

CASE 113

Emile Gaboriau

"But," she insisted, "I have always seen him have plenty of money. Not rich—then?"

She dared not finish. But her eye met Fanferlot's, and they understood each other.

"No," she cried, "I regret to say that Prosper would never have stolen one cent for me! One can understand a man who is trusted robbing a bank for a woman he loves, but Prosper does not love me. He never has loved me. But I love him, and it is for me to save him! I will see his chief, the miserable wretch who dares to accuse him. I will prove that he is innocent. Come, monsieur, let us go, and I promise you that before sunset he shall be free, or I shall be in prison with him."

Mme. Gipsy's project was certainly laudable and prompted by the noblest sentiments. Unfortunately it was impracticable. Besides, it would be going counter to the plans of the detective.

"What will you gain by acting thus, my dear madame?" asked Fanferlot. "Nothing. I can assure you that you have not the least chance of success. You will compromise Prosper. Who knows if you will not be suspected as his accomplice? M. Bertomy expressly forbade such a course in his letter."

Mme. Gipsy remained thoughtful for a moment, then a ray of light seemed to cross her mind, and she cried:

"Oh, I understand now! Fool that I was for not seeing it before! But where am I to go?"

"Did not M. Bertomy say, my dear lady, to the other end of Paris—to a boarding house or hotel?"

"But I don't know where to find any."

Fanferlot seemed to be reflecting, but he had great difficulty in concealing his delight at a sudden idea that flashed upon him. His little black eyes fairly danced with joy.

"I know of a hotel," he said at last, "but 't might not suit you."

"Where is it?"

"On the other side of the river, Quai St. Michel the Archangel, kept by Mme. Alexandre."

Mme. Nina was never long making up her mind.

"Here are writing materials. Write your recommendation."

"With these three lines," he said, handing her the letter, "you can make Mme. Alexandre do anything you wish."

"Very well. Now how am I to let Cavallion know my address? It is he who should have brought me Prosper's letter."

"He was unable to come, dear madame," interrupted the detective. "But I will tell him where he can find you."

Mme. Gipsy was about to send for a carriage, but Fanferlot said he was in a hurry and would send her one. He seemed to be in luck that day, for a cab was passing the door, and he hailed it.

"Wait here," he said to the driver after telling him that he was a detective, "for a little brunette who is packing her trunks. If she tells you to drive her to Quai St. Michel, crack your whip. If she gives you any other address, get down from your seat and arrange your harness. I will keep in sight."

He stepped across the street and stood in the door of a wine store. He had not long to wait. In a few minutes the loud cracking of a whip apprised him that Mme. Nina had started for the Archangel.

"Alas!" said he gayly. "I hold her, at any rate!"

CHAPTER III.

AT the same hour that Mme. Nina Gipsy went to find refuge at the Archangel, so highly recommended by Fanferlot the Squirrel, Prosper Bertomy was being entered on the jailer's book at the police office. There he had to wait two hours while the commissary went to receive orders from higher authorities. When it was announced to him that a coach was waiting for him at the door, he got up, but before going out requested permission to light a cigar, which was granted. It was magnificent weather, a bright spring morning. As the coach went along Montmartre street Prosper kept his head out of the window, smilingly complaining at being imprisoned on such a lovely day when everything outside was so sunny and pleasant.

"It is singular," he said. "I never felt so great a desire to take a walk."

To the court clerk while he was going through the formalities of the commitment Prosper replied with haughty brevity to the indispensable questions asked him.

But when he was ordered to empty his pockets on the table and they began to search him his eyes flashed with indignation, and a single tear dropped upon his flushed cheek. In an instant he had recovered his calmness and stood up motionless, with his arms raised in the air so that the rough creatures about him could more conveniently search him from head to foot to assure themselves that he had no suspicious object hid under his clothes.

