

WITHIN THE LAW

BY MARVIN DANA

FROM THE PLAY OF BAYARD VEILLER

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CHAPTER XVIII.

The Confession.
Burke pressed the button call and ordered the doorman to send in Cassidy. When the detective appeared he asked: "Does Garson know we've arrested the Turner girl and young Gilder?" And, when he had answered in the negative: "Or that we've got Chicago Red and Dacey here?" "No," Cassidy replied. "He hasn't been spoken to since we made the collar. He seems worried," the detective volunteered.

"He'll be more worried before I get through with him!" he growled. He regarded Cassidy speculatively. "Do you remember the third degree Inspector Burns' work on McGlinchey?" he went on, as the detective nodded assent, "that's what I'm going to do to Garson. He's got imagination, that crook! The things he don't know about are the things he's afraid of. After he gets in here, I want you to take his pals one after the other, and lock them up in the cells there in the corridor. The shades on the corridor windows here will be up, and Garson will see them taken in. The fact of their being there will set his imagination to working overtime, all right."

Burke reflected for a moment, and then issued the final directions for the execution of the latest plot. "When you get the buzzer from me, you have young Gilder and the Turner woman sent in. Then, after a while, you'll get another buzzer. When you hear that, bring in here, and tell me that the gang has been here in just five minutes. I'll do the talking."

As the detective went out, the doorman entered, and thereat Burke proceeded with the further instructions necessary to the carrying out of his scheme. "Take the chairs out of the office, Dan," he directed, "except mine and one other—that one!" He indicated a chair standing a little way from the end of his desk. "Now, have all the shades up." He chuckled as he added: "That Turner woman saved you the trouble with one."

He returned to his chair, and when the door opened he was to all appearances busily engaged in writing. "Here's Garson, chief," Cassidy announced. "Hello, Joe!" Burke exclaimed, with a seeming air of careless friendliness, as the detective went out, and Garson stood motionless just within the door. "Sit down a minute, won't you?" the inspector continued affably. He did not look up from his writing as he spoke.

Garson's usually strong face was showing weak with fear. His chin, which was commonly very firm, moved a little from uneasy twitchings of his lips. His clear eyes were slightly clouded to a look of apprehension as they roved the room furtively. He made no answer to the inspector's greeting for a few moments, but remained standing without movement, poised alertly as if sensing some concealed peril. Finally, however, his anxiety found expression in words. His tone was pregnant with alarm, though he strove to make it merely complaining.

"Say, what am I arrested for?" he protested. "I ain't done anything." Burke did not look up, and his pen continued to hurry over the paper. "Who told you you were arrested?" he remarked cheerfully in his blandest voice. "I don't have to be told," he retorted huffily. "I'm no college president, but when a cop grabs me and brings me down here I've got sense enough to know I'm pinched."

"Is that what they did to you, Joe? I'll have to speak to Cassidy about that. Now, just you sit down, Joe, won't you? I want to have a little talk with you. I'll be through here in a second." He went on with the writing.

Garson moved forward slightly to the single chair near the end of the desk and there seated himself mechanically. His face thus was turned toward the windows that gave on the corridor, and his eyes grew yet more clouded as they rested on the grim doors of the cells. He writhed in his chair, and his gaze jumped from the cells to the impressive figure of the man at the desk. Now the forger's form loomed up momentarily. It nettled him beyond his control. Of a sudden he sprang up and stepped close to the inspector.

"Say," he said, in a husky voice, "I'd like—I'd like to have a lawyer." "What's the matter with you, Joe?" the inspector returned, always with that imperturbable air, and without raising his head from the work that so engrossed his attention. "You know, you're not arrested, Joe. Maybe you never will be. Now, for the love of Mike, keep still and let me finish this letter!"

Slowly, very hesitatingly, Garson went back to the chair, and sank down on it in a limp attitude of dejection wholly unlike his customary postures of strength. Again, his fear fascinated eyes went to the row of cells that stood silently menacing on the other side of the corridor beyond the windows. His face was tinged with gray. A physical sickness was creeping stealthily on him, as his thoughts held insistently to the catastrophe that threatened. His intelligence was too keen to permit a belief that Burke's manner of ominous furtive glances hid nothing but some—ominous with a hint of death for him in return for the death he had wrought.

Then, terror crystallized. His eyes were caught by a figure, the figure of Cassidy, advancing there in the cor-

FOOTSTEPS OF THE FATHERS

As Traced in Early Files of The Yorkville Enquirer

NEWS AND VIEWS OF YESTERDAY

Bringing Up Records of the Past and Giving the Younger Readers of Today a Pretty Comprehensive Knowledge of the Things that Have Concerned Generations that Have Gone Before.

