



ON TRIAL Novelized by Charles N. Lurie From The Great Play by Elmer Reizenstein

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CHAPTER VII.

LOVER entered the courtroom with an air of assurance that might almost be called jaunty. He did not glance at the prisoner as he walked quickly across the courtroom, and Strickland did not change the attitude of dejection which had marked him for many hours.

Only rarely did Strickland raise his head to listen to any of the testimony. Since the outburst in which he had protested against the proposed calling to the stand of his little daughter Doris he had seemed indifferent to his fate. The spectators who had known him as a happy, active business man, albeit one upon whom the sun of prosperity had not shone of late, noted and commented upon the change which acute mental and physical suffering had wrought in him.

Glover took the stand, and the clerk put to him the usual formal question: "Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth and nothing but the truth, so help you God?" Glover nodded, and the clerk asked: "What is your name?" "Stanley Glover."

Then the district attorney began his examination. The first question was, "Mr. Glover, you were Mr. Trask's private secretary?" "Yes, sir."

"On the night of June 24, after you left the library with Mrs. Trask's books, what did you do?" "I went upstairs to my room."

"Describe what occurred there." "I began going over the books. About half an hour later I heard a shot; then I heard Mrs. Trask scream and another shot fired. I picked up a heavy cane I had in my room and rushed downstairs to the library. Mr. Trask's body was on the floor, and Strickland was standing at the other side of the room with a revolver in his hand. I dashed at Strickland with the cane and struck his arm. He dropped the revolver and fell to the floor."

"When you entered the room did you see any sign of the other man?" asked Gray. "No, sir; the French windows at the back were open, and he must have escaped that way. While Mrs. Trask was telephoning for the police I kept watch on Strickland. Then I happened to remember what Mr. Trask had said about giving Strickland the card with the combination to the safe on him and that if he did it would prove of value to the police."

Here Arbuckle, ever watchful of the interests of the client who did not wish to be defended, interrupted Glover's testimony. A witness must tell what he knows of the case, but he must not comment on his knowledge or draw conclusions therefrom or make inferences which may affect the minds of the jury. The law makes the jury arbiters of the facts in a case, not the witnesses. Therefore Arbuckle interjected: "I object to the witness stating what he thought."

Judge Dinsmore sustained Arbuckle in his objection and directed that that part of Glover's answer be stricken from the record of the stenographer and inferentially from the minds of the jurymen. Then the district attorney admonished the witness. "Just tell what you did and saw, Mr. Glover," he said. "Well, I began to search Strickland's pockets."

"Your honor, I ask that the witness be instructed to answer the questions and no more!" "Yes, strike out the answer," said Judge Dinsmore. And then, with all the stern dignity of the representative and embodiment of the law, in cold, measured tones he said to Glover: "You must confine your answers to the questions which are put to you. You are not to volunteer and you are not to tell what passed through your mind. Is that clear?" "Yes, your honor," said Glover, and the judge instructed Mr. Gray to proceed with the examination.

"Did you find the card in Strickland's pocket?" "Yes, sir." Gray passed a card to Glover, asking, "Is this it?" Glover examined it and said, "Yes."

Gray took the card from the witness, said to the judge, "I offer it in evidence, your honor," and to the jury and the crowded courtroom, intently following every development of the case, he described the card as follows: "This people's exhibit A is a visiting card. On the face is engraved in Old English type the name of 'Mr. Gerald Trask.' Below that is written in pencil '204 Henderson place, Long Branch.' On the other side is written in words and figures '14 right 2, 27 left 3.' Is there any question about the handwriting, Mr. Arbuckle?" "You'd better prove it," said Arbuckle.

Glover proved to be a competent witness in this respect, being perfectly familiar with Mr. Trask's handwriting. As the financier's secretary he had seen it hundreds of times on letters and documents. The inscriptions on both sides of the card, he testified, were in the handwriting of the dead man. There was absolutely no doubt in his mind about it.

Gray then asked: "Do you know the significance of these figures, '14 right 2, 27 left 3?'" "Yes, sir," said Glover. "It's the combination to Mr. Trask's safe."

