

## EXEMPLARY NOMINEES AND A COLORFUL PUZZLE

### PREVIEWING THE 2016 ALMANAC & READER

Green Bagatelle #1 (January 20, 2016)

The “Exemplary Legal Writing” ballots are in the mail. During 2015, judges and other legal scholars nominated judicial opinions and law review articles for our annual collection of exemplary legal writing. Those nominators are now voting for what they believe to be the most especially exemplary of those nominees. In a few weeks we will tally the votes and then publish the top vote-getters in the 2016 *Green Bag Almanac & Reader*. We had planned to honor exemplary writing in four categories, but we ended up with just three, for a reason that will become obvious if you keep reading.

Here is a complete list of the exemplary legal writing on the ballot:

#### I. OPINIONS FOR THE COURT

- Cecilia Maria Altonaga, *In re Denture Cream Products Liability Litigation*, 2015 WL 392021 (S.D. Fla. Jan. 28, 2015)
- Charles R. Breyer, *In re Hewlett-Packard Company Shareholder Derivative Litigation*, No. 3:12-cv-06003-CR (N.D. Cal. July 28, 2015)
- The Court, *In re Hong Yen Chang*, 344 P.3d 288 (Cal. 2015)
- Frank H. Easterbrook, *Iqbal v. Patel*, 780 F.3d 728 (7th Cir. 2015)
- Judith L. French, *In re Complaint of Pilkington North America, Inc.*, 2015 WL 7485933 (Ohio 2015)
- Elena Kagan, *Mach Mining, LLC v. EEOC*, 135 S.Ct. 1645 (2015)
- Cornelia T.L. Pillard, *Arpaio v. Obama*, 797 F.3d 11 (D.C. Cir. 2015)
- Jed S. Rakoff, *In re Petrobras Securities Litigation*, 104 F.Supp.3d 618 (S.D.N.Y. 2015)

- Antonin Scalia, *Johnson v. U.S.*, 135 S. Ct. 2551 (2015)
- Amul R. Thapar, *Wagner v. Sherwin-Williams Co.*, 2015 WL 5174130 (E.D. Ky. 2015)
- William G. Young, *In Re Nexium (Esomeprazole) Antitrust Litigation*, 309 F.R.D. 107 (D. Mass. 2015)

#### II. CONCURRENCES, DISSENTS & OTHER OPINIONS

- Carlos T. Bea, *John Doe I v. Nestle USA, Inc.*, 788 F.3d 946 (9th Cir. 2015)
- Frank H. Easterbrook, *Thomas v. Clements*, 797 F.3d 445 (7th Cir. 2015)
- Jennifer Walker Elrod, *Trent v. Wade*, 801 F.3d 494 (5th Cir. 2015)
- Alex Kozinski, *Garcia v. Google, Inc.*, 786 F.3d 733 (9th Cir. 2015)
- Goodwin Liu, *People v. Grimes*, 340 P.3d 293 (Cal. 2015)
- Jill A. Pryor, *In re Rivero*, 797 F.3d 986 (11th Cir. 2015)
- John G. Roberts, Jr., *McFadden v. U.S.*, 135 S.Ct. 2298 (2015)
- Ojetta R. Thompson, *Sanchez v. Roden*, 2015 WL 8057132 (1st Cir. 2015)
- Don R. Willett, *Patel v. Texas Department of Licensing and Regulation*, 469 S.W.3d 69 (Tex. 2015)

#### III. LAW REVIEW ARTICLES PUBLISHED 50 YEARS AGO

- David L. Bazelon, *Law, Morality, and Civil Liberties*, 12 UCLA Law Review 13 (1964-1965)
- John R. Brown, *The Trumpet Sounds: Gideon — A First Call to the Law School*, 43 Texas Law Review 312 (1965)
- Guido Calabresi, *The Decision for Accidents: An Approach to Nonfault Allocation of Costs*, 78 Harvard Law Review 713 (1965)

Paul Mishkin, *Foreword: The High Court, the Great Writ, and the Due Process of Time and Law*, 79 *Harvard Law Review* 56 (1965)

Joseph T. Sneed, *The Criteria of Federal Income Tax Policy*, 17 *Stanford Law Review* 567 (1965)

Arthur E. Sutherland, Jr., *Crime and Confession*, 79 *Harvard Law Review* 21 (1965)

Herbert Wechsler, *The Courts and the Constitution*, 65 *Columbia Law Review* 1001 (1965)

#### IV. U.S. SUPREME COURT BRIEFS

Interestingly, our voters have nothing to vote for in this category because we received zero nominations. We wonder why.



