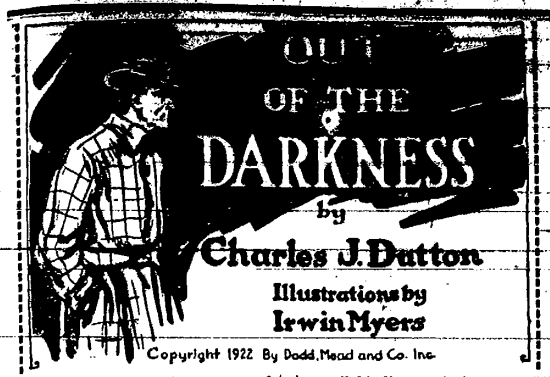

"Pelt, we cannot say just what we will find up at the lake. I have thought the affair over carefully, and the more I think of it the more puzzled I am. If Rogers told us all the facts, then there are two well-defined conclusions to be drawn. The first is that the two men are innocent. The second is that Slyke knew who it was that broke into his house, but had strong reasons for claiming he could not recognize them. If his step-daughter could swear to the identity of the men who were arrested, he should have been able to recognize them. But he says he did not and, we are told, he wanted the case dropped."

It was John Bartley, the great criminologist, who was puzzled. He had been called into the affair by the governor of the state, who wanted some facts to guide him before taking action on an application for pardon for two men who, it was charged, had been wrongly convicted of a burglary. Only a case of burglary, at the start, but it led to a series of mysterious crimes that required all of Bartley's powers to unravel. When he did reach the solution, he summoned it, apparently, out of the darkness.

Here is a new story by the author of "The Underwood Mystery," and, like its predecessor, has that rare thing, a new ending in detective fiction; an ending which does not strain the belief of the reader in the way the detective works out his solution.

CHAPTER I

In Which an Old Crime Again Comes to Light.

That Friday afternoon, as I came up the steps of John Bartley's house in Gramercy square, the sun was shining for the first time in seven days. Unlocking the door, I entered the hall and went up the stairs to my room.

This week of rain in the middle of June had spoiled Bartley's long-planned fishing trip, and had kept us in the city. It was a trip he had been looking forward to for a long time, since in the past few years there had been few opportunities for such things. In fact, since 1917 Bartley had passed very few nights in his own house. About a year before we went into the war, those who followed criminal mysteries noticed that Bartley's name was no longer connected with the solution of crime. Perhaps they wondered a little at this. When the full story of the work of the Secret Service in the war is told, recognition will be given to the part he played in bringing it to a victorious conclusion. Until then, all I can say is that when he returned to New York, in the spring of 1920, his work for the government had ended.

The first thing that he did upon his arrival was to clear up a pile of mail that ran back for several weeks; his next was to plan several weeks' fishing in the lakes of northern Maine. On the very day that we were to start it had commenced to rain, and never ceased for seven days. Telegrams told us that in Maine it was raining, too. In sheer disgust Bartley buried himself in his library and went to work on his long-neglected book, "The Galante Literature of the Eighteenth Century."

As I glanced out of the window of my room that Friday afternoon, I saw that the rain was at last over. I was wondering whether Bartley would go to Maine, after all, when there came a rap at my door. Opening it, I found Rance, Bartley's old colored man, who said with a grin, "Mr. John says, Mr. Pelt, that you are to come down to the library, for that man Rogers is coming."

As I followed him down the stairs, I wondered what it was that was bringing Rogers, chief of the Central office, to the house at this time of the afternoon. Although Rogers and Bartley were the best of friends, and the chief had been forced more than once to ask the aid of Bartley in his cases, he usually made his visits in the evening, after the day's work was over. A call at four in the afternoon seemed to promise that something unusual had happened, something of such importance that it could not wait. Could he secure Bartley's aid? I knew that Bartley had not intended to take up any more cases until he had had a long rest. Still, if Rogers had the problem of some unusual crime to lay before us, he might change his plans.

Bartley was at his great desk when I entered the library. He gave me a smile, then went on examining the books which covered its top. That morning he had received a great box from his French dealer, and he was busy with its contents. As he did not speak, I dropped into the great armchair by his side.

