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LAWRENCE E. SPIVAK, *Publisher* • ELLERY QUEEN, *Editor*

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ELLERY QUEEN'S MYSTERY MAGAZINE

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by ADAM HOBHOUSE

It was a swell party. Good food, excellent liquor, fast driving all night over Long Island's smooth roads, swimming in the moonlight, more liquor, liquor. . . .

"Then you don't remember anything about last night?" Danny asked. "Anything at all?"

"Baby, I don't remember anything," Betty said. She was looking at Carlotta and me. "Say, what's the matter with you two? You look as if you were at a funeral. . . ."

". . . in the Dashiell Hammett manner."

—Springfield Republican

HOW A NEW EDITORIAL POLICY WAS BORN

Your Editor remembers the day well: a bleak, dreary, hard-snowing day in October 1946. We were ill in bed — "suffering from such a filthy cold that [we] could barely see." To pass the long and weary hours, between nose-sprays and aspirin and gargles, we tried to catch up on our reading, and it was while we were thumbing through a Bechhofer Roberts' paperback about detective A. B. C. Hawkes that we noticed a provocative advertisement on the inner front wrapper: the publisher, Hodder and Stoughton, announced a new thriller — Carter Dickson's THE THIRD BULLET. *Now that was a strange title for a Carter Dickson story — that is, strange to us. We thought we knew all the Carter Dickson-John Dickson Carr titles pretty well — but* THE THIRD BULLET *struck no responsive chord in our memory. Probably, we thought, the English title of a Carter Dickson book published in America under some other title altogether. We lay back and puzzled — it would get our mind off sniffling and coughing if we could identify* THE THIRD BULLET *under its American title. What story by Carter Dickson-John Dickson Carr had as its basic theme "a third bullet"? We just couldn't think of one. Was it possible, we asked ourselves, that* THE THIRD BULLET *was never published in the United States? Most unlikely — surely all the Dickson-Carr books have had both London and New York publications. But now a sense of excitement was making us forget our chills and fever — indeed, a different kind of chills and fever was taking hold of us, prickling our skin, throwing us into an anticipatory sweat. Hunch? Premonition? Maybe — but one of those million-to-one shots-in-the-dark that cannot be thrust aside.*

So we got out of bed, put on dressing gown and slippers, rubberlegged to the telephone — and cabled John. And in less than twenty-four hours came the reply — our long-shot had galloped home a winner! And within a week an airmail letter from John gave us full details. "You are right," were John's welcome words, "the story called THE THIRD BULLET *was never published in the United States. I never mentioned it because I had forgotten all about it. Nearly ten years ago Hodder and Stoughton conceived the idea of publishing novels as 'new-at-ninepence' and commissioned me to write one. I remember* THE THIRD BULLET *as being not a bad story at all — a locked room — though there's no use for it now. The odd thing is that the detective, who is a C.I.D. Assistant Commissioner, was named Colonel Marquis, and was probably a mental forerunner of Colonel March who began to appear a couple of years later in 'Strand'*

magazine and finally achieved a book of his own — you know, THE DEPARTMENT OF QUEER COMPLAINTS.

"THE THIRD BULLET *is the only story I ever did about Marquis, though I still have a lingering affection for him. He is on the lean and Machiavellian order, with flamboyant speech."*

A miracle! Imagine turning up a brand-new Carter Dickson-John Dickson Carr full-length, completely unknown to American fans and aficionados! The fact that THE THIRD BULLET *was not a short story had evidently ruled it out in John's mind as a possibility for EQMM — that is why he wrote "there's no use for it now." But John had not reckoned with your Editor: we had no intention of letting an "unknown" Dickson-Carr story slip through our fingers — our cold was not so bad that it had completely stolen our wits! Any way you looked at it, we simply owed it to our readers to bring them so breath-taking a discovery. But how? It is not EQMM's editorial policy to publish full-length novels. On the other hand, we would not dream of cutting a 50,000-word novel to a short story (although, as everyone knows, it has been done in other magazines). Then how? Simple enough: inaugurate a new editorial policy!*

So now, from time to time, we shall bring you detective novels complete in one issue. We shall select only the unusual in this field and not feel bound to keep any regular schedule of appearance. Perhaps a whole year will pass before we make another important discovery in the novel length, but as a supplementary part of this new editorial policy we shall also publish detective and crime novelettes, each complete-in-one-issue. The series of novelettes will start next month with a Nero Wolfe thriller by Rex Stout, to be followed by 20,000-to-25,000-word stories by Vera Caspary, Erle Stanley Gardner, Dashiell Hammett, and other topflight authors.