Like every *Green Bag Almanac & Reader*, this year's will have — in addition to the “Exemplary Legal Writing” honorees — our perennially popular annual reviews:

Bryan Garner's *The Year in Language & Writing*  
Greg Jacob and Rakesh Kilaru's *The Year in Law*  
Tony Mauro's *A Term in the Life of the Supreme Court*  
and  
Kevin Underhill's *A Year of Lowering the Bar*

We will also have our customary thematic “useful and entertaining tidbits.” Like last year's *Almanac & Reader*, this year's will have a Sherlock Holmes/John Watson theme. This time we will focus on two stories: “The Reigate Puzzle” (one of the classics) and “The Field Bazaar” (a somewhat obscure and controversial vignette).

Unfortunately, there are limits to what we can do in the *Almanac & Reader*, mostly because it is a small book (6 inches wide by 9 inches tall) and it is printed in plain, relatively inexpensive black and white. That's too bad. Some of the most appealing of the old printings of the Sherlock Holmes stories are from large-format newspapers and magazines, with colorful illustrations.

For example, as Ira Brad Matetsky explained in the 2015 *Almanac & Reader*, the last complete set of the *New York World* was almost lost to the world. Heroics by crusading ink-on-paper lover Nicholson Baker saved the last complete set of that historically significant newspaper:

Owned by Joseph Pulitzer from 1883 until his death in 1911, the paper acquired a reputation for sensationalism and the original “yellow journalism.” In 1896, it became the first newspaper with a four-color press, of which it took robust advantage during the ensuing years. It published O. Henry and Mark Twain and A.J. Liebling and later Dorothy Parker; it featured the first comic strip (“Hogan's Alley,” aka “The Yellow Kid”) and the first crossword puzzle.<sup>1</sup>

Today, those old *Worlds* are in the care of Duke University's David M. Rubenstein Rare Book and Manuscript Library.

Duke's collection includes a colorful 1905 edition of “The Reigate Puzzle.”<sup>2</sup> We cannot faithfully reproduce it in our plain, cellulose-based *Almanac & Reader*, but we can in this, our snazzy, web-based *Green Bagatelle*. And so, with the generous assistance and permission of the kind people at the Rubenstein Library, we present the *World's* “Reigate Puzzle” here. But first, the *World's* Saturday (June 10, 1905) cliffhanger introduction to the full Sunday (June 11) version of the story . . .<sup>3</sup>

— Ross E. Davies

<sup>1</sup> Ira Brad Matetsky, *The Adventure of the New York World*, 2015 *GREEN BAG ALM.* 465, 467.

<sup>2</sup> Arthur Conan Doyle, *The Reigate Puzzle*, N.Y. *WORLD*, June 11, 1905, Sunday Edition, Magazine Section, at 7-8, David M. Rubenstein Rare Book & Manuscript Library, Duke University.

<sup>3</sup> Arthur Conan Doyle, *The Reigate Puzzle*, N.Y. *WORLD*, June 10, 1905, Evening Edition, Story Supp., at 3 (via *Chronicling America*, Library of Congress, [chroniclingamerica.loc.gov](http://chroniclingamerica.loc.gov)).

# THE WOODCRAFT INDIANS!

AS ORGANIZED BY ERNEST THOMPSON SETON!  
Conducted by "BALD EAGLE," Medicine Man of the Flying Eagle Tribe!

HERE'S a Lot of Fun in Getting a Camp Ready—A Home-Made Ten-Foot Teepee May Be Put Up for \$10—How It Is Made—Diagram and Directions for Constructing One of Twelve Feet.

**What is a Woodcraft Tribe?**  
A GROUP of three or more boys or girls—who have chosen a tribe name and a totem, who have elected chiefs and a medicine man, who camp out in teepees, use bows and arrows instead of firearms, practise athletics, have contests, learn to know a good deal about trees, plants, flowers, birds and animals, make fire with rubbing sticks, tell stories around the campfire, wear war bonnets trimmed with feathers won in the contests—in a word, enjoy outdoors in the most delightful way. Every tribe is welcome to the great Woodcraft Nation which was organized by Mr. Ernest Thompson Seton, Medicine Man of all the tribes.

THE thing that every Woodcrafter looks forward to is the actual encampment. But it is a big mistake to suppose that the fun does not commence until then. There is a great deal of real pleasure in getting ready, especially for boys who go at it in earnest.

Suppose you have made your archery outfit—bow, arrows and target—as described in the last article, and that you are practising with them every chance you have. The next thing to think about, and the most important part of the whole outfit, is the teepee.

A tribe that has a good fat treasury can buy a teepee ready made. That is the simple and the quick way to do it. A tent ten feet in diameter can be bought for about \$10, a twelve-foot tent for \$12, sixteen-foot, \$22; twenty-foot, \$32.

