

# Out of the Darkness

By CHARLES J. DUTTON

Copyright 1923 by Dodd, Mead & Co., Inc.

## "A FRAME-UP"

John Bartley, noted criminal investigator, recently returned from Secret Service work during the war, is asked by the governor of New York to investigate a mysterious attempted robbery of the Robert Slyke home at Circle Lake, near Saratoga. Bartley is asked, in view of recent developments, to establish the guilt or innocence of two men in the penitentiary for the crime. A miscarriage of justice is suspected. Rogers, chief of the central office, arrives as Bartley and his friend Pelt, a newspaper man, are preparing to go on a fishing trip, and begins to describe the case.

### CHAPTER I—Continued.

Bartley was interested. He took up his pipe, lighted it, and leaning back in his chair, listened attentively as Rogers continued. "When it came time for the men to be identified, there was a bit of a conflict. The step-daughter was pretty sure that there had been two men, while Slyke insisted that he had only seen one. In fact, he did not seem to be very eager to push the case—even requested the police to drop it, since he had lost nothing."

Bartley asked in surprise, "Then why, under heaven, did they keep on with it?" Rogers shook his head. "I don't know, John. It has been suggested that the city police did not want to drop it. Anyway, they held the men; and a few days later announced that they had found a piece of paper torn from a newspaper in the room where Slyke had discovered them. Several days later they announced that they had found a newspaper with a torn corner in Horn's pocket, into which the piece that they had found at Slyke's house fitted."

Bartley asked with a weary air, "Did they later find a piece of cloth torn from the coat or trousers of one of the men? Find it, perhaps, on a bush near the window the men had jumped out of?" Rogers gave his friend a startled look.

"I thought you had never heard of the case? They did find such a piece of cloth."

Bartley half laughed. "I never heard a word of it until you told me. I had an idea that a piece of cloth would be found that had been torn from the clothing of one of them. A piece that would fit, say, the torn trousers of one of them."

Rogers threw me a look, as if to ask how Bartley could have guessed, then remarked, "I don't see how you hit it off, John; but that's the very thing that did happen. All this did not come out until the trial. When it was introduced, it made a stir. Both men claimed, in fact, that the whole thing was a frame-up."

"The man to whom the trousers belonged asserted that they had been taken from him the week after he had been put in jail, and that there was no tear in them when he gave them up. A tailor at the trial testified that the cloth was so strong that it could not have been torn away by catching on anything, and that it looked to him as if the piece had been cut out with a knife."

Bartley threw back his head and laughed. Rogers was thoroughly displeased. "I don't see the joke."

"There is no joke, Rogers. Tell me who found all this evidence? Was it the police?"

"I am not sure. I think it was the head of the local police. It was a day or so after the crime that most of it was discovered."

I broke in to say, "I presume the men claimed the police faked the evidence?" Rogers nodded. "That's just what they did claim. In fact, their whole defense was on that line. They were said to have been night-fishing on a game preserve near the lake. A good deal was made of the fact that the incriminating evidence was not found until some hours after the crime—even days in fact. I admit that it looks a bit fishy. Still, you never heard of the police faking evidence to the extent they claim this was done."

We both laughed and our laughter made the red face of the chief turn a shade darker. We had in mind the charges that one of the newspapers was making at the time against his own detectives, that they had planted guns on some men they wished to hold. But even at that, he was right. The police do not fake evidence to the extent that this story of his seemed to hint. Bartley's next remark showed that he felt as I did.

"You are right, Rogers, though the whole thing does look queer. I take it the conviction made a stir."

Rogers shook his head. "It did not at the time; it's doing it now. The papers thought the men's denial was the usual thing. But later the lawyers got interested, then a reform society, and now they are all getting after the governor. He thinks there might have been a miscarriage of justice and wants you to look into the thing. He wants you to do it at once."

With a shrewd look, Bartley asked, "Then there is something new?" "Well," answered Rogers, "that de-

pends. The other night there was another attempt to break into Slyke's house. They say there have been several since these men went to jail."

Bartley said but one word, but it was expressive enough. We sat in silence until Rogers pulled out his watch, glanced at it, and rose to his feet. "Time I ran along. That's the way it stands. The governor wishes you to look into it, and says he will consider it a personal favor if you will do so."

