

The Diamond Coterie

By LAWRENCE M. LYNCH

(E. M. Van Deventer)

Author of "A Woman's Crime," "John Arthur's Ward," "The Lost Witness," "A Slender Clue," "Dangerous Ground," "Against Odds," Etc., Etc.

(Continued)

CHAPTER XLIII

And there is confusion in the court room.

Mr. Rand bounds angrily to his feet, then reseats himself suddenly, and without opening his lips.

As they hear Frank Lamotte from the room, O'Meara's voice rises and rings clear above the buzz and bustle:—

"That witness must not be permitted to leave the court."

Then he stands gazing about him like a small rampant lion; his eyes flashing, his nostrils quivering, his whole manner betokening that he is warming to his work.

Presently the room is quiet again, and O'Meara addresses the court:—

"Your honor, gentlemen; I have been successful beyond my expectations. You see what a guilty conscience can do. I wished to convince this court that my client has enemies in W—, powerful, unsuspected, enemies. I wished also to demonstrate to Mr. Rand, how easy it is to obtain circumstantial evidence. The witness may recover at his leisure. I have nothing more to say to him."

While he is speaking, Mr. Lamotte and Doctor Benoit, who had hastened out to attend upon Frank, re-enter, and resume their places, the former looking harassed and uneasy, the latter, bland as ever, nodding an assurance that the patient is recovering safely.

"My next witness," says O'Meara, "is private detective Jerry Belknap; but, before this gentleman is sworn, I desire the clerk to read aloud, very loud, the testimony lately given by Mr. Jasper Lamotte. I want Mr. Lamotte's testimony to be fresh in the minds of the jury when they listen to Mr. Belknap."

Strive as he will, Jasper Lamotte can not wear a look of entire unconcern, although his self-control is marvellous.

What does Jerry Belknap know concerning this case? Why is he here as a witness? Mr. Lamotte is speedily enlightened.

While the clerk reads his recent testimony, Jerry Belknap takes his place upon the stand. Not the Belknap Jasper Lamotte has known; not the Belknap of Constance Wardour's recollection; but Jerry Belknap, in propria persona, shorn of all disguise.

He is a man well up in his thirties, zedetium in height, slender in person, with a dark, smooth shaven face, keen, restless eyes, black, closely cropped hair.

The clerk having finished the reading, Mr. O'Meara addresses the witness with marked courtesy.

"Mr. Belknap, you have heard the reading of Mr. Lamotte's testimony. You have heard Mr. Rand say that two important witnesses are absent, named, a certain Brooks, and Mrs. Nance Burrill. You have heard Mr. Lamotte say that he knows nothing of the whereabouts of Nance Burrill, and that he knows nothing of Brooks."

"Now, as Mr. Lamotte can not enlighten us, and as the attorney for the prosecution is very anxious about these two witnesses, will you just tell the court what you know of Mr. Brooks, and Nance Burrill, as connected with this case?"

Jerry Belknap bows to O'Meara, bows to the court, wipes his mouth with a white silk handkerchief, and begins:—

"I came to W— on professional business, and, having obtained permission, through Mr. O'Meara, I may state here what that business was."

"I came on behalf of Miss Wardour to investigate the noted diamond robbery. I have been in and about W— for some time, but always in disguise, this being the first time my real face has been visible."

"Not long ago a stranger accosted me and put into my hands a letter. The letter bade me follow the instructions of the bearer of the same without fear, or question. Now Mr. Bathurst commands me at all times, and like a good soldier I obeyed my superior officer. I placed myself under the orders of Mr. Bathurst's deputy, who is himself a clever detective, and this is what he told me:—

"Mr. Bathurst had been operating in W— for weeks, under my very nose, and, although I knew him, and am called a tolerable detective, I never found him out. He knew me, however, from the first, knew me all along, although I, several times, changed my disguise. His disguise was too perfect, and he is too good an actor, ever to betray himself."

"That disguise having served his purpose, and having been thrown aside for good, I can safely comply with Mr. O'Meara's request and oblige the gentleman for the prosecution."

"The missing witness known as Brooks, the red-headed drunken mechanic, was officer Bathurst and none other."

Again there is a buzz in the court room.

The prisoner turns upon his counsel a look of profound wonder.

Constance clasps her hands delightedly and begins to brighten with hope.

Jasper Lamotte wears a look of consternation.

