Myrwin make to this?" proceeded Grymes.

"She spoke quite low, sir, and I could not rightly hear, but it sounded like, 'I won't be talked about in that way, Gilbert. You must defend my good name.'"

"Are you quite certain she spoke to the prisoner as 'Gilbert'?"

"Yes, sir; I heard that quite distinctly."

"What response did he make?"

"He said that it was shameful; that he didn't care whether it was his wife or not; that he was going to make her right the wrong she had done them, if it took force to do it."

"You are certain the prisoner made use of the word 'force'?"

"Yes, sir."

"Did he seem to speak in anger?"

"Yes, sir."

"What else did they say?"

"I couldn't hear all."

"Tell the jury, please, what you did hear."

"Well, there was something about her having 'made his life miserable,' that she was 'a millstone about his neck.'"

"What else did you hear?"

"Nothing else, except a noise as if he was coming out, and then we hurried to get away."

"You say 'we.' Who else was with you in the hall?"

"Johnny Crump, and Mrs. Mix, who had a room on that floor."

These two were then called to the stand in quick succession, and corroborated all that the chambermaid had said up to the point where Mrs. Dean had left the room. They had both retreated at that stage, but the boy came back in time to hear the prisoner say that somebody was a millstone about his neck.

Grymes had spent much labor upon these witnesses. He had sought frequent interviews with them, and by patient manipulation had succeeded in molding their

testimony into the shape it finally took. He next brought forward a cigar dealer who had seen Dean come out of the Forest King House at half past five.

"You are acquainted with the prisoner?" questioned Grymes.

"Yes; he has often bought cigars of me."

"Did you speak to him?"

"Yes; I said, 'Good evening, Mr. Dean.'"

"And what reply did he make?"

"None."

"Was he in the habit of ignoring you in this way?"

"No; he was always very friendly."

"Which way did he go? Toward his home?"

"No; in the opposite direction."

"Did he appear to be walking as though he had an object in view?"

"No; sometimes he would move fast, and at others slow."

"Where did you lose sight of him?"

"At the corner of Elm and Hawk Streets, where I turned off to go home and get my supper."

The State's next witness was a woman residing on Hawk Street, who had been standing at her gate watching for her husband to come home. She testified to seeing the prisoner pass about a quarter past six, and to thinking it strange to see him in that part of the town. Then came a farmer from Raymond Falls, who had passed Dean on the road to that village.

"Was he walking toward Raymond Falls?" asked Grymes.

"Yes."

"Was it light enough for you to be sure it was the prisoner?"

"Yes; the sun hadn't gone down yet."

"Just in what part of the road was this? Were there any houses near?"

"No; it was by that piece of woodland of Deacon Myers'."

Dr. Blauvelt was now called and declared that he met the prisoner a few moments after the farmer had passed him.

"How do you know this?"

"Because within five minutes I overtook the farmer."

"Which way was the prisoner walking when you saw him?"

"Towards Islington."

"Then he must have turned around in the road without stopping anywhere?"

"Presumably, as there was no place for him to stop."

Another witness next testified to seeing the prisoner on Liberty Street at eight o'clock.

"In what direction was he walking?"

"Eastward."

"That is to say, in the direction of Raymond Falls?"

"Yes."

"Was he walking fast or slow?"

"Slow; almost sauntering, you might say."

"Was it not dark by this time?"

"Yes."

"How then can you be certain that it was the prisoner you saw?"

"Because I met him under a street lamp."

Mrs. Hallohan, residing in a tenement opposite the Dartmouth factory, being duly sworn, stated that she had seen the prisoner enter his office in the factory, with a key, a little after eight o'clock. A constable was then called who told of meeting Dean just as he was coming down the steps from his office, somewhat after ten. Next John Upton repeated the testimony he had given at the inquest.

"Can you swear that he had just left his home?" asked Grymes.

"I am quite certain of it."

"You saw him turn out from the gate, then?"

"Yes."

"You said you spoke to him. What did you say?"

"I called out, 'Hello, you're going the wrong way!'"

"And what reply did he make?"

"None."

"Do you think he heard you?"

"He must have."

That there should be no doubt of this, Grymes now produced another witness, who had started to the station to meet a friend he expected on the midnight train.

"When did you first catch sight of the prisoner?" asked the attorney.

"As a quick moving shadow coming down the driveway from his house."

"You say 'quick moving'; was the prisoner running?"

"I should say he was."

"But he slowed up before reaching the gate?"

"Yes."

"Do you think he saw you?"

"I don't know."

"Did you see Mr. Upton?"

"I did."

