

MYSTERY OF THE BAYWOODS

By WALKER KENNEDY.

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CHAPTER I.—Herbert Wright goes to bed of today in great agitation. He tells his wife of his discovery of the murder of John T. Wright.

CHAPTER II.—Wright examines the footprints in the snow and tells his wife of his discovery of the murder of John T. Wright.

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"What is all this property worth now?"

"It has increased very largely in value in 20 years, as a matter of course."

"What figure do you put upon it?"

"I should say that it was worth between \$200,000 and \$300,000."

"Of course that does not include the Colorado tract?"

"Well, no; I was not thinking of that."

"What is that worth?"

"That is impossible to say."

"If it should prove to contain gold it would be a very valuable piece of land. If it contains no precious metals I should not think it was worth a song."

"Is it worth \$10,000,000?" asked the lawyer, quietly.

"Why, sir, I could not place any valuation on a piece of land I have never seen and that has never been mined."

"Well, I'll put the question in another way. If you could show a clear title to that mining tract could you not sell it at once for \$5,000,000 cash?"

Franklin looked at his questioner keenly for a moment, but the latter was casually examining the contents of a letter as if he were preparing to propound another query from something he found therein. The witness answered somewhat savagely:

"No."

"Could you not easily get \$10,000,000 for that property?"

"I suppose I could."

"There was a tremendous sensation in court when Franklin, with evident reluctance, made this admission."

"You have recently, I believe, been in correspondence with capitalists regarding the Colorado tract?"

"Yes."

"I believe that is all I want to know on that branch of the subject, but there is another point on which I wish to question you."

Franklin was evidently aware of what this point was, and he put on a swaggering air of victory.

"When all the Wright estate was turned over to you 20 years ago, was not a secret agreement drawn up between you and John T. Wright specifying that no consideration was to be paid by you, and that the transfer was made in order to protect Wright from damage suits that might be brought by the family of Jeremiah Baxter?"

"It is not."

"Did you have possession of it at any time?"

"I did not."

"I had only one more question to ask," said Mr. Everett, in a most impatient manner, while an intense, silent expectancy pervaded the court room.

"The witness has the legal right to decline to answer it."

"Well, what is it?" asked Franklin, turning slightly pale.

"Did you murder John T. Wright?"

Franklin sprang impetuously from his seat, crying furiously: "This passes all the bounds of tolerance, and I shall hold you to account for it."

Here the court, amid the wildest kind of excitement, said: "The question is not proper; but the utterance of the judge was like a reproof to a storm at sea."

Men and women arose from their seats, so intense was the feeling. It was a time when pistols were precariously prevalent, and there was an indubitable dread that they might be used. Amid it all the voice of Mr. Everett, singularly clear and ringing, could be heard:

"May it please your Honor, the witness announces that he will hold me to account for the charge implied in my question. I am entirely willing that he should do so. Herbert Wright's defense is that the murderer of John T. Wright is James Franklin, and—"

Here the lawyer paused for a moment, and fearfully regarded the blanched face of Franklin as he concluded:

"And I shall prove it."

CHAPTER XV.

Mr. Everett's startling announcement terminated the morning session of the court. A scene more dramatic and thrilling had never been witnessed in that room and during the recess for dinner the excitement communicated itself over the entire city. Franklin was credited with being a man of nerve, and many thought he would attack Lawyer Everett when court had adjourned; and at one time when they were thrown accidentally together in the crowd, it looked as if a collision were inevitable. But Franklin, if he thought of it at all, put the inclination aside, and no trouble occurred. It is possible that he had never been concerned about the damaging facts brought out against him and with speculations as to the proof held in reserve by Everett to squander his time in personal altercation. During the recess he rushed from place to place, putting a number of agencies to work to bring his forces together. He wanted Hillsman. There was work for Old Tom and his comrade. He needed Merivale. But defeat confronted him at every step. He seemed to be also utterly deserted, for nowhere were his accomplices to be found; and when the recess was over he felt that he had accomplished nothing.

"Mr. Everett," said Ward, as they were going together toward the courthouse, "you have a great dramatic instinct. The most skilled French playwright could not have arranged a more startling climax than you did this morning in court."

"Perhaps, there is an art in this kind of thing as well as playwrighting. I have always endeavored in a certain way to give it color, to make sharply defined points, to make it unfold itself, to give it 'go'."