"Mr. Bathurst's instructions were brief," resumes Mr. Belknap after a moment's pause. "I was to present myself to Mr. Lamotte under some pretext of business. I am slightly known to Mr. Lamotte through my connection with the Wardour case and could approach him without creating suspicion. I was to accept any commissions he might wish me to execute. I presented myself to Jasper Lamotte:—

"I had a piece of work for me. He told me that he had good reasons for wishing the woman Nance Burrill out of the town; he wished her no harm, but she was in his way. If I would get her away, on some pretext, he would pay me well. Acting under instructions, I approached the woman, making her acquaintance easily through her little boy. She is very ignorant and very foolish. I displayed a little money, offered her a profitable situation in New York, paid her a month's wages in advance and took her and her child to the city, where I hired a small furnished cottage, and installed her as housekeeper. Not being informed that her evidence was wanted on this occasion she is there still."

When Jerry Belknap began his story, Jasper Lamotte had drawn nearer to the prosecuting attorney, and, before the story was done, a slip of paper had made its way into the hands of the latter gentleman, bearing these words:—

"For God's sake don't cross-examine that witness."

Consequently, in response to O'Meara's unnecessarily polite query, "Will the attorney for the prosecution be pleased to cross-examine this witness?"—Mr. Rand only scowled over at his antagonist, and shook his head savagely.

"This, I trust," begins Mr. O'Meara, before the last witness is fairly seated, "sufficiently explains the absence of these two important witnesses. It would seem that the absence of one at least was more important than her presence. Mr. Lamotte, at least, should be grateful. He desired Nance Burrill's absence; she is not here; and as no summons was issued for this woman—either by the prosecution or defense, no one can accuse me of hampering the progress of the law, and of this honorable court."

Mr. Rand bounds up, fire in his eye, "It may not be rubable nor dignified," he begins hotly, "but I demand a moment's hearing. This whole trial has been irregular, from first to last."

"The gentleman brings forward an honorable witness from over the water; a witness who brings out the accused in a new character; covers him with a blaze of glory; this is very good, and very theatrical. Let us grant that the accused is Sir Clifford Heathercliffe. Does that alter the fact that John Burrill went straight to his door, straight to the door of his sworn enemy, and was never again seen alive. He seeks to implicate Frank Lamotte, and to impeach the integrity of Jasper Lamotte, an honorable gentleman, against whom there was never yet a breath of suspicion. It will not alter the facts in the case. Clifford Heath's enemy was found dead close by Clifford Heath's door! He has blackened the character of the dead; he has struck hard at the honorable living. He has flooded the court with the testimony of mysterious strangers; he has suppressed known witnesses; he has worked his will with us. But he has not disproved one item of evidence; he has not changed one fact or phase of the case. Let us grant all he has proven, what have we left? The unalterable facts, that the prisoner has repeatedly threatened his victim; that the murdered man set out to visit the prisoner, at night, through the darkness, and was found early the following morning, before the body could be removed to a safer hiding place, his face covered by the prisoner's own linen; his gaping wounds giving evidence of a practiced hand; the prisoner's knife buried with him; the key of the prisoner's office or house lying beside the shallow grave. Facts tell, gentlemen; these are facts."

These words rush from his lips torrent like.

He has turned to face the jury and so does not see that O'Meara has lounged back to his seat, with an air of perfect unconcern, and that he is actually signaling the judge not to stay this whirlwind; a proceeding which so astounds that official, that for full five minutes the tide of speech flows on, lava like.

On the audience, it has a startling effect. He is speaking the truth. He is reiterating facts, and facts are sure of instant recognition by our Yankee countrymen.

A thrill runs through the assembly; there comes one of those sudden revulsions of feeling, common to scenes like this. Sir Clifford Heathercliffe disappears from before their dazzled vision; what they see, in the light of stern facts, is Clifford Heath, the murderer.

"These are facts," reiterates Mr. Rand, excitedly. "Who has seen this wonderful Bathurst, with his bundle of testimony? Who knows the man? Why is he not here in court? Where is he?"

"Here!"

Clear and full the voice rings over the room, transfixing for one moment the entire court; then the gavel descends; order is commanded with double unction, because of the recent lapse. Mr. O'Meara is on his feet; Mr. Rand's impromptu speech is at an end.

"More theatricals," snarls Mr. Rand, flinging himself violently down into his seat.

But no one heeds him; all eyes are fixed upon the new comers.

Near the door of the court room they stand grouped close together.

Mr. Wedron, dignified and placid as usual.

Mrs. Lamotte, with head proudly poised, and eyes that seem wells of pent-up anguish.

Evan Lamotte, looking like a lost and almost disembodied spirit.

Frank Lamotte, who during the time Mr. Belknap was occupied in giving his

testimony, was quietly re-entranced into the room, seeming to have recovered, and looking almost composed, looks with the rest, and is once more, for a moment, startled out of all semblance of calmness; he starts up from his seat, then sinks back weakly, a desperate hunted look in his eyes, his hands clenched and working nervously.

They came slowly forward—Evan Lamotte, supported on either side by his mother and the so-called Mr. Wedron, of the New York bar.

