

JACKSONVILLE POST

Official Paper of the City of Jacksonville, Oregon

A weekly newspaper published every Saturday at the county seat of Jackson County, Oregon. D. W. BAGSHAW, Editor.

Entered as second-class matter June 22, 1907, at the post office at Jacksonville, Oregon, under Act of Congress of March 3, 1879.

SATURDAY, JULY 20, 1912

SUBSCRIPTION: One year by mail \$1.50. Advertising rates furnished on application.

ORDINANCE NO. 173.

An Ordinance providing for the payment of any assessment for assessments levied or made in accordance with Chapter XIV of the City Charter in installments and for the issuance of bonds for the unpaid assessments as provided for by Chapter V of Title XXVI of Lord's Oregon Laws and all subsequent acts amendatory thereof, so far as the same is deemed practicable, and declaring an emergency.

THE PEOPLE OF THE CITY OF JACKSONVILLE DO ORDAIN as follows:

Section I. Whenever the City Council of the City of Jacksonville shall have proceeded to make any improvement within the meaning of that term as defined in Section 106 of Chapter XIV of the City Charter of said city and shall have assessed the costs of such improvement to the property benefited thereby, or liable therefor, according to the provisions of the charter of said city, it shall be lawful for the owner of any property so assessed for such improvement in the sum of \$25 or more, at any time within 10 days after notice of such assessment is first published, to file with the City Recorder of said city, a written application to pay said assessment in installments, and such written application shall state that the said applicant and property owner does thereby waive all irregularities or defects, jurisdictional or otherwise, in the proceedings to improve or make the improvement for which said assessment is levied and in the apportionment of the cost thereof. Said application shall contain a provision that said applicant and property owner agrees to pay said assessment in ten annual installments, with interest at the same rate on all of said assessments which have not been paid, as that expressed in the bond issued to pay for such improvement. Said application shall also contain a statement, by lots or blocks, or other convenient description, of the property of the applicant assessed for such improvement. No application, as aforesaid, shall be received and filed by said City Recorder, if the amount of such assessment with any previous assessments for improvements, assessed against the same property and remaining unpaid, shall equal or exceed the valuation of said property, as shown by the last tax roll of the county in which it is situated. The majority of the owners of the property assessed as aforesaid shall select a competent person to inspect such improvement under the direction of the city engineer or surveyor of said city; provided, that application for such bonding shall be received by the City Recorder in cases where the amount of the assessment, together with previous assessments for improvements against the property (and remaining unpaid), shall exceed the valuation of said property as shown by the last tax roll of the county, if the owner shall before making such application pay in cash into the treasury of the city such excess of unpaid assessments over the valuation as shown by such last tax roll.

Section II. The City Recorder who is charged with keeping the records of such city, shall keep all such applications as are specified in Section I of this ordinance, in convenient form for examination. The application received for each improvement shall be separate and he shall also enter in a book kept for that purpose, under separate heads for each improvement, the date of filing of each application, the name of the applicant, a description of the property, and the amount of the assessment, as shown in the application.

Section III. After the expiration of the time for filing application for the payment for the improvement by installments, as provided for in Section I of this Ordinance, the City Recorder, shall enter in a docket kept for that purpose, under separate heads for each street and improvement, by name or number, or other description, a description of each lot or parcel of land or other property against which such assessment is made, or which bears or is chargeable for the cost of such improvement, with the name of the owner and the amount of such unpaid assessment. Such docket shall stand thereafter as a lien docket as for taxes assessed and levied in favor of said city, and for the amounts of such unpaid assessments therein docketed, with interest on said unpaid assessments at the rate of six per cent per annum, against each lot or parcel of land or other property, until such assessments and interest are paid in the manner hereinafter provided; and all unpaid assessments and interest shall be and remain a lien on each lot or parcel of land or other property, respectively, in favor of such city, and such liens shall have priority over all other liens and incumbrances whatsoever. The matters herein required to

be entered in said bond lien docket shall not include the assessments for which application to bond have not been filed with the city recorder in time and manner provided by Section I of this Ordinance and such assessments shall be unaffected hereby and shall be paid and collected in manner provided by the City Charter.

