World's Leading Mystery Magazine

ELLERY QUEEN'S Mystery Magazine

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A NEW NOVELETTE

STUART PALMER & CRAIG RICE

Wilhorx and Malone, Brain-Storm[illegible]

The World's Leading Mystery Magazine

ELLERY QUEEN'S
Mystery Magazine

***Including* BLACK MASK MAGAZINE**

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We think you may be interested in turning to page 66 for an announcement of the most spectacular issue in 18 years of ELLERY QUEEN'S Mystery Magazine.

the EDITORS

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The World's Leading Mystery Magazine

ELLERY QUEEN'S *Mystery Magazine*

The Newest Adventure of

HILDEGARDE WITHERS *and* **JOHN J. MALONE**

Recipe for a rollicking rampage of reciprocal ratiocination: mix equal parts of such crimes as

paternity suit
forgery
conspiracy
accessory before the fact
accessory after the fact
accessory between the facts
concealment of evidence
—and a dash of murder

A missing ingredient? A tang conspicuous by its absence? Then add a pinch of spice, to wit—

John J. Malone in love!

With Hildegarde Withers? Of course not! Perish forbid! Look for a curvaceous blonde beauty with hair like spun honey, with eyes as blue as the Lakes of Killarney . . .

Stuart Palmer writes that we "can safely bill this as absolutely the last appearance of Withers-and-Malone" in 'tec tandem. We sincerely hope not—it would be a great pity. The combination of the spinster schoolteacher and the rowdy criminal lawyer is one of the brightest in the annals of detectivedom. Besides, the last time we spoke to Mr. Palmer he told us that some time before her death, Craig Rice discussed with Stu Palmer the plot of a hospital story in which Hildegarde and John J. solve their most baffling and exciting case. Please, Stu, if there has to be a "last appearance," a true "swan song," make it the homicide-in-a-hospital mystery . . .

WITHERS AND MALONE, BRAIN-STORMERS

by STUART PALMER with CRAIG RICE

"THEY'RE AFTER ME!" GASPED John J. Malone as he stumbled into Miss Hildegarde Withers's cottage. He set down his tinkling brief case and sank wearily into her easiest chair.

"Who? The men with the strait jacket?" queried the surprised

schoolteacher. She had heard nothing of the handsome, irrepressible little lawyer for more than two years, but now here he was—and obviously beside himself. She sensibly shot the night-bolt, then peered out through the venetian blinds; but the side street in Santa Monica-by-the-Sea seemed as quiet as usual. "I don't see anyone," she reassured him. "But it is said that the guilty flee when no man pursueth . . ."

"Well," protested Malone, who was at the moment trying to regain his breath and also to fend off the overfriendly advances of Talley the standard French poodle, "I may be guilty and I may not—that's for the jury. But somebody did pursueth me most of the way from the airport. I had to jump out of my taxi a couple of blocks from here and do a sprint across lots and through alleys. It was two men in a black sedan, and boding me no good, believe me!"

"But *who*? Surely you must have some idea."

He shrugged. "Anybody! I am *persona non grata* with Harbin Hamilton, deputy D.A. for Cook County. And with Captain von Flanagan, detective bureau of the Chicago police. *And* with Filthy Phil Pappke the bail-bondsman, *and* with a wealthy bastrich named Bedford, *and* even with Joe the Angel at the City Hall Bar. To say nothing of Maggie."

"Then it must be bad! You're welcome here, even if I haven't done my breakfast dishes. But go on—tell me what brings you all the way out to California."

"Murder," Malone admitted dismally. "Maybe two murders, and one of 'em my own."

The Withers eyebrows shot up. "I don't quite understand."

"So do I! We've got to prevent a murder, only—" he sighed. "It's a *long* story. Any refreshment in the house?"

"I can offer you some coffee and cookies," she said firmly, and disappeared into the kitchen. Life had been rather dull of late for the retired schoolteacher, but now she was perking up. She had crossed paths — and sometimes swords — with John J. Malone several times in the past and the adventures had always been memorable. She even had the scars to prove it. In a moment she was plying her unexpected guest with dull refreshments and sharp questions. Malone spiked the coffee from a bottle stashed in his topcoat pocket, and fed the cookies to the eager poodle, whenever he thought Hildegarde's back was turned.

"I'm really out here looking for a girl," he confessed.

"Quite out of my line," Miss Withers told him. "I'm a Miss, not a Madam. Have you tried breaking a hundred-dollar bill in a hotel bar—I thought that was your surefire method of making friends?"

"Listen, Hildegarde! I mean one special girl—name of Nancy Jor-

gens. A lovely, very impetuous and very unpredictable girl, age 24, size 38-24-36 . . ."

"Spare me the vital statistics."

"Nancy is supposed to be out here—somewhere in the Los Angeles area anyway. But it's like looking for a needle in a haystack."

"Which is not such a difficult task, if you have a big enough magnet!" Miss Withers was brightening. "In this case, the magnet being whoever or whatever brought her out here——"

"That would be Paul Bedford." The little lawyer spoke the name as if it had a bad taste. Then he added hopefully, lifting his cup, "Do you mind if I sweeten this?"

"You've already *sweetened* it three times, but who's counting? The schoolteacher sniffed disapprovingly. "Anyway, get on with your story."

"You'll remember that it's always been my proudest boast that I never lost a client yet? Well, that's been true—up to now."

"An execution? But I thought the murder hadn't happened yet?"

Malone shook his head, spilling cigar ashes over his new Finchley suit and flamboyant Countess Mara tie. "I mean lost, literally. Nancy flew the coop yesterday. She's a fugitive from justice and because of her I'm a fugitive, period! You see, it was because of that paternity suit I lost—then the forgery indictment, the conspiracy charges, and—" The little lawyer sighed. "But I'll tell you about it on the way downtown."

"The way downtown *where?*"

"L.A. police headquarters. There's so little time—we've got to have official help. Surely, with your connections—"

"This is not Manhattan—there's no friendly Inspector Oscar Piper out here. I am known downtown at Headquarters, yes—but I'm afraid I'm known as anathema. We can expect no help from that quarter."

"But we've *got* to find Bedford before Nancy finds him! She disappeared yesterday, just after I got her out on bail, taking with her only some summer-weight clothes and a pistol that was a prop in the show she'd been playing in when she got arrested. But there was a note in last Sunday's *Trib* society section saying that Paul Bedford, of the Winnetka Bedfords, had left town to spend a few weeks in the Sunny Southland of California. Nancy must have seen that item. She didn't even phone me to say goodbye—probably afraid I'd try to talk her out of it—"

"Does she know where Bedford is?"

"They were pretty close at one time, so maybe she does. But *we* don't."

"Hmmm," mused Miss Withers. "Is Bedford a prominent person?"

"And how. Even before the trial and all that publicity, he was front-page or society-page stuff.

Football star in some Ivy League college, also crew and track. Flew a desk in the Pentagon during the war, but got a decoration. And his collection of rare autographs is famous—he has a complete set of the signers of the Declaration of Independence, including a disputed Button Gwinnett that a book got written about. He and his sister Doris inherited over four million bucks when their mother died a few years ago—"

"Enough, Malone. The gilded rich have predictable habits, like migratory wildfowl. He'll almost certainly be in Palm Springs, Santa Barbara, La Jolla, Malibu Beach, or Balboa Island. And never underestimate the power of a long distance phone call. Who could put through a person-to-person call from Chicago to any of those places? How about Maggie?"

"Maggie takes a dim view of all this. But you could ask her."

Hildegarde proceeded to do just that. "Miss Withers!" finally came Maggie's voice across the miles. "I might have known that you'd get dragged into it! So Malone got as far as your place. Is he—?"

"Medium so. I am about to make some more coffee."

"Good! But try to keep him away from *that woman*!"

The schoolteacher never batted an eye. "Yes, but it's Bedford we've got to locate." She explained her plan, in detail. "And hurry, Maggie!" Hanging up, Miss Withers turned to Malone. "She'll try. But just why does Maggie refer to Nancy Jorgens as 'that woman' and advise me to keep you away from her?"

Malone fidgeted. "Maggie's prejudiced. You see, Nancy came into my office one day about a year ago—and a visitor of loveliness she was. Hair like spun honey, eyes blue as the Lakes of Killarney, a figure that—"

"Skip it. She's an actress, you said?"

"Model, singer, actress—she was just another pretty girl trying to break into show business. But what I was going to say about her figure—when she came into my office, *her slip showed.*"

"I beg your pardon?" And then Miss Withers read between the lines. "Oh!"

Malone nodded. "She was 'in trouble.' Said the man was Paul Bedford, of the canned-beef Bedfords. According to Nancy it was the old, old story, right out of *East Lynne*. She'd appealed to him when she discovered her indelicate condition, but—"

"He just sneered?"

"No, he told her to go see a shady doctor. When she refused to do that, he had her thrown out and the door slammed in her face."

"The skunk! Only I apologize to the entire *genus mephitis.*"

"So I brought suit against Bedford on bastardy charges. I thought sure he'd settle out of court for

maybe a cool hundred grand—but no dice. I think that vinegary-Vassary sister of his, Doris, put him up to fighting it. Anyway, they yelled 'legal blackmail,' and got Walt Hamilton to stand for the defense—he's the younger brother of Deputy D.A. Harbin Hamilton, who's been trying to nail my hide to the barn door for years. So my client and I had to go to court . . ."

"Let me put a little more coffee in your whiskey," Miss Withers offered sympathetically.

"Thanks. In court I have a regular field day—at first. I was never more eloquent, if I do say so myself. By the time the case came to trial Nancy had had her baby and got her figure back—she made a very appealing witness. It was an all-male jury, and when I rested our case, with Nancy sitting there in the courtroom with little Johnny in her arms, there wasn't a dry eye in the house."

"I can imagine—" She did a double-take. "Little *Johnny*?"

"Yes," sighed Malone. "She named the little tyke after me, out of gratitude. You see, I'd paid the doctor and the hospital—any attorney would have done the same for a client. I'd even found a nice foster home for the kid—with some relatives of Maggie's out in Berwyn."

"Hmm-mm," murmured Miss Withers. "Go on."

"And then the defense pulled a knife on me—right in my back. They produced a parade of witnesses, gentlemen—and I use the word in quotes—who swore on their sacred oath that they had bounced in the—pardon me, I mean swore they had enjoyed the favors of my fair client."

"Oh, no!"

"Oh, yes! Some of them were probably just hired from a casting office—it must have cost Bedford plenty. Anyway, we were snowed under. There was no time and no money to finance an overnight investigation of those lying witnesses. A couple of them had actually had dates with Nancy, and there were notes and autographed photos to prove it. She had accepted trinkets from some of them—nothing big like mink or emeralds—but you know how girls in the profession are . . ."

"I hope," murmured the schoolteacher, "that we're speaking of the *same* profession?"

"Objection!" said the little lawyer, reddening. "Nancy Jorgens isn't—"

"Go on, Malone."

"Well, unfortunately she didn't have any letters of Bedford's written during their brief but flaming affair. That in itself proves she wasn't mercenary!"

"Or that he was too cautious to write any! So you lost the case?"

"Not quite. I got a mistrial—a hung jury. Of course I was going to move for a new trial when either Nancy or I could dig up the costs.

But meanwhile she has to eat, and she's supporting the baby, a cute little shaver. So she gets a part in a melodrama some shoestring theater group is putting on, mostly on the strength of her cheesecake publicity at the time of the trial. And she proves she really can act!"

"I have no doubt of it," admitted Miss Withers. "Particularly when she has a sympathetic male audience. How long have you been in love with her, Malone?"

"Me in love? Don't be silly! Anyway, Nancy gets good reviews in the play and the show moves into a downtown Loop theater and everything is going swell—then blooie! She gets herself arrested on the charge of forging Paul Bedford's name to a $25,000 check!"

"Dear, dear!"

"'Dear-dear' isn't the word for it. It comes as a complete surprise to me. You see, she received the check in the mail, she says—"

"She *says!*"

"—and she rushes jubilantly over to me with it. I endorse it and then Joe the Angel, my old pal who runs the City Hall Bar, puts it through his bank for her. Do we celebrate *that* night!"

"I can imagine. But the check bounces—I mean bounced?"

"Higher than the Wrigley Building. Before I know it, my client is in jail, and I'm up to my ears in trouble. Harbin Hamilton in the D.A.'s office throws the book at Nancy. He's out to get me for conspiracy, accessory before the fact —or at the least disbarred!"

"Was the signature such an obvious forgery, then?"

"No, it was almost perfect. You can see yourself—I've got the enlarged photo-copies in my brief case here, along with the transcript of the preliminary examination. But every single handwriting expert said it was traced—they can tell by the variations in pressure used on the pen or something." Malone rose suddenly, tripped over the poodle, apologized, and then began to stalk up and down. "According to Nancy, the check simply arrived in the mail. The envelope and all the rest of it were typed, including an *'In Release of All Claims'* just above where the endorsement would go. Naturally she thought Bedford had had a change of heart, and so did I." Malone was now peering out the window. "Say, that black sedan has gone by twice!"

"Relax, Malone. You're safe here. But this whole thing doesn't make sense! How could anybody in his right mind believe that a girl would forge a check like that, knowing that it would immediately come to light—or just as soon as the man got his bank statement.

"The D.A.'s office had an answer for that. You see, Paul Bedford was supposed to be going off on a world cruise about that time —according to another of those squibs in the society column; but at

the last minute the trip had been cancelled because of his sister's health—she probably needed a transfusion of ice water. The authorities thought that *Nancy thought* that he wouldn't find out about the check until she had got the money and disappeared with it!"

"And of course such an idea would never occur to her?"

"Of course not. Unfortunately, however—on the same day I got the check cashed for her—she went to a travel agency and made a reservation to fly to Mexico City. Perfectly innocently, of course."

"Of course. She came into money, so she was going to leave her career—and leave you—"

"I was going along," Malone confessed sheepishly. "Just for a week or so. I haven't had a real vacation in years and I needed one."

"You needed to have your head examined! But never mind that. I still don't see that the prosecution has much of a case against your client. How could a girl like that prepare an almost perfect forgery?"

"Hamilton didn't say that—he thinks I took care of that angle. You see, I got Harry the Penman acquitted only a few months ago, and others in the profession owe me favors. Not that I'd ever stoop to a thing like that."

"I'm sure you wouldn't. I wish I were as sure about Nancy. Because it all boils down to *cui bono,* Malone. Who stood to benefit? Who stood to pocket the $25,000, except the person to whom the check was made out? Riddle me that!"

"I know," admitted Malone, still eyeing the window. "Oh-oh, there goes that black sedan again. Hildegarde, we've gotta get out of here! Why oh *why* doesn't Maggie call?"

"Possess your soul in patience, Malone. Be calm—whoops!" The phone had barely started to ring when the schoolteacher pounced on it. "Hello? Yes—yes, this is she! Put her on, and hurry! Hello, Maggie?"

It really was Maggie, being the perfect secretary again. And the plot had worked; Paul Bedford had been located, up at Malibu. "...so he's sitting by that phone, waiting for the call to be completed," came Maggie's excited voice. "And I don't dare answer the office phone because I don't have anything to say to him; I don't even dare use it—I'm calling from a phone booth and I'm out of quarters—"

"Bless you!" cried Miss Withers. "Goodbye!"

"Wait!" Maggie screamed. "Tell Malone I just got a tip that Harbin Hamilton is on a plane headed for California, with a bench warrant in his pocket! It's not for the Jorgens girl, it's for—" And just then the operator cut them off.

"Good for Maggie," said Malone. "It's nice to be warned about Hamilton, but it'll all be over be-

fore he gets here. So Bedford is at Malibu. No address?"

"Just the phone number—Grove 2-2533. But we'll find it."

"What are we waiting for?" the little lawyer demanded.

"For my hat." She rushed out, and Malone took advantage of the opportunity to replace the empty pint with a full one from his brief case; there might be snakes at Malibu. The schoolteacher's hat, he decided immediately upon her return, was something that could only have been inspired by a Rorschach ink-blot test, but he followed her in silence as she led the way out through the back door. "We'll take Talley with us," Miss Withers decided, as she quietly raised the garage door. "Since we're headed up Snob Hill, the presence of a French poodle may give us a certain *cachet* . . ."

Malone climbed into the ancient coupé, with some mental reservations. But the schoolteacher eventually got it going, and then they were headed down the alley, bouncing along a short street, then down more alleys, winding and twisting. "Just to throw anybody off," she explained.

"You just about threw *me* off at that last corner!" the little lawyer said through clenched teeth. He hung on tight as she whirled the little coupé onto Wilshire, down the ramp, and onto the Coast Highway heading north. The dog now had his head resting on the back of the seat between them, whining.

"Maybe he wants to drive," Malone suggested. "I wish *somebody* would — you missed that gravel truck by half an inch." They rolled on, at a dizzy fifty miles per hour. Then it was fifty-five, then sixty. "Will you please slow down?" Malone begged.

Every nut and bolt in the venerable chariot was protesting audibly. "I tried slowing down," Miss Withers said. "But it seems that black sedan behind us slows down whenever I do. And then it speeds up when I try to move ahead. Do you suppose—?"

"I do." Malone shook his head sadly. "Probably Phil Pappke's strong-arm boys. I should never have talked him into going bail for Nancy; he isn't known around City Hall as Filthy Phil for nothing."

"But it was Nancy Jorgens who jumped her bail. He should be annoyed at your client, not you."

"Well, I'm afraid that as partial surety for her I put up a building I own, out on the South Side. Unfortunately I won it in a poker game, so the title is cloudy. And it's been condemned anyway. Naturally Pappke got irritated when he found that out, after Nancy skipped town yesterday. In fact, Filthy Phil lived up to his moniker by giving me until midnight either to produce Nancy or the money—*or else.*"

"Midnight tonight?" gasped Miss

Withers, passing a line of other cars and neatly getting back to her favorite position—directly over the white line.

"Midnight *last* night," Malone said. "On the other hand, this may not be Phil's henchmen at all. He's only one of many who want my scalp; he'll have to wait in line. Hildegarde, you see beside you a very unhappy man."

"You're not the first to be put behind the eight-ball by a woman," she reminded him. "Well, we're getting into Malibu now."

"Probably too late," the little lawyer moaned. "All we've got to do now is to get rid of that tail, then find out where Paul Bedford is hiding out—"

"Leave it to me," said Miss Withers. Then, ignoring his hopeful suggestion that they could inquire about Bedford at the nearest liquor store, she turned smack-dab into a parking lot just beside a small squarish building which flew both the American and California flags.

"Hey, that's the Sheriff's office!" Malone cried.

"Certainly. You'll notice that this move already takes care of the black sedan—it just went by, and very fast. Now if you'll give me a moment to fix Talley up—luckily he just had a clipping and looks quite silly enough to be anybody's pampered darling..." She put a rhinestone collar around the poodle's neck and affixed a green bow to his topknot. "Presents from Inspector Piper," she explained over her shoulder, as she led the bedizened dog out of the car and into the Sheriff's Substation.

Behind the rail sat a dough-faced, stolid man in a black uniform, engaged in reading a paperback titled *2000 Questions From Civil Service Exams*. "Good morning, Sergeant," Miss Withers said brightly, keeping a firm grip on Talley's leash. And then she asked the crucial question.

The officer blinked. "The Bedford house? Why, it's closed up."

"No, it isn't, Griggsy," said a male voice from an inner room. "Bedford and his sister opened it up. They're camping out there—roughing it without even any servants."

"Oh, good!" exclaimed the schoolteacher. "Because I mislaid the address, and I'd hate to go all the way back to the kennels without delivering Miss Doris' dog."

"The number's twelve Loretta Lane," said the other uniformed man, appearing suddenly in a doorway. "You turn in about a mile up the pike, third gate from here, then take the first to the left, then left again at the circle." He smiled a Boy Scout smile. "It's not easy to find—maybe I could ride along?"

He was looking not at her but at the Sergeant, who started to frown.

"Thanks, anyway," said Miss Withers hastily. "I'm quite sure I can find it." And she dragged Talley hastily away.

Sergeant Griggs returned to his *2000 Questions*. Then he looked up. "Hey, didn't I see a flimsy go through on this guy Bedford?"

The other shrugged. "Not that I know of. Except that we were supposed to keep an eye on the place while it was boarded up. But the folks are living there, all right. They phoned in a big order to The Market Basket yesterday—I know because my kid brother delivered it. A raft of canned goods, caviar, champagne, brandy, smoked oysters, Westphalian ham—all sorts of fancy stuff."

"No fancier than that dog. A diamond collar yet!"

"Bud said they wanted a lot of candles and a Coleman stove and all the newspapers, too. Looks like the high-and-mighty Bedfords are planning to rough it for a while. Bud said they hadn't even taken the shutters off the windows except around to the south, on the ocean side."

Griggs was frowning. "That's funny! No servants, no utilities except the phone, calling in their orders. Maybe they don't want it known they're here! And maybe you shouldn't have been so helpful with that old biddy—she might be the finger woman for a mob." He reached for the phone. "Your brother in high school now?"

"Yeah, Bud's a senior."

"I just wanted to ask him if there was any dog food in that order."

While his partner derisively hummed the "boomp-de-boomp-boomp" theme music of a popular cops-and-robbers TV show, Griggs made the call—he had been bucking for lieutenant for years.

But the damage was already done.

Malone, Miss Withers, and Talley had found the rambling rose-pink house at 12 Loretta Lane, perched on the edge of the cliff high above a small private beach and the broad Pacific. It stood shuttered, silent, asleep. Yet just as they were about to disembark, they heard the muffled but unmistakable sound of a pistol shot within. It was immediately followed by another shot, then by a choked feminine scream.

"Too late!" cried Malone, as they dashed up the sidewalk.

Miss Withers knocked and knocked, and the little lawyer rattled the doorknob, without avail. "Break it down?" she suggested. He rammed it with his shoulder, then shook his head.

"You stay here!" he ordered. "I'll try the back..." He ran off, followed by the poodle who didn't quite understand the game but wanted to get into it.

"Well, I never!" said the schoolteacher, somewhat vexed. She banged on the door again, then tried to peer into one of the shuttered windows. "The dickens with it!" She raced to the back, around the garage wing, and came suddenly into the blazing sunshine and onto a wide, rough-stone patio gay

with grass and flowering shrubs, outdoor furniture and umbrellas, and an immense but empty swimming pool.

She arrived just in time to see John J. Malone with a naked girl in his arms.

"Excuse *me!*" Miss Withers cried, aghast.

But on second look the girl wasn't quite naked after all; she wore flesh-colored Bikini-type halter and shorts. Still, she was what the schoolteacher would have called "a scandal to the jay-birds," and her breath-taking beauty only made it more scandalous.

"Damn it, darling," she was almost screaming, "let me go!" The young woman squirmed like an eel, trying desperately to get away toward the flight of wooden steps that descended down the cliff to the little beach below.

Malone had a good grip; he not only held his prize but he shook her fiercely. "Listen, Nancy! Listen to me! I'm your attorney, remember? He tried to strangle you, and you shot him in self-defense—remember that!"

"Oh, you don't understand! Let me go!"

But Miss Withers understood. Nancy Jorgens had a nasty little pistol in one hand, and it was still smoking. Without hesitation the schoolteacher crept up silently and snatched it away. "There," she said. "Now will somebody please tell me—" But nobody did. Talley had the most to say, barking his head off with happy excitement.

The girl finally went limp in Malone's grasp. "Back inside," he said sternly. "I'm taking over now." And he half carried the curvaceous beauty through the French doors into the house. After a thoughtful moment Miss Withers followed, carefully closing the doors behind her, right in Talley's puzzled face.

From then on things remained nightmarish. They were in an immense living room full of moderne chairs and furniture and garnished with Picasso and Modigliani prints and metal mobiles—a room that smelled of perfume, of the sea, and of raw cordite. A thin rigid woman of around forty—obviously Doris Bedford, the sister—was standing near the fireplace. Not doing anything, just standing. A clock ticked away somewhere, and the waves crashed booming on the rocks below.

Paul Bedford, slightly overweight, slightly tanned, slightly dead, lay all akimbo at the farther end of the room near an open window, staring thoughtfully at the ceiling. A vagrant breeze drifted in uninvited, and ruffled his curly, thinning hair.

"*I didn't*—!" screamed Nancy Jorgens, before Malone's hand clamped over her mouth.

"Now what happened here?" the little lawyer demanded, looking accusingly at Doris Bedford.

"Who are you?" she whispered, hardly moving her pale lips. She

wasn't looking at the intruders or at the body of her brother — she wasn't looking at anything.

Miss Withers came to life. "Never mind arguing. What matters is whether–is if–" She steeled herself, then moved to bend over Paul Bedford. This sort of thing was not exactly her cup of tea; she preferred her murders at second-hand. A mental problem in applied criminology was one thing, but this–

"My brother is dead," said Doris hollowly. "You needn't bother trying his pulse or putting a mirror to his lips. He's dead, I tell you. And *she* shot him, just as I knew she would!"

"You–you weren't even in the room!" cried Nancy, twisting away from Malone again.

But the little lawyer caught her, and his hand clamped over her mouth. Then he shoved her into a chair so hard that her teeth rattled. "Shut up!" he whispered fiercely. "We *want* her to have been in the room, maybe! I said let me handle this!" He turned to face Doris Bedford. "I am John J. Malone, Miss Jorgens's attorney. Please tell us in your own words exactly what happened."

"Just what I feared would happen, if Paul didn't get far enough away from *her!* She came bursting in here uninvited–she must have swum out around the rocks and trespassed on our beach. That was while my brother and I were waiting for a very important phone call from Chicago to be put through to us. She insisted that she had to talk to Paul alone, so I went out. But naturally I could hear . . ."

"Then you don't claim to have witnessed the alleged crime?" began Malone in his best courtroom manner.

Miss Withers had had enough. "For heaven's sake!" she cried. "This man may *not* be dead! I don't see a wound or any blood. None of us is a doctor–where's the phone, quick? An ambulance . . ."

"Never mind the ambulance. Get . . . police . . ." murmured Doris Bedford. And then she crumpled to the floor in a dead faint.

Miss Withers tried to move in two directions at once. She didn't quite make it.

"Wait," snapped Malone. "Maybe all three of us should blow this joint fast—it's only her word against ours. Listen, Hildegarde–"

Hildegarde was listening–to the brief, sotto-voce *skrr* of a siren outside, and almost immediately afterward to a hammering on the front door. "I'm not compounding any felonies," she said. "And I'm afraid my running days are over. You both stay put–I'm going to open the door."

"Yes?" she said politely to the man outside, her recent acquaintance of the Substation, Sergeant Griggs. His round, perspiring face wore a look of worried deference.

"Excuse me for busting in, but–"

he began. Then he recognized her. "Say, what's going on here?" At that inauspicious moment Talley the poodle came bounding through the flowerbeds, darting in past them through the open door, then stopping short at the entrance to the living room. He set up an ear-splitting barking, and by the time his distraught mistress could grab him and shut him up, the fat was in the fire.

"It's murder," she admitted to the officer. "You may as well come in. It's in there."

Griggs got as far as the door, and froze. "Migawd!" he cried, unbelievingly. "It's *wholesale!*"

Miss Withers was helpful. "I think Miss Bedford has only fainted," she said softly. "Her brother seems to be the victim . . ."

"If there was a victim," Malone spoke up. He was sitting calmly on the arm of Nancy's chair, one hand firmly on her bare shoulder. "My client has absolutely nothing to say at this time." It was not the exact truth—Nancy had "Ouch!" to say, reacting to his warning pinch.

Sergeant Griggs knelt for a moment over what was left of Paul Bedford. "Colder'n Kelsey," he said hollowly. "This is it, folks." Nobody said anything. Nancy Jorgens looked guilty, Malone looked guilty, and Miss Withers suspected that she looked guiltier than either of them.

For the sake of the professional reputations of Mr. John J. Malone and Miss Hildegarde Withers, it might be well to draw the mantle of charity over the next hour. Everything had, as Malone aptly put it, "gone to hell in a handbasket." Paul Bedford was a stiffening corpse. His sister had come out of her faint only long enough to point at Nancy and scream, "She shot him, she shot him twice!" and then had relapsed into a coma.

The police were everywhere, doubled and redoubled. "And three down, vulnerable," Miss Withers whispered to the little lawyer. "Bridge, you know."

"Nobody should burn their bridges until they come to them," he whispered back absently. "I wish you'd shut up and let me think." Typically, the retired schoolteacher had from time to time been making helpful suggestions about the way an on-the-spot murder investigation should be conducted, none of which Sergeant Griggs took in the right spirit. For some reason, the officer seemed inclined to consider Miss Withers as "hot" a suspect as the other two. That tied Hildegarde's hands, if not her tongue.

Nor was Malone in his best form, either. With a knowledge of women which, like Dr. Watson's, "extended over three continents," he must have had some doubts about his lovely client and the extent to which she had bedazzled him for her own ends. The ground was not firm beneath his immacu-

late Italian oxfords. Unfortunately, one of the first things the officers had done was to have everybody searched, and his pint bottle of snake-bite remedy had been summarily impounded. That was the last straw. He was in the depths, but he was still trying to think fast.

Nancy Jorgens seemed the coolest of all. She had found a cigarette in a little box on a mosaic table beside her, and she lit it with a steady hand. Miss Withers was beginning to admit to herself a sneaking liking for the young woman. "There is more to that girl than meets the eye," she said to herself. "And at the moment there is certainly a good deal of her *to* meet the eye!" But Nancy seemed magnificently unaware of her semi-nakedness.

Around the three of them the breakers of the Law dashed higher and higher; the house was so full of uniforms that it looked like a St. Patrick's Day parade in Manhattan. There were doctors and coroner's physicians and a police crime-lab squad with cameras and fingerprint powders and tiny vacuum cleaners —and everyone was having a field day.

The three suspects had been herded into the playroom, near a dusty ping-pong table and an ornate but understocked bar, with one of the Sheriff's deputies on guard and taking his duties very seriously. "I was just thinking—" began Miss Withers.

"No talking," the officer told her.

"But I was only going to say that it isn't sensible to lock my dog in the kitchen. He can open refrigerators and cupboards!"

"Quiet!" So the three of them just sat there. Doris Bedford had been taken tenderly to her bedroom and was now under the care of a doctor and a nurse; Miss Withers might have considered trying a maidenly swoon herself, but her curiosity had got the better of her. She had to see Malone talk his way out of this one!

After a time Sergeant Griggs stalked in on them, complete with notebook and pen. The case was his baby, and he made that perfectly clear. "This happened in unincorporated county territory," he told them. "So I'm in charge. I'm taking your statements—"

"One at a time, separately," put in Miss Withers. "I believe that's the correct procedure."

"Yes, one at a—be quiet! *You* first," he jabbed at Nancy. "Mac, take the other two away and sit on 'em."

"I object!" spoke up Malone. "I am John J. Malone, Miss Jorgens' attorney-of-record. You will question her in my presence or not at all. Furthermore, if you question me I will give my name and address only. I was not a witness to the alleged crime, arriving on the scene only after whatever happened happened. Anything my client may have said to me is a privileged communication unless the court later

decides it is properly part of the *res gestae . . .*"

"I said *QUIET!*" roared Griggs. He turned on Miss Withers. "Now you, ma'am—"

"This lady is also my client," Malone interposed. "I insist—"

"Nonsense," interrupted the schoolteacher. She took a deep breath. Then, not looking at the little lawyer, she said calmly, "Mr. Malone is mistaken when he says he is my attorney. He is just a friend of mine. I only drove him up here because he was in a hurry to see his client, Miss Jorgens, and thought she might have come here. Just as we arrived we heard two shots. Mr. Malone tried the front door, then told me to watch there while he ran around to the back of the house. I got tired of waiting and followed him, just in time to see him with Miss Jorgens on the patio. We three came inside immediately through the open French doors and found the body—"

"Okay, okay!" said Sergeant Griggs, scribbling. "But not so fast."

"We saw Miss Bedford standing near her brother's body. She said something about the girl's having shot him—"

Malone was so busy giving Hildegarde withering glances that he had momentarily forgotten Nancy, who spoke up with the determined insistence of a balked child. "She wasn't even in the room, I tell you!"

"But you do admit shooting him, don't you?"

"This is absolutely improper!" cried Malone desperately. "You are putting words in her mouth. And if there was any shooting it was solely in self-defense!"

"That would be just dandy," remarked the Sergeant drily. "Only in self-defense nobody but nobody shoots an unarmed man in the back!" They froze at that. "There wasn't any wound or any blood on the front of the corpse, or I would have noticed it!" Griggs added triumphantly.

Nancy cried "Oh, no, no! I—"

"Miss Jorgens," Malone interrupted, "denies everything!"

