State's Attorney Answers Davis' Attack on Bryan

Spillman in Letter Rebukes Predecessor and Takes Issue on Holdrege Bank Case.

Lincoln, Feb. 11. — (Special.)—Former Attorney General Clarence A. Davis' complaint, that Governor Bryan was directly responsible for the failure of the Citizens State bank of Holdrege, brought a crosstire from Attorney General Spillman in the form of a letter written by the attorney general to his predecessor in that office, who also was vice president of the now defunct Citizens bank.

In his letter, Spillman relates the position of his office in the controversy over the proceedings which marked the acquisition by the Citizens bank of the assets of the Holdrege State bank, takes issue with Davis on the legality of these proceedings and rebukes the former attorney general for the manner in which the latter questioned the good faith of Governor Bryan and his aides.

Ready to Go to Court.

Spillman also made it plain that his office is ready to have the controversy threshed out in the courts.

Spillman's letter is as follows:

"The matter of a purported contract between the Holdrege State bank and the Citizens State bank of Holdrege and proceedings subsequent thereto has been a matter of consideration in this department ever since I assumed office as your successor on January 4. You state in your letter that this has been a matter of public record since May 21, 1921. The proceedings in the district court of Phelps county were public and the order which was obtained from the court on December 18, 1922, under which the guaranty fund was to be drawn upon for $187,815.80, said amount to be delivered through the receiver to the Citizens State bank on or before the 28th day of December, 1922, and during your term of office, which for some reason was not complied with, is and has been the subject of discussion publicly from the time it was entered.

"A good deal of the difficulty in which, not only you find yourself, but the institutions in question find themselves is, in my opinion due entirely to a program seeking to effect 'practical solutions' under conditions which call for an application of law.

Disagrees With Statement.

"I most earnestly disagree with the statement in your letter when you say: 'I occupied public office long enough to know that the private financial institution lies at the mercy of the state departments.' If by this you mean that a public official may in his discretion apply, or not apply, law to private institutions, you are adopting a philosophy which is destructive of the fundamental principles of American institutions, that ours is a government of law and not of men. I wish you to know that I hold no such conception of my office and that under my administration the attorney general's office will not be conducted on any such principle. I hope to be able, under all conditions to apply fairly and impartially but fearlessly the law as I find it, to any given state of facts or situation. With such administration, I believe you must admit you are mistaken when you say that private institutions are at the mercy of the state departments. The statutes of Nebraska at the time the Holdrege State bank and the Citizens State bank entered into a contract, permitted, with the approval of the banking department, consolidation of banks. Your theory now seems to be that the Citizens bank was acting in some receivership capacity to liquidate the Holdrege State bank. I know of no statutory procedure for such proceeding nor do I construe this contract as having that purpose or legal effect.

"The Citizens state bank having taken the assets of the Holdrege State bank, and having paid the depositors of the Holdrege State bank, and having taken and kept that part of the guaranty fund in the possession of the Holdrege State bank, and having procured the approval of the state banking department for that purpose, it is my opinion (and I have so advised the governor) that the order of the district court of Phelps county procured on December 18, 1922, is subject to being set aside, particularly in view of the fact that you were representative of the state as well as an interested person, as an officer, director and stockholder of the Citizens State bank and interested further, on a basis of attorneys' fees payable to you in the transaction.

Questions Davis' Acts.

"Referring to your statement that a report of matters done by you and by the banks in question were filed by you with the banking department, and that such report and procedure were approved by the department, I assume that the department has the right to rely on your advice as attorney general so far as the legality of the procedure was concerned. You quote with approval a statement from the report of the parties, who you say investigated the transaction, as follows: 'From this brief summary it will be apparent that this amounted to a contract for a voluntary liquidation of the Holdrege State bank.' From this I infer that this is your theory of the case, and that you are of the opinion that the laws of the state permit a voluntary liquidation of a state bank by a procedure whereunder a competitor may purchase the assets, liquidate them, if the purchasing bank sees fit, without supervision of the court and without a judicial finding previously had of insolvency, and that at any stage of the liquidation the purchasing bank has the privilege of turning back such assets as it does not care to keep, to retain the deposits and the business obtained in the transaction, and draw on the guaranty fund for whatever is left of the obligations of the bank, which it has purchased.

