A DAUGHTER OF THE MARIONIS

By E. PHILLIPS OPPENHEIM

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CHAPTER I.—(Continued.)

The count stood in the middle of the room, with his left hand thrust into the bosom of his coat, and the right stretched towards the professor. It was his old attitude of bygone days into which he had unconsciously fallen, but his expression was no longer threatening, and his voice, though indeed it quivered, was free from the passion and fire of his youth. He was apologetic now rather than denunciatory. It was a great change.

"You will doubtless imagine, Signor Bartlezzi," he said, "from my presence here, from my seeking you out immediately upon my release, that the old fires burn still in my heart; that my enthusiasm for the cause still survives the chill of five and twenty years. Alas! that I should confess it, but it is not so!"

"Then what the mischief does he want here?" mused the professor. "An account of his money, I suppose. Oh, damn those meddlesome Italians who set him free."

"I am sorry, but it is natural," he remarked aloud, wagging his head sagely. "Five and twenty years is a devil of a time!"

"You will not misunderstand me, professor," he went on almost pleadingly. "You will not imagine for one moment that the Order of the White Hyacinth, and everything connected with it, is not still dear to me, very dear. I am an old man, and my time for usefulness is past. Yet there is one demand which I have to make of the association which I have faithfully served and suffered for. Doubtless you know full well what I mean. Will you hear it now, or shall I wait and lay it before the meeting tonight?"

"The latter, by all means," begged the professor hastily. "They wouldn't like it if you told me first. They'd feel hurt, I'm sure."

The count bowed his head.

"So be it then," he said gravely.

There was a short silence. The professor, with his thumbs in his waistcoat, gazed fixedly down the street.

"I don't see why they shouldn't share the storm," he mused. "He's small, but he looks as though he might be awkward. I would very much rather Martello and the others were here; Martello is a strong man."

There was a knock at the outside door, and Signor Bartlezzi peered through the window.

"There they are!" he exclaimed. "I'll go and let them in myself. It would be better to prepare them for your presence. Excuse me."

His visitor bowed and resumed his seat.

"I await the pleasure of the council," he said, with dignity.

CHAPTER II.

"A FIGURE FROM A WORLD GONE BY.".

The count was left to himself in the bare, untidy-looking parlor, and for a minute or two he was content to sit quite still and recover himself after the unaccustomed exertion of speech. He needed all his strength for what lay before him, but, by degrees, his restlessness grew. He rose from his chair and paced up and down in increasing excitement—his misgivings were growing fainter—he worked himself up into the firm belief that the day for which he had waited so long was at hand.

"They dare not deny me!" he cried, lifting his hands high above his head until they almost touched the smoke-begrimed ceiling; "it is my due, my just reward!"

He was so absorbed that he did not hear the noises outside—the shuffling of feet, and, after a while, a brief suppressed tittering. Signor Bartlezzi, who had entered the room quietly, had to speak twice before he was conscious of his presence.

"They are in the room behind, Signor count, and I have informed them of your presence," he announced.

The count drew himself up and stopped suddenly short in his restless walk.

"Good!" he exclaimed. "Lead the way! I follow."

Together they passed into the narrow passage, and the professor threw open the door of another room. The count entered.

The professor had done what he could in the short time at his disposal. Pens and ink had been placed upon the deal table, and the chairs had been ranged along it instead of around the fire. The tobacco jar and pipes were there, however, and some suspicious-looking jugs; and the hasty current of fresh air, caused by the withdrawal of a sheet of brown paper from the upper window frame, was altogether powerless to cope with the close beerhouse smell which hung about the place.

The company consisted of four men. The chair at the head of the table had been left vacant for the professor. On the right sat Andrew Martello, an anglicised Italian, and a vendor of ice-cream; on the left was Pietro Muratti, the proprietor of an itinerant musical instrument. These were the only two, besides the professor, who had any pretence to Italian blood. The other two weer a French barber and a Jew pawnbroker.