"Did you hear him call out to the prisoner as he has stated?"

"Yes."

"Then the prisoner must have heard, too, as you were farther from the speaker than he was?"

"I should say he must."

"Where did the prisoner go then?"

"To the station, just ahead of me."

"Then what became of him?"

"He swung himself on to the last car of the Albany train, which was just moving out."

The conductor and brakeman of this train, and the night clerk from the hotel in Schenectady, were now examined, and their evidence went to show that the prisoner was in a highly nervous, almost dazed condition on the night of the murder.

But Grymes did not rest here. He fully realized the influence Dean's hitherto high standing in Islington might have upon popular opinion in the way of awakening sympathy for him. To checkmate this he had gone to Lakesfield, the prisoner's native place, and by skilful maneuvering, and with untiring patience, had unearthed boyish quarrels and escapades long since forgotten by nearly all concerned in them. He brought witnesses to Islington to prove that Dean was cursed with an ungovernable temper, and that while he had always made a fair showing outwardly, his heart was black. According to these deponents, Gilbert Dean had not a spark of gratitude in his nature, lived only to gratify his senses, and had married for money.

To be sure, the men who swore to these things were rather threadbare, disreputable looking specimens of humanity themselves. Envy of the high estate to which their fellow townsman had attained might not have been influential in inducing them to assent to Grymes' desires; but "give a dog a bad name and hang him." The astute district attorney had laboriously prepared his ground, and the seed he sowed in it instantly sprang up and bore the desired fruit.

From this phase of the accused's character Grymes passed to the affair with Marie Myrwin, the actress, with the intention of showing the actuating motive for the crime. Witnesses were brought from Albany to prove that the two were together there, and the keen scented attorney even found out about the deception Dean had practised on his wife. Eugene Illford was placed on the stand to prove it.

"You are a friend of the prisoner, I believe?" began Grymes.

"Well, a business acquaintance, say, rather."

"But you always had a high opinion of his character?"

"Yes."

"Have you any reason to suppose he de-

ceived his wife with regard to a visit to Albany in your company?"

"In the light of late events, I am compelled to believe that he did."

"Do you recognize this card?" went on Grymes, passing the piece of pasteboard over to him.

"Yes; it is the card I wrote at his office the day I called there and found him out."

"What did the prisoner say with regard to the card?"

"He said that he had never seen it; that it must have blown out of the window."

"Out of the office window, he meant, I presume?"

"Yes."

"And yet that card was found on Mrs. Dean's dressing table. How do you account for that?"

"I cannot account for it."

"You gathered from your call at the house, did you not, that the prisoner was not anxious to have you meet his wife?"

"Yes."

"And does this not lead you to infer that the prisoner had been leading a double life?"

"I confess I have been very much surprised in him."

While this testimony was not so directly damaging as the rest, yet, coming as it did from a friend of the accused, it had a marked effect on the jury, as tending to show the dark strain in Dean's character and his capacity for blinding the eyes of those who were about him. As the trial proceeded, and the coil of evidence circled more and more tightly about the prisoner, Grymes pursued the trail with increased ferocity. His own fame was spreading daily. His name figured prominently in all the newspapers, and "Grymes Springs a Fresh Clincher" was the heavy head line that more than once stirred his soul with a sense of triumph. He rested his side of the case with perfect confidence in the outcome.

XIII.

PHILIP WILTON, Dean's counsel, although a young man, had already established a good reputation in the metropolis. He had known Dean since they were both in knickerbockers, and had a stanch belief in his friend's innocence; but in his attempt to establish it he found himself confronted with a herculean task.

He began the defense with a well worded plea against the monstrosity of sending an innocent man to his death on circumstantial evidence, citing numerous instances where this had actually been done.

His first witnesses were some of the solid business men of Islington, who testified to Dean's integrity in every transaction they had had with him. These were followed by citizens of Lakefield, who in refutation of the stories told by the prosecution, related how Gilbert Dean had always been, so far as they knew, an honorable, well conducted boy and man. Then came the sensational feature of the defense—Estelle's appearance on the stand.

When she entered the court room the reporters from the newspapers of three cities put fresh points to their pencils in anticipation of some particularly spicy revelations. Her face was like marble, not only in its whiteness, but in its immobility. She had known what to expect in facing such an assemblage, and had steeled herself to show no sign of the anguish that threatened to unseat her reason. Only the dire necessity of having to earn her livelihood had enabled her to play since that awful moment when she had learned of Mrs. Dean's death.