Bartley also rose, and placing his hand on his friend's shoulder, said, "I will deal with the case at once, but in my own way. Tell him he won't hear from me until I have found out whether those two men ought to be in prison or not."

Rogers nodded, and after a second glance at his watch hurried out. Bartley said, "Pelt, over in the bookcase, in the section of the trials, you will find a small brown book. It's somewhere in the third section, under the letter 'E.' The title is, I think, 'The Edlingham Burglary.'"

Wondering a little why he should want it, I went over to the portion of the bookcase he had indicated. In a moment I had found the volume that he wanted—a thin book, covered with brown cloth, and on the title page

The Famous Edlingham Burglary or The Innocent Persecuted 1879

I handed Bartley the book, and without a word he opened it and quickly ran through the pages. In a few minutes he threw it over to me, saying with a smile, "I know, Pelt, you are wondering why we should spend our time on a simple burglary case; but this may turn out to be a rather curious one. When Rogers told me the story of the Circle Lake affair, I recognized at once that it resembled a very famous case that took place in England in 1879."

He waited to fill and light his pipe before continuing:

"Yes, that's why I am interested in it. It's almost the same in every detail as the story you will find in that pamphlet you hold in your hand. The English case, known in criminal history as 'The Edlingham Burglary,' is famous because two innocent men were in prison for six years for a crime they did not commit. The evidence against them, the manner in



"You Are Getting Wiser Every Day, Pelt."

which it was discovered, is almost, if not the very same as that in this affair at Circle Lake of which Rogers tells us.

"The Edlingham case goes down in the history of crime as one of the worst miscarriages of justice of which we know. There is no doubt that the police faked the evidence against the men. They spent six years in prison for a crime they knew nothing about. In that case, too, the two men were found early in the morning in the house of a local vicar. Just as Slyke and his step-daughter found someone in their house, so the vicar and his daughter discovered two men in their living room. Later the men were arrested on the outskirts of the little English village; and, as in the story that Rogers told us, a piece of paper was found in the room at the vicarage that fitted into the torn corner of a newspaper which was discovered some days later in the house of one of the men. Footprints were also found under the window, and a little piece of cloth on a rose bush. This in turn fitted into a torn place in a pair of trousers belonging to one of the men."

I uttered an exclamation of wonder, and Bartley grinned. "It is the most famous case of its kind in the history of English crime. It's odd how the evidence in this Circle Lake robbery parallels it so closely. It looks a little as if someone had read of the English crime, and tried to repeat the evidence in this one."

"And then these men may be innocent?" "Well," replied Bartley thoughtfully, "maybe. The fact that there have been other attempts to break into Slyke's house points that way. To a student of criminal literature, the finding of an old crime re-staged is rather interesting. That is why I said I would like to look into it."

"Go into the office, will you, Pelt, and see what we have there on Slyke."

Bartley had a large office, lined with

tall, green filing cabinets, containing the reports of his cases and his wonderful card-index. This index contained information about almost every important person in the country, information that gave at a glance a keen insight into the character of the man whose name was on the card. It took me but a second to find the card that contained Slyke's name. When I returned to the library, Bartley asked me to read it aloud. It contained the following:

"Slyke, Robert, broker. Born Kittery, Maine. Educated in public school. In business in New Hampshire, 1879 to 1886, buying and trading cattle. Came to New York, 1886, became a broker. Made and lost several fortunes. Said to have been converted by Billy Sunday in 1913; no evidence of it. Rather eccentric, dabbled a bit in spiritualism and has been duped by several mediums. Quick tempered, with few friends. There is a question of his business honesty. Wife died 1914. One son and a step-daughter. Summer home, Circle Lake, N. Y. City home, Garden City. Was worth about \$500,000, but rumored to have lost a part of this in recent years."

Bartley listened while I read this short and commonplace history.

When I had finished, he said simply, "I wonder what was in his house that the burglars wanted."

I asked the question that had been in my mind for some time. "Why was he unable to identify the men when his daughter said she could?"

Bartley smiled at my question. "You are getting wiser every day, Pelt. It is curious that Slyke professed to be unable to identify the men when the girl, who was on the steps behind him and even further away from the men than he was, could do so. It may be that he did recognize them and did not want to say who they were. If that is so, then the whole affair is more mysterious than ever."