The light was purposely dim, and the count's eyes were bad. Besides, his long confinement, and the great though suppressed excitement under which he was laboring, had to a certain extent confused his judgment. He saw a mean room, and four men only, when he had dreamed of a chamber in some great house and an important assemblage; but, disappointing though it was, it did not seem fatal to his hopes. Let but these four men be faithful to their oaths, and he, who had served their cause so well, could demand as a right the boon he craved. He strove earnestly to read their faces, but the light was bad and his eyes were dim. He must wait. Their voices would show him what manner of men they were. After all, why should he doubt for a moment? Men who had remained faithful to a dying and deserted cause, must needs be men of strength and honorable men. The very fewness of their numbers proved it, else why should they, too, not have fallen away. He would banish all doubt. He would speak when his time came with all confidence.

The professor introduced him with all solemnity, casting an appealing glance at each in turn, as though begging them to accept this matter seriously. There was just a slender thread of hope still, and he did not intend to abandon it.

"Gentlemen," he said, "I have the honor to present to you the Count Leonardo di Marioni, a martyr, as you all known, to our cause. Count Marioni was, only last week, released from an imprisonment which had lasted for five and twenty years."

They all looked at him curiously—a little compassionately, but none of them were quite sure how to acknowledge the salutation. The Jew alone stood up and made a shuffling little bow; the others remained silent except the little French barber, who murmured something about pleasure and acquaintance, which the professor promptly frowned down. The count, who had remained standing, advanced to the bottom of the table, and, laying his trembling hands upon it, spoke—

"Gentlemen and brothers of the Order of the White Hyacinth," he said solemnly, "I am glad to meet you."

The Frenchman and the Italian Muratti exchanged expressive winks. The vendor of ice-cream growled across the table for the bird's-eye, and commenced leisurely filling his pipe, while the Jew ventured upon a feeble "hear, hear."

"My name is doubtless known to you," the count continued, "and the story of my life, which, I am proud to remember, is closely interwoven with the history of your order. Your faces, alas! are strange to me. My old comrades, whom I had hoped to meet, and whose sympathy I had counted on, are no more. I feel somewhat as though I had stepped out of the shadows of a bygone life, and everything is a little strange to me. I have grown unaccustomed even to speech itself. You must pardon me if I do not make myself understood with ease. The past seems very, very far away."

By this time all the pipes were lit, and the mugs were filled. The smoke hung round the little assembly in a faint cloud, and the atmosphere was growing dense. The count looked a little puzzled, but he only hesitated for a moment. He remembered that he was in England, and the habits of foreigners were not easy to grow accustomed to. It was a small matter, although he wished that the odor of the tobacco had not been quite so rank. When he resumed speaking, however, it was forgotten in a moment.

"I must ask you to bear with me in a certain confession which I am about to make," he continued. "I am not here tonight to inquire or in any way to concern myself in the political prospects of our order. Alas! that the time should come when I should find myself calmly acknowledging that my country's sorrows were mine no longer. But, comrades, I must claim from you your generous consideration. Five and twenty years is a long time. I have lost my touch of history. My memory—I must confess it—my memory itself is weak. I do not doubt that, small though your numbers be, you are nobly carrying on the work in which I, too, once bore a part. I do not doubt but that you are laboring still in the glorious cause of liberty. But I am with you no longer; my work on earth for others, such as it has been, is accomplished. I do not come to aid or to join you. Alas! that I should say it, I, Leonardo di Marioni, whose life was once so closely bound up with your prosperity as the breath of a man is to his body. But it is so. I am stranded upon the wreck of my past, and I can only call upon you with a far-distance voice for my own salvation."

There was a distinct air of relief. The vendor of ice-cream spat upon the floor, and in response to a frown from the professor, at once covered it with his foot. The professor drew his hand thoughtfully down his chin. They were approaching the crux of the whole matter.

"We regret it deeply, count," he said solemnly. "In that case the small trifle of money which the London agents of your bank have placed to our credit yearly on your behalf for the cause, and which has regularly been used for the—er—necessary expenses—er——"

The count stretched out his hand.

"It is nothing," he answered. "Why should you mention it? That and more, too, the order is welcome to. I doubt not that it has been well used."

"It has!" they cried, with one voice.

"A drop more beer, and a bottle of bran——"

The ice-cream vendor never finished his sentence. A furious kick from the professor, under the table, reminded him that he was on dangerous grounds, and he desisted, rubbing his leg and growling.

