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MALCOM KIRK.

A Tale of Moral Heroism in Overcoming the World.

BY CHARLES M. SHELTON,
Author of "In His Steps," "Crucifixion of Philip Strong," "Robert Hardy's Seven Days."

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Illustrations by Herman Hoyer.

CHAPTER V.

MALCOM ATTEMPTS TO RETURN THE MINIATURE.

The next day Malcom Kirk doggedly set to work on his report. In the evening he went over to see the president and consulted with him as to certain details, and then for the next three days he gave himself up to his task of getting together the great mass of material he had accumulated while abroad.

It was the fourth evening of his return that he saw the lights in the Gilbert house across the campus as evening set in. The house had been shut up and dark.

"She is home again," was his first thought. He was unable to work till that evening. The next day he continued, but the evident nervousness of Dorothy made him restless to see her. Once she came out on the porch, and he readily recognized her even at that distance.

That evening he did not pretend to himself that he could do anything worth doing on his report and resolved to go and return the miniature without waiting any longer. He had kept it more than a year now. He was under promise to give it back. As well now as any time.

He rang the bell with a tremor at heart that instantly bounded into fever when Dorothy herself opened the door.

He stood there in the light of the porch, and his trepidation did not hinder his observing that Dorothy looked very pale and even as if she had been crying.

"Won't you come in, Mr. Kirk? I am very glad to see you," said Dorothy. She spoke so easily, so kindly, that he recovered his self-possession at once and went into the parlor and sat down, wondering at the commonplace details of his meeting with the one woman in all the world to him.

"You will excuse me for coming so soon after your return?" he said simply.

"Certainly," replied Dorothy, smiling. "Would you like to see father?"

"No," said Malcom Kirk. "I came to see you." It was so evidently true that Dorothy could say nothing for a moment. There was an awkward silence. She broke it by saying:

"I have read your pamphlet describing the life of the people on the continent in the cities. I thank you, not for the pleasure, but for the pain it gave me."

He looked at her gratefully. He understood exactly what she meant. The opening had been made for talk along the lines of his deepest life, and before he knew just how it had been brought about he was telling her some of the experiences of his year abroad, things he had told to no one else and had not even been able to put into his report. All the time he felt the miniature in his pocket. But he seemed to fight against the knowledge that he must give it up.

As for Dorothy, she experienced a feeling of exhilaration in her talk with this man. She was sick of the empty nothings she had been hearing all summer. The recent experience of her father's failure also had excited her. There was much in everything that pervaded Malcom Kirk's life work to attract her at the present moment.

It must have been nearly an hour that they had been talking, she asking questions and he replying, and every minute grew increasingly full of interest to her, when he suddenly stopped as he had done that evening a year before and asked, "Would you do you feel as if you could play something?"

He was simply battling for time, and he was in a condition where he could not run the risk of speaking something he ought not. The longer he staid the deeper he knew his heart longed for Dorothy Gilbert. He felt that while she was playing he might measure his duty and his inclination better.

She was never able to tell herself why she played as she did. She began with the old German Lorelei, "Ich weiss nicht was soll es bedeuten, dass ich so traurig bin" ("I know not how it is that I am so sad"), and then before she could control her fingers or her thought she had passed on to the Traumerl, which Kirk had asked her to play before.

When she finished, she hardly knew her own feelings. When she turned about, he was standing, and he had the miniature in his hand.

"I promised to return it when I came back." He spoke with great simplicity and, as his fashion always was, looked straight in her face like a man who is not ashamed or afraid. "No one but myself has seen it. The keeping of it has not."

He hardly dared to trust himself to say what lay within his heart. In truth he knew well enough that he would be a far different man for the rest of his days if he could only have this woman for his wife, but at that moment he felt as if such a possibility was too remote for even thought.

He had walked to the mantel and was about to put the miniature down in the place where it had been when a sound in the library startled them both. It was a sound as of some one falling heavily.

"Father!" Dorothy exclaimed in terror. She ran into the hall, but swift as she was Malcom Kirk was before her. Even as he leaped forward he was conscious that he held the miniature still

and before he reached the library he had mechanically put it into its old resting place in his pocket.

