



Monk opened a drawer in his writing-table, and took out a locked portfolio, from which he produced a large grey envelope. The envelope proved to contain several cuttings from the *Morning News*, which Monk laid before me.

"But," I objected hurriedly, "I would much rather hear the account from your own lips. Otherwise I should miss your impressions, which, to me, have much more value than a newspaper reporter's idiotic and irrelevant remarks. And even if he does report the bare facts, such a report cannot possibly be as satisfactory as your own account."

"There is a difference in newspaper reporters," was Monk's dry reply. "As you will see, the *Morning News* man has not only reported carefully and judiciously, but his remarks are impartial, and show good sense and power of observation."

"That's all very well; but I depend, however, more upon your power of observation."

"In this case, you cannot do so. If a detective ever has made a great success, I did so on that occasion, as you yourself will learn. Don't you understand that I am afraid that you are beginning to look at the events with my eyes? I am afraid to lead you into the labyrinth in which I, myself, am lost, and which I probably have myself built up!"

It struck me that Monk's reasoning was correct, and I made no further comment.

"Only one question," I said, "have you any objection to Clara hearing your story?"

"No; on the contrary, it was my intention to ask you to tell her everything, when we are finished. I hope for help from her; she is an unusually intelligent woman, and besides, women have, in many respects, much finer feelings—instinct, or what you call it, than we men."

"Then I have a proposal to make to you. We shall not continue to-night, but I shall tell Clara all that you have now told me. Clara and I will read the newspaper account together, and then we will see you again."

"I gladly accept your proposal," said Monk, a little hesitatingly; "but if I could be allowed, I would ask you both to read the account in the paper in my presence. Of course I have read it, not once, but ten times, to myself, without any result; but now it has struck me that the whole affair might appear to me in a new light, if I heard some one else read an exact account of what happened on that fateful day."

"Yes, with pleasure," I exclaimed. "I promise to do this, both on my own and on Clara's behalf."

Monk shook me by the hand, and asked if Clara and I would come up to him one day, when I had told her all I had heard from him.

"You shall see us here to-morrow," I answered quickly, and so we parted that evening, or, more correctly, that night. It was half-past one when I reached my home.

I had had a busy day, and the intense interest with which I had listened to Monk's account had tired me. I only longed to get to sleep as quickly as possible. But then happened what a more experienced man than I might perhaps have foreseen.

When I got home Clara was sitting up waiting for me. So I explained to her, as casually as possible, that next day she should hear Monk's remarkable story—a story, the continuation of which we were to read together; well—what further happened I cannot remember, but I am sure it was past four that night before I got to sleep, and then Clara had heard everything that the reader knows of Monk's history.

"Pshaw! it isn't difficult to understand how the story will end! The horrid Englishman naturally managed things so that Miss Frick should be suspected of having stolen her uncle's diamond!"

These were the last words I heard Clara utter as sleep overcame me. "Yes, if there must be a villain in the drama, Clara must be right in thinking that the Englishman must have played that role," I thought with my last efforts, before my senses were entirely dimmed.

PART II.

CHAPTER I.
THE TRIAL.

In the *Morning News* of June 2, 189—, appeared the following, under the heading—
THE BLACK TORTOISE IN COURT

The court to-day was filled to overflowing, and a large number were unable to gain admittance.

The disappearance of old Frick's diamond—we hope our respected fellow-citizen will excuse our using the familiar name by which he is so well known—has been eagerly discussed and commented upon by the newspapers for the last few weeks.

The case did not promise to become a particularly difficult or complicated one, although it was known that the accused had retracted her confession; but the stolen article was of such an unusual kind, and of such great value, and the persons who were to appear in the case were so well-known, that it was only to be expected that the proceedings would attract as many people as the court would hold. One could hardly imagine anything more sadly interesting

than the pale and pretty girl who stood charged before the court with the theft of the now famous diamond. By her side sat her counsel, a young advocate who is already known in legal circles as a most able and successful counsel for the defence.

Among the witnesses was the well-known figure of old Frick, and by his side his niece, Miss Frick.

Not far off stood Mr. Monk, acting chief of the detective department, already a well-known and popular figure in our town, as much appreciated for his acuteness and boldness as for his tactful conduct when in the execution of his duty as a police official.

The dark, distinguished-looking man beside Miss Frick was the Englishman, Mr. Howell, who, as everybody knows, has been compelled by a strange coincidence to appear as a witness in our courts of justice. The Englishman did not appear particularly edified with his task. From what I hear, it seems he has tried to escape giving evidence. It is anything but a pleasant duty to give evidence against a young woman, when one feels that it will mean conviction for her.