The investigation would have, perhaps, been carried to the most ignominious lengths but for the intervention of a middle aged man of distinguished appearance, who wore a white cravat and gold spectacles and was sitting by the fire. At sight of Prosper he started with surprise and seemed much agitated. He stepped forward and seemed about to speak to him, then suddenly changed his mind and

sat down again. In spite of his own troubles, the cashier could not help seeing that this man kept his eyes fastened upon him. Did he know him? Vainly did he try to recollect having met him before. This man, treated with all the deference due to a chief, was no less a personage than a celebrated member of the detective corps, M. Lecoq. When the men who were searching Prosper were about to take off his boots, saying that a knife might be concealed in them, M. Lecoq waved them aside, saying, "That is sufficient."

He was obeyed. All the formalities being ended, the unfortunate cashier was taken to a narrow cell. The heavily barred door was swung to and locked upon him. He breathed freely. At last he was alone. Yes, he believed himself to be alone. He was ignorant that a prison is made of glass; that the accused is like a miserable insect under the microscope of an entomologist. He did not know that the walls have stretched ears and eyes always watchful. He was so sure of being alone that he at once gave vent to his suppressed feeling and, dropping his mask of impassibility, burst into a flood of tears. His wrath, long pent up, now flashed out like a smoldering fire. In a paroxysm of rage he uttered imprecations and curses. He dashed himself against the prison walls like a wild beast in a cage.

In the evening when the jailer brought him his supper he found him lying on his pallet, with his face buried in the pillow, weeping bitter tears. He was not hungry. Now that he was alone, he fed upon his own bitter thoughts. He sank from a state of frenzy into one of stupefying despair. The night was long and terrible, and for the first time he had nothing to count the hours by as they slowly dragged on but the measured tread of the patrol who came to relieve the sentinels. He suffered agony. In the morning he dropped into a sleep, from which he was awakened by the rough voice of the jailer.

"Come, monsieur," he said, "to the judge of instruction."

"Let us go," said Prosper, without stopping to repair his disordered toilet. During the passage the jailer said, "You are very fortunate in having your case brought before an honest man."

The jailer was right. Endowed with remarkable penetration, firm, unbiased, equally free from false pity and excessive severity, M. Patrigent possessed in an eminent degree all the qualities necessary for the delicate and difficult office of judge of instruction.

Prosper was escorted along a corridor, through a room full of policemen, down a flight of steps, across a kind of cellar and then up a steep staircase which seemed to have no end. Finally he reached a long, narrow gallery, upon which opened many doors bearing different numbers. Summoning all his courage, he placed his hand on the doorknob and was about to enter when the jailer stopped him.

"Don't be in such haste," he said. "Sit down here, and when your turn comes you will be called."

The wretched man obeyed, and his keeper took a seat beside him.

Presently a little old man dressed in black, wearing the insignia of his office, a steel chain, cried out:

"Prosper Bertomy!"

Prosper arose and, without knowing how, found himself in the office of the judge of instruction.

M. Patrigent's homely face, with its irregular outline and short red whiskers, lit up by a pair of bright, intelligent eyes and a kindly expression, was calculated to impress one favorably at first sight.

"Well," he said abruptly, "you are accused of having robbed M. Fauvel of 350,000 francs. What have you to answer?"

"That I am innocent, monsieur; I swear that I am innocent."

"I hope you are," said M. Patrigent, "and you may count upon me to assist you to the extent of my ability in proving your innocence. Have you anything to say in your defense?"

"Ah, monsieur, what can I say when I cannot understand this dreadful business myself? I can only refer you to my past life."

The judge interrupted him with an impatient gesture.

"Let us be specific. The robbery was committed under circumstances that prevent suspicion from falling upon any one but M. Fauvel and yourself. Do you suspect any one else?"

"No, monsieur."

"You declare yourself to be innocent; therefore, the guilty party must be M. Fauvel."

"Have you," persisted the judge, "any cause for believing that M. Fauvel robbed himself? If you have, say so."

The prisoner preserved a rigid silence.