THE THIRD BULLET

by JOHN DICKSON CARR

ON THE EDGE of the Assistant Commissioner's desk a folded newspaper lay so as to expose a part of a headline: *Mr. Justice Mortlake Murdered . . .* On top of it was an official report-sheet covered with Inspector Page's trim handwriting. And on top of the report-sheet, trigger-guard to trigger-guard, lay two pistols. One was an Ivor-Johnson .38 revolver. The other was a Browning .32 automatic.

Though it was not yet eleven in the morning, a raw and rainy day looked in at the windows over the

Embankment, and the green-shaded lamp was burning above the desk. Colonel Marquis, the Assistant Commissioner of Metropolitan Police, leaned back at ease and smoked a cigarette with an air of doing so cynically. Colonel Marquis was a long, stringy man whose thick and wrinkled eyelids gave him a sardonic look not altogether deserved. Though he was not bald, his white hair had begun to recede from the skull, as though in sympathy with the close cropping of the gray mustache. His bony face was as unmistakably of the Army as it was now unmistakably out of it; and the reason became plain whenever he got up — he limped. But he had a bright little eye, which was amused.

"Yes?" he said.

Inspector Page, though young and not particularly ambitious, was as gloomy as the day outside.

"The Superintendent said he'd warn you, sir," John Page answered. "I'm here with two purposes. First, to offer you my resignation ——"

Colonel Marquis snorted.

"—— and second," said Page, looking at him, "to ask for it back again."

"Ah, that's better," said the Assistant Commissioner, "why the double offer?"

"Because of this Mortlake case, sir. It doesn't make sense. As you can see by my report. . . ."

"I have not read your report," said the Assistant Commissioner. "God willing, I do not intend to read your report. Inspector Page, I am bored; bloody bored; bored stiff and green. And this Mortlake case does not appear to offer anything very startling. It's unfortunate, of course," he added rather hurriedly. "Yes, yes. But correct me if I am wrong. Mr. Justice Mortlake, recently retired, was a judge of the King's Bench Division, officiating at the Central Criminal Court. He was what they call the 'red judge,' and sat in Courtroom Number One on serious offenses like murder or manslaughter. Some time ago he sentenced a man called White to fifteen strokes of the cat and eighteen months' hard labor for robbery with violence. White made threats against the judge. Which is nothing new; all the old lags do it. The only difference here is that, when White got out of jail, he really did keep his threat. He came back and killed the judge." Colonel Marquis scowled. "Well? Any doubt about that?"

Page shook his head. "No, sir, apparently not," he admitted. "*I* can testify to that. Mortlake was shot through the chest yesterday afternoon at half-past five. Sergeant Borden and I practically saw the thing done. Mortlake was alone — with White — in a sort of pavilion on the grounds of his house. It is absolutely impossible for anyone else to have reached him, let alone shot him. So, if White didn't kill him, the case is a monstrosity. But that's just the trouble. For if White did kill him — well, it's still a monstrosity."

Colonel Marquis's rather speckled

face was alight with new pleasure. "Go on," he said.

"First of all, to give you the background," said Page. He now uncovered the newspaper on the front page of which was a large photograph of the dead judge in his robes. It showed a little man dwarfed by a great flowing wig. Out of the wig peered a face with a parrot-like curiosity in it, but with a mildness approaching meekness. "I don't know whether you knew him?"

"No. I've heard he was active in the Bar Mess."

"He retired at seventy-two, which is early for a judge. Apparently he was as sharp-witted as ever. But the most important point about him was his leniency on the bench — his extreme leniency. It is known, from a speech I looked up, that he disapproved of using the cat-o'-nine tails even in extreme cases."

"Yet he sentenced this fellow White to fifteen of the best?"

"Yes, sir. That's the other side of the picture, the side nobody can understand." Page hesitated. "Now, take this fellow Gabriel White. He's not an old lag; it was his first offense, mind you. He's young, and handsome as a film-actor, and a cursed sight too artistic to suit me. Also, he's well educated and it seems certain that 'Gabriel White' isn't his real name — though we didn't bother with that beyond making sure he wasn't in the files.