Griggs seemed at the point of spontaneous combustion; Miss Withers fancied she could already see smoke coming out of his big red ears. But at that moment they were relieved by the sound of a heavy knocking at the door. The officer who had been called Mac opened it, listened, then beckoned to his superior. Griggs hesitated, gave the suspects a warning glance and went reluctantly out. Mac stayed in the doorway, more interested in what was going on in the hall than in the room. Malone managed to catch Hildegarde's eye and whispered reproachfully, "Nice going, Miss Blabbermouth!"

"I'm afraid I've only just begun," the schoolteacher whispered back, feeling rather like Benedict Arnold. But she was convinced that what

had to be done had to be done.

Meanwhile, the cause of all this commotion sat perfectly still, her lovely legs crossed, her pale hair unmussed. Nancy was like a child who had idly dropped a lighted match in the underbrush and now was only a mildly interested spectator at the holocaust. Perhaps she had not chosen the almost invisible bathing suit as the perfect costume in which to be arrested, but it certainly gave her a definite edge—with the opposite sex, anyway. If Griggs had known his business, Miss Withers was thinking, he would have found a robe or a blanket and made the girl put it on, so he and the rest of the officers could keep their minds on their work.

But their inquisitor came back, too soon. With him now were reinforcements in the shape of a number of sober-faced gentlemen in casual sports attire who were still obviously detectives or officials; one of them Miss Withers thought she remembered from the recent McWalters murder affair. He was a man named Dade, who was supposed to be something important in the D.A.'s office downtown. He had given her little or no trouble then—but that time she had been on the other side of the fence. Now he did not even nod.

In addition there was a pudgy civilian in sober "eastern" clothes, who wore an expression of unadulterated glee on his pale, slightly-greenish face. "Well, Malone!" said the great Harbin Hamilton. "It is a pleasure, a great pleasure, to meet you like this!"

The little lawyer was obviously staggered. All he needed right now was the unwelcome sight of the Deputy D.A. of Cook County. "Hello, Harbin," he managed to say. "So you had to fly out and get into the act! You look even unhealthier than usual—rough trip, I hope I hope?"

"It was worth every bit of it, shyster," said Hamilton.

"All right!" cut in Sergeant Griggs, still trying to keep control of his first big murder case. "Never mind the personalities." He walked over and put his thick hand on Nancy's bare shoulder. "Nancy Jorgens, I arrest you on suspicion of murder!"

Nancy took his hand and removed it, as if it had been a damp clam. "Am I supposed to say something?" she asked coolly.

"Play it your own way, sister. The doctor says you missed Bedford both times, and the bullets went out through the open window behind him. But you were the cause of a fatal heart attack, so it's exactly the same as if you'd taken dead aim. We know all about the trouble you had with him back in Chicago—"

"She tried to shake him down with a phoney lawsuit, and when that failed she forged his name to a check for $25,000; she's under in-

dictment for that now!" put in Harbin Hamilton helpfully. "And having jumped her bail, she's a fugitive from justice." He took a step toward Nancy. "We know you had a gun with you when you came out here from Chicago. You were aware that Bedford was hiding out with his sister—hiding out from you. You located him at this beach place, you knew you couldn't get in the front way, so you swam around the rocks to the private beach and came up here to have it out with him, then—"

Malone drew a deep breath. "A clever concatenation of pusillanimous, suppositional, hypothetical fabrications. I demand—"

"Shut up," Griggs said. "You have no privileged status here as an attorney. Mr. Hamilton has a bench warrant for you, on several charges of conspiracy. But murder takes precedence." Griggs's hand came heavily down on Malone's padded shoulder. "The charge is accessory after the fact and concealment of evidence—the pistol."

"What pistol? The presence of a weapon here has not been established!" But the little lawyer was standing on the thinnest of legal ground.

Griggs motioned to Miss Withers. "This lady here says she heard two shots, just as you arrived. The room stank of cordite when I got here. That's enough evidence for me—and we'll find the gun!"

Harbin Hamilton was obviously enjoying every moment. "That seems to settle you, once and for all," he told Malone. "And your girl friend, too." He nudged Sergeant Griggs. "What'll we do with the Withers woman? She's in on it too, isn't she? I seem to remember her being in cahoots with Malone once before—"

"Listen!" cried Nancy suddenly. "I can't stand any more of this. If I sign a confession will you let these people go? Mr. Malone and Miss Withers haven't done anything!" Her voice throbbed.

Sergeant Griggs was brightening, but Malone cut in. "I will not permit it!"

"I won't either," said Hamilton. "A confession to first degree murder can't be pled anyway. And we don't need a confession."

"That's right," agreed Griggs. He turned to the schoolteacher, who could already hear those iron doors clanging behind her.

"I'll go," Hildegarde said, "but I'll not go quietly! As a matter of fact, there are a number of things I must call to your attention. In my opinion, you're going about this investigation in entirely the wrong way, and—"

Just then Mr. Dade, the sober-faced gentleman from the D.A.'s office, drew the Sergeant aside and whispered to him. Griggs listened, looked surprised, and nodded. "Thanks for tipping me off, Mr. Dade," he said. Then he turned back to Miss Withers, who had her

fingers crossed behind her back. "As for you, ma'am—I hear that you've meddled in police business before, and managed to make an unholy nuisance of yourself. On the other hand, you've helped us this time by making a statement. So if you'll wait while it's typed up—"

"But I'm certainly not going to leave right now!" she broke in. "I'm needed here! I've probably had a great deal more experience in murder cases than any of you, and I'll be happy to advise you!"

"You'll get out now," interrupted the Sergeant wildly. "The statement can be signed later. And take that screwy-looking dog with you!"

Miss Withers looked as crestfallen as the traditional old maid in the limerick. "Well, I *never!*" she huffed. But the party was over. Nancy was led away, belatedly covered with one of Doris Bedford's beach robes. Malone, at Harbin Hamilton's spiteful insistence, went through the ignominious experience of being handcuffed. The schoolteacher found herself being propelled firmly toward the door, but she did manage to flicker a reassuring wink over her shoulder in his general direction. Malone didn't see it, or perhaps he didn't wish to see it.

It just wasn't Miss Withers's day. To add to her troubles, just as she'd feared, Talley had pawed open the refrigerator and made smorgasbord of its contents. Leading him outside, she had to run the gantlet of the press—evidently the Bedford murder was already front-page news. The photographers flashed cameras at her, and the reporters demanded statements.

"Stand back!" she warned them, holding Talley firmly.

"Does he bite?" one newsman asked.

"No, but he throws up!"

Somehow she made her way back to the little coupé and got it started. Talley, quite unused to lunching on smoked oysters and caviar, climbed slowly onto the back seat and curled up to sleep. Miss Withers felt rather like curling up too. Malone, one of her best friends, had come to her in his greatest hour of need, and now she was abandoning him to the jackals. She alone was free—but free to do what? The case against Nancy, a girl perhaps more sinned against than sinning, was utterly damning—and Malone was in it up to and including his ears.

And to make everything absolutely perfect, Miss Withers had not got ten miles down the coast on the way home before she saw the familiar black sedan tailing her. It hung on, perhaps an eighth of a mile back, as implacable as death and taxes. The schoolteacher's immediate reaction was a rush of righteous wrath to the head—but she remained cool, concocting a plan that was fiendishly simple.

"I think, Talley, we've been pushed around just about enough for one day!" She speeded up, dash-

ing on down the highway until she saw a side road leading inland up one of the narrow canyons. Rashly she turned up it—a winding, two-lane road with looming cliffs on one hand and a dizzy drop-off on the other. The black sedan followed.

She gave a last burst of speed before taking one of the sharpest blind curves, then jammed on the brakes and stopped short, with the little coupé swung across the road.

The big sedan had excellent brakes, but no driver on earth could have seen that improvised roadblock in time. Rubber smoked and screeched—and then there was a resounding crash. Miss Withers' ancient Chevy rolled sluggishly over —and then disappeared. Topanga Canyon echoed a few seconds later to another, a very final crash, from far far below . . .

(continued on page 116)

What the critics think of *EQMM* . . .

"If there is an 'indispensable' book in the mystery and suspense category it must surely be ELLERY QUEEN'S ANNUAL . . . Small wonder that *Ellery Queen's Mystery Magazine,* even with some vigorous rivals, is the one really and happily unavoidable mystery magazine among them all."

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DISCOVERY

A "New" Story by a Great Master

W. Somerset Maugham's "A Point of Law" appeared in the October 1903 issue of "The Strand Magazine" of London. (As a point of curiosity, the same issue contained A. Conan Doyle's "The Adventure of the Empty House," the first story in THE RETURN OF SHERLOCK HOLMES.*) But so far as we have been able to check, "A Point of Law" has never been published since—not in any magazine in the United States, and not in any of Mr. Maugham's books, published either in England or over here. Thus, "A Point of Law" is a completely "new" story to American readers, and now has its very first appearance in print in the United States. But would you have believed that* any *story by W. Somerset Maugham had escaped print in this country?*

Yet, strictly speaking, "A Point of Law" is 55 years old—twelve years older than Mr. Maugham's masterpiece, OF HUMAN BONDAGE. *You will be impressed, however, with the grace and ease of Mr. Maugham's style in a story written when he was still in his twenties, written more than half a century ago.*

Here is genuine Victoriana, told with restraint and with surprisingly modern British understatement—a tale of an evil and unscrupulous opportunist—a legal mystery, at once charming and tragic, showing how "the law may work so as to protect the innocent and punish the contriving."

A POINT OF LAW

by W. SOMERSET MAUGHAM

WHEN I FEEL MORE THAN usually poor (on a rainy day, for instance, when opulent stock brokers roll swiftly in electric broughams, or when some friend in bleak March weather tells me he is starting that very night for Monte Carlo) I make my will; it gives me a peculiar satisfaction to leave my worldly goods, such as they are, to persons who will not in the least care to receive them, and I like the obsequious air of the clerk who blows my name up a tube to the

family solicitor. It is an amusement which costs me nothing, for Mr. Addishaw, the senior partner in the eminently respectable firm of Addishaw, Jones, and Brahm, knows my foible; he is aware also that a solicitor's bill is the last I should ever pay, and I have warned him that if ever he sends it I will write a satiric story which shall hold him up to the ridicule of all his neighbors on Brixton Hill. What accounts he prepares after my demise do not in the smallest degree perturb me; my executors and he may fight it out between them.

One day, then, I walked down the Strand, feeling very wretched after a cheap luncheon in a crowded Italian restaurant (a crust of bread and a glass of water may be rendered appetizing by hunger and a keen sense of the romantic, but who can survey without despondency a cut off the joint, half cold and ill cooked, and boiled potatoes?), and, jostled by hurrying persons, I meditated on the hollowness and the folly of the world. I felt certain that Mr. Addishaw at this hour would be disengaged, and it seemed an occasion upon which his services were eminently desirable; it would comfort me just then to prepare for the inevitable dissolution. I turned the corner and soon found myself at the handsome edifice, with its array of polished brass-plates and its general look of prosperity, wherein the firm for many years had rented offices.

"Can I see Mr. Addishaw?" I inquired.

And in a moment I was shown upstairs into the sumptuous apartment which the good gentleman inhabited. He had evidently just lunched, and with him the meal had without doubt been satisfactory; for he sat in the armchair generally reserved for clients, toasting his toes at the cheerful fire, and with great content smoked his cigar. There was so much self-satisfaction about his red face that the mere sight of him cheered me; and the benevolence of his snowy whiskers impressed me more than ever before with a sense of his extreme worth.

"You look as if you read the Lessons in church every Sunday morning, Mr. Addishaw," I said, when I shook hands with him. "I've come to make my will."

"Ah, well," he answered, "I have nothing to do for ten minutes. I don't mind wasting a little time."

"You must sit at your desk," I insisted, "or I shan't feel that I'm getting my money's worth."

Patiently he changed his seat, and with some elaboration I gave a list of all the bequests I wished to make.

"And now," said I, "we come to my wines, spirits, and liqueurs."

"Good gracious me!" he cried; "I didn't know that you had started a cellar. You are becoming a man of substance. I will tell my wife to ask for your new book at Mudie's."

"Your generosity overwhelms

me," I retorted. "Some day, I venture to hope, you will go as far as to buy a second-hand copy of one of my works. But I have no cellar. The wine in my flat is kept in a cupboard along with the coats and hats, the electric meter, my priceless manuscripts, and several pairs of old boots. I have no wines, spirits, and liqueurs, but I wish to leave them to somebody, so that future generations may imagine that writers in the early twentieth century lived as luxuriously as butchers and peers of the realm and mountebanks."

Somewhat astonished at this harangue, Mr. Addishaw wrote as I desired; then a pale young clerk was sent for and together the legal gentlemen witnessed my signature.

"And now," said I, "I will light a cigar to complete the illusion that I am a man of means, and bid you good afternoon."

Mr. Addishaw returned to his armchair by the fire and, feeling apparently very good-humored, asked me to remain for a few minutes; he had taken the only comfortable seat in the room, but I drew up the writing-chair and sat down.

"Wills are odd things," said Mr. Addishaw, in a meditative manner. "Only the other day I had to deal with the testament of the late Lord Justice Drysden; and it was so ill-composed that no one could make head or tail of it. But his eldest son happened to be a solicitor, and he said to the rest of the family: 'I'm going to arrange this matter as I consider right, and if you don't agree I'll throw the whole thing into Chancery and you'll none of you get a penny!' The family were not too pleased, for their brother thought fit to order the affair in a manner not altogether disadvantageous to himself; but I advised them to submit. My father and my grandfather were solicitors before me, so I think I have law more or less in the blood; and I've always taught my children two things. I think if they know them they can't come to much harm in the world."

"And what are they?" I asked.

"Never tell a lie and never go to law."

Mr. Addishaw rose slowly from his chair and went to the door.

"If anyone wishes to see me, Drayton, say that I shall be disengaged in a quarter of an hour," he called to his clerk.

Then, with a little smile which sent his honest red face into a number of puckers, he took from a cupboard a bottle, well coated with dust, and two wine glasses.

"What is this?" I asked.

"Well, I'm an old man," he answered, "and I keep to some customs of profession which these young sparks of today have given up. I always have a bottle of port in my room, and sometimes when I don't feel very well I drink a glass or two."

He poured out the wine and looked at it with a smile of infinite content. He lifted it to his nose and

closed his eyes as though he were contemplating some pious mystery. He sipped it and then nodded to me three times with a look full of meaning.

"And yet there are total abstainers in the world!" he exclaimed.

He emptied the glass, sighed, refilled it, and sat down.

"Talking of wills, I said the last word in a matter this morning which has interested me a good deal; and, if you like, I will tell you the story, because it shows how sometimes by pure chance that ass, the law, may work so as to protect the innocent and punish the contriving.

"One of the oldest clients of my firm is the family of Daubernoon, north-country squires, who have held immense estates in Westmorland since the good old days of King Henry the Eighth. They were not a saving race, so that in personality they never left anything worth speaking of, but they always took care to keep the property unencumbered; and even now, when land is worth so little and the landlord finds it as difficult as the farmer to make both ends meet, their estates bring in the goodly income of six thousand a year.

"Roger Daubernoon, the late squire, injured his spine in a hunting accident, and it would have been a mercy if he had killed himself outright, since he lingered for twenty years, a cripple and an invalid who required incessant care. His wife died shortly afterwards and he was left with an only daughter, in whose charge he placed himself. A man used to an active, busy life, in illness he grew querulous and selfish, and it seemed to him quite natural that Kate Daubernoon, then a girl of twenty, should devote her life to his comfort. A skillful nurse, she became so necessary to him that he could not face the thought that one day she might leave him; he was devoured by the fear that she would marry, and he refused, pretexting his ill health, to have visitors at the Manor. He grew petulant and angry if to go to some party she abandoned him for a couple of hours, and finally Miss Daubernoon resigned herself to a cloistral life. Year in, year out, she remained in close attendance on her father, partly from affection, but more for duty's sake; she looked after the house, read to him, and never once left home. She saw no one but the villagers, by whom for her charitable kindness she was adored, the parson and his wife, the doctor, and twice a year myself.

"And she grew old. Miss Daubernoon had never been beautiful, she had never been even pretty; and the stealthy years, the monotonous life, robbed her of the country freshness which in early youth had made up for other deficiencies. As year by year I went up to Westmorland to see Mr. Daubernoon, I was distressed to note the difference in his daughter; and before her time she

grew prim and old-maidish. She ceased to regret the joyous life of the world, growing so accustomed to the narrow circle wherein vegetably she existed that I think nothing at last would have induced her to withdraw from it. Finally, when I was staying in the house at Christmas, two years ago, the village doctor came privately to see me. He told me that Miss Daubernoon had been ill through the autumn and now, to his dismay, he had discovered that she was phthisical.

"'You know what our winters are here,' he said to me. 'If she does not go away it will probably kill her.'

"I went to her at the doctor's request, and used the persuasions which with him had been quite useless. But she would listen to nothing.

"'I know that I am ill,' she answered, 'but I cannot leave my father. Do you see no change in him since you were last here?'

"I was obliged to confess that I did; the long years of suffering had broken down at last that iron frame, and even the most inexperienced could see that now the end could not be far off.

"'It would kill my father at once to move him. It would kill him also if I went away.'

"'But do you think you have a right to place your own life in such danger?'

"'I am willing to take the risk.'

"I knew her obstinate character, and I felt I could never induce her to change her mind, so I went straight to Mr. Daubernoon himself.

"'I think you should know that Kate is dangerously ill,' I said. 'She has consumption, and the only thing that can save her is to winter abroad.'

"'Who says so?' he asked.

"There was no astonishment in his manner, so that I wondered whether he had divined the illness of Miss Daubernoon, or whether in his utter selfishness he was indifferent to it. I mentioned Dr. Hobley's name.

"'Twenty years ago he said I couldn't live six months,' answered Mr. Daubernoon. 'He's a nervous old woman. Kate's as strong and well as you are.'

"'Would you like a specialist to come from London to see her?'

"'Oh, those doctors always back one another up. A specialist would only frighten Kate.'

"I saw that he would never allow himself to be persuaded that his daughter needed attention, and I spoke more sternly to him.

"'Mr. Daubernoon,' I said, 'if your daughter dies the responsibility will be yours.'

"Then a cruel look came into his worn, thin face—a look I had never seen before, and a hardness filled his eyes that was horrible.

"'After all, I can only last six months. When I'm dead she can do what she likes. *Après moi le déluge.*'

"I did not answer, appalled by the sick man's cruel selfishness; the poor girl had sacrificed her youth to him, her hopes of being wife and mother; and now he wanted her very life. And she was ready to give it.

"Mr. Daubernoon lived four months longer than he said, for the autumn had arrived when a telegram came saying that he was dead. It was sent by Dr. Hobley, who bade me come to Westmorland at once.

"But when I arrived it was the change in Miss Daubernoon that shocked me most. Those final months had worked havoc with her, so that it was impossible not to see that she was very ill. She was thin and haggard, her hair was streaked with gray, and she coughed constantly. She seemed ten years older than when I had last seen her, and, though she was no more than forty, looked almost an elderly woman.

" 'I'm very much alarmed, at the change in Miss Daubernoon,' I told the doctor. 'What do you think?'

" 'She's dying, Mr. Addishaw,' he answered. 'She can't live another year.'

" 'Fortunately, now she can go away.'

" 'She can do that, but it won't save her. It's too late.'

"After the funeral Miss Daubernoon came to me and said she wished to have a talk on business matters.

" 'Never mind about business,' I said. 'I can arrange all that. What you must do is to get down to Italy before the cold weather comes.'

" 'That is what I mean to do,' she answered. 'I think I should tell you' —she hesitated and looked down, a faint blush coloring her pallid cheeks—'I think I should tell you that I am going to be married at once.'

" 'What!' I cried. 'But you're not fit to marry; you're as ill as you can be.'

" 'I think I have six months to live. I want to be happy. It's only because I'm so ill that I cannot wait. We are to be married in London in a week.'

"For a moment I was silent, not knowing what to say. Then I asked to whom she was engaged.

" 'Mr. Ralph Mason,' she answered, shortly. 'You met him last time you were here. We have been devoted to one another for the last two years.'

"I could not remember anyone of that name, and I inquired, somewhat curtly, when I should have the pleasure of renewing any acquaintance with this gentleman.

" 'He's now coming towards us,' she said, and a look of radiant happiness came into her face.

"I saw walking along the garden path through which we sauntered a tall young man in a frock-coat, a tall hat, and patent-leather boots. In a moment I recognized him.

" 'But that is the land agent's clerk?'

"Yes," she said.

"He was certainly a very handsome man, with a beautiful mustache and the dashing air of a counter-jumper trying to ape the gentleman. I should think he was fifteen years younger than Miss Daubernoon, and this was enough to surprise me; but the most amazing part of it all was that her pride —you know what the pride is of people in that particular class of life—should have allowed her to think of marriage with such a person. And when I knew him better I found to my dismay that there was in him no redeeming trait; he was merely a very ordinary, common, provincial tradesman, with nothing but his rather vulgar good looks to recommend him. And when I compared his strapping vigor with Miss Daubernoon's old, sickly weakness, I could not doubt that he was merely an adventurer of the very worst class. I said nothing at the time, but later, finding myself alone with her, I did not hesitate to speak plainly.

"'Why do you suppose Mr. Mason wishes to marry you?' I asked.

"A painful, timid look came into her eyes, so that I almost repented my words, but it seemed a duty to be outspoken at all costs to save her much future pain.

"'I think he loves me," she answered.

"'My dear, I don't want to hurt you, but I must tell you the truth. You can't believe that this young man really cares for you. You're very ill.'

"'I'm dying,' she interrupted.

"'You're so much older than he is. Good heavens, look at yourself in the glass! Ask yourself if he can possibly have fallen in love with you. And there's one palpable reason why he wishes to marry you. Can't you see that it's your money he wants, and for your money's sake he's willing to—to put up with you?'

"Hot tears ran down her cheeks, so that I felt hatefully cruel, but something had to be done to stop such an insane marriage.

"'Don't remind me that I'm old and plain,' she said. 'Do you think I can't feel it? But I know he loves me for myself, and even if he doesn't I will marry him. The only thing that has kept me alive is my love for him, and, after all, I have such a little while to live that you might let me spend it as happily as I can.'

"'And do you think you can be happy with him? Do you think he'll have the patience to wait for your death? My poor lady, you don't know what may be in store for you. At present he's nice enough to you, and apparently you don't mind if he's common and vulgar; but when you're once safely married do you think he'll take the trouble to pretend he loves you? You must be mad.'

"She began to cry, silently, so that

for the life of me I could not go on, and I resolved instead to speak with Ralph Mason himself. I made inquiries in the neighboring town, and I was scarcely surprised to discover that his character was thoroughly bad. He was known to be a hard drinker, violent in temper, unscrupulous; his friends said he was a good sportsman, which meant, apparently, that he attended all the race meetings he could and betted more heavily than his means allowed. A sort of provincial Lothario, various tales were brought me of his exploits; and his good looks, his supercilious charm of manner, appeared to make women an easy conquest. I cannot tell you how alarmed I was when I learned for what sort of a man it was that Miss Daubernoon had conceived such a passionate infatuation; but his very depravity made it just possible that he would accept certain proposals that I had in mind. I telegraphed to Robert Daubernoon, an officer on half pay with a large family, a cousin of the late squire's and Kate's only relative and natural heir; and on receiving his answer invited Ralph Mason to call on me.

"'I want to talk to you as a business man,' I said. 'When Miss Daubernoon told me she wished to marry you, I ventured to make certain inquiries; and I have heard a good deal about you.'

"He was going to speak, but I begged him to listen quietly till I had finished. With scoundrels I have always found it best to speak to the point; a certain cynical frankness often puts them at their ease, so that much time and verbiage are spared.

"'You know as well as I do that Miss Daubernoon is dying, and I dare say you will not think it necessary to pretend to me that you are in love with her. You cannot seriously wish to marry her, and I am authorized to offer you an annuity of two thousand a year if you will put off your marriage indefinitely.'

"He looked at me and stroked his handsome mustache, and presently he gave a mocking smile.

"'You are a solicitor, Mr. Addishaw?' he asked.

"'Yes.'

"'And presumably a man of business?'

"I was inclined to call him an impertinent jackanapes, but refrained.

"'And granting that all you say is true, and I don't love Kate Daubernoon, and wish to marry her solely because I think she can only live a few months, at the end of which I shall find myself a rich man—do you think I should be such a fool as to accept your offer?'

"'I thought it possible, when you considered that the money was as safe as the Bank of England, while otherwise you are dependent on your wife's will, which may be altered?'

"'I'm not afraid of that.'

"'And also that you would be behaving more or less like a gentleman. Her own doctor has told me that marriage is bound to kill her almost at once. Don't you think what you're doing is very cruel?'

"'I'm a business man, too, Mr. Addishaw, he answered.

"He broke off the conversation abruptly, and I felt I had done harm rather than good, for soon I found that Miss Daubernoon knew what I had said. I do not know what account of the affair Ralph Mason gave her, but I can imagine that my behavior was painted in the darkest colors, while his own shone with all the heroic virtues. Miss Daubernoon, harassed by her father's death and funeral, for two or three days was too ill to leave her room, and only Ralph Mason was allowed to see her. She wrote me a note.

"'I did not mind what you said to me,' she wrote, 'but I am indignant and deeply distressed that you should have attempted to turn Ralph from me. I think your interference impertinent. I address you now no longer as a friend, but merely as my solicitor, and I beg you to prepare at once, for my signature, a will leaving absolutely everything of which I die possessed to Ralph Mason.'

"I dare say I am not a man of very easy temper, and with some heat I replied that she might get another solicitor to prepare this will for her; I would have nothing to do with it. And that evening, without seeing her again, I started for London.

"Three days later I heard from Dr. Hobley that they had left Daubernoon, though Kate was much too ill to travel; they were married at a registry in Marylebone, and next day crossed the Channel on their way to Italy.

"There was a good deal of work connected with the estate of the late Roger Daubernoon. He had left rather a large legacy to his cousin Robert and smaller sums to various servants and dependents, so that practically all his personalty was absorbed. Stocks and shares had to be sold, consequently I was in somewhat frequent correspondence with Mrs. Mason, but her letters were always very short, referring merely to the business on hand, so that I could not tell whether she was ill or well, happy or wretched. I hoped with all my heart that these last months of her life went smoothly; I hoped the man was kind to her, and at least took the trouble to conceal from his wife that he waited impatiently for her death. Poor thing, I trust she preserved to the last the illusion which had given her the only joy her life had known; I was no longer angry with her, but very, very sorry.

"Then one day, in the spring, my clerk whistled up that Mr. Ralph Mason wished to see me. I knew at once that the poor woman was dead. He came in; and though in

the country he had dressed himself preposterously in a frock-coat and a tall hat, now he wore a rather loud check suit and a bowler; a black tie was his only sign of mourning. And I had never felt such an antipathy for this swell-mobsman. I hated his handsome military bearing, and the scent on his handkerchief. There was a superciliousness in his manner which told me I should have to pay for all I had said of him; he, of course, was now the squire, and I was a humble solicitor. I knew I should not long keep the business of the house of Daubernoon, and upon my word I was not sorry. I had no wish to deal with a man of that stamp.

"I did not rise from my chair as he came in.

" 'Good morning,' I said. 'Pray be seated.'

" 'I have come to see you on business,' he answered, insolently. 'My wife died in Rome on the twenty-fourth of last March, and you are executor of her will.'

"I felt expressions of regret would be out of place, and I could imagine the satisfaction the man took in his freedom.

" 'I hope you were not unkind to her,' I said.

" 'I told you I'd come solely on business. I have brought the will in my pocket. It was by my wish that you were appointed executor.'

"I understood what a revengeful pleasure he took in the thought that I must deliver over to him the vast estates of the Daubernoons. Silently I took the will, which was very short, written on a sheet of note-paper.

" 'I, Kate Daubernoon, of the Manor, Daubernoon, hereby revoke all former wills and testamentary dispositions made by me, and declare this to be my last will and testament. I appoint James Addishaw, of 103, Lancaster Place, London, to be the executor of this my will. I give all my real and personal property whatsoever to Ralph Mason. In witness whereof I have set my hand to this my will the 10th day of September, 1902.

'KATE DAUBERNOON.'

"It was written in her own hand and duly witnessed by two servants at the Manor. I could hardly believe my eyes.

" 'How did you get the form?' I asked.

" 'I have some knowledge of law,' he answered.

" 'That I can scarcely believe.' My heart beat with excitement, but I did not wish to let him see my triumph too quickly. 'Is this the only will your wife made?'

" 'Yes.'

" 'Are you sure there is no later one?'

" 'Absolutely positive.'

" 'Have you observed the date? Three days before your marriage.'

" 'The will was made on the very day that you sent for me and offered me two thousand a year to give her up.'

"There was a ring of exultation in his voice, but I answered very quietly, 'You would have been wise to accept it.'

" 'Do you think so?" he laughed.

" 'Because this will is invalid. Marriage annuls all testamentary dispositions previously made, and this piece of paper is absolutely worthless.'

"I shall never forget the look that came into his face, the green pallor that spread across his cheeks, discoloring his very lips. At first he could not understand — the blow was too unexpected.

" 'What do you mean?' he cried. 'It's not true.'

" 'You may take the will to any solicitor you choose.'

"You old wretch!' he snarled.

" 'If you're not civil I shall send for my clerks to kick you downstairs.'

He reached out his hand for the will and I handed it to him; he read it through once more.

" 'Do you mean to say I get nothing?'

" 'Not exactly. Your wife died intestate; her real property goes to Robert Daubernoon. the heirs-at-law. You, as her husband, get the personalty.'

" 'But she meant to leave me everything.'

" 'I dare say. But the fact remains that she left you nothing at all.'

" 'I get the money and the furniture of the Manor. I shall go there at once.'

" 'Pardon me; I shall telegraph to the servants not to admit you. The house has no longer anything to do with you. And as for the furniture, I should remind you that there your wife had only a life interest; her father never expected her to marry, and, anxious that it should not be disturbed, left it to Robert Daubernoon.'

"As I spoke I thought how Ralph Mason must have looked at the old pictures and seen them going one by one under the hammer at Christie's; they would have fetched a goodly sum. I think this last shock broke him, for he asked me in quite another tone how much money there was.

" 'You know that as well as I do,' was my reply. 'Mr. Daubernoon's legacies took a great deal. There can be very little left. You may feel sure that what there is shall be duly handed to you.'

"I stood up and opened the door for him to go out. He looked up defiantly.

" 'Well, I'll fight you,' he said.

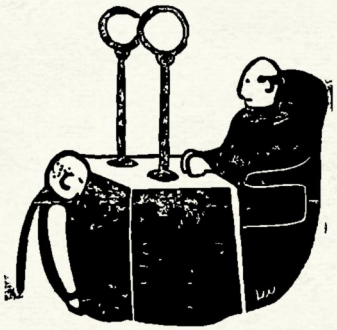
" 'You'll find no one fool enough to take up the case,' I answered, scornfully.

"He looked at me as though gladly he would have seized me by the throat; he glanced round the room for something on which to wreak his passion, but apparently nothing offered, and with a kind of stifled groan he went out. And he departed to think over the utter frustration of all his schemes, a bad

man and a clever man, and that ass, the law, had beaten him.

"I settled up everything as quickly as I could. I found a good many bills owing, and these I paid; the journey to Italy had cost a great deal, and my own account was not a small one. There was even less money due to the estate than I expected, for Mrs. Mason had died immediately before quarter-day. This morning I was able to write to her husband, sending him a check for the amount, less legacy duty, to which he was entitled. I can very easily imagine his feelings when he looked at it, for the exact sum was forty-three pounds seven shillings and threepence half-penny."

EDITORS' NOTE: *Surely the legal point Mr. Maugham cites ("marriage annuls all testamentary dispositions previously made") was true in England circa 1902. Whether or not it is still true in England we do not know; but it is interesting to observe that the same "point of law" does not hold in the United States: the blackguard, we are afraid, would have "got away with it" over here.*



EDITORS' FILE CARD

AUTHOR: **GERALD KERSH**

TITLE: ***Karmesin and the Crown Jewels***

TYPE: Rogues' Gallery

LOCALE: London

TIME: September 1, 1939

COMMENTS: *Karmesin, the greatest crook of all time or the greatest liar of all time—take your choice. Either way he's a pure delight . . . Karmesin undertakes to supply "King" Tombola with a certain object—for a fee of $7,000,000.*

KARMESIN WAS SAYING, "IT IS A convention of you journalists to say that burglary is the most underpaid profession in the world. *Tfoo* to that!"