As I looked at him I wondered, as I had done so many times before, that he should be the great criminal investigator that he was. It was the last thing anyone would expect him to be. His breeding, his family, and above all his literary tastes, were not such as one would expect to find in a man who makes the running down of criminals his life work. His fine face with its clear-cut features, telling of a long line of New England ancestors, might have been a bishop's, one that loved dogs and children, and who had a heart bigger than his creed. I picked up one of the six thin, narrow books in heavy gray paper covers that lay before him, and glanced at the title, "The Ragionamenti of the Divine Aretino." I was about to open it when the doorbell rang.

Bartley glanced up at the sound and said, "That must be Rogers."

The next moment Rance, bowing as he always did in announcing anyone, ushered Rogers into the room. Rogers had been at the head of the

As He Did Not Speak, I Dropped Into the Great Armchair by His Side.

Central office for about five years. In that time he had built up for himself the finest reputation that any city detective had ever had. He was not a brilliant man, nor, for that matter, an educated one, but his rare common sense and his absolute honesty had won for him the respect of the people of the city.

He took a chair, and after saying, "Hello, John," to Bartley and a word to me, he took a cigar from the box that Bartley pushed over to him.

Then, leaning across the table, he picked up one of the volumes. The book fell open at a picture; he started as he looked at it, then handed it to me with a sly wink.

"That's a fine sort of a book to show an honest and moral police officer. If I found a bookseller on the Avenue with one, I would have him pinched."

Bartley swung around in his chair, saw which book it was, and laughed.

"Well, Rogers," he said, "the man that wrote that book died a good many hundred years ago. He was the greatest adventurer of his day, the first real blackmailer, a man that made his living by his wits. Also, he happened to be a poet and dramatist, as well as a rogue."

Rogers took his cigar from his mouth and responded with a grin, "What we call today a crook."

I could see that there was something on the chief's mind, but just what it was we were not to learn for some time. He talked, first about the rain, then about the baseball team, in fact of everything but the purpose that had brought him. That was his way, as we both knew. It was not until he had lighted a second cigar and had been silent several moments that he turned to Bartley and said:

"John, I have a case for you."

Bartley threw me a quick glance, then answered, "But you know, Rogers, I don't care to take up any more cases until I have been away fishing and had a good rest."

The chief nodded, but added, "Well, this won't be much of a case. It's not my affair, anyway. I happened to see the governor the other day, and he asked me to get you to look into the matter and make him a report."

I glanced at Bartley. The governor of the state did not, as a rule, interest himself in criminal matters. If this was a case that he wished Bartley to investigate, then it must be something very unusual, indeed. By the little gleam of interest in his eyes, I could see that he agreed with me.

"What is the case?" he asked.

"Well," answered Rogers after a short pause, "I don't suppose you know anything about it; though you may have seen it mentioned in the papers since you returned. It all started a year ago. It was a robbery."

Bartley gave a little exclamation of disgust. "You know that robbery case are out of my line. There is never anything of interest in them. Besides, a robbery that took place a year ago must be all settled by this time."

Rogers took his cigar from his lips, tried to blow a smoke-ring, failed, and simply said, "Well, the two chaps that they say committed this robbery are now in jail with a seven years' stretch over them.

"You know, John, after all, I don't know such a devil of a lot about this thing myself. I got mixed up in it by accident. I happened to see the governor on another matter; and when I had finished my business, he told me he had received a good many letters asking him to pardon the men that were in jail for the Circle Lake robbery. Many of these letters were from lawyers, in which they said that, after they had read the evidence, they doubted if the men were guilty. Also, one of these reform societies has got mixed up in the thing. The governor had read the evidence brought out at the trial, and he believed himself that the men might not be guilty of the robbery. Then he asked me if you were in the city; and, when I said 'Yes,' he suggested that I ask you to look into the affair. If you, after having investigated the matter, think the men are innocent, then he will pardon them. He said, also, that there was some sort of a fund from which he could pay your fee."

Bartley gave me a curious look, then turned to Rogers. "That part's all right, Rogers. Only I haven't the faintest idea what you are talking about. Of course, I know where Circle Lake is. It's near Saratoga. A friend of mine has a summer place there. But beyond that, I have no idea what you are driving at. Why not start at the beginning and tell me what this crime was?"

With a grin the chief started at the beginning of the story.

"Of course, you know who Robert Slyke is?"

Bartley nodded; but, seeing that I did not recognize the name, he turned to me.

"Pelt, don't you remember the Wall Street broker who announced at a Billy Sunday meeting that he had been converted, and that he was going to give back to his clients the money they had lost in his office?"

Both Bartley and Rogers laughed, and the latter commented, "He never gave it back."