"The robbery-with-violence charge was a pretty ugly business, *if* White was guilty. It was done on an old woman who kept a tobacconist's shop in Poplar, and was reputed to be a very wealthy miser: the old stuff. Well, someone came into her shop on a foggy evening, under pretense of buying cigarettes — bashed up her face pretty badly even after she was unconscious — and got away with only two pound-notes and some loose silver out of the till. Gabriel White was caught running away from the place. In his pocket was found one of the stolen notes, identified by the number; and an unopened packet of cigarettes, although it was shown he did not smoke. His story was that, as he was walking along, somebody cannoned into him in the fog, stuck a hand into his pocket, and ran. He thought he was the victim of a running pickpocket. He automatically started to run after the man, until he felt in his pocket and found something had been *put* there. This was just before a constable stopped him."

Again Page hesitated.

"You see, sir, there were several weak points in the prosecution. For one thing, the old woman couldn't identify him beyond doubt as the right man. If he'd had competent counsel, and if it hadn't been for the judge, I don't think there's much doubt that he'd have been acquitted. But, instead of taking any one of the good men the court was willing to appoint to defend him, the fool insisted on defending himself. Also, his manner in court wasn't liked. And the judge turned dead against him.

Old Mortlake made out a devilish case against him in his charge to the jury, and practically directed them to find him guilty. When he was asked whether he had anything to say why sentence should not be passed against him, he said just this: '*You are a fool, and I will see you presently.*' I suppose that could be taken as a threat. All the same, he nearly fainted when Mortlake calmly gave him fifteen strokes of the cat."

The Assistant Commissioner said: "Look here, Page, I don't like this. Weren't there grounds for an appeal?"

"White didn't appeal. He said nothing more, though they tell me he didn't stand the flogging at all well. But the trouble is, sir, that all opinions about White are conflicting. People are either dead in his favor, or dead against him. They think he's a thoroughly wronged man, or else a thorough wrong 'un. He served his time at Wormwood Scrubs. Now, the governor of the prison and the prison doctor both think he's a fine type, and would back him anywhere. But the chaplain of the prison, and Sergeant Borden (the officer who arrested him) both think he's a complete rotter. Anyway, he was a model prisoner. He got the customary one-sixth of his sentence remitted for good behavior, and he was released six weeks ago — on September 24th."

"Still threatening?"

Page was positive of this. "No, sir. Of course, he was on ticket-of-leave and we kept an eye on him. But everything seemed to be going well until yesterday afternoon. At just four o'clock we got a 'phone message from a pawnbroker that Gabriel White had just bought a gun in his place. This gun."

Across the table Page pushed the Ivor-Johnson .38 revolver. With a glance of curiosity at the little automatic beside it, Colonel Marquis picked up the revolver. One shot had been fired from an otherwise fully loaded magazine.

"So," Page went on, "we sent out orders to pick him up — just in case. But that was no sooner done than we got another message by 'phone. It was from a woman, and it was pretty hysterical. It said that Gabriel White was going to kill old Mortlake, and couldn't we do anything about it? It was from Miss Ida Mortlake, the judge's daughter."

"H'm. I do not wish," observed the other, with a sour and sardonic inflection, "to jump to conclusions. But are you going to tell me that Miss Ida Mortlake is young and charming; that our Adonis with the painful name, Gabriel White, is well acquainted with her; and that the judge knew it when he issued that whacking sentence?"

"Yes, sir. But I'll come to that in a moment. As soon as that message came in, the Superintendent thought I had better get out to Hampstead at once — that's where the Mortlakes live. I took along Sergeant Borden because he had handled White before. We hopped into a police car and got out there in double time.

"Now, the lay of the land is important. The house has fairly extensive grounds around it. But the suburbs round Hampstead Heath have grown in such a way that houses and villas crowd right up against the grounds; and there's a stone wall, all of fifteen feet high, round the judge's property.

"And there are only two entrances: a main carriage-drive, and a tradesman's entrance. The first is presided over by an old retainer, named Robinson, who lives at a lodge just inside. He opened the gates for us. It was nearly half-past five when we got there, and almost dark. Also, it was raining and blowing in full November style.