The count scarcely heeded the interruption. His whole form was shaking with eagerness; his bony, white hands were oltstretched towards his four listeners. For five-and-twenty years he had dreamed of this.

"No, my appearance once more before you, comrades, brothers, has no such petty object!" he cried. "I am here to demand my rights as a member of the Order of the White Hyacinth. I am here to remind you of our great principle—vengeance upon traitors. I am here to remind you of your unchanging oaths, and to claim your fulfilment of them, even as Francesco Dellia pleaded, and not in vain, before the council at Rome 30 years ago. We are a society of peace, save alone where traitors are concerned. I point out to you a traitor, and I cry—punishment!"

To be Continued Tomorrow.

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7684 Infants' Bishop Dress, One Size.

The bishop dress has certain advantages over every other kind that can be made for the infant's wear. The sleeves extend all the way to the neck edge so that there are no armholes to fret the tender little flesh. The neck edge is finished with beading in which ribbon is inserted and, when the dress is to be laundered, it can be opened out flat to reduce greatly the labor. There are no frills, nothing to irritate the tiny little wearer, yet the dress is dainty and charming. All fine lawns and muslins are suitable for its making.

There will be needed 2¼ yards of material 36 or 2½ yards 44 inches wide.

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All orders for patterns, accompanied with 10c. for each, must be addressed to Pattern Department, Baltimore American, Baltimore, Md.

COTTON CORNER NOT WITHIN LAW

Continued from First Page.

men who sought to corner the market, not only of cotton, but wheat, corn, lard and other commodities.

In his opinion, Justice Van Devanter dealt at length with the defense that the accused men were not engaged in interstate commerce.

"The first section of the act, upon which the counts are founded," said he, "is not confined to voluntary restraint, as where persons engaged in interstate trade or commerce agree to suppress competition among themselves, but includes, as well, involuntary restraints, as where persons not so engaged conspire to compel action by others, or to create artificial conditions, which necessarily impede or burden the due course of such trade or commerce or restrict the common liberty to engage therein."

THWARTS THE LAW.

The Standard Oil case was quoted in support of this doctrine. Government officials claim that this language will materially strengthen their fight against combinations violating the law.

Justice Van Devanter replied to the argument that running a corner stimulates instead of restrains interstate trade by saying that this might be true for a time, but that the corner was forbidden by the act because it thwarted the usual operation of the laws of supply and demand, withdrew the commodity from the normal current of trade, enhanced prices and produced practically the same evils as the suppression of competition.

He said that the statute did not apply to corners of purely intra-state trade, nor where the effect upon interstate trade was indirect, and added, that in the present case the trade was not intra-state and the effect was not indirect.

WAS A CONSPIRACY.

"It was a conspiracy to run a corner in the market," said he. "The commodity to be cornered was cotton, a product of the Southern States, largely used and consumed in the Northern States. It was a subject of interstate trade. The corner was to be conducted on the cotton exchange in New York city, but by means which would enable the conspirators to obtain control of the available supply and to enhance the price to all buyers in every market of the country.

"Bearing in mind that such was the nature, object and scope of the conspiracy, we regard it altogether plain that by its necessary operation it would directly and materially impede and burden the due course of trade and commerce among the states and, therefore, inflict upon the public the injuries which the antitrust act is designed to prevent."

The court said that it made no difference that there was no allegation of a specific intent to restrain interstate trade. "The conspirators must be held to have intended the necessary and direct consequences of their acts and cannot be heard to say to the contrary," Justice Van Devanter explained.

WIN A BIG VICTORY

Railroads and Express Companies Not Subject to State Laws.

Washington, January 6.—The power of the states over railroads and express companies suffered a hard blow today when the Supreme Court held that since the passage of the Carmack amendment to the Interstate Commerce Law in 1906, the states had ceased to have power to annul contracts between railroads and shippers limiting the liability for the loss of interstate shipments.

Another serious blow was delivered when the court held that the states, since the passage of the interstate commerce acts, and particularly the Hepburn law in 1906, had no power to penalize railroads for failure to furnish cars for interstate shipments. In this connection the court declared unconstitutional the Minnesota Reciprocal Demurrage Law, authorizing the recovery by shippers of a dollar a day for every day during which the railroad failed to furnish a car for the movement of freight.