Section IV. When such bond lien docket shall be made up, as hereinbefore provided, as to the assessments for improvements, such city shall by ordinance authorize the issue of its bonds in convenient denominations, not exceeding \$500 each, and in all equal to the total amount of unpaid assessments for such improvement, and for which application to pay under the provisions of this Ordinance have been filed as shown by said bond lien docket; and such bonds shall, by the terms thereof, mature in ten years from the date thereof, and be payable in gold coin of the United States, and bear interest not to exceed six per cent per annum, interest payable semi-annually, said interest to be evidenced by coupons attached to said bonds, provided; the right to take up and cancel such bond or bonds, upon the payment of the face value thereof, with accrued interest to the date of payment, at any semi-annual coupon period at or after one year from the date of such bond or bonds, shall be and hereby is vested in said city. Notice stating that certain bonds are to be taken up and cancelled as aforesaid, and that the interest thereon shall cease at the interest payment period next following, shall be published in a newspaper printed and published, and of general circulation, in the county of Jackson, State of Oregon, not less than twice during the month preceding said semi-annual period; and after said semi-annual period interest upon the bonds designated in said notice shall cease. Such bonds, before issuance, shall be signed by the mayor of said city and countersigned by the City Recorder of said city, and authenticated by the seal of such city attached thereto, and shall be registered consecutively, by number and denomination of each, in a book to be kept by the City Recorder, to be known and designated as the "Improvement Bond Register." Each of such bonds shall have distinctly and plainly inscribed or printed on the face thereof the registered number of said bonds and the words "Improvement Bond," with the name of the city of Jacksonville. Such bonds shall be advertised for sale and sold for the highest price obtainable, but for not less than par and accrued interest; and the proceeds thereof shall be paid by the purchaser to the treasurer of the City of Jacksonville, and the par value thereof credited to the respective improvement funds for which said bonds are issued; and the accrued interest and premium accruing from the sale of said bonds shall be credited to the general fund of said city, the fund from which interest is paid on improvement warrants or to the improvements bond sinking fund of said city as the city council shall direct.

Section V. Thereafter there shall be due and payable annually for ten successive years to the treasurer of such city by the owner of each lot or parcel of land assessed for any improvement, whose application to pay the cost of such improvement has been filed as provided in Section I of this Ordinance, ten per cent of the cost of such improvement assessed against the property of such owner, as appears by the bond lien docket described in Section III of this Ordinance, with the amount of one year's interest at not to exceed six per cent per annum on unpaid assessments or installments. The first payments aforesaid shall be due and payable at the expiration of one year from the date of said assessments in the bond lien docket, and subsequent payments at the expiration of each year thereafter. Should such owner or owners neglect or refuse to pay the sum or sums aforesaid as the same shall become due and payable for a period of twenty days, then the same shall be collected in the same manner and with the same penalties as delinquent assessments for improvements are collected in compliance with the provisions of the Charter of said City. It shall be the duty of the City Recorder, when the installments and interest on any assessment in the bond lien docket are due, to make the proper extensions of said installments and interest on said bond lien docket and to turn the same over to the treasurer of said city, whose duty it shall be to notify the owner or owners of property that the installments aforesaid are due and payable, but a failure of such

owner or owners to receive such notice shall not be taken or held to prevent the collection of the same as herein provided. The treasurer of said city shall issue a receipt to the person or persons paying said installments and interest, and shall file duplicates of said receipts with the City Recorder, and when the treasurer returns said bond lien docket, said city recorder shall make the proper entries on said bond lien docket, showing the amount of each payment, and the date thereof; provided, however, that at any time after issuance of such bonds any owner at the time being of land or other property against which such assessment is made and lien docketed may pay into the city treasurer of said city the whole amount of such assessment, and for which such lien is docketed, together with the full amount of interest and costs accrued thereon to such date of payment; and upon producing to the City Recorder the receipt of such treasurer thereof (in which receipt shall be not only stated the amount of such payment, but also a description of the lot or parcel of land or other property upon which such payment is made,) said City Recorder shall enter in such lien docket, opposite the entry of the lien therein, the fact of such payment and the date thereof, and that the lien thereof is discharged.

