

THE MARK OF CAIN

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"That's why I want John Hemingway suspected. Then there is no danger of accusing an innocent person. If the police really think it was a man named Hemingway, they can't do anything to Kane but free him."

"We'll see," and Judge Hoyt sighed. It was not an easy task he had undertaken, to fasten suspicion on a mythical character, but he would carry it through, if possible, because of the reward that was to be his. To do him justice, he didn't think Aviee was deeply in love with Landon, but, rather, that her sympathies had been aroused by the man's tragic position and perhaps by the injustice of his sudden and unexpected arrest.

And he fully believed that Landon, once freed, would turn to Mrs. Black, and not to Aviee. The judge felt that these two had known each other well and long before their recent meeting at the Trowbridge home, and that they were only biding their time to renew their relations, whatever they were or had been. Judge Hoyt and Aviee went together to the Tombs to see Landon. The application of Hoyt for permission was readily granted and the prisoner was brought to see them in the warden's room.

Landon was in an aggravating mood. He was indifferent, almost jaunty in his demeanor, and Aviee was really annoyed at him.

"Kane," she said, earnestly, "I don't know why you assume this light air, but it must be assumed. It can't be your real feelings. Now, Judge Hoyt is willing to help you—to help us. If you are indicted—"

"Nonsense! The grand jury'll never indict me."

"Why do you think they won't?"

"Because they can't get sufficient evidence."

"Oh, Kane, why didn't you say because you are innocent? You are—are you?"

Landon looked at her. "What do you think?" he said in a voice devoid of any expression whatever.

Aviee looked away. "I don't know what to think! I am telling you the truth, Kane. I cannot decide whether I think you guilty or not—I don't know."

"And you'll never learn from me!"

"Kane! What do you mean by such an attitude toward me?"

"Yes, Mr. Landon," broke in Judge Hoyt, unable longer to control his indignation, "what do you mean?"

"Nothing at all," replied Kane, coolly; "and, by the way, Judge, I'm advised by our worthy district attorney that I would do well to get a competent lawyer to run this affair for me. Will you take it up?"

"Are you sure you want me?"

"Naturally, or I shouldn't have asked you."

"Why do you hesitate, Leslie?" said Aviee, her troubled eyes looking from one man to the other.

"Shall I be frank?" began Hoyt, slowly.

"It isn't necessary," said Landon; "I know what you mean. You think it will be a hard matter, if not an impossible one, to clear me."

"I don't mean quite that," and Hoyt's fine face clouded. "Yes, Landon, I'll take the case, if you desire it."

And so Kane Landon had a clever, shrewd and capable lawyer to defend him. Aviee had great faith in Leslie Hoyt's genius, though she feared the two men were not very friendly.

She took occasion later, on the way home, to thank Hoyt for his willingness in the matter.

"I'm sure you'll get him off," she said, hopefully.

Hoyt looked grave. "You're mistaken, Aviee; I can't get him off."

"What! You mean he'll be convicted?"

"How can he help but be? I can't perform miracles. But I might make a more desperate effort than a stranger. That's all I can promise."

"Even when you remember that I have promised you?"

"Oh, my love, when I think of that, I feel that I can perform miracles. Yes, I'll succeed somehow. Landon shall be freed, and I shall put all my powers to the work of making his freeing a

joyful triumph for him."

Aviee went home aghast at what she had done. She had forged a document, she had persuaded Hoyt to perjure himself, and, worst of all, she had promised to marry a man she did not love.

She had friendly feelings for her fiancé, but no impulse of love stirred her heart for him. Indeed, it was while she was talking with him that she realized that she really loved Kane Landon. As she thought it all over, she knew that she had loved Landon without being aware of it, and that it was Hoyt's appeal that had shown her the truth. Yes, that was why she had forged that letter, because Kane's safety was more to her than her own honesty! And all this for a man who did not love her! It was shocking, it was unmaidenly—but it was true.

She would save the man she loved, and then, if there was no escape, she would marry Hoyt. Her debt to him must be paid, and she had given her promise. Well, she must not flinch. Once let Kane be freed of all suspicion of crime, and then she would pay her penalty.

She remembered a quotation: "All for love and the world well lost." That was her heart's cry. But from these moments of exaltation and self justification, Aviee would fall into depths of self reproach and black despair.

At times she could scarcely believe she had done the awful thing she had done, and then the remembrance of why she had done it returned, and again she forgave herself.

The next time Hoyt called he looked very grave.

