

The House of the Whispering Pines

By ANNA KATHARINE GREEN
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[CONTINUED]

stances and not guilt had put Arthur where he was and had added to the assurance details of an unexpected nature—so unexpected, indeed, that the lawyer was led away by the prospect they offered of confounding the prosecution by a line of defense to which no clew had been given by anything that had appeared.

He planned then and there a dramatic climax which should take the breath away from his opponent and change the whole feeling of the court toward the prisoner. Strangely enough, the subject of Adelaide's death was discussed in her hearing without any mention being made of strangulation as its immediate cause. Would her action have been different had she known that this was a conceded fact?

CHAPTER XXIII

"I REMEMBERED THE ROOM."

AS Carmel's gaze passed from her brother's face it traveled slowly and with glowing hesitation over the countenances of those near her, on and on past the judge, past the jury until they reached the spot where I sat. There they seemed to falter, and the beating of my heart became so loud that I instinctively shrank away from my neighbor. By so doing I drew her eye, which fell full upon mine for one overwhelming minute; then she shrank and looked away, but not before the color had risen in a flood to her cheek.

The hope which had sprung to life under her first beautiful aspect vanished at sight of this flush, for it was not one of joy or surprise or even of unconscious sympathy. It was the banner of a deep, unendurable shame. But in a few minutes her features settled into a strange placidity, undisturbed by the leveled gaze of a hundred eyes. Her whole attention was concentrated on her brother and wavered only when the duties of the occasion demanded a recognition of the various gentlemen concerned in the trial.

Mr. Moffat prefaced his examination by the following words:

"May I please your honor, I wish to ask the indulgence of the court in my examination of this witness. She is just recovering from a long and dangerous illness, and while I shall endeavor to keep within the rules of examination, I shall be grateful for any consideration which may be shown her by your honor and by the counsel on the other side."

Mr. Fox at once rose. He had by this time recovered from his astonishment at seeing before him and in a fair state of health the young girl whom he had every reason to believe to be still in a condition of partial forgetfulness at Lakewood and under the care of a woman entirely in his confidence and under his express orders. He had also mastered his chagrin at the triumph which her presence here and under these dramatic circumstances had given

to his adversary. He expressed in warm tones his deep desire to extend every possible indulgence.

Mr. Moffat bowed his acknowledgments and waited for his witness to take the oath, which she did with a simple grace which touched all hearts, even that of her constrained and un-reconciled brother. Compelled by the silence and my own boundless pulses to look at her in my own despite, I caught the sweet and elevated look with which she laid her hand on the book and asked myself if her presence here was not a self accusation which would bring satisfaction to nobody, which would sink her and hers

Tortured by this fear, I awaited events in indescribable agitation. The cool voice of Mr. Moffat broke in upon my gloom. Carmel had re-seated herself after taking the oath, and the customary question could be heard: "Carmel Cumberland."

"Do you recognize the prisoner, Miss Cumberland?"

"Yes; he is my brother."

A thrill ran through the room. The lingering tone, the tender accent, told. Some of the feeling she thus expressed seemed to pass into every heart which contemplated the two. From this moment on he was looked upon with less harshness. People showed a disposition to discern innocence where perhaps they had secretly desired until now to discover guilt.

"Miss Cumberland, will you be good enough to tell us where you were at or near the hour of 10 on the evening of your sister's death?"

"I was in the clubhouse—in the house you call the Whispering Pines."

At this astounding reply, unexpected by every one present save myself and the unhappy prisoner, incredulity, seasoned with amazement, marked every countenance.

Carmel Cumberland in the clubhouse that night—she who had been found at a late hour in her own home, injured and unconscious! It was not to be believed, or it would not have been if Arthur, with less self control than he had hitherto maintained, had not shown by his morose air and the silent drooping of his head that he accepted this statement, wild and improbable as it seemed. Mr. Fox started to rise at her words; but, noting the prisoner's attitude, he hastily re-seated himself, realizing, perhaps, that evidence of which he had never dreamed lay at the bottom of the client's manner and the counsel's complacency.

Mr. Moffat, who saw everything, smiled slightly as he spoke encouragingly to his witness and propounded his next question:

"Miss Cumberland, was your sister with you when you went to the clubhouse?"

"No; we went separately."

"How? Will you explain?"

"I drove there. I don't know how Adelaide went."

"You drove there?"