"What do you mean, tfoo?" I asked. "It stands to reason—"

"—I know, I know. Counting the time your average burglar spends in jail, what with one thing and another, his earnings work out at somewhat less than a street sweeper may rely on for honest labor. And he has no union to fall back on, either. Aha, yes! Here, you speak of your *average* burglar. You might as well say: *Writers end in the gutter.* Generally, they do. But did Dickens? Did Thackeray? Did Tennyson? I do not observe Erle Stanley Gardner grinding a barrel-organ, or Agatha Christie lining up for soup. Do you? No. Your master craftsman will make his way, believe me! 'Average' is as much as to say 'Mediocre.' Speak for yourself, Kersh," said Karmesin, brushing a kind of foggy dew off his mustache, which the inclemency of the weather had turned anti-clockwise, while he fished out of a waistcoat-pocket a gnarled old cigarette. "Given Ethics, be a thief. Only never abandon your Ethics!"

When I began to protest, Karmesin exclaimed, "Oh, *ptoo!*" Then,

casually, "Ever hear about the greatest robbery of all time?"

"Every five minutes," I said.

"I committed it," said Karmesin, "only it did not pay on account of Ethics." He added thoughtfully, "As it were, the difference between taking the Maharajah of Diapur's diamonds and snitching Bob Napkin's Waterbury watch . . . only vice versa, so to speak. Listen to me . . ."

Karmesin continued. I had listened carefully to that man's narratives for many years, in the hope of catching him out. But he never tripped on a point of detail, or slipped on a rind of fact. Karmesin told the truth—yet that was impossible. Karmesin was a liar—but this could not be . . . One could only listen to what he had to say . . .

This was by way of being an intellectual exercise, rather than a major operation because (he said) if I got away with that which I set out to get, there would have been little profit for me and a considerable amount of loss. Not loss of money. Not even much loss of liberty, since I have never had a criminal record, never having been convicted. No, no, I should have suffered a leakage of the morale, a loss of *amour propre,* and that would have been the end of Karmesin.

Understand this: what I did was *not* for money; it was for its own sake. I was by no means short of a few thousand pounds, having recently got away with the Knoblock Emeralds. Even so I found myself sitting in a hotel which shall be nameless, wondering what to do with myself.

I could tell you a dozen stories of what I proposed to do; but nothing satisfied me. At last, I came across a note from an Argentinian who had written to me some years before, asking me to visit him. This man's name, let us say, was Tombola, and he was a 'cattle king.' Where even Texans count their steers, Tombola counted his cowboys—he had cows, so he sold the meat; he had beeves, so he made capital out of the hides; he had hooves, so he made glue or calf's-foot jelly or invalid food or goodness-knows-what. Every horn and bone of his beasts yielded a handle for a shaving brush made out of their bristles. Once, one of his gauchos found a stray cow bloated like a pudding: she had licked copper sulphate and discovered a copper mine for him. In due course, there was a war—old Tombola packed beef trimmings in cans shaped like truncated pyramids and made a few more millions . . . What with one thing and another, old Tombola had so much money that it was not true —only it was.

There was a time he went in for literature: some newspaper published a disparaging caricature of Tombola, so he bought it up lock,

stock, and barrel, and burned the press down to the ground. Also, he liked to race horses; only if one of his horses failed to win, King Tombola had it knocked on the head . . . and the jockey was lucky if he escaped with a terrible thrashing. In effect, a character, this King Tombola. Only a megalomaniac: he had more than he knew what to do with. A couple of pounds of prime steer grilled with red pepper, an Indian girl, and he was physically content. Hence, quite seriously, when I visited him, he made me a proposition. He was in a state of frustration, having failed in an attempt to goldplate a white Arab stallion. The horse died.

To cut a long story short, he said this: "They call me King Tombola. Where's my crown? . . . Have one made, you say? No, thank you! I want a real one, a proper one. I have been offered the crown of the Incas, and all that truck. I want the crown of the King of England, nothing less. I will pay seven million dollars in gold for it."

This gave me food for thought. Resisting King Tombola's invitation to bathe that night in a hip-bath of green chartreuse, I left next day for England to steal the Crown Jewels.

To steal the Crown Jewels, as you may be informed, is impossible nowadays. They were lifted, once, by Colonel Thomas Blood on May 9th, 1671; but this affair was juvenile delinquent stuff. Having obtained access to the Crown Jewels, it was necessary, simply, for Colonel Blood to overpower the Keeper of the Regalia—an old gentleman of eighty. I ask you—obtain access through a rabble of superannuated halberdiers and then spifflicate your grandfather! Even so, Colonel Blood was caught, running away with the Crown of England under his cloak. The Merry Monarch, amused by Blood's audacity – the audacity of a little boy stealing a package of chewing gum from a drug store—pardoned him. These are historical facts with which every bobby-soxer must be thoroughly conversant. Considering the circumstances in the year 1671, why, Colonel Blood's attempt was child's-play, and inefficiently played, at that.

But between 1671 and 1939, when I stole the Crown Jewels, two hundred and sixty-eight years had passed, and the circumstance were not the same. In 1939 there were no mere children's-page puzzle of an understaffed Guard, no trivial matter of a protective iron cage. Now, the Crown Jewels were protected by unbreakable glass and a two-inch grille of the toughest steel; I say 'unbreakable,' as it were, in the commercial sense of the term, which really means 'more than ordinarily hard to chuck a brick through.' You could burn your way through the steel and the glass that guarded the Crown Jewels,

yes; but do you know what would happen when you did so?

You would break a series of electric circuits. There would be a tintinnabulation to raise the devil—the Yeomen of the Guard would rush out; the River Police would fly to the spot in their fast little boats from up and down the Thames; the Brigade of Guards would be there, with fixed bayonets; the Flying Squad would be on the spot in a matter of minutes. And even that is not all: certain other electric currents would automatically close and seal all the doors of the Jewel Room, while the platform that holds the Jewels would be electrically drawn down, out of sight and out of reach. Of all the jobs in the world, as I calculate, three are impossible: and the greatest of these impossibilities is to steal the Crown Jewels of England.

I stole them, of course; but, first, I had to choose a time and make a plan. A plan any fool can make: indeed, most of the fools I have known have come to grief by their plans. Show me the man who can choose his time, and I will show you a man of genius; and when I speak of timing, I do not mean the picking of a month, or the choosing of a week, or even the selection of an hour—I mean, getting between the finger-and-thumb of a diagnostic intellect one microscopic crumb of operative time, the one and only perfect instant. Leave it to me to find the perfect instant. In this instant I perpetrated the most stupendous robbery of all time, my friend. It is now necessary for me to go, briefly, into a little psychology—even, if you like, into a bit of metaphysics and international politics.

England, by the year 1939, was in a certain predicament for which it is difficult to find a metaphor. Say: she had forced herself to swallow too many of the hard-boiled eggs of diplomatic good will, and was therefore uneasily costive . . . Say, if you like, that she had taken to heart too much of the philosophy of those three popular "wise" monkeys. You know them, these apes? —they squat; one covers his eyes with his paws, the second his ears, the third his mouth. Motto: *See no evil, hear no evil, speak no evil.* Imbecility! The toy manufacturers, who put this rubbish out, omitted a fourth monkey holding his nose: *Smell no evil.* Shut your eyes, ears, mouth, and nostrils, and Evil goes roaring around the world; what? Only, so long as you don't see it, hear it, smell it, or denounce it, everything is quite all right, eh?

As I was saying, the British Government, at the time of which I speak, had fallen into a deplorably "wise" monkeyfied habit: she saw no Mussolini, heard no Hitler, spoke no Franco, and smelled no Stalin—never in history has there been such a Belshazzar's Feast of illiterates who could not read the

Handwriting on the Wall! There was a European Situation – and how! as the Americans say. The term 'fifth column' had passed into the English language–a convenient term for provocation, espionage, sabotage, and treachery, it had become as familiar to the man in the street as the name of Judas Iscariot. While England and America took it out in discussion, in permutations and combinations of party lines, the totalitarians were infiltrating; so, came Munich and that uneasy pause between Prague and Warsaw . . . the period when Mosley was putting shirts on a ragged rabble in England, and Fritz Kuhn was rounding up the scum of New York's juvenile delinquents in his Bund. And, of course–this is, for my point, most important–Hitler's agents were assisting what there was left of the old Irish Republican Army, working in Belfast and Dublin. This mob of petty nationalists and cross-eyed gunmen was reinforced by agents of Stalin.

The I.R.A. was in clover . . . I mean, that its members had resources such as passports, eighty per cent nitroglycerine dynamite, and so on. So, these misguided fellows had a picnic planting time bombs in railway cloakrooms, and so forth. Of course, they did little physical damage–killed a few women and children; but the *psychological* effect was important. They alerted, and diverted, the Metropolitan Police and the City Police. Vigilance was redoubled all around the town. Now vigilance is a very good thing in a Police Force; it keeps it up to scratch, and that is all right. But double it, without an extra force of trained men, and you make for a nervous anxiety that cuts efficiency, and sends even disciplined officers jumping out of their skins to run, blowing whistles, in the direction of a car that has backfired. It was upon these conditions that I relied when, after the Irish outrages, I chose my time for stealing the Crown Jewels . . .

The Crown Jewels, as I have said, are guarded by something that works quicker than conscious thought: electricity. Ah, yes! but even ten million volts of lightning may be deflected by a copper spike, and run harmlessly into the ground through a copper ribbon. It has happened, on many an occasion, that a whole Borough has been plunged into darkness, the cause being a mouse–*Mus ridiculus*–that has taken a fancy to have a bit of insulated cable for breakfast . . . A train of thought here, you see?

In 1939 the Tower of London got its electricity supply through cables that ran under Tower Hill . . . Now, a calm and determined man who knew his timing could stop the power plants of the Boulder Dam itself, with a well-placed pocketful of gravel. By the same token, one properly placed darning needle could put an end to the cerebration of an Einstein, a Scho-

penhauer, a Karmesin; in my case, once, temporarily, it was done with a mallet . . . to proceed: it occurred to me that if I could get at the cables that fed electricity to the Jewel Room in the Tower of London, all those protective electrical gadgets would be so much old iron, and all that marvelously intricate system of wires so much old rope. *Problem One*: How to cut the current? *Problem Two*: Having cut off the electricity, how to get at the Jewels?

The best means of approach to the Wakefield Tower, where the Jewels are kept, is by the way of the River Thames. This is also the best place for a getaway, since there is always next to nobody on the bank of the river; while Tower Hill and Tower Bridge have their multitudes. It was a stimulating little problem. The only thing about it, at that time, that made me uneasy was the fact that I should be compelled to employ assistance. I dislike coadjutors, but here they were essential to the success of my plan which, I need scarcely tell you, was the only feasible one.

So I looked up an old friend of mine named Berry—one of those master craftsmen gone wrong who turn into burglars or forgers. He had been a metal-worker once upon a time, had invented a new kind of oxyacetylene torch, got swindled out of the rights, and fobbed off with a twenty-pound note. He declared war against society in his anger and frustration, took to making portable torches for safecrackers, got involved, and wound up with three years. I saw to it that his children did not starve, and he was grateful to me. So on this one I knew I could rely. I told him what I wanted him to make and, by Heaven, he made it! It was a masterpiece—a ladder—but imagine a twenty-foot ladder, collapsible, so that you could hide it under your coat!

Berry made it out of some scrap metal from an old airplane. One end of this ladder was fitted with sharp retractable hooks. I daresay you know that, in ancient English underworld slang, to 'hook' something is, literally, to steal it by the aid of a hook—hence, in Elizabethan times there was a fraternity of thieves called Hookers; they worked with a pole at the end of which was a retractable hook, in the use of which instrument they were remarkably skillful in taking linen off a clothesline, or even the blankets off your bed while you were asleep. Primitive stuff but, in principle, good for my purpose. At the top of my ladder, therefore, I had fitted six hooks which were to have two functions: first, to hook the ladder to the Tower wall; and, second, given the proper moment, to hook the Regalia through a hole which I proposed to burn in the steel and glass in the Jewel Room after I had cut off the current that protected it.

Berry made that oxyacetylene torch with the meticulosity of a jeweler. In its way, it was a kind of gem: the whole apparatus fitted into a gas-mask case, such as Air Raid Wardens were carrying at that time. Although Mr. Chamberlain had categorically stated that here would be no war, nevertheless wiser men so ordained it that the town was full of Air Raid Precaution Officers, in appropriate uniforms.

Begin to get the idea? . . . There is no disguise as effective as a uniform, because if you are wearing a uniform—any uniform—nine hundred and ninety-nine people out of a thousand will look at it and not at you. Ask yourself the question: would you recognize your postman, your policeman, your milkman, if you met him on the street in plain clothes? Your grocer, even, without his apron? No. If you wish to be unrecognizable, simply look familiar. And, curiously enough, if you desire to be quite invisible, talk authoritatively in a raucous voice—their ears will blind them.

So. I had made three A.R.P.O. uniforms. Then it was necessary to make contact with certain amenable fellows in the Tower Guard. They were Irish boys, of course, nurtured on legends about the I.R.A. Do not imagine that I imply that the Irish are a disaffected or disloyal people; they are very loyal indeed—to the myths and legends of their race. I found, partly by luck, two boys who were to be on guard at two points close to the Regalia Room, and represented myself as the fabulous Commandant Pat M'Hoginey who took the Rotunda in Dublin. I cannot speak Irish, but a very strong American accent with a certain inflection was convincing enough—with a bulge under my left armpit. These boys were incorruptible—they fell in with my scheme, waving aside all offers of reward. For the honor of Ireland, and the I.R.A., I could have the Crown Jewels; only, please, could I give them back Ulster? We parted good friends, solomonizing in Mullaly's Wine Lodge . . . What, you do not know what it is to solomonize? For a writer, you are not very strong on general knowledge. Many Irish distillers put out little bottles of whiskey called 'babies.' One 'baby' is a heavy drink, so you divide it in two with a friend—splitting the 'baby,' as in the Judgment of Solomon. We solomonized; and that was another part of the task accomplished.

Next, it was necessary for me to find out precisely where the electric cable traveled under the pavement to feed the Tower of London; and this I did by presenting myself to the Borough Surveyor as Mr. Cecedek, a Czech refugee prominent in textiles, looking for business premises and anxious to know about sources of electric pow-

er for his looms. Now, I had to send one of my coadjutors to steal an electrical truck from another borough, which Berry repainted with the title, etcetera, of the local Borough Council of Stepney. Also, I had to purchase a rowing boat . . . Surely, even *you* must have seen through my little scheme by now?

At the appointed time Berry and one other would drive the truck to the vital cable plate, put up their workmen's screen, lift the plate, and wait—with synchronized watches—for the Zero Hour, as it is called, when they were to cut the main power cables. Simultaneously, my other friend and I, in the uniforms of Air Raid Wardens would be rowing along the Thames toward the graceful lawn that separates the Tower of London from the river. And, as I conceived and organized it, so it occurred. We arrived at the Tower, ran to the outer wall, and climbed it by means of Berry's beautiful ladder . . . See what I mean, now, when I say that mediocrity chooses an hour where genius picks an instant! As I had arranged, precisely when we arrived at the Tower wall, Berry and the other man cut the main power cable, and it was as if the Tower of London had shut its eyes. Everything went black; but I was prepared to find my way under that blanket of dark, you see.

We scaled the walls, reached the Wakefield Tower, and rushed to the Regalia Room. My two sentries —here was where they came in— reporting "All's well," I cut through the steel and the glass and, using the hooks of my ladder, pulled out the Imperial State Crown and the King's Crown—which alone is set with the Koh-I-Noor diamond worth two million pounds. As for the Imperial State Crown, it is encrusted with 2,783 diamonds, 277 pearls, 18 sapphires, 11 emeralds, and 5 rubies. Offhand, perhaps the most important haul I ever made. And how did I get out? Exactly the way I came in. And how did I get away? Exactly as I arrived. Because, you see, the River Police were not on patrol just then, and Scotland Yard had been alerted by me in connection with an I.R.A. plot to dynamite the House of Commons.

So I got away with those wonderful Crowns.

This took place on Friday, the first of September, 1939. You know what happened on the Sunday morning: Great Britain declared war on Germany, and although I had an incalculable fortune in my hands and had, incidentally, fallen passionately in love with the Star of Africa and the Black Prince's Ruby . . . I don't know, there happened to my heart something difficult to put into words . . . I did not mind robbing a greasy millionaire; but even him I would not take from if he were in trouble. How could I steal away something of

the history of a valiant people now going into battle? Again, I said to myself: "That nice King and his kind Lady have trouble enough without this." So I nailed the Crowns up in boxes and sent them to Scotland Yard. The affair—things being as they were—was hushed up. But the Tower of London, as you know, was closed for a time; and now, things being reorganized, it would take a better man even than Karmesin to steal so much as a spoon from the Jewel Room . . .

Karmesin sighed. I asked him, "What happened to King Tombola?"

With infinite scorn Karmesin said, "What, him? I intended to make him a nice little ersatz Imperial Crown, only he died through eating too much beef with red pepper. Good night."

a new story by

AVRAM DAVIDSON

The Dive People

EDITORS' FILE CARD

AUTHOR: AVRAM DAVIDSON

TITLE: *The Dive People*

TYPE: Crime Story

LOCALE: New York City

TIME: The Present

COMMENTS: *"Hangovers are funny only to those who have never really suffered from them." But there was something worse in this one —a drunken dream, a nightmare out of Poe?*

EDWARD PETERSON MOVED RESTLESSLY in the bed, troubled by bad dreams, fatigue, and swift-approaching wakefulness. His mind insisted on his recognizing certain things he would sooner forget: that he had left Jinny to take up with Bran and left Bran to take up with Pauli. And with this last of the names coming up bubble-like and bursting at the surface of his mind, his body straightened out with a single convulsive kick and all at once he was awake and sitting up, sweating and trembling and sickened with fright. He knew now what he had done. It was no dream after all.

What Peterson had done was to take the sharp knife in his hand, reach out for the soft throat of someone he knew well, and draw the knife across from ear to ear.

He knew that he had done this and that it was a hideous thing and that it could not be happening to him though he knew it was.

They had been living in a fetid tenement to the south of Cooper Union, not one that still had a faint flavor of an honored past, but one that had been built to be a tenement, a five-story hovel which could

never attain to dignity if it endured a thousand years. Of course, it was a question now if it would endure a thousand days, if it would not collapse inside its own filthy integument before the cannibal city fell upon it and destroyed it.

"Chili con carne for supper," Pauli said. As if he couldn't smell it, along with every other meal ever cooked on that greasy stove. Peterson looked around the single room of the place, feeling his feet burning in the shoes, wondering vaguely where he could sit down. Even the broken chair was piled high—his old shirts, torn ones which the Chinese laundryman had said wouldn't process; Pauli was going to mend them so they could be washed and he could have some clean spares. She wouldn't wash them, no, but she would mend them. One of these days— As for the sofa, it had been weeks since that had been available for sitting.

Pauli passed into the kitchen, took the lid off the pot. He wrinkled his nose, opened his mouth. What was the use?

Q. That's not your chili con carne, is it?

A. Oh, you know mine is no good.

That was quite true. Nothing she cooked was any good, because she never took any pains. But bad as her chili was, it was still better than the horrid cheap stuff she got in cans; and he had told her so. Again and again and *again*. So why do it now? Once or twice he had asked, wearily, why she didn't just boil a pot of potatoes. "You can boil them in their jackets," he said, "you don't even have to peel them." And she said, Yes, but she'd have to wash them.

"Is there any vermouth, Pauli?"

"No. But that's all right, there's no gin, either."

"I've got a half pint here."

"Where can you get half pints of gin in New York State?"

"It's lemon-flavored—that makes it legal, for some ungodly reason. Mixer?"

"There's *nothing*. Except that Chianti."

"Gimme."

"Oh, Ed, it'll taste awful."

"Who the hell cares about the taste? Where's the Chianti?"

But, of course, she didn't know where it was, nor—once he'd found it (in the closet, concealed by a pile of her things so carelessly hung up that they'd fallen down)—did she know where there was a clean glass. It turned out that there wasn't any clean glass. He washed one and she appropriated it while he was opening the gin, so he washed another for himself.

The Chianti did taste awful.

He had been on his feet all that afternoon, saving taxifare, delivery service, postage, literary agent's fees. At least he *said* he was saving the agent's ten per cent, but he knew he'd simply run through all the worthwhile literary agents in town

and there was no one left who would advance him a cent until he paid back all the advances of the past year and a half. And one, Tom Thompson, wanted to know when Ed was "going to show some signs of straightening himself out." As if the mere fact that Ed was on his feet, seeing people, writing again—as if that wasn't the best sign of all that he had straightened himself out.

As compared to the too-long stretch when he was rarely sober, dunning for advances or loans and, when not getting them, living on Pauli's meager alimony. That is, not exactly alimony: a sum of money sent regularly by a Petty Officer Second Class who believed he was the father of Pauli's little girl. Pauli, who knew better, had told her mother she'd been married to the sailor, and had sent the kid to her.

And then, even harder to bear—because it was so near the truth—the agent said, "I don't call *this* writing, Ed. It's a scissors and paste job. They all are. What you've got here, you're cannibalizing your old material. No good market would take it, and I don't bother with the others."

Well, so the hell with Tom Thompson.

The whole afternoon had resulted only in a $30 sale to that crook, Joe Mulgar, who gave $5 in cash and the promise to pay the rest sometime after publication. Hence the pint of gin (lemon-flavored). The piece had netted Ed $300 the first time he sold it, five years ago.

Five years ago was just before he had married Jinny. Had he started his drinking and loafing and playing around because Jinny was the way she was, or was Jinny the way she was because of his drinking and loafing and carrying on? It was hard to say; Ed just didn't know. She had never cheated, like Lynn (Lynn was before Jinny), he was sure of that. Nor would she ever fight back the way Bran had, nor yield the way Pauli yielded. Jinny had always stayed so calm and cool. It was infuriating. She never tried to conquer him, she never even tried to conquer him.

"I'm leaving." That was all he had said to Jinny.

"I'll be here when you come back." That was all Jinny had said. Not even "if." "When." Well, he never would go back. Why had she said it? What did she want with him, if she could go on without him? Pauli, with all her faults—

Pauli!

Ed swung his feet over the side of the bed, cracking his heels on the floor. It wasn't a bed, actually but a pad, a mattress set up on box springs. He'd been on and off a thousand of them. Only it had been a regular bed, not a pad, in their apartment.

And now he realized that he'd known from the first moment of his awakening that he wasn't in their apartment. His eyes hurt and his head throbbed and he felt his heart beating in terror. Beside the pad was an up-ended orange crate, its top encrusted with dirty cigarette butts. The pad was in an alcove blocked off by a torn screen, and somewhere someone was taking a shower and whistling off-key. On the floor alongside was a pile of clothes. His.

Hangovers are funny only to those who have never really suffered from them. As he bent, half fainting, half retching, over his clothes, it was nothing so slight as a splitting headache that Ed Peterson felt, but a condition in which every cell in his body seemed at war with every other cell, and all his parts seemed loathsome to him. Closing his eyes, feeling that they would otherwise burst from their sockets, he got into his clothes. He had to get out of the apartment before whoever-it-was got out of the shower.

He had killed a human being—instinctively he raised his hands: there was no blood, unless that dark whatever-it-was, half on and half under the rough loose cuticle of one finger... And on his clothes? Was that spot there—and the one next to it—were they blood? Or the Chianti of the night before? Ed didn't know. He had no memory of the latter part of last evening.

In the subway station, sitting on the hard wooden bench (first he'd tried to thrust a nickel into the turnstile, then — recalling vaguely that the fare had been raised—he had found a dime and pressed that into the slot, and finally took both coins to the change booth and been given a token) he remembered that he did not even recall the location of the house he had just left. So far as he knew, he had never been in the place before, but he knew well enough what sort of a place it was: a dive.

Who was it that had been so scornful of "dive people"? Jinny? No, Jinny was never scornful of anyone—at least, not openly. Pauli? (Ah, God, Pauli!) They had met in a dive — "Riverside Dive" it had been called — a huge apartment tenanted jointly (or so it seemed) by several hundred harmless young men, mostly science-fiction fans, with half a dozen bathrooms and two score beds.

Yes, Pauli, curling her over-red lips and saying, "*Dive* people!" Pauli. Few of the dives, to be sure, were on the level of the one overlooking the River. Some were converted (or unconverted) lofts, some out-and-out slums; some made a faltering effort at achieving the more abundant life via the co-op method, with typewritten menus and duty rosters on the kitchen bulletin board (*WEDNESDAY: Breakfast: Doreen and Jack. Clean-up: Dickie*), and a membership of

students or artists or other pursuers of beautiful dreams. And other dives were sort of pipeless opium dens, not—to be sure—scenes of orgies, but places for the restless and roaming to fall back on for a pad and a pancake if there weren't any orgies going for the moment. But they all had something in common—the same air of insubstantiality, of wary waitfulness, the presence of those who had turned their backs upon the past and their faces half away from the future—the unsuccessfully educated, the believers in nothing...

Not even looking to see where the train was going, Ed crept in and sank down in a corner. The man nearest him finished his *Daily News* and tossed it on the seat, thus by subway law making it public domain; Ed picked it up. Gory auto wreck on page one, European infamy on page two, society scandal on page three, page four the latest teenage gang fight, page five and further on the "news" dwindled to tiny paragraphs buried in advertising and syndication. Nothing there that meant anything to him. It was a late edition. If the body hadn't been found by press time it couldn't be in any well-frequented place. Or—was it true that the police sometimes didn't announce the finding right away? Waiting for the killer to—

To what? *What* killer? Edward Peterson? Absurd, he was no killer. He'd been no cuckold, either, but he had been cuckolded nonetheless by Lynn, his wife-before-Jinny. Strange, it hadn't occurred to him to kill then, although custom almost licensed it. Why had he killed this time?

The empty space next to him was suddenly filled and a pamphlet was thrust into his slack hands. "Brother, you look like an intelligent man," said a stranger (who didn't) to him. "Leave me tell you of something which you won't find it in no newspapers. Booze they'll advertise, yes, and filthy tobacco, and motion pitchers dealing with murder, sex, and other dreadful subjecks; the churches are all a them c'rupt, brother—" Ed got up abruptly and walked into the next car.

Booze... murder, sex... corrupt ...He and Pauli had finished the gin and this had loosened her sufficiently to admit she had some money stashed away somewhere (but none of it had been forthcoming for him when he had set out on his rounds earlier in the day) and they had bought some more liquor and listened to the radio and smoked and talked and danced a while... nothing that should have ended in murder. But then nothing should ever end in murder... He leaned his head on his arm and tried to think. What had happened after that?

They had danced... had they gone out anywhere? Bought more to drink? He couldn't think. All

that came to him was the sound of her breathing in the dark. He felt the softness of her throat, felt the pulse beating, took up the sharp knife—

The knife! *What* knife? Where had he found it? There wasn't a sharp knife in the apartment; bread came ready-sliced and they ate so much out of cans that only seldom did the lack of a knife occur to them, and nothing was ever done about it. Had he picked up a sharp knife somewhere else? Had they wound up in someone else's place? If the last, it must have been an apartment where the regular tenants were away, or— No, it didn't follow. The regular tenant (he? she? they?) may have gone out, leaving them to sleep. That would mean a separate room. And whom did they know well enough to descend on suddenly—people who had a separate room? Could there have been another room, temporarily vacant, in the dive in which he'd awakened? A dive with which Pauli was familiar and he was not? Would he have gone to sleep in the same place he'd committed murder? If he was drunk enough to kill—

The train stopped more abruptly than usual. 86th Street. Automatically he got off, then tried to remember why. Who lived near this station? There was only one person near here they knew. Margaret Thorpe. Massive Maggie, with her short-cut hair and her tailored suits and (it was said, but not to her face, her rack of briar pipes and her bar-bells). *She* had a guest room; they might have come up to *her* place, because Mag was known to be a good supplier of whiskey... Halfway up the stairs out of the station, Ed stopped. Yes, and suppose they *had* gone there? And suppose it *had* happened there?

Should he call Maggie and try to read her voice for guarded nuances, try to discern the men in uniform, the men in plain clothes, behind the subdued roughness of her voice? No, he didn't dare, any more than he dared return to their own apartment. Because if he did—and if he did find Pauli there on the bed with her throat cut from ear to ear—he knew he would run out, screaming his terror aloud.

What would he do then? Run for it? Where? And with what?

Still standing on the subway steps, he groped in his pockets. Two one-dollar bills and some change. He might run as far as East Orange on that. The only thing to do was for the condemned man to eat a hearty breakfast and then seek out the executioners.

Ed Peterson started up the steps. Why had he done it?

Q. Why did you murder her?

A. I don't know.

Q. You must have had some reason.

A. Each man kills the thing he loves.

Q. But, did you really love her?

A. Yes—I—no. No, I hated her. She was a slut and a slattern and the misery of my daily life and I now see that I blamed her for all my misery.

Q. Why was that?

A. If she had given me the right kind of love I might have been strong enough, instead of weak.

Q. Where did you run to while I was taking a shower?

What? "Yes, you, Ed—snap out of the daydream! I came out of the shower and no Ed. Why—"

Somewhere, he knew, he had met the young man in the open shirt, some time before last night (and when and where last night? and why the invitation to skip out in the dive?) he had met this young man with the bulldog pipe.

"Well, never mind," said Bulldog, "Where are you headed for? The Great Dicie Taylor Exhibit, I suppose." And not waiting for an answer, (after a ritual gurgle of his pipe) he swept on. "Yep, Dicie's Mama has come out of the West and is treating Daughter to an art show as an act of contrition for not wanting her to leave La Harpe, Illinois. Everybody's there! And why not? Free drinks, free eats—oh, Mama's doing it up in real style —who knows how many years' interest on corn-and-hog mortgages are going into this show? Come on, let's fly!" He had taken Ed by the arm.

Where had he met Bulldog? At what coffee-and-crackers fest in Chelsea? Or in what *casa de cappucino* in the Village? Perhaps in another dive than the one he had awakened in, or at some antic conventicle of the Libertarian League, perhaps in cruising for women between Bran and Pauli, not caring in the least if the state never withered away... Now he felt weak and hungry; thirsty, too. Food and drink, yes...

He had let Bulldog pull. him along without protest or comment.

The din and smoke finally made impression on him after a few canapés and a few drinks. If he turned his head he might see Dicie Taylor (whoever *she* was) and her American Gothic mother, but he had no interest in doing so. He stood there, gazing with a dull look at a green nude in whose pelvic structure lay strange mysteries, though of real interest only to an anatomist. And then he heard a laugh—

"Ah, Pauli, Pauli," said a deep, male voice. Slowly, very slowly, Ed Peterson turned his head. There was Pauli, holding hands with a giant of a young man: fresh country face and coal-black hair. She saw Ed and raised her eyebrows.

"Well, I don't know where *you* went after we parted last night. *I* went up to Massive Maggie's—and guess who I met coming in, lives in the same house? Freddy, here. Never did get to Maggie's," she murmured; and then, as if any-

thing were needed to make her meaning clear, she lifted her new friend's huge hand to her over-red lips and kissed it. Freddy, with an air of awkward ceremony, brushed his mouth against her hair, looking at Peterson with a mixture of wariness, defiance, excitement, and delight.

The smoke grew into a mist and the din to a roar. Then all came into focus again. It *had* only been a drunken dream, a nightmare out of Poe!

"I'm glad, Pauli!" Ed had said, and he had meant it.

"That's not very gallant of you," she pouted. "But thanks for not making any fuss. Of course, you know the apartment's in *my* name..."

"That's all right."

She frowned slightly. "But where will you go?"

For only a breath he hesitated. "Why, I think I'll go back to Jinny," he had said.

"Jinny? Well—yes, she said she'd be waiting for you, didn't she?"

Freddy, determined to do the right thing but wanting at the same time to make the new *status* definitely *quo,* said, "Have a drink before you leave."

"Thanks, but I don't think I'll have any more." No more boozing, no more catting, no more scissors-and-paste. An end to decay and dishonor!

She blew him a kiss. "Bye-bye."

All but singing aloud, he left the gallery on dancing feet and hailed a taxi to take him to his wife—to his faithful, patient wife, his only love. He gave all the money to the driver and ran into the outer hall, his finger finding the bell at once, his ear rejoicing in the sound of the buzzer. An elderly woman came down the hall, known to him by sight only, a tenant of the building; and she stopped short as Ed Peterson stepped into the elevator.

They were there in the apartment, waiting for him, not excited but mildly expectant, mildly gratified. "Here's Mr. Peterson now," one of them said. And took him by the arm a trifle diffidently and led him to the bedroom where Jinny was waiting for him as she had promised, calm and cool as always, lying on the bed with her throat cut from ear to ear.