"There is no statutory authority for any such procedure, nor can I conceive of any principle of sound public policy that would tolerate a transaction of that character, or take out of the hands of a court the administration of such matters.

Principle Is Considered.

"In arriving at conclusions in this matter, I have not been unmindful of the fact that we are dealing with a principle and not with an isolated case. If what was attempted to be done in the case in hand is legal, we have a right to assume that a like 'practical solution' would be attempted in numerous other cases. I am not concerned with whether or not such solutions are practical. As a law officer of the state, I am concerned with the fair application of the law as I find it, and my conclusion is that when a purchasing bank takes over the assets of another bank and agrees to pay and does pay the depositors of the bank, whose assets are purchased, no right can be reserved against the guaranty fund by way of subrogation or otherwise. To recognize such a right is to recognize the liquidation of a failed bank without court supervision leaving the guaranty fund liable to summary judgment, the size of which is determined by the voluntary method employed by the officers in handling the assets without supervision.

"Although this department has stood ready to move to have the order of the court set aside and have a hearing on the merits of this matter, the governor and I decided it proper to hold such action in abeyance, in an effort to avoid aggravating the condition of the Citizens State bank, and for the further purpose of allowing the parties interested to make a legal settlement and adjustment of the matter if such were possible.

"If, as a result of the transaction between these banks, the purchasing bank becomes impaired, it is in no different position than any other bank, which might become impaired from other causes. I find no reason for dealing with the Citizens State bank on a basis different from that applied in other cases."

Obregon Will Deport Clara Philips If Found

Los Angeles, Feb. 11. — If Clara Philips is found in Mexico she will be deported, President Obregon declared in a cablegram to the Los Angeles Examiner which that newspaper printed Sunday. The message was sent in reply to one from the Examiner asking the president whether Mrs. Philips would be turned over to American authorities if located in the southern republic. It said:

"I do not consider it justifiable to arrest and deliver at the northern frontier of this nation, criminals who have crossed the line to evade justice while reciprocity has not been established.

"The government is fully resolved not to be converted into an asylum for delinquents and in cases like that to which you refer you may consider it a settled case that they must leave the territory."

Bride Missing Since Last Tuesday Found in Brooklyn

New York, Feb. 11.—Mrs. James McGregor of Great Falls, Mont., bride of five months whose disappearance last Tuesday started a city wide police search at the request of her husband, was found in Brooklyn where it was said she had been visiting friends.

At the Continental hotel, where the bridal couple registered when they came here to celebrate a belated honeymoon, it was said that McGregor had received a telephone call from his wife this afternoon saying she was "all right" and not to worry, but that in his excitement the husband had forgotten to get her address or telephone number. He later checked out of the hotel, after he is believed to have been informed where he could meet Mrs. McGregor.

Arrest of Black Hand Gang Solves Murder Mystery

Baltimore, Feb. 11.—The murder of Bella Lemon, whose body was found near the Rolling Road Golf club, July 13, has been solved, according to a report of the police, by the arrest of 17 members of a black-hand gang. A recruit in the gang, the police said, committed the crime after it was ordered by leaders because the woman had jilted one of the leaders.

With 17 persons under arrest here and in Fairmont and Clarksburg, W. V., police are after two more members of the gang. Six other murders, according to the police, are charged against them and the police declare they have evidence of a score of dynamite and murder plots.

Omaha Bank Debating Team Loses to Detroit

The debating team of the Omaha chapter of the American Institute of Banking was defeated at St. Louis by a similar team from Detroit in debate on the question, "Resolved, that the United States, in harmony with the other creditors nations, should cancel its external war loans."

J. Kessler Jones of the Federal Reserve bank, E. A. Wenberg of the United States National bank and Oliver P. Cordill made up the Omaha team.

Sick Automobilist Cured When Car Hits Fire Hydrant

Lodi, Cal., Feb. 11.—Feeling desperately ill, George Wilson, residing three miles north of Lodi, started into Lodi in his automobile but fainted at the wheel after arriving in town. The car hit a fire hydrant and was wrecked, but Wilson was uninjured. He returned home without seeing a doctor, saying the experience made him feel better then he had for years.

