

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)

Mr. Lamotte looks "disconcerted" for a moment.

But O'Meara goes vigorously on, leaving him no time to collect his thoughts.

"Now, Mr. Lamotte, what do you know of this woman who calls herself Nance Burrill?"

"Nothing," with a glance of offended dignity.

"Nothing! I am told that she has worked in your mills."

"It is possible; I am not my own overseer, however, and do not know all my people."

"Have you ever heard that this woman could tell things that would not reflect credit upon your dead son-in-law?"

"No, sir," haughtily.

"Were you aware that this woman is not to be found, before learning the same in court?"

"No, sir; I consider your questions irrelevant."

"Possibly," retorts O'Meara, drily. "I have not more to ask, sir." Then turning toward the jury, he says, rapidly:—

"May it please your honor and the gentlemen of the jury, just here I have a word to say:—

"You have heard the evidence against my client; you have heard the life and honor of a high-minded gentleman, against whom there was never before a breath of scandal or blame, sworn away by a handful of sullen loafers, and a pack of ignorant old women.

"I mean no disrespect to the loafers or the old women in question. I suppose if the good Lord had not intended them for what they are, he would have made them otherwise—and then there would have been no evidence against my client. I name them what they are, because, when this honorable jury weighs the evidence, I want them to weigh the witnesses as well."

"The gentleman wished to say one word," sneers the prosecution. "Has he said it, or is this the beginning of his plea?"

"It would be better for your case if it were the beginning of my plea," cuts in O'Meara; "my witnesses will be less to the gentleman's liking than are my words."

"Your honor, first then, the gentleman for the prosecution, in making his preliminary remarks, has dwelt at length upon the fact that my client is comparatively a stranger to W—; a stranger with a mystery. Now, then, I wish to show that it is possible for a stranger to know to be an honorable man, with an unblemished past; and that it is equally possible for a dweller in this classic and hitherto unpolluted town, to be a liar and to perjure himself most foully."

"Let the Honorable George Heathercliffe take the stand."

"And mark you, this gentleman is the Honorable George Heathercliffe, of Cliffe Towers, Hampshire, England, member of parliament, and honored of the Queen. His passports have been examined by our honorable judge, thereby saving the necessity for too much unpolished Yankee criticism."

"It has failed to save us a dose of Irish pig-headedness, however," interpolates the opposing barrister.

During the burst of smothered laughter that follows, the stately fair-haired stranger quits his place beside Constance, and takes the stand.

He is duly sworn, and then Mr. O'Meara begins, with much impressive-ness:—

"Mr. Heathercliffe, turn your eyes upon the prisoner, my client. Have you ever seen him before entering this court room?"

The Honorable George Heathercliffe turns toward the prisoner, and a smile deepens the blue of his eyes, and intensifies the kindly expression of his handsome mouth.

"I have seen the prisoner before," he replies, still smiling.

"Have you known him previous to his advent in W—?"

"I have."

"For long?"

"For many years."

"My honorable opponent has hinted that there is a mystery hanging about this man. He even hazards a guess that his name may not be Clifford Heath Do you know aught of this mystery?"

"I do."

"Does the prisoner bear a name not his own?"

"He does not bear his own name in title."

"Mr. Heathercliffe, who is this man who calls himself Doctor Clifford Heath?"

"He is Sir Clifford Heathercliffe, and my elder brother."

CHAPTER XLII

There is a profound sensation in the court room.

Constance Wardour catches her breath, and bends forward to look at her lover, the color coming and going hotly in her cheeks. She had chosen to hear nothing of his past, and so Mr. O'Meara has introduced the Honorable George Heathercliffe, that morning, saying only: "A most important witness, Constance; a strong witness."

"Is Sir Clifford Heathercliffe, and my elder brother."

Mr. Rand, the prosecuting attorney, moves uneasily in his seat, and begins to wonder what small shot O'Meara holds back of this big shell.

Without seeming to notice the sensa-

tion created by his self-possessed witness, O'Meara goes on rapidly.

"How long has your brother, Sir Clifford Heathercliffe, been in America?"

"For more than four years."