"No," said Bartley, "he never did. That conversion did not stick. Slyke is a strange sort of a chap. His friends are few and there have been wild rumors as to where he got his money. He has dabbled a bit in spiritualism, and has been fooled by several mediums."

Rogers nodded in agreement. "That's the chap. He has a place at Circle Lake. He has lived there for the last two years all the year round. No one knows exactly why he left the city, but it is said that he has lost a lot of money in stocks."

He paused, then continued, "It was Slyke who had the robbery. Early one morning, about a year ago, his step-daughter came to his room and said there were burglars downstairs. He jumped from his bed, and, without any weapon, rushed down the stairs, while the girl stayed on the top step. From then on, it becomes mixed up."

"Mixed up?" asked Bartley.

"Yes. Just what took place and how many men were in the room at the time, was a point of dispute at the trial. The girl says she is sure—that is, almost sure—there were two men in the room. On the other hand, Slyke says there was only one; though, he added, there might have been a second man whom he did not see. There was a bit of a struggle, and the men jumped out of an open window and got away."

Bartley, who had listened carefully, asked, "They did not get anything?"

"No, not a thing. The safe in the room was unopened."

"Are these men," asked Bartley, "the ones that are serving the seven years' sentence?"

Rogers paused long enough to light another cigar, and throw back his head to watch the smoke curl to the ceiling before he replied, "That's the big question."

He was silent for a moment, then continued:

"After the burglars got out of the window, Slyke called up the city police and also the state police. When the city police arrived at the house they made no arrests. But early that same morning the state police picked up two men about six miles away on the other side of Saratoga. They were both well-known characters who had been in trouble before. One of the men had a slight bruise on his head. Slyke claimed that in the struggle he hit one of the robbers with a cane. Both men refused to say where they had been during the night. The strange thing about it was that they were taken to their own homes before being locked up. When they were searched, the police found nothing on them whatever."

Bartley was interested. He took up his pipe, lighted it, and leaning back in his chair, listened attentively as Rogers continued.

"When it came time for the men to be identified, there was a bit of a conflict. The step-daughter was pretty sure that there had been two men, while Slyke insisted that he had only seen one. In fact, he did not seem to be very eager to push the case—even requested the police to drop it, since he had lost nothing."

Bartley asked in surprise, "Then what under heaven, did they keep on with it?"

Rogers shook his head. "I don't know, John. It has been suggested that the city police did not want to drop it. Anyway, they held the men; and a few days later announced that they had found a piece of paper torn from a newspaper in the room where Slyke had discovered them. Several days later they announced that they had found a newspaper with a torn corner in Horn's pocket, into which the piece that they had found at Slyke's house fitted."

Bartley asked with a weary air, "Did they later find a piece of cloth torn from the coat or trousers of one of the men? Find it, perhaps, on a bush near the window the men had jumped out of?"

Rogers gave his friend a startled look.

"I thought you had never heard of the case? They did find such a piece of cloth."

Bartley half laughed. "I never heard a word of it until you told me. I had an idea that a piece of cloth would be found that had been torn from the clothing of one of them. A piece that would fit, say, the torn trousers of one of them."

Rogers threw me a look, as if to ask how Bartley could have guessed, then remarked, "I don't see how you hit it off, John; but that's the very thing that did happen. All this did not come out until the trial. When it was introduced, it made a stir. Both men claimed, in fact, that the whole thing was a frame-up."

He paused to relight his cigar before continuing:

"The man to whom the trousers belonged asserted that they had been taken from him the week after he had been put in jail, and that there was no tear in them when he gave them up. A tailor at the trial testified that the cloth was so strong that it could not have been torn away by catching on anything, and that it looked to him as if the piece had been cut out with a knife."

Bartley threw back his head and laughed. Rogers was thoroughly displeased. "I don't see the joke."

"There is no joke, Rogers. Tell me who found all this evidence? Was it the police?"

"I am not sure. I think it was the head of the local police. It was a day or so after the crime that most of it was discovered."

I broke in to say, "I presume the men claimed the police faked the evidence?"

Rogers nodded. "That's just what they did claim. In fact, their whole defense was on that line. They were said to have been night-fishing on a game preserve near the lake. A good deal was made of the fact that the incriminating evidence was not found until some hours after the crime—even days in fact. I admit that it looks a bit fishy. Still, you never heard of the police faking evidence to the extent they claim this was done."