Section VI. The treasurer of said receiving any funds, accruing by virtue of this Ordinance, shall keep such funds and the account thereof separate and apart from other funds of such city. The amount of such funds paid on account of installments, and interest on unpaid installments, shall be placed to the credit of funds to be known and designated as "improvement bond sinking fund" and "improvement bond interest fund," respectively. The amount placed to the credit of the improvement bond sinking fund shall from time to time, under the direction of the city council, be deposited in such bank as will pay the highest rate of interest, or be invested in or used for the purchase of improvement bonds of such city at par. In the purchase of improvement bonds, the accrued interest thereon shall be paid out of the improvement bond interest fund, and all interest received by the treasurer on account of coupons due shall be placed to the credit of the improvement bond interest fund. Interest due on improvement bonds shall be paid out of the improvement bond interest fund. All bonds purchased by the City of Jacksonville shall be held by the treasurer of said city as a sinking fund, and shall be disposed of by direction of the city council, when required for the redemption of bonds previously issued, as they shall become due and payable.

Section VII. Entries of payments of installments, interest, and costs, made under the provisions of this ordinance, shall be made in the lien docket aforesaid as the same shall be received, with the date thereof, and such payments made and entered in said lien docket shall be and operate as a discharge of such lien, to the amount of such payment, and from the date thereof.

Section VIII. No obligation incurred by the City of Jacksonville by virtue of this ordinance shall be deemed or taken to be within or any part of the limitation by law as to indebtedness of said city.

Section IX. At any time after the bonds which may be issued by virtue of this ordinance shall become payable said city may redeem such bonds, and to that end shall redeem the same commencing by number of such bonds, and shall give notice of the readiness of such city to redeem by publication in some newspaper published and having a general circulation among its subscribers in said city once each week for three successive weeks, giving therein the number of the bonds which will be redeemed, and the time at which such redemption will be made; and after such time so fixed for redemption, no interest shall accrue or become payable on such bonds so notified for redemption.

Section X. Whenever the term "improvement" is used in this ordinance the same shall be deemed taken and construed to include everything, act and improvement included in such term as defined in Section 106 of Chapter XIV of the City Charter.

Section XI. The City Council hereby provides and declares that the procedure prescribed in this ordinance is provided in pursuance of the power vested in said City Council by Section 135, Chapter XIV of the City Charter and said council declares that the said procedure is as near in conformity with Chapter V, Title XXVI of Lord's Oregon Laws and all subsequent acts amendatory thereof as is practicable under said charter.

Section XII. Inasmuch as this ordinance is necessary for the immediate preservation of the health, safety and peace of the City of Jacksonville, in this that the present system of special benefit assessment as provided by the city charter without the enactment of this ordinance will not permit the city to issue improvement bonds upon property assessed for an improvement, and, inasmuch, as

property owners of property assessed for the improvement of constructing a water system which now furnishes to said city and inhabitants a sufficient and adequate supply of good, pure and wholesome water where before such construction the water supply of said city was insufficient, inadequate and impure, are financially unable to pay the amounts of said assessments unless they are permitted to pay the same in installments as provided for in this ordinance;

And, inasmuch, as a forced collection of said assessments, when delinquent by the sale of said properties assessed cannot be accomplished and payment received therefor within the time required by the terms of the city's contract with the contractor for the construction of said water system; And, inasmuch, as said city by the terms of its contract with said contractor is required to pay for said water system before said assessments shall be collected by a sale of the property assessed;

And, inasmuch, as said contractor can not be paid for said system except by the issuance and sale of improvement bonds under the terms of this ordinance or by the sale of the assessed property;

And, inasmuch, as a default in said contract upon the part of said city will be inevitable unless this ordinance goes into immediate effect; And, inasmuch, as such default would result in the contractor refusing to turn said water system over to the city thereby depriving the city and inhabitants of a good, pure and sufficient supply of water and thereby involving the city in expensive litigation, financial loss, ruin of its credit and to the disturbance of the peace of the city and inhabitants.

Now, therefore, an emergency is hereby declared, and this Ordinance shall go into force and effect from and after its approval by the Mayor.