The changes thus affected revolutionize the practice in many states. The court today pointed out that previous to the passage of the Carmack amendment the court had upheld an Iowa statute under which a contract limiting the damages in case of loss had been annulled and had also approved a Pennsylvania case in which it was held that the public policy of the state was opposed to such contracts. As a result of the passage of the Carmack amendment, however, the court, speaking through Justice Lurton, held that Congress had manifested its intention to deal with the subject of carriers' liability for interstate shipments, and that being the case, the state laws must give way. Consequently its decision at once annulled the Kentucky and Nebraska law, holding such contracts void.

The court not only annulled state laws which seek to regulate the liability, but it held that the federal law, as expressed in the Carmack amendment, dealt with the subject of railroad shipments and that it did not prohibit contracts limiting liability in return on a low rate.

Justice Lurton said it was just as reasonable to base rates on value as on the character of shipments. Furthermore, he added, it was not conformable to plan principles of justice that the shipper may understate the value of his property for the purpose of reducing the rate and then recover a large value in case of loss.

He laid down the principle that so long as a railroad or express company has published its rates based on the valuation of the property the transportation company need not inquire as to the value. He declared that the shipper was bound by what the receipt for the goods showed and by the schedule of rates filed with the Interstate Commerce Commission.

As to the reciprocal demurrage law for interstate commerce, the court said that the Hepburn rate law expressly fixed the duty of carriers to furnish cars and that precluded the states from acting further on that subject.

GOVERNMENT SATISFIED

Decision May Mean Criminal Appeals Act Was Not Repealed.

Washington, January 6.—The Supreme Court today announced the decision that the United States judges of the Eighth circuit, and not the district judge in Missouri should enforce the recent decree of the court, holding that the St. Louis Terminal Company has violated the Sherman Anti-trust Law.

In so holding the court decided that the "expedition act" authorizing the calling together of circuit judges to pass upon important cases was not repealed by the judicial code which went into effect a year ago.

Government officials claim that this will be decisive of the point raised by navigation companies in Alaska, charged with violating the Sherman Anti-trust Law, and officials of the United Shoe Machinery Company, under similar charges, that the criminal appeals act was repealed by the code.

The effect of these claims would be to prevent the Supreme Court reviewing decisions of lower courts which annulled counts in indictments against the parties.

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Is generally acknowledged the Greatest Blood Purifier and Strength-Giver. Accept no substitute, but insist on having Hood's. Get it today.

In the usual liquid form or in the tablets known as Sarsatabs.

WOULD NOT END MERGER

Supreme Court Turns Down Plans of Union Pacific Attorneys.

Washington, January 6.—The Supreme Court today held that the plan advanced by Union Pacific attorneys of the disposition of the entire stockholding of the Union Pacific Railroad Company in the Southern Pacific Company by transfer to the stockholders of the Union Pacific Company would not so effectually end the Union Pacific merger as to comply with its dissolution decree.

Union Pacific attorneys claimed for the the Union Pacific stockholders the exclusive privilege of taking over the $126,650,000 worth of Southern Pacific stock, which the Supreme Court found the Union Pacific Railroad Company owns in violation of the Sherman anti-trust law.

Attorney General Wickersham opposed any plan that gave the Union Pacific stockholders an exclusive privilege of buying the Southern Pacific stock in question. He was willing to approve, however, a plant for the Union Pacific stockholders to share in the distribution with the Southern Pacific stockholders other than the Union Pacific Railroad Company.

Announcing the decision of the court today Justice Day said:

"The proposal to distribute the stock among the shareholders of the Union Pacific Company or to sell the stock to such shareholders, if granted, will in effect transfer the stock from the Oregon Short Line Company, which now holds it for the Union Pacific Company, to the stockholders who own and control the latter company. The court is of opinion that this distribution of sale cannot be ordered. The ultimate determination of the affairs of a corporation rests with its stockholders and arises from their power to choose the governing board of directors. After such distribution as is now proposed the stockholders of the Union Pacific Company may dominate and control not only the Union Pacific Company, but the Southern Pacific Company as well.