They pass so close that the lady's trailing silks brush against the feet of Jasper Lamotte, but she never vouchsafes a glance to husband or son, and Evan's eyes are set straight before him, fixed on a vacancy—unseeing orbs of fire, set in a spectral face.

Presently, they are seated near the group gathered about the prisoner, and then Mr. Wedron confers with Mr. O'Meara.

As they talk, the little lawyer's face becomes grave, even to sadness, and when he rises to address the Court, his tone is subdued, his manner that of one performing a painful task.

"May it please the Court," he says, slowly, "the witnesses for whom I waited have come. As one of them is just recovering from a serious illness, Mr. Bathurst has thought it best that a reliable physician should certify to his perfect ability to testify at this time. Let Doctor Benoit be sworn."

It is done, and in the same grave and subdued manner Doctor Benoit bears witness, as follows:—

"I have been in attendance at Mapleton for some weeks past. Evan Lamotte has been one of my patients. He has been very ill, and delirious almost constantly. It is less than a week since he entirely recovered his reasoning faculties. To-day, at the request of Mr. Wedron, I subjected him to various tests, and I freely pronounce him perfectly sane—as sane as any here in this court room. If any one is inclined to question my statement, I shall desire Professor Harrington and Doctor Gaylor to examine the witness."

There is profound silence for a moment, then O'Meara says, quietly:—

"Will Detective Bathurst take the stand?"

The gentleman who has become known to many in W— as Mr. Wedron, of the New York bar, left his place near Evan Lamotte, and came quietly forward. Having been duly sworn, Mr. O'Meara said:—

"Mr. Bathurst, you have been connected with this case from the first. Tell us what you have discovered, in your own way."

The detective bowed, took off a pair of gold-rimmed eye-glasses, and turned upon the court a pair of bright, handsome, dark blue eyes, that proved themselves capable of numberless expressions.

"My name is Neil J. Bathurst," he began, "and I am a detective. I came to W— for the first time early in the summer—in June, I believe. I came on professional business. To my surprise, and quite by accident, I found Sir Clifford Heathercliffe here in the character of Doctor Heath. My business in W— was in no way connected with Sir Clifford, but before I left the town, which was on the third day after my arrival, I became aware that he had an enemy here. I left W— to return in a short time, and I figured among the factory people as Brooks, the drunken mechanic. Mr. Lamotte employed me twice and twice discharged me because of my intemperance. I became quite intimate and friendly with John Burrill, and succeeded in gaining his confidence. I was also on good terms with Nance Burrill, John Burrill's divorced wife, and I learned a good many things from her."

"Early in the autumn it came to my knowledge that Sir Clifford's enemies had begun to move, that a plan was on foot against him. About this time I discovered that several people needed looking after, and I sent for a boy shadower. He came, and did his work well. He is not here, because his testimony is not needed."

"You will understand that I had now more than one operation on my hands. I was still engaged upon the case which first brought me to W—, and I was intent upon frustrating the designs of Sir Clifford's enemies. He, Sir Clifford, was not aware of my presence in W—, and he was likewise ignorant of the plot against him."

"Early in November, I found it expedient to appear in W— in a new character. Brooks had done his work. Accordingly,

I, as Brooks, set out for the city one morning, leaving my shadower in charge of the field. Jasper Lamotte went to the city by the same train, and, singular coincidence, he came back on the train which brought me. I returned, as Mr. Wedron, an attorney, and I brought with me an assistant (for the plot was thickening fast), who assumed the character of a book peddler. I was absent only two days, but, during that time, the entire drama had undergone a transformation."

"Before I had been half an hour in W—, I had received the report of my shadower; it was startling. John Burrill had been murdered. Here was a disappointment. I had fully intended that Burrill should do some honest work in the State penitentiary, and was almost prepared to make some arrests. I attended the inquest, and was again discomfited. The enemies of Sir Clifford had abandoned their first infamous scheme for his ruin, and had succeeded in fastening this miserable crime upon him. Standing there in the presence of all the actors in the tragedy, and listening to the witnesses before the coroner, I decided what course to pursue. I would make my other operations a secondary affair, and devote myself to the task of finding John Burrill's murderer. I presented myself to Mr. O'Meara, and made known my identity; we decided to act together, and at once set to work."

"I knew that Francis Lamotte was Sir Clifford's secret enemy, and, naturally, I began to study him, and to watch him. You have heard his testimony to-day, and you know how easy it would have been for him, first to follow and kill John Burrill, and next to cast suspicion upon an innocent man. I could prefer a charge against him, and bring some circumstantial evidence to back it; but this would not vindicate Sir Clifford, and would complicate affairs very much. What I wanted, was proof positive, absolute. So I waited and studied the case. Of one thing I was assured; Francis Lamotte, whether guilty or innocent, knew more of that murder than he chose to tell."

(To be Continued.)

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