New Montana Dry Chief.

Washington, Feb. 11.—Addison K. Lusk of St. Ignatius, Mont., was appointed state prohibition director of Montana.

CHICAGO CLOSING PRICES.

By Updike Grain Co. JA. 2847; AT. 6213

Art.	Open.	High.	Low.	Close.	Yes.
Wht.					
May	1.21⅝	1.23	1.21½	1.22⅝	1.21½
	1.22			1.22¾	1.21⅝
July	1.14⅝	1.15½	1.14⅝	1.15¼	1.14⅝
	1.14⅞			1.15⅝	1.14½
Sept.	1.12	1.12⅝	1.11⅞	1.12½	1.11½
	1.12¼				
Rye					
May	.89⅛	.89¼	.88⅝	.89¼	.88⅝
July	.87	.87½	.87	.87¼	.86⅝
Corn					
May	.76	.77	.76	.76⅝	.76
	.76⅛				
July	.76⅝	.77⅝	.76⅝	.77⅛	.76⅝
	.76⅝			.77⅝	
Sept.	.77	.77⅝	.77	.77⅝	.77⅛
				.77⅝	.77⅛
Oats					
May	.45⅝	.46⅛	.45⅝	.46	.45½
	.45⅞			.46⅛	
July	.44	.44⅝	.44	.44½	.43⅞
Sept.	.43	.43⅝	.42⅝	.43⅝	.42⅝
Lard					
May	11.40	11.42	11.40	11.40	11.40
July	11.55	11.55	11.52	11.55	11.52
Ribs					
May	10.90	10.92	10.87	10.92	10.90
July	10.92	10.92	10.92	10.92	10.97

Trade Review

By R. G. DUN & CO.

Comparatively few of the current reports reflect other than an active condition of business. Diminution of demand has appeared in certain quarters, but only after buyers' present needs have been liberally covered, and there are instances where purchasing is restricted simply by the inability of manufacturers to make early deliveries. Such a phase is sharply defined in the steel industy, where requests for quick shipments are increasingly importunate, but where mills are confronted with difficulties in maintaining perations. Complaints of labor scarcity grow more common, and the fuel shortage continues an obstacle to full production. While a 90 per cent rate of output has been reached in some cases, despite the different handicaps, the problem of meeting all requirements has not diminished and a number of commitments are of necessity being held in abeyance. In view of these conditions, which prevail to a greater or lesser degree in various branches of business, it is not strange that the main price trend is still upward and that the question of cost is of secondary consideration with some interests. The greater public buying power that has followed the larger employment of workers and advances in prices of farm products has been evidenced by the results in retail distribution, which also has been accelerated by storms and cold weather in various parts of the country. As consumptive demands broaden, both in industrial centers and in agricultural sections, the restocking of merchandise becomes more imperative, and many dealers have been in the primary markets for the purpose of replenishing supplies.

Index Number Rises Slightly.

Despite the fact that advances in commodity prices largely predominated last month, Dun's Index Number as of February 1 showed a rise of only 0.3 per cent Declines in price of some articles that are widely consumed tended to offset increases in other products, lower levels being reached by breadstuffs, meats and the dairy and garden group. The net result for all foods together was a recession of about 3 per cent from the January 1 figure, but the clothing, metals and miscellaneous classes all reached a higher basis. Changes in Dun's comprehensive list of wholesale quotations this week, for the sixth week in succession, were mainly in an upward direction, and the record for the year to date shows a total of 285 advances and 157 declines. A year ago the margin of increases also was marked, but the present position of prices, as shown by the February 1 index number, is 13 per cent above that of the earlier period.

Larger Number of Failures.

Past experience has shown that failures invariably increase in number during the opening month of a year, and such a tendency was sharply defined last month. Following a moderate rise in December, commercial defaults in January crossed the 2,000-mark for the first time since last April, the exact figure being 2,126. Large as the aggregate is, it is well below the number for January, 1922, which the 2,723 insolvencies marked the second highest total on record. More than this, last month's liabilities of about $49,000,000 are practically $25,000,000 smaller than those of January, 1922, and also are some $9,000,000 less than the amount reported last December. The 92 failures for $100,000 or more of independents in each case in January of the present year were equal to 3.9 per cent of all commercial defaults, while the 109 similar insolvencies of that month of 1922 represented 4.0 per cent of the aggregate number.