"Until you received the telegram calling you to his aid, did you know where to find your brother?"

"I did not."

"Mr. Heathercliffe, have you that telegram in your possession?"

"I have."

"Will you permit his honor, the judge, to see that telegram?"

"Assuredly." He draws forth a memento letter case, and taking therefrom a slip of paper hands it to O'Meara. That astute gentleman passes it carelessly on to the clerk, saying: "Read it please."

Rising to receive the paper the clerk reads:—

"Honorable George Heathercliffe, etc."

"Cliffe Towers, etc., etc."

"Come at once to W—, It—County.—Sir Clifford is in deep trouble."

"BATHURST."

"Bathurst!" the name falls involuntarily from the lips of Mr. Rand; he knows the expert by reputation, and this is the first intimation he has received, that so shrewd a man is at work in the interest of Clifford Heath.

"Is this the only message you received?"

"No, later in the day this came."

He produced and passed a second despatch, which is read like the first.

"Honorable George Heathercliffe, etc."

"Before starting find out everything you can concerning one John, or Jonathan, Burrill, once in the employ of your father."

"BATHURST."

The two Lamottes glance uneasily at each other. Whither is this examination tending?

"Did you follow the instructions in this last telegram?" asks O'Meara.

"I did."

A bland smile widens the mouth of the little Irish lawyer. He waves his hand magisterially.

"That is all, for the present, Mr. Heathercliffe," he says, suavely, and amazement sits on every countenance.

And now Mr. Rand bends forward and flings himself into the arena, while O'Meara leans back in his chair, his eyes twinkling maliciously.

"Mr. Heathercliffe," begins the cross-examiner, "Your two despatches are signed 'Bathurst.' Who is this Bathurst?"

"Mr. Bathurst, sir, is a very able detective."

"Ah! He is known to you, I presume?"

"He is," hovers gravely.

"Now, Mr. Heathercliffe, it strikes me as singular that an English gentleman should be on such familiar terms with a Yankee detective; and still more strange that an English nobleman should be masquerading in America, as a country physician. I should like an explanation of these things."

"My brother came to America on account of family troubles, sir. Is it necessary that I make a fuller statement?"

He asks this hesitatingly, and Mr. Rand fancies that he sees a point to be gained. He does not see that O'Meara is struggling to conceal the smile of satisfaction that will creep into his face.

"I consider it necessary, sir. It is high time that we knew why we have been honored by this incognito-nobleman."

The witness turns an unrufiled countenance towards the judge.

"If the Court will permit me to tell my brother's story in my own way (it will take some time), I shall be glad to enlighten this legal gentleman."

The Court gives its gracious permission; Attorney Rand resumes his seat; O'Meara fairly grins his delight; Constance leans forward, breathlessly; the prisoner casts one look about him, and then rests his head upon his hand; there is breathless silence in the court, as the Honorable George Heathercliffe begins:—

"I have said that the prisoner at the Bar, is my elder brother; three years ago he was not Sir Clifford Heathercliffe, not my eldest brother.

"The name of Sir Herbert Heathercliffe is, no doubt, unknown to all here present—except Mr. Bathurst, if that gentleman is here—but England has rung with that name, and the Heathercliffe pride has been lowered to the dust, because of it.

"Sir Herbert was the pet and favorite of our father, and possessed over him a strong magnetic influence. He was less than two years older than Clifford, and the two closely resembled each other.

"From their academic days, Herbert was an idler, a spendthrift, a squire of dimes, par excellence. Clifford was devoted to study, and not enamored of society.

"It is not my purpose to follow step by step the downward career of my brother Herbert, only such of his misdeeds as affected Clifford need be brought forward here.

"I have said that Herbert was a spendthrift. He was perpetually borrowing of Clifford, and always in debt.

"When Clifford, who had a monomania for the medical profession, announced his intention to go to Germany and pursue his studies there, the first trouble came.

"Herbert, who for his own selfish ends, wished to keep Clifford and his purse nearer Cliffe Towers, incited my father to concoct the scheme. This was easy.

