



The THIRD DEGREE

A NARRATIVE OF METROPOLITAN LIFE

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ILLUSTRATIONS BY RAY WALTERS

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SYNOPSIS.

Howard Jeffries, banker's son, under the evil influence of Robert Underwood, fellow-student at Yale, leads a life of dissipation, marries the daughter of a gambler who died in prison, and is disowned by his father. He is out of work and in desperate straits. Underwood, who had once been engaged to Howard's step-mother, Alicia, is apparently in prosperous circumstances. Taking advantage of his intimacy with Alicia, he becomes a sort of social highwayman. Discovering his true character, Alicia denies him the house. He sends her a note threatening suicide. Art dealers for whom he acts as commissioner, demand an accounting. He cannot make good. Howard calls at his apartments in an intoxicated condition to request a loan of \$2,000 to enable him to take up a business proposition. Howard drinks himself into a maudlin condition, and goes to sleep on a divan. A caller is announced and Underwood draws a screen around the drunken sleeper. Alicia enters. She demands a promise from Underwood that he will not take her life. He refuses unless she will renew her patronage. This she refuses, and takes her leave. Underwood kills himself. The report of the pistol awakens Howard. He finds Underwood dead. Howard is turned over to the police. Capt. Clinton, notorious for his brutal treatment of prisoners, puts Howard through the third degree, and finally gets an alleged confession from the harassed man. Annie, Howard's wife, declares her belief in her husband's innocence, and calls on Jeffries. He refuses to help unless she will consent to a divorce. To save Howard she consents, but when she finds that the elder Jeffries does not intend to stand by his son, except financially, she scorns his help. Annie appeals to Judge Brewster, attorney for Jeffries, to take Howard's case. He declines. It is reported that Annie is going on the stage. The banker and his wife call on Judge Brewster to find some way to prevent it.

CHAPTER XV.—Continued.

"You're going on the stage?" She nodded.

"I've had a very big offer."

The judge leaned forward, and in a low voice, so that no one in the outer office might hear, he said:

"Well, I'll give you twice as much if you refuse the engagement."

She laughed ironically.

"You mean that my father-in-law will give it," she said, lightly. Then she went on:

"You know it's no use your asking me to concede anything unless you agree to defend Howard."

The lawyer shook his head.

"I can't—it's impossible."

"Then neither can I," she exclaimed, defiantly.

Judge Brewster could not refrain from smiling. This young woman had actually envigled him into an argument. Almost mockingly, he said:

"So you're determined to have me."

"Yes," she said, simply.

"But I don't argue criminal cases."

"That's just it," she exclaimed, eagerly; "my husband is not a criminal. He is innocent. I don't want a lawyer who is always defending criminals. I want one who defends a man because he isn't a criminal."

Judge Brewster waved his hand contemptuously.

"Go and see some other lawyer—there are plenty of 'em."

She leaned eagerly forward. Her face was flushed from excitement, her eyes flashed.

"There's only one Judge Brewster," she exclaimed. "He's the greatest lawyer in the world, and he's going to help us. He is going to save Howard's life."

The judge shifted uneasily on his chair. He didn't like this forceful, persistent young woman. Almost fretfully, he said:

"You always say that. Upon my word, I shall begin to believe it soon."

"I shall say it again," she exclaimed, and again every time I see you."

The lawyer turned round. There was a comic look of despair in his face which would have amused his visitor had her errand not been so serious.

"How often do you intend that shall be?"

"Every day," she replied, calmly. "I shall say it and think it until—until it comes true."

Judge Brewster tried to feel angry, although inwardly he had hard work to keep from smiling. With pretended indignation, he said:

"You mean that you intend to keep at me until I give way—through sheer exhaustion?"

She nodded.

"That's it exactly," she said.

The lawyer gasped.

"Well, I must say you—you—you're very brave."

Annie shook her head.

"No, I'm not," she said, earnestly. "I'm an awful coward, but I'm fighting for him. Howard Jeffries lifted me up when I was way down in the world. He gave me his name. He gave me all he had, to make me a better woman, and I'm grateful. Why, even a dog has gratitude, even a dog will lick the hand that feeds him. Why should I hesitate to express my gratitude? That's all I'm doing—just paying him back a bit of the debt I owe him, and I'm going to move Heaven and earth to bring his father around to my way of thinking. I've got you already."