"Robinson, the caretaker, told us where the judge was. He was in a pavilion, a kind of glorified outbuilding, in a clump of trees about two hundred yards from the house. It's a small place: there are only two rooms, with a hallway dividing them. The judge used one of the rooms as a study. Robinson was sure he was there. It seems that the judge was expecting an old crony of his to tea; and so, about half-past three, he had 'phoned Robinson at the lodge-gates. He said that he was going from the house across to the pavilion; and when the crony showed up, Robinson was to direct the visitor straight across to the pavilion.

"Borden and I went up a path to the left. We could see the pavilion straight ahead. Though there were trees round it, none of the trees came within a dozen feet of the pavilion, and we had a good view of the place. There was a door in the middle, with a fanlight up over it; and on each side of the door there were two windows. The two windows to the right of the door were dark. The two windows of the room to the left, though they had heavy curtains drawn over them, showed chinks of light. Also, there was a light in the hall; you could see it in that glass pane up over the top of the door. And that was how we saw a tall man duck out of the belt of trees towards the right, and run straight for the front door.

"But it wasn't all. The rain was blowing straight down the back of our necks, and there was a good deal of thunder. The lightning came just before that man got his hand on the front door. It was a real blaze, too. For a couple of seconds the whole place was as dead-bright as a photographer's studio. As soon as we had seen the man duck out from the trees, Borden let out a bellow. The man heard us, and he turned round.

"It was Gabriel White, right enough; the lightning made no doubt of that. And when he saw us, he took that revolver out of his pocket. But he didn't go for us. He opened the door of the pavilion, and now we could see him fully. From where we were standing (or running, now) we could see straight down the little hall inside; he was making for the door to the judge's study on the left.

"We started running — Borden

was well ahead of me — and Borden let out another bellow as loud as Doomsday.

"That was what brought the judge to the window. In the room on the left-hand side Mr. Justice Mortlake drew back the curtains of the window nearest the front door and looked out. I want to emphasize this to show there had been no funny business or hocus-pocus. It was old Mortlake: I've seen him too many times in court, and at this time he was alive and well. He pushed up the window a little way and looked out; I saw his bald head shine. He called out, 'Who's there?' Then something else took his attention away from the window. He turned back into the room.

"What took his attention was the fact that Gabriel White had opened the hall-door to his study, had run into the study, and had turned the key in the lock as he went through. Sergeant Borden was on White's tail, but a few seconds too late to get him before he locked the door. I saw that *my* quickest way into the study, if I wanted to head off anything, would be through that window — now partly open. Then I heard the first shot.

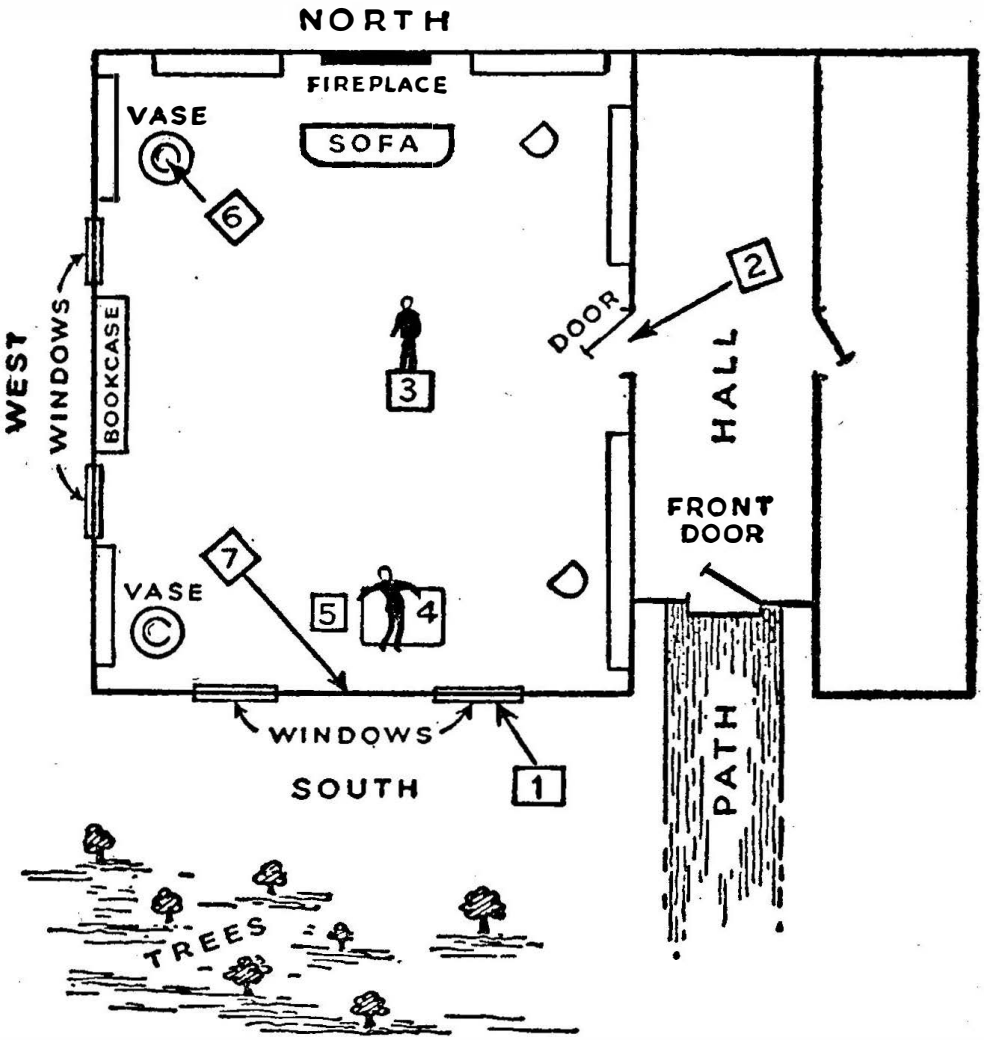
"Yes, sir: I said the *first* shot. I heard it when I was about twenty running paces away from the window. Then, when I was ten paces from the window, I heard the second shot. The black curtains were only partly drawn and I couldn't see inside until I had drawn level with the window.