"But wasn't it a little risky to introduce your climax in the first act, in which he swears that he delivered to you a letter bearing the postmark of China, which attracted his attention on account of its rarity?"

"I shall admit nothing."

"Did you not receive a letter from Tom Morris in China, telling you that he had stolen the agreement from Wright and handed it to your clerk Hillsman, to give to you?"

"Wait and see if you do."

They had some difficulty in making their way through the dense crowd

to their places within the railing. When the court resumed its sitting, Mr. Everett said he had no further questions to ask the witness Franklin, and he would turn him over to the state. The prosecuting attorney waved cross-examination for he was in some perplexity as to what he wanted to learn. Nothing that Franklin had said had invalidated his case, and if he were guilty the prosecutor did not care to assist him at the expense of an ill-fated man.

Irving Ward was accordingly put on the witness stand. He told his story well; how he had traced the footprints in the snow that cold morning in December, how his interest in the case—which was known to Franklin—had been attended with personal danger, and an attempt had been made to murder him at Peter's Rest; how he had obtained the agreement from Hillsman and what Morris had said to Hillsman about Frank's house when Franklin was announced, and all that had happened with reference thereto. He also gave a detailed account of the demands made upon him for the paper which Hillsman had given him to read.

"Was anyone present when the document was made?" asked Mr. Everett.

"Yes, sir; the eastern capitalist, Frederick Merivale, was present; but whether he gave any attention to the conversation I could not say."

Lawyer Everett smiled insouciantly at this, but made no comment.

A large number of minor witnesses were then examined. A letter carrier told how he had delivered to Franklin in person a letter bearing the Chinaman postmark. Otto Orndal, a little Swiss jeweler, whose shop boasted many odd trinkets in the jewelry line and who had a partiality for articles of European make, took the witness stand. He proved to be a very methodical man, for he brought one of his books with him. He examined the unidentified watch, which was of Swiss make, and said he had sold it to Col. James Franklin, who he produced his book, showing the date of sale of every watch with its number, make and the name of the person to whom it was sold. A reference to his book showed that he had disposed of No. 3,996 of this particular make to Franklin. The cost of the watch was here also and the date of the payment. The unidentified pin was then shown to him, which he recognized. It, too, had its peculiarities of design and special make, and his professional eye at once located it. He declared that he had sold this pin, or one exactly like it, to Franklin.

John Hauptmann, dealer in boots and shoes, testified that he had secured a small consignment of articles, the only shipment of the particular kind he thought in the city. He had made only three sales of this kind of goods to Franklin. The second was to the chancellor, and the third was to Frank Hillsman. He sold these three persons all their shoes, and as they were different numbers he had sold them different sized articles.

Mrs. Herbert Wright and Mrs. Anderson next testified to the disappearance of the old pistol, and the substitution of the new one with which Wright was supposed to have been killed. Mrs. Anderson also told of the visit of the man in the red flannel shirt.

The juror and the doctor who had attended Herbert Wright testified to the attempt made to poison the accused, and their suspicions that the man in the red flannel shirt had manipulated it.

Then, to the surprise of many persons, Bob Hathaway was introduced, and he made a clean breast of all his workings in the case. He admitted having been a party to the trap set for Irving Ward, for which job he and his partner were to get a handsome sum conditional on the success of a certain scheme. He confessed that Franklin had hired him for this purpose. He had also dogged Ward's steps on several occasions for Franklin.

His companion, Dick Padgett, confirmed his story in all the essential details.

Finally the man in the red flannel shirt was put upon the witness stand, but this time he had on a blue flannel shirt. He was a very crooked-looking customer, but he told a remarkably straight tale. He had done a great deal of "work" for the colonel. The day Herbert Wright was put in jail the colonel had given him the pistol which was in evidence, and had told him to go to Wright's house and substitute it for the old rusty affair which had belonged to the prisoner. The colonel had learned from Mr. Ward that Mrs. Wright was in a visit to her husband and had sent him to make the substitution in her absence. As he was coming out, he saw a girl and a boy talking by a lady living near by Mrs. Anderson, whose testimony he confirmed. Later on the colonel had employed him to go to the jail and get one of the prisoners to slip a white powder into Wright's food. He had paid a negro whose name he did not know, to do this. He did not know positively that the powder was poison, but suspected that it was. The flannel-shirt man admitted very naively that he was a good bird-of-prey, who did all such odd jobs and chores as this for the requisite cash. Col. Franklin had been a particularly valuable client of his and had always paid him well; but when at last he had been cornered the colonel had thrown him overboard.