Lord Heathercliffe did not believe in the dignity of labor, and the two voted this new departure a family disgrace. They said so much, and in such offensive language, that Clifford, in open defiance of his father's commands, turned his back upon us all, and went to Heidelberg.

"But, Herbert's career had only begun. In a little while it was discovered that our father's name had been forged for a large amount, and suspicion pointed to my brother Clifford. He came in hot haste on receipt of a telegram, and he did not come alone. He brought with him, Detective Bathurst, whom he was so fortunate as to find at Scotland Yards.

"I need not dwell on what followed; Bathurst is a keen detective; he vindicated my brother Clifford, and placed the guilt where it belonged. It was Herbert who had forged my father's name.

"There was a terrible scene at the Towers. Herbert swore eternal enmity toward Clifford, and Clifford predicted then and there the downfall of all our pride, through Herbert's follies. I remember his words distinctly:

"Let me tell you how this will end, Lord Heathercliffe," he said; "I have not grown up beside Herbert, not to know him. Our name has heretofore been stainless; we shall keep it so no longer; it will be dragged in the mud, smeared, hissed, disgraced utterly. But I will never permit myself to go down with the fall of the Heathercliffes; I renounce all claims upon you; I renounce my succession; I renounce a name already contaminated; the world is my heritage; I shall leave England; I shall leave Europe; I will make me a new name, and build my own fortune. When Herbert has broken your heart, and ruined your fortunes, as he surely will, and when his debaucheries have brought him to an early grave, as they must, then let the title fall to George; he is younger; he can not feel this shame so keenly; as for me, I will never wear the title; I will never be pointed out as the peer whose elder brother was a rake, a seducer, a forger, and Herbert is all these."

"Clifford went back to Heidelberg; Herbert remained at the Towers, whining, pleading, shamefully fawning upon a dotting and half imbecile old man.

"He feigned illness; he feigned penitence, and finally he held my father more than ever his adoring slave.

"I can not prolong this recital. It is needless. Herbert ran his race of infamy. My father died broken hearted. Clifford searched all England to bring Herbert, then a fugitive, to his father's death bed; but the officers of justice were before him. They ran him down in an obscure provincial village, and, to escape the consequences of his misdeeds, Herbert Heathercliffe crowned his life of mad folly by dying a suicide's death.

"And now I must turn a page in my own personal history:—

"Prior to my father's death, I had formed an attachment for the only daughter of a proud and wealthy country gentleman, our neighbor. But I was a younger son, and by my father's will, made upon his death-bed, Clifford was his heir. Herbert had squandered half our father's fortune, but a handsome sum still remained.

"Realizing the hopelessness of my suit, I was preparing to quit England, taking with me my mother's legacy, which would amply suffice for a bachelor's wants, but was too meager a sum to lay at the feet of a beauty and an heiress. To make my departure more bitter, I had learned that the woman of my choice returned my affections.

"Then Sir Clifford swooped down upon me. Before I could guess his intent, he had sought and gained the consent of my wife's father; had transferred to me all his fortune, reserving only his mother's legacy, which was the same as mine. He forced me to accept by the strength of his splendid will. He installed me as master of Cliffe Towers. He hastened the marriage preparations. He remained long enough to dance at our wedding, and then he left us—proud as a king, independent as a gypsy, blameless, fearless, high-souled.

"He came to America, and never permitted us to know his whereabouts. At regular intervals, we received his letters—many whimsical descriptions of his new life and new pursuits, but we always addressed him in New York, and our letters, bearing the English seal, came to him under an American disguise. We did not so much as know the name he had assumed.

"This, gentlemen, is the true reason why Sir Clifford Heathercliffe, the truest, the noblest of English gentlemen, came among you as one of yourselves.

"I have one more word to say. Sir Clifford never saw the man, John Burrill; but our brother Herbert knew him well. Burrill was his tool and accomplice in many shameful escapades. They came to grief together; quarreled fearful, and when Herbert fled for his life, Burrill with his wife made his escape to America. All that I have said concerning this Burrill will be verified by Detective Bathurst."

Then turning toward Mr. Rand: "Is my explanation sufficient, sir?"