"In rejecting the proposal for the transfer of the Southern Pacific Company's stock held for the Union Pacific Company, either by distribution among or sale to the stockholders of the Union Pacific Company, we do not mean to preclude the District Court from considering and acting upon plans which may be submitted to it under the former opinion and decree of the court. We are of opinion, however, and now hold that the proposed plan of disposition of the entire stock holding of the Union Pacific Company in the Southern Pacific Company by transfer to the stockholders of the Union Pacific Company will not so effectually end the combination as to comply with the decree heretofore ordered to be entered by this court."

Railroad attorneys had held that Union Pacific shareholders should be recognized as qualified buyers of Southern Pacific stock "in order that they may have an opportunity to protect themselves against a sacrifice of this valuable asset covered by investment." They claimed that the so-called controlling interest in the Union Pacific held only 13 per cent. of the stock of the Union Pacific, and therefore would be able to buy only 6 per cent. of the total capitalization of the Southern Pacific Company.

Attorney General Wickersham held that in the interest of competition the two sets of stockholders should share in buying the disputed stock.

ANENT DIVORCE CASES

Notice by Publication Gives the State Jurisdiction.

Washington, January 6.—Notice by publication to a person absent from a state of a divorce suit against him or her is sufficient to give to the state jurisdiction over the absent party, if the state be the matrimonial domicile of the man and wife, according to a decision today by the Supreme Court.

The conclusion was announced in upholding the divorce granted by Virginia courts to Charles N. Thompson, a public school principal in this city, who defeated a divorce suit in the District of Columbia, begun by his wife, by pleading that he had procured a divorce from her in Virginia, their domicile, after notice of the suit by publication.

CITIES HAVE THIS RIGHT

Can Impose a License Tax Upon Express Companies.

Washington, January 6.—The right of cities to impose license taxes upon state business of express companies and their agencies was upheld today by the Supreme Court in affirming the decision of the Supreme Court of Kansas that an ordinance to that effect in Leavenworth, Kan., was valid. The court distinguished this case from those where the tax was upon interstate governmental business.

Policeman Loses Long Fight.

Washington, January 6.—The ten-year fight of former Policeman Charles T. Preston, of Chicago, for restoration as a patrolman was ended today when the Supreme Court, deciding adversely to him, held it was bound by the finding of the Illinois Supreme Court that policemen were not in the classified service and thus could be discharged without hearing.

Must Go to Gallows.

Washington, January 6.—The Supreme Count today declined to set aside the death sentence imposed upon John Medley, of Mercer county, W. Va., charged with the murder of Neeley Shannon. Medley claimed the sentence should be annulled because one of the jury commissioners had not qualified by taking the oath of office.

BANK THIEF SHOT

Webster Morton Probably Fatally Wounded by a Detective.

Special Dispatch to The American.

Richmond, Va., January 6.—Webster Morton, a negro messenger who stole $6,000 from the Washington and Southern Bank, in Washington, was shot and probably fatally wounded by Detective Kellam, of the Richmond force, who attempted to arrest him in a house on Carrington street this afternoon. Morton was hastened to the City Hospital, where physicians say his wound may prove fatal.

The negro escaped from Detectives Wiley and Kellam several nights ago after they had surprised him at the home of his aunt in this city, and recovered nearly the whole amount stolen. While the officers were calling a patrol wagon Morton felled Detective Wiley and escaped, Detective Kellam being afraid to shoot at him because of danger of hitting pedestrians.

Today Detective Kellam went to the house on Carrington street on another mission, but found Morton seated on a cot in a room with several other negroes. When Kellam told Morton to come out the negro drew a revolver, but the officer was quicker and fired first, the bullet penetrating vital organs.

Buys Church Property.

Special Dispatch to The American.

York, Pa., January 6.—The F. W. Woolworth Company, of New York city, today purchased the historic Zion Reformed Church property, in the business section of the city, for $71,000. The building has a frontage of 65 feet on West Market street.

MODERN DANCES ARE PROHIBITED

NOT ALLOWED AT THE HOPS OF THE MIDSHIPMEN.

Specific Directions Given by the Department of Discipline—A Space of at Least Three Inches Must Be Kept Between Dancing Couples at All Times—Middies Restive Under the Rules.

Special Dispatch to The American.