The following notes are being published as time and opportunity permit their preparation.

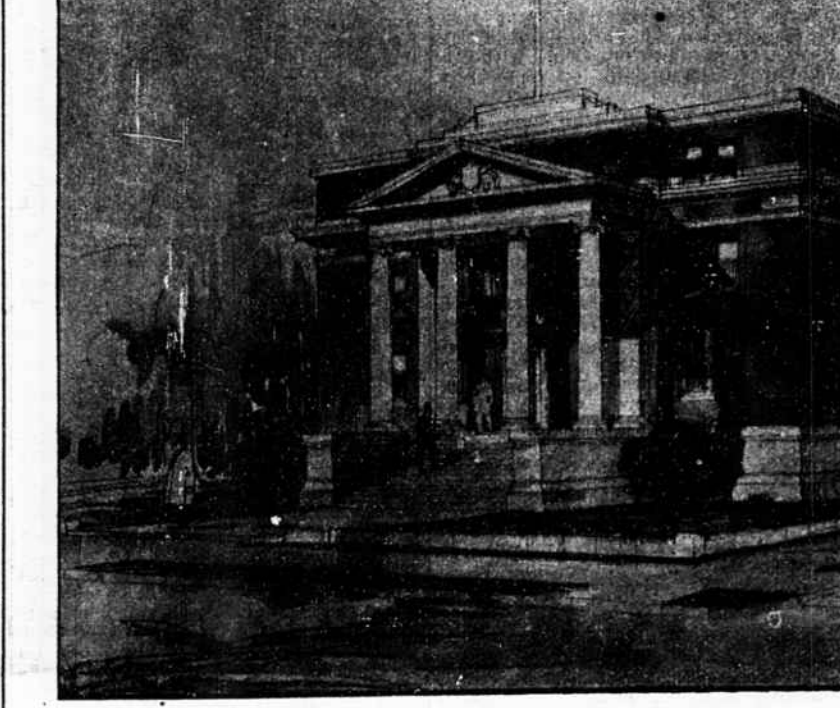
SEVENTH INSTALLMENT.

Thursday, October 2, 1856.—We learn with pleasure that the barracks of the King's Mountain military school are well-nigh finished. The professors and cadets have taken formal possession and have entered fully upon the rigid system of discipline, which, albeit, under many unparadiseable conditions, has already won for the school a deserved high reputation throughout the state.

B. F. Perry prints a card in which he denies that he has ever said anything of an uncompromising nature about the Kansas company.

It is learned from reliable authority that Col. L. P. Sadler is to take charge of the Rose hotel.

(To Be Continued.)



Proposed New Court House. The above cut shows the proposed new York county court house, as the same is intended to appear when it is completed. The first court house erected in York county was a frame building that was erected in 1786. It was destroyed by fire in 1824. The present brick building, which was the same as that now in use, was erected by the original of the present brick building, which a few years later was enlarged by the addition of some twenty feet to the rear. As thus enlarged the old building, a two-story structure, stood and served every purpose until November 22, 1892, when the upper story was destroyed by fire, leaving the lower story practically intact. After the fire the building was remodeled by the addition in the rear, including two stories and additional rooms in the wings. Also the clock tower was added.

CASE OF C. P. SIMS

Peoples Begs to be Excused and Henry Will Prosecute.

Attorney General Peoples in a letter to the supreme court last Tuesday, asked to be excused from acting as prosecuting attorney in disbarment proceedings brought against C. P. Sims, the Spartanburg attorney.

Following the receipt of the letter from the attorney general, Chief Justice Gary appointed J. K. Henry, solicitor of the Sixth judicial district, to act as prosecuting attorney. Solicitor Henry was present in the court and will act in the case.

It was announced by the court "on account of the gravity of the charges and the importance of the consequences both to the respondent and to the bar of the state, the case would not be heard until after the election and qualification of the fifth member."

The following letter was addressed to Chief Justice Gary, of the supreme court, by Thomas H. Peoples, attorney general:

"I am in receipt of your request, through Mr. Dominick, the assistant attorney general, that this office take charge of the prosecution in a certain proceeding pending in the supreme court, entitled, 'Ex parte C. P. Sims, petitioner, in re C. P. Sims,' unless for any reason I should desire to be excused from complying with the request.

