## Accomplice

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CRAPTER XX.

A skeepless night usually seems interaction of the control of the co

ment, and attempted to put of the present the ment and attempted to put of the present the

trial, and as I chowed my way to the fury-box I was more painfully aware of the concentrated state of the spectators than ever before I was conscious too of a change in the atmosphere of the place which filled me with dread. Formerly the audience had been curtious and apathetic. Now I felt it was curtious and apathetic. Now I felt it was curtious and apathetic would be a summing only slight provocation to become hard and will be appointing. The speaker pointed his finger menantify disappointing. This defence had been singular in disappointing. The speaker pointed his finger menantify disappointing.

way here, and I trust your Honor will overlook the delay." Gibert caught the Judge's eye as Bar-

The witness flusted angrily at the insinuating question.

"You know I am not, sir!" he responded, indignantly.

"It is not a question of what I know, but of what you know, doctor. We want the full benefit of your knowledge, without tags or mental reservations. Knowling the handwriting of the deceased as you do, are you positive that this is his signature?"

The lawyer held out the will of which the witness was executor.

"Yes.
"And the legatees nothing?"
"Not a penny."

to proceed, interrupted Barstow.

The Judge impatiently shoved saide the papers on his desk, giancing angrily at the jury-box.

"Well, what do you want to know?" he demanded, in a tone of annoyance.

"I want to know why the witness has concealed the facts be has just related until the present moment," I responded.

"I object to the word concealed," interposed Gilbert. "The witness was not questioned concerning the matter, and that is all there is to it."

"I should like the witness's own answer." I retorted.

"Sic 'em! Sio 'em!" whispered an approving voice behind me.

"I did not think it my duty to volunteer testimony," responded the witness, lamely,
"And yet you knew it went to the core

leer testimony," responded the witness, lamely,
"And yet you knew it went to the core of the case," I persisted.
"Now, that will do," interposed his Honor. "Do you wish to cross-examine, Mr. Barstow?"
"Did you ever—"I began.
"That will do, sir!" thundered Judge, "Didn's you hear me, sir? That will do!"
"Did you ever see Miss Emory actual-

Did you ever see Miss Emory actual-"Did you ever see miss should be sign."
"Mr. Lambert, if you speak another word I'il held you in contempt of Court!"
The Judge leaned threateningly over his desk, and menaced ma with his finger as he spoke, and at the same moment some one gently patted me on the back.

"Did you ever see Miss Emory actually sign Mr. Shaw's name?" demanded Barstow, taking up my question.
"No, sir."
"Then all you have told us is mere hearsay, is it?" hearsay, is it?"
"I heard it from Mr. Shaw."
"Who is dead and can't be cross-examined! Your Honor, I move to strike every word of this testimony from the record."
Barstow pointed to the stenographer's

"Motion granted. Strike it out." "Motion granted. Strike it out."
Bayne patted my knee as Judge Dudley gave the order, and, glancing covertly at the faces of my other associates, it dawned upon me that I might yet become the leader of these men-the real Foreman of the Chain-Gang—and at luncheon hour I received a small ova-

Gilbert evidently recognized that strik-Gilbert evidently recognized that strik-ing testimony, for when the court re-convened, he allowed the question of forgery to remain where Dr. MacLean had left it, and made no immediate ef-fort to re-enforce his case against the defendant on that point. But if he be-lieved the testimony had made any very strong impression upon the audience I had reason to think he was mistaken as far as the jurors were concerned. The fact of murder had been established, and the defendant's opportunity to commit it stood demonstrated beyond all reasonable doubt. But the proof of her motive searcely destined more than a reasonable doubt. But the proof of her motive scarcely justified more than a strong suspicion, and I did not believe there was a man on the jury who would have decided against her as matters stood then. Indeed, I was convinced that Barstow could not only acquit the defendant, but expose the guilty party if he grassed his opportunities, and I re-

The prosecutor began the afternoon's proceedings by producing an affidavit made by Mr. Shaw in a real-estate transaction a few weeks prior to his death, in which he swore that he was an unmarried man and I immediately saw we were entering upon a new phase of the case.