Pig Iron Production.

The recovery in pig iron manufacture has continued without interruption since last August. Daily output in that month, owing to the effects of the coal mining and railroad strikes, was only 88,586 tons, whereas last month it was 104,181 tons. This is an increase of nearly 80 per cent, and it is necessary to go back to October, 1920, to find a parallel for the January average. The gain in active furnaces also was extended last month, 13 furnaces blowing in and only 4 going out, and The Iron Age reports that the 262 furnaces in operation on February 1 had a capacity of 105,125 tons per day. With the recent reduction in fuel costs, buyers of pig iron are disposed to hold off and prices for this material do not show the same degree of strength as does the market for steel. Several additional advances in the latter department occurred this week, and the point has been reached where mills are unable fully to meet the current demands.

Many Active Textile Buyers.

Broadly considered, no diminution of activity has been witnessed in dry goods channels. In some instances, larger numbers of retailers have appeared in leading markets, and jobbers report a steady business for both spot and future deliveries. With the reduction of merchandise stocks caused by the January clearance sales, buyers are requesting prompt shipments of goods due, and additional purchases have become imperative in not a few cases. An extension of the upward price tendency has occurred in cottons and woolens, with fall prices on fancy men's wear up from 12 to 15 per cent, from the levels of a year ago. Meanwhile, further wage demands have been made upon New England textile manufacturers, and the final outcome is in doubt.

Lessened Firmness in Hides.

Following considerable activity in buying, it is not altogether strange that the current week brought some abatement of demand in the hide and leather trades. Most sellers of hides are closely booked up, purchases already having been of sizable proportions, and prices, in the main, have held steady at the higher levels recently established. Similar conditions prevail in the leather market, where decided strength is not in some descriptions of bottom stock. While general trading has diminished, a few lines continue active, and premiums are being paid for certain of the more desirable grades. In footwear, nearly all factories are well supplied with orders and deliveries of Easter goods are being rushed.

Omaha Produce

(By State Department of Agriculture Bureau of Markets and Marketing.)
Corrected February 10.

BUTTER.

Creamery—Local jobbing price to retailers: Extras, 48c; extras in 60-lb. tubs, 47c; standards, 47c; firsts, 45c.

Dairy — Buyers are paying 31c for best table butter (wrapped roll); 28c for common and 25c for clean packing stock.

BUTTERFAT.

Local buyers paying 39c at country stations, 47c delivered Omaha.

EGGS.

The egg market is lower today. Most buyers are paying around $8.25 per case for fresh eggs, delivered Omaha. State held eggs at market value.

Jobbing price to retailers: Fresh: Specials, 25c; selects, 22c; No. 1 small, 20c.

POULTRY.

Live—Heavy hens and pullets, 21c; light hens and pullets, 21c; spring roosters, smooth legs, 18c; stags, all sizes, 15c; Leghorn poultry about 3c less; old cocks, 10c; ducks, fat, full feathered, 16c; geese, fat, full feathered, 15c; turkeys, fat nine pounds and up, 25c; no culls, sick or crippled poultry wanted.

Jobbing price of dressed poultry to retailers: Broilers 40c; springs, 28c; heavy, hens, 27c; light hens, 21c; roosters, 18c; ducks, 25c; geese, 24c; turkeys, 45c.

FEED.

Omaha mills and jobbers are selling their products in round lots at the following prices, f. o. b. Omaha:

Bran—$27.00; brown shorts, $28.00; gray shorts, $29.00; middlings, $31.00; red dog, $34.50; alfalfa meal; choice, $28.75; No. 1, $26.50; No. 2, $22.00; linseed meal, $55.60@57.10; cottonseed meal, 42 per cent, $51.00@52.00; hominy feed, white, $28.00; yellow, $28.00; buttermilk, condensed, 5 to 9 barrels, 21c per lb., flake buttermilk, 500 to 1,500 lbs., 17½c per lb.; egg shells, dried and ground, 100-lb. bags, $26.00 per ton.