There are Western stories and there are Western stories . . . but how would you like to read the original article, a western murder yarn dating back to just before the turn of the century? Back to the Old West — whar the people was mighty extemporaneous an' a heap sot in their idees . . . whar some gent on a hoss went a-canterin' up the street, a-whoopin' an' a-yellin' — an' manip'latin' his weapon (nacherally, we're mostly quotin', y'onderstand).

Here, then, is one of the famous Wolfville stories — the real McCoy, pardner, and even after all these years an exhilaratin' readin' experience . . . Have a seegyar!

THE MAN FROM RED DOG

by ALFRED HENRY LEWIS

"LET ME TRY ONE OF THEM THAR seegyars."

It was the pleasant after-dinner hour, and I was on the veranda for a quiet smoke. The Old Cattleman had just thrown down his paper; the half-light of the waning sun was a bit too dim for his eyes of 70 years.

"Whenever I beholds a seegyar," said the old fellow, as he puffed voluminously at the *principe* I passed over, "I thinks of what that witness says in the murder trial at Socorro.

" 'What was you-all doin' in camp yourse'f,' asks the jedge of this yere witness, 'the day of the killin'?'

" 'Which,' says the witness, on-crossin' his laigs an' lettin' on he ain't made bashful an' oneasy by so much attentions bein' shown him, 'which I was a-drinkin' of a few drinks of whiskey, a-smokin' of a few seegyars, an' a-romancin' 'round.' "

After this abrupt, not to say ambiguous, reminiscence, the Old Cattleman puffed contentedly a moment.

"What murder trial was this you speak of?" I asked. "Who had been killed?"

"Now I don't reckon I ever does know who it is gets downed," he replied. "This yere murder trial itse'f is news to me complete. They was waggin' along with it when I trails into Socorro that time, an' I merely sa'nters over to the co't that a-way to hear what's goin' on. The jedge is sorter gettin' in on the play while I'm listenin'.

" 'What was the last words of this yere gent who's killed?' asks the jedge of this witness.

" 'As nearly as I keeps tabs, jedge,' says the witness, 'the dyin' statement of this person is: "Four aces to beat." '

" 'Which if deceased had knowed Socorro like I does,' says the jedge, like he's commentin' to himse'f, 'he'd shorely realized that sech remarks is simply sooicidal.' "

Again the Old Cattleman relapsed into silence and the smoke of the *principe*.

"How did the trial come out?" I queried. "Was the accused found guilty?"

"Which the trial itse'f," he replied, "don't come out. Thar's a passel of the boys who's come into town to see that jestice is done, an' bein' the round-up is goin' for'ard at the time, they nacherally feels hurried an' pressed for leesure. They-alls oughter be back on the range with their cattle. So the fifth day, when things is loiterin' along at the trial till it looks like the law has hobbles on, an' the word goes round it's goin' to be a week yet before the jury gets action on this miscreant who's bein' tried, the boys becomes plumb aggravated an' wearied out that a-way; an', kickin' in the door of the calaboose, they searches out the felon, swings him to a cottonwood not otherwise engaged, an' the right prevails. Nacherally the trial bogs down right thar."

After another season of silence and smoke, the Old Cattleman struck in again.

"Speakin' of killin's, while I'm the last gent to go fosterin' idees of bloodshed, I'm some discouraged jest now by what I've been readin' in that paper about a dooel between some Eyetalians, an' it shorely tries me the way them aliens plays hoss. It's obvious as stars on a cl'ar night, they never means fight a little bit. I abhors dooels, an' cowers from the mere idee. But, after all, business is business, an' when folks fights 'em the objects of the meetin' oughter be blood. But the way these yere European shorthorns fixes it, a gent shorely runs a heap more resk of becomin' a angel abrupt, attendin' of a Texas cake-walk in a purely social way.

"Do they ever fight dooels in the West? Why, yes — some. My mem'ry comes a-canterin' up right now with the details of an encounter I once beholds in Wolfville: Thar ain't no time much throwed away with a dooel in the Southwest. The people's mighty extemporaneous, an' don't go browsin' 'round none sendin' challenges in writin', an' that sort of flapdoodle. When a gent notices the signs a-gettin' about right for him to go on the war-path, he picks out his meat, surges up, an' declar's himse'f. The victim, who is most likely a mighty serious an' experienced person, don't copper the play by makin' vain remarks, but brings his gatlin' into play surprisin'. Next it's bang! bang! bang! mixed up with flashes an' white smoke, an' the dooel is over complete. The gent who still adorns our midst takes a drink on the house, while St. Peter onbars things a lot an' arranges gate an' seat checks with the other in the realms of light. That's all thar is to it. The tide of life ag'in flows onward to the eternal sea, an' nary ripple.

"Oh, this yere Wolfville dooel! Well, it's this a-way. The day is blazin' hot, an' business layin' prone an' dead — jest blistered to death. A passel of us is sorter pervadin' 'round the dance-hall, it bein' the biggest an' coolest store in camp. A monte game is strugglin' for breath in a feeble, fitful way in the corner, an' some of us is a-watchin'; an' some a-settin' 'round loose a-thinkin'; but all keepin' mum an' still, 'cause it's so hot.

"Jest then some gent on a hoss goes whoopin' up the street a-yellin' an' a-whirlin' the loop of his rope, an' allowin' generally he's havin' a mighty good time.

" 'Who's this yere toomultuous man on the hoss?' says Enright, a-regardin' of him in a displeased way from the door.

" 'I meets him up the street a minute back,' says Dan Boggs, 'an' he allows he's called "The Man from Red Dog." He says he's took a day off to visit us, an' aims to lay waste the camp some before he goes back.'

"About then the Red Dog man notes old Santa Rosa, who keeps the Mexican *baile* hall, an' his old woman, Marie, a-fussin' with each other in front of the New York Store. They's locked horns over a drink or somethin', an' is pow-wowin' mighty onamiable.

" 'Whatever does this yere Mexican fam'ly mean,' says the Red Dog man, a-surveyin' of 'em plenty scornful, 'a-draggin' of their domestic brawls out yere to offend a sufferin' public for? Whyever don't they stay in their wickeyup an' fight, an' not take to puttin' it all over the American race which ain't in the play none an' don't thirst tharfor? However, I unites an' reeconciles this divided household easy.'

"With this the Red Dog Man drops the loop of his lariat 'round the two contestants an' jumps his bronco up the street like it's come outen a gun. Of course Santa Rosa an' Marie goes along on their heads permiscus.

"They goes coastin' along ontil they gets pulled into a mesquite-bush, an' the rope slips offen the saddle, an' thar they be. We-alls goes over from the dance-hall, extricatin' of 'em, an' final they rounds up mighty haples an' weak, an' can only walk. They shorely lose enough hide to make a pair of leggin's.

" 'Which I brings 'em together like twins,' says the Red Dog man, ridin' back for his rope. 'I offers two to one, no limit, they don't fight none whatever for a month.'

"Which, as it shorely looks like he's right, no one takes him. So the Red Dog man leaves his bluff a-hangin' an' goes into the dance-hall, a'givin' of it out cold an' clammy he meditates libatin'.

" 'All promenade to the bar,' yells the Red Dog man as he goes in. 'I'm a wolf, an' it's my night to howl. Don't 'rouse me, barkeep, with the sight of merely one bottle; set 'em all up. I'm some fastidious about my fire-water an' likes a chance to select.'

"Well, we'alls takes our inspiration, an' the Red Dog man tucks his onder

his belt an' then turns round to Enright.

"'I takes it you're the old he-coon of this yere outfit?' says the Red Dog man, soopercillious-like.

"'Which, if I ain't,' says Enright, 'it's plenty safe as a play to let your wisdom flow this a-way till the he-coon gets yere.'

"'If thar's anythin',' says the Red Dog man, 'I turns from sick, it's voylence an' deevastation. But I hears sech complaints constant of this yere camp of Wolfville, I takes my first idle day to ride over an' line things up. Now yere I be, an' while I regrets it, I finds you-alls is a lawless, onregenerate set, a heap sight worse than roomer. I now takes the notion — for I sees no other trail — that by next drink time I climbs into the saddle, throws my rope 'round this den of sin, an' removes it from the map.'

"'Nacherally,' says Enright, some sarcastic, 'in makin' them schemes you ain't lookin' for no trouble whatever with a band of tarapins like us.'

"'None whatever,' says the Red Dog man, mighty confident. 'In thirty minutes I distributes this yere hamlet 'round in the landscape; which feat becomin' hist'ry, I then canters back to Red Dog.'

"'Well,' says Enright, 'it's plenty p'lite to let us know what's comin' this a-way.'

"'Oh! I ain't tellin' you none,' says the Red Dog man, 'I simply lets fly this hint, so any of you-alls as has got bric-a-brac he values speshul, he takes warnin' some an' packs it off all safe.'

"It's about then when Cherokee Hall, who's lookin' on, shoulders in between Enright an' the Red Dog man, mighty positive. Cherokee is a heap sot in his idees, an' I sees right off he's took a notion ag'in the Red Dog man.

"'As you've got a lot of work cut out,' says Cherokee, eyein' the Red Dog man malignant, 's'pose we tips the canteen ag'in.'

"'I shorely goes you,' says the Red Dog man. 'I drinks with friend, an' I drinks with foe; with the pard of my bosom an' the shudderin' victim of my wrath all sim'lar.'

"Cherokee turns out a big drink an' stands a-holdin' of it in his hand. I wants to say right yere, this Cherokee's plenty guileful.

"'You was namin',' says Cherokee, 'some public improvements you aims to make; sech as movin' this yere camp 'round some, I believes?'

"'That's whatever,' says the Red Dog man, 'an the holycaust I 'nitiates is due to start in fifteen minutes.'

"'I've been figgerin' on you,' says Cherokee, 'an' I gives you the result in strict confidence without holdin' out a kyard. When you-all talks of tearin' up Wolfville, you're a liar an' a hoss-thief, and' you ain't goin' to tear up nothin'.'

"'What's this I hears! yells the frenzied Red Dog man, reachin' for his gun.

"But he never gets it, for the same second Cherokee spills the glass of whiskey straight in his eyes, an' the next he's anguished an' blind.

" 'I'll fool this yere human simoon up a lot,' says Cherokee, a-hurlin' of the Red Dog man to the floor, face down, while his nine-inch bowie shines in his hand like the sting of a wasp. 'I shore fixes him so he can't get a job clerkin' in a store,' an' grabbin' the Red Dog man's ha'r, which is long as the mane of a pony, he slashes it off close in one motion.

" 'Thar's a fringe for your leggin's, Nell,' remarks Cherokee, a-turnin' of the crop over to Faro Nell. 'Now, Doc,' Cherokee goes on to Doc Peets, 'take this yere Red Dog stranger over to the Red Light, fix his eyes all right, an' then tell him, if he thinks he needs blood in this, to take his Winchester an' go north in the middle of the street. In twenty minutes by the watch I steps outen the dance hall door a-lookin' for him. P'int him to the door all fair an' squar'. I don't aim to play nothin' low on this yere gent. He gets a chance for his ante.'

"Doc Peets sorter accoomilates the Red Dog man, who is cussin' an' carryin' on scand'lous, an' leads him over to the Red Light. In a minute word comes to Cherokee as his eyes is roundin' up all proper, an' that he's makin' war-medicine an' is growin' more hostile constant, an' to feel himse'f. At that Cherokee, mighty ca'm, sends out for Jack Moore's Winchester, which is an 'eight-squar',' latest model.

" 'Oh, Cherokee!' says Faro Nell, beginnin' to cry, an' curlin' her arms 'round his neck. 'I'm 'fraid he's goin' to down you. Ain't thar no way to fix it? Can't Dan yere settle with this Red Dog man?'

" 'Cert,' says Dan Boggs, 'an' I makes the trip too gleeful. Jest to spar' Nell's feelin's, Cherokee, an' not to interfere with no gent's little game, I takes your hand an' plays it.'

" 'Not none,' says Cherokee; 'this is my deal. Don't cry, Nellie,' he adds, smoothin' down her yaller ha'r. 'Folks in my business has to hold themse'fs ready to face any game on the word, an' they never weakens or lays down. An' another thing, little girl; I gets this Red Dog sharp shore. I'm in the middle of a run of luck; I holds fours twice last night, with a flush an' a full hand out ag'in 'em.'

"Nell at last lets go of Cherokee's neck, an', bein' a female an' timid that a-way, allows she'll go, an' won't stop to see the shootin' none. We applauds the idee, thinkin' she might shake Cherokee some if she stays; an' of course a gent out shootin' for his life needs his nerve.

"Well, the twenty minutes is up; the Red Dog man gets his rifle offen his saddle an' goes down the middle of the street. Turnin' up his big sombrero, he squar's 'round, cocks his gun, an' waits. Then Enright goes out with Cherokee an' stands him in the street about a hundred yards from the Red Dog man. After Cherokee's placed, Enright holds up his hand for attention an' says:

" 'When all is ready I stands to one side an' drops my hat. You-alls fires at will.'

"Enright goes over to the side of

the street, counts 'one,' 'two,' 'three,' an' drops his hat. Bangety! Bang! Bang! goes the rifles like the roll of a drum. Cherokee can work a Winchester like one of these yere Yankee 'larm-clocks, an' that Red Dog hold-up don't seem none behind.

"About the fifth fire the Red Dog man sorter steps for'ard an' drops his gun; an' after standin' onsteady for a second, he starts to cripplin' down at his knees. At last he comes ahead on his face like a landslide. Thar's two bullets plumb through his lungs, an' when we gets to him the red froth is comin' outen his mouth some plenteous.

"We packs him back into the Red Light an' lays him onto a monte-table. Bimeby he comes to a little an' Peets asks him whatever he thinks he wants.

" 'I wants you-alls to take off my moccasins an' pack me into the street,' says the Red Dog man. 'I ain't allowin' for my old mother in Missoury to be told as how I dies in no gin-mill, which she shorely 'bominates of 'em. An' I don't die with no boots on, neither.'

"We-alls packs him back into the street ag'in, an' pulls away at his boots. About the time we gets 'em off he sags back convulsive, an' thar he is as dead as Santa Anna — real cold dead.

" 'What sort of a game is this anyhow?' says Dan Boggs, who, while we stands thar, has been pawin' over the Red Dog man's rifle. 'Looks like this vivacious party's plumb locoed. Yere's his hand-sights wedged up for a thousand yards, an' he's been a-shootin' of cartridges with a hundred an' twenty grains of powder into 'em. Between the sights an' the jump of the powder, he's shootin' plumb over Cherokee an' aimin' straight at him.'

" 'Nellie,' says Enright, lookin' remorseful at the girl, who colors up an' begins to cry ag'in, 'did you cold-deck this yere Red Dog sport this a-way?'

" 'I'm 'fraid,' sobs Nell, 'he gets Cherokee; so I slides over when you-alls is waitin' an' fixes his gun some.'

" 'Which I should shorely concede you did,' says Enright. 'The way that Red Dog gent manip'lates his weepon shows he knows his game; an' except for you a-settin' things up on him, I'm powerful afraid he'd spoiled Cherokee a whole lot.'

" 'Well, gents,' goes on Enright, after thinkin' a while, 'I reckon we-alls might as well drink on it. Hist'ry never shows a game yet, an' a woman in it, which is on the squar', an' we meekly b'ars our burdens with the rest.' "

EDITORS' FILE CARD

AUTHOR:	**DICK ASHBAUGH**
TITLE:	***Killer in the Lilacs***
TYPE:	Crime Story
LOCALE:	United States
TIME:	The Present
COMMENTS:	*The author has "a way with" State Troopers, golfers, a killer escaped from prison—and especially with a grandma and a small boy.*

MRS. CARMICHAEL GUIDED HER wheel chair smoothly across the sunlit terrace, then made a deft right-angle turn into the elliptical shade of the blue and white umbrella. She placed her binoculars on the coping of the stone balustrade and her book of Audubon plates on the table at her elbow, alongside her two o'clock pills.

Lieutenant Sheldon of the State police, following a few steps behind her, moved around the opposite side of the table and stood looking out over the valley. "Nice view of the country club," he said. "I didn't realize you were up so high."

"It isn't really as high as it looks." Mrs. Carmichael adjusted the binoculars and swung them in a slow arc far out over the undulant sweep of the golf course. "I thought I might spot the judge and his cronies. I'm practically a golf widow these days." She lowered the glasses and glanced at her watch. "They should be on number fourteen about now." She laughed lightly. "That's a vicious dogleg, and the Judge is probably in the trees calling down thunderbolts on his caddie. By the way, Lieutenant, do you always wear a shoulder holster?"

He straightened abruptly and tugged at his jacket. "No, ma'am, it isn't standard equipment, but under the circumstances I find it comforting." His professional eye probed the heavily shrubbed lawn dropping sharply in a series of shallow terraces down to the fence line of the eighteenth fairway. Completely vulnerable, he thought. A man could work his way up to the

house through those bushes and never be seen.

"I don't suppose the Judge will like it, but I'm going to put a couple of troopers out here to keep an eye on things."

"No, the Judge won't like it," said Mrs. Carmichael. "In the patois of the times he'll probably flip his lid."

The Lieutenant grunted briefly and sat down across the table. "I realize this isn't new to you. I know the Judge has been threatened before by men he's sent to prison. But believe me, Mrs. Carmichael, this situation is different. McElroy is a killer. He'll plan this thing very carefully, and he's highly intelligent in a twisted sort of way."

"I know," she said. "I took that phone call the other evening. He sounded like a Rhodes scholar."

"There were four men in that prison break," the Lieutenant continued. "McElroy used them as decoys. We had three of them cornered in a matter of hours, but that smoothie made a clean getaway." The quiet air suddenly echoed with a staccato machine-gun rattle and he jumped involuntarily.

"Pileated woodpecker," said Mrs. Carmichael calmly. "He has a duplex apartment in that oak tree."

Lieutenant Sheldon took a deep breath. "I've got to be moving along. Frankly, I'm not very happy at leaving you here alone."

"Oh, don't worry about me," murmured Mrs. Carmichael from behind the glasses. "The Judge will be here in an hour or so. It's Anna's day off, but my daughter is due back from town on the 4:10. Besides, I have a bodyguard. As a matter of fact I think he's—uh—casing us right now." She made a half turn in her chair and glanced upward.

Sheldon's eye followed the direction of her gaze and found a small round face peering down solemnly from a second-floor window. "Oh, no! Not a youngster."

"My grandson, David," she said with a laugh. "He was sent to his room for pinging birds with the air rifle his grandfather so thoughtfully provided for him."

The little boy's voice came floating down plaintively. "Hey, grandma, can't you spring me out of here? I promise to be good. Who's that guy with you?"

"All right, David," she called out. "Your mother wouldn't approve of this, but come on down."

With a shrill whoop the head disappeared. Moments later a small boy in shorts raced through the French doors and across the terrace. He slid to a stop in front of the Lieutenant and regarded him coldly. "A cop, huh?" he said out of the corner of his small mouth. "Where's your rod?"

"David!" His grandmother spoke sharply. "Any more smart talk like that and you'll march right back to your room." She looked at the Lieutenant and shrugged. "Televi-

sion, the great mass educator."

"I'm sorry, grandma." The boy threw back his shoulders and approached the Lieutenant's chair with his hand extended formally. "How do you do, sir. I'm happy to meet you."

"That's more like it," said his grandmother.

Sheldon chuckled and stood up, reaching for his hat. "Good boy, David. I hereby appoint you my Deputy. You're assigned to guard your grandmother this afternoon."

David hitched at his belt and ran a hand over his crew cut. "I could do a better job if I had my old rifle. Mom hid it."

"And I hope it stays hidden," said his grandmother severely. "Lieutenant, I appreciate your stopping by. I suppose you're right about the men, but please tell them to keep out of sight. The Judge has his pride, you know. Of course, I have another word for it which I wouldn't dare use in front of present company."

David rubbed a bruise on his knee. "Oh, go ahead, grandma. I'm always hearing things I'm not supposed to."

"Don't worry," said Sheldon. "You'll never know they're around. I'll stop back later this afternoon myself."

"May I walk out to the car with you, sir?" asked David. "I've never seen a police car up close."

"Certainly, Trooper, be my guest." At the car Sheldon paused thoughtfully and looked down at the boy. "David, can you dial a phone?"

"Oh, sure," said David. "but usually I'm not allowed. That's because when I was eight I was always trying to call Gene Autry long distance."

"Well look, Trooper, here's a number on this card. If anything happens before your grandfather comes home, get to the phone as quick as you can. Understand?"

"Roger," said David, saluting briskly. "Wilco and over." He watched the car swing down the curving drive. "Boy, I'd sure like to get my hands on that siren!" (He pronounced it si-reen.)

He slouched across the bright glare of the terrace and dropped into a chair.

"Grandma, you know what?"

"No," she said absently. "What?"

"I'll bet I could find that old rifle of mine if I wanted to. Mom's not very good at hiding stuff. I knew everything I was going to get for Christmas last year."

"You just forget about that old rifle. Here, would you like to take a look at your grandfather trying to blast out of a sandtrap?"

"Grandpa! Gee whiz, yes. Where is he?"

"Come over here and take the glasses. That's it. Now look just over the lower limb of that oak."

"Where? I don't see anything. Hey! now I do. That's grandpa all right. Looks like he's right on top of us. Boy oh boy! These dudes

really work, don't they?" He lowered the glasses. "I can hardly see with my bare eyes. Now he's gone behind some trees."

"They're on the seventeenth fairway. When they come down the eighteenth we can wave at him. That is, if he doesn't slice into the brook."

"Man oh man, that's something." He walked over and hoisted himself up on the balustrade. "Grandma, you know what?"

"No, what?"

"I'm hungry."

"All right, suppose you stroll down to the kitchen and get that pitcher of lemonade your mother made this morning. Get some cookies and fruit, too. We'll have a tea party."

"Tea party?" His lip curled. "That's for girls."

"Okay, I'll put the caper this way. How about hightailin' down to the chuck wagon and putting the snatch on some grub. We'll have ourselves a wingding."

He laughed shrilly. "Grandma, you're real cool."

Halfway across the terrace he stopped and looked back. "What if I happen to stumble across that old dude of a rifle? I think Mom hid it in the kitchen."

"Then you can stumble right back and put it where you found it. Now scram. I'm dying of thirst."

The moment he disappeared through the doorway she raised the glasses, and straining to keep her hands steady, focused on a clump of lilac bushes halfway down the terraced lawn. There was something there that didn't belong. She felt the alien presence rather than saw it. It was close to the ground and moving stealthily toward the beech tree near the east fence. She wheeled the chair to the opposite side of the table and reversed her position against the balustrade for a different angle of view.

The man was plainly visible now, kneeling close to the tree and working on something before him on the ground. The breeze died down and through the eerie quiet came a faint mechanical clicking of metal against metal. It stopped suddenly and his hand flashed as he slapped at a buzzing insect.

A moment later the man shifted sideways and a fleeting ray of sunlight clicked against the telescopic sight, then slid down the long slim barrel of a rifle. Now only his head was visible as he bent over the eyepiece, carefully adjusting the turnscrew. For a full minute he lay prone, completely motionless; then he inched slowly backward pulling the rifle and tripod with him. In his new position she could see nothing but the rifle barrel projecting from the shadowed mass of the lilac bush. There was no sound, no movement —only the deadly blue-black barrel angling slightly downward toward the wide green floor of the fairway.

Numbly she pushed back against the table and swung the glasses in

a long arc toward the eighteenth tee. A foresome of women golfers stood chatting around the sandbox. One moved away from the group and positioned her ball for a drive. Beyond the group she could see the steep path leading up from number seventeen. There was nobody visible through the trees, and she swallowed hard in momentary relief.

Below her on the terrace the lilacs swayed and she heard a series of muffled, slapping sounds. Then the deep quiet of the somnolent summer afternoon settled down over the terrace. For several minutes, with panic rising in her throat, she held the binoculars on the omnious blue-black barrel as though the intensity of her gaze could cause it to melt away. The powerful glasses magnified the forward sight into a vicious, saw-toothed triangle, and it was then she noticed something oddly out of place on the gunsight. Carefully she elevated the glasses and moved them slowly along the lower branches of the tree above. What she saw caused her heart to give a queer little jump.

A prolonged tinkling sound made her wheel around toward the French doors.

"David! For heaven's sake be careful." He came across the terrace pushing a tea cart with her prized silver service rocking gently on the glass top.

"Oh, I'm being careful, all right. I couldn't carry everything, so I got this dude out of the dining room. I didn't take that stuff off the top 'cause I was afraid I'd bust something. Our grub is down here." He leaned over and brought up a soup tureen filled with cookies and a beaded pitcher of lemonade. "Are you mad at me, grandma?"

"No, dear, I'm not mad." She spoke rapidly to cover the tremor in her voice. "I want you to tell me something. Did you find your rifle?"

He hung his head, then looked up at her sheepishly. "I found it all right. I told you Mom isn't very good at hiding things. It was in the vegetable bin." His face twisted anxiously. "Are you going to send me to my room?"

"No, darling." She pulled him close. "I want you to listen carefully. Go get your rifle right away. Bring it out here. I—uh—want to see you shoot."

He twisted uncomfortably. "Gee whiz, grandma, what gives? Are you feeling all right?"

"Please, David, do as I say. Go get your rifle. Quickly."

"Well, sure, but I don't get it. First, a guy is sent to his room and then—"

"David!" Her voice rose sharply and she recoiled at the flash of fear in his eyes. His mouth working, he turned and ran across the terrace.

The four women golfers had moved down from the tee and were now scattered across the fairway for their second shots. She knew with-

out looking that the men waited impatiently on the elevated tee for the women to play ahead. She could almost hear the Judge growling about females who should either play golf or stay in the clubhouse and knit.

The last woman to play addressed her ball for what seemed like an interminable length of time. As she started her backswing, a ball thudded into the turf almost at her feet, then bounded off down the fairway. She turned in obvious anger and shook her club at the tee. Then swinging wildly at her own ball she stalked off.

High on the lonely terrace, Mrs. Carmichael felt a sudden chill in the hot afternoon sun. "A helpless woman," she murmured, "and a little boy with an air rifle. Heavenly Father, save us."

David came shuffling across the terrace carrying the rifle barrel down and slumped into a chair. "I might of known," he said dejectedly. "Mom unloaded the thing. I didn't even think she knew how." He loosened the magazine and pulled it from the barrel. Empty. "Not a darn shot left."

Mrs. Carmichael wheeled her chair frantically around the table. "David! You mean they're all gone? You haven't any left?"

He shook his head. "Nope." Then his face changed. "Hey, I might have some down in my pocket. That last box had a hole in it." He stood up and pulled his pocket inside out. Several lead pellets rattled on the terrace floor, leaving a small cluster in the palm of his hand. He carefully funneled the BBs into the magazine and screwed it back into the barrel.

"There we go," he said, cocking the rifle against his knee. "All set."

"Darling." Mrs. Carmichael's voice was flat and calm. "Take a look out there at the lower limb of that beech tree. Notice anything?"

Out of the corner of her eye she could see the men coming down from the tee, walking slowly in a group. In a minute or two they would be dispersed over the fairway, each man alone and each man a perfect target against the dark green of the fairway.

At her side David squinted intently. "I see something, grandma, out near the end of the limb. Looks like a bird's nest."

"Do you think you could hit it from here?"

He looked at her wide-eyed. "You mean you want me to shoot at a *nest*? Grandma, are you sure you're all right?"

"Yes, dear. Please go ahead."

"Well, okay." He slid the rifle barrel across the coping and pressed his cheek against the stock. "It's downhill," he said, his voice muffled. "Got to figure the drop. Grandpa showed me how." The rifle pinged sharply and he straightened up. "I hit it," he said. "That was easy."

"Keep shooting," she urged, her voice level.

"Okay." The rifle coughed again. "I can hit stuff farther away then that." He peered fiercely toward the tee. "Hey, looks like smoke coming out of that nest. What kind of a crazy nest is that anyhow?"

She handed him the glasses. "Here, take a look."

"Well, I'll be darned. It isn't smoke. It's a million wasps. I hit an old wasp's nest, that's what I hit! They're buzzing all over the place. Creepers, grandma, we'd better get out of here."

"No! Wait a minute."

Suddenly the lilacs below the tree seemed to explode, and the man came out clawing and beating the air around his head. He scrambled up the slope, tearing through the shrubbery and slapping violently at his arms and face. Several times he fell in the loose earth, his legs churning and twisting. At the top he spun around wildly, then raced across the lawn toward the driveway.

"Yippee!" shouted David. "Look at that guy go. Where'd he come from anyhow? I got to see this." He dashed across the terrace toward the house.

"David!" she called frantically. "David, come back here!" She wheeled rapidly into the house, through the library and down the central hall. The boy stood just inside the front door, peering cautiously through the screen.

"That guy was lucky," he said. "The troopers saved him."

"Troopers? What troopers?" She pulled closer to the door.

"The State troopers. They turned in just as this guy was running down the drive. One of the troopers grabbed him and pulled him in the car." He let out a little shout. "Hey, look, grandma, those crazy wasps are all going away."

Tires spurted on the drive as the police car swung around the loop and up to the entrance. Lieutenant Sheldon hopped out and took the steps in two long strides, his face knotted in anxiety. He saw the two of them as David swung the screen wide, and relaxed against the door frame, mopping his brow.

"Whoosh!" His breath came out in a long sigh. "Thank heaven you're all right. We got a tip he was in the neighborhood and whipped right over." He looked at David's gun curiously. "Now don't tell me you ran him off with that!"

"He most certainly did," said Mrs. Carmichael. "Tell him how, David."

David squinted at the cruiser. "Okay, but you have to promise me two things." He rubbed the barrel of his gun. "Sir," he added, looking up.

Lieutenant Sheldon pulled himself to attention. "Name them, Trooper."

"I want to ride in that thing," said David, "and I want to run that old dude of a si-reen."

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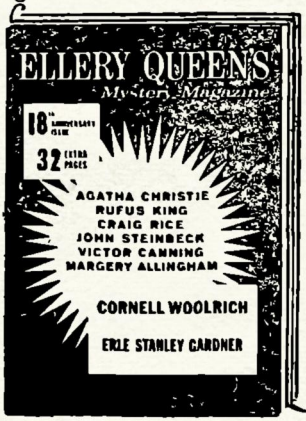

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SHORT STORY WORKSHOP: University of Texas

Report Number One

Last summer the University of Texas invited one-half of Ellery Queen to come to Austin as a Visiting Professor and to give two courses in Creative Writing during the Fall-Winter semester of 1958-1959. Both courses were correctly described as Short Story Workshops—one for undergraduates of the Department of English and the School of Journalism, the other for graduate students and townspeople seriously interested in becoming professional writers.

Both courses were conducted along the same lines—strictly as "laboratories" in the field of the short story. In other words, there were no formal lectures, no ivory-tower discourses on theory and technique, no study of great stories of the past attempting to pinpoint and weigh the literary virtues of de Maupassant, Kipling, or Hemingway. On the contrary, the courses were practical and completely based on "trial and error"; the students wrote, and their writing was read, analyzed, and criticized, and through their own mistakes and experiments nearly all aspects of theory and technique came into focus for detailed discussion. And sometimes the Visiting Professor used the naked eye, and sometimes he put the students' work figuratively under the microscope . . .

Here is Report Number One of your Editor's sojourn in Texas, which is often thought of as "big," but not thought of often enough as "big-hearted." The three short-shorts that follow—all three "first stories"—were written by undergraduates and submitted in the first month of English 341, September-October 1958. They will indicate the enormous extent to which your Editor found his teaching assignment in Texas not only vastly revealing but—more important—vastly rewarding . . .

"Hallelujah, the young ones keep a-comin'."

Simple, direct, unified—and the very first story this young author ever attempted . . .

THE INSTANT OF TRUTH

by WES LUPIEN, '59

THE REVEREND WAS A BIG MAN and even a newcomer to the shop could see right away that he wasn't an ordinary barber. For one thing he didn't look like a barber. In his stockinged feet Reverend Burgess stood six-feet-two and weighed two hundred and four pounds. His stone-gray eyes and big hooked nose were offset by the most unruly head of hair in the county. His black, curly locks hung down to his collar in back. In other parts of the country he might easily have been taken for an Indian.

The Reverend smiled as he saw his own reflection in the mirror and made a mental note that he was due for a haircut soon. He thought back to some twenty years before when he had packed Mattie and the two kids into the old Ford and come all the way from the farm in North Carolina. They had only come two hundred miles, but that distance had spelled the difference between poverty and success in those days. There would have been no future for him to have taken over the little country church in Bullsted. In fact, aside from services on Sunday and two or three sick calls during the week, he would have gone on farming as he had already been doing for fifteen years and as his father had done before him. Mattie had been reluctant to leave, but then you could always expect women to be obstinate about such things. They had come anyway.