He rose to his feet and glanced at his watch. "Tomorrow, or Sunday, we will run up to the lake. We had better drive up in my car. It will take only seven hours. I will telegraph to Currie, my old Harvard roommate, that we are coming. He has been after me for several years to come for a visit."

He walked the length of the room, and paused a moment to study attentively a Rops highly colored etching, much as if he had never seen it before. Then he turned back to the desk and said, "You had better read over that pamphlet of the Edlingham case now. The two cases are curiously similar."

As he left the room, he added with a regretful little laugh, "There goes our fishing; it's always the way."

An hour later when he returned I was still curled up in a big chair by the fireplace. I had spent the time reading the story of the old English crime. The two cases were, as Bartley had said, very much alike. I agreed with him that, if we took the ground that someone at Circle Lake had faked the evidence, then whoever he was he had read the report of this other crime and used it as a guide.

### CHAPTER II

In Which We Visit Mr. Slyke, but Do Not Receive a Very Warm Reception.

It was not until early Sunday morning that we were able to leave the city. After the days of rain, the ride along the banks of the Hudson was very beautiful. At Albany we had luncheon in one of the large hotels to the accompaniment of an orchestra booming the popular music of the moment. Bartley was so thoroughly uncomfortable that he refused to speak. It was not until we were waiting for the waiter to return with our change and he had lighted a cigar that he became more amiable. He bowed to some people he knew, then leaned toward me and spoke softly so that those at the next table would not hear. "Pelt, we cannot say just what we will find up at the lake. I have thought the affair over carefully, and the more I think of it the more puzzled I am. If Rogers told us all the facts, then there are two well-defined conclusions to be drawn. The first is that those two men are innocent. The second is that Slyke knew who it was that broke into his house, but had strong reasons for claiming he could not recognize them. If his daughter could swear to the identity of the men, that were arrested, he should also have been able to recognize them. But he says he did not, and we are told he wanted the case dropped."

He paused as the waiter appeared with our change, and we went back to our car.

Saratoga was only a forty-five mile drive from Albany. Circle Lake was several miles nearer.

I knew very little about the place except that it was a small lake outside of Saratoga where there were a number of large summer estates. Bob Currie, who had roomed with Bartley at Harvard, had a place there where he passed the greater part of the year.

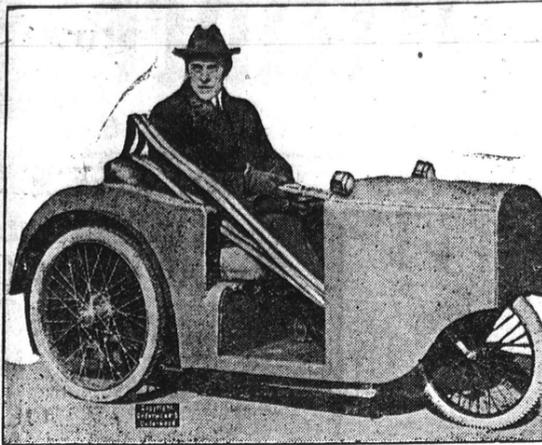
About an hour and a half out of Albany, Bartley said suddenly, pointing to a small sheet of water in the distance, "That's Circle Lake."

We were on the top of a large hill at the moment, and though the lake was several miles away, it looked even smaller than I had expected. It was not more than a mile across, and was a complete circle except where a small bay broke its circumference.

"I'm sick of the whole thing. Those men had a fair trial and were found guilty. What more do you want?"

(TO BE CONTINUED.)

## AUTO INVENTED FOR LEGLESS MEN



Arthur W. Van Rensselaer, himself a cripple and a member of one of the oldest families in New York has invented an automobile for legless men and he demonstrated the machine at the Institute for Crippled and Disabled Men, New York city. Mr. Van Rensselaer became crippled while serving in the Mexican border campaign. His education as mining engineer stood him in good stead and he turned to invention. The machine is a motor-propelled three-wheeled vehicle, 32 inches wide and 76 inches long, and is built to hold one person. It operated entirely by hand control.

## NEW AUTO COVER PLACED CHEAPLY

Motorist Found Work Not as Difficult as He Had Imagined When Job Was Finished.