"I see, monsieur," said the judge, "that you need time for reflection. Listen to the reading of your examination, and after signing it you will return to prison."

The unhappy man was overcome. The last ray of hope was gone. He signed the paper without looking at it. He tottered as he left the judge's office so that the keeper was forced to support him.

If Prosper had remained an hour longer in the gallery, he would have seen the same bailiff who had called him come out of the judge's office and cry out:

"Number three!"

Witness No. 3, who was awaiting his turn and answered the call, was M. Fauvel.

Although he had very slightly examined Prosper, the judge was now scrupulously attentive and particular in having every question answered.

"Did you ever suspect your cashier of being dishonest?" he asked.

"Certainly not. Yet there were a



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thousand reasons which should have made me distrustful."

"What reasons?"

"M. Bertomy gambled. I have known of his spending whole nights at the gaming table and losing immense sums of money. He was intimate with a bad set. Once he was mixed up with one of my clients, M. de Clameran, in a scandalous gambling affair."

"You must confess, monsieur," interrupted the judge, "that you were very imprudent, not to say culpable, to have entrusted your safe to such a man."

"Ah, monsieur, Prosper was not always thus. Until the past year he was a model of goodness. He was received into my house as one of my family. He spent all of his evenings with us and was the bosom friend of my eldest son, Lucien. Then suddenly he left us and never came to the house again. Yet I had every reason to believe him attached to my niece Madeleine."

"Then you can see no motive for your cashier's conduct?"

The banker paused to reflect.

"It is impossible for me to account for it. I have, however, always supposed that Prosper was led astray by a young man whom he met at my house about this time, M. Raoul de Lagors."

"Ah! And who is this young man?"

"A relative of my wife, a charming fellow, but somewhat wild, though rich enough to pay his way."

The judge listened attentively to this, then wrote the name Lagors at the bottom of an already long list of his memoranda.

"Now," he said, "we are coming to the point. You are sure that the robbery was not committed by any in your house?"

"Quite sure, monsieur."

"You always kept your key?"

"Usually I carried it about on my person, and whenever I left it at home I put it in the secretary drawer in my bed chamber."

"Where was it the evening of the robbery?"

"In my secretary."

"But then?"

"Pardon me for interrupting you," said M. Fauvel, "and permit me to tell you that to a safe like mine the key is of no importance. In the first place, one must know the word upon which the five movable buttons turn. With the word one can open it without the key, but without the word—"

"And this word you never told to any one?"

"To no one in the world, monsieur, and sometimes I would have been puzzled to know myself with what word the safe had been shut."

"Had you forgotten it on the day of the theft?"

"No; the word had been changed the day before, and its peculiarity struck me."

"What was it?"

"Gipsy—G-l-p-s-y," said the banker, spelling the name.

M. Patrigent wrote down the name.

"One more question, monsieur. Were you at home the evening before the robbery?"

"No; I dined and spent the evening with a friend. When I returned home about 10 o'clock, my wife was in bed, and I went to bed immediately."

"And you were ignorant of what sum there was in the safe?"

"Absolutely. After my positive orders I could only suppose that a small sum had been left there over night. I stated this fact to the commissary in M. Bertomy's presence, and he acknowledged it to be the case."

"That will do, monsieur."

M. Patrigent was well informed of the high standing of the banker and knew almost as much of his affairs as did M. Fauvel himself.

He asked him to sign his testimony and then escorted him to the door of his office, a rare favor on his part.

Five o'clock struck before the list of witnesses summoned for the day was exhausted, but the task of M. Patrigent was not yet finished. He rang for his bailiff, who instantly appeared, and said to him:

"Go at once and bring Fanferlot here."

It was some time before the detective answered the summons. Having met a colleague on the gallery, he thought it his duty to treat him to a drink, and the bailiff had found it necessary to bring him from the little inn at the corner.

"How is it that you keep people waiting?" said the judge.