They found Mr. Gilbert lying on the floor unconscious. Dorothy knelt on one side of the body. Malcom Kirk



They found Mr. Gilbert lying on the floor unconscious.

on the other, and for a moment there was a wild fear in Dorothy's heart that her father had in some way killed himself. His business failure had been the great humiliation of his life.

Kirk put her mind at rest. "He has had a shock or stroke of some kind," he lifted the body up, placed it on the lounge and instantly ran out of the house for the doctor who lived only a few doors away.

When he came, he pronounced the case serious, but gave Dorothy hope. Malcom Kirk came back, but in the excitement he could do nothing but express his sympathy and finally go back to his room after the president's wife and some others had come in to stay with Dorothy for the night.

Mr. Gilbert had been a typical New England business man of the old school. When his failure came and he had begun to recover from the first effect of the blow, he had no thought of any other course but to pay dollar for dollar of his honest indebtedness. To do meant the loss of his beautiful home in Hermon. Dorothy felt as he did about it. He had no fears on her score. The integrity and firmness of such a moral course were never in question with either of them. So he had come back from where he had been staying with his sister, and the night Kirk called he was busy in his library arranging the business of the Hermon property, going over all the details of his recent loss and making what provision he could for the future. He was nearly 55, still, as he supposed, in the prime of life, and he manfully determined to begin all over again. He could leave Dorothy with her aunt, who was alone much of the time and needed her at present, and himself struggle into place again with honor untarnished and the good name of the firm free from commercial stain.

So the honest, sturdy publisher thought as he sat at his desk with his papers before him. Then suddenly, just a little after Dorothy had ceased to play, he felt a new and awful pain seize him, he reeled in his chair, vainly tried to call out for help and sank unconscious to the floor.

The next few days were days of great anxiety to Malcom Kirk. He could see the doctor's carriage before the Gilbert house every morning. One morning he saw the doctor go up the steps with another man who entered with him. The doctor's carriage remained in front of the house that day until noon. In the afternoon Kirk called to inquire, and the servant came out at the back porch and told him Mr. Gilbert had been sinking rapidly. A celebrated physician from Boston had been in consultation, and he said there was little hope.

Kirk passed an almost sleepless night, and next morning as he looked across the campus he knew that the woman he loved best was alone with her grief. He could see the wraith of flowers on the door, and it told him at once that John Gilbert had passed on, never more to be vexed with the struggle of the life that now is on the earth.

The week following was one of the most trying that Malcom Kirk ever knew. The funeral of John Gilbert was held in the seminary chapel and attended by the professors and townspeople generally. Dorothy's aunt was with her. Kirk had no opportunity to see Dorothy and be to her the comfort he longed to be. It was agony to think that there across the campus in the great house was the woman he loved passing through a great sorrow, and he had no right to go to her and share that sorrow with her. He felt as if he could not break in on her grief to speak even of his love. So the days passed restlessly for him, and he tried to work on his report, but made very little real progress. He laid the miniature on his table and tried to write with the face looking up at him, but he made no progress at all then, and the close of the week found him walking his

room in great uncertainty of heart and mind.

On Monday the week following he was obliged to go down to Boston to consult some authorities in Settlement work, and when he came back the next day the Gilbert house was closed, and Dorothy and her aunt had gone to Beverly.

It was the very next day that Kirk saw in a Boston paper the name of Francis Raleigh, arrived a few days before from Liverpool on the Cephalonia. Looking over the columns a little farther down, he saw in the local news from Beverly this statement: "Mr. Francis Raleigh, the Hermon artist, recently arrived from a year's study abroad, is the guest of Mrs. Arthur Penrose, sister of the late John Gilbert."

That was all, but it roused Malcom Kirk to instant action. He knew with all the vigor and intensity of his deep, honest nature that his love for Dorothy Gilbert was now the largest part of his life. He had consecrated his time and strength to the ministry. He did not deceive himself. He knew what such a consecration meant. He faced, open-eyed, the entire meaning of a minister's career in a home missionary church "out west."

But looking at it all through dispassionate eyes he said as he walked his study: "She cannot go to my work without speaking to her. My love for her is honest and true, and if God grant that she can love me and share my life with me—"

He left the rest unspoken, and, going back to his desk, he sat down, trembling a little as he put his face in his hands and prayed that the hunger of his heart might be satisfied. He had made up his mind to act and act quickly, and once he had decided on his course he was free from all doubt as to his wisdom.