"Yes. I had Arthur harness up his horse for me, and I drove there."

A moment of silence, then a slow awakening on the part of judge, jury and prosecution to the fact that the case was taking a turn for which they were ill prepared. To Mr. Moffat it was a moment of intense self congratulation, and something of the gratification he felt crept into his voice as he said:

"Miss Cumberland, will you describe this horse?"

"It was a gray horse. It has a large black spot on its left shoulder."

"To what vehicle was it attached?"

"To a cutter—my brother's cutter."

"Was that brother with you? Did he accompany you in your ride to the Whispering Pines?"

"No. I went quite alone."

Entrancement had now seized upon every mind. Even if her testimony were not true, but merely the wanderings of a mind not fully restored, the interest of it was intense.

"And how did you return? With whom and by what means did you regain your own house?"

The answer came with simple directness:

"In the same way I went. I drove back in my brother's cutter, and, being all alone, just as before, I put the horse away myself and went into my empty home and up to Adelaide's room, where I lost consciousness."

"Miss Cumberland, do you often ride out alone on nights like that?"

"I never did before. I would not have dared to do it then if I had not taken a certain precaution."

"And what was this precaution?"

"I wore an old coat of my brother's over my dress and one of his hats on my head."

It was out—the fact for the suppression of which I had suffered arrest without a word, because of which Arthur had gone even further and submitted to trial with the same constancy. Instinctively his eyes and mine met, and at that moment there was established between us an understanding that was in strong contrast to the surrounding turmoil, which now exceeded all limits, as the highly wrought up spectators realized that these statements, if corroborated, destroyed one of the strongest points which had been made by the prosecution. This caused a stay in the proceedings until order was partially restored, and the judge's voice could be heard in a warning that the courtroom would be cleared of all spectators if this break of decorum was repeated.

"Miss Cumberland, will you now give the jury the full particulars of that evening's occurrence as witnessed by

yourself? Begin your relation. If you please, with an account of the first meal you had together," said Mr. Moffat when the trial was resumed.

Carmel hesitated. Her youth—her conscience, perhaps—shrank in manifest distress from this inquisition.

"Ask me a question," she prayed. "I do not know how to begin."

"Very well. Who were seated at the dinner table that night?"

"My sister, my brother, Mr. Ranelagh and myself."

"Did anything uncommon happen during the meal?"

"Yes; my sister ordered wine and had our glasses all filled. She never drank wine herself, but she had her glass filled also. Then she dismissed Helen, the waitress, and when the girl was gone she rose and held up her glass and invited us to do the same."

"We will drink to my coming marriage," said she, but when we had done this she turned upon Arthur, with bitter words about his habits, and declaring that another bottle of wine should never be opened again in the house, unclosed her fingers and let her glass drop on the table, where it broke. Arthur then let his fall and I mine. We all three let our glasses fall and break."

"And Mr. Ranelagh?"

"He did not let his fall. He set it down on the cloth. He had not drunk from it."

"Clear, perfectly clear, tallying with what we had heard from other sources."

"Miss Cumberland, where were you looking when you let your glass fall?"

"My heart gave a bound. I remembered that moment well. So did she, as could be seen from the tremulous flush and the determination with which she forced herself to speak."

"At Mr. Ranelagh," she answered finally.

"Not at your brother?"

"No."

"And at whom was Mr. Ranelagh looking?"

"At—at me."

"Not at your sister?"

"No."

"Was anything said?"

"Not then. With the dropping of the glasses we all drew back from the table and walked toward a little room where we sometimes sat before going into the library. Arthur went first, and Mr. Ranelagh and I followed, Adelaide coming last. We went this way into the little room and—what other question do you wish to ask?" she finished, with a burning blush.

Mr. Moffat was equal to the appeal.

"Did anything happen? Did Mr. Ranelagh speak to you or to you to him, or did your sister Adelaide speak?"

"No one spoke, but Mr. Ranelagh put a little slip of paper into my hand—a note. As he did this my brother looked round. I don't know whether he saw the note or not, but his eye caught mine, and I may have blushed. Next moment he was looking past me, and presently he flung himself out of the room and I heard him going upstairs. Adelaide had joined me by this time, and Mr. Ranelagh turned to speak to her, and—and I went over to the bookshelves to read my note."

"And did you read it then?"

"No; I was afraid. I waited till Mr. Ranelagh was gone, then I went up to my room and read it. It was not a note to be glad of—I mean, proud of. I'm afraid I was a little glad of it at first. I was a wicked girl."