Barstow made no objection to the proof proposed. On the contrary, he offered to admit that Shaw was unmarried at the time of his defith. If the prosecutor time of his death. If the prosecutor thought the fact essential, and when Gil-bert declined to take auvantage of the admission he protested against his oppo-nent's waste of time. Indeed, from that moment Barstow began to hurry his adversary, and continued to press him at every possible opportunity. Gilbert no sooner placed a witness on the stand than Barstow was at his beels wanting to know what he expected to prove by the testimony, and offering to concede all an examination could possibly disclose. But though the though the prosecutor never availed himself of these repeated propositions to shorten the trial. Barstow invariably managed to anticipate the testimony in his arguments, and when the jury finally heard it from the witnesses it seemed stale and unimportant.

Shaw had disposed of all his property and turned it into cash, or its equivalent, and deposited it in a Venezuelan bank in Alice Emory's name? \* \* The testimony would reven what he wanted to prove? \* \* \* Of course it would! But why

The part of the control of the contr

The witness hesitated a moment, and officer until they are called upon to test tify.

A general movement began from all parts of the room is the Judge ceased speaking, and then for the first time is noticed that Miss Mapes and Betty Field had been seated near Colonel Frayme and his daughter, and the three women exchanged a few whispered words before it he housekeeper and her companion rose, and walked towards the door through which twenty or more persons were being herded by the court-tendants.

When quiet had been restored Gilbert again rose and addressed the Court.

"Your Honor I now request that no person be allowed to enter or leave the court-room during the examination of next witness.

Barstow looked up at his opponent with an angry sneer.

"Please, mister, may I breathe during this function?" he muttered.

The prosecutor turned on his heel, and, tending forward, looked his upponent squarely lis the eyes.

"I'll make you hold your breath!" he retorted, sternily.

Barstow tipped his chair back with an uneasy laugh, and the Judge rapped sharply for order.

"Any person desiring to retire from the court-room before the next witness leaves the stand must do so now," he directed.

No one in the audience stirred at the core the proofs were pointing. He directed.

No one in the audience stirred at the announcement, and an expectant husb "Officer, soes and briskly to the pros-ceutor, who rose and glanced at the at-tendant standing before the door of the Judge's chamber, "Call Madeleine Mapes," he command-

CHAPTER XXIII.

Although I had seen Mr. Shaw's house-keeper on three occasions before Gilbert summoned her to testiry, I had never had a fair opportunity to study her until she faced me on the witness-stand. The woman's Christian name exactly described her, but, nevertheless, she impressed me as one of those persons for whom Christian names are superfluous. Mapes would have sufficed her for all the ordinary purposes of life, though the prefix "Miss" might have been conceded her for formal occasions. One could even fancy her being called "dear Miss Mapes," at very impulsive moments, but I could not imagine anybody addressing her as Madeleine, under any circumstances whatever. She was a tall, slim, dignified person, approaching middle age. Her thin face, with its high cheek-bones, prominent lower jaw, and large, firm mouth, could not by any stretch of imagination have been called handsome, but it was decidedly interesting, and although it expressed determination, if not obstipacy, in almost every line, it was neither hard nor disagreeable. Indeed, her large brown eyes suggested posibsilities of deep feeling, and her wavy hair, parted in the middle and loped over her temples, gave her an almost kindly expression. But as though she realiged CHAPTER XXIII. parted in the middle and loped over her temples, gave her an almost kindly expression. But as though she realized this softening effect, and despised it as a weakness, Miss Mapes had neutralized it as far as possible by a hideous black bonnet tied tightly under her chin with long black robbons. The rest of her attire was likewise apparently designed to eliminate every vestige of personal charm, and so lugubrious was at that long, gun-metal watch-chain suspended from her neck was a positive relief to the eye and inspired the hope that her black, lisie-thread gloves might contain something as cheerful as a mourninging. In fact, it seemed as though nature had intended the woman to be sympathetic and comely, but she had willed otherwise, and on the surface she was as callous and severe as manner and

The audience chuckled delightedly, and and over again;

the detection of the guilty party was assential. Unless the real criminal were exposed, her acquittal would be at best but negative justice, and my mind was airsady intent upon the track of the witness.