HAY.

Prices at which Omaha dealers are selling in carload lots follow:

Upland Prairie—No. 1, $14.00@15.00; No. 2, $11.00@12.00; No. 3, $8.00@10.00.

Midland Prairie—No. 1, $13.50@14.50; No. 2, $10.00@12.00; No. 3, $7.00@9.00.

Lowland Prairie—No. 1, $10.00@11.00; No. 2, $7.00@8.00.

Alfalfa—Choice, $22.00@23.00; No. 1, $20.00@21.00; standard, $17.00@19.00; No. 2, $14.00@16.00; No. 3, $12.00@14.00.

Straw—Oat, $8.00@9.00; wheat, $7.00@8.00.

SEED.

Omaha buyers are paying the following prices for field seed, thresher run, delivered Omaha. Quotatons are on the basis of hundredweight measure:

Seed—Alfalfa, $12.00@15.00; red clover, $9.00@15.00; alsyke, $8.00@15.00; timothy, $4.00@5.00; Sudan grass, $5.50@7.50; white blossom sweet clover, $5.00@7.00; millet, high grade German, $2.00@2.50; common millet, $1.50@2.00; amber sorghum cane, $2.00@2.25.

BEEF CUTS.

The wholesale prices of beef cuts in effect today are as follows.

Ribs—No. 1, 27c; No. 2, 26c; No. 3, 16c.

Loins—No. 1, 32c; No. 2, 31c; No. 3, 18c.

Rounds—No. 1, 15½c; No. 2, 15c; No. 3, 12c.

Plates—No. 1, 7½c; No. 2, 7c; No. 3, 6c.

Chucks—No. 1, 12c; No. 2, 11½c; No. 3, 9½c.

FLOUR.

First patent, ¼s, $6.60; fancy clear ¼s, $5.45. White or yellow cornmeal, per cwt., $1.75. Quotations are for round lots f. o. b. Omaha.

CHEESE.

Local jobbers are selling American cheese, fancy grade, at about the following prices: Twins, 28c; single daisies, 29c; double daisies, 28c; Young Americas, 29c; longhorn, 28½c; square prints, 29c; brick, 28½c.

FRUITS.

Strawberries—Florida, 60c per quart.

Bananas—9c per pound.

Oranges—Extra fancy California navels, per box, according to size, $4.00@5.50.

Lemons—Extra California, 300 to 360 sizes, per box, $7.00; choice, 300 to 360 sizes, $6.50; Limes, $3.00 per 100.

Grapefruit—Florida, fancy, all sizes, $3.75 to $5.25 per box.

Cranberries—100-pound barrels, $13.50 to $17.00; 50-pound boxes, $8.50; 32-pound boxes, $4.50.

Apples—Delicious, according to size and quality, per box, $2.35 to $2.75; Washington Jonathans, per box, $1.50 to $2.25; Iowa Jonathans, fancy, per bbl., $6.50; bushel basket, $1.85; Grimes Golden, fancy, per bbl., $5.50; ditto, choice, per bbl., $3.50; Northern Spy, per box, $1.75 to $2.00 Hood River Winter Banana, fancy, $2.50; ditto, choice, $2.00; Spitzenberger, fancy, per box, $2.75; Gano, fancy, per bbl., $4.75; Ben Davis, fancy, per bbl., $4.75; Black Twigs, per bbl., $5.50; Greenings, per bbl., $6.00.

Quinces—California, fancy, per box, $1.60.

Pears — Winter Kells, fancy, per box, $3.00; Hood River Dutchess, per box, $4.00.

Grapes—Red Emperor, per box, $6.50 to $7.00.

Figs—California, 24 8-oz. carton boxes, $3.75; 50 8-oz. carton boxes, $5.75; New Smyrna figs, 5-lb. box, per lb., 35c.

Dates—Hollowi, 70-lb. butts, 10c per pound; Dromedary, 36 10-oz. cases, $6.75.

Avocados—Alligator pears, per dozen, $9.00.

VEGETABLES.