He had always worn his hair long, and when he and his wife had first come to Elkton, folks had hinted that it wasn't proper for a preacher to look so untidy. Burgess had let it be known that his hair was going to remain long, and remain long it did. As the years passed, his neighbors gradually became accustomed to his ways, and it might even be said that they took special pride in pointing out their odd-looking preacher to strangers.

When the war came, Elkton burst into a boom town overnight and the best prize of all fell right into the Reverend's lap. To understand this, one need only to look at a map of the state. Elkton is located in the northeast corner of Maryland, within five miles of Pennsylvania and Delaware lines. In fact, it is the first Maryland

town encountered by motorists driving down from New York or Philadelphia. Aided by the lax marriage laws in the state of Maryland, eloping couples found Elkton so convenient that it soon became known as the marrying capital of the east, and Reverend Burgess soon became known far and wide as "the marrying preacher."

Of course, the boom brought many other preachers and justices of the peace to cash in on the rush, but the Reverend presented such a quaint picture that most couples asked for him particularly. As tanks rumbled through Europe and boys struggled ashore on the remote beaches of the Pacific, the Reverend profited on runaway marriages.

As the Lord giveth, so He taketh away. Reverend Burgess was no exception. As he slowly lined his pockets, the elders quietly decided that the Reverend had become too materialistic for his calling. He awoke one day to find himself without a church. Not being one to worry, he found that it left him still more time for marrying, and as the years quickly passed he made more and more money. Then came the end of the war and the boom subsided. The Reverend suddenly found himself without a job. With a new home, a new car, and the postwar rise in prices, he needed some sort of regular income, and so he had opened the shop.

Burgess removed his glasses and glanced around. Half of the chairs were filled, but the occupants were only a few of the town's loafers who had wandered in to get away from the heat. The Reverend welcomed their company because there was hardly ever any business during the week and he would sit around and talk, and sometimes get down his banjo and pick some old tunes. Everyone in the county knew the Reverend, and in spite of his idleness most everyone looked up to him. After all, he had helped to put the town on the map, and that alone was quite an accomplishment. Besides, since the war the town had really quieted down and folks had nothing much to talk about except the "old" days.

"I'm going over to the diner for a while, in case anyone wants me. Any y'all want to get some coffee?" he asked. He noted with satisfaction the negative glances, picked up his hat, and pushed open the door. The hot afternoon air closed around him and even though it was only two blocks to the diner he got into the new Buick parked at the curb and drove off.

Everyone in town knew that the Reverend went to the diner to see Kate. Some even referred to her as the Reverend's girl. Folks just smiled and said nothing. After all, being a preacher, and an ex-preacher at that, didn't impose too many restrictions in a town like Elkton. Some eighty per cent of the people in town had moved up from the South to work in the factories.

They were an irresponsible and simple clan who lived only from one day to the next. What little money they made went mostly for booze on Saturday night, but when Sunday morning came they would go to church and pray just the harder. They figured that since the Reverend was also a mountain man, he was one of them. They had brought with them their own set of morals as well as their own habits and speech. There were few people in town who would frown on the Reverend's behavior.

Burgess pushed open the door and took a deep breath as the heat dropped twenty degrees. He picked up a paper from the rack and walked over to the counter. The diner was always busy and today was no exception. He thought it slightly ironic that only two blocks from the busy traffic of the highway his barber shop sat collecting dust. The Reverend accepted his fate with grace; a man could expect only so much out of life and he felt that he had received his share. He slowly turned the pages of the paper, but his eyes were on Kate at the end of the counter. He watched her wipe her hands on her apron and then turn to the coffee machine. As she held the cup with one hand, the other made the motions of smoothing her hair.

Kate was small and fragile-looking and the Reverend figured that was why he liked her. She wasn't at all like Mattie, who was big-boned and light-complexioned. Kate was dark-skinned and her eyes were like two tiny black marbles. The Reverend could sit all day and talk to Kate, and often did. Where she had come from he didn't know and never asked. In Elkton you didn't care.

"How are you today, Reverend?" said Kate with a smile.

"Just as horny as ever!" Burgess laughed. Then he looked quickly around to see if anyone had heard him.

"I hope you haven't forgotten about Sunday, have you?"

"Kate, you know we've been through all that before. I'm just afraid. You know I'd like to, but there's Mattie to think of—the kids too. Folks don't say much about us fooling around here at the diner, and those nights that we drove down to Baltimore — why, even Mattie don't know about that." He lifted his cup and blew across the surface.

"Reverend," said Kate, "you've been promising for weeks to take me to the beach. I don't see why we can't go to Atlantic City this weekend. I've been in this hole for six years and I've never been further than Baltimore. What are you afraid of—Mattie? You know she can't do anything. Even if she could she wouldn't. She just ain't that smart."

"You know it ain't that. It's just that I'd have to tell her something about where I'm going. I've tried

and tried, but I just don't know how to do it."

Kate's eyes flashed.

"Well, someone's going to have to tell her. I'm fed up with having to work in this two-bit dump just 'cause you're too tender-hearted to tell the old cow about us. Everything you've ever done she's been against. Why, Reverend, you're too good-looking and too young for an old woman like that."

She smiled at him and pressed his hand on the counter. Burgess felt his face flush. He hooked one finger in his collar and breathed heavily.

"If you don't tell her, I'm going to do it," Kate whispered.

"No," Burgess said firmly, "I'll think of something."

He squeezed her hand and rose from his seat. He paused momentarily at the door, and as the girl rang up his check he nervously dialed a half-dozen toothpicks from the box and put them in his pocket.

The Reverend didn't head the car back to the shop. It was too hot for business and he didn't feel like talking. Instead, he drove out the main street and soon became lost in the surrounding countryside. For two hours he drove aimlessly around and then nosed the big car back toward Elkton. As he turned into his drive he noted that it was five o'clock.

Mattie was standing in the door, and for a moment he thought she looked strangely pale. As he came up the steps she smiled and held open the screen.

"Well, you're right on time. I've just made some lemonade," said Mattie.

"Where are the boys?"

"Don't you remember?" she asked.

He shook his head.

"They were going fishing today."

The Reverend took off his shoes and sat down. Mattie sat across from him and smiled. He fingered his glass.

"Mattie, there's something I want to tell you."

"About Kate?"

"How did you know," he asked. He was fairly surprised.

"I've known about her ever since the first time you went to the diner. When you got out of the car just now, I could tell by the look in your eyes that you had finally made up your mind about her. Well, I've made mine up too. If you want her I'll set you free so that you won't have to worry about me any more. I'm going back to Bullsted. The boys are old enough now to make out for themselves."

Mattie became strangely silent. Except for the smile on her lips he might have thought her ill.

As he downed the rest of his glass he began to feel the first pains and he doubled up in agony. His empty glass fell sharply to the floor and broke into an array of shining, tinkling bells.

Then, suddenly, he knew why Mattie was smiling . . .

A priest, an illiterate woman, and a doctor . . .

LOUDER THAN WORDS

by JACK EDWIN MOSELEY, '59

RELENTLESSLY THE FIERY RAYS OF the south Louisiana sun raced through a cloudless, morning sky to sear the people of Sayville. Shopkeepers were opening their doors and arranging wares along the single unpaved street. The bank chimes—the only physical distinction the little town could boast—rang the eight o'clock hour, and children began gathering books and lunch boxes.

On a hill overlooking the dusty village stood St. Andrews, the only place of worship within fifty miles. Father Francis Grimmeon walked from his morning prayers into the glaring light. "Who are we to question Thy will," he thought as he gleaned the heavens for some sign of a small shade-giving cloud. There was none.

Just as he was about to turn and re-enter the church a woman called, "Fazzer."

The priest turned in the direction of the voice to see Marie Hébert, one of the poorest of his flock, advancing up the street. In the chubby little woman's arms was an infant, and traipsing at her heel were four shabbily clad boys, ranging in age from about three to six years.

As Marie neared the steps of the church Father Francis smiled, extended his hand, and said, "A good morning to you, Marie. And to you Philip," he said to the oldest boy, "you will be jumping to the chimes this time next year. Was there something you wanted to see me about, Marie?"

The woman nodded as the priest took hold of her arm and led her into the sanctuary. The boys waited.

"Fazzer," Marie said as they entered the confession chamber together, "I'm to have 'nother baby."

"That's wonderful, Marie. Jon will be very proud. God bless you and keep . . ."

"But no," Marie cut in sharply, "I must not have de baby. My Jon ve'y strong, and he work hard at de boiler plant. Jon is good man, but dey pay so little." The flushed and sweating woman viewed the priest with pleading eyes that seemed to say, "Don't you understand?"

The priest's face became thoughtful. He looked again at the woman with the infant in her arms. "Exactly what do you mean?" he asked.

"I come to get de absolution for what I got to do, Fazzer. Why bring poor baby into world when dare is no food, no bed, no clothes? No, Fazzer, we must not have de baby. You see?"

The child in Marie's arms whimpered slightly. She lifted it lovingly and bounced it on her knee. She stared at Father Francis with eyes that, although not expressing great knowledge, were filled with simple trust.

"Marie," Father Francis said after a pause, "Your child is already a fact."

Her countenance did not change.

"Your unborn child, Marie, has a soul the same as the baby there in your arms. He exists now. And because a thing is here with us we do not destroy it. We accept it and give it love and whatever else we can. We build with it and grow with it." The priest grew stern. "Now, put those thoughts from your mind. Go home and tell Jon. He'll be happy, I'm sure. God will make things right. Trust Him."

As Marie, followed by her retinue of children, walked from the church, her face expressed misunderstanding and confusion. Her next stop was the office of Dr. Marcus Gavin, a rough old practitioner who thought little of God and less of those who went to great lengths to show their faith.

"So you see, Doctor, I gotta have your help," Marie said as the old man eyed the cowering children in a corner of the room.

"Well, hell, woman, I see you've got a real problem," the old man growled, lunging toward one of the wide-eyed, fearful boys. He then scratched his unshaved chin and walked slowly into his private office.

Some seconds later he returned with a hypodermic in his hand. "I'll do it. Don't make a practice of it, understand, but with them four," pointing at the boys watching the old man, "you got a real problem. Umm, guess I've birthed most of the screamin' devils around here in the last fifty years. Well, let's get it done with. Come here, boy," Doctor Gavin shouted as he jerked the child nearest him into a chair. "Guess you'll do well as any. You know, some of them kids I birthed are real hellions, but some are pretty nice though."

Before Marie realized what was happening, the old doctor was rubbing the gritty little arm with alcohol.

"This stuff will have him cold in three minutes. One good thing about it, it don't cause no pain. Guess I'll say kidney poisoning. Got to have a cause of death—for the death certificate, you know. Well, here goes. That's what you said—you wanted me to kill the kid, isn't it?"

In terror Marie leaped from her chair and grabbed the child away from the old man. Now, suddenly, she realized what Father Francis had meant by a child already being a fact.

Dr. Gavin burst into laughter as the little group fled the room. "Good thing I'm the only doctor in this town—else I wouldn't have a lick of practice left in a week."

Sensitive, poetic, compassionate – and most acutely observed . . .

THE LONG BLACK SHADOW

by ROSEMARY GIBBONS, '61

SATURDAY MAMA GIVES ME A QUARter and Walter goes with me down to the drug store. Last Saturday smelled hot like black tar and dust. We had to run quick from shade to shade and across streets because the pavement burned our feet. Walter stopped in the alley that came out beside the drug store, to wait, because Mr. Duncan always said he wouldn't sell nothing to no dirt-black.

Inside the store was dark and I always thought of cigars and Band-aids and wanted to tell Mr. Duncan that Walter was as nice as anybody, but I never did. I got two ice creams and hurried out quick. Mr. Duncan didn't pay me much attention anyway. He was talking to some strange people drinking cokes at the counter. The two women had on shorts and their legs were fat and crumpled-looking, and their stomachs hung out between their halters and the top of their shorts. All four of them were smoking. I never saw a lady smoke before except in a picture show.

Walter was drawing in the dust in the alley with his big toe when I came out. I told him about the ladies smoking and he wanted to see them too, so we waited. There were a bunch of boxes stacked up in the alley, and we kicked at them or rolled the drips from our ice cream into little dusty balls with our toes. A black beetle came out, and we turned a box over on him. I climbed up on a crate and told Walter I was Superman and then They came out.

A big boy from high school was leaning on a parking meter and he whistled at the ladies with fat legs. One of them turned and winked at him and kind of smiled. Walter said he was going to do it too. He put two fingers in his mouth and I said no, Walter, real quick, and grabbed his hand. His ice cream dropped into the dirt and another black beetle came out. He started to get mad, but I told him I bought the ice cream and anyway let's go swimming. He said he would rather whistle at girls like the high school boys did, and I said okay, we would whistle at one girl, then we would go swimming.

We sat on the crate in the alley and every once in a while one of us would get down to see if a girl was coming. An old lady came by and I whistled at her, but that wasn't much fun. I saw one of the

girls in my class at school and when Walter whistled I hid behind the crate. She looked mad at Walter and I didn't come out until she was way down the block and the bricks from the drug store wall were rough and hot against my back.

The alley was squashed in between backs of buildings and garbage cans, and oil from trucks made the dirt sticky. Walter told me that the women in shorts had been bad women because their hair wasn't the right color. His sister had told him about things like that. Sometimes I wish I had a sister. I'm getting old enough that I am going to have to know some more about girls, and criminy, you can't ask the girls at school things like that, and the boys will think you are a baby if you don't know.

We came out of the alley at the end and went across the street to the school and through the field behind the school. I stopped once to pick sticker burrs out of my feet, and once to look back at the man painting around the windows. They are always fixing up the school, but they never get finished.

I held up the barbed wire for Walter first, and then it was my turn to crawl under. Down next to the ground like that I could see the doodlebug trails and smell dirt the way it smells soft at the roots of weeds. We had to walk carefully now, because cows had been along and we were barefoot. Shade is darker here by the creek, and sunshine is yellower and makes circles when it comes through the trees. The creek is clear until we kick up mud and we rolled up our jeans even though they would get wet anyway.

Pirate Tree is where the creek turns, and when we are in the very top we can be anything we want. We aren't always pirates, that's just the name of the tree, but today we would be pirates and I would be Black Beard. I got to be captain because I was the first one to climb all the way up to the crow's-nest. I sat still on a branch and waited for Walter. It was funny to watch him coming up from where I was. The tree trunk was dark and the creek water was dark and Walter was dark. Bark is hard, and my hand had red ridges from hanging on by the time Walter was all the way up.

All's clear to the west, all's clear to the south, enemy ship in the east. The lady with fat legs was lying on a quilt down by where the creek is deeper. She had one of those magazines Walter sometimes brings when he finds them hidden in his sister's room. The other lady and the men were fishing and drinking beer out of cans. I wondered if they were thirsty again because they just had a coke in Mr. Duncan's, but Walter said don't be silly, they just got the coke to find out where to come fishing. I said who's being silly,

that was the silly thing to do. Whoever heard of getting a coke to find out where to go fishing.

Wind is always blowing at the top of the tree, and we sat there and watched the lady with fat legs and the men drinking beer and fishing. The lady turned over and looked at us, but I don't think she saw us. Walter said that he didn't like them, that they were bad people, and that if you whistled at a woman like that, no telling what might happen. She might get fresh or something. I laughed and told him don't be silly. But he said no fooling.

He kept on talking, but I wasn't paying him any attention. I was wishing again that I had a big sister, or even a big brother. Being the oldest one in the family is a trial. Everyone expects you to know everything already. Man, would they laugh if they knew everything I didn't know! We weren't playing our game any more. We didn't really start. I wasn't Black Beard and Walter was just Walter. I spit to see how long it would take to hit the water. It never seems to take any longer, so this tree must not grow very fast.

Walter was making faces at the lady through the leaves, but she was reading her magazine again. We climbed down and went like tigers through the big weeds around in back where the people were. Walter was in front because he was the scout. Every once in a while he would stop and look out to see if the people were still there. The afternoon was sticky down here by the creek and I was getting itchy from crawling around in the grass. C'mon, Walter, I want to go, and he said just a minute, I want to show you what a woman like that will do if you whistle at her, and we were talking low so They wouldn't hear us.

We were by the field now, and either had to turn around and crawl back or go out where they could see us. I kind of wanted to see what would happen so we made plans. We would count to three and then both of us would stand up and whistle at the same time. We counted together and I was afraid, but I couldn't tell Walter. It was getting bigger. This is stupid, there is no reason—*three,* and I could only get halfway up because I was afraid and I had to hide. Walter whistled before he knew I wasn't beside him, loud, with two fingers in his mouth. Then he stopped and the cymbals inside me stopped and the whole world stopped. I was a chicken and Walter called me one real low but he wouldn't look at me. He was still staring at where the fat-legged lady was. I peeped through and she was looking at him the same way, big and not blinking. I said let's go and pulled at Walter's blue jeans where they were rolled up. Walter turned around and started to run and the lady screamed.

Something kept telling me to run, run, and Walter was pulling at me, and the weeds were tangled.

Back there somebody laughed and hollered. *What's a matter, Maggie? Some kid getting smart with you? You mean a—why, I'll kill him! Which way did he go?* Run, Walter, run. The weeds are tangled. Don't fall down. Run back to the school. They're just kiding. *No damn dirt-black is going to talk to my wife like that!* They're drunk. They will kill him. Run, Walter. Run.

The weeds were tangled, and my side hurt, and I fell down. I crawled back, way back, and lay there. Go on, Walter, run.

The biggest man came crashing by me first. He smashed the weeds down because he had on shoes. The sun was hot, bright yellow—everywhere was bright yellow fire. I couldn't see Walter and I felt sick at my stomach. Where is Walter?

They were coming back. Two men were dragging Walter. He was kicking and crying and I lay very still so they wouldn't see me. An ant crawled up my arm but I stayed very still and listened to Walter cry.

Very slowly I moved the weeds so I could look out. One of the men was holding Walter and the other one was slapping him hard across the mouth. The women were gone. Finally the man let go of Walter and he fell down on the ground all limp. He kept making funny little noises. The man sat down by him and smoked cigarettes and drank beer.

When Walter would quit shaking, the biggest man would put his cigarette on Walter's face and laugh when he jerked. They started kicking him and screaming things at him. The big one kicked him in the face, and then his shoe had blood all over it. Red blood, the same color as mine. I hurt all over, and I couldn't move because the sunshine weighed a hundred thousand pounds and was mashing down on me. Walter wasn't crying any more or making the funny noises. I wanted him to cry. I wanted the man to go away. My face was in the dirt and I couldn't breathe.

I couldn't hear them any more. I looked up. The men were gone. Walter was still lying in the mud. Beer cans and a broken fishing pole were by him. I got up and told Walter that we better get out of there before they came back. He didn't say anything, so I went over to help him up. Shaking his arm didn't wake him up. I pulled and he came over easy. His face was gone. I dropped his arm and ran. Walter didn't have a face and I vomited and ran. When I fell down I stayed there. The sky was the color of blood until night came. Wind blows at night and I didn't move. The leaves smell brown, so brown, and the rain cuts my face. Behind the wind is the shadow—the long black shadow.

The favorite Father Brown story of two of our favorite people—Lee Wright, formerly mystery editor of Simon and Schuster and now mystery editor at Random House, and John Dickson Carr, creator of H.M. and Dr. Gideon Fell . . . a detective story with deep meanings.

THE MAN IN THE PASSAGE

by G. K. CHESTERTON

TWO MEN APPEARED SIMULTANEOUSLY at the two ends of a sort of passage running along the side of the Apollo Theater in the Adelphi. The evening daylight in the streets was large and luminous, opalescent and empty. The passage was comparatively long and dark, so each man could see the other as a mere black silhouette at the other end. Nevertheless, each man knew the other, even in that inky outline, for they were both men of striking appearance, and they hated each other.

The covered passage opened at one end on one of the steep streets of the Adelphi, and at the other on a terrace overlooking the sunset-colored river. One side of the passage was a blank wall, for the building it supported was an old unsuccessful theater restaurant, now shut up. The other side of the passage contained two doors, one at each end. Neither was what was commonly called the stage door; they were a sort of special and private stage doors, used by very special performers, and in this case by the star actor and actress in the Shakespearean performance of the day. Persons of that eminence often like to have such private exits and entrances, for meeting friends or avoiding them.

The two men in question were certainly two such friends, men who evidently knew the doors and counted on their opening, for each approached the door at the upper end with equal coolness and confidence. Not, however, with equal speed; but the man who walked fast was the man from the other end of the tunnel, so they both arrived before the secret stage door almost at the same instant. They saluted each other with civility, and waited a moment before one of them, the sharper walker, who seemed to have the shorter patience, knocked at the door.

In this and everything else each

man was opposite and neither could be called inferior. As private persons, both were handsome, capable, and popular. As public persons, both were in the first public rank. But everything about them, from their glory to their good looks, was of a diverse and incomparable kind. Sir Wilson Seymour was the kind of man whose importance is known to everybody who knows. The more you mixed with the innermost ring in every polity or profession, the more often you met Sir Wilson Seymour. He was the one intelligent man on twenty unintelligent committees—on every sort of subject, from the reform of the Royal Academy to the project of bimetallism for Greater Britain. In the arts especially he was omnipotent. He was so unique that nobody could quite decide whether he was a great aristocrat who had taken up art, or a great artist whom the aristocrats had taken up. But you could not meet him for five minutes without realizing that you had really been ruled by him all your life.

His appearance was "distinguished" in exactly the same sense; it was at once conventional and unique. Fashion could have found no fault with his high silk hat; yet it was unlike anyone else's hat—a little higher, perhaps, and adding something to his natural height. His tall, slender figure had a slight stoop, yet it looked the reverse of feeble. His hair was silver-gray, but he did not look old; it was worn longer than the common, yet he did not look effeminate; it was curly, but it did not look curled. His carefully pointed beard made him look more manly and militant rather than otherwise, as it does in those old admirals of Velasquez with whose dark portraits his house was hung. His gray gloves were a shade bluer, his silver-knobbed cane a shade longer than scores of such gloves and canes flapped and flourished about the theaters and the restaurants.

The other man was not so tall, yet would have struck nobody as short, but merely as strong and handsome. His hair also was curly, but fair and cropped close to a strong, massive head—the sort of head you break a door with, as Chaucer said of the Miller's. His military mustache and the carriage of his shoulders showed him a soldier, but he had a pair of those peculiar, frank, and piercing blue eyes which are more common in sailors. His face was somewhat square, his jaw was square; his shoulders were square, even his jacket was square. Indeed, in the wild school of caricature then current, Mr. Max Beerbohm had represented him as a proposition in the fourth book of Euclid.

For he also was a public man, though with quite another sort of success. You did not have to be in the best society to have heard of Captain Cutler, of the siege of

Hong-Kong and the great march across China. You could not get away from hearing of him wherever you were; his portrait was on every other post card; his maps and battles in every other illustrated paper; songs in his honor in every other music-hall turn or on every other barrel organ. His fame, though probably more temporary, was ten times more wide, popular, and spontaneous than the other man's. In thousands of English homes he appeared enormous above England, like Nelson. Yet he had infinitely less power in England than Sir Wilson Seymour.

The door was opened to them by an aged servant or "dresser," whose broken-down face and figure and black, shabby coat and trousers contrasted queerly with the glittering interior of the great actress's dressing room. It was fitted and filled with looking glasses at every angle of refraction, so that they looked like the hundred facets of one huge diamond—if one could get inside a diamond. The other features of luxury—a few flowers, a few colored cushions, a few scraps of stage costume—were multiplied by all the mirrors into the madness of the Arabian Nights, and danced and changed places perpetually as the shuffling attendant shifted a mirror outwards or shot one back against the wall.

They both spoke to the dingy dresser by name, calling him Parkinson, and asking for the lady as Miss Aurora Rome. Parkinson said she was in the other room, but he would go and tell her. A shade crossed the brow of both visitors; for the other room was the private room of the great actor with whom Miss Aurora was performing, and she was of the kind that does not inflame admiration without inflaming jealousy. In about half a minute, however, the inner door opened, and she entered as she always did, even in private life, so that the very silence seemed to be a roar of applause, and one well deserved. She was clad in a somewhat strange garb of peacock green and peacock blue satins, that gleamed like blue and green metals, such as delight children and esthetes, and her heavy, hot brown hair framed one of those magic faces which are dangerous to all men, but especially to boys and to men growing gray. In company with her male colleague, the great American actor, Isidore Bruno, she was producing a particularly poetical and fantastic interpretation of *Midsummer Night's Dream,* in which the artistic prominence was given to Obéron and Titania, or in other words to Bruno and herself.

Set in dreamy and exquisite scenery, and moving in mystical dances, the green costume, like burnished beetle wings, expressed all the elusive individuality of an elfin queen. But when personally confronted in what was still broad daylight, a man looked only at her face.

She greeted both men with the beaming and baffling smile which kept so many males at the same just dangerous distance from her. She accepted some flowers from Cutler, which were as tropical and expensive as his victories; and another sort of present from Sir Wilson Seymour, offered later on and more nonchalantly by that gentleman. For it was against his breeding to show eagerness, and against his conventional unconventionality to give anything so obvious as flowers. He had picked up a trifle, he said, which was rather a curiosity; it was an ancient Greek dagger of the Mycenean Epoch, and might have been well worn in the time of Theseus and Hippolyta. It was made of brass like all the Heroic weapons, but, oddly enough, sharp enough to prick anyone still. He had really been attracted to it by the leaflike shape; it was as perfect as a Greek vase. If it was of any interest to Miss Rome or could come in anywhere in the play, he hoped she would—

The inner door burst open and a big figure appeared, who was more of a contrast to the explanatory Seymour than even Captain Cutler. Nearly six-foot-six, and of more than theatrical thews and muscles, Isidore Bruno, in the gorgeous leopard skin and golden-brown garments of Oberon, looked like a barbaric god. He leaned on a sort of hunting spear, which across a theater looked a slight, silvery wand, but which in the small and comparatively crowded room looked as plain as a pikestaff — and as menacing. His vivid, black eyes rolled volcanically, his bronze face, handsome as it was, showed at that moment a combination of high cheekbones with set white teeth, which recalled certain American conjectures about his origin in the Southern plantations.

"Aurora," he began, in that deep voice like a drum of passion that had moved so many audiences, "will you—"

He stopped indecisively because a sixth figure had suddenly presented itself just inside the doorway—a figure so incongruous in the scene as to be almost comic. It was a very short man in the black uniform of the Roman secular clergy, and looking (especially in such a presence as Bruno's and Aurora's) rather like the wooden Noah out of an ark. He did not, however, seem conscious of any contrast, but said with dull civility, "I believe Miss Rome sent for me."

A shrewd observer might have remarked that the emotional temperature rather rose at so unemotional an interruption. The detachment of a professional celibate seemed to reveal to the others that they stood round the woman as a ring of amorous rivals; just as a stranger coming in with frost on his coat will reveal that a room is like a furnace. The presence of the one man who did not care

about her increased Miss Rome's sense that everybody else was in love with her, and each in a somewhat dangerous way: the actor with all the appetite of a savage and a spoiled child; the soldier with all the simple selfishness of a man of will rather than mind; Sir Wilson with that daily hardening concentration with which old Hedonists take to a hobby; nay, even the abject Parkinson, who had known her before her triumphs, and who followed her about the room with eyes or feet, with the dumb fascination of a dog.

A shrewd person might also have noted a yet odder thing. The man like a black wooden Noah (who was not wholly without shrewdness) noted it with a considerable but contained amusement. It was evident that the great Aurora, though by no means indifferent to the admiration of the other sex, wanted at this moment to get rid of all the men who admired her and be left alone with the man who did not—did not admire her in that sense, at least; for the little priest did admire and even enjoy the firm feminine diplomacy with which she set about her task. There was, perhaps, only one thing that Aurora Rome was clever about, and that was one half of humanity —the other half. The little priest watched, like a Napoleonic campaign, the swift precision of her policy for expelling all while banishing none. Bruno, the big actor, was so babyish that it was easy to send him off in brute sulks, banging the door. Cutler, the British officer, was pachydermatous to ideas, but punctilious about behavior. He would ignore all hints, but he would die rather than ignore a definite commission from a lady. As to old Seymour he had to be treated differently; he had to be left to the last. The only way to move him was to appeal to him in confidence as an old friend, to let him into the secret of the clearance. The priest did really admire Miss Rome as she achieved all these three objects in one selected action.

She went across to Captain Cutler and said in her sweetest manner, "I shall value all these flowers because they must be your favorite flowers. But they won't be complete, you know, without *my* favorite flower. *Do* go over to that shop around the corner and get me some lilies-of-the-valley and then it will be *quite lovely*."

The first object of her diplomacy, the exit of the enraged Bruno, was at once achieved. He had already handed his spear in a lordly style like a scepter to the piteous Parkinson, and was about to assume one of the cushioned seats like a throne. But at this open appeal to his rival there glowed in his opal eyeballs all the sensitive insolence of the slave; he knotted his enormous brown fists for an instant, and then, dashing open the door, disappeared into his own apartments

beyond. But meanwhile Miss Rome's experiment in mobilizing the British Army had not succeeded so simply as seemed probable. Cutler had indeed risen stiffly and suddenly, and walked towards the door, hatless, as if at a word of command. But perhaps there was something ostentatiously elegant about the languid figure of Seymour leaning against one of the looking glasses, that brought him up short at the entrance, turning his head this way and that like a bewildered bulldog.

"I must show this stupid man where to go," said Aurora in a whisper to Seymour, and ran out to the threshhold to speed the parting guest.

Seymour seemed to be listening, elegant and unconscious as was his posture, and he seemed relieved when he heard the lady call out some last instructions to the Captain, and then turn sharply and run laughing down the passage towards the other end, the end on the terrace above the Thames. Yet a second or two after, Seymour's brow darkened again. A man in his position has so many rivals, and he remembered that at the other end of the passage was the corresponding entrance to Bruno's private room. He did not lose his dignity; he said some civil words to Father Brown about the revival of Byzantine architecture in the Westminster Cathedral, and then, quite naturally, strolled out himself into the upper end of the passage. Father Brown and Parkinson were left alone, and they were neither of them men with a taste for superfluous conversation. The dresser went round the the room, pulling out looking glasses and pushing them in again, his dingy dark coat and trousers looking all the more dismal since he was still holding the festive fairy spear on King Oberon. Every time he pulled out the frame of a new glass, a new black figure of Father Brown appeared; the absurd glass chamber was full of Father Browns, upside down in the air like angels, turning somersaults like acrobats, turning their backs to everybody like very rude persons.

Father Brown seemed quite unconscious of this cloud of witnesses, but followed Parkinson with an idly attentive eye till he took himself and his absurd spear into the farther room of Bruno. Then he abandoned himself to such abstract meditations as always amused him—calculating the angles of the mirrors, the angles of each refraction, the angle at which each must fit into the wall . . . when he heard a strong but strangled cry.

He sprang to his feet and stood rigidly listening. After the same instant Sir Wilson Seymour burst back into the room, white as ivory. "Who's that man in the passage?" he cried. "Where's that dagger of mine?"

Before Father Brown could turn in his heavy boots, Seymour was

plunging about the room looking for the weapon. And before he could possibly find that weapon or any other, a brisk running of feet broke upon the pavement outside, and the square face of Cutler was thrust into the same doorway. He was still grotesquely grasping a bunch of lilies-of-the-valley. "What's this?" he cried. "What's that creature down the passage? Is this some of your tricks?"

"My tricks!" exclaimed his pale rival, and made a stride towards him.

In the instant of time in which all this happened, Father Brown stepped out into the top of the passage, looked down it, and at once walked briskly towards what he saw.

At this the other two men dropped their quarrel and darted after him, Cutler calling out, "What are you doing? Who are you?"

"My name is Brown," said the priest sadly, as he bent over something and straightened himself again. "Miss Rome sent for me, and I came as quickly as I could. I have come too late."

The three men looked down, and in one of them at least the life died in that late light of afternoon. It ran along the passage like a path of gold, and in the midst of it Aurora Rome lay lustrous in her robes of green and gold, with her dead face turned upwards. Her dress was torn away as in a struggle, leaving the right shoulder bare, but the wound from which the blood was welling was on the other side. The brass dagger lay flat and gleaming a yard or so away.

There was a blank stillness for a measurable time; so that they could hear far off a flower girl's laugh outside Charing Cross, and someone whistling furiously for a taxi-cab in one of the streets off the Strand. Then the Captain, with a movement so sudden that it might have been passion or play-acting, took Sir Wilson Seymour by the throat.

Seymour looked at him steadily without either fight or fear. "You need not kill me," he said, in a voice quite cold. "I shall do that on my own account."