The lawyer only bows his head, and the handsome Englishman takes his seat while the house rings with applause. Evidently his tersely told story of brotherly sacrifice has touched the "humanity" of that strangely-mixed audience.

During the moment of clamor and confusion, Doctor Benoit enters the court room, and almost unobserved seizes himself beside the New York medical experts.

A smile of gratification comes to O'Meara's face at the sight of this late arrival, and when the court is restored to quiet, he says:—

"Let Doctor Benoit be sworn."

The doctor testifies as follows:—

"Being called to examine the wounds upon the person of John Burrill, he found that they could not have been made with the knife found with the body. The identical knife being put into his hands, he explains how a cut made by such a keen, heavy weapon, must appear and describes the knife that must have been used upon the body.

"It was a smaller weapon," he says, "thinner bladed and much lighter. It must have been shorter by two or three inches."

When he adds that the surgeon's knife has never been used upon a body, the blood has been smeared on by an artistic hand.

"It would be impossible," he says, "to withdraw this knife from a bleeding wound with no other blood marks than those it bears."

Doctor Gaylor and Professor Harrington corroborate his every statement, and when their testimony is done there is another sensation in the court room.

As Doctor Benoit passes by O'Meara, in returning from the witness stand, he tosses over a piece of paper, which the lawyer seizes, scans eagerly, and stows carefully away.

He consults some papers for a moment, and then says:—

"I wish to recall Francis Lamotte."

Frank comes again upon the stand; his eyes seem fixed on vacancy; his face is white and rigid; his answers come in a dry monotone.

"Mr. Lamotte," begins O'Meara, briskly. "It is understood that you have been a student in Doctor Heath's office."

"That is true."

"During the time you studied there, had you free access to the office at all hours?"

"I had."

"I judge, then, that you must have possessed a pass key?"

"I did."

"Is that key still in your possession?"

"No."

"How did you dispose of that key?"

"I think it was lost; it has been out of my possession for some time."

"Where did you lose this key?"

"I do not remember; possibly at home, possibly at the office. It has been out of my possession for some time."

"Since losing your key, how did you gain access to the office in the doctor's absence?"

"I have visited the office very seldom of late, and not once since losing the key, in the absence of Doctor Heath."

"Mr. Lamotte, was there any way to distinguish your lost key from that used by my client?"

"Yes; my key was newer than his, and brighter."

"It was my client's custom to keep an extra suit in his office closet, was it not?"

"Yes."

"And it would be very natural that, in exchanging one garment for another, a glove or handkerchief should be sometimes left in the discarded garment?"

"Quite natural."

"Now let us suppose that, on the night of the murder, my client, returning from a visit to Mapleton, where he was called to attend upon the wife of the murdered man, halted at his office, hung up his outer coat, and sat for a little time, writing or reading, or perhaps meditating.

"Let us suppose that on preparing to face the wind, that was rising rapidly, and blowing chill, he substituted a heavy overcoat for the one he had worn earlier in the evening; and that he discovered, when half way home, that he had left his much needed handkerchief with his discarded coat.

"Would it not be quite an easy matter for some one who had obtained possession of your key, and was sufficiently familiar with the bearings of the office to move about in the dark, or by the dim fire-light, to enter that office, remove the surgeon's knife from its case, pilfer a handkerchief from the coat pocket, and escape unseen?"

"It would—I should think."

"If this person having the key, the knife, and the handkerchief, all in his possession, should go and fling them all into the old cellar on the Burns' place, you would call that singular?"

"Yes," from lips white and parched.

O'Meara turns suddenly and takes something from the table.

"Mr. Lamotte, take this key, examine it well. Does it at all resemble the one you—lost?"

Frank takes the key, mechanically, turns it about with nerveless fingers, scarcely glances at it.

"I think—it is—the same," he mutters, hoarsely.

"You think it is your lost key. Mr. Lamotte, do you know where this key was found?"

"No," stolidly.

"I will tell you. It was found in the old cellar, embedded in the mud, close beside the dead body of John Burrill."

Frank Lamotte's hands go up to his head, his pale face becomes livid, his eyes seem starting from their sockets; he gasps, staggers, falls heavily in a dead faint.

(To be Continued.)

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