She had read the evidence brought forward at the inquest, but did not realize how black it made the case look for Gilbert till now, when she could see stony despair in the face of the man in the prisoner's dock. And yet, not one jot did her belief in his innocence abate. The Gilbert Dean she had known as boy and man simply could not commit so atrocious a crime; that was enough for her. That he could clear himself she had not an atom of doubt—till she looked upon him at this moment. There was a hopeless misery in his expression that told of ambition dead, of the extinction of all expectation of freedom.

And yet, to Estelle's eyes at least, this abandonment to despair was not the abandonment of guilt. It was simply the physical breaking down of the man beneath his terrible burden. "And it has all been through me," she told herself bitterly. "If I had not sent for him that night in Beverley, he would not have come to this!"

In spite of all her determination, her agitation when placed on the stand was pitiful. She could not but be conscious of the detestation in which she was held in Islington. Indeed, none took any pains to hide it from her.

She testified to having known the prisoner about twenty years, admitted that they had quarreled and separated, and that she had never expected to see him again until they met in the autumn.

Then, coming down to the interview with Mrs. Dean at the Forest King House, Wilton attempted to show the falseness

of the testimony of the listeners in the hall.

"Just previous to Mrs. Dean's withdrawal from the room, did the prisoner say to her, 'You shall not get away'?"

"No, he did not."

"Can you recall what he did say?"

"I am not sure, but it was not that, I am certain. What he meant was, that he did not wish her to leave in that mood."

"Well, then," Wilton proceeded, "have you any recollection of the prisoner saying he would find a way to silence her?"

"I am sure he never said that."

"You heard the testimony of the chambermaid from the Forest King House?"

"I did."

"Now can you recall addressing the prisoner in the words of that witness: 'I won't be talked about in that way. You must defend my good name'?"

"I may have said that. I was very much agitated."

"One more question, Miss Osgood. Did the prisoner say his wife had made his life miserable, that she was a millstone about his neck?"

"No, he did not; that is wholly false."

Grymes now took up the cross examination of the actress. It was difficult for him to conceal the satisfaction he derived from this portion of his task. He knew that each question would act as a probe upon a still bleeding wound, but that inspired in him no compassion. The sentiment was foreign to his nature.

"In the direct examination," he began, "you stated your belief that the prisoner did not wish his wife to leave the room in that mood. To what mood did you refer?"

"She was very much excited."

"Can you state what had excited her?"

"The interview. She did not know that her husband and I were such old friends, and thought it strange that he should come to the hotel to see me."

"Very good. You affirmed on the direct examination that the prisoner did not say he would find a way to silence her. But two witnesses are agreed that he did say it. Now can you recollect his saying anything that was similar; some sentence with the word 'silence' in it?"

Estelle reflected an instant and then answered,

"He may have said something to the effect that the only thing we could do was to keep silent about the matter."

"That does not sound much like the words the other two witnesses testify to having heard. Do you not think that your agita-

tion—you admitted under my opponent's examination that you were agitated—do you not think that this agitation may have weakened your memory?"

"It may have to some extent, but I am sure there was nothing threatening to Mrs. Dean said."

"But you cannot state just what was said?"

"No, I cannot."

Estelle then left the stand, and a recess was taken. Held in abhorrence as she was in the town, her testimony had added little to strengthen Dean's case. None doubted that the actress would not hesitate to perjure herself if thereby she might help the man over whom, to their eyes, she had cast her spell.

XIV.

WHEN the court reconvened, Dean himself was placed on the stand, and invited to account for his whereabouts on the night of the murder.

"At what time did you leave the Forest King House?" asked Wilton.

"About six o'clock."

"Do you recall seeing Thomas Stearns, the cigar dealer, as you came out?"

"No, I do not remember recognizing any one."

"Where did you go first?"

"Nowhere in particular. The scene with my wife had left me in a very excited frame of mind."

"But you have some knowledge of the direction in which you walked?"

"I only know that after I had been walking for some time I found myself on the road to Raymond Falls."

"About what time was this?"

"Sunset; about seven o'clock."

"What did you do then? Had you any purpose in going to Raymond Falls?"

"No; I did not go there. I turned around and walked back toward town."

"Why did you take this long, purposeless walk?"

"I was trying to plan out some course of action."

"Where did you go when you reached town?"

"To my office."

"What time was this?"

"About a quarter past eight."

"Did you enter your office?"

"No."

"Was there any one at the office besides yourself?"

"No."

"Did any one see you enter?"

"I don't know."

"What did you do after you reached your office?"

"I sat down and continued studying the problem before me."

"You had no supper, then?"

"No."

"How long did you remain in your office?"