The Captain's hand hesitated and dropped; and the other added with the same icy candor, "If I find I haven't the nerve to do it with that dagger, I can do it in a month with drink."

"Drink isn't good enough for me," replied Cutler, "but I'll have blood for this before I die. Not yours—but I think I know whose."

And before the others could appreciate his intention he snatched up the dagger, sprang at the other door at the lower end of the passage, burst it open, bolt and all, and confronted Bruno in his dressing room. As he did so, old Parkinson tottered in his wavering way out of the door and caught sight of the corpse lying in the passage. He

moved shakily towards it; looked at it weakly with a working face; then moved shakily back into the dressing room again, and sat down suddenly on one of the richly cushioned chairs. Father Brown instantly ran across to him, taking no notice of Cutler and the colossal actor, though the room already rang with their blows and they began to struggle for the dagger. Seymour, who retained some practical sense, was whistling for the police at the end of the passage.

When the police arrived it was to tear the two men from an almost apelike grapple; and, after a few formal inquiries, to arrest Isidore Bruno upon a charge of murder, brought against him by his furious opponent. The idea that the great national hero of the hour had arrested a wrongdoer with his own hand doubtless had its weight with the police, who are not without elements of the journalist. They treated Cutler with a certain solemn attention, and pointed out that he had got a slight slash on the hand. Even as Cutler bore him back across tilted chair and table, Bruno had twisted the dagger out of his grasp and disabled him just below the wrist. The injury was really slight, but till he was removed from the room the half-savage prisoner stared at the running blood with a steady smile.

"Looks a cannibal sort of chap, don't he?" said the constable confidentially to Cutler.

Cutler made no answer, but said sharply a moment after, "We must attend to the . . . the death . . ." and his voice escaped from articulation.

"The two deaths," came in the voice of the priest from the farther side of the room. "This poor fellow was gone when I got across to him." And he stood looking down at old Parkinson, who sat in a black huddle on the gorgeous chair. He also had paid his tribute, not without eloquence, to the woman who had died.

The silence was first broken by Cutler, who seemed not untouched by a rough tenderness. "I wish I was him," he said huskily. "I remember he used to watch her wherever she walked more than anybody. She was his air, and he's dried up. He's just dead."

"We are all dead," said Seymour, in a strange voice, looking down the road.

They took leave of Father Brown at the corner of the road, with some random apologies for any rudeness they might have shown. Both their faces were tragic, but also cryptic.

The mind of the little priest was always a rabbit warren of wild thoughts that jumped too quickly for him to catch them. Like the white tail of a rabbit, he had the vanishing thought that he was certain of their grief, but not so certain of their innocence.

"We had better all be going,"

said Seymour heavily. "We have done all we can to help."

"Will you understand my motives," asked Father Brown quietly, "if I say you have done all you can to hurt?"

They both started as if guiltily, and Cutler said sharply, "To hurt?"

"To hurt yourselves," answered the priest. "I would not add to your troubles if it weren't common justice to warn you. You've done nearly everything you could do to hang yourselves, if this actor should be acquitted. They'll be sure to subpoena me; I shall be bound to say that after the cry was heard each of you rushed into the room in a wild state and began quarreling about a dagger. As far as my words on oath can go, either of you might have done it. You hurt yourselves with that, and then Captain Cutler must hurt himself with the dagger."

"Hurt myself!" exclaimed the Captain, with contempt. "A silly little scratch."

"Which drew blood," replied the priest, nodding. "We know there's blood on the brass now. And so we shall never know whether there was blood on it before."

There was a silence; and then Seymour said, with an emphasis quite alien to his daily accent, "But I saw a man in the passage."

"I know you did," answered the cleric Brown, with a face of wood; "so did Captain Cutler. That's what seems so improbable."

Before either could make sufficient sense of it even to answer, Father Brown had politely excused himself and gone stumping up the road with his stumpy old umbrella.

As modern newspapers are conducted, the most honest and most important news is the police news. If it be true that in the twentieth century more space was given to murder than to politics, it was for the excellent reason that murder is a more serious subject. But even this would hardly explain the enormous omnipresence and widely distributed detail of "The Bruno Case," or "The Passage Mystery," in the Press of London and the provinces. So vast was the excitement that for some weeks the Press really told the truth; and the reports of examination and cross-examination, if interminable, even if intolerable, are at least reliable. coincidence of persons. The victim was a popular actress; the accused a popular actor; and the accused had been caught red-handed, as it were, by the most popular soldier of the patriotic season. In those extraordinary circumstances the Press was paralyzed into probity and accuracy; and the rest of this somewhat singular business can practically be recorded from the reports of Bruno's trial.

The trial was presided over by Mr. Justice Monkhouse, one of those who are jeered at as humorous judges, but who are generally much more serious than the serious

judges, for their levity comes from a living impatience of professional solemnity; while the serious judge is really filled with frivolity, because he is filled with vanity. All the chief actors being of a worldly importance, the barristers were well balanced; the prosecutor for the Crown was Sir Walter Cowdray, a heavy but weighty advocate of the sort that knows how to seem English and trustworthy, and how to be rhetorical with reluctance. The prisoner was defended by Mr. Patrick Butler, K.C., who was mistaken for a mere *flâneur* by those who misunderstand the Irish character—and those who had not been examined by him. The medical evidence involved no contradictions, the doctor whom Seymour had summoned on the spot, agreeing with the eminent surgeon who had later examined the body. Aurora Rome had been stabbed with some sharp instrument such as a knife or dagger; some instrument, at least, of which the blade was short. The wound was just over the heart, and she had died instantly. When the first doctor saw her she could hardly have been dead for twenty minutes. Therefore, when Father Brown found her, she could hardly have been dead for three.

Some official detective evidence followed, chiefly concerned with the presence or absence of any proof of a struggle: the only suggestion of this was the tearing of the dress at the shoulder, and this did not seem to fit in particularly well with the direction and finality of the blow. When these details had been supplied, though not explained, the first of the important witnesses was called.

Sir Wilson Seymour gave evidence as he did everything else that he did at all—not only well, but perfectly. Though himself much more of a public man than the judge, he conveyed exactly the fine shade of self-effacement before the King's Justice; and though everyone looked at him as they would at the Prime Minister or the Archbishop of Canterbury, they could have said nothing of his part in it but that it was that of a private gentleman, with an accent on the noun. He was also refreshingly lucid, as he was on the committees. He had been calling on Miss Rome at the theater; he had met Captain Cutler there; they had been joined for a short time by the accused, who had then returned to his own dressing room; they had then been joined by a Roman Catholic priest, who asked for the deceased lady and said his name was Brown. Miss Rome had then gone just outside the theater to the entrance of the passage, in order to point out to Captain Cutler a flower shop at which he was to buy her some more flowers; and the witness had remained in the room, exchanging a few words with the priest. He had then distinctly heard the deceased, having sent the Captain on

his errand, turn round laughing and run down the passage towards its other end, where was the prisoner's dressing room. In idle curiosity as to the rapid movements of his friends, he had strolled out to the head of the passage himself and looked down it towards the prisoner's door. Did he see anything in the passage? Yes, he saw something in the passage.

Sir Walter Cowray allowed an impressive interval, during which the witness looked down, and for all his usual composure seemed to have more than his usual pallor. Then the barrister said in a lower voice, which seemed at once sympathetic and creepy, "Did you see it distinctly?"

Sir Wilson Seymour, however moved, had his excellent brains in full working order. "Very distinctly as regards its outline, but quite indistinctly—indeed not at all—as regards the details inside the outline. The passage is of such length that anyone in the middle of it appears quite black against the light at the other end." The witness lowered his steady eyes once more and added, "I had noticed the fact before, when Captain Cutler first entered it." There was another silence, and the judge leaned forward and made a note.

"Well," said Sir Walter patiently, "what was the outline like? Was it, for instance, like the figure of the murdered woman?"

"Not in the least," answered Seymour quietly.

"What did it look to you like?"

"It looked to me," replied the witness, "like a tall man."

Everyone in court kept his eyes riveted on his pen or his umbrella handle or his book or his boots or whatever he happened to be looking at. They seemed to be holding their eyes away from the prisoner by main force; but they felt his figure in the dock, and they felt it as gigantic. Tall as Bruno was to the eye, he seemed to swell taller and taller when all eyes had been torn away from him.

Cowdray was resuming his seat with his solemn face, smoothing his black silk robes and white silk whiskers. Sir Wilson was leaving the witness box, after a few final particulars to which there were many other witnesses, when the counsel for the defense sprang up and stopped him.

"I shall only detain you a moment," said Mr. Butler, who was a rustic-looking person with red eyebrows and an expression of partial slumber. "Will you tell his lordship how you knew it was a man?"

A faint, refined smile seemed to pass over Seymour's features. "I'm afraid it is the vulgar test of trousers," he said. "When I saw daylight between the long legs I was sure it was a man, after all."

Butler's sleepy eyes opened as suddenly as some silent explosion. "After all!" he repeated slowly. "So you did think first it was a

woman?" The red brows quivered.

Seymour looked troubled for the first time. "It is hardly a point of fact," he said, "but if his lordship would like me to answer for my impression, of course I shall do so. There was something about the thing that was not exactly a woman and yet was not quite a man; somehow the curves were different. And it had something that looked like long hair."

"Thank you," said Mr. Butler, K.C., and sat down suddenly, as if he had got what he wanted.

Captain Cutler was a far less plausible and composed witness than Sir Wilson, but his account of the opening incidents was solidly the same. He described the return of Bruno to his dressing room, the dispatching of himself to buy a bunch of lilies-of-the-valley, his return to the upper end of the passage, the thing he saw in the passage, his suspicion of Seymour, and his struggle with Bruno. But he could give little artistic assistance about the black figure that he and Seymour had seen. Asked about its outline, he said he was no art critic —with a somewhat too obvious sneer at Seymour. Asked if it was a man or a woman, he said it looked more like a beast—with a too obvious snarl at the prisoner. But the man was plainly shaken with sorrow and sincere anger, and Cowdray quickly excused him from confirming facts that were already fairly clear.

The defending counsel also was again brief in his cross-examination; although (as was his custom) even in being brief, he seemed to take a long time about it. "You used a rather remarkable expression," he said, looking at Cutler sleepily. "What do you mean by saying that it looked more like a beast than a man or a woman?"

Cutler seemed seriously agitated. "Perhaps I oughtn't to have said that," he said, "but when the brute has huge humped shoulders like a chimpanzee, and bristles sticking out of its head like a pig—"

Mr. Butler cut short his curious impatience in the middle. "Never mind whether its hair was like a pig's," he said. "Was it like a woman's?"

"A woman's!" cried the soldier. "Great Scott, no!"

"The last witness said it was," commented the counsel, with unscrupulous swiftness. "And did the figure have any of those serpentine and semi-feminine curves to which eloquent allusion has been made? No? No feminine curves? The figure, if I understand you, was rather heavy and square than otherwise?"

"He may have been bending forward," said Cutler, in a hoarse and rather faint voice.

"Or again, he may not," said Mr. Butler, and sat down suddenly for the second time.

The third witness called by Sir Walter Cowdray was the little Catholic clergyman, so little com-

pared with the others, that his head seemed hardly to come above the box, so that it was like cross-examining a child. But unfortunately Sir Walter had somehow got it into his head (mostly by some ramifications of his family's religion) that Father Brown was on the side of the prisoner, because the prisoner was wicked and foreign and even partly black. Therefore, he took Father Brown up sharply whenever that proud pontiff tried to explain anything; and told him to answer yes or no, and merely tell the plain facts. When Father Brown began, in his simplicity, to say who he thought the man in the passage was, the barrister told him that he did not want his theories.

"A black shape was seen in the passage. And you say you saw the black shape. Well, what shape was it?"

Father Brown blinked as under rebuke; but he had long known the literal nature of obedience. "The shape," he said, "was short and thick, but had two sharp, black projections curved upwards on each side of the head or top, rather like horns, and—"

"Oh, the devil with horns, no doubt," ejaculated Cowdray, sitting down in triumphant jocularity.

"No," said the priest dispassionately. "I know who it was."

Those in court had been wrought up to an irrational but real sense of some monstrosity. They had forgotten the figure in the dock and thought only of the figure in the passage. And the figure in the passage, described by three capable and respectable men who had all seen it, was a shifting nightmare: one called it a woman, and the other a beast, and the other a devil...

The judge was looking at Father Brown with level and piercing eyes. "You are a most extraordinary witness," he said, "but there is something about you that makes me think you are trying to tell the truth. Well, who was the man you saw in the passage?"

"He was myself," said Father Brown.

Butler, K.C., sprang to his feet in an extraordinary stillness, and said quite calmly, "Your lordship will allow me to cross-examine?" And then, without stopping, he shot at Brown the apparently disconnected question, "You have heard about this dagger; you know the experts say the crime was committed with a short blade?"

"A short blade," assented Brown, nodding solemnly like an owl, "but a very long hilt."

Before the audience could quite dismiss the idea that the priest had really seen himself doing murder with a short dagger with a long hilt (which seemed somehow to make it more horrible), he had himself hurried on to explain.

"I mean daggers aren't the only things with short blades. Spears have short blades. And spears catch at the end of the steel just like

daggers, if they're that sort of fancy spear they have in theaters; like the spear poor old Parkinson killed his wife with, just when she'd sent for me to settle their family troubles—and I came just too late, God forgive me! But he died penitent—he just died of being penitent. He couldn't bear what he'd done."

The general impression in court was that the little priest, who was gabbling away, had literally gone mad in the box. But the judge still looked at him with bright and steady eyes of interest; and the counsel for the defense went on with his questions, unperturbed.

"If Parkinson did it with that pantomine spear," asked Butler, "he must have thrust from four yards away. How do you account for signs of struggle, like the dress dragged off the shoulder?" He had slipped into treating this mere witness as an expert; but no one noticed it now.

"The poor lady's dress was torn," said the witness, "because it was caught in a panel that slid to just behind her. She struggled to free herself, and as she did so Parkinson came out of the prisoner's room and lunged with the spear."

"A panel?" repeated the barrister in a curious voice.

"It was a looking glass on the other side," explained Father Brown. "When I was in the dressing room I noticed that some of them could probably be slid out into the passage."

There was another vast and unnatural silence, and this time it was the judge who spoke. "So you really mean that, when you looked down that passage, the man you saw was yourself—in a mirror?"

"Yes, my lord; that was what I was trying to say," said Brown, "but they asked me for the shape; and our hats have corners just like horns, and so I—"

The judge leaned forward, his old eyes yet more brilliant, and said in specially distinct tones, "Do you really mean to say that when Sir Wilson Seymour saw that wild what-you-call-him with curves and a woman's hair and a man's trousers, what he saw was Sir Wilson Seymour?"

"Yes, my lord," said Father Brown.

"And you mean to say that when Captain Cutler saw that chimpanzee with humped shoulders and hog's bristles, he simply saw himself?"

"Yes, my lord."

The judge leaned back in his chair with a luxuriance in which it was hard to separate the cynicism and the admiration. "And can you tell us why," he asked, "you should know your own figure in a looking glass, when two such distinguished men don't?"

Father Brown blinked even more painfully than before; then he stammered, "Really, my lord, I don't know... unless it's because I don't look at it so often."

BEST MYSTERIES OF THE MONTH

recommended by ANTHONY BOUCHER

The late Josephine Tey – whose best is still available as THREE BY TEY (Macmillan, $3.95) and FOUR FIVE AND SIX BY TEY (Macmillan, $4.50)–had a sensitive way with places and people that appealed to readers who otherwise enjoy few mysteries; and those readers keep asking, "What shall I read since Tey died?" The answer seems to lie in the works of the comparably sensitive and gifted English newcomer who is known to one publisher as Lee and to another as Charity Blackstock–nor is the veteran Margot Bennett to be overlooked in this connection.

★ ☆ ☆ ☆ **ALL MEN ARE MURDERERS, *by Lee Blackstock*** (Crime Club, $2.95)

★ ★ ☆ ☆ **DEWEY DEATH, *by Charity Blackstock*** (British Book Centre, $3.25)
Two wholly different novels–one about a remote Scottish massacre, one about modern English librarianism–alike in their excellence and in their creator's great gift of character-projection.

★ ☆ ☆ ☆ **SOMEONE FROM THE PAST, *by Margot Bennett*** (Dutton, $2.95)
Too long underrated in America, Bennett consistently bids for recognition as a major crime writer, combining the serious novel with shrewd puzzlement.

★ ☆ ☆ ☆ **THE SILENT ONE, *by Owen Cameron*** (Random, $2.95)
An infallibly admirable writer offers a vivid picture of terror in the midst of credible everyday domesticity.

★ ★ ☆ ☆ **THREE AT THE ANGEL, *by Maurice Procter*** (Harper, $3.50)
Robbery, murder and retribution as they could indeed happen in London's lower class, by a leading realist of crime.

Raymond Chandler's PLAYBACK (Houghton Mifflin, $3) is good enough in itself, but disappointing as the first Philip Marlowe novel in almost 5 years. Other noted series sleuths are in better form: Captain M. L. Heimrich in the Lockridges' ACCENT ON MURDER (Lippincott, $2.95); Major Bolivar Manchenil in Donald M. Douglass' MANY BRAVE HEARTS (Harper, $2.95); Kent Murdock in George Harmon Coxe's THE BIG GAMBLE (Knopf, $2.95); Joe Puma in William Campbell Gault's END OF A CALL GIRL (Crest, 25¢); and Nero Wolfe in Rex Stout's CHAMPAGNE FOR ONE (Viking, $2.95).

EDITORS' FILE CARD

AUTHOR: **CORNELL WOOLRICH**

TITLE: ***The Inside Story***

TYPE: Suspense Novelette

LOCALE: New York City

TIME: The Present

COMMENTS: *In every murder investigation the police consider three points: the killer's opportunity, method, and motive. Strickland had all three, but he added a fourth consideration: maximum of safety—to himself...*

IT WAS FIVE TO FOUR ON THE CLOCK above the change-booth when I came up the steel-rimmed steps from train level. The receding roar of the train dwindled away underground.

I stopped a minute as though the climb had tired me. But I'm not old, why should a flight of subway stairs tire me? It was cooler above ground—it always is, winter or summer. I took a deep breath, blew it out again, puffing my cheeks like bellows. But I'm not short-winded, why should I need air so badly?

Larry, the newsvendor, was on duty in front of his stand, just outside the entrance, as he was every night from ten until six. An oil lamp stood on the counter to light it, an open cigar box held his change. A row of colored magazines hung triangularly along the top of the shed, suspended from clips. As soon as he saw me he slapped together a pale-green tabloid and a white standard-size, both midnight editions of tomorrow morning's papers, rolled them together, and held them toward me. This had been going on for years.

He said, "Hello there. How're you?"

My hand wouldn't hold still, picking out coins from a fistful of change. I was ashamed the way it

vibrated, and his so steady. I tucked the papers under one arm, shoved both hands deep in my pockets, so the shaking wouldn't show. I wasn't drunk, why should my hands shake so? But for that matter, why should I care whether the shaking showed or not? There's no law against trembling hands.

Derndorf, the cop, was rolling traffic stanchions out of the way for the rest of the night. Heavy-bottomed things that weighed a ton, they were used to keep a safety lane. They weren't needed any more. As a matter of fact, they should have been parked hours ago, when the lights went off, but maybe there was a rookie on the beat. He said, "Hello there. What d'ye say?" This had been going on for years.

I went in where I lived. Hamilton, the ashen-faced night clerk, was poring over his ledgers, poor devil. He had that yeasty complexion fellows get from working at night all their lives.

He glanced up and said, "Who won the fight tonight?"

I looked it up and told him; he had to get his sporting results second-hand, cooped up behind a desk like that.

He said, "Any call for tomorrow?"

I tightened my jaw. "Try it," I warned, "just try it." But maybe I meant it less humorously than he thought.

"You look all in," he admitted.

The point of all this is that all these people knew me, had known me for years past. I was an old familiar face to them. I wasn't one of those people things happen to, that you read about in the papers. I was part of the scene.

Upstairs in the corridor, outside my door, my hand played tricks on me again. My key dropped with a clatter, first out of my hand, the second time out of the lock itself. I'd been using it long enough, I should have known how to handle it by now. I finally got the door open and felt for the light switch.

I'd been living in this room for years, it was the same as when I'd left it a few hours ago. And yet the way I looked around it, you'd think I'd never seen it before. So maybe it wasn't quite the same to me—as when I'd left it.

I closed the door behind me. I suddenly caught my head between both hands, as suddenly as though it was something that had just fallen from the ceiling, alighting on my shoulders. I dragged myself sort of stickily into the bathroom, as if something were impeding my feet, as if I had snowshoes on. I shrugged off my coat, rolled up my cuffs, spun the hot-water tap, then tempered it with a little cold so I wouldn't scald myself.

I started to wash my hands. They weren't particularly grimy. I happened to look up, caught sight of my face in the cabinet mirror

before me. I quickly opened the cabinet, folded the mirror back out of the way.

The water poured down endlessly, and I never seemed to get through washing my hands. They started to redden and become sensitized. Then when I'd got them all dried, I suddenly plunged them back in again, as if I couldn't get them clean enough to suit me. I kept staring at them as if I'd never seen them before. Or as if they'd played a dirty trick on me.

I came out of there, wiping them furtively down my sides, although I'd just finished toweling them. My portable typewriter was open, lying where I'd left it. The usual sandwich arrangement stuck up out of the roller—a white original, a sheet of carbon, a yellow second. The insert had a single line of type across the top of it: *Murder Self-Committed, by William S. Tucker.* Just that and nothing else. But the jumbo ashtray next to it held the smoked-down remains of two entire packages of cigarettes. There was a disproportion between the amount of work done and the effort expended trying to do it.

Beside the telephone lay a penciled message received at the hotel desk earlier in the day, which I had brought in with me that afternoon.

> "Mr. Wayne of the Stoddard Co. called. Wants to know when he can have that story? Received at: 4.15 P.M."

I picked the form up, looked at it. "He can have it right now!" I said. A funny choked sound broke in my throat, like a groan that had stalled halfway up.

I sat down at the machine. It was pretty late to be hammering the keys, but Mr. Wayne had to have his story. There was a deadline on it. The management had tacked strips of felt around the seams of my room door several months before, at my request. I was fairly well sound-proofed. And Mr. Wayne had to have his story.

For the first time since I'd been writing commercially, I started out from scratch, without a plot outline beside me, without a single note to help me.

Maybe I didn't need any—this time...

●

Murder Self-Committed
by William S. Tucker

Leslie Quiller didn't seem pleased to see Strickland when he answered the ring at his doorbell in the early hours of that morning. He would have been even less pleased if he had known what had brought him there at that time, after all these years. Strickland had come to cause his death.

He had brought no gun with him, no knife, nothing that would have to be disposed of later. He'd thought it over carefully; he knew

things like that, *implements,* always backfired, were always traced in the end. Killers had been tracked down by strands of cord, pieces of string, by very threads.

He'd brought nothing but his two bare hands. And yet he wasn't going to strangle Quiller either; that might result in outcries and a scuffle. A scratch, a betraying tuft of hair, a skin-scraping beneath a fingernail. There was going to be no violence between the two of them, no contact. Quiller was going to precipitate his own death, *after* Strickland had gone away again, leaving him still alive. Murder? Yes. But subtle, not crude. Who could call it murder, and not an accident? Who would know, but Strickland himself?

Strickland's reasons for wishing Quiller dead were good and sufficient. But the law recognizes no excuse for murder, and Strickland had no wish to pay the penalty for what he was about to do. To accomplish it successfully and remain undiscovered afterward was his whole point, not simply to accomplish it at all costs, not caring what happened to him himself afterward. Any fool could do that.

That was why he had bided his time, waited so long. For two years he had nursed his burning resentment, yet made no move. His was one of those inward festering grievances that are so hard to detect, that sometimes not even the victim himself is aware of having caused, much less the police when the time comes to find a motive for the crime that resulted. A woman? Money? The police are quick to uncover motives like that. But Strickland wanted nothing from Quiller but his life. His grievance dealt in intangibles. How then could they ever hope to unravel it?

Success had something to do with it. Quiller's success and Strickland's lack of it. Through him Quiller had got his start, and promptly kicked over the stepladder that had gained him his foothold. Strickland was that ladder, Quiller was the climber. The ladder stayed there, the climber went on up.

Time only magnified the injury instead of healing it. For two years, while Quiller went from one undeserved success to another, he was already dead in Strickland's mind. It was as if three divergent lines labeled "opportunity," "method," and "maximum of safety" were slowly drawing to a single point. The day and hour they all met would be the hour of Quiller's death. "Opportunity" was almost continuously within reach; "maximum of safety" approached several times during the two years; it was "method" that was the elusive one. And the other two depended upon it entirely.

It was in a doctor's office one day that the three suddenly intercrossed without warning.

Strickland had gone there because of a minor but painful sprain

in his back. He was healthy as a rule, seldom went to a doctor. He had always gone to this one doctor, and that Quiller might be a patient of his too never occurred to him. Perhaps, at the time of their association, he had recommended him to Quiller; if so, he had forgotten about it, never thought to link their two names. The doctor, on his part, was apparently unaware that Quiller and Strickland had once known each other.

Had Quiller called up any other day but this one—for that matter, had he called up the same day but an hour sooner or an hour later—his life would have been saved. Strickland had not been to the doctor for two years and might not have come for another two years. But the three lines came to a single point at precisely that place and time.

Strickland had waited his turn in the outer room, then had come into the doctor's office to be examined. He stripped off his shirt, winced when the doctor felt his back with experienced fingers. "Every time I try to turn my head or shoulders, it hurts like blazes," he complained.

"That's no sprain," the doctor reassured him. "You've simply caught cold in the muscles of your back. Must have been sitting in a draft under an open window."

Strickland snapped his fingers. "Guess you're right! I was using the typewriter yesterday right by the open window and my back got all wet with perspiration." He put his shirt on again.

"Rub a good strong liniment on it and it'll probably be gone by tomorrow," the doctor said.

His assistant thrust her head in. "Mr. Leslie Quiller would like to speak to you on the phone."

Strickland's jaw suddenly tightened; his face, however, showed no surprise or recognition.

"Oh, that hypochondriac," the doctor remarked. "Every two days he has another tummy-ache. All right, I'll take it in here."

Strickland had carefully turned his back and pretended to be busy reknotting his tie in front of the mirror, as an excuse for staying in the room.

The doctor's change of voice as he picked up the phone showed that, whatever his private opinion of Quiller, he was a lucrative patient whom it paid to humor. "Well, well," he said jovially, "how are we today? Feeling any better? ... You're not, eh? What seems to be the trouble? ... Have you been taking that tonic I prescribed? ... Nonsense, a two-year-old child could take it and never know the difference! It's odorless and colorless. You're like a lot of people, Mr. Quiller, the minute you know a thing is medicine you shy away from it. Pretend it's a highball. Pour it out liberally into a glass just before you go to bed, mix an equal part of water with it, and drink it down without stopping to think.

Pinch your nose if that'll make it easier."

The doctor's voice droned on soothingly. Strickland was tying the third knot in as many minutes, he couldn't seem to get it to his satisfaction. His hands were perfectly steady, though. The thought of murder can be faced without flinching when it has been a familiar one for two years.

The doctor's conversation had become more general. "I see by the papers you just made a nice juicy sale to the pictures. Have to share it with anyone? ... You didn't, eh? Good for you!"

Strickland's eyes were venomous slits as he slowly buttoned his vest, then his jacket over it. The doctor, across the room, was sitting negligently astride a corner of his desk, looking off the other way.

"How's Mrs. Quiller? ... Oh, she's out on the Coast? You're all by yourself in the apartment? Well, that explains your upset stomach. Be careful what restaurants you eat in, and as I say, be sure you take this tonic. Keep it handy on your bathroom shelf, where you won't forget it. Let me hear from you."

The doctor hung up, turned, took a minute to readjust his mind to the less important patient awaiting his attention. "Let's see, where were we? Oh, yes, rub your back with a good strong liniment—"

Strickland said blandly, "Do you know of any that's odorless and colorless? My liniments smell so strong, I don't want to go around all day reeking like a horse."

The doctor scratched something on a prescription blank. "Ask for this at a drug store. They won't give it to you without a doctor's order. Be sure you wash your hands after you apply it and don't let it get near your mouth. It's dangerous stuff. Good day."

Strickland returned to his room with a bottle labeled: *Poison—For External Use Only. Antidote: white of an egg and mustard.* He allowed warm water to drip over the outside of the bottle without opening it, then peeled the label off. He spread it across the edge of the washstand and waited for it to dry. When it had, he put a match to it and burned it to a tiny flake of ash.

He set out at 10:30 with the unlabeled bottle in his inside pocket. He knew Quiller's habits as well as his own, from their former association. He wouldn't be in until twelve or one, or if he was, would have friends with him. He always read for relaxation for an hour before retiring, never retired before three. Whether he is outwardly successful or not, a man's intimate personal habits do not change much once he has reached middle age.

Strickland took a walk that led him past where Quiller lived. He'd done this often enough before, God knows, and each time with murder in his heart. But the three lines had never converged until today in that doctor's office.

The windows on the third floor were all dark. He was out, at a party or a theater, basking in the success, enjoying the laurels, that Strickland's talents, and not his own, had gained for him.

Strickland continued onward, visited a friend of his own, stayed an hour, suggested that they both go to one of the "Night Owl" shows at a Times Square movie, knowing well that the friend loathed motion pictures. He did consent, however, to accompany Strickland as far as the theater entrance, to get a breath of fresh air before turning in. He saw Strickland buy his ticket and go inside.

Strickland stayed inside about forty minutes, then came out, started to walk slowly uptown again toward where Quiller lived. He kept his torn admission-stub folded in the buttonhole of his lapel. There was no uncertainty about the way he walked, no haste.

There was a subdued light in Quiller's windows now, caused by a shaded reading lamp. It was the "intimate" type of apartment house, a reconstructed mansion without doormen or elevators, both more fashionable and more expensive than the ready-made "incubator" type. Strickland had called here many times before at this same late hour—two years ago, with a brief case under his arm and trust in his heart. He had no briefcase now; he had a bottle in his inside pocket, and death in his heart.

He rang Quiller's bell from the vestibule. There was a short wait, then a familiar voice said in his ear: "Yes?"

"Hello, Les," he said cheerfully, but keeping his voice down as befitted the hour. "This is Strick. Can I come up for a minute?"

"Strick? Who's Strick?" That was Quiller's way of saying, "I have been successful, you have not. I don't know you any more."

Strickland simply felt the bottle in his pocket; it held a cure for more than lame backs. It cured dishonesty too, and deceit, and snubs.

The metallic voice condescended: "Oh, yes, John Strickland, you mean? Well, it's pretty late—"

"I won't keep you, just wanted to say hello."

Quiller didn't answer, but the door snapped back. Death had been let into the house.

His face plainly showed his annoyance when he came to the upstairs door in a fine blue polka-dotted lounging robe. Behind him the room looked cool and restful with its pale-green walls. On a table stood a photo of Quiller's absent wife, in an easel type of frame. Near by a book, presumably for decorative purposes only, titled *I Was Born Lucky, by Leslie Quiller.*

Quiller didn't offer his hand, barely moved aside to allow his caller to enter. If he closed the door, it was obviously more because it was creating a draft than because he wanted to invite Strickland to

stay here for any length of time.

He said, "Well, what are you doing these days?" without trying to keep an edge of scorn out of his voice. "Cigarette?"

"No, thanks." No cigarette butts were to be left behind, nothing like that. "I haven't been as successful as you."

Quiller batted his eyes conceitedly. "You have only yourself to blame. I have made my own chances." He was one of those lucky people who can only see one side of any question—his own. "I'm not sure I ought to have let you in," he had the gall to remark, "after the way you went down to those publishers trying to get more money than was rightfully coming to you on that book." He indicated the one on the table. "I heard all about that, you know."

Strickland's face went very pale, as if he were struggling to control himself. He said softly, keeping his voice down, "Let's let bygones be bygones. We probably won't see one another any more after tonight." He looked at his hands in surprise. "Wonder how they got so dirty? Mind if I wash them a minute before I go?"

"The bathroom's in there," said Quiller discourteously.

Strickland closed the door after him. He took a towel in both hands, opened the medicine chest, removed the easily-recognizable bottle of tonic, and emptied its contents down the drain. He refilled it from the bottle in his pocket. It didn't take a minute. Hand still wrapped in the protective towel, he gave the electric bulb in the wall a couple of quick turns, disconnecting it. When it was out, he snapped off the useless control switch, hung up the towel and came out.

Quiller was waiting by the apartment door, as a gentle hint. He even reached for the knob and opened it as Strickland reappeared.