"Miss Cumberland, before you tell us about this note will you be good enough to inform us whether any words passed between you and your sister before you went upstairs?"

"Oh, yes; we talked. We all three talked, but it was about indifferent matters. The servants were going to a ball, and we spoke of that. Mr. Ranelagh did not stay long. Very soon he remarked that he had a busy evening before him and took his leave. I was not in the room with them when he did this. I was in the adjoining one, but I heard his remark and saw him go. I did not wait to talk to Adelaide."

"Now, about the note?"

"I read it as soon as I reached my room. Then I sat still for a long time."

"Miss Cumberland, pardon my request, but will you tell us what was in that note?"

She lifted her patient eyes and looked straight at her brother. He did not meet her gaze, but the dull flush which lit up the dead white of his cheek showed how he suffered under this ordeal. At me she never glanced.

"I do not remember the words," she said finally as her eyes fell again to her lap. "But I remember its meaning. It was an invitation for me to leave town with him that very evening and be married at some place he mentioned. He said it would be the best way to end matters."

CHAPTER XXIV.

"I LOVED ADELAIDE BETTER THAN MYSELF."

THIS brought Mr. Fox to his feet. Turning to the judge, he cried:

"This testimony is irrelevant and incompetent, and I ask to have it stricken out."

Mr. Moffat's voice as he arose to answer this was like honey poured upon

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"It is neither irrelevant nor incompetent, and if it were the objection comes too late. My friend should have objected to the question."

"The whole course of counsel has been very unusual," began Mr. Fox.

"Yes, but so is the case. I beg your honor to believe that in some of its features this case is not only unusual, but almost without a precedent. I beg that my witness may be allowed to proceed and tell her story in all its details."

"The motion is denied," declared the judge.

Mr. Fox sat down, to the universal relief of all but the two persons most interested—Arthur and myself.

Mr. Moffat, generous enough or discreet enough to take no note of his opponent's discomfiture, lifted a paper from the table and held it toward the witness.

"Do you recognize these lines?" he asked, placing the remnants of my half burned communication in her hands.

She started at sight of them. Evidently she had never expected to see them again.

"Yes," she answered after a moment. "This is a portion of the note I have mentioned."

"You recognize it as such?"

"I do."

Her eyes lingered on the scrap and followed it as it was passed back and marked as an exhibit.

Mr. Moffat recalled her to the matter in hand.

"What did you do next, Miss Cumberland?"

"I answered the note."

"May I ask to what effect?"

"I refused Mr. Ranelagh's request. I said that I could not do what he asked and told him to wait till the next day and he would see how I felt toward him and toward Adelaide. That was all. I could not write much. I was suffering greatly."

"Suffering in mind or suffering in body?"

"Suffering in my mind. I was terrified, but that feeling did not last very long. Soon I grew happy, happier than I had ever been in all my life before. I found that I loved Adelaide better than I did myself. This made everything easy, even the sending of the answer I have told you about to Mr. Ranelagh."

"Miss Cumberland, how did you get this answer to Mr. Ranelagh?"

"By means of a gentleman who was going away on the very train I was asked to leave on. He was a guest next door, and I carried the note to him."

"Did you do this openly?"

"No; I'm afraid not. I slipped out by the side door in as careful a way as I could."

"Did this attempt at secrecy succeed? Were you able to go and come without meeting any one?"

"No. Adelaide was at the head of the stairs when I came back, standing there, very still and quiet."

"Did she speak to you?"

"No. She just looked at me. But it wasn't a common look. I shall never forget it."

"And what did you do then?"

"I went to my room."

"Miss Cumberland, did you see anybody else when you came in at this time?"

"Yes, our maid, Helen. She was just laying down a bunch of keys on the table in the lower hall. I stopped and looked at the keys. I had recognized them as the ones I had seen in Mr. Ranelagh's hands many times. He had gone, yet there were his keys. One of them unlocked the clubhouse. I noticed it among the others, but I didn't touch it then. Helen was still in the hall, and I ran straight upstairs, where I met my sister, as I have just told you."

"Miss Cumberland, continue the story. What did you do after re-entering your room?"

"I don't know what I did first. I was very excited—elated one minute, deeply wretched and very frightened the next. I must have sat down, for I was shaking very much and felt a

(Continued on page six.)

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