"In response to this request, I would respectfully submit that this proceeding has been filed without any notice or consultation whatsoever with my office and without an opportunity being given me to make any preliminary examination into the matter before the proceedings were brought, so that I might determine the manner and method of bringing the charges to be made. Such proceedings are most serious and far-reaching in their consequences, and I certainly do not desire to be placed in the position of standing sponsor for such proceedings unless, after a full and thorough examination on my part of all the facts and circumstances in the case, I should be satisfied of the justice and propriety of the proceedings.

"Insofar as the present proceedings are concerned, I have been informed of certain facts and circumstances in connection with the same which would cause me to ask to be excused from taking any part in the proceeding, as the case stands at the present. Although there are no facts and circumstances referred to have nothing to do with the final determination of the proceedings, I do not think that it would be proper for me to refer to them in detail as the proceedings are now pending in this honorable court.

"My office stands ready and willing at all times to render any service to you and the court that is in its power to render; but, under all of the circumstances in the present matter, I respectfully asks to be excused from undertaking the prosecution of the within mentioned proceedings."

PRESIDENT TO CONGRESS

First Annual Message a Statesman-Like Paper.

BRIEF AND STRAIGHT TO THE POINT

Plain, Broad Statement As to Mexico—Currency Must Be Reformed, and Agricultural Development Must Be Fostered—Firm Stand for Presidential Primaries.

Gentlemen of the Congress: "In pursuance of my constitutional duty to 'give the congress information of the state of the Union,' I take the liberty of addressing you on several matters which ought, as it seems to me, particularly to engage the attention of your honorable bodies, as of all who study the welfare and progress of the nation.

"I shall ask your indulgence if I venture to depart in some degree from the usual custom of setting before you in informal review the many matters which have engaged the attention and called for the action of the several departments of the government, or which look to them for early treatment in the future, because the list is long, very long, and would suffer in the abbreviation to which I should have to subject it. I shall submit to you the reports of the heads of the several departments, in which these subjects are set forth in careful detail, and beg that they may receive the thoughtful attention of your committee and of all members of the congress who may have the leisure to study them. Their obvious importance, as constituting the very substance of the business of the government, makes comment and emphasis on my part unnecessary.

"At Peace With the World. "The country, I am thankful to say, is at peace with all the world, and many happy manifestations multiply about us of a growing cordiality and sense of community of interest among the nations, foreshadowing an age of settled peace and good will. More and more readily each decade do the nations manifest their willingness to bind themselves by solemn treaty to the processes of peace, the processes of frankness and fair concession. So far the United States has stood in the front of such negotiations. She will, I earnestly hope and confidently believe, give fresh proof of her sincere adherence to the cause international friendship by ratifying the several treaties of arbitration awaiting renewal by the senate. In addition to this, it has been the privilege of the department of state to gain the assent in principle, of no less than 31 nations, representing four-fifths of the population of the world, to the negotiation of treaties by which it shall be agreed that whenever differences of interest or of policy arise which can be resolved by the ordinary processes of diplomacy they shall be publicly analyzed, discussed, and reported upon by a tribunal chosen by the parties before either nation determines its course of action.

"There is only one possible standard by which to determine controversies between the United States and other nations, and that is compounded of these two elements: Our own honor and our obligations to the peace of the world. A test so compounded is not easily to be made to govern both the establishment of new treaty obligations and the interpretation of those already assumed.

"Mexico. "There is but one cloud upon our horizon. That has shown itself to the south of us, and hangs over Mexico. There can be no certain prospect of peace in America until General Huerta has surrendered his usurped authority in Mexico; until it is understood on all hands, indeed, that such pretended governments will not be countenanced or dealt with by the government of the United States. We are the friends of constitutional government in America; we are more than our friends, we are its champions; because in no other way can our neighbors, to whom we should wish in every way to make proof of our friendship, work out their own development in peace and liberty. Mexico has no government. The attempt to maintain one at the City of Mexico has broken down, and a mere military despotism has been set up which has hardly more than the semblance of national authority. It originated in the usurpation of Victoriano Huerta, who, after a brief attempt to play the part of constitutional president, has at last cast aside even the pretense of legal right and declared himself dictator. As a consequence, a condition of affairs now exists in Mexico which has made it doubtful whether even the most elementary and fundamental rights either of her own people or of the citizens of other countries resident within her territory can long be successfully safeguarded, and which, if long continued, to impoverish the interests of peace, order and tolerable life in the lands immediately to the south of us. Even if the usurper had succeeded in his purposes, in despite of the constitution of the Republic and the rights of its people, he would have set up nothing but a precarious and hateful power, which could have lasted but a little while, and whose eventual downfall would have left the country in a more deplorable condition than ever. But he has not succeeded. He has forfeited the respect and the moral support even of those who were at one time willing to see him succeed. Little by little he has been completely isolated. By a little every day his power and prestige are crumbling and the collapse is not far away. We shall not, I believe, be obliged to alter our policy of watchful waiting. And then when the end comes we shall hope to see constitutional order restored in distressed Mexico by the concert and energy of such of her leaders as preserve the liberty of their people to their own ambition.