Fanferlot bowed almost to the floor. Despite his smiling face, he was very uneasy. To follow the Bertomy case alone it required a double play that might be discovered at any moment.

"Did you ever suspect your cashier of being dishonest?" he asked.

"Certainly not. Yet there were a

great risks, the least of which was the losing his place.

"I have had a great deal to do," he said to excuse himself, "and have not lost any time."

And he began to give a detailed account of his movements. He was embarrassed, for he spoke with all sorts of restrictions, picking out what was to be said and avoiding what was to be left unsaid. Thus he gave the history of Cavallion's letter, which he handed to the judge, but he did not breathe a word of Madeleine. On the other hand, he gave biographical details, very minute indeed, of Prosper and Mme. Gipsy, which he had collected from various quarters. As he heard the story M. Patrigent's convictions were strengthened.

"The young man is evidently guilty," he said.

Fanferlot did not reply. His opinion was different, but he was delighted that the judge was on the wrong track, thinking that his own glory would thereby be the greater when he discovered the real culprit. The fact was that this grand discovery was as far off as it had ever been.

After hearing all he had to tell, the judge dismissed Fanferlot, telling him to return in the morning.

"Above all," he said as Fanferlot left the room, "do not lose sight of the girl Gipsy. She must know where the money is and can put us on the track."

Fanferlot smiled knowingly.

"You may rest easy about that, monsieur. The lady is in good hands."

Left to himself, although the evening was far advanced, M. Patrigent continued to busy himself with the case and to arrange that the rest of the depositions should be made. This case had actually taken possession of his mind. It was at the same time puzzling and attractive. It seemed to be surrounded by a cloud of mystery, which he determined to penetrate.

The next morning he was in his office much earlier than usual. On this day he examined Mme. Gipsy, called Cavallion and sent again for M. Fauvel. For several days he displayed the same activity. Of all the witnesses subpoenaed only two failed to appear. The first was the office boy sent by Prosper to bring the money from the bank. He was ill from a fall. The second was M. Raoul de Lagors. But their absence did not prevent the file of papers relating to Prosper's case from growing, and on the ensuing Monday, five days after the robbery, M. Patrigent thought he held in his hands enough moral proof to crush the accused.

CHAPTER IV.

DURING these minute investigations of his past life Prosper was in prison in a secret cell. The first two days had not appeared very long. He had requested and been granted some sheets of paper, numbered, which he wrote with a sort of rage plans of defense and memoranda of justification. The third day he began to be uneasy at not seeing any one except the condemned prisoners who were employed to serve those confined in secret cells and the jailer who brought him his food.

"Am I not to be examined again?" he would ask.

"Your turn is coming," the jailer invariably answered.

Time passed, and the wretched man, tortured by the sufferings of solitary confinement, which quickly break the spirit, sank into despair.

"Am I to stay here forever?" he moaned.

The cell door opened, and the jailer's gruff voice called out, "Come to the court of instruction!"

He instantly obeyed the order. But his step was no longer unsteady, as a few days previous a complete change had taken place within him. He walked with head erect, a firm step and the fire of resolution shining in his eye. He knew the way now, and he walked a little ahead of the guard who escorted him. As he was passing through the room full of officers he met the man with the gold spectacles who had watched him so intently the day he was searched.

"Courage, M. Prosper Bertomy," he said. "If you are innocent, there are those who will help you."

Prosper started with surprise and was about to reply when the man disappeared.

"Who is that gentleman?" he asked of the guard.

"Don't you know him?" replied the policeman, with surprise. "Why, it is M. Lecoq of the secret service."

"You say his name is Lecoq?"

"You might as well say 'monsieur,'" said the offended policeman. "It would not burn your mouth. M. Lecoq is a man who knows everything he wants to know without its ever being told to him. If you had had him instead of that imbecile Fanferlot, your case would have been settled long ago. Nobody is allowed to waste time when he has command. But he seems to be a friend of yours."