The presiding judge of the court took his seat, the case for the prosecution was stated, and the usual questions asked of the accused as to her name, age, etc.

She did not look up, but answered in a fairly audible voice. Then she was asked whether she was guilty or not guilty.

All waited anxiously for the answer. Her voice was this time so low that the judge had to lean toward her and request her to speak more loudly.

The silence was so intense that the answer, although scarcely more than a whisper, was heard all over the court: "Not guilty."

Had the public expected anything else? Perhaps—perhaps not.

The public prosecutor then began his charge:

The crime with which the accused was charged was not of a particularly complicated nature with regard to the question as to how, or by whom, the theft had been committed. But it was a different matter with regard to the motives and the circumstances under which it had taken place, and he was willing to admit that in this respect little or no light had been thrown upon the matter. An uncommon article, an object of great value, in other words, the black diamond, which now lay on the judge's table, was stolen on May 10 from Mr. Frick, who was now present in court as a witness. The police were at once informed of the theft, and they succeeded not only in recovering the stolen object, but also in providing such information that the public prosecutor was able to prove fully before the court, both how the theft had been perpetrated, by whom, and how the thief had disposed of the stolen object.

He would call witnesses to prove at what time the theft had been committed, that the accused at that time had been at least half an hour in the house, that she during that time had the opportunity of going into the room where the diamond was kept, and at a time when the cupboard was not locked. He could prove by a means which seldom fell to the lot of the authorities, that the accused, in the time during which the theft had taken place, had been into the room and even opened the case where the diamond was kept. He could next prove that the accused at an earlier hour of the same day had had an opportunity of hearing an assurance from a rich man that he would pay a large sum of money to become possessed of the diamond. She thus knew beforehand that she could sell the stolen article without any difficulty.

Finally, he could prove that the diamond was actually sold by the accused on the same day to the man just mentioned.

Thus far the chain of evidence was as complete as any could be, and in order to substantiate the guilt of the accused it was of no consequence, and had hitherto refused to give any explanation whatever; every experienced judge would know exactly what value to put on circumstantial evidence of such a character. It was just as good, if not surer, than a confession.

What still had to be explained was, what had become of the money which the accused had received for the diamond and what could be the particular motives for this criminal act.

Some information might possibly be obtained during the examination of the witnesses; but if this was not the case, the prosecutor would be obliged to maintain that the punishment be in accordance with the utmost rigor of the law.

The public prosecutor would, therefore, conclude with the request to the judge that he ask the accused most earnestly to give a full explanation. If she still persisted in her refusal to give this explanation, he must warn her that it would be with detriment to her cause, and possibly to that of justice.

It was so quiet in the court, when the public prosecutor sat down, that one could hear a pin drop.

The judge then turned and addressed the young girl. In calm, considerate words he called her attention to the fact that she had the right, in any case, to do as she pleased—either to speak or to keep silent; and that no pressure would be brought to bear upon her, least of all to make her confess. This much, however, he felt it his duty to tell her, that she was certainly not acting in her own interests by maintaining silence. If she were innocent, which he still hoped, then her own explanations would only serve to show it; and if she were guilty, they would enable the court to consider her case in the most lenient manner possible.

Every eye in the room was turned on the unhappy girl, but her face remained lips were pressed together, and her eyes cast down.

Her counsel leaned toward her and whispered something in her ear. She did not raise her eyes; her only answer was a slight inclination of the head.

"I must request," said the young advocate, "that my client's wish to make no further statements shall be respected. She has decided to say nothing; and I know that her resolution in this respect is not to be shaken. Whether this decision is wise or no, and whether or no it is taken by my advice, is not for the moment a subject for discussion. It is enough to say that whatever appeals were directed toward her to state what she knows of the case would, however well meant, only prolong the proceedings."

No sooner had the counsel sat down than a murmur went around the court, giving expression to nearly all the different feelings which move the human heart. Some feared that the accused would damage her own cause, others admired her firmness, while many expressed astonishment at her audacity.

As all the papers have already published detailed accounts of what happened at Villa Ballarat upon the day that the robbery was committed, it will be sufficient to mention that the evidence of all the witnesses only served to corroborate what the public already knew, thanks to the unflinching zeal of the newspaper reporters.

It also seemed as if the counsel for the defence understood that it would be hopeless to upset that part of the evidence.

He certainly tried to make it appear possible that some strange person might have crept into the garden of the villa between five and half-past seven in the afternoon; but this attempt was stranded, upon the gardener's definite assurance that the gate had been locked the whole time, and on the evidence of the chief of the detective police with regard to the examination he had made of the railing and the ground round the garden.