He took the afternoon train for Beverly and reached the place before dusk. Mrs. Penrose lived in one of the handsome summer villas near the sea. The whole place smote Kirk as with a blow aimed at his poverty, his obscurity, his whole future. And yet he said to himself as he walked up the steps that there was something in his life which money and all its attendant elegance could not buy, and he believed that Dorothy Gilbert somehow, if she ever loved any one enough, would feel the same way toward all the outward display of wealth.

The servant who came in answer to his ring said that Miss Gilbert had gone out for a walk and had not yet returned. He at once asked for Mrs. Penrose. When she came in where Kirk was standing in the reception room, she surprised him by greeting him very warmly by name. He had merely met her at the time of Mr. Gilbert's illness, but not more than once or twice and then very briefly.

She was a woman of great tact, and she made Kirk feel at ease. She had not the remotest idea that he was in love with Dorothy or what was the object of his call, and in a few minutes, seeing this, he made up his mind what to do.

"Dorothy is down by the beach with Mr. Raleigh. They will be back for you. You have met him, Mr. Kirk? I would be pleased to have you stay and take tea with us."

"Thank you, I shall be glad to do so," replied Malcom Kirk promptly. All the while he was fast arriving at a determination to tell Mrs. Penrose what he had come for.

"I believe you met Mr. Raleigh while you were abroad? He was telling us something about you this morning."

"Was he?" said Malcom Kirk quietly. "Yes, I met him on the Cephalonia going over. We had several little visits together. I enjoyed them."

Mrs. Penrose was sitting where she could see from the reception room window the stretch of beach. She looked out and said: "I don't see them coming yet. They will be here soon, I think. You were saying, Mr. Kirk, that you enjoyed meeting Raleigh. Excuse me if I say that he spoke in warmest terms of you. He told us about your care of that poor baby. He wondered what became of it afterward."

"It's quite a long story," said Kirk, "but pardon me, Mrs. Penrose, if I don't try to tell it now. I want to tell you why I am here. I love your niece, and I am going to ask her to be my wife."

"To be continued."

THE QUEER CHINESE.

Odd Things One Sees in the Celestial Empire.

White warts as mourning. Boats drawn by men. Carriages moved by sails. Old men fly kites. Seats of honor at the left. Hats worn as a sign of respect. Wine drunk hot. Family names come first. The compass points to the south. Soldiers in petticoats. Horses are mounted on the right side.

Visiting cards four feet long. School children sit with their backs to the teacher.

Babies that seldom cry. A married woman when young is a slave, when old the most honored member of the family.

A coffin in the reception room. Fireworks are always set off in the daytime.

If you offend a Chinaman he may kill himself on your doorstep to spite you.

The Chinese divide their medical prescriptions into seven classes: 1. The great prescription; 2. The little prescription; 3. The slow prescription; 4. The prompt prescription; 5. The odd prescription; 6. The even prescription; 7. The double prescription. Each of these receipts apply to particular cases, and the ingredients are weighed with scrupulous accuracy.

The Story Teller.

CUT RATES.

By MADGE SUTHERLAND CLARKE.

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Jack Corlears turned slowly away from the door of the cut rate ticket office in Savannah. He had staked all he had on a venture and lost, and now he wanted to get back to New York. There at least was life, and if he was to starve he preferred to do it where he might gain some amusement during the process. Besides, in New York the unexpected was always likely to happen, and chance and change were the only gods on his altar. The day before he had pawned his watch, his

"Well, we think the date's been altered. The 9 has been changed to a 1, making the date January instead of September."

Corlears scrutinized the ticket. "I see no evidence of it," he said coldly. "However, it's no affair of mine. I bought the ticket and paid for it; the road is responsible."

He turned to his paper. The conductor shifted uneasily and finally turned away.

"The plot thickens," Corlears said to himself. "Anyhow, I am two hours nearer New York than I was in Savannah." He went to sleep. At 10 o'clock the train ran into Columbia, where a new conductor came on. In about an hour Corlears saw him approach, though he pretended to be still asleep. The new man was very direct in his methods.