"Inside, a little way out and to my left, old Mortlake was lying forward on his face across a flat-topped desk. In the middle of the room Gabriel White stood holding the Ivor-Johnson revolver out stiffly in front of him, and looking stupid. He wasn't savage, or defiant, or even weepy; he'd only got a silly sort of look on his face. Well, sir, the only thing for me to do was to climb through the window. There wasn't much danger in it. White paid no attention to me and I doubt if he even saw me. The first thing I did was to go over and take the gun out of White's hand. He didn't resist. The next thing I did was to unlock the door leading into the hallway — Borden was still hammering at it outside — so that Borden could get in.

"Then I went to the body of Mr. Justice Mortlake.

"He was lying on his face across a big writing table. From the ceiling over the desk hung a big brass lamp shaped like a Chinese dragon, with a powerful electric bulb inside. It poured down a flood of light on the writing desk, and it was the only light in the room. At the judge's left hand was a standing dictaphone, with its rubber cover off. And the judge was dead, right enough. He had been shot through the heart at fairly close range, and death had been almost instantaneous. There had been two shots. One of the bullets had killed him. The other bullet had smashed the glass mouth of the speaking tube hung on the dictaphone, and was embedded in the wall behind him. I dug it out later.

PLAN OF STUDY IN PAVILION



1. Window by which Inspector Page entered.
2. Door outside which Sergeant Borden stood.
3. Where White was standing when police entered.
4. Position of body across writing table.
5. Dictaphone.
6. Vase in which Browning .32 automatic was found.
7. Arrow shows position in wall where bullet from Ivor-Johnson .38 revolver lodged.

"If you look at the plan I've drawn, you will get a good general idea of the room. It was a large, square room, furnished chiefly with bookcases and leather chairs. There was no fireplace, but in the north wall a two-bar electric fire (turned on) had been let into the wall. In the west wall there were two windows. (But both of these windows were locked on the inside; and in addition, their heavy wooden shutters were also locked on the inside.) In the south wall there were two windows. (But this was the side by which I had entered myself. One of these windows was locked and shuttered; the other, through which I climbed, I had kept under observation the whole time.) There was only one other exit from the room — the door to the hall. (But this door had been under the observation of Sergeant Borden from the moment White ran inside and locked it.)

"Of course, sir, all this was routine. We knew the answer. We had White in a closed circle with his victim. Nobody else could have escaped from that room. Nobody was hiding there when we entered; as a matter of routine, we searched that room thoroughly. Gabriel White had fired two bullets, one of which had killed the old man, and the other had missed him and stuck in the wall. It was all smooth, easy sailing — until it occurred to me, purely as routine, to break open the Ivor-Johnson revolver and look at the magazine."