The judge bounded to his feet. Could his ears have heard aright?

"Got me already?" he exclaimed.

"What do you mean by that?"

Annie returned his angry look with the utmost calm. She was playing her cards well, and she knew it. She had hit the old man in a sensitive place. Quietly, she went on:

"You'd say 'yes' in a minute if it wasn't for Mr. Jeffries."

"Oh, you think so, do you?" he gasped.

"I'm sure of it," she replied, confidently. Boldly she went on: "You're afraid of him."

Judge Brewster frowned. He did not like the insinuation that he was afraid to do the right thing because it might interfere with his emoluments. Yet, secretly, he had to admit to himself that she had almost guessed right. Now he came to think of it, he had taken this stand in the matter because he knew that any other course would displease his wealthy client. After all, was he doing right? Was he acting in conformance with his professional oath? Was he not letting his material interests interfere with his duty? He was silent for several minutes, and then, in an absent-minded kind of way, he turned to his visitor.

"So you think I'm afraid of him, do you?"

"I'm sure of it," she said, quickly. "You liked my husband, and you'd just love to rush in and fight for him. His father thinks he is guilty and, well—you don't like to disobey him. It's very natural. He's an influential man, a personal friend of the president and all that. You know on which side your bread is buttered, and—oh,

died in—Sing Sing—and the rest are not worth—"

"Yes, yes, I know," replied the judge, hastily. "I got your family history from Mr. Jeffries after your marriage. It is filed away among the family archives."

She smiled sadly.

"It's a wonder you don't burn 'em up—my folks were not a very brilliant lot." Earnestly she went on: "But my father was all right, Judge. Blood was thicker than water with him. He'd never have gone back on me in the way Howard's father has on him."

The lawyer looked at her fixedly without speaking. Their eyes met, and the silence continued until it became embarrassing. Judge Brewster shook his head.

"It's too bad. I'm sorry for you, really, I—"

Annie laughed, and he asked:

"Why do you laugh?"

"What's the use of crying?" she said. "Ha! Ha! It's almost a joke. You're sorry, my father-in-law is sorry, and I suppose my mother-in-law is shedding tears for me, too. You're all sorry and you're all wearing crepe for us, but why can't some of you do something?"

The lawyer said nothing. He still stared at her in a strange, absent-minded kind of way, until finally she lost patience. Boldly she said:

"Well, you sent for me. What do you want to see me about, Judge?"

"I want to tell you that you mustn't come here again," he answered.



"You Take Too Much for Granted."

It's very natural—you're looking out for your own interests—"

Judge Brewster interrupted her impatiently.

"Circumstances are against Howard. His father judges him guilty from his own confession. It's the conclusion I'm compelled to come to myself. Now, how do you propose to change that conclusion?"

"You don't have to change it," she said, quietly. "You don't believe Howard guilty."

"I don't," exclaimed the lawyer.

"No, at the bottom of your heart. You know Howard when he was a boy, and you know he is as incapable of that crime as you are."

"Mrs. Jeffries, how do you know that your husband did not kill Robert Underwood?"

"I know it," she said, confidently.

"Yes," persisted the judge, "but how do you know it?"

Annie looked steadily at him, and then she said solemnly:

"I know there's a God, but I can't tell you how I know it, that's all! Howard didn't do it. I know he didn't."

The lawyer smiled.

"That's a very fair sample of feminine logic."

"Well, it's all I have," she retorted, with a toss of her head. "And it's a mighty comfort, too, because when you know a thing you know it and it makes you happy."

Judge Brewster laughed outright.

"Feminine deduction!" he cried.

"Think a thing, believe it, and then you know it!" Looking up at her, he asked:

"Haven't you any relatives to whom you can go?"

She shook her head.

"No," she said, sadly. "My father

"Anything else?" she exclaimed.

The judge began to fuss with the papers on his desk, as he usually did when embarrassed for words.

"Of course," he stammered, "you will be amply compensated."

"Of course," she cried. Rising from her chair, she shrugged her shoulders, and said:

"Oh, well, this is not my lucky day. They wouldn't let me into the prison to see Howard to-day. Capt. Clinton doesn't like me. He has always tried to prevent my seeing Howard, but I'll see him to-morrow, captain or no captain. He can make up his mind to that!"