I knew that the housekeeper had been detected in the act of destroying something in the furnace after the discovery of the crime; she had occupied Miss Emory's room on the night of the murder, and now it appeared that she was the last owner of the blue skirt.

This last fact intensified my early suspicions against the woman, and I thrilled with excitement as the prosecutor paused and whispered to one of his assistants. Surely he would now bring out the rest of the story as I knew it and see where the proofs were pointing. He had the necessary clew in his possession. Would he have the moral' courage to absandon his pursuit of the defendant and camp on the housekeeper's trail?

"What was the condition of the skirt when you threw it away. Miss Mapes? Could it have been worn?"

I recognized the vital significance of the prosecutor's question, and listened eagerly for the answer.

"I don'n think so."

"Why don't you think so."

I almost smiled as I heard the question. Gilbert was clearly on the trail now, and I hung breathlessly on his every word.

"Because I remember ripning the lining out, and if the rest had been wearable I'd have given it to some poor person. I don't believe in wasne."

"Breause I remember ripning the single of Mr. Shaw's death?"

"No; but there might have been others. The material is in common use for men's clothes as well as women's."

"Miss Emory wearing a blue skirt in your household."

"No; but there might have been others. The moterial is in common use for men's clothes as well as women's."

"Miss Mapes, when did you first hear of Mr. Shaw's death?"

"The housekeeper answered this question which specify carried him far afield, and left me to follow him as best I could in my amazement and dismay. Again and again be struck up housekeeper's track, but no sooner was he headed in "Ler direction The witness's tactics, however, were long, some many watch-chain suspended from her neck was a positive relief to the eye and inspired the hope that her black, lisie-thread gloves might contain something as cheerful as a mourning ring. In fact, it seemed as though nature had intended the woman to be sympathetic and comely, but she had willed his witness for some sisted his witness for some moments before adressing her, and I could hake her accould make her.

Gilbert studied his witness for some moments before adressing her, and I could hake the big clock behind the Judgs at the

"How sid you come to occupy Miss Emory's room, as you have stated?"
"She requested me to de so."
"What did she say?"
"She came to my room and told me that Mr. Shaw had asked her to become his wife, and that she had refused him, as usual."
"As usual? Was it such a common occurrence."
"Common enough. He'd proposed to her about eight times, I think."
The audience tittered in a nervour manner, and the, sound grated upon me and roused my indignation. Glibert seemed equally annoyed, for he shot an sargry glance at the crowded benches before he continued.

"Tell us what else Miss Emory said, he directed, at last."
"She told ms Mr. Shaw had urged his suit with greater persistence than ever before, and would not take no for an answer," the witness responded, "and when she would not listen to him any longer he had become very excited and threatened to shoot himself and her."
"What did she reply to those threats?"
"She resigned her position, and told him she would leave his house the following morning."
"What else did she tell you?"
"She said he grew turribly angry when she announced her resignation, and became so abusive that high words passed between them before she mannaged to escape from, the study, and she was afraid to, remain alone in her room, That's why she came to me,"
"So you spent the night with her?"
"No. She stayed in my room and I occupied hers."
"I see. And what time did you part?"
"And when did you see her again?"
"And when did you see her again?"
"And when did you see her again?"
"Then, between eight o'clock" in the evening and seven the next morning,"
"Then, between reparently framed not to implicate her, but to strengthen his case against the defendant. Was he seising upon the fact of a quarrel between Miss Emory and Shaw take place?"
I started as Gilbert put the question. He had not been following up the witness in the way I had expected. His questions were apparently framed not to implicate her, but to strengthen his case against the defendant. Was he seising upon the fact of a quarrel between Shaw a

could not, would not, believe it!
"Didn't you hear my question, Miss
Mapes? When did this quarrel between
Miss Emory and Shaw take place?"
The housekeeper stirred at the examiner with an expression of dismay, and I
knew that she, too, had scented the danger and was wildly seaking an escape.
"I didn't say they had quarrelled," she
answered.