"Aviee," he said, "Aviee, dear, I don't see how I can carry that matter through. I mean about the forged note. It is sure to be found out, and then where would I be?"

"Very well," said the girl, coldly, "then our engagement is broken. That is the one condition, that you free Kane. And you said you couldn't do that without using the note."

"But I can try other ways. I can try to get him off because of lack of evidence."

"Do just as you choose, Leslie. If you free him by any means whatever I will keep my promise and marry you, but not otherwise."

"Aviee! when you look like that I can't give you up! You beautiful girl! You shall be mine! I'll stop at nothing to win you. I would do anything for you, Aviee, anything! Do you understand?"

Impulsively, he took her in his arms. But she cried out: "No, Leslie, you shall not kiss me until you have freed Kane!"

"Girl!" he cried, and clasped her roughly, "do you know how you make me feel when you insist it is all for his sake?"

"But it is! I have made no attempt to deceive you as to that."

"Indeed you haven't. But aren't you ashamed to love a man who cares for another woman?"

A clear, serene light shone in Aviee's eyes. "No!" she said, "No! You don't know what a woman's pure love is. I ask no return, I sacrifice my heart and soul for him because I love him. He will never know what I have done for him. But he will be free!"

"Free to marry Eleanor Black?"

"Yes, if he chooses. She is not a bad woman. She is mercenary, she never loved my uncle, and was marrying him only for his money. She is in love with Kane. I can read her like a book. And though she is older, she is congenial to him in many ways, and I hope—I trust—they will be happy together."

Hoyt looked at the girl with a sort of reverence. She was like a willing martyr in a holy cause, and if her sacrifice was founded on falsehood it was none the less noble.

"You are a saint!" he cried; "but you are mine! Oh, Aviee, you shall yet love me, and not that usurper. May we announce our engagement at once?"

"No, you seem to forget you haven't won me yet!"

"But I will! I cannot fail with such a glorious prize at stake!"

"You never can do that except by freeing the man I do love!"

Hoyt's brow contracted, but he made no complaint. Truly, he had been told often enough of Aviee's reasons for marrying him, and as he had accepted her terms he had no right to cavil at them.

"Yes, Miss Aviee, I gotter go. Judge Hoyt, he's got me a norful good place in a lawyer's office, an' I'm goin' to get quite a bunch o' money offen it. I do hate to leave this little ole town, but I don't wanta trow down that swell job in Philly. So I come over to say goo'by, an' if you'll lemme I'd like to wish you well."

Fibsy was embarrassed, as he always was in the presence of genteel folk. The boy was so honestly ambitious, and tried so hard to overcome his street slang and to hide his ignorance of better language, that he usually became incoherent and tongue tied.

"I'm glad, Fibsy," Aviee said, for she somehow liked to use his funny nickname, "that Judge Hoyt did get you a good position, and I hope you'll make good in it."

"Yes'm, I sure hope so, but you see I'd doped it out to stay and help you out on this here case o' yourn. I mean about Mr. Trowbridge—you know—"

"Yes, I know, Fibsy, and it's kind of you to take such interest, but I doubt if so young a boy as you are could be of much real help, and so it's as well for you to go to a good employer, where you'll have a chance to learn."

"Yes, Miss Aviee," Fibsy interrupted impatiently, "an' I begs you'll fergive me, but I wanta ask you sumpum fore I go. Will you—would you—"

"Well, say it, child; don't be afraid," Aviee smiled pleasantly at him.

"Yes'm. Would you—" his eyes roved around the room—"would you now, gimme some little thing as a soovyneer of Mr. Trowbridge? I was orful fond of him, I was."

"Why, of course, I will," said Aviee, touched by the request. "Let me see," she looked about the library table, "here's a silver envelope opener my uncle often used. Would you like that?"

"Oh, yes'm—thank you lots, Miss Aviee, an' I guess I better be goin'—"

"Terence," and Aviee, struck by a sudden thought, looked the boy straight in the face. "Terence, that isn't what you started to ask, is it? Answer me truly."

The blue eyes fell and then lifted again, locking at her frankly.

"No, ma'am, it ain't. No, Miss Aviee, I—I fibbed, I was a goin' to ask you sumpum else."

"Why didn't you?"

"It was one o' them sudden jerks o' my thinker 'at makes me fib sometimes when I least expect to. I dunno what that thing is, but it trips me up, lots o' times, an' Miss Aviee, I always just hafta fib when it comes, an'—" his voice lowered to a whisper, "an' I'm always glad I done it!"