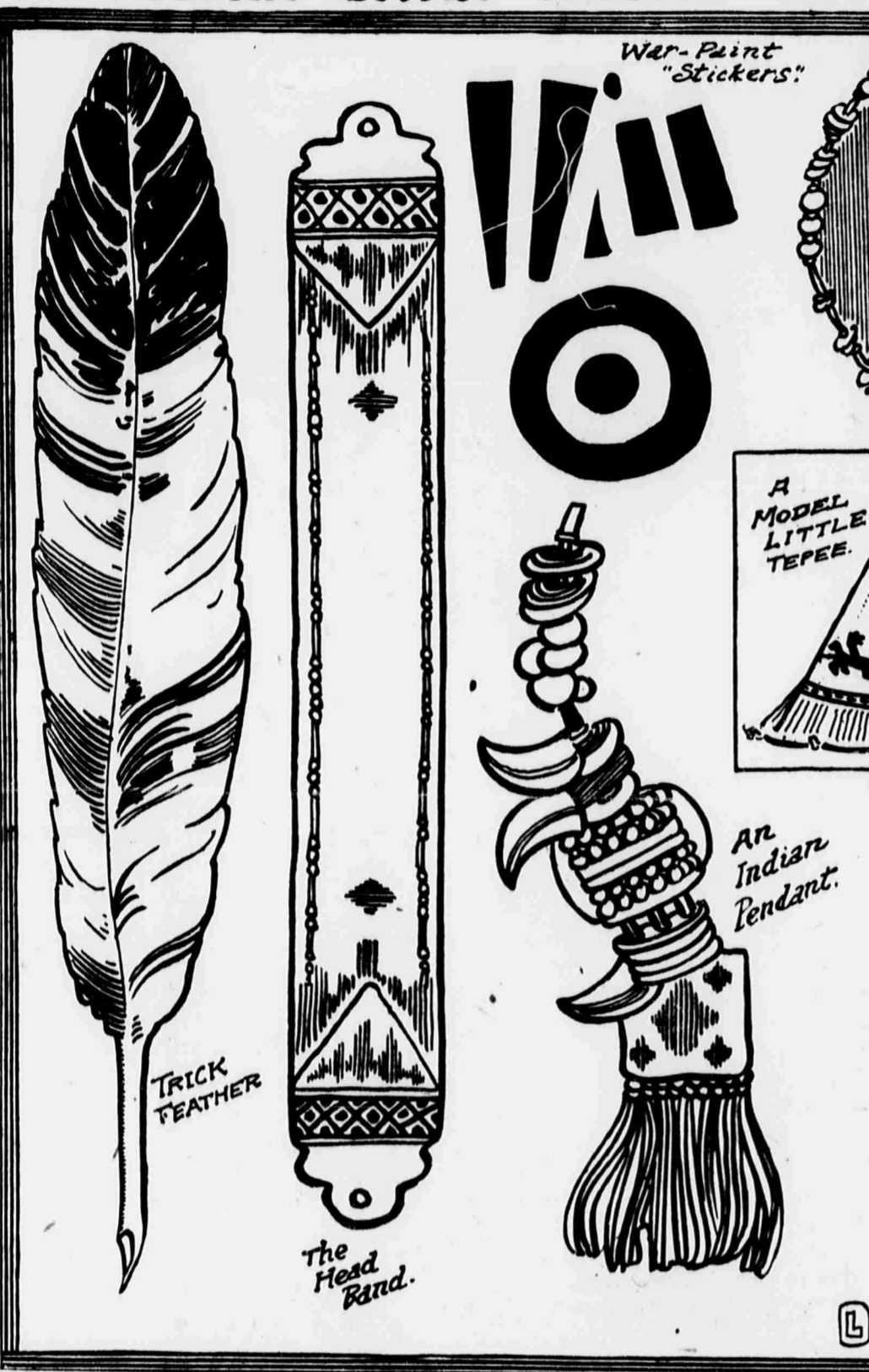
### The Cost of a Teepee.

Put a tent that boys of ordinary ingenuity can make will answer the purpose just as well, and the idea of having made it yourselves will be a great satisfaction. Mr. Seton estimates that the cost of a ten-foot teepee, home-made, need not be more than \$4. That supposes all the material to be new. One tribe had the good fortune to find a discarded piece of canvas that had been a stage curtain in a theatre. This made a magnificent eighteen-foot teepee. Another tribe, less fortunate, used pieces of wagon cover. Even muslin sheets may do so long as it does not rain hard. And there are nearly always bits of old clothes and rope ends to be found.

If new cloth is to be purchased, the khaki such as is used in the United States army has the advantages of being light, strong and tolerably waterproof. If that cannot be found, get heavy unbleached muslin of eight-ounce duck or a light canvas.