The lawyer looked up at her.

"Poor girl—you are having a hard time, aren't you?"

"Things have been better," she replied, with a tremor in her voice. "Howard and I were very happy when we first—"

A sob choked her utterance, and she forced a laugh, saying: "Here, I must keep off that subject—"

"Why do you laugh?" demanded the lawyer.

Already hysterical, Annie had great difficulty in keeping back her tears.

"Well, if I don't laugh," she sobbed, "I'll cry; and as I don't want to cry—why—I just laugh. It's got to be one or the other—see?"

He said nothing, and she continued: "Well, I guess I'll go home—home—that's the worst part of it—home—"

She stopped short, she could go no further. Her bosom was heaving, the hot tears were rolling down her cheeks. The old lawyer turned away his head so that she might not see the suspicious redness in his eyes. Moving toward the door, she turned around.

"Well, you have your own troubles, Judge. I'll go now, but I'll come again

to-morrow. Perhaps you'll have better news for me."

The lawyer waved her back to her seat with a commanding gesture she could not resist. There was determination around his mouth; in his face was an expression she had not seen there before.

"Sit down again for a moment," he said, sharply. "I want to ask you a question. How do you account for Howard's confessing to the shooting?"

"I don't account for it," she replied, as she resumed her seat. "He says he didn't confess. I don't believe he did."

"But three witnesses—"

"Who are the witnesses?" she interrupted, contemptuously. "Policemen!"

"That makes no difference," he said. "He made a confession and signed—"

Annie leaned forward. What did this question mean? Was the judge becoming interested after all? Her heart gave a leap as she answered eagerly:

"He confessed against his will. I mean—he didn't know what he was doing at the time. I've had a talk with the physician who was called in—Dr. Bernstein. He says that Capt. Clinton is a hypnotist, that he can compel people to say what he wants them to say. Well, Howard is—what they call a subject—they told him he did it till he believed he did."

"Oh, well, what's the use—?"

The judge quickly put out his hand and partly pushed her back in the chair.

"Don't go," he said. Then he added:

"Who told you he was a hypnotic subject?"

Her hopes revived once more. Quickly she said:

"Dr. Bernstein. Besides, Howard told me so himself. A friend of his at college used to make him cut all sorts of capers."

"A friend at college, eh? Do you remember his name?"

"Howard knows it."

"Um!" ejaculated the lawyer. He took up a pad and wrote a memorandum on it. Then aloud he said: "I'd like to have a little talk with Dr. Bernstein. I think I'll ask him to come and see me. Let me see. His address is—"

"342 Madison avenue," she exclaimed, eagerly.

The lawyer jotted the address down, and then he looked up.

"So you think I'm afraid of Mr. Jeffries, do you?"

She smiled.

"Oh, no, not really afraid," she answered, "but just—scared. I didn't mean—"

Judge Brewster was enjoying the situation hugely. He had quite made up his mind what to do, but he liked to quiz this bold young woman who had not been afraid to show him where his duty lay. Striving to keep a serious face, he said:

"Oh, yes, you did, and I want you to understand I'm not afraid of any man. As to allowing my personal interests to interfere with my duty—"

Annie took alarm. She was really afraid she had offended him.

"Oh, I didn't say that, did I?" she exclaimed timidly.

Judge Brewster forced his face into a frown.

"You said I knew on which side my bread was buttered!"

"Did I?" she exclaimed in consternation.

"You say a great many things, Mrs. Jeffries," said the lawyer solemnly. "Of course, I realize how deeply you feel, and I make excuses for you. But I'm not afraid. Please understand that—"

He rapped the table with his eye-glasses as if he were very much offended indeed.

"Of course not," she said apologetically. "If you were you wouldn't even see me—let alone talk to me—and—"

Pointing to the piece of paper he held in his hand, she added: "And—"

"And what?" demanded the judge, amused.

Half hysterical, now laughing, now crying, she went on:

"And—and take the names and addresses of witnesses for the defense—and—think out how you're going to defend Howard—and—and all that—"

The lawyer looked at her and laughed.

"So you think I'm going to help Howard?" he said. "You take too much for granted."

(TO BE CONTINUED.)

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