"Look here!" he said, shaking Cor-

lears and after that—get to New York some way.

"You say that you have no money?" "I've just \$2.16." There was a pause. The man appeared to be considering. At last he spoke.

"If you'd like to earn \$500, I can put you in the way of it."

"I should be delighted," Corlears drew ironically. "I might earn it shoveling snow. There's a good deal of it about."

"I'm perfectly serious," the man rejoined. "Listen. You want to go to New York; I want to keep away from it. I bought a ticket to New York, but I left the train when it slowed up to put you off. I've—changed my mind."

Corlears nodded. "I see," he said. "Very good. You are about my height and build. Change clothes with me, take my ticket, walk on to the next station and board the first train for New York. If you meet my anxious friends and they offer you pressing attentions, don't decline them on the score of being some one else."

"And then?"

The man smiled. "You will be taken excellent care of, and you will be met at the Grand Central station with a carriage. Then they will discover their mistake, and they will apologize. In the meantime you will have got to New York, and you will be \$500 richer."

He counted out five crisp new \$100 bills. Corlears saw them distinctly in the moonlight.

"Is it a bargain?"

Corlears trudged on in silence for a moment. "Let me see your ticket, please." The man handed it to him. "It's good for stopovers, I see, so I can use it all right."

The man's eyes glittered. "Do you agree?" he said eagerly.

"I'll take the ticket," Corlears said slowly, "and in exchange for it I'll swap clothes with you, and I'll keep my mouth shut until we get to New York, but you can keep the \$500."

"Don't be a fool," said the man. "It will be worth more than that to me if it works." Corlears shook his head.

"I tried to beat the railroad company out of a fare, I must admit," he replied, "but I usually play fair. I haven't made much of a success of my life, but I've lived it squarely so far. It's my habit, I suppose."

The man gave a kind of groan. "God knows I wish I could say as much."

The exchange of clothing was quickly made. "I'm in a stovepipe hat," Corlears said, with a laugh, "though it's rather cold comfort in this snow heat."

"Goodby," said the man, and he ran quickly off in the opposite direction, his long black shadow trailing grotesquely after him.

The next morning when Corlears, footsore and hungry, walked into the little station at Blankville he found two men there lounging by the stove. They stood beside him at the lunch counter, and when he finally boarded the north bound train they entered with him and took the seat behind him. Corlears smiled to himself.

When the train reached Charlotte, a boy came on with the morning papers. Corlears bought one.

"William Brand, the defaulting cashier of the Winderton bank, has been traced to Savannah. It is supposed that he has with him some \$50,000 in bills and gold. A large force of detectives is working on his case, and his speedy capture is looked for. He was burned in effigy last night by the people of Winderton, many of whom are reduced to penury through his peculations."

"I'm glad I kept clear of that \$500," Corlears said to himself. Then he fell asleep, for he was utterly worn out.

"Takes it cool, doesn't he?" said one of the men behind Corlears. "Wonder if he knows the game is up?"

MAGISTRATE "SHALL" CHARGE JURY.

Interesting Supreme Court Decision In Greenville Case.

An important and interesting decision just handed down by the South Carolina supreme court is that in the case of Marchbanks against Marchbanks, taken up on an appeal from this county by Lawyer Adam C. Welborn, on the ground that the magistrate in the case failed to charge the jury. Mr. Welborn held that it was mandatory on the officer to charge and in the supreme court has sustained his view. The Columbia correspondence of the News and Courier of yesterday, contained the following:

"The supreme court has filed quite a number of decisions within the last day or two. Many of these decisions involve old issues and points of law. Several present interesting and novel points.

One which may be regarded with considerable concern, and presents a case of humor, is in the case of Marchbanks against Marchbanks. The court points out that magistrates—the ordinary trial justices—ought to know the law, and if they do not know it then they ought to resign. It is hard enough for a great many lawyers to do that, and if the magistrates of this state were to have to undergo the very lightest kind of an examination they would not have much of a chance. The point, however, is that the court holds that magistrates have no right to comment on the facts or to give their views to their juries; but are simply to state the law and stop there. It will be a difficult matter for them to do so; but such is the law as announced by the highest tribunal in the state.