How large will you make your teepee? That depends upon the number of boys you want it to accommodate. Make it at least twelve feet in diameter, even if you have only two or three boys. A twelve-foot tent will hold three beds and a fireplace. Then, if two boys can sleep in each bed, the tent will accommodate six quite comfortably. But a fourteen or a sixteen foot diameter is

## AN INDIAN-CHIEF MAKE-UP.



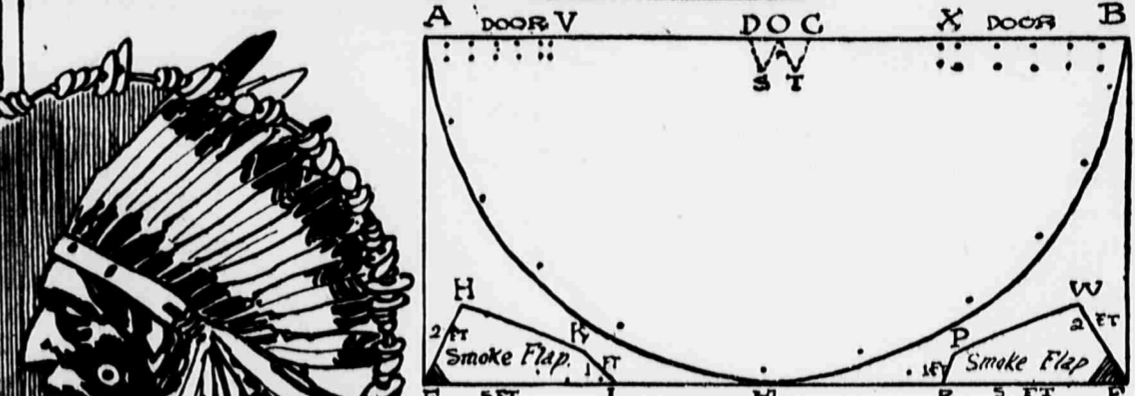
much better. That gives you room to move around, admits of a larger fire and when you have guests you can entertain them in some sort of magnificence. Now, with your eye on the diagram you may follow directions for making a twelve-foot teepee. Get thirty-three square yards of cloth, the wider the

## The Reigate Puzzle.

By Sir Arthur Conan Doyle.

IT was some time before the health of my friend, Mr. Sherlock Holmes, recovered from the strain caused by his immense exertions in the spring of '87. The whole question of the Netherland-Sumatra Company and of the colossal schemes of Baron Mauvert are too recent in the minds of the public and are too intimately concerned with politics and finance to be fitting subjects for this series of sketches. They led, however, in an indirect fashion to a singular and complex problem which gave my friend an opportunity of demonstrating the value of a fresh weapon among the many with which he waged his life-long battle against crime.

Three days later we were back in Baker street together; but it was evident that my friend would be much the better for a change, and the thought of a week of springtime in the country was full of attractions to me also. My old friend, Col. Hayter, who had come under my professional care in Afghanistan, had now taken a house near Reigate in Surrey, and had frequently asked me to come down to him upon a visit. On the last occasion he had remarked that if my friend would only come with



to stick out, one at A, one at B. Nine eyelets, the diameter of a lead pencil, must be worked at equal distances along this edge, just inside the rope. In each eyelet put a 15-inch piece of rope and tie securely into loops. It is important that all this be done with great care, for here will come the strain during heavy winds. The edge A B is simply hemmed over, but no rope is put in. These two edges D A and C B will come together when the tent is drawn around the poles. A double row of eyelets is worked along each edge so that they will exactly match. Make the eyelets like button-holes, long instead of round, each an inch long and each pair about 2 inches apart. These are to hold lacing pins the size of lead pencils.

Next cut out two smoke flaps from the corners, as shown. These should be hemmed, secured around a little pocket sewed across one corner of each to hold the end of the smoke pole.

The official, a smart, keen-faced young fellow, stepped into the room. "Good morning, Colonel," said he. "I hope I don't intrude, but we hear that Mr. Holmes, of Baker street, is here."

"The Colonel waved his hand toward my friend, and the Inspector bowed. "We thought that perhaps you would care to step across, Mr. Holmes."

"The fates are against you, Watson," said he, laughing. "We were chatting about the matter when you came in, Inspector. Perhaps you can let us have a few details."

"What was that?" "It was last night, sir, somewhere about twelve. "Ah, then, we'll step over afterward," said the Colonel, cozyly settling down to his breakfast again.

WOODCRAFT Play Consists Chiefly of Boating, Fishing and Swimming—The Canoe Joust Is a New Game Just Introduced—Read Up on Animals, Birds and Trees Before Starting Out.

The red man was of this kind. He knew nature pretty well. In his own way he was a naturalist. So, too, he knew the birds and the animals. Think of an Indian hearing the cry of some one of the wood folk and not knowing where it came from, or seeing the track of a bird or an animal and not being able to tell which one of his neighbors had passed that way and how long since and in what direction he was travelling!