"Well?" inquired Colonel Marquis.

"Well," Inspector Page said grimly, "*only one bullet had been fired from White's gun.*"

That his chief was enjoying this, Page had no doubt. Colonel Marquis had sat up straighter; and his speckled shiny face had grown less sardonic.

"Admirable," he said, lighting another cigarette. "What I like, inspector, is your informal style of making a report."

Page was never certain how to take the man, but he went at it with a grin.

"Frankly, sir, we couldn't believe our eyes. The gun was just as you see it now: fully loaded except for one exploded cartridge-case. Theoretically, of course, he *might* have walked into that room and fired one bullet; then he might have carefully opened the magazine, extracted the spent cartridge-case, put in another bullet in its place, and fired that — leaving the magazine as we found it."

"Rubbish," said Colonel Marquis.

"Yes, sir. Why should anybody have done such a crazy trick as that, when the magazine was full to begin with? Besides, he couldn't have done it. In that case, there'd have been an extra shell to account for — the cartridge-case of the first bullet — and it wasn't anywhere in the room or on his person. We made sure of that."

"What did the accused say?"

Page took a notebook out of his pocket and got the right place.

"I'll read you his testimony verbatim," Page said, "although he was in pretty bad shape and what he said

wasn't any more coherent than the rest of this business. First, I warned him that anything he said would be taken down and might be used in evidence. And here it is:

Q. So you shot him after all?
A. I don't know.
Q. What do you mean, you don't know? You don't deny you shot him?
A. I shot *at* him. Then things all went queer. I don't know.
Q. And you shot at him twice?
A. No, I didn't. So help me God, I didn't. I only shot at him once. I don't know whether I hit him; but he didn't fall or anything.
Q. Are you trying to tell me there was only one shot?
A. No, no, there were two shots right enough. I heard them.
Q. Which one of them did you fire?
A. The first one. I shot at the old swine as soon as I got in here. He was just turning round from that window and he put out his hands towards me and I shot at him.
Q. Do you mean that there was somebody in here who fired a second shot?
A. I don't know.
Q. Well, did you see anybody else in here?
A. No. There isn't any light except that one directly over the desk, and I couldn't see.
Q. Do you mean to say that if somebody let off a gun in this room right under your nose, you wouldn't see the man or the gun or anything else?
A. I don't know. I'm just telling you. I shot at the old swine and he didn't fall. He started to run over to the other window to get away from me, and shouted at me. Then I heard another shot. He stopped, and put his hands up to his chest, and took a couple of steps forward again, and fell over, on his face across that table.
Q. What direction did this shot come from?
A. I don't know.

"I had just asked him this question when Sergeant Borden made a discovery. Borden had been prowling over along the west wall, near those two enormous yellow porcelain vases. They were standing in the two corners of the room along that wall (*see the plan*). Borden bent over beside one of them, in the northwest angle of the wall. And he picked up a spent cartridge-case.

"At first, of course, Borden thought it was the shell we were looking for out of the Ivor-Johnson revolver. But as soon as I glanced at it I saw it wasn't. It was a shell ejected from a .32 automatic. And then we looked inside that vase and we found this."

Again grinning wryly, Page pushed across the table the Browning .32 automatic.

"This pistol was lying at the bottom of the vase, where somebody had dropped it. The vase was too high to reach down inside with an arm. But the judge had brought an umbrella to the pavilion; we found it leaning up against the wall in the hall, so we reached down and fished out the gun with the crook of the umbrella.

"By the smell of the barrel I could tell that the Browning .32 had been fired within the last few minutes. One bullet was missing from the clip. The cartridge-case from that bullet (our firearms expert swears to this) was the one we found lying beside the vase. The cartridge-case, when I touched it, was still very faintly warm: in other words, sir, it had been fired within the last few seconds."

Page tapped one finger on the edge of the desk.

"Consequently, sir," he said, "there is absolutely no doubt that a second shot was fired from that Browning automatic; that it was fired by somebody *inside the room;* and that afterwards somebody dropped the gun into that vase."

"Which bullet killed him?"

"That's the point, sir; we don't know."