Annapolis, Md., January 6.—The department of discipline at the Naval Academy frequently exercises paternal care over the midshipmen, the latest being the promulgation of specific directions connected with the manner of dancing and also of escorting their young women friends to and from the hops. These instructions were recently made known to the midshipmen by an officer of the department:

1. None of the modern dances are to be performed under any circumstances.

2. The midshipmen must keep their left arms straight during all dances.

3. A space of at least three inches must be kept between the dancing couples at all times.

4. A midshipman must not take the arm of his partner under any circumstances.

Some of the midshipmen are rather restive under these regulations and particularly object to the second, which, they claim, enforces a constrained and tiresome position. However, the rules will be rigidly enforced.

CECIL WANTS ITS SHARE

Taxpayers Demand State Funds for Road Building.

Special Dispatch to The American.

Elkton, Md., January 6.—Taxpayers from various districts in Cecil county met in Council Hall here this afternoon to outline plans to secure for the county its share of the road loan of 1912. Last year this county did not get any funds from the state for permanent roads, the commission having decided that the county received more than its share during the previous two years. State's Attorney Henry L. Constable, of Elkton, acted as chairman, and R. Bruce Cameron, of the Ninth district, secretary.

Resolutions were adopted protesting against the action of the State Roads Commission in charging against the apportionment of Cecil county, under the loan of 1912, a deficit which, it is claimed, was made by the former State Road Commission in excess of the apportionment for this county under a former loan, for the following reasons: First, that the former commission had no authority of law to create such a deficit; second, the county did not receive any value whatever for the money charged as such deficit.

It was decided to appoint a committee to consider, adopt and employ such measures as shall seem wisest and best.

Jasper Calls on the Governor.

Annapolis, Md., January 6.—Jasper, claimed by his owner, Dixie Taylor, of Richmond, Va., to be the most intelligent dog in the world, paid a visit to Governor Goldsborough this afternoon, and did much to justify his owner's claim. The Governor was delighted with the performance of the bright little dog, and stated that he was the most intelligent animal that he had ever seen.

A New Mining Company.

Special Dispatch to The American.

Dover, Del., January 6.—Articles of incorporation were filed here today for the Baker Bend Mining Company, of Chestertown, to do a general mining and milling business and to refine ores, metals, etc. Capital stock, $500,000. Incorporators, Louis K. Stam, Chestertown; J. G. Gray and M. B. F. Hawkins, Wilmington, Del.

Fravel Company Fails.

Special Dispatch to The American.

Harrisonburg, Va., January 6.—The Fravel Sash and Door Company, a manufacturing establishment of Harrisonburg, has gone into the hands of a receiver. The uncompleted contracts include a big job of work for the new Lynchburg postoffice, another for the new Harrisonburg Methodist Church, the new Presbyterian Church and the Norfolk and Western at Riverton. It is said that a miscalculation in regard to the Lynchburg job had much to do with the failure.

THE TWICE-A-WEEK AMERICAN

Start the new year properly by subscribing to The Twice-a-Week American. It contains twice a week the latest news up to a late hour of the morning of issue and the most important items since the previous issue. The financial and commercial reports are noted for their accuracy, the latest quotations by cable and telegraph being given. But for the farmer it is invaluable, as it contains seasonable articles, written solely for this edition, by a practical, expert farmer, and extracts from the best agricultural papers are carefully made and edited. Much information may be found in the small paragraphs, such as Much in Little and Men and Women, and practical suggestions are given every Tuesday to the amateur poultry raisers. Every reader will also be interested in the serial stories, a full page being given in each edition. For the small sum of one dollar a year 104 copies will be sent, making this the cheapest, as well as the best, weekly newspaper in the country. One-half and one-quarter year's subscription pro rata. Sample copies may be obtained upon application at the office.

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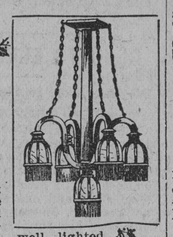

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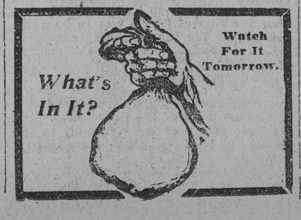

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