Yes, the Indian knew the woods, and so should a Woodcrafter. To study nature itself, "in the open" as they say, adds not only to the enjoyment of a summer outing but will be a lifelong pleasure. According to the Red Book, feathers may be won by knowing outdoor things as follows:

Know and name correctly, i. e., with the accepted English names, according to any standard authority, 25 trees and tell something interesting about them, counts coup; 50 for grand coup. Know and name correctly 50 of our wild flowers for coup; 100 for grand coup.

Recognize fifty wild birds by note for coup; 100 for grand coup. Know and name correctly twenty-five wild quadrupeds for coup; know and name correctly fifty and tell something interesting about each for grand coup. Know and draw unmistakable pictures of twenty-five tracks of our four-footed animals for coup; of fifty for grand coup.

Here is the way to figure the quantity of cloth to buy. The stitched sheet must be as wide as the diameter desired, and just twice as long. That is, for a ten-foot tent, the width and length must be twenty feet; for a sixteen-foot tent, sixteen feet wide and thirty-two long; for a twelve-foot wide and thirty-two long.

multiply the number of square yards land, partly on water. If there is a row or his own canoe, each armed with a long pole, at the end of which is a good sized cloth-covered ball. With this pole each tries to push the other overboard. Now a warrior who cannot swim will not engage in the sport. Even boating is not safe unless the boatmen can swim.

The moral of which is, learn to swim. Commence the very first chance you can find. If you have no boat, you can get a piece of board, lie down on it; paddle with your hands and kick, frog-fashion until you can propel and steer yourself where you choose. Then use a smaller board or stick and so on until you can go it alone.

Knowing how to swim admits you to the swimming contests, and to all the sport of a general good time in the water. You enjoy boating without the danger of drowning, and you may become a life-saver.

If you are already a swimmer practice for speed. Mr. Seton says to swim one hundred yards count for coup; to swim 200 yards in 4 minutes counts grand coup. This last stunt requires a good lot of strength.

The conclusion of this Story will be published in to-morrow's SUNDAY WORLD MAGAZINE.

# THE ADVENTURES OF SHERLOCK HOLMES

## The Reigate Puzzle.

By Sir Arthur Conan Doyle.

Colonel, cozy sitting down to his breakfast again. "It's a tedious business," he added when the butler had gone; "he's our leading man about here, is old Cunningham, and a very decent fellow, too. He'll be cut up over this, for the man has been in his service for years and was a good servant. It's evidently the same villain who broke into Acton."

"Hum! It may prove the simplest matter in the world, but all the same at first glance this is just a little curious, is it not? A gang of burglars acting in the country might be expected to vary the scene of their operations, and not to crack two cribs in the same district within a few days. When you spoke last night of taking precautions I remember that it passed through my mind that this was probably the last parish in England to which the thief or thieves would be likely to turn their attention—which shows that I have still much to learn."

"I fancy it's some local practitioner," said the Colonel. "In that case, of course, Acton's and Cunningham's are just the places he would go for, since they are far the largest about here."

"And richest?"

"Well, they ought to be, but they've had a lawsuit for some years, which has sucked the blood out of both of them. I fancy Old Acton has some claim on half Cunningham's estate, and the lawyers have been at it with both hands."

"If it's a local villain there should not be much difficulty in running him down," said Holmes, with a yawn. "All right, Watson. I don't intend to meddle."

"Inspector Forrester, sir," said the butler, throwing open the door. "The official, a smart, keen-faced young fellow, stepped into the room. 'Good morning, Colonel,' said he. 'I hope I don't intrude, but we hear that Mr. Holmes of Baker Street is here.' The Colonel waved his hand toward my friend, and the inspector bowed. 'We thought that perhaps you would care to step across, Mr. Holmes.'

"The fates are against you, Watson," said he, laughing. "We were chatting about the matter when you came in, Inspector. Perhaps you can let us have a few details."

"I have no clue in the Acton affair. But here we have plenty to go on, and there's no doubt it is the same party in each case. The man was seen."

"Yes, sir, but he was off like a deer after the shot that killed poor William Kirwan the inspector. Mr. Cunningham saw him from the bedroom window, and Mr. Alec Cunningham saw him from the back passage. It was a quarter to twelve when the alarm broke out. Mr. Cunningham had just got into bed, and Mr. Alec was smoking a pipe in his dressing gown. They both heard William, the coachman, calling for help, and Mr. Alec ran down to see what was the matter. The back door was open, and as he came to the foot of the stairs he saw two men wrestling together outside. One of them fired a shot, the other dropped, and the murderer rushed across the garden and over the hedge. Mr. Cunningham, looking out of his bedroom, saw the fellow as he gained the road, but lost sight of him at once. Mr. Alec stopped to see if he could help the dying man, and so the villain got clean away."