"I suppose what brought you here was reading about the picture sale of *Born Lucky,*" he said sarcastically. "Everyone I ever knew will be showing up now, trying to get something out of me. Did you want to borrow some money, that it? I suppose you are entitled to something—after all, you did the typing on it." He went across the room and took a wallet out of a drawer. "Here—here's fifty dollars. Don't pretend you'll try to repay it. Understand one thing, though: this ends all supposed obligation on my part toward you once and for all. Take it or leave it."

Strickland's face wasn't white any more. Quiller's barbs no longer seemed able to wound him. He took it. After all, just in case they scented murder, here was a ready-made red herring for a motive. Fifty dollars missing from the apartment; some sneak thief—

"Goodby, Quiller." He said it slowly, with emphasis, smiling as he said it. His eyes were shining remorselessly.

Quiller closed the door after him. Strickland stood there on the outside for a minute, head bent, listening to his host's footfalls recede into the depths of the death chamber. He was still smiling as he turned and went softly down the carpeted stairs.

No one saw him leave, just as no one had seen him enter. He might have been the shadow of death itself, so unnoticed had he come and gone. He *had* been—the shadow of a death that was still to come.

Blocks away from the apartment house he stopped a minute to burrow a little hole in the top of the pile of ashes that filled a can, thrust the fifty dollars in, and covered it up. Later, farther away still, glass tinkled lightly as a small empty bottle crashed against the curbstone and was shoveled by the edge of a shoe into the mouth of a sewer. And at the same instant, as if by pre-arranged signal, back where he had come from, there was the tinkle of other glass in a darkened bathroom, as a body fell heavily to the floor, writhed there uncontrollably a moment or two, stiffened, then lay still.

●

After I'd been writing about five hours straight, and had nearly fallen off the chair twice, I had to quit for a minute and go down for a cup of coffee and a breath of air. The ribbon on my machine was all worn out too—had needed changing for a long time past. I decided I'd better get a new one while I was out.

I always bought them directly from the typewriter concern that manufactured my make of machine. They had a branch office and salesrooms a few blocks away from the hotel. That way I was sure of getting them fresh. I'd found out by experience that it was a mistake to buy them at neighborhood stationers; they were kept in stock too long and the ink in them dried out.

The clerk knew me by sight and knew just what I wanted without my having to ask for it. "All black for one of our portables, right?"

"Ever know me to get any other kind?" I said wearily. "Make sure it's fresh, now." I always said that, like a fussy housewife buying eggs.

"Brand-new shipment just came in today," he assured me. "Hasn't even been distributed on the shelves yet." He went to the back and brought me one of the little tin boxes the company packs them in. I put it in my pocket without looking at it; you could almost smell the fresh ink through box and silverfoil wrapper.

When I got back, and already had the spool off my machine, I opened the new one and saw to my disgust that the young fool had given me the very kind I didn't want, a half-red, half-black one. I'd never yet bought one of them, in all the years he'd been waiting on me, and he knew it! You never use

the red part, and if the carriage of your machine is shaky like mine, you were liable to get shaded capitals and a piebald script that looked like a beginner's work.

I knew he hadn't done it purposely; it had happened because the shipment hadn't been assorted yet and he hadn't troubled to look and make sure. I was too tired from writing all night to go back and exchange it, and I had a deadline on the story and the post office to make; so I went ahead and inserted it on the spool, pitching the little tin box ill-humoredly off into a corner, without bothering to throw it out.

I finished about five that afternoon, with an hour to spare before closing time at the P.O. The room was a fog of cigarette smoke. I had the groundwork for a beard, my shirt was sticking to my back like a wet application, and white and yellow leaves were lying all over the floor as if there'd been a blizzard. I tapped out THE END, that favorite word of all writers, collected the loose whites and yellows, and stacked them neatly together in two piles.

I didn't go right out to mail it, but gave myself a couple of minutes to rest up first, and then phoned down for a paper while I was waiting. They sent me up a four o'clock edition. On page three, I found this:

Celebrity Found Dead
Under Strange Circumstances

Hilary Robbins was found dead in the bathroom of his apartment early this morning by a cleaning-woman who worked there by the day. Mr. Robbins, who was suffering from a stomach ailment, was found to have swallowed a quantity of highly poisonous liniment which he had mistaken in the dark for a tonic.

The police are inclined to suspect foul play. They immediately ruled out suicide on learning that only the day before Mr. Robbins had signed a highly lucrative contract with a film company and was expected in California by the first of the month. That it might have been more than an accident was suggested by a number of baffling features to the case. The liniment was in the original bottle reserved for the tonic, and the latter had disappeared entirely. The bathroom light, whose failure to work played a part in the mishap, was found on examination not to be defective as had been supposed but had been deliberately tampered with, as though to misguide Mr. Robbins to his death.

A small quantity of money was missing from the apartment....

When I'd finished reading it, I just shook my head, and maybe looked sort of cocky. Just like in

my story, I told myself. Truth was supposed to be stranger than fiction. This was one time fiction had caught up with truth. Fiction?

I had a fireplace in my room. It wasn't the right season for fires, but I readied a small one, with just a couple of thin logs left over from the previous winter. I tossed in a balled-up newspaper or two on top of them, and got it going. When it was on the downgrade again, just giving off a hot glow, I took the snow-white typescript I'd just finished and held it by one corner over it. The outer edges slowly yellowed from the reflected heat, just as they would have from age if they'd been kept knocking around the room for a long time. The carbon was on yellow paper already, so that wouldn't work. I got a palmful of dirt from the window box, crumbled it to fine dust, sprinkled it between the pages, ground them together, then blew the residue off again. It left a dusty, grayish patina.

I stuck the original in a manila envelope, went out and mailed it. Wayne would get his story the first thing in the morning.

I didn't come back again. From the post office I went into a bar, stayed out until four in the morning, and came home blind drunk. Many writers drink between stories. I never had before, though; why should I now?

Larry the newsvendor slapped together a pale-green tab and a white standard-size. He got a load of my bouquet and grinned, "I'd like to take a night off once in a while, myself."

Derndorf the cop wasn't around; the traffic stanchions had been rolled in on time tonight.

Hamilton was poring over his ledgers again. He looked up when I floundered in and grinned amiably. "What *you* been up to?"

I thought he meant being tanked. "There's no law against it, is there?" I countered.

"No, I mean there was a couple of guys around to see you earlier in the evening. Claimed they were detectives." He came right out with it like that because, like everyone else who knew me, he knew it couldn't have been anything serious.

Yet, on hearing that, although I couldn't stand straight, I was suddenly cold-sober. "What'd they want?"

"They didn't say. Said they'd try their luck tomorrow. I told them you never get in until all hours."

I said, "Must have been about this guy, Hilary Robbins. Have you read about it? I used to know him, you know." I showed him the two papers. On the tab it had made a scarehead, as was to be expected. But even on the standard-size, it had worked its way to the front page, third column from the left.

It was murder now, they were certain of it.

"No kidding?" he said interestedly. He read it avidly, looked up,

went "cluck-cluck-cluck" with his tongue. "What d'ye know about that?" The question was purely rhetorical. Then with friendly concern he said, "Say, I hope they don't start making your life miserable on account of it. If they come back in the morning, should I tell them you're not in?"

"By no means," I said emphatically. "You shoot 'em right up to me. The quicker I see them, the quicker it'll be over with."

Upstairs I put on the lights and closed the door. "It couldn't have been on a main line of investigation," I assured myself, "or they would have waited downstairs for me to get back, not put it off until tomorrow." I undressed, darkened the room, let myself fall on top of the bed, in my underwear. I lit a cigarette, clasped my hands comfortably under my head, crossed my ankles. "The trouble with most of these murderers," I murmured reflectively, "is they're low-brows, little better than mental defectives. If an intelligent person were ever to go in for that sort of thing, he'd know how to act afterwards. The average detective or police official being just one degree above the murderer, in other words subnormal himself, a really intelligent murderer would be able to beat the rap with one hand tied behind his back." The red spark of my cigarette winked knowingly back at me in the dark.

Their knock on the door woke me up out of a bleary sleep at nine thirty the next morning.

They didn't look too bad. I'd never seen any professionals before, although I made a living out of them. For one thing, I was surprised at how young and well-groomed they both were. One in particular was little more than a kid by which I mean, of course, a thirty-year-old kid. Nice, honest, open face, not hardened and seamed by his job yet. The other was somewhat older, but no roughneck either. There wasn't a derby or a cigar between the two of them.

"Mr. Tucker? We're from Headquarters." They didn't go through that business of flourishing a badge. I was supposed to be a gentleman, who took the word of other gentlemen as given.

"Oh, yes, you were here last night they told me. Sorry I wasn't home. Come in, won't you?"

"Did we get you up?" the younger one said in a friendly voice. "Sorry to bust in like this."

The older one shook his head enviously. "You writers live the life of Riley. I think I'll be a writer."

His pal crooked an elbow at him and cracked, "You can't even write English straight."

The three of us laughed.

"Too early for a drink, I suppose?" I suggested hospitably.

Yes, it was, they admitted, and not while they were on duty, anyway. They each accepted a cigarette, however. The younger one,

Bradford, supplied the match, superstitiously blew it out at second use, and struck another.

"Well, we'll get this over with as quickly as we can, Mr. Tucker. It's just a formality, anyway. You knew a Hilary Robbins, didn't you?"

"Yeah," I said, looking straight into his eyes, "and I've been reading a lot about him since yesterday afternoon.

"Knew him pretty well?"

"In a business way, never socially."

"When was the last time you saw him?"

Bradford tactfully reshaped it, when he saw me preparing to get my back up. "Had you seen anything of him lately?"

"Not for ages. Let's see, about two years ago, I guess, was the last time. I ghosted for him, you know. He gave me an advance, and I was to share royalties. Like a fool I went ahead without insisting on a written contract; I was hard up, and sort of overawed by his reputation. The publishers turned the checks over to him, and I never saw another penny. He claimed the book laid an egg, and the publishers wouldn't let me see any of the sales sheets. I just wrote the thing off to experience, and stayed away from him from then on."

Bradford laughed shamefacedly, scratched his head. "I heard all the words," he admitted, "but half of them went over my head."

I explained what ghosting was, and royalties. They got so interested they seemed to forget what had brought them there.

"He was pretty much of a sharpshooter," I wound up, "I found that out later. Couldn't write a word, yet built himself up an enormous ballyhoo and got rich. Still, I don't know of anyone who would have reason to go as far as killing him. Must have been some burglar whom he surprised—according to the *Daily Views* there was a considerable sum of money missing."

Bradford said, "That illustrated hunk of toilet paper always adds at least three zeros to any amount. Fifty dollars was missing. That's what makes us doubt robbery was the motive. You see, the motive doesn't match the method. This murder was done by an intelligent person, and intelligent people don't kill for fifty dollars. If it had been a larger amount, maybe. Or the same amount hitched to a stupidly contrived murder, then again maybe. But in this case, the two don't balance."

"What he means," grinned the other one, "is it was a million-dollar-murder for a small-change stake."

I saw them to the door. On the way out Bradford spotted a back number of one of Wayne's magazines lying on the table, saw my name on the cover, and thumbed it interestedly. "Say, I'd like to read something you wrote sometime," he hinted broadly.

"Take it with you," I said, flattered. It struck me as funny for a minute, a detective wanting to read detective stories, but I managed to keep a straight face. "Sorry, I couldn't help you any more than I have. If I can be of any further assistance in any way, don't hesitate to drop around again."

I closed the door and went back to bed. "Now, if it had been me that was the murderer," I grinned at the ceiling, "that's just how I would have carried the thing off."

Nothing happened for thirty-six hours. The phone rang at ten the following evening. "A Mr. Bradford here to see you, to return a book or something," the girl announced.

"Send him right up," I said cheerfully. I would have given that permission to anyone else, why not him?

He was alone. I said, "Is this official or just personal?"

"No, I'm on my own time now," he laughed. "Excuse my busting in like this. Say, that was a swell story of yours! I was up half the night last night reading it—"

"How'd you like the part where the car's hanging over the cliff by two wheels?"

He took a fraction of a minute to answer. "That wasn't in this story," he said. But there was a question mark hovering behind it. Well, anyway, he'd beat me to the punch on that one, used his wits. But I'd heard that unspoken question mark just the same, so I'd found out what I wanted to; he hadn't read the story, just wanted an excuse to come back again.

"You could have kept it," I said. "They give me complimentary copies."

"I was hoping," he said disarmingly, "I could trade it in for a new one." There was something likeable about the cuss at that. A writer likes to think he has his fans too.

"Have a drink," I said.

"Don't mind if I do."

I fixed him a dynamite blast, to lower his I.Q. a little; it was too high to suit me.

He sat down sort of awkwardly, legs spread apart, like a man trying to act on his best behavior. I said, "You ought to be able to provide me with good copy. You know, your own experiences—"

"Nah," he said humbly, "you couldn't use it. Nothing like in those mags you write for. Just routine. Report in, report out, go here, go there." He took a swallow, gave me a rueful look over the top of his glass, at the strength of it, and drained it to the bottom. "Where do you get your ideas from?"

"Make 'em up out of my head."

He just looked at me sort of awed, like a schoolboy, then shook his head wonderingly.

"Anything new on the Robbins thing?"

He didn't want to talk about that; he wanted to talk about me. "Lemme forget it for half an hour,

will you?" Then pointing to a towering stock of carbons, "You mean to say you've written all those?"

"Every last one of them," I assured him with mock seriousness.

He picked the top one up. "Would I be out of order if I looked through a few of them?"

"Help yourself," I invited. The Wayne story was at the bottom of the pile, as befitted its "age."

I poured another drink, sat blowing lazy smoke-rings in the air. He was sort of a restful cuss to have around, at that; would have made a good roommate. I nearly forgot he was there with me. Once or twice he chuckled aloud at something he was reading. He was all taken up, lost to the world. There wasn't a sound in the room, just those few grunts of pleasure he gave, and the rustle of pages as he flipped them. Now if this had been a manhunt in one of those stories I wrote, there'd have been gunfire, bodies falling right and left, hell to pay in general. But there wasn't a sound in the room. So obviously this wasn't a manhunt.

After nearly an hour he suddenly came to life, as if he'd just remembered where he was. He stood up, asked what time it was. "Can you beat it?" he marveled. "I got so wrapped up reading them things, I clean forgot—Say, I liked that one about the guy who was tied down on the railroad tracks."

"Yeah, I got some nice letters on that," I admitted, taking him to the door.

"Hope I haven't been a pest."

"Not at all. Come back some more, any time you feel like it." I had an idea he would, whether I asked him to or not. Well, I had no reason to mind how often he dropped around to see me, so why should I give the impression that I did have?

After he'd gone I glanced over at the carbon copies. He'd read three or four of the top ones, worked his way halfway down to the Wayne story. I could have taken it out of the stack, hidden it, even destroyed it. I smiled and shook my head slightly. To do that would be striking a false note. That'd be a stupid man's move, not a smart man's move. That'd be a guilty man's move, not an innocent man's move. That'd be a murderer's move, not a detached onlooker's move.

I'd watched him curiously just now through the lazy smoke-rings, to see if he'd been reading for the sake of reading, or reading for the sake of finding out something. He hadn't skipped pages or read hurriedly. He'd been reading for the sake of reading.

"I guess *they* have to relax sometimes too, just like anyone else," I said to myself. I'd heard it said somewhere that the good ones never do, though.

Again there was a lapse of twenty-four hours. The tab had los

interest altogether, dropped it, there being no sex angle it could get its teeth into. The standard-size pushed it back to the last page, there being no new developments.

About eight that evening, half an hour after I'd come back from my meal, there was a knock on the door. "He's getting pretty familiar," I said to myself, "coming right up without having himself announced." When I opened, however, it was the other one, Schuyler. Bradford wasn't with him.

"Official?" I wanted to know briefly.

"Now, no offense, Mr. Tucker. I'd just like to ask you a few routine questions about your movements Tuesday night. Just for the record, you might say."

"What does that mean, that you fellows have got your eye on me or something?" I whipped the door all the way back. "Come on in, if you feel that way about it!"

"Now, you're taking the wrong attitude," he tried to appease me. "You're not the only one we're asking, we're asking everyone. We always do, in a case of this kind." Then with a sly glint in his eye, "If you prefer not to answer, that's up to you."

"That's for people that have something to cover up," I told him angrily. "Shoot! What would you like to know?"

"Well—" He shrugged placatingly. "Just what you did with yourself that evening. No need to get sore. It's just a formality, I tell you."

"Formality or not, I don't like the implication. All right, then. I was in my room all day, trying to write. It wouldn't budge. You have to be a writer to know what that means. I was going slowly nuts. I went out, had my meal, and tried again when I came back. Finally I gave it up as a bad job and quit altogether. I went out again—that was about ten thirty and took a long walk. I dropped in on a friend of mine who lives on Seventy-second—Howell's the name—and sat talking for about an hour. I left his place at twelve. I keep late hours, I'm not used to going to bed that early. From there I took in the midnight show at the Paramount, starting in at twelve, and came out when the show closed, at two, I think it was. I stopped in for a cup of coffee, and sat brooding about my story for about an hour and a half more. By the time I got back here it was close to four. If my hours strike you as peculiar, I've kept more or less the same hours for years—"

Before he had a chance to say anything, the phone rang and Bradford was announced. "Send him up," I said, and waited to watch the reaction. His face changed when he saw Schuyler. He said, "What're *you* doin' here?" without any too much friendliness.

"Checking up my movements the night Hilary Robbins was killed," I put in.

He kept looking at Schuyler, not

at me. He said, "Were those your orders?"

The older dick said, "Not in so many words, maybe, but you know as well as I do—"

Bradford was starting to boil. It was no act, either; a cord on the side of his neck, under his ear, began to throb. He said, "Why don't you leave this man alone? We came to him originally for help in reconstructing Robbins' background. It ends there. He hasn't seen Robbins in two years. There's such a thing as being too officious, Schuyler."

What dick would have liked being told that in the presence of an outsider? Schuyler's eyes hardened like mica. He said half audibly, "Am I treading on your toes, that it? Since when have you taken him under your wing? How much was it worth to you?"

Bradford took a quick step. "What was that?" His arm hooked out and up, and the other man staggered, his shoulders hit the door with a wooden thump. "I don't take that from any man!"

I jumped and got in between them. "Not up here in my room, boys. I'm a nervous guy." Then I said to Bradford, "I don't mind answering your pal's questions. I've got nothing to hide." And to Schuyler, "That's a pretty lousy thing to accuse a teammate of."

"Who asked you for an opinion?" was all I got for my pains. Schuyler whisked the door open behind him, turned, and went out. "It won't take a minute to find out whether I've exceeded my authority or not!"

"That's right, we may as well get straightened out on this once and for all," Bradford agreed grimly. "I'm going down with you and call the old man right now."

I closed the door after them and laughed all over the room. "If I was the murderer in this case, what a grandstand seat I'd be in now!" I chuckled. "One of them going to bat for me against the other—if that isn't the screwiest thing I ever heard of!"

That Schuyler might develop a personal grudge against me as a result of this little set-to didn't worry me in the least. He had nothing on me. What could he do to me? Try to trip me up or even frame me? Let him try and see how far he got. I was practically foolproof.

As far as Bradford was concerned, most likely the insinuation would put a stop to the "social calls" he'd been paying me. That was all right with me too. He wasn't bothering me any, but I could get along just as well without them.

But it didn't. He came back again inside half an hour, alone. "Well," he promised, "you won't be annoyed like that any more. He got his wires crossed, that was all. He had no right to rush in like that, the bungling clodhopper!"

I caught at the word. "Bungling? Why call it that? Is there some arrangement he spoiled?"

He threw both hands at me, palms out. "No arrangement concerning you, if that's what you mean," he said reassuringly. "Where'd you get that idea? You're outside the case entirely. I guess I used the wrong word."

I wondered if he had or not.

"Drink?" I said.

He laughed. "I'm turning into a regular moocher. Okay, but not so strong as last time."

So he'd noticed that, had he?

He didn't do any reading this time. He just sat and jawed for a while and left after half an hour. The Wayne story stayed exactly where it had been, at the bottom of the pile.

"If it's a build-up of some kind," I said to myself after he'd gone, "he's sure taking his time about it." But I realized that it would look peculiar on my part, to say the least, to put a stop to his calls now. If I was going to freeze him out, I should have done it from the start. Now that I'd once welcomed him, I had no justification for not continuing to do so. He was likeable enough, and to stay in character I had to judge him strictly on a personality basis, and no other. On that basis he was acceptable, more so than many friends I'd known for years. In short, until the shadowy case in the background that had originally brought us together was out of the way once and for all, my hands were tied. I was not a free agent so far as he was concerned—at least, not without striking a false note.

He dropped around casually a little before six the following evening and wanted to know if I'd eaten yet. I said I'd just been about to. "Neither have I," he said, "let's eat together. If there's one thing I hate, it's putting on the feed-bag alone."

"Same here," I agreed. "Glad you looked me up." But in the restaurant I couldn't help remarking, "You seem to have a lot of spare time on your hands."

"Nothing particularly much going on right now," he told me, passing me the bread plate. "It seems to come in spurts."

"Well, what about this Robbins business, though? That's still on tap, isn't it?"

He grimaced absent-mindedly. "That was a terrible fizzle," he said. "Less said about it the better. What looks good to you on this bill of fare?"

He came back to the room with me later; any friend I'd eaten with would have, unless he had another appointment to keep. Bradford didn't. I mixed a couple of highballs and we sprawled out. He reached back from where he was sitting at the stack of carbon copies and pulled one out. "A book of verse, a jug of wine, and thou," he grinned. "That how it goes? Guess

we'll have to struggle along without thou for this evening, anyway."

He started to read but quit in a minute. "Oops! I read this one the other night." He put it back and pulled out the one under it.

Neither of us spoke for the next half hour or so. Then he remarked, without any undue emphasis, "Say, this one's just like that case we're on now. Robbins, you know."

I looked up. He'd finally got down to the story I'd sent Wayne. I hadn't even noticed him take it out. But then they all looked alike anyway, from the outside. He wasn't looking at me; he'd thrown off the remark while he went ahead reading.

"That often happens," I answered evenly. "As a matter of fact, I wrote that thing months ago. It's been kicking around here for a dog's age."

He still didn't look up, went right ahead reading. "Haven't you tried to sell it?" he wanted to know.

"I sent it out again a few days ago, to try it over again. Thought maybe the coincidence would help it."

"I know you did," he said quietly.

I hadn't told him that. And now there was tension in the air at last. I could feel it. Coming from myself, most likely, for it wasn't coming from him. "How did you know?"

"I was examining the copy they've got down in the publisher's office today."

"You were what?" I blazed. "What're you trying to do, give me a bad name down there?"

"Now take it easy, I didn't tell them who I was. I represented myself as a scout for an independent movie producer, looking for material. I had to wade through a lot of tripe before they trotted out that one of yours."

"And what'd you find out?" I flung at him.

He looked up at me for the first time. "You didn't write that story six months ago, and you know it!" he said, almost regretfully, as if he were simply trying to help my memory along.

"Then I'm a suspect?"

"I haven't said that," he said mildly, eyes on the typescript again. "You're the one who's getting excited. All I'm saying is, you didn't write this story when you say you did."

"You answer me or get out of here!" My voice started to rise. "I've received you here as a personal friend. If you're going to take that tone with me, you can get out of here right now!"

"No, I can't," he said. "You can consider my being here official, if you have to."

"You're trespassing and you've got no business— Am I a suspect or am I not?"

"No," he said decisively, but still without getting angry. He waited

a minute, then stood up and added, "You're a dead certainty!" And finally, almost as if it had nothing whatever to do with what we were talking about, "And by the way, you're under arrest."

I kept up my end of it beautifully. "You haven't got a leg to stand on. You don't know what you're talking about!"

"Tucker," he said almost sadly, "I only wish I didn't—for your sake. You're too brainy a guy to finish up like this." He swatted the script with the back of his hand. "You didn't make this up out of your head. It jells with every detail of the Robbins killing. It's the Robbins case, down cold! It describes Robbins apartment to a T!"

"Why shouldn't it? I used to go there often enough."

"Yeah, but that was two years ago. The room he was killed in was painted cream until just lately—Robbins' superintendent told me. Two weeks ago they did it over light-green, at Robbins' request. You've got it light-green in your story."

I lit a cigarette with a hand that didn't shake, not in the slightest. "On the strength of my describing a room as light-green, in a story made up out of my imagination, you're arresting me for murder? What is this, witchcraft? The middle ages?"

"I've got you a million ways," he said, reaching for his hat and handing me mine. "This isn't a story written from your imagination. This is as good as our official report of the crime. Better. There are details in it nobody but the police knew, that were never made public at all. Such as Robbins wearing a blue polka-dot robe at the time of his death. There are even things in it that we didn't know in our official capacity as investigators—such as the identity of the woman whose picture stood on Robbins' dresser. All this needs is your signature, to be a perfect confession."

I said, with hammer-blow emphasis, "I don't care how many coincidences you dig out out of it. Suppose it does describe Robbins' apartment? Are you able to *prove* it was written *after* the murder?"

"I have already," he said. He took a little tin box out of his side pocket. A typewriter-ribbon box. "I picked this up in your room the first morning Schuyler and I were up here to see you. You changed ribbons in the middle of that story. The original, down at Wayne's office, shows it plainly—I didn't have to be much of a detective to spot it. It starts off faint, almost illegible; it changes abruptly to black in the middle. This is the box that new ribbon came in. That's the ribbon spool there, in your machine, right now."

"But not the one I wrote *that* story with," I smiled stubbornly. "I also changed ribbons in the middle of *that* story—when I was writing it six months ago."

"I've been working hard on you all week, Tucker," he sighed, "not just lazing around reading your stories. You always get your ribbons at the same place, the firm that turns out your make machine, never anywhere else. The clerk down there knows all about you. You're a very fussy customer. The ribbons have got to be fresh. They've got to be all-black. Your pet abomination is these half-red, half-black ones because your machine bounces a lot with the speed at which you work and the tops of your capitals come out red with the vibration. He knows he'd be risking his neck to hand you a red-and-black—you've never bought one in all the years you've been getting them there. But the other day he slipped up in his hurry and gave you the wrong kind by mistake. He discovered what he'd done almost as soon as you were gone and expected you back to bawl him out any minute. He told me about it." He pointed at my typewriter almost negligently. "There it is, half red, half black, first time you ever got stuck with one. Tucker, *the capitals on your story down at Wayne's office all shade to red at the top!*"

I started to feel very cold, very sick, down at the bottom of my stomach.

He said, "This ribbon box will be Exhibit A when they try you. It's dated in code. Like they date coffee and other things nowadays. You didn't know that, did you? The clerk explained it to me." He turned it upside-down in his palm, so I could read the bottom of it.

"Bremington-Grand Portable
red/black
1502P

"The letter at the end stands for the month, January starting with K. You read the numerals backward to get the day of the month and the year. June 20, 1951." He put it back in his pocket. "And Robbins was killed during the night of the 19th-20th. That's how I know you wrote this story after, not before. And yet, not long enough after to have got it second-hand, either. The postmark on your manuscript envelope was 6 P.M. that day. It was only the *following* morning's papers that came out with anything more than the barest details of the story."

He closed my machine and picked it up by the handle to take it with him. "Don't think I'm depending only on the ribbon," he said. "There's plenty else, but that ribbon's the backbone of my proof. You aged your script artificially, probably by fire. But the ink was still fresh and black on it. The paper faded, but not the type. And even the paper didn't yellow evenly around all four sides—there was a white gap where you held it by your thumb and protected it from the heat. Are you coming, Mr. Tucker? You've played the gentleman so far, and I respect you for it. Let's keep it that way."

"I'm coming," I said. I straightened the knot of my tie, dusted my hat on my elbow, put it on. I laughed a little as I locked the door after us. "I've never written it this way, though. There's always a burst of fireworks at the pinch."

He said, with that tricky likeableness of his, "I guess I don't cut much of a figure for a story-book detective. Don't give me away."

As we stepped out of the elevator downstairs, he carrying the typewriter, I saw a letter sticking out of my mailbox behind the hotel desk. I could recognize Wayne's peculiar, olive-colored office stationery even at that distance.

I was a writer to the bitter end. "That's about the cursed story, now," I said. "Let me see what he thinks about it. It's cost me enough."

"Help yourself," he agreed.

I tore it open while he stood there watchfully beside me.

"Dear Tucker: I'm sorry but I've got to reject *Murder Self-Committed,* even though one of the smaller movie studios showed an inexplicable interest in it earlier in the week.

"It isn't up to your usual standard. As you know, we like to give our readers a feeling of reality. This story is too implausible, too unlife-like. It's one of those things that just *couldn't* have happened.

"Sincerely

"Wayne."

WITHERS AND MALONE, BRAIN-STORMERS

by STUART PALMER with CRAIG RICE

(Continued from page 23)

"Why don't you look where I'm going?" demanded Miss Hildegarde Withers, leaning precariously against the face of the rock-cliff and holding Talley with both hands. "If we hadn't jumped in the nick of time—"

She addressed the two men in the front seat of the sedan, both of whom were pale and shaking. "Lady!" cried the driver, a middle-aged man in a chauffeur's cap. "I didn't—I'm only a hire-drive car—"

"Well-insured, I hope?" She turned to the other, a bulky young man in a sports shirt, whose five-o'clock shadow was hours ahead of schedule. "And you, I suppose, are Filthy Phil Pappke?"

"I'm his brother William, and no cracks! I don't know where you come in, but you got Phil all wrong. He's a businessman, an investor like —and he's got a lot of money invested in a tomato name of Nancy Jorgens because he went her bail and if she isn't back in Chi by tomorrow, it's forfeit. I was just tagging Malone, figuring he'd maybe be a lead to the dame."

"The dame is beyond your reach, and so is Malone. They're arrested."

"Ouch! Those police cars I saw—say, maybe it's okay and she gets sent back to Chi!"

"Nothing is okay. They'll be held here—for murder." Willie scowled, and started to mumble something about his brother's not going to like this. "Be quiet," she told him. "An accident to Malone isn't going to save your brother his money. Driver, just how serious is the damage to your car?"

"She'll still run, I guess."

"Then the least you can do is to drive me home!" She climbed in, the dog in her arms. "Willie, on the way back you and I are going to have a heart-to-heart talk!"

Willie protested that he had to get to a phone right away and call his brother, but she told him that he was welcome to use hers. "Because I want a word with Filthy Phil Pappke myself!"

A little later Willie made his telephone report, which consisted mostly of listening to staccato sounds over long distance, until the schoolteacher got tired and took over. "Hello, Mr. Pappke? This is Miss Withers, the lady whose automobile was demolished by your shenanigans. Lucky I wasn't killed. What? Well, perhaps it isn't illegal to have somebody shadowed, but it is illegal to annoy a lady, in or out of a car. I intend to see my lawyer at once—that car was a collector's item and it had sentimental..."

"Listen, whoever you are! All I

want—" came the protesting voice.

"All you want is to save $25,000! And let me tell you that your only chance in this world is to help me get John J. Malone out of jail, because he can straighten this out if anyone can. The moment his bail is set, you'd better have a man there with the money. What? I don't care how you feel about Malone; the point is that you've got to cooperate with us now—or else! Think about that—and while you're thinking, think about my lawsuit!" She hung up.

"That ain't the way to handle my brother Phil," Willie Pappke told her.

"The only way I would handle either of you is with a pair of ten-foot tongs! Now get out of here, I have work to do." Willie got.

Work to do, indeed? But what work, and where to begin? Malone had brought her a hopeless mess, and now it was a thousand times worse. But give him the benefit of the doubt. Suppose that in spite of his having brought a paternity suit involving a baby named after him and paid for by him, he had acted in good faith. In desperation would he have been a party to forgery, even forgery which might have seemed morally justifiable? Yet Nancy was a breath-taking blonde, and breath-taking blondes were Malone's worst weakness—or one of his worst weaknesses.

As these unpleasant thoughts were bubbling in Miss Withers's mind, she was studying the legal papers in the little lawyer's brief case—after first putting the one remaining bottle safely away. She read through the trial transcript and the transcript of the forgery prelim. She studied the photo-enlargements of the handwriting on the questioned check. The signature of Paul Bedford looked perfectly good to her, but pinned to it was the verdict of three famous handwriting experts who had all pronounced it queerer than a $3 bill.

The forgery and the fact that Paul Bedford had obviously died at Nancy's hand were unarguable. Still— In the midst of her speculations another call from Chicago came in. It was Maggie, this time in tears. "I just this minute heard!" she was crying hysterically. "It's on the press tickers. Oh, I *told* you to keep him away from *that woman!*"

"Wild horses couldn't. Be quiet, Maggie. We've got to work fast. At the moment I'm quite ready to clutch at straws. But I'm happy to announce that we now have the cooperation of a very powerful, if somewhat unethical, ally. Yes, Filthy Phil Pappke. What? No matter how, I put the fear of lucre in him. The first thing you've got to do is to find out who the Bedford family doctor was, and arrange to have Mr. Pappke have somebody do a little strong-arm stuff. And stick by a phone, I may think of something else."