## OLD TOP SERVED AS COVERING

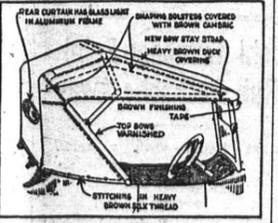
No Special Tools Are Required, but Great Care Must Be Exercised to Cut Materials Exact Pattern of Parts Removed.

A motorist, who had painted his roadster dark blue and had given it a high luster with coach varnish, found that the old mohair top looked shabbier than ever by contrast. He decided to re-cover the top himself and found the work not as difficult as he had imagined.

He measured the amount of material required and bought sufficient heavy, closely woven brown duck for the new top, as well as binding tape of the same color, some brown cambric for the shabby bolsters, an oval rear light glass with an aluminum frame, round head upholstery tacks, and a little oak coach varnish.

As he removed the top with a tack puller and pliers, he noted how each piece was fastened. He then refinished the top bows with varnish, cut new stay straps from brown duck, and made them fast to the bows. The bolsters were covered with cambric and fastened in place.

Using the old top as a pattern, he next cut the brown duck to the exact shape and sewed the pieces together on the sewing machine with heavy brown silk. The rear light was set in the back section and then the new cover was spread over and tacked to the frame while the frame was held in position with bindings of heavy twine. The finishing tape was put on



The Old Top Serves as a Pattern for Cutting a New Cover.

and the top then matched in newness the appearance of the newly painted and varnished car itself.

No special tools are required and nothing about the work is difficult, although care must be taken to cut the materials the exact pattern of the parts removed and in aligning the top bows properly before putting on the new covering.

It is necessary to use a tape line frequently to make sure that pieces on opposite sides are uniform, and that the rear curtain is located so that the light is in a central position. A new top usually increases a car's selling value far more than the cost of labor and materials involved.—G. A. Luers in Popular Science Monthly.

## TO KEEP WINDSHIELD CLEAR

Simple and Inexpensive Method by Which Every Motorist Can Maintain Vision.

To keep the windshield clear of sleet and ice during stormy weather: Pour a quarter of a pound of salt in a cheesecloth, making it into a bag by tying up the four corners, and rub over windshield.

By this simple and inexpensive method every motorist can keep his windshield vision clear for two hours at a stretch even in the worst weather.

## BRAKE DRIVING WILL CAUSE MUCH TROUBLE

Factory Official Dilates on Fault of Many Drivers.

Motorist Should Take Things Easy, Whether in Crowd or Out—Fast Driving for Short Distances is Expensive.

The greatest fault with American drivers of today is that they drive with their brakes, was the statement of an automobile factory official.

"The motorist should take things easy in driving, whether in a crowd or out of a crowd," he adds. "Fast driving between short city blocks, followed by a sudden jamming on of the brakes, gains little time and is expensive, both in the wear and tear on the tires, the burning out of the brake lining and injury to the brakes and other mechanical parts of the car. Never put more pressure on the brakes than is absolutely necessary to stop at the point you wish."

"Every time you hear a traffic officer's whistle in a large city, you almost immediately hear a crunching of brakes and scraping of dry tires on the pavement."

"Even in long cross-country drives, where hilly country is encountered, some drivers constantly jam on their brakes when slowing down instead of allowing their cars to slow down before the brakes are applied."

"In going down hill, take your foot off the accelerator, and the motor, set at a safe pace, will hold the car back. If the grade is very steep, shift to second or first speed as the grade may require before starting."

"Under no circumstances is it advisable to throw the clutch out when actually driving down hill. To do so may mean absolute loss of control. It is not good driving, either, to shut off the spark completely. It is a safe practice to have the motor running in order to have power on tap in case of emergency."

"There is no question at all that brakes are extremely important for the purpose for which they are built, but simply because they are efficient, reliable, and the easy way to drive, is no reason for abuse which results in damage to other parts of the car as well."

## AUTOMOBILE NEWS

Correct wheel alignment saves tire wear and should not be neglected.

Experts do not recommend the choking in stopping system that many car drivers persist in using.

The automobiles owned in the United States have a power equal to that of more than 300,000,000 horses.

Proper inflation is as important as proper loads. Under-inflation results in flexing of the layers of fabric which cause early deterioration of the tire.

The piston stroke on some of the smaller cars is usually no longer than the diameter of the cylinder bore. A long-stroke motor has a piston stroke considerably longer than the diameter of the bore.