Here the fact that no one but Trask and Strickland knew the combination of the safe, a fact already testified to, imposed itself on the mind of every one in the courtroom. Mr. Gray asked: "How do you know?" "When the police arrived I gave them this card. We locked the safe and opened it with this combination."

Here Gray held up the card so that judge and jury, court attendants and counsel for both prosecution and defense and many of those further removed from the scene of the examination could see that the card was torn. The card was passed to the jury for examination. Then Gray said: "Now, Mr. Glover, I call your attention to the fact that the card is torn almost in half. Can you explain how that occurred?" "Yes, sir," said Glover. "As I took the card from Strickland's pocket he snatched it out of my hand and started to tear it in half. Before he had torn it all the way I managed to get hold of it again."

With this testimony of Stanley Glover the proceedings in the case of the people against Robert Strickland paused for a day. The examinations of the widow and the private secretary had consumed much time, and the hour of adjournment had arrived. Judge, attorneys, attendants of the court, witnesses and spectators went to their homes. The prisoner was taken back to the Tombs, since in capital cases no bond is accepted. "All that a man hath will he give for his life," the law agrees with Holy Writ, and no bond can be fixed so high that a man who knows that he stands in danger of conviction on a murder charge will not forfeit it. So Robert Strickland went back to his cell to think of the wife who had disappeared and the daughter against whose appearance in court he had protested so earnestly. Whether he pondered over the testimony given against him on that day was not revealed.

Reading in the later evening editions the testimony of Mrs. Trask and Glover, the city buzzed that night with discussion of the case. It was the leading topic, overshadowing even grave international complications, acute political matters, revelations of "graft" in high places. High and low talked of the Trask murder case, the former interested because some of its own people were involved, the latter with the avid curiosity with which each detail of a sensational murder trial is followed by the multitude.

All of the newspapers, even the staid old Evening Star, a stranger to big type and flaring headlines, featured the case. On the "yellow" journals the "sob sisters" spread themselves over many columns, with half tone and line illustrations, in reporting and commenting upon the testimony of Mrs. Trask. All agreed in commending the quiet dignity of the woman in widow's weeds who had taken the stand to tell the secrets of her life, and they expressed much sympathy—some of it mandarin—with the bereaved woman. The case was meat and drink for the sensational writers, and they availed themselves of it to the full.

But Joan Trask knew nothing of all this. She did not read the papers, and she denied herself to interviewers. She had told her story on the stand. She would add nothing to it for the sake of spreading the sensation. Only a few intimate friends did she tell how much of an ordeal the giving of testimony had been to her.

In passing from the courtroom she had neared the prisoner, and he had raised his head just in time to catch her eye. For a moment he had forgotten his own misery, and in his countenance she read commiseration for her and sympathy with her in her ordeal, brought about by his own dreadful act. Despite her horror of the man who had shot her husband, she felt a momentary pang of sorrow for him and regret that perhaps her testimony would aid in the taking of his life by the law. But the law had called upon her for



The Jury Examined the Card.

assistance in upholding its majesty—and she must obey.

When the trial of Robert Strickland was resumed the first witness to be called was Dr. Morgan, the physician who had been summoned to examine the body of Gerald Trask after the shooting. He told of the summons and of having established the fact that the pistol had been aimed truly, the bullet putting Trask beyond the possibility of human aid.

"Dr. Morgan, in what condition did you find Mr. Trask's body?" asked District Attorney Gray. "I found two bullet wounds. One was a slight flesh wound in the right shoulder caused by a grazing bullet. The other bullet entered the body just above the left breast and lodged in the heart."

"That's all, Dr. Morgan," said Gray, and Arbuckle signified to the court that he did not desire to cross examine the witness.

With the testimony of Dr. Morgan the case for the prosecution was closed, and Mr. Gray resigned the leading place in the proceedings to his opponent, David Arbuckle. To the latter Judge Dinsmore said: "Proceed with the defense, Mr. Arbuckle."

To this Arbuckle replied, "I'll call Miss Doris Strickland." And an attendant led the courtroom for the young daughter of the defendant.