"Domestic Affairs. "I turn to matters of domestic concern. You already have under consideration a bill for the reform of our system of banking and currency, for which the country waits with impatience, as for something fundamental to its whole business life and neces-

sary to set credit free from arbitrary and artificial restraints. I need not say how earnestly I hope for its early enactment into law. I take leave to beg that the whole energy and attention of the senate be concentrated upon it till the matter is successfully disposed of. And yet I feel that the request is not needed—that the members of a great house need no urging in this service to the country.

"I present to you in addition, the urgent necessity that special provision be made also for facilitating the credits needed by the farmers of the country. The pending currency bill, does the farmers a great service. It puts them upon an equal footing with other business men and masters of enterprise as it should; and upon its passage they will find themselves quit of many of the difficulties which now hamper them in the field of credit. The farmers, of course, ask and should be given no special privileges, such as extending to them credit of the government itself. What they need and should obtain is legislation which will make their own abundance and substantial credit resources available as a foundation for joint, concerted local action in their own behalf in getting the capital they must use. It is to this we should now address ourselves.

"Farm Development. "It has, singularly enough, come to pass that we have allowed the industry of our farms to lag behind the other activities of the country in its development. I need not stop to tell you how fundamental to the life of the nation is the production of its food. Our thoughts may ordinarily be concentrated upon the cities and the hives of industry, upon the cries of the crowded market place and the clangor of the factory, but it is from the quiet interspaces of the open valleys and the free hill-sides that we draw the sources of life and of prosperity, from the farm and the ranch, from the forest and the mine. Without these every street would be silent, every office deserted, every factory fall into disrepair. And yet the farmer does not stand upon the same footing with the forester and the miner in the market of credit. He is the servant of the seasons. Nature determines how long he must wait for his crops, and will not be hurried in her processes. He may give his note, but the season of its maturity depends upon the season when his crops mature, lies at the gates of the market, with his products are sold. And the security he gives is of a character not known in the broker's office or as familiarly as it might be on the counter of the banker.

"The Departments. "The agricultural department of the government is seeking to assist as never before to make farming an efficient business of wide co-operative effort, in quick touch with the markets for foodstuffs. The farmer and the government will henceforth work together as real partners in this field, where we now begin to see our way very clearly and where many intelligent plans are already being put into execution. The treasury of the United States has, by a timely and well-considered distribution of its deposits, facilitated the moving of the crops in the present season and prevented the scarcity of available funds too often experienced at such times. But we must not allow ourselves to depend upon extraordinary expedients. We must add the means by which the farmer may make his credit constantly and easily available and command when he will the capital by which to support and expend his business. We lag behind many other great countries of the modern world in attempting to do this. Systems of rural credit have been studied and developed on the other side of the water while we left our farmer to shift for himself in the ordinary money market. You have but to look about you in any rural district to see the result: the handicap and embarrassment which have been put upon those who produce our food.

"Conscious of this backwardness and neglect on our part, the congress recently authorized the creation of a special commission to study the various systems of rural credit which have been put into operation in Europe, and this commission is already prepared to report. Its report ought to make it easier for us to determine what methods will be best suited to our own farms and to determine that the committees of the senate and house will address themselves to this matter with the most fruitful results, and I believe that the studies and recently formed plans of the department of agriculture may be made to serve them very greatly in their work of framing appropriate and adequate legislation. It would be indiscreet and presumptuous in any one to dogmatize upon so great and many-sided a question, but I feel confident that common sense will produce the results we must all desire.

"Anti-Trust Laws. "Turn from the farm to the world of business which centers in the city and in the factory, and I think that all thoughtful observers will agree that the immediate service we owe the business communities of the country is to prevent private monopoly more effectively than it has yet been prevented. I think it will be easily agreed that we should like the Sherman anti-trust law stand, unaltered, as it is, with its debatable ground about it, but that we should as much as possible reduce the area of that debatable ground by further and more explicit legislation; and should also supplement that great act by legislation which will not only clarify it but also facilitate its administration and make it fairer to all concerned. No doubt we shall all wish, and the country will expect, this to be the central subject of our deliberations during the present session; but it is a subject so many-sided and so deserving of careful and discriminating discussion that I shall take the liberty of addressing you upon it in a special message at a later date than this. It is of capital importance that the business men of this country should be relieved of all uncertainties of law with regard to their enterprises and investments and a clear path indicated which they can travel without anxiety. It is as important that they should be relieved of its whole business life and neces-

sary to set credit free from arbitrary and artificial restraints. I need not say how earnestly I hope for its early enactment into law. I take leave to beg that the whole energy and attention of the senate be concentrated upon it till the matter is successfully disposed of. And yet I feel that the request is not needed—that the members of a great house need no urging in this service to the country.