Potatoes—Nebraska Early Ohios, No. 1, $1.25 per cwt.; No. 2, 75c to $1.00; Minnesota Red River Ohios, No. 1, $1.25 to $1.50 per cwt.; Idaho Russets, $1.35 per cwt.; Idaho Netted Gems, $1.75 per cwt.

Sweet Potatoes—Bushel crates, about 45 lbs., $2.00; Porto Rico Reds, crates, about 50 lbs., $2.25.

Old Roots—Beets, carrots, turnips, parsnips, rutabagas, per pound, 2½c; in sacks, per pound, 2½c.

New Roots—Southern turnips, beets, carrots, per dozen bunches, 90c.

Radishes—New southern, dozen bunches, 90c.

Artichokes—Per dozen, $2.50.

Peppers—Green, market basket, 25c per pound.

Mushrooms—75c per pound.

Egg Plant—Selected, per pound, 20c.

Onions—Southern (new) per dozen bunches, 75c; Ohio Whites, $3.00 per cwt.; Red Globes, per lb., 2½c; yellow, per lb., 2½c imported Spanish, per crate, $2.50.

Tomatoes—Florida, six-basket crate, $8.00; Mexican, 28-lb. lub, $2.50.

Beans—Southern wax or green, per hamper, $5.00 to 7.00$.

Cabbage—25-50 pounds, 2¾c; in crates, per pound, 2¼c; red cabbage, per pound, 3c; celery cabbage, per pound, 15c; Brussell sprouts, per pound, 20c.

Celery—California, per dozen, according to size, $1.35 to $1.85; California (not trimmed), per crate, $7.00.

Shallots, Parsley—Dozen bunches, 75c.

Spinach—Per bushel, $1.50.

Cauliflower—California, per crate, $1.75 to $2.00.

Garlic—Per pound, 25c.

Cucumbers—Hot house, per dozen, $3.50.

HIDES, FURS, WOOL.

Prices printed below are on the basis of buyers' weights and selections, delivered Omaha:

Hides—Current hides, No. 1, 11c No. 2, 10c; green hides, 9 and 8c; bulls, 8 and 7c; branded hides, 8c; glue hides, 6c; kip, 11 and 10c; decons, 80c each; glue calf and kip, 5c; horse hides, $4.50 and $3.50; ponies and glues, $1.75 each; colts, 25c each; hog skins, 15c each; dry hides, No. 1, 15c per lb.; dry salted, 12c; dry glue, 6c.

Wool—Wool pelts, $1.25 to $2.00 for full wooled skins; spring lambs, 75c to $1.50, for late take off; clips, no value; wool, 30 to 35c.

Beeswax—$20 per ton.

The Magnificent Adventure

By EMERSON HOUGH.

(Continued From Saturday.)

CHAPTER VIII.—(Continued.)

But you are dead! While you lived, I hope your conscience was clean. I hope that never once have you descended to any conduct not belonging to Meriwether Lewis of Virginia. I know that no matter what temptation was yours, you would remember that I was Mrs. Alston—and that you were Meriwether Lewis of Virginia.

Nay, I cannot stop! How can you mind my garrulous pen—my vain pen—my wicked, wicked, wicked pen—since you cannot see what it says?

Ah, I had so hoped once more to see you before it was too late! Should this pot reach you, and should it reach others, why, let it go to all the world! that Theodosia Burr that was, Mrs. Alston of Carolina that is, once ardently importuned a man to join her in certain plans for the betterment of his fortunes as well as her own; and that yoh did not care to share in those plans! So I failed. And further—let that also go out to the world—I glory in the truth that I have failed!

Yes, that at last is the truth at the bottom of my heart! I have searched it to the bottom, and have found the truth. I glory in the truth that you have not come back to me. There—have I not said all that a woman could say to any man, living or dead?

Just as strong as I have urged you to return, just as strongly I have hoped that you would not return! In my soul I wanted to see you go on in your own fashion; following your own dreams and caring not for mine. That was the Meriwether Lewis I had pictured to myself. I shall glory in my own undoing, if it has meant your success.