In the case at issue the supreme court says: "The appeal herein raises the question whether magistrates are within the terms of section 26, article 5 of the constitution, which provides: 'Judges shall not charge juries in respect to matters of fact; but shall declare the law.' The decision goes on to say: 'The word judges, without superadded words, of the circuit court, is sometimes used in the constitution so as to embrace magistrates, as well as justices of the supreme court. For instance, section 6, article

5, of the constitution is as follows: 'No judge shall preside at the trial of any cause in the event of which he may be interested, or when either of the parties shall be connected with him by affinity or consanguinity within such degrees as may be prescribed by law, or in which he may have been counsel or have presided in any inferior court.'

"In case all or any of the justices of the supreme court shall be thus disqualified, or be otherwise prevented from presiding in any cause or causes, the court or the justices thereof shall certify the same to the governor of the state, and he shall immediately commission specially the requisite number of men, learned in the law, for the trial and determination. The same courts shall be pursued in the circuit and inferior courts as is prescribed in this section for cases of the supreme court."

Having shown in this part of the constitution that the intention was to include 'magistrates,' when using the word 'judge,' it is but reasonable to suppose that when this word is found in other parts of the constitution it has the same meaning unless the context shows otherwise.

There is nothing in Section 26, Article V, of the constitution, tending to show that the word 'judge' was intended to have a different meaning from that which it had been shown to have in section 6, of said article.

Any other construction of the constitution would deprive a litigant of the important right to have the jury instructed by the court as to the law of the case.

If the magistrate knows the law it is his duty to instruct the jury, and if he is not sufficiently versed in the law to charge the jury he should not hold the office.

The other grounds of the appeal are not considered.

STORY OF SEYMOUR'S MARCH.

How the Internationals Were Driven Back by the Chinese.

In a dispatch of June 27, from Tien Tsin, by way of Chee Foo, June 29, to the British government, Admiral Seymour told the following story of the adventures of the force of Internationals with whom he had been attempting the relief of Pekin:

Have returned to Tien Tsin with the forces, having been unable to reach Pekin by rail. On June 13 two attacks on the advanced guard were made by Boxers who were repulsed with considerable loss to them and none on our side. On June 14 the Boxers attacked the train at Lang Yang in large numbers and with great determination. We repulsed them with a loss of about 100. Our loss was five Italians.

"The same afternoon the Boxers attacked the British guard left to protect Lofa station. Re-enforcements were sent back and the enemy were driven off with 100 killed. Two of our seamen were wounded.

"We pushed forward to Anting and engaged the enemy on June 13 and 14 inflicting a loss of 175. There were no casualties on our side.

"Extensive destruction of the railroad in our front having made further advance by rail impossible, I decided on June 16 to return to Yank Tsin, where it was proposed to organize an advance by the river to Pekin. After my departure from Lang Yang two trains left to follow on were attacked on June 18 by Boxers and imperial troops from Pekin, who lost from 400 to 500 killed. Our casualties six killed and 48 wounded. These trains joined me at Yang Tsin the same evening.

"The railroad at Yang Tsin was found entirely demolished and the trains could not be moved. The force being short of provisions and hampered with wounded compelled us to withdraw on Tien Tsin with which we had not been in communication for six days and our supplies had been cut off.

"On June 19, the wounded, with necessities, started by boat, the forces marching along the river. Opposition was experienced during the whole course of the river from nearly every village, the Boxers, when defeated in one village, retiring to the next and skillfully retarding our advance by occupying well selected positions from which they had to be forced, often at the point of the bayonet and in the face of a galling fire difficult to locate.

"On June 23 we made a night march, arriving at daybreak opposite the imperial army above Tien Tsin, where, after friendly advances, a treacherous heavy fire was opened while our men were exposed on the opposite river bank. The enemy were kept in check by rifle fire in front, while their position was turned by a party of marines and seamen under Maj. Johnson, who rushed and occupied one of the salient points, seizing the guns. The Germans, lower down, silenced two guns and then crossed the river and captured them. The army was next occupied by the combined forces. Determined attempts to retake the army were made on the following day but unsuccessful.

"Found immense stores of guns and ammunition of the latest pattern. Several guns were mounted in our defenses and shelled the Chinese forts lower down.