Along with his friends, Padgett and Hathaway, a contemptuous scowl enriched the deepening gloom of Franklin's face as he listened to all this testimony, but he did not open his lips. Just how these men were caught and made to tell what they knew was revealed further on in the trial.

Frank Hillsman now took the stand and told the following story:

"Several months ago when Mr. Wright's safe was robbed, and before the news was out, I met Tom Morris at the N. & L. depot. He was just preparing to leave on the outgoing train. Seeing me, he came up quickly and said:

"I've got a paper here for the colonel, but I've been called away suddenly and will not have time to see him. I wish you would give it to him and say that I will write about it. It is of the greatest importance that he should get it."

"I didn't see the colonel that day, and the next morning I was mildly surprised that Morris had been doing the light-fingered act. This caused me to reflect, and I made up my mind to look at the paper he had handed me, which I had supposed was some legal document. I found that it was an old agreement between Wright and Franklin, and that on its back were the words 'John T. Wright's copy, etc.' Putting nose and chin together, I concluded that Morris had stolen this paper from his employer, and that Franklin was aware of it. I have always had a fondness for old documents, curious subjects and odd information generally, and as this paper evidently did not belong to Franklin, I saw no harm in keeping it awhile. It was possible, if it were of value to anyone, that a reward would be offered for it, and I would naturally get something for finding it. A few weeks after this I picked up from the floor of the office a letter minus an envelope. I examined the contents, of course, to see to whom it belonged, and as the name was rather surprising, I put the letter in my collection of curios in crookedness. I have it here."

The witness paused and had the following letter read:

"New York, May 10th, 18—
"Colonel Franklin: Send me money to Yokohama through some one in New York. I have for the west today and expect to sail for Japan from San Francisco. I have enough money left to get me to Yokohama. Suppose you got the paper all right?"

Yours respectfully,
"THOMAS MORRIS."

When this letter had been read and the hum of interest incident thereto had subsided, Hillsman resumed his story: "Whether Col. Franklin sent him the money I cannot say; but I heard no more of that agreement until two days before Mr. Wright's death. Mr. Wright was in the office that afternoon, and I heard him tell Franklin to come to his place in the morning and fix up matters in accordance with the terms of the agreement. I heard him say that he was going hunting in the afternoon of that or the following day, and he wanted to settle the business in the morning. Well, the next morning, of the fatal day—it was snowing, I remember—the colonel left the office after looking over the mail. He borrowed my articles, I remember, too, and he did not return to the office any more that day. I remember it all very well, for it was the day Mr. Wright was murdered, and that event created a great impression upon me. I didn't see the colonel again until the next afternoon. He was sick then, complained of having a terrible headache. One thing about the colonel struck me as strange: he kept his hat on whenever anyone came in to see him, but in spite of this I discovered that he had been hit on the head. I put it up that he had been on a secluded bum, had got whacked over the head some way, and naturally did not want anybody to find it out. He actually bought himself a wig, with which he managed to conceal the wound when he had to appear in court, he was so squeamish about it."

The witness at this point was shown a pair of articles, which he declared were his. These were then compared with the sketches and figures made by Irving Ward, which had already been placed in evidence, and were found to tally therewith, thus establishing the fair inference that the man who wore those rubbers on the morning of the murder was the man who made those tracks which had been studied so sedulously by Irving Ward.

Col. Franklin admitted the employ of the first substantial discovery I made was that Pat Kernigan was a stockholder in the Shelby County Real Estate & Investment company. Then a letter of inquiry to a friend in Denver showed that he was also a stockholder in the Diamond Mining company. Carefully he was a man whom James Franklin would be likely to control. In order to satisfy myself I went to Kernigan. He's a politician, as everybody knows, and likes to keep on good terms with all men, and he told me quietly that Col. Franklin had requested my dismissal and the appointment of my successor, and that he was under such obligation to the colonel that he could not refuse to use what little influence he had with the mayor. I then went to Franklin and asked him why he had requested Kernigan to bring about my dismissal. Well, by playing one against the other I secured the information I desired—namely, that Col. Franklin was at the bottom of my dismissal, and that it was all on account of my distasteful activity in the Wright case. From that time on Col. Franklin played a very important part in all my considerations; and every effort of mine was directed toward unmaking him.