Holding to your own ambition, keeping your own loyalty, holding your own counsel and your own speech to the end—pushing on through everything to what you have set out to do—that is the man I could have loved! Deeds, deeds, high accomplishments—these in truth are the things which are to prevail. The selfish love of success as success—the love of ease, of money, of power—these are the things women covet from a man—yes, but they are not the things a woman loves in a man. No; it is the stiff-necked man, bound in his own ambition, whom women love, even as they swear they do not.

Therefore, do not come back to me, Meriwether Lewis! Do not come—forget all that I have said to you before—do not return until you have done your work! Do not come back to me until you can come content. Do not come to me with your splendid will broken. Let it triumph even over the will of a Burr, not used to yielding, not easily giving up anything desired.

This is almost the last letter I shall ever write to any man in all my life. I wonder who will read it—you, or all the world, perhaps! I wish it might rest with you at the last. Oh, let this thought lie with you as you sleep—you did not come back to me, and I rejoice that you did not!.

Tell me, why is it that I think of you lying where the wind is sweet in the trees? Why is it that I think of myself, too, lying at last, with all my doubts composed, all my restless ambitions ended, all my foolish dreams answered—in some place where the sound of the unceasing waters shall wash out from the memory of the world all my secrets and all my sins? Always I hear myself crying: "I hope I shall not be unhappy, for I do not feel that I have been bad."

Adieu, Meriwether Lewis, adieu! I am glad you can never read this. I am glad that you have not come back. I am glad that I have failed!

CHAPTER IX.

What Voice Called?

At length they reached the Mandan villages and were joyously welcomed. But they decided to push unward without delay. Sacajawea, what of her? Her husband lived among the Mandana. This was the end of the trail for her, and not the rudest man but was sad at the thought of going on without her. They knew well enough that in all likelihood, but for her, their expedition could never have attained success.

"Sacajawea," said Meriwether Lewis, when the hour for departure came, "I am now going to finish my trail."

Her face lighted up with a strange wistfulness. "Yes, captain," said she, "I go with you."

He smiled as he shook his head. "I cannot take your husband with me. All my goods are gone—I cannot pay him. From here we can go alone."

"Aw right!" said Sacajawea, in pale-face idiom. "Him stay—me go!"

"Bird woman," said he, "you are a good girl. It would pain my heart to see you unhappy. But if you came with me to my villages, women would say, 'Who is that woman there? She has no lodge; she does not belong to any man.' They must not say that of Sacajawea—she is a good woman. Now I shall tell the Great Father that but for Sacajawea we should all have been lost; that we should never have come back again. His heart will be open to those words. He will send gifts to you. What we can do for you we will do. Are my words good in your ears?"

"Your words are good," said Sacajawea. "But I go, too! No want to stay here now. No can stay!"

"But here is your village, Sacajawea—this is your home, where you must live. You will be happier here."

"But," she still expostulated, "how can you cook? How can you make the lodge? One woman—she must help all time."

A spasm of pain passed across Lewis' face. "Sacajawea," said he, "I told you that I had made medicine—that I promised my dream never to have a lodge of my own. Always I shall live upon the trail—no lodge-fire in any village shall be the place for me. And I told you I had made a vow to my dream that no woman should light the lodge-fire for me. You are a princess—the daughter of a chief, the sister of a chief, a great person; you know about a warrior's medicine. Surely, then, you know that no one is allowed to ask about the vows of a chief."

The unwonted tears of an Indian woman were in the eyes which looked up at him. "Ah!" said she, in reproach. "I went with you. I cooked in the lodges. I showed the way. I was as one of your people. Now I say I go to your people, and you say no. You need me once—you no need me now! You say to me, your people are not my people—you not need Sacajawea any more!"

The Indian has no word for good-by. The faithful—nay, loving—girl simply turned away and passed from him; nor did he ever see her more. Alone, apart from her people, she seated herself on the brink of the bluff, below which lay the boats, ready to depart. She drew her blanket over her head. When at length the voyage had begun, she did not look out once to watch them pass. They saw her motionless figure high on the bank above them. The Bird Woman was mourning. The little Indian dog, Meriwether Lewis' constant companion, now, like Sacajawea, mercifully banished, sat at her side, as motionless as she. Both of them, mute and resigned, accepted their fate.

But as for those others, those hardy men, now homeward bound, they were rejoicing. Speed was the cry of all the lusty paddlers.