The foregoing Ordinance No. 173 was passed by the City Council of the City of Jacksonville on the 11th day of July, 1912, by the following vote:

Yeas—Britt, Fick, McIntire, Ulrich. Submitted to the Mayor July 11th 1912.

Approved by the Mayor this 11th day of July, 1912.

T. T. SHAW, Mayor.

Attest: HENRY G. DOX, Recorder.

A Book and a War.

Copyright questions are quite enough nowadays, but they no longer threaten to end in war, as in the case of St. Columba, the Irishman who settled in Iowa, converted north Britain and is commemorated on June 9. He had a passion for fine manuscripts and copies of them and among others copied a certain Latin psalter belonging to an Irish abbot, whereupon King Diarmuid condemned Columba at Tara, ruling that "to every cow belongs its calf" and as to every cow its calf. Columba appealed against the verdict in the practical form of hitting his kinsmen to revolt, and they defeated Diarmuid in the battle of the Passiter. The book is claimed to be the one which in a silver cover was carried into battle by the O'Donnells during more than a thousand years.

Cats as Food in China.

One often sums up the value of cheap fur by describing it as having been obtained from the domestic cat. Bill H. China garments of cat skin rank as high and are as precious as garments of sable in this country. In the flowery Land cat's flesh is also much eaten and is especially recommended as a cure for consumption and all lung diseases. It is vastly superior to cod liver oil, and therefore cats are considered extremely valuable possessions. Black cats provide the best meat, and in a great many parts of China this food is so highly esteemed that cats are reared for sale like fowls or sheep.

Satisfaction For Him.

"Well," said the millionaire's brilliant son, who has achieved success by his own efforts, "I have one great satisfaction."

"What is that?" asked his admiring friends.

"At least none of you can say that you knew me when I didn't have a nickel."—Detroit Free Press.

Friendship.

It is a common observation that differences of taste, understanding and disposition are no impediments to friendship and that the closest intimacies often exist between minds each of which supplies what is wanting in the other.—Lord Macaulay.

Trying to Beat the Game.

"Every note that prima donna sings costs me at least a dollar," said one musical manager.

"Well," replied the other, "get a note to write her a song with only whose notes and rests in it."—Washington Star.

With the Scalpers.

"Oh, mother, why are the men in front baldheaded?"

"They bought their tickets from the scalpers, my child."—Chicago Tribune.

Then She Got Mad.

"She chafed at nothing else to say. It's much better to ever come to think so of each other. He—Punny?—is positively ridiculous!"

It is a wise man who knows his own business, and it is a wiser man who thoroughly attends to it.—Wayland.

owner or owners to receive such notice shall not be taken or held to prevent the collection of the same as herein provided. The treasurer of said city shall issue a receipt to the person or persons paying said installments and interest, and shall file duplicates of said receipts with the City Recorder, and when the treasurer returns said bond lien docket, said city recorder shall make the proper entries on said bond lien docket, showing the amount of each payment, and the date thereof; provided, however, that at any time after issuance of such bonds any owner at the time being of land or other property against which such assessment is made and lien docketed may pay into the city treasurer of said city the whole amount of such assessment, and for which such lien is docketed, together with the full amount of interest and costs accrued thereon to such date of payment; and upon producing to the City Recorder the receipt of such treasurer thereof (in which receipt shall be not only stated the amount of such payment, but also a description of the lot or parcel of land or other property upon which such payment is made,) said City Recorder shall enter in such lien docket, opposite the entry of the lien therein, the fact of such payment and the date thereof, and that the lien thereof is discharged.

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And, inasmuch, as a forced collection of said assessments, when delinquent by the sale of said properties assessed cannot be accomplished and payment received therefor within the time required by the terms of the city's contract with the contractor for the construction of said water system; And, inasmuch, as said city by the terms of its contract with said contractor is required to pay for said water system before said assessments shall be collected by a sale of the property assessed;

And, inasmuch, as said contractor can not be paid for said system except by the issuance and sale of improvement bonds under the terms of this ordinance or by the sale of the assessed property;

And, inasmuch, as a default in said contract upon the part of said city will be inevitable unless this ordinance goes into immediate effect; And, inasmuch, as such default would result in the contractor refusing to turn said water system over to the city thereby depriving the city and inhabitants of a good, pure and sufficient supply of water and thereby involving the city in expensive litigation, financial loss, ruin of its credit and to the disturbance of the peace of the city and inhabitants.