"I do not know. I did not look at my watch."

"But you must have some idea whether it was one hour, or two, or three?"

"I should say I was there from two to three hours."

"Where did you go when you left the office?"

"Nowhere in particular. I wandered up and down the streets."

"How much time did you spend in this way?"

"Fully half an hour, I should think."

"What did you do then?"

"I went to my own home."

"Did you enter the house?"

"No."

"Why not?"

"Because I felt that I could not yet face my wife."

"But you were inside the grounds?"

"Yes."

"How long did you remain there?"

"I have no means of telling for certain."

"Were there any lights in the house?"

"Yes, there was a light in the dining room."

"What did you do next?"

"I heard the whistle of the midnight train, and I suddenly determined to go to the station and board it."

"Had you any object in mind in thus leaving town?"

"None in particular. I was still dazed by the affair at the hotel. I was restless and excited, scarcely accountable for what I did."

"Did you run from the house to the gate?"

"I started to, as I feared I might miss the train. Then I remembered that it did not matter so very much if I did miss it."

"Did you see any one as you passed out at the gate?"

"Yes; I saw a man across the street."

"Did you recognize him?"

"Not until he spoke. Then I knew it was John Upton."

"Why did you not reply?"

"Because I was not in a mood for conversation."

"Had you any idea where you would go when you boarded the train?"

"No; I simply wanted to get away from the place where I had been through so much misery."

"You did not stop to purchase a ticket, then?"

"No."

"What did you say to the conductor when he came through?"

"I told him I wanted to pay my way to Albany, as I had had no time to buy a ticket."

"Which you did?"

"Yes."

"You then left the train at Schenectady. Why did you do this?"

"For no special reason. A man is liable to do unaccountable things after he has been told by his wife that she does not wish to have anything more to do with him."

"When the officers entered your room at the hotel the next morning and announced that you were wanted on a charge of murder, why did you exclaim, 'Is she dead?'"

"When I heard the word 'murder' from the officer's lips, the horrible thought flashed over me that it was my wife—that she was dead."

Grymes now took up the cross examination of the prisoner.

"When you left the Forest King House," he asked, "did you not at first walk at a rather fast gait?"

"I may have done so. I do not fully recall the speed at which I moved."

"And the direction in which you at first turned would have taken you to your own home, would it not?"

"Yes."

"Can you give the jury any reason why you walked toward Raymond Falls?"

"No reason except that I was very much disturbed in mind, and did not care where I went."

"You were thinking of your wife, I presume?"

"Yes."

"And it occurred to you, doubtless, that things might have been much more harmonious had she not called on Miss Osgood that afternoon?"

"Yes."

"This, then," Grymes went on, "accounted for your perturbed feelings?"

"Yes."

"You say you cannot account for your walking toward Raymond Falls; can you give any explanation of your suddenly

ceasing to go in that direction, and turning back toward Islington?"

"No, I cannot, beyond what I have already said about my state of mind."

"You were still thinking about your wife, I presume?"

"Yes."

"Do you recall coming to some sudden decision in regard to your course of action at the moment when you turned in your tracks?"

Grymes looked very intently at the prisoner as he put this question.

Dean reflected an instant before replying, and then answered, "No."

"But there must have been some cause to induce you to turn about at that particular point?" persisted Grymes.

"There may have been, but my brain was in such a distracted condition that I have lost all memory of it," replied Dean wearily.

"When you went to your office," the district attorney proceeded, "did you have a light there?"

"No."

"Were you in the habit of going to your office in the evening and sitting in the dark to meditate?"

"No."

"Did you ever do such a thing before?"

"No."

"If you heard of another man doing it, would you not think it strange, not to say ridiculous?"

"I suppose I should."

"When you waited till about eleven o'clock to return to your own home, did you have any special object in this delay?"

"No; I had not thought till then about going back at all."

"At what time were your servants in the habit of shutting up the house and going to bed?"

"At ten o'clock."

"You have stated that you saw a light in your dining room. Did it not occur to you as strange at that hour?"

"No; I merely supposed that my wife was still sitting up."

"Were you in the habit of occupying the dining room as a sitting room?"

"We sometimes remained there in the evening."

"Where did you usually sit?"

"In the library."

"Where is that?"

"On the second floor."

"Would you not consider it strange in a husband to come to his house after eleven at night and approach to within a few feet of the room where he knew his wife was awaiting him, then turn about suddenly and hurry away?"

"I might as a general thing, but in my own case I had no reason for supposing that my wife was awaiting me."

"You admit, then, that you had parted in anger?"

"No; there was only a misunderstanding between us."