Never ignore signs. These include colored lights, semaphore, "Stop and Go," parking signs, schools, fire house and hospital signs, "Blow Your Horn," "Dangerous Curve," "Go Slow" and other signs of various sorts.

The gum and grease that accumulate on the rear axle may be easily cleaned with a cloth wet with kerosene. A stiff brush will reach the grooves and corners, and the cleaning will be easier if the kerosene is warmed.

Following closely after another car when crossing a railroad track is bad policy. The driver of the car ahead may not take the simple precaution of looking to see whether the coast is clear. He may get over just in time.

# THE AMERICAN LEGION

(Copy for This Department Supplied by the American Legion News Service.)

## TO DECORATE 32,100 GRAVES

American Legion Plans for Endowment Fund to Annually Provide Proper Attention.

The graves of 32,100 American World war heroes on foreign soil will never be forgotten on Memorial day by the American Legion, under the plans for an endowment fund to be established by the national organization. This fund will be of sufficient amount to annually provide for the permanent decoration of the graves of the dead of the World war, as long as the Legion itself shall exist.

Shortly after the close of the war, collection of a million francs, approximately \$66,000, was made by the Paris post of the American Legion, but the income from this amount has not been found sufficient to do the necessary work annually, so that the endowment plan has been taken up by the national organization and the goal set at \$100,000.

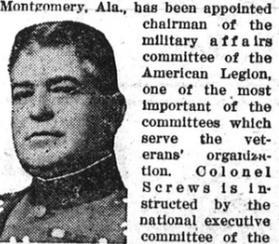
As a result of the operation of this fund, American Legion representatives will visit the graves of the dead in six different countries on Memorial day and see to it that the grave of every soldier, sailor or marine is fittingly remembered. The government is maintaining these graves in a proper manner, taking excellent care of the cemeteries and plots, but the Legion considers that its duty is to pay direct personal tribute to those who gave their lives to their country. According to information given to the Legion, there are 31,400 graves in France and Belgium; 488 in England; 140 in Scotland; 40 in Ireland. One American sailor is buried in Spain.

The fund will be raised from direct contributions from Legion posts and members throughout the country. The national treasurer of the American Legion is authorized to receive either contributions of posts or private donations.

## WILL STUDY MILITARY NEEDS

Lieut. Col. William P. Screws, Chairman of Military Affairs Committee, to Direct Work.

Lieut. Col. William P. Screws, of Montgomery, Ala., has been appointed chairman of the military affairs committee of the American Legion, one of the most important of the committees which serve the veterans' organization. Colonel Screws is instructed by the national executive committee of the Legion that his committee is expected to study the military needs of the nation with a view to recommending to the annual convention of the Legion necessary changes in existing legislation or new legislation on subjects which have not been covered by reports of previous committees on these affairs.



Lieut. Col. Screws

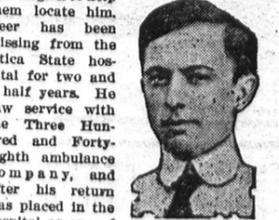
The military affairs committee of the Legion was instrumental in framing the national defense act, which has become a law, and is considered one of the most important pieces of work accomplished toward increasing the efficiency of the nation.

At present Colonel Screws is senior instructor of the Alabama National Guard.

## LEGION SEEKS MISSING MAN

Fred Arnold Beer, Buffalo Overseas Veteran, Disappeared Two and Half Years Ago.

Relatives of Fred Arnold Beer of Buffalo, N. Y., have asked the American Legion to help them locate him. Beer has been missing from the Utica State hospital for two and a half years. He saw service with the Three Hundred and Forty-eighth ambulance company, and after his return was placed in the hospital as one of the mental patients.



Fred A. Beer.

His mother, who is a widow, is using every possible resource to locate her lost son, who is an only child.

Beer is thirty-four years old, a letter from his cousin who is aiding the search for the missing man states, weighs about 135 pounds and is five feet nine and one-half inches tall. He has light-brown hair and eyes, and occasionally goes under the impression that his name is Kelly or Squires.

Anyone who can give any information concerning this missing veteran is asked to communicate with his cousin, Theodore H. Becker, Jr., 543 Elliott square, Buffalo, N. Y.