"What was this William doing there? Did he say anything before he died?"

"No, a word. He lived at the lodge with his mother, and as he was a very faithful fellow we imagine that he walked up to the house with the intention of seeing that all was right there. Of course this Acton business has put every one on their guard. The robber must have just burst open the door—the lock has been forced—when William came upon him."

"Old William say anything to his mother before going out?"

"She is very old and deaf, and we can get no information from her. The shock has made her half-witted, but I understand that she was never very bright. There is one very important circumstance, however. Look at this!"

He took a small piece of torn paper from a notebook and spread it out upon his knee. "This was found between the finger and thumb of the dead man. It appears to be a fragment torn from a large sheet. You will observe that the hour mentioned upon it is the very time at which the poor fellow met his fate. You see that his murderer might have torn the rest of the sheet from him, or he might have taken this fragment from the murderer. It reads almost as though it were an appointment."

Holmes took up the scrap of paper, a fac-simile of which is here reproduced:

"I tell you what," said he, "I should like to have a quiet little glance into the details of this case. There is something in it which fascinates me extremely. If you will permit me, Colonel, I will leave my friend Watson and you, and I will step round with the Inspector to test the truth of one or two little facts of mine. I will be with you again in half an hour."

An hour and a half had elapsed before the Inspector returned alone.

"Mr. Holmes is walking up and down in the dead

course," said he. "He wants us all four to go up to the house together."

"To Mr. Cunningham's?"

"Yes, sir."

"What for?"

"The Inspector shrugged his shoulders. 'I don't quite know, sir. Between ourselves, I think Mr. Holmes has not quite got over his illness yet. He's behaving very queerly, and he is very excited.' 'I don't think you need alarm yourself,' said I. 'I have usually found that there was method in his madness.' 'Some folk might say there was madness in his method,' muttered the Inspector. 'But he's all on fire to start, Colonel, so we had best go out if you are ready.'"

"We found Holmes pacing up and down in the field, his chin sunk upon his breast, and his hands thrust into his trousers pockets. 'The matter grows in interest,' said he. 'Watson, your country trip has been a distinct success. I have had a charming morning.' 'You have been up to the scene of the crime, I understand,' said the Colonel. 'Yes; the Inspector and I have made quite a little reconnaissance together.' 'Any success?' 'Well, we have seen very interesting things. I'll tell you what we did as we walk. First of all, we saw the body of his unfortunate man. He certainly died from a revolver wound as reported.' 'Had you doubted it, then?' 'Oh, it is as well to test everything. Our inspection was not wasted. We then had an interview with Mr. Cunningham and his son, who were able to point out the exact spot where the murderer had broken through the garden-hedge in his flight. That was of great interest.' 'Naturally.' 'Then we had a look at this poor fellow's mother. We could get no information from her, however, as she is very old and feeble.' 'And what is the result of your investigations?' 'The conviction that the crime is a very peculiar one. Perhaps our visit may do something to make it less obscure. I think that we are both agreed, Inspector, that the fragment of paper in the dead man's hand, bearing, as it does, the very hour of his death written upon it, is of extreme importance.' 'It should give a clue, Mr. Holmes.' 'It does give a clue. Whoever writes that note was the man who brought William Kirwan out of his bed at that hour. But where is the rest of that sheet of paper?' 'I examined the ground carefully in the hope of



"The two Cunninghams were bending over the prostrate figure of Sherlock Holmes, the younger clutching his throat."

than I had thought." He sank his head upon his hands, while the Inspector smiled at the effect which his case had had upon the famous London specialist. "Your last remark," said Holmes, presently, "as to the possibility of there being an understanding between the burglar and the servant, and this being a note of appointment from one to the other, is an ingenious and not entirely impossible supposition. But this writing opens up— He sank his head into his hands again and remained for some minutes in the deepest thought. When he raised his face again I was surprised to see that his cheek was tinged with color and his eyes as bright as before his illness. He sprang to his feet with all his old energy. "I'll tell you what," said he, "I should like to have a quiet little glance into the details of this case. There is something in it which fascinates me extremely. If you will permit me, Colonel, I will leave my friend Watson and you, and I will step round with the Inspector to test the truth of one or two little facts of mine. I will be with you again in half an hour."

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finding it," said the inspector. "It was torn out of the dead man's hand. Why was some one so anxious to get possession of it? Because it incriminated him. And what would he do with it? Thrust it into his pocket, most likely, never noticing that a corner of it had been left in the grip of the corpse. If we could get the rest of that sheet it is obvious that we should have gone a long way toward solving the mystery."