"Glad you fibbed! Oh, Terence! I thought Judge Hoyt lectured you about that habit."

"Yes'm, he did, 'm. But there's times when I gotter—just simply gotter—an' that's all there is about it."

Somewhat shamefaced, the boy stood, twirling his cap.

"You're a funny boy, Fibsy," said Aviee, smiling a little at the disturbed countenance.

"Yes'm, I am, Miss, but honest, I ain't so bad as I look. An' I don't tell lies,—not up and downers. But they's times—yes'm, there sure is times—oh, pshaw, a lady like you don't know nothin' 'bout it! Say, Miss Aviee, kin I keep the cutter thing, all the same?"

"Yes, you may keep that," and Aviee spoke a little gravely, "and Fibsy, let it be a reminder to you, not to tell naughty stories."

"Oh, I don't, Miss, truly, I don't do that. The fibs I tell ain't what you'd call stories. They's fer a purpose—always fer a purpose."

The earnestness in his tone was unmistakable, whatever its reason for being, and something about him gave Aviee a feeling of confidence in his trustworthiness, notwithstanding his reputation.

He went away, awkwardly blurring out a good by, and then daring from the room in a very spasm of shyness.

"Funny little chap," said Aviee to Eleanor Black, telling her of the interview.

"Horrid little gamini!" was the response. "I'm glad he's going to Philadelphia; you were becoming too chummy with him altogether. And I think he's too forward. He oughtn't to be allowed to come in the house."

"Don't fuss, Eleanor. He won't be here any more, so rest easy on that question."

And then the two began to discuss again the question that was all absorbing and never finished—the subject of Kane's arrest.

Aviee had concluded not to ask Eleanor of her previous acquaintance with Landon, for they had practically joined forces in an effort to prove his innocence, and Aviee wanted to keep friends with the older woman, at least until she had learned all Eleanor could tell her of a friendship's confidences.

So they talked, hours at a time, and not once had Eleanor implied by word or hint, that she had known Landon in Denver. And yet Aviee was sure she had, and meant to find out sooner or later from Kane himself.

But she rarely had opportunity of seeing him, and almost never alone. On her infrequent visits to him at the Tombs she was accompanied by Judge Hoyt, and, too, Landon was morose and taciturn of late, so that the interviews were not very satisfactory.

He had been indicted by the grand jury, and was awaiting trial in a very different frame of mind from the one he had shown on his arrest.

The prosecuting attorney was hard at work preparing the case. As is often the condition in a great criminal affair, there were antagonistic elements in the matters of detection and prosecution. The district attorney did not always agree with the police, nor they with the press and general public.

The personal friends and members of the family, too, had their own ideas, and each was equally anxious to prove evidence or establish a case.

The police had done well, but their work had to be supplemented by Whiting and his own detectives, and evidence had to be sifted and tabulated, statements put in writing and sworn to, and much detail work looked after.

Aviee chafed at the delay, but Judge Hoyt assured her it was necessary, and asserted that he, too, had much to do to prepare his case for the defense.

So the days dragged by, and one afternoon when a stranger was announced Aviee said she would see her, in sheer hope of diversion. And a diversion it proved.

The visitor was a middle aged woman of the poorer class, but of decent appearance and address.

But she had a mysterious air, and spoke only in whispers. Her large dark eyes were deep set and glittered as with an uncanny light. Her thin lips drew themselves in, as if with a determination to say no more than was needful to make known her meaning. Her pale face showed two red spots on the high cheek bones, and two deep lines between her eyes bespoke earnest intentness of purpose.

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The beautiful young woman, dressed in fashion's most pronounced style, entered the street car and sat beside a rather benevolent-looking old man. As the car started she happened to glance out the window at a bunch of little girls playing on the sidewalk.

"Don't they look happy," she gushed. "But no wonder. Why, I remember my happiest days were when I used to wear short, little gingham dresses."

Now, the man had seen her enter the car, and he was well informed about the length of the dress she was wearing, so there was no mistaking his hint. "You might try gingham instead of the silk you're now wearing," he suggested.

Thirty Days.
An athletic young fellow in Australia went on a tour and landed in the police court. The magistrate inquired what the prisoner's occupation was.

"He's a professional football player," said his counsel. "He plays outside right for his team."

"Oh, he does, does he?" replied the magistrate; "well, then, we must change his position. He'll be left inside for the next month."

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