"A misunderstanding that you believed you could not explain away, otherwise you would not have turned about and rushed off to catch that train. Is this what the court is to conclude?"

"No; I could explain it away. My wife was wrong."

"Why, then, did you not go in and convince her of the fact?"

"Because I had already endeavored to do so, and failed."

"Yet you knew this when you came back to your house. You must have changed your mind suddenly!"

"I did."

"Without any special reason for it?"

"None except that the hopelessness of the task just at that time came over me with convincing power."

"Then you are inclined to believe that had you entered the dining room, and proceeded to argue the matter with her, she would not have taken it kindly?"

"I have no belief in the matter."

"Then perhaps you have some knowledge?"

"No; I cannot make any statement as to what would have been the outcome of an interview that did not take place."

"And yet you have said that the hopelessness of trying to convince your wife that she had wronged you, was what caused you to leave the grounds. Is not this equivalent to admitting that an interview at the time would have been of a somewhat distressing nature?"

"I suppose it is, but as there was no interview, I do not see of what importance any guesswork on my part as to its nature can be."

But Grymes did. He asked no more questions. He seemed perfectly content with what he had already learned. The case was then adjourned to permit of a summing up of the evidence.

(To be continued.)

BITTEE.

By Jerome Case Bull.

BITTEE was known as the Chinaman's baby. The Chinaman was Loong, the cook at the logging camp at Fingan's, which is among the redwoods of the Russian River country, in the Coast Range of California.

As a matter of fact, she was not the Chinaman's baby at all. He had found her one day in his kitchen, creeping about the floor after an evasive kitten. There were no families in the logging camp other than his own, and she could not have wandered into the place from elsewhere, for she was hardly old enough to walk. He lifted her in his arms and said plainly:

"Where you clume flum, bebbly?"

He prided himself on his English. But good as it was, the baby did not understand.

"You no sabbe, bebbly, where you clume flum?" he asked again.

If she did "sabbe" she was not able to tell him. She gave no answer but a coo. She was immensely taken with the Chinaman. And Loong, who had once had a little child of his own, thought of that Chinese baby, sleeping now in the tombs of his ancestors across the Yellow Sea.

The memory of his own, perhaps the love he may have had for it, put a strange thought into his head. He put the child on the floor, and going out made a hasty search of the neighborhood. He found no one. On the path to Fingan's, however, he discovered fresh prints of a horse's hoofs. There were no horses in the camp, only oxen.

It was afternoon; the loggers would not return until sundown; not a soul was about. Taking the baby in his arms he carried her down a path through the chaparral, across the creek, to his own small shanty. A Chinawoman met him at the door.

"What have you?" she said in Chinese.

His answer satisfied the woman, for she took the baby from him and began to fumble about its clothes.

"What is this?" she exclaimed.

In her hand she held a fold of paper and a twenty five cent piece—"two bits."

The paper was covered with writing, but

neither Loong nor his wife stopped to pick out the words. They surmised its contents, and jabbered away in Chinese concerning the child. Dinner in the eating house was late that night, and the loggers swore at the Chinaman for keeping them waiting.

"Whuf faw?" he answered them. "Too muchie hully no can cook."

At his cabin the Chinaman found, when he returned, that his woman had put the baby to bed. They had a bowl of rice together and some fat fried pork. Then Loong brought out the piece of paper they had found in the baby's clothes, and before a candle on the table he set to work to decipher it. He was not a graduate of the University of Pekin; had he been he would have given up the dialect of the redwoods, in which the note was written, as not being the English with which he was familiar. Fortunately that dialect was the only English Loong knew. Word by word he picked out the note before him, until he had in good Chinese characters the equivalent of the writing. This he read to his wife:

"This yer kid belongs to the richest man in Soonoma Kounty. He don't desurve no kid—he's the meanest man in Calforny—he's a cut throt en a thiev en a skondril. Killin's tu good fer him. The kid's wurth a pile tu enybody thet 'll keep it. There on tu me er I'd du it meself."

The note had no signature; it bore simply the date, "July, '65."

Satisfying himself with his translation, and having convinced his wife of the value of keeping the child, Loong set to work to destroy the baby's identity. The child's black hair, excepting a small tuft in the center of the head, was cut short, and the scalp shaved close. About the tuft was tied a small yellow ribbon. When the baby was taken from the bed the next morning, she was dressed in the garments Loong's own little child had worn; and as Bittie, the Chinaman's baby, the little life that had crept so mysteriously into the logging camp went on. She was called Bittie after the piece of money—the "two bits"—found in her dress.