"There was plenty of hard work of a pretty character to do. For instance, I went to every shoe store in the city in search of a pair of articles of a particularly broad and awkward make, but only at Hauptmann's could I find them. Having settled this point I had no trouble in ascertaining that a pair of these articles had gone to the office of Col. Franklin. Then I took that unidentified watch and went from jewelry store to jewelry store until at last I was fortunate enough to find the man who had sold it. Again I ran across Col. Franklin as the purchaser. The unidentified diamond pin was also traced to him. A good deal of minor information was incidentally picked up, which has been found to fit in the case. I paid a visit to Uncle Dick Norris, and again crossed the trail of Franklin, learning that he had been in the Bayou woods on the day of the murder. In the meanwhile I studied at old times the lives and careers of Old Tom, Bob Padgett and the red flannel shirt man, and learned that all of them were in communication with the man whose presence seemed to pervade the case from end to end.

"Having gathered a great deal of evidence here and done all that could

be done for the time, it was deemed that I should go to Colorado and find out the actual facts about the mining tract. I made my way to the mine adjoining the Wright tract, and there I found a horde of miners waiting hungrily for the signal to begin work in the new field. A great stony wedge which marked one of the boundaries of the tract had been thrust straight across the vein of gold. This doubly rich vein, it had been found, extended into the Wright tract. Old gold hunters told me that it was probably the most valuable piece of land in the state, and that it would make its owners fabulously rich.

"It was my good fortune while I was loafing about the mine to become acquainted with Mr. Frederick Merivale, the chief stockholder in it. He had come out from New York some time before, when the report reached him of the discovery of the gold in a stone wall, and that the vein was up. The object of his journey was to make a thorough investigation, locate the severed thread of gold, and purchase the land that contained it. A very casual examination convinced him that just over the wall of stone lay the biggest bonanza in the state. The next thing was to get hold of it. It was registered in the name of the Diamond Mining company, of which Franklin was apparently the president, and chief stockholder. Well, Merivale wrote to Franklin and asked if he wanted to sell. He did not get an answer for some time. Franklin was evidently investigating through other sources to see what was up. Finally came the answer, which I have here and will read:

"I would be willing to sell providing you can meet my price. The tract referred to being now the most promising gold land in the west, I do not propose to part with it for a song."

"Several letters passed between them, and finally Merivale made a proposition that they should open the mine as joint owners. He would put in all the necessary appliances, which he had near at hand; would stand all the expenses, take all the risks, and give Franklin half net of the gold output the first year. After that they were to share expenses and profits together. A letter to this effect is also in my possession.

"Finally there came a hitch in the transactions. Wright had learned something of the value of his tract through Moses Dennison, formerly of this part of the country, but who had moved to Colorado some time before, and who had picked up a very tract for Mr. Wright. Mr. Dennison rather plumed himself in his sagacity in having picked out such a fine thing 20 years before, and he wrote to Wright in a very enthusiastic manner. Merivale got wind of the fact through Dennison that Wright claimed the ownership, and he wrote to Franklin to know whether he could give a clear title. By various misrepresentations, which the letters in my possession set forth, Franklin had a good, considerable amount out of Merivale's pocket with money thus obtained the work of thievery and assassination was carried on.

"I found Merivale to be a very good sort of a fellow, and straight as that kind of man generally is. He was tricky and cold-blooded when it came to the manipulation of stocks. He didn't care where he got provided he had his own way, and he was not the kind of man to stop and grieve any tears over the consequences of his schemes. He was a man of speculation; but he was a thug, a murderer or an assassin, not a merely a partner of one; he received me very cordially, and when I had got fairly acquainted with him I gave him an inkling of my business, and then I began to stuff him full of my suspicions and surmises regarding Franklin. I satisfied him that Franklin had been using his money for criminal projects, carried out to secure a large fortune for the property. I persuaded him that Franklin was deceiving him in a most indefensible manner, and that he was doing himself an injustice in furthering his schemes.