"I never saw him until the first day I came here."

"You can't swear to that, because no one is sure of the real face of M. Lecoq. It is one thing today and another tomorrow. Sometimes he is a dark man, sometimes a fair one, sometimes quite young and then a centenarian. Why, often he deceives even me. It is M. Lecoq! Anybody on the face of the earth might be he. If I were told that you were he, I should say, 'It is possible.' He can convert himself into any shape and form he chooses."

The guard would have continued forever his praises of M. Lecoq had not the sight of the judge's door put an end to them. This time Prosper was not kept waiting on the wooden bench. The judge, on the contrary, was waiting for him. His surprise was great to see the cashier's bearing—resolute

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without obstinacy, firm and assured without defiance.

"Well," he said, "have you reflected?"

"Not being guilty, monsieur, I had nothing to reflect upon."

"Ah, the prison has not been a good counselor. You forget that sincerity and repentance are the first things necessary to obtain the indulgence of a judge. Will you be good enough to tell me," he added, "how much you have spent during the last year?"

Prosper did not find it necessary to stop to reflect and calculate.

"Yes, monsieur," he answered unhesitatingly. "Circumstances made it necessary for me to preserve the greatest order in my extravagance. I spent about 50,000 francs."

"Where did you get it?"

"In the first place, 12,000 francs was left to me by my mother. I received from M. Fauvel 14,000 francs as my salary and share of the profits. At the Stock Exchange I gained 8,000 francs. The rest I borrowed and intend repaying out of the 15,000 francs which I have with M. Fauvel."

"Who lent you the money?"

"M. Raoul de Lagors."

This witness had left Paris the day of the robbery and could not be found. For the time being M. Patrigent was compelled to rely upon Prosper's word.

"Well," he said, "I will not press this point. But tell me why, in spite of the formal order of M. Fauvel, you drew the money from the Bank of France the night before instead of waiting till the morning of the payment."

"Because M. de Clameran had told me that it would be agreeable, even necessary, for him to have his money early in the morning. He will testify to that fact if you ask him. I knew that I would reach my office late."

"This M. de Clameran is a friend of yours?"

"By no means. I have always felt a sort of repulsion for him, but he is the intimate friend of my friend, M. Lagors."

"One more thing," said the judge. "How did you spend the evening, the night of the crime?"

"When I left my office, at 5 o'clock, I took the St. Germain train and went to Vesinet, M. de Lagors' country seat. I carried him 1,500 francs, which he had asked for, and not finding him at home, I left it with his servant."

"Did he tell you that M. de Lagors was going on a journey?"

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First Published March 14, 1902.

Notice of Final Settlement.

State of Kansas, ss. Allen County, ss.

In the Probate Court for said County.

In the matter of the estate of Reuben Butler deceased.

Creditors and all other persons interested in the above estate are hereby notified that I shall apply to the Probate Court, in and for said County, sitting at the Court House, in the city of Iola, county of Allen, State of Kansas, on the 14th day of April, A. D. 1902, for a full and final settlement of said estate.

Edwin Persons, Administrator of the estate of Reuben Butler, deceased.

Iola, Allen county, Kan., March 5, A. D. 1902.

First published March 14, 1902.

Medical Practice

The right to the Pauper Medical Practice in the townships hereinafter mentioned will be received by the Board of County Commissioners of Allen County, Kansas, at the office of the County Clerk, on the 12th day of April, 1902, viz: Iola township and Iola City, including county jail and charity township, Elm township, Elmore township and Humboldt township.

Iola township, Iola city including jail and charity township, including Poor Asylum, to be included in one bid, other townships to be bid for separately. Bids must include Surgical and Medical attendance, including medicines. Also at the same time and place bids will be received for a county Health Officer for the year 1902.

The right to reject any or all bids is hereby reserved by the Board.

By Order of the Board. C. A. FRONK, County Clerk. JAMES LOCKHART, Chairman.

March 10, 1902.