Again the orderly proceedings of the law were interrupted by impulsive action by the prisoner at the bar. The dejection which had marked him gave way to desperation mounting almost to frenzy. Predominant in his nature was the love of a father for his daughter, the love which an eminent professor, learned in literature and psychology, has declared is the purest, most disinterested affection known to human beings.

With a cry Strickland sprang to his feet. His tones were broken as he addressed Judge Dinsmore. "No—your honor—don't let her testify—she's my little girl—she's all I've got left—don't let her testify."

With the same cold, grave, judicial severity that had marked his admonition to Glover not to volunteer opinions Judge Dinsmore addressed the prisoner: "You must leave your case in the hands of your counsel. He will protect your interests."

"I don't want to be protected; protect my little girl. Don't bring her here!" said the unhappy father. "But his voice was stifled by the sight of little Doris entering the room. The child's face brightened as her eyes fell on her father. Crying "Daddy!" she hurried to his side and put her arms around him before Arbuckle could make gentle interposition and take her away. As he separated the two Strickland said in a broken voice: "No, no; take her out of here. She's all I have left to me."

His words went unheeded. "Up there, Doris," said Arbuckle to the little girl, and he took her to the witness stand. Again Strickland made a futile attempt to spare his little girl the ordeal of testifying. "Your honor, I want to keep her out of this; it's the only request I've made."

There is more Catarrh in this section of the country than in other sections put together, and until the last few years was supposed to be incurable. For a great many years doctors pronounced it a local disease and prescribed local remedies, and by constantly failing to cure with local treatment pronounced it incurable. Science has proven Catarrh to be a constitutional disease, and therefore requires constitutional treatment. Hall's Catarrh Cure, manufactured by F. J. Cheney Co., Toledo, Ohio, is the only Constitutional cure on the market. It is taken internally in doses from 10 drops to a teaspoonful. It acts directly on the blood and mucous surfaces of the system. They offer one hundred dollars for any case it fails to cure. Send for circulars and testimonials. Address: F. J. CHENEY & CO., Toledo, Ohio. Sold by Druggists, Etc. Take Hall's Family Pills for constipation.

You're a man, your honor, a father, perhaps?" Had Judge Dinsmore's voice lost some of its judicial timbre? It seemed so to the audience, although the tones of the aged judge were still even and calm as he turned to the prisoner and said: "I am powerless to help you. I am merely an instrument of the law which will mete out justice to you. The law must be permitted to take its course. Proceed, Mr. Arbuckle."

And then Strickland seemed to realize, perhaps for the first time since his arrest, that he was but an atom in the eyes of the law—not so much a person with human feelings to be considered as a member of the community with rights to be safeguarded and with penalties to pay if he transgressed against any of the rules which society has set up for its own protection and order. With a gasp he sank into his chair and buried his face in his hands, permitting the examination of the child to go on without interruption.

(To be Continued)

UNION. Ledger.

Mrs. Fannie Jenks of Lincoln came in Sunday morning to make a visit with her father, A. H. Austin. John Larsh, who spent several days here on business, departed Monday night for his new home at Rolla, Mo. Mrs. Cecil Finlayson of Lincoln was here Sunday to spend the day with her parents, Mr. and Mrs. A. H. Child-ester.

Mr. and Mrs. Ernest Hall, wife and son of Petersburg, Neb., were guests of L. J. Hall last week. Also visited other relatives in the neighborhood. Leola Graves who has been visiting with her sister, Mrs. Harry Royal at Lincoln for the past few weeks returned home yesterday.

J. W. Kinsler of Plattsmouth came down Monday morning and commenced the work of plastering the new Morton building on the south side of the street. The story about where the oil well will be located that was published in several papers around here is branded as false by those interested in the promotion of oil. Mr. Baker has informed us that no one knows where the well will be sunk. He says that it is just as likely to go one place as another.

Mrs. A. Delaney was taken to the hospital in Omaha last Sunday morning by Dr. Houston who found that she was suffering from a very severe case of appendicitis. She was operated upon that forenoon and at last reports was doing very nicely, although it will be some time before she fully recovers.