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proper as that private monopoly should be destroyed. The ways of action should be through wide open.

"Presidential Primaries. "I turn to a subject which I hope can be handled promptly and without serious controversy of any kind. I mean the method of selecting nominees for the presidency of the United States. I feel confident that I do not misinterpret the wishes or the expectations of the country when I urge the prompt enactment of legislation which will provide for primary elections throughout the country at which the voters of the several states may choose their nominees for the presidency, without the intervention of nominating conventions. I venture the suggestion that this legislation should provide for the retention of party conventions, but only for the purpose of declaring and accepting the verdict of the primaries and formulating the platforms of the parties; and I suggest that these conventions should consist not of delegates chosen for this single purpose, but of nominees for congress, the nominees for vacant seats in the senate of the United States, the senators whose terms have not yet closed, the national committees and the candidates for the presidency themselves, in order that platforms may be framed by those responsible to the people for carrying them into effect.

"Insular Affairs. "These are all matters of vital domestic concern, and besides them, outside of the charmed circle of our own national life in which our affections command us, as well as our consciences, there stand out our obligations toward our territories over sea. Here we are trustees. Porto Rico, Hawaii, the Philippines, are ours, indeed, but not ours to do what we please with. Such territories, once regarded as mere possessions, are no longer to be selfishly exploited; they are part of the domain of public conscience and of serviceable and enlightened citizenship. We must regard them for the people who live in them and with the same sense of responsibility to them as toward our own people in our domestic affairs. No doubt we shall successfully enough bind Porto Rico and the Hawaiian Islands to ourselves by ties of justice and interest and affection, but the performance of our duty toward the Philippines is a more difficult and debatable matter. We can satisfy the obligations of the gross justice toward the people of Porto Rico by giving them the ample and familiar rights and privileges accorded our own citizens in our own territories and our obligations toward the people of Hawaii by perfecting the provisions for self-government already granted them, but in the Philippines we must go further. We must hold steadily in view their ultimate independence, and we must move toward the time of that independence as steadily as the way can be cleared and the foundations thoughtfully and permanently laid.

"Toward Self-Government. "Acting under the authority conferred upon the president by congress, I have already accorded the people of the islands a majority in both houses of their legislative body by appointing five instead of four native citizens to the membership of the commission. I believe that in this way we shall make proof of their capacity in a manner that will satisfy the people of the islands and so by counsel and experience set up a government which all the world will see to be suitable to a people whose affairs are under their own control. At last, I hope and believe, we are beginning to gain the confidence of the Filipino people. By their counsel and experience, rather than by our own, we shall learn how best to serve them and how soon it will be possible and wise to withdraw our supervision. Let us once find the path and set out with firm and confident tread upon it and we shall not wander from it or linger upon it.

"Alaska. "A duty faces us with regard to Alaska which seems to be very pressing and very imperative; perhaps I should say a double duty, for it concerns both the political and the material development of the Territory. The people of Alaska should be given the full territorial form of government, and Alaska, as a storehouse, should be unlocked. One key to it is a system of railroads. These the government should itself build and administer. Itself control in the interest of all who wish to use them for the service and development of the country and its people.

"But the construction of railroads is only the first step; is only thrusting the key to the storehouse and throwing back the lock and opening the door. How the tempting resources of the country are to be exploited is another matter, to which I shall take the liberty of from time to time calling your attention, for it is a policy which must be worked out by well-considered stages, not upon theory, but upon facts of practical experience. It is part of our general program of conservation. We have a freer hand in working out the problem in Alaska than in the states of the Union; and yet the principle and object are the same, wherever we touch it. We must use the resources of the country, not lock them up. There need be no conflict or jealousy as between state and Federal authorities, for there can be no essential difference of purpose between them. The resources in question must be used, but not destroyed or wasted; not monopolized upon any narrow idea of individual rights as against the abiding interests of communities. That a policy can be worked out by conference and concession which will release these resources and yet not jeopard or dissipate them, I

(Continued on Fourth Page.)