The counsel for the defence was more fortunate in his attempt to obtain evidence of good character and behavior for the accused. Mr. Frick and his niece were especially unrelenting in their praise of the young girl.

Miss Frick caused much excitement when, in answer to a question by the counsel for the defence, she answered: "Evelina has for several years had all my trinkets and jewels in her custody. Thanks to my uncle's generosity, I have more of these kind of things than I need, and it would have been very easy for her to take any one or many of these, without fear of discovery. Her mere assertion that something had been lost would have been enough. . . . No! she is honest itself! She could never steal my uncle's diamond, of that I am convinced, however much appearances are against her!"

There was a great sensation in court when Mr. Howell was called as witness. Every one, of course, knew of the strange circumstances under which he had been involved in the matter.

He began by asking the judge if he might be excused from appearing as witness. The judge asked him to give his reasons for this request. Mr. Howell explained that he was a private gentleman and not a police spy. It was quite by an accident he had come to play a rôle in this affair—a rôle which did not please him. He had already given his explanation to the police, and had hoped that would have been sufficient.

The judge answered that none of these explanations could exempt him from appearing as witness. One could not help respecting his feelings; but since no lawful reasons could be given, they must request him to give what evidence he could.

Mr. Howell, who spoke the Norwegian language fluently, submitted to the inevitable, and gave a short and clear account of how he came to photograph the accused, so to speak, "in flagrante."

The papers have already published an account of this scene, so that I shall not repeat his evidence "in extenso." I shall only reproduce the following of the examination:

Public prosecutor—"What did you do with the film after you had taken the photograph?"

Witness—"I went to my room with it, took the films out of the apparatus, and took them to the photographer's to be developed. I called at the photographer's on my way to the railway station."

Public prosecutor—"You maintain, then, that it is the accused whom you have photographed, but without your being aware of it? Are you sure it is the accused?"

Witness—"Any one who has seen the accused a few times will see that she is the person in the photograph."

Public prosecutor (taking an object from the judge's table)—"Is this the photograph in question, which you, yourself, delivered up to the police?"

Witness (taking the photograph in his hand and carefully examining it)—"Yes, it is."

The public prosecutor declared himself satisfied, and the counsel for the defence began: "Now, are you quite sure that when you photographed the accused you did not believe her to be some one else—for instance, Miss Frick?"

Witness—"Yes; I believe I have already explained myself sufficiently clearly on that point."

Counsel for the defence—"I cannot understand how you can now be so sure that the picture represents my client, while you believed quite otherwise when you had the living person before you. What is the reason for this?"

Witness—"I have before explained I was in a great hurry at the time. I wanted to get away before the person should turn around—it was all done in fun on my part. Besides, I thought I recognized Miss Frick's jacket—she had been in the habit of wearing a jacket trimmed with braid. Later, I got to

(To be Continued.)

LEGAL

APPLICATION FOR STATE AID ON ROUTES. To the Commissioners of Somerset County:

WHEREAS, The section of highway in Meyersdale Borough, County of Somerset, Commonwealth of Pennsylvania, being about 3150 feet in length and situated as follows: Beginning at the intersection of the State Highway in Summit Township and Salisbury street of Meyersdale Borough (at the Borough line,) thence along 11th street of said Borough to Beachley street, thence along Beachley street to the new bridge at Front street in said Borough.

WHEREAS, State aid is desired for the permanent improvement, with brick, of the section of highway in Meyersdale Borough, under the Act approved May 31, 1911, providing for the establishment of a State Highway Department, etc., and supplement approved June 5, 1913, therefore be it

RESOLVED, That the Borough Council of said Meyersdale Borough, in regular session assembled on this 6th day of July, 1915, do on behalf of said borough hereby petition for State aid as hereinbefore stated, and be it further

RESOLVED, That the said Borough Council do agree for themselves and their successors in office to provide for the payment of and to pay to the Commonwealth from the borough funds, in the manner provided by the said Act, and the supplement hereto, one-fourth of the total expense of said improvement when due, and be it further

RESOLVED, That the Commissioners of said County of Somerset be and are hereby petitioned to join in requesting the State Highway Department to extend State aid for the said road improvement, under the said Act, Approved September 7, 1915.

The foregoing is hereby certified to be a true and correct copy of resolutions adopted by the said Borough Council of Meyersdale Borough, Somerset County.

VALENTINE GRESS, Burgess, Chas. H. Dia, Pres. of Council.

Attest: E. J. Dickey, Clerk.

I, E. J. Dickey, Clerk of Council of the Borough of Meyersdale do hereby certify that the above resolution has been recorded in the Borough Ordinance Book and has been advertised as required by law.

E. J. DICKEY, Clerk.

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