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Expectations

By EDUARD K. DROANE

I esteem those boys who are obliged to fight their own way up in the world most fortunate and those brought up to wealth most unfortunate.

I came of a family of the middle class and from childhood was made to understand that I would have to fight my own way in the world. But I was given an education, which is considered and usually is essential to success. At sixteen I was about to accept a position in business when an uncle of mine suddenly made a fortune by a deal in the stock market. He had the good sense to invest his gains in good first mortgage bonds and never afterward risked a cent in speculation.

My uncle was a bachelor sixty years old, and my mother was his favorite sister. He had always shown a partiality for me and proposed to my father that he should send me to college and wish me his heir, for he claimed that he had no desire to marry and if he should marry at the time of life he would wish he had not married. I longed for a college education and for my part was glad to accept my uncle's proposition.

I spent four years at college, my expenses being paid by my uncle. Indeed, he gave me an allowance that enabled me to associate with such of my fellow students as were not obliged to earn their living or a part of it while getting their education.

When I was graduated with a fair standing in my class I was one of the all around prominent men of it. I began the study of a profession—at my uncle's expense—and had nearly finished it when I received a telegram that my uncle was very ill. I went to him at once and assumed the direction of his household. His illness was destined to be a protracted one, and there being no one but myself to do anything for him, I assumed charge not only of his domestic but his other affairs.

I spent five years ministering to the old man, living in his house with him and devoting myself exclusively to him. I regretted that my professional studies had been broken into, but since I was heir to a fortune and had what money I needed I did not repine. True, my uncle was very irritable and often tried my patience, but the doctors assured me that he could live only a few years at most, and then, having means at my command, I could make up for lost time, for, as it understood, I was not content to live in idleness and especially desired a career.

My uncle lingered longer than had been expected, and toward the last I found the work of amusing him very trying. I suggested cards, and he was pleased with the idea. He had been a poker player in his time, and by playing with him for a small stake I got through many hours that would otherwise have been a burden. Nevertheless playing penny ante with a broken down old man hour after hour was not to me a pleasing way of spending my time, and when my uncle proposed to raise the stake to 5 cents I acquiesced.

This was a mistake. He was a natural gambler, and it was a knowledge of this fact—a fear that he would lose what he had hidden in the stock market—that led him to quell "the street." Since then his passion for gambling had lain dormant. It was now excited anew. He kept raising the stake, and I did not dare to oppose him. When he got the value of a chip up to 25 cents I began to be troubled. However, I hoped that by refusing to win I might keep out of trouble, for I realized that to win any considerable amount from him would irritate him, and in his broken condition I feared he might break with me.

One afternoon when he was more fretful than usual I got out the cards and the chips. During the sitting there occurred one of those marvelous runs of luck by which players are enabled to break banks. A jack pot had been growing on the table for some time when I was dealt three queens and drew a fourth. I would have bet a small sum, but since the cards must be shown I feared to irritate my uncle by appearing to favor him. At the showdown he had a full of aces, which gave me the pot.

From that time the devil seemed to be in the cards. Whenever I dealt I gave myself large hands and invariably gave my uncle hands but a little below mine. When I had a straight flush he would have a full; when I had three aces he would have three lower cards. Frenzied, I attempted to deal him a hand larger than mine. He caught me in the act.

For some time I had seen by his expression that he suspected I was intentionally dealing to myself large hands and to him hands but little smaller to draw him on. When he caught me trying to deal him a winner he fell back on the pillows behind him and pointed to the door. In vain I endeavored to explain. He continued to point to the door, and I left hoping when he had cooled to renew my efforts to disabuse his mind of his impression. He sent word for me to leave the house and never enter it again.

The next day he changed his will, leaving his fortune to charities, and a further result of the episode was his death a few days later.

I am over thirty years old, have never earned a cent in my life and don't know how to begin to do so. This comes of waiting for dead men's shoes.