We both laughed and our laughter made the red face of the chief turn a shade darker. We had in mind the charges that one of the newspapers was making at the time against his own detectives, that they had planted guns on some men they wished to hold. But even at that, he was right. The police do not fake evidence to the extent that this story of his seemed to hint. Bartley's next remark showed that he felt as I did.

"You are right, Rogers, though the whole thing does look queer. I take it the conviction made a stir."

Rogers shook his head. "It did not at the time; it's doing it now. The papers thought the men's denial was the usual thing. But later the lawyers got interested, then a reform society, and now they are all getting after the governor. He thinks there might have been a miscarriage of justice and wants you to look into the thing. He wants you to do it at once."

With a shrewd look, Bartley asked, "Then there is something new?"

"Well," answered Rogers, "that depends. The other night there was another attempt to break into Slyke's house. They say there have been several since these men went to jail."

Bartley said but one word, but it was expressive enough. We sat in silence until Rogers pulled out his watch, glanced at it, and rose to his feet. "Time I ran along. That's the way it stands. The governor wishes you to look into it, and says he will consider it a personal favor if you will do so."

Bartley also rose, and placing his hand on his friend's shoulder, said, "I will deal with the case at once, but in my own way. Tell him he won't hear from me until I have found out whether those two men ought to be in prison or not."

Roger nodded, and after a second glance at his watch hurried out. Bartley said, "Pelt, over in the bookcase, in the section of the trials, you will find a small brown book. It's somewhere in the third section, under the letter 'E.' The title is, I think, 'The Edlingham Burglary'."

Wondering a little why he should want it, I went over to the portion of the bookcase he had indicated. In a moment I had found the volume that he wanted—a thin book, covered with brown cloth, and on the title page

The Famous Edlingham Burglary
or
The Innocent Persecuted
1879

I handed Bartley the book, and without a word he opened it and quickly ran through the pages. In a few minutes he threw it over to me, saying with a smile, "I know, Pelt, you are wondering why we should spend our time on a simple burglary case; but this may turn out to be a rather curious one. When Rogers told me the story of the Circle Lake affair, I recognized at once that it resembled a very famous case that took place in England in 1879."

He waited to fill and light his pipe before continuing:

"Yes, that's why I am interested in it. It's almost the same in every detail as the story you will find in that pamphlet you hold in your hand. The English case, known in criminal history as 'The Edlingham Burglary,' is famous because two innocent men were in prison for six years for a crime they did not commit. The evidence against them, the manner in which it was discovered, is almost, if not the very same as that in this affair at Circle Lake of which Rogers tells us.

"The Edlingham case goes down in the history of crime as one of the worst miscarriages of justice of which we know. There is no doubt that the police faked the evidence against the men. They spent six years in prison for a crime they knew nothing about. In that case, too, the two men were found early in the morning in the house of a local vicar. Just as Slyke and his step-daughter found someone in their house, so the vicar and his daughter discovered two men in their living room. Later the men were arrested on the outskirts of the little English village; and, as in the story that Rogers told us, a piece of paper was found in the room at the vicarage that fitted into the torn corner of a newspaper which was discovered some days later in the house of one of the men. Footprints were also found under the window, and a little piece of cloth on a rose bush. This in turn fitted into a torn place in a pair of trousers belonging to one of the men."

I uttered an exclamation of wonder, and Bartley grinned. "It is the most famous case of its kind in the history of English crime. It's odd how the evidence in this Circle Lake robbery parallels it so closely. It looks a little as if someone had read of the English crime, and tried to repeat the evidence in this one."

"And then these men may be innocent?"

"Well," replied Bartley thoughtfully, "maybe. The fact that there have been other attempts to break into Slyke's house points that way. To a student of criminal literature, the finding of an old crime re-staged is rather interesting. That is why I said I would like to look into it.

"Go into the office, will you, Pelt, and see what we have there on Slyke."

Bartley had a large office, lined with tall, green filing cabinets, containing the reports of his cases and his wonderful card-index. This index contained information about almost every important person in the country, information that gave at a glance a keen insight into the character of the man whose name was on the card. It took me but a second to find the card that contained Slyke's name. When I returned to the library, Bartley asked me to read it aloud. It contained the following:

"Slyke, Robert, broker. Born Kittery, Maine. Educated in public school. In business in New Hampshire, 1879 to 1886, buying and trading cattle. Came to New York, 1886, became a broker. Made and lost several fortunes. Said to have been converted by Billy Sunday in 1913; no evidence of it. Rather eccentric, dabbled a bit in spiritualism and has been duped by several mediums. Quick tempered, with few friends. There is a question of his business honesty. Wife died 1914. One son and a step-daughter. Summer home, Circle Lake, N. Y. City home, Garden City. Was worth about $500,000, but rumored to have lost a part of this in recent years."