"Having found ammunition and rice we could have held out for some days; but, being hampered by a large number of wounded, I sent to Tien Tsin for the relieving force which arrived on the morning of June 25. The army was evacuated and the forces arrived at Tien Tsin on June 26. We burned the armory.

"Casualties to date: British, killed 27; wounded, 75. American, killed, 4; wounded, 25. French, killed, 1; wounded, 10. Germans, killed, 12; wounded, 62. Italian, killed, 5; wounded, 3. Austrian, killed, 1; wounded, 2. Russia, killed, 10; wounded, 27."

Persian ladies call a European lady's dress "trousers with one leg."



WILLIAM JENNINGS BRYAN.

The Democratic convention which today meets at Kansas City, will again nominate him for President of the United States.

leather valise and his superfluous clothing. This morning, after paying his hotel bill, he had just \$8 left in his pocket. The regular fare to New York by boat was \$20, by rail \$32. The scalper's office could do little better for him.

He stared for a moment at the big blue letters on the window of the office, then turned on his heel. As he did so a thicket men with a red face and a light overcoat came out of the ticket office. He clapped Corlears familiarly on the back.

"See here," he said, "I heard you asking about cut rates to New York. If you've got nerve enough to take the chances on this, I'll sell it for \$3 and what cigars you've got about you." He held up a long, somewhat soiled railway ticket, much stamped and counter stamped in blue and red ink. "I bought it of a fellow in New York last week for \$10. He said it was a square return ticket from Savannah that he hadn't used because he went to Texas first. I've struck an easy thing here, so I'm going to stay and don't want it."

Corlears looked attentively at the ticket. It was a rather dubious looking affair, but the lowest slip was marked Savannah and the uppermost one New York. It was a chance, and he seized it.

"All right," he said. "If you've got gall enough, you'll work it. I guess you'll have to bluff some, but you're a swell looking chap, and that'll help."

Corlears gave him \$3 and drew three cigars from his pocket. "They're all I have about me, but they're good ones." "I'll leave you one for luck," said the red faced man. "So long!"

Corlears stood for an instant making his plans. Then he walked to the pawnshop and redeemed his valise. By means of some newspapers and a few stones he added the necessary weight; then he lunched, bought a clean collar and strolled to the station. When Corlears stepped on the north bound train that evening, two porters vied for the honor of carrying his valise.

"Fullman dis way, sah!" "Smoker," said Corlears sentimentously.

When the conductor made his first round, Corlears handed him his ticket without looking up from his paper. The man glanced casually at it; then examined it carefully. After that he took a long look at Corlears, who observed him in the mirror opposite.

"Where did you buy this ticket?" he asked.

"In Savannah, of course," said Corlears carelessly.

"When?"

"This afternoon."

He took the ticket away with him. Through the glass door Corlears could see him in earnest colloquy with a brakeman. At last he returned.

"There is something crooked about this ticket, sir."

Corlears looked incredulous. "What do you mean by that?" he asked sharply.

"Well, the road hasn't issued that kind of excursion ticket since the 1st of November. It was good for 60 days, you know." The conductor's tone was almost apologetic.

"Look at the date. I should say that would settle it." Corlears looked bored.

lears by the arm. "This ticket won't go."

"I guess it will go as far as New York," he returned easily, "and then I'll see Mr. Howson and tell him he's got some fool conductors on this end of the line."

"There's no use in bluffing," the man growled. "Either you've been taken in yourself or you're trying to fool us. Somebody's trying to beat the road out of a fare, and I tell you it won't go with me."

Corlears looked the man up and down. "What do you propose to do about it?" he asked contemptuously.

"Either collect the fare or put you off."

Corlears looked him squarely in the eyes. "You'll do neither," he said. "As it is, you will lose your place."

"When I lose my place, it won't be for giving seats free rides to New York. If you was the president's son-in-law and had nothing better to show for it than this here good for nothing ticket, you'd have to pay up or get off."

Corlears nonchalantly drew a bill from his pocket (it was his last one) and held it up to the conductor. "Here, keep this for yourself, and for the Lord's sake let me alone!"

The man's surly face lowered angrily. "I ain't that kind," he growled doggedly and motioned to a brakeman. Then he raised his hand to the cord above his head. "I'll give you two minutes to decide," he said.