Fred Clark was thrown down when his legs became tangled in the lines of the team he was driving yesterday, and it was thought for a time that he had one of his legs broken. When medical aid was summoned it was found that it was just a small fracture. Dr. Houston says that he had a bigger job sewing up one of the mules that hurt itself than he had looking after Fred.

Pedigreed Duroc-Jersey Boars for Sale. I have two Spring Boars sired by Model Wonder, out of choice dams. Also, will sell 3 bred sows, bred to Dreamland King, a good son of King the Colonel. These sows are bred for March litters. I intended to keep these for my own use but have too many. See me at Mynard. W. B. Porter. 11-29-4twkly-2td.

Box Social at Bestor School Dec. 18. The pupils and teachers of the Bestor school in school district No. 42, six miles west of this city, will hold a box social at their school house on Saturday evening, December 18th. A program will be rendered by the pupils at 8 o'clock. Everybody invited. The ladies are requested to bring boxes and the gentlemen their pocketbooks. Sophia Hill.

P. A. Meisinger and wife rove in today from their farm home and spent a few hours here with relatives and in looking after some trading with the merchants.

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PUBLIC SALE The undersigned will sell at Public Auction at his home, eight miles south of Plattsmouth and four miles east of Murray, on the Mark White farm, commencing at 10:30 o'clock a. m., on MONDAY, DECEMBER 20TH, the following described property: One span gray mares, 11 and 12 years old, weight about 2,250. One span mules, 6 and 10 years old, weight about 2,000. One fresh cow, coming 3 years old, and calf. One 4-year-old cow, will be fresh in January. One yearling heifer. One fresh cow and calf. Ten head shoats, weight about 80 pounds. One brood sow. Farm Machinery, Etc. Three wagons, one nearly new. On buggy. One bob-sled. Five sets of work harness. Two sets of double buggy harness. Two Avery walking cultivators. One John Deere walking cultivator. One riding lister. One good disc. One riding cultivator. One two-section harrow. One one-row stalk cutter. One Hoosier walking drill. Twenty-three rods heavy six-foot Page wire. One 6-foot Deering binder, good as new. One new John Deere check row. One King press drill, eight foot. One heavy Emerson hay rake, good as new. Three good 14-inch walking plows. Two iron beam double shovel plows. One walking stirring plow. One set buggy harness, one single harness. One new force pump. One new suction pump. One walking lister. One good heating stove. Household furniture and many other articles too numerous to mention. Lunch Will Be Served on the Ground at Noon. TERMS OF SALE—All sums of \$10 and under, cash in hand; on all sums over \$10 a credit of six to eight months will be given, purchaser giving note with approved security. All property must be settled for before being removed. C. R. REEVES. Wm. R. Young, Auctioneer. W. G. Boedeker, Clerk. Owe Her Good Health to Chamberlain's Tablets. "I owe my good health to Chamberlain's Tablets," writes Mrs. R. G. Neff, Crookston, Ohio. "Two years ago I was an invalid due to stomach trouble. I took three bottles of these Tablets and have since been in the best of health." Obtainable everywhere. Read the want ads in the Journal.

Public Sale! PURE BRED DUROC JERSEY SWINE AT HODGE'S FEED YARD Malvern, Ia., Saturday, Dec. 18th AT 1 O'CLOCK SHARP 50 HEAD 50 20 Spring Males 30 Spring Gilts These hogs are the tops of 117 head. They are the big boned, long bodied, big type kind. They are as large as any we have seen this fall. Nearly all are sired by Highland Chief, by Helen's Chief by Ohio Chief—an exceptionally long bodied, heavy boned hog. HIGHLAND CHIEF headed the first prize young herd and first set of boar at Illinois State Fair 1911, and in turn he sired the third prize gilt and fourth prize young herd. Most of these Gilts will be bred to Critic Gano, by Critic Wonder by Critic B, out of Col. Gano dam. TERMS—Cash or bankable note bearing 8% interest. On such notes 8 months time will be given. V. L. GASTON Write for Catalog to V. L. Gaston, R. F. D., Malvern, Ia. Col. N. G. Kraschel Auctioneers—L. A. Talbott E. H. Matthews Clerk—Fred Darbin