"I then made a proposition to Merivale. I told him that I would alter my appearance and go back to Niles, taking his name, and try by pretending to sympathize with all of Franklin's schemes I should get into his confidence and worm from him the truth. In return for the privilege, I promised Merivale that I would use all the influence I had, reinforced by Mr. Everett, to induce the real owners of the mine to assent to the proposition he had made to Franklin. He studied over it for a while. I could see that he rather enjoyed the idea. It would be a rare joke and a rare revenge, but I could see that he hesitated. Doubtless he was a little apprehensive as to what use I would make of his name; so I told him that he would write to Mr. Everett, and that gentleman would stand for my doing nothing that would bring discredit on his name. At last he consented, and at my suggestion he wrote a letter to Col. Franklin stating that he would be in Niles in a short time. He then made arrangements to depart for San Francisco, where he had some business demanding his attention. Before I left he placed in my possession all of Col. Franklin's letters to him, as well as copies of his letters to Franklin.

"In order to personate Merivale, a transformation was necessary. I had my hair cut as close as it had been shaved, and I then purchased a blond wig, which I mutilated and trimmed so that when put on I appeared to be growing bald rapidly. Then I had my beard trimmed and combed, and in dye I lightened my cheeks, and with a pair of cloudy spectacles I dulled my eyes. And, so armed with Franklin's letters and Merivale's name, I came to Niles as an eastern capitalist and took the best room in the best hotel. Before I relate what happened in Niles, I will first read the letters that passed between Merivale and Franklin."

CHAPTER XVII.

For a few minutes the people in the court room failed to catch the significance of the situation. Col. Franklin wondered blankly what his friend Merivale was doing on the witness stand, and what he would tell for or against him. The big cotton men who were present in large numbers were full of speculation as to what Merivale, whom they had carried through such an elongated course of heavy dinners and costly wines, could possibly have to tell in this case. Fenton's friends thought that a mistake had been made and that his testimony had been postponed; for there was actually no resemblance between this blond New Yorker, with his scant hair, his neatness, his hectic color, his light beard, and the strictly Fenton, with his plentiful dark hair and his cool, penetrating glance. But the first announcement of the witness shook the crowd like an unexpected explosion; and Irving Ward was among those who were most astonished.

"What is your name?" asked Mr. Everett, with undisguised satisfaction in his voice.

"George B. Fenton."

"Mr. Fenton, you were formerly connected with our police force in the capacity of a detective?"

"I was."

"I will ask you to give the jury a minute account of your connection with this case, and the results of your investigations."

The silence in the room was profound; the astonishment was giving place to an intense interest. Fenton's voice reached even the hallway beyond the wide doors. The crowd lost not a syllable of his story.

"Very well, sir," he began, "my connection with the case began when I received the pawn tickets found on the person of Herbert Wright, the prisoner at the bar. When I discovered that young Wright had pawned a number of articles which had been taken from the body of his father, I was strongly confident that he was the murderer. It seemed to me impossible to evade the conclusive evidence of guilt. But when I went to Wright's house to look for his pistol I accidentally discovered that it had been taken away by a very pretty revolver with an empty barrel had been placed in its stead. I thought the case over this way: This pistol thus substituted tells the story of the crime. It announces its responsibility for the murder of John T. Wright. Its presence here is intended to implicate Herbert Wright in the crime and to shield the real murderer. I became at once satisfied that we of the police force had been way off the track, and I proceeded to a thorough investigation of the case. As soon as I was employed by Mr. Everett I took steps to find out the source of all the startling things that had happened to those of us who had manifested an interest in the crime. Herbert Wright had narrowly escaped death from poisoning; Irving Ward had come near being assassinated, and I had been dropped from the police force. My own case being the simplest I sought to unravel it first. The first substantial discovery I made was that Pat Kernigan was a stockholder in the Shelby County Real Estate & Investment company. Then a letter of inquiry to a friend in Denver showed that he was also a stockholder in the Diamond Mining company. Carefully he was a man whom James Franklin would be likely to control. In order to satisfy myself I went to Kernigan. He's a politician, as everybody knows, and likes to keep on good terms with all men, and he told me quietly that Col. Franklin had requested my dismissal and the appointment of my successor, and that he was under such obligation to the colonel that he could not refuse to use what little influence he had with the mayor. I then went to Franklin and asked him why he had requested Kernigan to bring about my dismissal. Well, by playing one against the other I secured the information I desired—namely, that Col. Franklin was at the bottom of my dismissal, and that it was all on account of my distasteful activity in the Wright case. From that time on Col. Franklin played a very important part in all my considerations; and every effort of mine was directed toward unmaking him.

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CHAPTER XVIII.

"I have just learned from Mr. Moses Dennison that there is another claimant to the land about which we have been in correspondence. Of