"Quite true—you didn't. You said high words passed between them."
"Yes, but—"
"Never mind the 'but.' When did thos, "Never mind the 'but.' When did thos, at high words pass?"
"I—I didn't mean high words exactly, I meant to say—I should have said—"
Miss Mapes glanced helplessly at Barstow, but meeting his stony glare turned again to her questioner with the look of a hunted animal in her eyes.
"Well?"

"No."
"Not at all?" "No."
"But in the hall it was very notice-able, wasn't it?"
"Tes."
"Did you hear any noise or disturbance

"No."
"You slept soundly?"
"Yes, until about five o'clock."
"What woke you then?"
"I-I don't know. I was cold. I think."
"Why didn't you get up and close the

The lawyer glanced covertly at the jury-box, but the witness seemed wholly unconscious of her terrible slip, and I sat aghast at the result of my meddling—my face flushing and paling with every question. The prosecutor was proving his case, and I was enabling him to do it! I, whom Barbara Frayne

had relied upon—on whose intelligence she counted! "When you saw Miss Emory in your "Yes,"
"Did you know of Mr. Shaw's death

en?"
Yes."
"Where was she when the body was discovered?"
"I don't know."
"I don't know."
"I don't know."
"When did you first talk with her concerning it?"
"I don't remember."
The housekeeper risproad despairingly

"No questions."

The housekeeper glanced despairingly about her, but there was no sympathy in the redit my ears. He could not be allowing the witness to escape in this fashion! It was too preposterous for manded her attention with a pitiless hall of the prosecutor of the redit manded her attention with a pitiless hall of the prosecutor of the prosecuto

fashion! It was too preposterous for belief.

'You are excused, madam, but do not leave the building without the direction of the court."

Miss Mapes had risen and was actually moving towards the judge's chambers before I awoke to the realty of what was happening, and in the excitement of the moment I forgot the deference due the court.

"Wait!" I almost shouted.

The woman visibly started as I spoke, but turned to me with a not unfriendly nod.

"Did you occupy your own room on the court of the moment is not unfriendly a question which roused her indignation. a question which roused her indigna-tion.
"You suggested sending for Mr. Bar-stow—didn't you, Miss Mapes?" he in-

stow-didn't you, Miss Mapes?" he inquired.
"I did not."
"Then it was Miss Emory who sent for hin?"
"She did not."
"Then who did send for him?"
"Nobody."
"Nobody."
"Nobody."
"He was a friend of Miss Emory's. and he heard of Mr. Shaw's death, and came to tell us not to talk to the newspaper people or the officials any more than was necessary." was necessary."

"And you didn't tell of 'these, things because of his advice?"

"I wasn't asked about them."

"I see. That is all, madam. No, pardon me. One more question. Have you always occupied the same room in Mr. Shaw's house?"

"Yes."

always occupied the same room in Mr. Shaw's house?"

"Yes."

"Did you look in the closet of your room after Miss Emory had occupied it to see if the blue skirt was still there?"

The question fairly overwhelmed me, and I experienced a feeling of deep pity for the witness as I heard it I no longer harbored the slightest suspicion of her guilt. She had doubtless thought to help her friend by giving me the linger harbored the slightest suspicion of her guilt. She had doubtless thought to help her friend by giving me the linger harbored the slightest suspicion of her guilt. She had doubtless thought to help her friend by giving me the law of the linger harbored against her, and had honestly though obstinately fought to have it brought out despite the lawyer's advice. And I, who had thought myself eleverer than Gilbert Barstow, and the house-keeper combined, had given her the necessary opening. What would Barbara Frayne think of me now?

I looked across the court-room, and, as my syes rested in her flushed and anxious face she suddenly turned to me with a giance of immistakable confidence. Then, and not until then did I realise the mental struggle which lay before me. Could I diaregard the testimony? Dared I still save the defendant by my vote?

"Didn't you look a your closet the morning after Miss Emory had occupied your room to see if the blue skirt was still there. Miss Mages?"

I turned as the prosecutor reparased