"Yes, but how can we get at the criminal's pocket before we catch the criminal?" "Well, well, it was worth thinking over. Then there is another obvious point. The note was sent to William. The man who wrote it could not have taken it; otherwise, of course, he might have delivered his own message by word of mouth. Who brought the note, then? Or did it come through the post?"

"I have made inquiries," said the Inspector. "William received a letter by the afternoon post yesterday. The envelope was destroyed by him." "Excellent!" cried Holmes, clapping the Inspector on the back. "You've seen the postman. It is a pleasure to work with you. Well, here is the lodge, and if you will come up, Colonel, I will show you the scene of the crime."

We passed the pretty cottage where the murdered man had lived, and walked up an oak-lined avenue to the fine old Queen Anne house, which bears the date of Malplaquet upon the lintel of the door. Holmes and the Inspector led us round it until we came to the side gate, which is separated by a stretch of garden from the hedge which lines the road. A constable was standing at the kitchen door. "Throw the door open, officer," said Holmes. "Now, it was on those stairs that young Mr. Cunningham stood and saw the two men struggling just where we are. Old Mr. Cunningham was at that window—the second on the left—and he saw the fellow get away just to the left of that bank. So did the son. They are both sure of it on account of the bush. Then Mr. Alec ran out and knelt beside the wounded man. The ground is very hard, you see, and there are no marks to guide us. As he spoke two men came down the garden path, from round the angle of the house. The one was an elderly man, with a strong, deep-lined, heavy-set face; the other a dashing young fellow, whose bright, smiling expression and showy dress were in strange contrast with the business which had brought us there."

"But at it, then?" said the Inspector. "I thought your Lordships were never at fault. You don't seem to be so very quick, after all."

"Ah, you must give us a little time," said Holmes, good-humoredly. "You'll want it," said young Alec Cunningham. "Why, I don't see that we have any one at all."

"There's only one," answered the Inspector. "We thought that if we could only find— Good heavens, Mr. Holmes! what is the matter?"

My poor friend's face had suddenly assumed the most dreadful expression. His eyes rolled upward, his features writhed in agony, and with a suppressed groan he dropped on his face upon the ground. Horrified at the suddenness and severity of the attack, we carried him into the kitchen, where he lay back in a large chair, and breathed heavily for some minutes. Finally, with a shamefaced apology for his weakness, he rose once more.

"Watson would tell you that I have only just recovered from a severe illness," he exclaimed, "I am unable to see these sudden nervous attacks."

"Shall I send you home in my trap?" asked old Cunningham. "Well, since I am here, there is one point on which I should like to see you. We can very easily verify it."

"What was it?" "Well, it seems to me that it is just possible that the arrival of this poor fellow William was not before, but after, the entrance of the burglar into the house. You appear to take it for granted that, although the door was forced, the robber never got in. 'I fancy that is quite obvious,' said Mr. Cunningham, gravely. 'Why, my son Alec had not yet gone to bed, and he would certainly have heard any one moving about.' 'Where was he sitting?' 'I was smoking in my dressing-room.' 'Which window is that?' 'The last on the left, next my father's.' 'Both of your lamps were lit, of course?' 'Undoubtedly.' 'There are some very singular points here,' said Holmes, smiling. 'Is it not extraordinary that a burglar—and a burglar who had some previous experience—should deliberately break into a house at a time when he could see from the lights that two of the family were still afoot. He must have been a cool hand.' 'Well, of course, if the case were not an odd one we should not have been driven to ask for an explanation,' said young Mr. Alec. 'But as to your idea that the man who robbed the burglar in the house William tackled him, I think it a most absurd notion. Wouldn't we have found the place disarranged, and missed the things which he had taken?' 'It depends upon what the things were,' said Holmes. 'You must remember that we are dealing with a burglar who is a very peculiar fellow, and who appears to work on lines of his own. Look, for example, at the queer lot of things which he took from Acton's—what was it—a ball of string, a letter-weight, and I don't know what other odds and ends.' 'Yes, we are quite in your hands, Mr. Holmes,' said old Cunningham. 'Anything which you or the Inspector may suggest will most certainly be done.' 'In the first place,' said Holmes, 'I should like you to offer a reward—coming from yourself, for the officials may take a little better if they would agree upon the sum, and these things cannot be done too promptly. I have letted down the form here. If you would not mind signing it, fifty pounds was quite enough, I thought.' 'I would willingly give five hundred,' said the J. P., taking up a slip of paper and the pencil which

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SOMEWHERE in the depths of the big city, where the unquiet dogs are forever being shaken together, young Murray and the Captain had met and parted for the first time at the lowest ebb possible to their fortunes, both had fallen from at least an intermediate Heaven of respectability and importance, and both were typical products of the monstrous and peculiar social curriculum of their overwearing and bump-tous civic alma mater.