A Dealer In Foreign Fruits

By LUIGI CONTA

In lower New York there is a sign "P. Martelli, Dealer in Foreign Fruits and Oil." One day a young man entered the shop and, seeing the proprietor working on his books, said to him in the Italian language:

"Signor, I have just come from Naples to America to better my condition. I wish a position."

"I cannot afford a clerk. I wish I could. I am poor at accounts. They bother me."

"I kept books for one of the largest exporters of oil in Naples. I know all about bookkeeping."

"That may be, but I have told you my business does not admit of an assistant."

"Let me work for you without pay. I have brought over with me a little money on which I can live while I am getting a knowledge of America. I will serve you for, say, a year. By that time my money will be all gone, but I can then find a position with a salary."

Martelli was much captivated with the proposition. He told the man, who gave his name as Giovanni Miele, to take hold of his books and straighten them out. If he showed that he knew how to do so he would teach him his business. He told Miele that his face was familiar to him, but he could not tell where he had seen him, to which Miele replied that nothing was more likely, since they had both lived in the same city.

Miele did not know anything about bookkeeping, but he talked very learnedly about Martelli's accounts and succeeded in confusing the merchant and showing him that his affairs were in much better condition than he had supposed. Miele became a great favorite with his employer, and, with the former's assistance, the business seemed to improve. It did not appear that the sales were larger, but somehow or other when Miele took off a statement from the books he always showed an increased profit. Indeed, so pleased was Martelli that he told his clerk he might draw \$5 a week for salary. But Miele said that he preferred to stick to his contract and would not accept any pay for his work.

Martelli lived in a room in one of the narrow streets of lower New York. When he left his shop after business hours he invariably went to this sleeping apartment alone. But one day, after drinking a bottle or two of wine with his clerk, he invited Miele to go home with him and have a game of cards. Miele accepted the invitation. Martelli bought some more wine on the way, and during the evening the two finished it. The wine came from California and is much stronger than the wines one gets in Italy. Martelli showed its effects. When he got up from his seat to get some tobacco Miele slipped a little pellet into his glass. When Martelli returned he was too drunk to notice it lying in the bottom of his glass, and it was soon dissolved. Soon after he had finished his glass his eyes began to look heavy, his head sank down on the table, and he was unconscious.

Miele arose and began to search the room. Prodding skeleton keys, he unlocked everything that was locked and searched under the bed and in every nook and cranny. Unlocking the closet, he found an old pair of shoes. Thrusting his hand down into the toe of one, he withdrew a chimney bag, from which he poured a number of valuable diamonds into the palm of his hand. From the toe of the other shoe he secured several papers, which he hastily glanced over and put them in his pocket. Then he turned and contemplated for a few moments the senseless figure of his victim.

Taking up the glass from which Martelli had drunk, he rinsed and wiped it, then partly filled it with wine. His next act was to carry Martelli to the bed, take off his outer garments and put the bedclothes over him. Then, putting out the lights, he left him.

In the morning Martelli awoke and looked about him. Empty bottles and his own half filled glass stood on the table. He got off the bed, staggered to the table, took up his glass, smelted of it, sipped it and, discovering no taste, seemed relieved. Going to the closet, he felt in the toe of one of his shoes. He started. Thrusting his hand into the other shoe, he gave a cry of anguish. Rushing to the door, he tried to open it, but found it locked. He was looking for some other avenue of exit when he heard footsteps without. The door was opened, and Miele, backed by two policemen, stood in the opening.

"Good morning, Signor Fabroni," he said. "I shall have to trouble you to make a sea voyage with me to our beloved Naples. Signora Martelli missed some valuable diamonds, and at the same time her butler disappeared. We were traced to New York, and I was deputed to come over and bring him back. The government, being interested in a murder case of which he is suspected, chose me, a member of the national police, to do the work."

"I have been a fool. I knew I had seen you before. Now I remember you as you appeared in uniform," said Martelli.

"It has been worth my while to come to see, since I have recovered the treasure you possessed yourself of when you murdered the traveler you waylaid on the road to Sorrento."

A pair of bracelets were slipped on the captive, and he was taken to a ship that sailed the same day for Naples.