In a few days they lay in camp far down the river. The men were happy about their fires, which glowed dully in the dusk. William Clark weary with the day's labor, hal excused himself and gone to his blankets. Lewis, the responsible head of the expedition, alone, aloof, silent, sat moodily looking into his fire, the victim of one of his recurring moods of melancholy. Picking up a bit of stick, he traced here and there, in the ashes at his feet, points and lines, as if it were some problem in geometry. "Hoh!" he exclaimed at length, almost like an Indian, as if in some definite conclusion. He had run his problem in the ashes.

And now he threw his tracing-stick away. He sat, his head on one side, as if looking at some distant star. It seemed that he heard a voice calling to him in the night, so faintly that he could not be sure. His face, thin, gaunt, looked set and hard in the light of his little fire. Something stern, something wistful, too, showed in his eyes, frowning under the deep brows. He rose, limping a little, for he still was weak and stiff from his wound.

The camp was slumbering. He passed now, stealing as an Indian, along the rows of sleeping forms. He knew where lay the man he wished to find. He stood beside him silently at last, looking down at the sleeping figure. This man suddenly awoke, and lay staring up. "Shannon!" He heard a hoarse voice command him. "Get up!"

George Shannon, the youngest of the party, sprang out of his bed half clad. "Captain!" He saluted. "What is it, sir?"

"Put on your jacket, Shannon. Come with me!"

Shannon obeyed hurriedly. "What is it, captain?" he inquired once more. They were apart from the others now, in the shadows beyond Lewis' fire. Shannon had caught sight of his leader's countenance, noting the wildness of its look.

His commander's hand thrust in his face a clutch of papers, folded—letters, they seemed to be. Shannon could see the trembling of the hand that held them. "You know what I want, Shannon! I want the rest of these—I want the last one of them! Give it to me now!"

The youth felt on his shoulder the grip of a hand hard as steel. He did not make any answer, but stood dumb.

"Five of them!" he heard the same hoarse voice go on. "There must be another—there must be one more, at least. You have done this—you brought these letters. Give me the last one of them! Why don't you answer?" With a sudden and violent strength Lewis shook the boy as a dog might a rat. "Answer me!"

"Captain, I cannot!" broke out Shannon.

"What? Then there is another?"

"I'll not answer! I'll stand my trial before court-martial, if you please."

Again the heavy hand on his shoulder. "There will be no trial!" he heard the hoarse voice of his commander saying. "I cannot sleep. I must have the last one. There is another!"

Shannon laid a hand on the iron wrist. "How do you know?" he faltered. "Why do you think"—

"I know you are the messenger who has been bringing these letters to me from her. I need not name her, and you shall not! For what reason you did this—by what plan—I do not know, but I know you did it. Give me that letter! I am your officer."

"Captain, I will not!"

"I tell you I cannot sleep! Give it to me, boy, or, by heaven, you yourself shall sleep the long sleep here and now! What? You still refuse?"

"Yes, I'll not be driven to it. I'll not give up a woman's secret—it's a question of honor, captain. There is a woman concerned, as you know."

"Yes!"

"And I promised her, too. I swear I never planned any wrong to either of you. I would die at your order now, as you know; but you have no right to order this, and I'll not answer."

The hand closed at his throat. The boy could not speak, but still Meriwether Lewis growled on at him. "Shannon! Speak! Why have you kept secrets from your commanding officer? You have begun to tell me—tell me all!"

The boy's hands clutched at his leader's wrists. At length Lewis loosed him.

"Captain," began the victim, "what do you mean? What can I do?"

"I will tell you what I mean, Shannon. I promised to care for you and bring you back safe to your parents. You'll never see your parents again, save on one condition. I trusted you, thought you had special loyalty for me. Was I wrong?"

"On my honor, captain," the boy broke out, "I'd have died for you any time, and I'd do it now! You're my officer, my chief!"

With one moment, Meriwether Lewis flung off the uniform coat that he wore. They stood now, man to man, stripped, and neither gave back from the other. "Shannon," said Lewis, "I'm not your officer now. I'm going to choke the truth out of you. Will you fight me, or are you afraid?"

(Continued in The Morning Bee.)

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