The Captain was no longer a captain. One of those sudden moral cataclysms that sometimes sweep over the city had hurled him from a high and profitable position in the Police Department, ripping off his badge and buttons and washing into the hands of his lawyers the solid pieces of real estate that his frugality had enabled him to accumulate. The passing of the flood left him low and dry. One month after his disablement a saloon-keeper plucked him by the neck from his free-lunch counter as a lanky plucker strange kitten from her nest, and cast him asphaltingly. This seems long enough. But after that he acquired a pair of cloth top, bottom Congress garters and wrote complaining letters to the newspapers. And then he fought the attendant at the Municipal Lodging House who tried to give him a bunk when Murray first saw him. He was holding the hand of an Italian woman who sold apples and garlic on Essex street, and quoting the words of a song book on B'way.

Murray's fall had been more Luciferian, if less spectacular. All the pretty, tiny little kishkeafos of Gotham had once been his. The megaphone man ran out of the house to observe the house of his uncle on a grand and reserved occasion. But he was an awful row about something, and the prince had been escorted to the door by the butler, which, in said avenue, is equivalent to the impact of the avuncular shoe. A week before Hal, without inhibition or warning, had drifted downward to meet his Palstaff without honor, and to pick the crests of the streets with him. One evening they sat on a bench in a little downtown park. The great bulk of the Captain, which starvation seemed to increase—drawing irony instead of play to his position for—was hoisted up to the top of the bench in his arms. He red whisks, spotted by tags of vermilion, week-old rufers and topped by a sucking, white straw hat, looked in the gloom, like one of those structures that you may observe in a dark Third Avenue window, challenging your imagination to say whether it is a polo hat or a strawberry spruceness. A light drawn bell-late relic of his official spruceness made a deep furrow in his circumference. The

Captain's shoes were buttonless. In a smothered bass he cursed his star of ill-luck.

Murray, at his side, was shrunk into his dingy and ragged suit of blue serge. His hat was pulled low; he sat quiet and a little indistinct, like some ghost that had been dispossessed.

"I'm hungry," he muttered. "The Captain—by the top alpin of the Bill of Fishan. I'm starving to death. Right now I could eat a Bovey restaurant clear through to the stovetop in the alley. Can't you get something to eat?"

"You forget, my dear Captain," said Murray, without moving, "that our last attempt at dining was at my suggestion."

"You bet it was," groaned the Captain. "You bet your life it was. Have you got any more like that to make—?"

"I admit we failed," sighed Murray. "I was sure of a turkey and six mafine sandwiches when I had them. My collar had been torn off my neck after the way he talked baseball with me the last time I spent a nickel in his establishment."



"The quivering millipede, twenty feet longer than I was last night."

"I thought there might be a reward standing," explained Murray, easily. "I know the man well. He seems to be keeping himself pretty steady at present. I could lay my hands on him at any time. If there should be a reward—"

"There's no reward," interrupted the sergeant, shortly. "The man's not wanted. And neither are ye. So get out. Ye are frisky with my, and ye would be selling my. Out with ye quick, or I'll give ye a star."



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THE REIGATE PUZZLE.

Holmes handed to him. "This is not quite correct, however," he added, glancing over the document, "I wrote it rather hurriedly."

The Adventures of Sherlock Holmes.

With me, father, and see where he has got to! They rushed out of the room, leaving the Inspector, the Colonel, and me staring at each other.

THE REIGATE PUZZLE.

"I trust you had no more of those nervous attacks," said the Inspector, looking at Murray.

THE REIGATE PUZZLE.

of you will only come round to the east gate you will will very much surprise you and be of the greatest service to you and also to Anne Morrison. But say nothing to anyone upon the matter.

"You wouldn't do that, Murray? I always thought that Kile's squeal on his boss was about the lowest-down point of ever happened. A man that gives his friend away is worse than a pirate."

The park stepped a large man scanning the benches where the electric light fell. "It was my friend," said Murray, halting before the detective. His diamond stopped dead. His diamond-studded bow chain flashed. He was big and smooth and well fed. "Yes, I see it's you," he continued. "They tell me at Mike's that I might find you over here. Let me see you a few minutes, Mac."

The Captain lifted himself with a grunt of alacrity. If Charlie Finnegan had come down in the bottomless pit to seek him there must be something doing. Charlie guided him by an arm into a patch of shade.

"You know Mac," he said, "they're trying Inspector Picking on charge charges."

park struck through a narrow crack across, and came into Broadway, at this hour a dark street, and depeopled as a byway in Pompeii.

"How would you like to be a reward standing?" asked Murray, easily.

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BY SIR ARTHUR CONAN DOYLE.

Advertisement for 'Superfluous Hair Destroyed Forever' featuring a woman's portrait and text describing the product's benefits.