Bartley listened while I read this short and commonplace history.

When I had finished, he said simply,

"You Are Getting Wiser Every Day, Pelt."

"I wonder what was in his house that the burglars wanted."

I asked the question that had been in my mind for some time. "Why was he unable to identify the men when his daughter said she could?"

Bartley smiled at my question. "You are getting wiser every day, Pelt. It is curious that Slyke professed to be unable to identify the men when the girl, who was on the steps behind him and even further away from the men than he was, could do so. It may be that he did recognize them and did not want to say who they were. If that is so, then the whole affair is more mysterious than ever."

He rose to his feet and glanced at his watch. "Tomorrow, or Sunday, we will run up to the lake. We had better drive up in my car. It will take only seven hours. I will telegraph to Currie, my old Harvard roommate, that we are coming. He has been after me for several years to come for a visit."

He walked the length of the room, and paused a moment to study attentively a Rops highly colored etching, much as if he had never seen it before. Then he turned back to the desk and said, "You had better read over that pamphlet of the Edlingham case now. The two cases are curiously similar."

As he left the room, he added with a regretful little laugh, "There goes our fishing; it's always the way."

An hour later when he returned I was still curled up in a big chair by the fireplace. I had spent the time reading the story of the old English crime. The two cases were, as Bartley had said, very much alike. I agreed with him that, if we took the ground that someone at Circle Lake had faked the evidence, then whoever he was he had read the report of this other crime and used it as a guide.

CHAPTER II

In Which We Visit Mr. Slyke, but Do Not Receive a Very Warm Reception.

It was not until early Sunday morning that we were able to leave the city. After the days of rain, the ride along the banks of the Hudson was very beautiful. At Albany we had luncheon in one of the large hotels to the accompaniment of an orchestra booming the popular music of the moment. Bartley was so thoroughly uncomfortable that he refused to speak. It was not until we were waiting for the waiter to return with our change and he had lighted a cigar that he became more amiable. He bowed to some people he knew, then leaned toward me and spoke softly so that those at the next table would not hear.

"Pelt, we cannot say just what we will find up at the lake. I have thought the affair over carefully, and the more I think of it the more puzzled I am. If Rogers told us all the facts, then there are two well-defined conclusions to be drawn. The first is that those two men are innocent. The second is that Slyke knew who it was that broke into his house, but had strong reasons for claiming he could not recognize them. If his daughter could swear to the identity of the men that were arrested, he should also have been able to recognize them. But he says he did not, and, we are told, he wanted the case dropped."

He paused as the waiter appeared with our change, and we went back to our car.

Saratoga was only a forty-five mile drive from Albany. Circle Lake was several miles nearer.

I knew very little about the place except that it was a small lake outside of Saratoga where there were a number of large summer estates. Bob Currie, who had roomed with Bartley at Harvard, had a place there where he passed the greater part of the year.

About an hour and a half out of Albany, Bartley said suddenly, pointing to a small sheet of water in the distance, "That's Circle lake."

We were on the top of a large hill at the moment, and, though the lake was several miles away, it looked even smaller than I had expected. It was not more than a mile across, and was a complete circle except where a small bay broke its circumference.

At the foot of the hill, the road ran beside the lake for a little way, then ascended another hill. Just before this ascent began, Bartley left the main road and followed one that ran for nearly a mile between leafy trees. At length he turned his car down a long driveway that wound its crooked way in and out through a grove of great trees. When I had begun to wonder if we should ever escape from them, we came out upon a green lawn that stretched for several acres, having in its midst a large rambling house, painted the whitest white I have ever seen. It was a cheery-looking house, one made to live in, with a great piazza stretching across the front, and gay-covered chairs that gave to it a tropical atmosphere. Even as I was thinking how much I liked it, a man came running down the steps, three at a time, whooping like a wild Indian and waving his arms at us.

Truth compels me to say that Currie was, to put it mildly, stout, nor could anyone call him good looking. His big red face, now almost purple from exercise, was a kindly, tolerant one, filled with humor; his blue eyes warm.

(Continued on Page Six)