Five minutes later Miss Withers was headed downtown in a taxi, her first stop being the Hall of Justice in Los Angeles. That vast grim mausoleum of humanity's hopes and dreams was crowded, but nobody in the place could tell her if Malone had yet been brought in and taken to the jail floors; even if he were there, she couldn't get into the special jail elevator because she was neither his attorney nor his next-of-kin, though she made a stab at pretending to be the latter.

Well, that was that: she would have to proceed solo. On a sudden inspiration she stopped at the Information Desk and struck up a conversation with the elderly officer in charge. "Oh," she said, pointing to a man nearby, "Isn't that what's his-name, the famous handwriting expert who always testifies for the prosecution?"

"No, ma'am," said the officer. "That's just some two-bit lawyer. He doesn't look a bit like J. Edgar Salter. Salter's a thinner man, with a bald head and glasses." She thanked him as she left, with the name and description committed to memory. Mr. Salter had offices on Hill Street, she discovered by looking in a phone book; but she drew a blank on the call—he was in conference and could not be disturbed.

Which daunted the schoolteacher not at all. "I must go roundabout, as the Boyg advised Peer Gynt," she said to herself. And without more ado she hurried over to the Public Library, a vast pseudo-Moorish edifice on Fifth. Libraries were usually her last resort; there in the musty stacks was everything anybody in the world would want to know, if he only knew where to look.

She stayed until closing time, then stopped at a late-open bookstore to make one small purchase, and finally took a bus home. It had been a long, long day.

She had barely fed Talley, prepared a peanut butter sandwich and a cup of tea for herself, and changed into robe and slippers when the doorbell rang. This, she knew, would be the police, coming to get her statement. Or maybe to arrest her, the way luck was running. She braced herself for the inevitable, and opened the door. "Good heavens!" she cried. "This is where I came in!"

It was John J. Malone, looking the worse for wear. He entered, shoulders sagging, and sank wearily into her easiest chair. "I promised myself," he said slowly, "that next time we met I would bop you one, lady or no lady . . ."

"I was afraid you'd misunderstand. But at least one of us had to be free and up and doing. Don't tell me you broke jail? Or did Filthy Phil actually send someone to put up your bail?"

He shook his head. "Released on my own recognizance," he said. "When they got me downtown, it turned out that several of the big

wheels in the D.A.'s office knew me by reputation. And I guess Harbin Hamilton threw his weight around too much; he forgot that this wasn't Cook County. The D.A.'s office let me loose as a professional courtesy—but I'm still in a jam. And there's certain extradition back to Chicago even if I squirm out of this. Meanwhile, there's Nancy. I don't know what to do about her!"

"I suppose you pondered over it in every bar on your way here?"

"Only two! I was in the UCLA Law Library, reading up. But I don't see a single loophole. Nancy may not get the works, but she'll get ten years at least."

"And in spite of everything, you're still in love with her?" John J. Malone nodded dismally as he went on. "Well, then! If you love her you don't have any choice but to believe her!"

"Yes—but we both heard those two shots, and I caught her trying to escape with the gun in her hand. Wish I knew where that gun disappeared to."

"I know, but skip it. What comes next, a grand-jury hearing?"

"Arraignment, two o'clock tomorrow—a formality that will take ten minutes. Nancy and I appear, the judge sets the date for the prelim and the amount of bail—any amount of which will be too much."

"Tomorrow! Oh, dear." The schoolteacher cocked her head. "Look, Malone, I have a wild idea. You know those meetings they have among scientists and researchers when everybody takes turns suggesting the wildest idea that comes into his head? Brain-washing, they call it—"

"Brain-storming," he corrected. "But by all the saints . . ."

"Let's try it, please! If you'll play I'll even show you where I hid your bottle!" He gave in promptly. "Very well," she began. "We'll release our mental brakes. Let me think. Nancy is completely innocent—it's a frame. Doris forged the check!"

"She wouldn't know how, and she wouldn't dare hire anybody—"

"You're not playing! Say something, no matter how fantastic!"

He sighed. "Doris hated Nancy. She not only forged the check to frame her, she thought that all her brother's money should be hers, so she killed him when he complained about her cooking. Wild enough?"

"Now you're swinging! Doris poisoned him with her cooking!"

"No, she used something that wouldn't show in the autopsy—a huge dose of adrenalin or digitalis. Or maybe *he's* the real murderer, he killed himself out of pure meanness!"

"Maybe Harbin Hamilton forged the check . . . ?"

So it went, for an hour. At last they ran out of not only the improbable but also the impossible.

"It's no earthly use," Malone said

dismally. "We're not getting anywhere. You and I both know that Nancy fired the shots that indirectly killed Bedford, and as for the forgery—"

"Stop thinking like the police! What is the unlikeliest possibility of all? There must be one factor in this case that has led everybody astray because we've been tricked into looking at it wrong side up or endways!"

"But we just haven't enough to go on!"

"I'm not so sure. I have a couple of irons in the fire, or where I could possibly start a fire." And she told him all about her afternoon. "If we could only find out a few things about Bedford's medical record—and what books he has in his library."

"So what? The prelim won't be for a week or so, and the trial not for months, and all that time Nancy will be in jail. You couldn't even get in to see this guy Salter, and if you do he'll just back up the other experts." She shook her head firmly, but he went on. "And you've missed the point in trying to sic Maggie onto Filthy Phil. Even if he will cooperate because you have him over a barrel, what's the use of roughing up the Bedford family doctor, and breaking into the Bedford house?"

"Just brain-storming," she admitted. "But I want to know more about certain things than anybody else knows. A shot in the dark will often scare something out of the bushes." Miss Withers yawned.

"Well, I don't know about you, but I'm going to bed and sleep on it. You're welcome to the couch here."

But Malone had promised the boys at the D.A.'s office to check in at a certain downtown hotel, just to make it look good. He departed, not forgetting his bottle. And he was no sooner out the door than Miss Withers was on the long distance phone to Maggie again, with new instructions . . . "Try to go along on the job yourself," she urged. "Here's what to look for . . . What? Well, wouldn't you risk it if it will save Malone's neck? . . . There's a dear!"

All of which ended a memorable day. The schoolteacher even omitted her usual hundred strokes with the hairbrush, and crawled wearily into her maidenly couch, mumuring instead of a prayer—"Tomorrow is another day."

And so it was—a day that neither of them was ever likely to forget. They were both too busy in the forenoon to have a conference, except briefly by telephone. The telephone was also hot all the way to Chicago, where Maggie, the world's most devoted secretary, and Filthy Phil Pappke, surprisingly enough the world's most cooperative conspirator, were equally busy. That part of the story neither of them will talk about—at least, not until the statute of limitations runs out.

Both Miss Withers and the little lawyer were in Department 30 of the Hall of Justice, eighth floor, well ahead of time. There were only a few bored attendants in the courtroom. The plaque on the bench read *Herbert Winston, Judge,* but there was no sign yet of His Honor. Malone, very much in his element, plumped his brief case confidently on the counsel table. Miss Withers took a seat in the front row, and prayed.

Policemen, sheriff's deputies – among them Sergeant Griggs, of course–came in leisurely. Then two deputies, looking like lady wrestlers in spite of their trimly-feminine uniforms, arrived with Nancy between them. Even the drab jail uniform could not cancel Nancy Jorgens's luscious measurements, but her eyes were haunted. She flicked a wan smile over to Miss Withers as she was led over to wait in the empty jury box, but her eyes were for Malone. He rose eagerly and started toward her.

"No, you don't!" came a harsh voice. Enter Harbin Hamilton, with several of the D.A.'s staff–one of them Mr. Dade, to whom the Chicagoan turned excitedly. "I protest against this man's trying to have a conference with his fellow-conspirator!"

Dade smiled, a little stiffly. "Well, Mr. Malone is a member of the bar, and it's customary–"

"He is here as an *accused*–he has no attorney status!"

"Whether or not he is representing Miss Jorgens, there's nothing to prevent him from acting as his own attorney, is there?" Dade walked over and formally shook hands with Malone. They talked briefly, but in so low a tone that Miss Withers could only hear something about a "plea" and see Dade shake his head slowly.

More people were coming in; it was evidently close to zero hour. The hands of the clock showed ten past two, and Miss Withers found herself trying to hold her breath. She let it go as she saw Doris Bedford enter, wearing an unbecoming mutation mink, and seat herself on the aisle. Half a dozen other spectators also drifted in, by ones and by twos. One of them, a tall, bald, very lean man in a charcoal-gray suit and glasses, seated himself directly behind Miss Withers. But she barely noticed. Everybody was springing to attention; cigars and cigarettes vanished, and Judge Winston, robes and all, appeared and sat down on the bench. He looked rather like an animated prune.

They were finally under way, for better or for worse. It was all a blur to Miss Withers, though later she remembered Malone's air of absolute confidence–it should have won him an Academy Award nomination.

Court was in session–*The People versus Jorgens and Malone.*

"We intend to plead guilty,

Your Honor," Malone started.

Harbin Hamilton stood up from his chair beside Mr. Dade and objected on the grounds that Malone had no status. The Judge looked at Dade.

"Mr. Malone, I don't believe you've been admitted to the bar of this state," Dade said. "Your status is that of co-defendant."

"Prisoners are entitled to counsel," interposed the Court. He looked slightly annoyed. "For your information, Mr. Malone, the State of California permits *only* a plea of Not Guilty in capital offenses. We are here merely to set the date for the preliminary hearing and to discuss bail—"

"Yes, Your Honor. But—"

"Nancy Jorgens, are you represented by counsel?" asked the Judge.

Nancy shook her head. "Not if Mr. Malone isn't—I won't have just anybody! I can be my own attorney too, can't I?"

"It is so noted," said Judge Winston. "Proceed."

Dade said, "As for bail, the law is clear. A defendant charged with an offense punishable by death cannot be admitted to bail when proof of guilt is evident. That seems to be the case here—"

"Just a moment!" interrupted Malone. "Your Honor, I think that is open to argument. I have a request to make. If my learned colleague has no objection, I'd like to ask for a short recess in your chambers. I believe it may save the State the expense of a long drawn-out trial."

"Well, I object!" boomed Harbin Hamilton. But one of the D.A.'s men touched his shoulder, and reminded him that he himself had no status. Mr. Dade looked somewhat confused.

"Mine is a reasonable request," Malone pointed out. "I am sure that in a few minutes we can come to an agreement." He looked at Mr. Dade, who frowned, then shrugged.

Judge Winston hesitated. Then he too frowned—Harbin Hamilton was audibly mumbling something about "the most ridiculous travesty of justice . . ." *Cr-r-rack!* sounded the gavel. "I will have order in the court!" roared the Judge. "Mr. Dade, will you speak on this most unusual request?"

Dade wavered, then a slow smile crept across his face. He had quite evidently had a good deal of Mr. Harbin Hamilton in the past twenty-four hours. "No objection whatever," he said, smiling.

"So ruled," said Judge Winston. "Court will recess until quarter of three." He started to rise, then sat down again. "By the way, gentlemen, there is no need to crowd into my chambers. I suggest you hold the discussion right here, and I'll listen. Clear the court of all but the interested parties."

Everybody looked at everybody else, then everybody looked at

Malone, who was out on a long limb and knew it. He gave Nancy a big reassuring smile, then slowly and dramatically came over and held the gate open for Miss Withers, seating her formally in one of the attorneys' chairs at his end of the counsel table. She gave a quick look behind her and saw that Doris Bedford was coming forward, with a strange glint in her eye. But there was someone else—the man in the charcoal-gray suit. "That's him!" whispered the schoolteacher to Malone, her excitement smothering her grammar. "But heaven knows if he's on our side or theirs!"

Malone nodded, waiting for the last of the casual spectators to be hustled out of the room by the officers. "May I proceed, Your Honor?"

"Go ahead," said Judge Winston. He took out a pipe and lit it, his face showing a hint of amusement.

"Your Honor, Mr. Dade, gentlemen — ladies and gentlemen, I should say," began Malone, "I asked for this chance, quite aware of the fact that I am sticking my neck out a mile, because I believe wholeheartedly that the sole purpose of any court is to serve the ends of justice. I intend to prove that bail *is* admissible in this case. Miss Jorgens has been charged with having wilfully and with premeditation caused the death of Paul Bedford by heart failure while attempting to commit a felony—in this case, the attempt to take his life with a pistol. Is that not the situation, Mr. Dade?"

"You can hardly expect the State to lay bare its case at this time," Dade pointed out. "This is not the prelim."

"Quite right." Malone set a cigar afire. "I'll just go on and state what I think your case is, and you can correct me if I'm wrong. You will contend, when this case comes to trial, that my client had a grievance against the deceased—"

"I'll say she had!" cut in Hamilton. "This woman committed one crime, maybe two, in Chicago. Bedford had her arrested and charged with forgery; she was indicted and skipped her bail!" At this point Mr. Dade said acidly that he understood all that to be true, and furthermore—

"I'll stipulate, if you like, that Miss Jorgens did bring suit against Paul Bedford, claiming him to be the father of her child." Malone waved his hand. "And I'll stipulate that she did utter a forgery or what appears to be a forgery. But would she have brought that check to me to cash if she had *known* it was a forgery? And would I have cashed it for her if I had even suspected it wasn't legitimate?"

Nancy was staring at Malone with a look in her big beautiful eyes which almost brought tears to Miss Withers'. "I agree," Malone went on, "to stipulate some more of Mr. Dade's case. Nancy Jorgens

did borrow a pistol, and she did bring it with her to California—a pistol, remember, that had been one of the props in a play. She was on the trail of Mr. Bedford, who had prudently taken to his heels at the first word of her getting out on bail. She did go to his family's beach house, she did lie in wait for him, she did finally enter and confront him, and she did then and there, in the middle of an argument, fire that pistol twice!"

There was absolute silence in the courtroom. "Now if I were presiding instead of being part of the audience," spoke up Judge Winston, "I'd expect an objection from somebody—maybe from the lady!"

"It's the truth," said Nancy Jorgens very calmly.

"Mr. Malone is making a strong case—for us!" Mr. Dade commented.

"Am I? But I contend that there is absolutely no basis for a murder charge. Unfortunately, the weapon has disappeared . . ."

"I'm responsible for that," Miss Withers spoke up. "The girl was struggling in Mr. Malone's arms, and I took the gun away from her and threw it into the ocean, where it couldn't do any more harm."

That was a minor bombshell.

Mr. Dade looked hard at Miss Withers, then remarked pointedly that it looked as if he might have some additional charges.

"But that pistol was just a stage prop!" Malone picked up again. "Such guns, for obvious reasons, fire only blanks! It is too bad that Miss Withers, with the best intentions in the world, put it beyond recall—"

"It ain't!" spoke up Sergeant Griggs. "That's what I come downtown to tell somebody. We found the gun this morning at low tide, half buried in the sand. I got it here—and it *is* a phoney!"

The sergeant displayed the gun.

"Maybe she didn't know it wasn't a real weapon!" said Harbin Hamilton eagerly.

"I think anyone in show business would know that," Judge Winston suggested quietly. "Mr. Dade, does this change your attitude on the question of possible admission to bail?"

Dade hesitated—and then Harbin Hamilton, who quite evidently believed that an attorney should keep not only an open mind but an open mouth, cut in again. "What if the girl was only trying to scare Bedford—she scared him to death, didn't she? And any death caused during the commission of a felony is homicide—even, I believe, out here in California! And since Nancy Jorgens had been intimate with the man, certainly she must have known he had a weak heart!" He turned to Doris Bedford, bowing. "You knew it, didn't you, Miss Bedford?"

"Yes," said Doris. "Of course. But why are you wasting all this time? She killed my brother, and

I object to this incredibly asinine attempt to get her free! I tell you one and all, I'm going to use every resource in my power to see that this case isn't glossed over—"

Mr. Dade held up his hand. "The State of California has even more resources than you, Miss Bedford. We are merely trying to get to the facts."

"Of course she knew Paul had a weak heart!" Doris snapped back. "I tell you, she wanted him out of the way so he couldn't be the complaining witness against her at the forgery trial—"

"Thank you," said Dade, shaking his head at her. "But we'd better get on—I'm afraid we are trying the patience of the court. Mr. Malone, I don't see your purpose in all this. We are not now involved with whatever happened back in Chicago. Your eloquence hasn't changed my mind so far as Miss Jorgens is concerned. We still refuse to admit her to bail. As for you—I admit that all we had against you was concealment of the gun, and now we have somebody else confessing to that. We'll consider admitting you to bail, or perhaps dropping the accessory charge entirely . . ."

Malone, the schoolteacher realized, had now got himself *out* of trouble—but he had got Nancy and herself *in* even deeper. However, the little lawyer wasn't finished. "Mr. Dade," he said slowly, "I want you to reconsider your charges against my client. She meant only to throw a scare into Bedford—as a matter of fact, she had some wild hope of getting him to write out a statement clearing her of all charges. And when he just laughed at her, she let go with the blank cartridges. Is that *murder?*"

"She knew it would probably kill him!" Hamilton interrupted again.

"No! Because Paul Bedford himself didn't know he had a bum heart! I have here a telegram from J. Willoughby Howe, the Bedford family doctor, in which he states that at Doris Bedford's insistence the bad news was kept from her brother, an ex-athlete who knew all about athlete's heart and therefore might worry himself to death over it." Malone tossed a yellow piece of paper to Dade. "We are prepared to bring Dr. Howe into court at the trial—"

"Dr. Howe would never say that!" shouted Doris wildly. "He gave me his solemn promise . . ." Then she bit her lip.

"I think perhaps the doctor yielded to *persuasion,*" said Miss Withers, at the moment forgiving Filthy Phil all his trespasses. She had been silent longer than was her custom, but it still wasn't quite her time to get into the fray. "Why doesn't somebody ask Miss Jorgens herself?"

Nancy stood up. "I never dreamed—I never meant to kill Paul. I'd always hoped that some

day he'd acknowledge his son. I once loved him, or thought I did. I'm sorry I caused his death, but I never in the world meant to kill him!"

Malone nodded his approval. "Well, Mr. Dade?"

Dade was in conference with his associates. Harbin Hamilton, who had been obviously left out, rose suddenly. "I see what is happening!" he stormed. "Go ahead and drop your charges here. I'll drag the woman back to Chicago, and the high-and-mighty Mr. Malone with her. She'll get twenty years for the forgery, anyway!" He caught the Judge's eye, and sat down suddenly.

"I'm coming to that forgery," said Malone very softly.

"But we're not talking about that case!" Dade protested. "We're supposed to be just discussing bail, and out time is about up."

"It is," said His Honor. "Gentlemen, I enjoy a break in the routine as much as anybody else, but—will you please conclude, Mr. Malone?"

"Yes, Your Honor. I need only a couple of minutes, most of which I'll turn over to somebody else. This lady beside me is Miss Hildegarde Withers, who has had some experience in criminology—"

"I know," said Mr. Dade with a stiffish smile. "The McWalters case. She committed justifiable mayhem."

"A simpler case than this one," said Miss Withers, bobbing her head. "Anyone in my profession—and I was a teacher in public schools for over thirty years—has to be interested in forgery. We run up against it in examination papers, and on report cards. What bothered me from the very beginning about this affair was the fact that every handwriting expert agreed that Paul Bedford's name was forged to that check, yet—"

"And you can't get away from that!" Harbin Hamilton was irrepressible. "Don't forget, nobody had anything to gain from that forgery except Nancy Jorgens, and presumably her accomplice Malone! The forgery and the murder are tied up together!"

"But I never *dreamed* it was a forgery!" Nancy spoke up. "It looked exactly like Paul's signature, and I thought he'd had a change of heart! I couldn't believe he was all bad."

"If she didn't forge it she knows who did," the Chicago D.A. insisted, too loudly. By this time both the Judge and Dade were glaring at him. But he went on. "Ask her, some of you!"

"I believe I still have the floor," said Miss Withers. "You could ask me, but I'm afraid you wouldn't accept my answer. But there is somebody in this room who does know—"

Doris Bedford suddenly rose. "I do *not*—" she blurted out. Then she sat down again, realizing that nobody had been talking about her.

Miss Withers was pointing at the man in the charcoal-gray suit, who now came up to the counsel table with a big roll of papers. He nodded casually at the Judge, and at Dade.

"I was about to say, when I was interrupted by a lady who doth protest too much," continued Miss Withers, "that there is somebody in this room who knows all about disputed signatures. Most of you have probably heard of J. Edgar Salter, the author of *Handwriting Investigation,* the last word in its field—"

"We'll stipulate him as an expert," agreed Mr. Dade, smiling. "But which case are we talking about, will somebody tell me?"

"There's only one!" Malone told him confidently. "You wait and see."

"I've heard of Mr. Salter," said Harbin Hamilton. "And nobody is going to tell me that he doesn't think that check is forged!"

All eyes were on Mr. Salter, who shook his head, then nodded. "Precisely," said Miss Withers. "But just *why* is it a forgery?"

The famous expert spread out his papers on the table, holding them up in turn. "Because," he said, "in these blowups, enlarged one hundred times, it isn't hard to see that the degrees of pressure used on the pen vary greatly. That is never true of a genuine signature."

"Wait!" said Malone. "You mean that you can tell by looking at a photograph of a signature just how hard the writer pressed down?"

"Almost to the ounce of pressure," Salter said. "It all shows up, right here. See this—and this? Why, we can even note the pulse beat!"

"Funny," said the little lawyer, "that the people in the bank who refused the check happened to notice it at all—since it hadn't yet been photographed and enlarged!"

"Unless somebody had phoned them and tipped them off!" Miss Withers said helpfully. But this time Doris Bedford did not rise to the bait; she sat with her lips pressed tight together. The schoolteacher turned back to Salter. "Why not go on, and tell them what I asked you?"

The man was amused. "This is one for the book," he chuckled. "Miss Withers got into my private office on the pretext of asking me to autograph a copy of my book, a lure which no author can resist. Then without warning she sprung a new one on me. I confess I laughed out loud. Then I thought it over and made some experiments with my own signature, and—well, what I found out rather staggered me!"

"Go on!" said the Judge.

"The lady had asked me—would it be possible for a man to *forge his own handwriting?* By that I mean, to write his name so that it would present all the typical signs of having been forged. And so help me, it is!"

The courtroom was hushed. "Now does this begin to tie up?" Malone whispered to Mr. Dade. Then he turned to the expert. "And is that what happened in this case, in your opinion?"

"Well, it could have, certainly. But—"

"That's enough!" Malone boomed. "It was a fiendish frame! *De mortuis* and all that, but I submit to you that Paul Bedford, intent on getting rid of a girl whom he had wronged and who was a perpetual menace to him, *forged his own name* on a check and mailed it to her so he could have her arrested and sent off to prison! Paul Bedford is the real villain in this case!"

"You can't speak those lies about my brother!" screamed Doris.

Miss Withers decided it was time to leap in. "I happen to know where Bedford picked up his knowledge of handwriting. He collected autographs of the signers of the Declaration of Independence, among them a disputed Button Gwinnett signature that was the subject of a book which is in most public libraries—*The Gwinnett Letter and Other Queers*. Naturally it goes into the forgery question rather thoroughly."

"My brother never went *near* a public library!"

"Perhaps not, Miss Bedford. But since the book was about something in his own collection, I thought it likely he'd own a copy."

"Well, he didn't!" The thin woman was almost at her wits' end.

"I suggest that you go back home to Winnetka and look on the shelf just under the big window in your brother's study. Third from the north end—a slim red book. I have it on excellent authority, though I'm not at liberty to say whose."

Doris Bedford opened her mouth, gasping like a fish, but no words came. Harbin Hamilton was also silent. The Judge's prune-like face broke into an expression of utter rapture. "I'm going to write my memoirs, and get this in," he announced, sighing happily.

But the Assistant District Attorney was shaking his head. "Yes, Your Honor. All very interesting. But all this isn't proof—it isn't even evidence. Mr. Salter only says that it *could* have happened—nobody can differentiate between an actual forgery and a simulated one! I believe he was going on to say that when he was interrupted by our enthusiastic friend here."

Malone shrugged, obviously an archer who had shot all his bolts. "Is that all you have to tell us, Mr. Salter?" he said slowly.

The expert shook his head. "I was just going to call your attention to the signature again," he said. "See here? This—and this—and this are the pulse beats—little jumps. Except that the markings in this case are unusually irregular."

"Irregular!" echoed Malone. "The pulse—that's the heartbeat!

Who would be more likely to have an irregular heartbeat that a man who had heart trouble?"

"And what would be more natural than for a man with a cardiac condition to have it show strongly when he was tense and engaged in committing a crime!" added Miss Withers. "Isn't that so, Mr. Salter?"

"Well—" said the expert. "I never heard of diagnosing cardiac trouble by studying handwriting, but – I guess I'll have to run a string of tests and maybe revise my book."

"Your move, Mr. Dade," said Malone. He began whistling *St. James Infirmary* under his breath.

Harbin Hamilton tried once more. "This isn't evidence!"

"And court is not in session," snapped the Judge. "I wish it were, so I could fine you for contempt! Mr. Dade?"

The room was by now in a turmoil, and Malone and Miss Withers were almost dancing a jig. The Assistant District Attorney's face was in something of a turmoil too—a study in mixed emotions. "I—I'll admit that the provocation seems to have been most unusual," he said. "My learned friend here has just about ruined Mr. Hamilton's case back in Chicago, I'd say. But we are faced with the fact that a man was killed—"

"He died accidentally!" Malone pointed out quickly.

"Under the circumstances," continued Dade, "I think we can agree on a lesser charge in this case. Maybe manslaughter. Maybe someth—"

"Make it anything at all!" Malone challenged. "Come now, Mr. Dade. After what Bedford pulled on Nancy Jorgens, do you honestly dare to go before a jury because he dropped dead when she tried to scare him? They wouldn't leave the box, and you know it!"

"And as for me," said His Honor, "I'll guarantee that, no matter what charge is brought, I'll release the prisoner here on her attorney's own recognizance until the trial, if the wheels of justice have to be gummed up with a trial at all!" He beamed paternally at Nancy, whose eyes were shining. The gavel cracked again. "Court is in session!"

Everybody came to attention.

"Your Honor," said Mr. Dade resignedly but not too unhappily, "in the case of *The People versus Jorgens and Malone* the prosecution drops all charges against the defendants."

There was a buzz through the courtroom. "Release the prisoners," ordered Judge Winston. "Or is there still a charge against them?"

Harbin Hamilton drew himself up to his full height. "No there isn't!" he roared. "But I'd like five minutes in which to express my opinion of the way court is conducted here, and—"

"You are in contempt," said the Judge gleefully. "One hundred dollars, or ten days!" He smacked his gavel down so hard it broke.

Which made Malone's day almost perfect. It was all over, or almost. Nancy's release would be within the hour; presumably they were sending out for some clothes for her so she wouldn't stop all downtown Los Angeles traffic. Miss Withers and John J. Malone went down the corridor, arm in arm. "You know," he said, "you were wonderful, Hildy—you and your brain-storming!"

"It was you who gave me the idea about the forgery while we were running wild with our crazy guesses, when you said maybe Bedford was the murderer and killed himself! He didn't commit that crime, but he did commit the other!"

"So we wind up with no murder and no murderer," Malone grinned.

"Isn't that all right—in a love story?" She broke off as they ran into Doris Bedford and Harbin Hamilton, waiting for an elevator. It was one of those moments—and then the Chicago D.A. stepped forward and held out his hand, smiling a smile that must have hurt. Another nominee for Academy acting honors, Miss Withers thought.

"No hard feelings, Malone?"

"Believe me, it's a pleasure—" Malone began. But Doris Bedford forced herself between them.

"Don't think I'm not going to see my lawyer—" she blurted out.

"My lawyer can lick your lawyer any day in the week!" snapped Miss Withers, proudly clinging to Malone's arm. "And just to make your day complete, Miss Bedford, may I remind you to notify your bank to honor that check?"

"Wait a minute!" Hamilton protested. "No check written by a deceased person can be honored—"

"Correction," said Malone. "The check was presented to the bank while Bedford was still alive. They've got to pay, or face suit." At that moment the elevator arrived, and Miss Withers and the little lawyer got in, leaving the other two playing statues. "Wait until I tell Nancy this!" gloated Malone.

"I'm not waiting," Hildegarde said firmly. "You two have a right to be alone in your big moment."

"But I'm not good enough for her," Malone said, surprisingly. "Look, Hildegarde—if I do get up nerve enough to propose to her, you gotta be there!"

"It had better be matrimony that you propose," Miss Withers warned him. "And don't think I won't be there, complete with shotgun!"

—Continued from Back Cover

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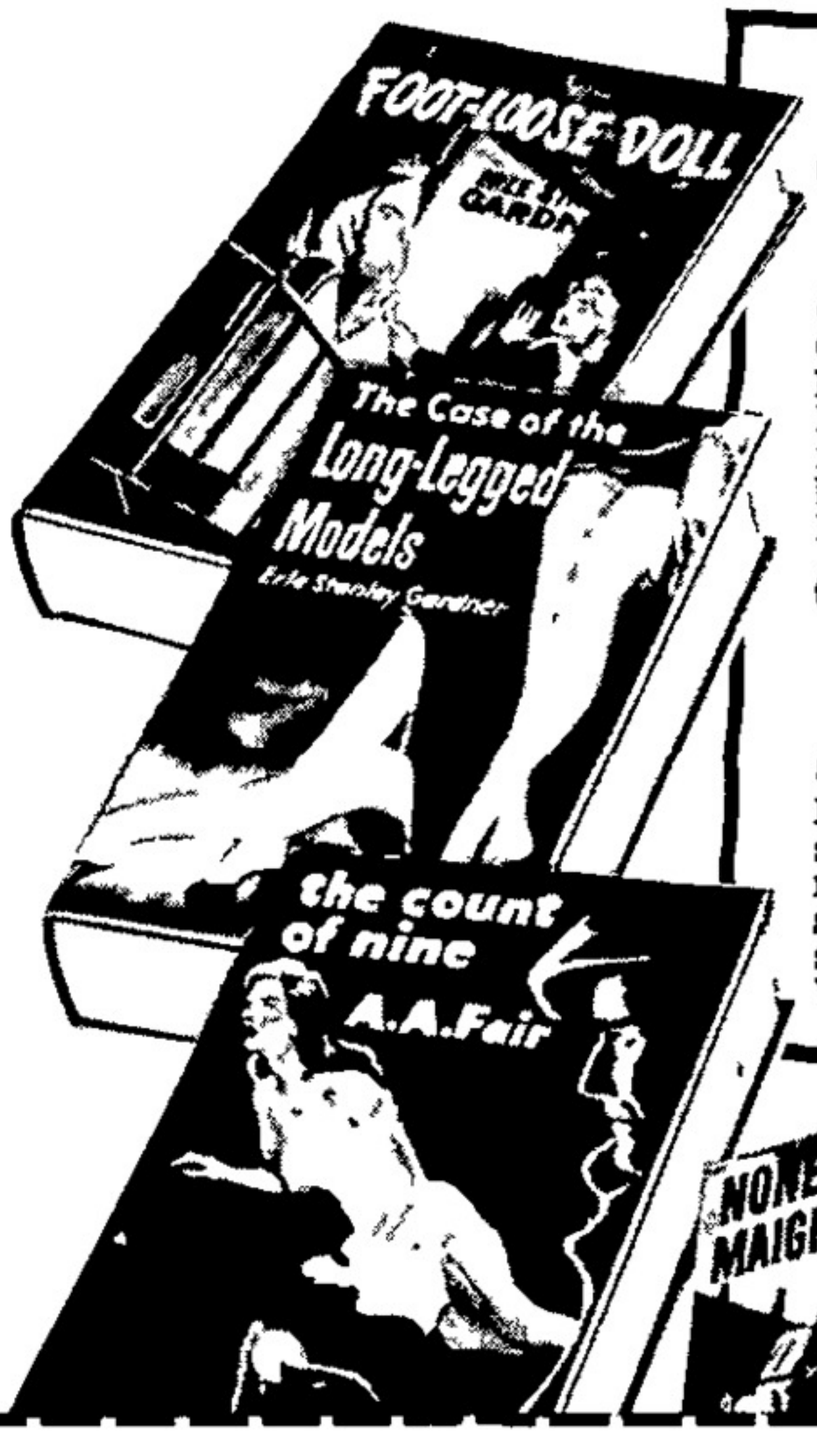

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