"You don't know?" repeated the other sharply. "I should think it would be fairly easy. There were two bullets, a .38 revolver and a .32 automatic. One of them was, to put it in an undignified way, in the judge; the other was in the wall. You tell me you dug out the one in the wall. Which was it?"

From his pocket Page took a labeled envelope and shook out of it a lead pellet which had been flattened and partly chipped.

"This was in the wall," he said. "It's a brick wall and the bullet's been splintered a little. So we can't go entirely by weight — that is, not beyond any doubt. I'm almost certain this is the .38 bullet from White's revolver. But it can't be put into record until I get the post-mortem report from Dr. Blaine and get my claws on the one in the judge's body. Dr. Blaine is doing the post-mortem this morning."

Colonel Marquis's expression became a broad grin, changing to extreme gravity.

"You are thorough, Inspector," he said. "All the same, where do you think we stand? If that bullet turns out to be the .38 revolver, then Gabriel White fired and missed. So far, so good. But what happened afterwards? Not more than a few seconds afterwards, according to your story, someone blazed away with the Browning automatic and killed Mr. Justice Mortlake. By the way, were there fingerprints on the Browning?"

"No, sir. But then White was wearing gloves."

Colonel Marquis raised his eyebrows. "I see. You think White may have fired both shots after all?"

"I think it's a possibility. He may have come to the pavilion equipped with two guns and done all that funny business as a deliberate blind, to make us think that the second shot which really killed the judge was fired by somebody else. And yet ——"

"It's a very large 'and yet,'" grunted the other. "I agree. If he had indulged in any such elaborate hocus-pocus as that, he would have taken good care to see that the room wasn't sealed up like a box; he wouldn't have taken such precautions to prove that nobody else *could* have fired the shot. His actions, in blazing away directly under the noses of the police, sound more like a deliberate bid for martyrdom. That's reasonable enough; there are plenty of cranks. But the use of two pistols, under such circumstances, would be rank insanity. Whether Gabriel White is a crank or whether he isn't, I presume you don't think he is three times

madder than a March hare."

Page was disturbed. "I know, sir. Also, they talk about 'acting,' but I would be willing to swear that the expression on White's face — when I looked through that window — was absolutely genuine. There isn't an actor alive who could have managed it. The man was staggered with surprise — half out of his wits at what he saw. But there it is! What else can we believe? The room was, as you say, sealed up like a box. So White must have fired both shots. Nobody else could have done it."

"You don't see any alternative?"

"Yes, sir," said Page. "I do."

"Ah, I hoped you would," said Colonel Marquis. "Well?"

"There's the possibility that White might be shielding somebody. For instance, suppose somebody else had been in that room, armed with the Browning. White fires, and misses. X, the unknown, fires and rings the bell. Whereupon — the police being at the door — X hops out one of the windows in the west wall, and White locks the windows and the shutters after X has gone."

He raised his eyes and the other nodded.

"Yes. Let's suppose, just for the sake of argument," said Colonel Marquis, "that White didn't kill the judge after all. Let's have a little personal information. Was anyone else interested in killing him? What about his household or his friends?"

"His household is small. He's a widower; he married rather late in life and his wife died about five years ago. He leaves two daughters — Carolyn, the elder (twenty-eight), and Ida, the younger (twenty-five). Aside from servants, the only other member of the household is an old man by the name of Penney: he's been the judge's legal clerk for years, and was taken into the house after the judge's retirement to help Mortlake on his book about 'Fifty Years at Bench and Bar,' or some such thing ——"

"Inevitable, of course," said the colonel. "What about friends?"

"He's got only one close friend. You remember my telling you, sir, that a crony of the judge was expected to come to tea yesterday afternoon and the judge sent word that he should come over to the pavilion as soon as he arrived? That's the man. He's a good deal younger than Mortlake. You may be interested to know that he's Sir Andrew Travers — the greatest criminal lawyer of 'em all. He's upset more than one of our best-prepared cases."

The Assistant Commissioner stared.

"I *am* interested," he said. "Travers. Yes. I don't know him personally, but I know a good deal about him. So Travers was invited to tea yesterday. Did he get there?"

"No. He was delayed; he 'phoned afterwards, I understand."

Colonel Marquis reflected. "What about this household? I don't suppose you've had a chance to interview all of them; but one lead stands and shines. You say that the younger daughter, Ida, got in touch with you

and told you Gabriel White was going to kill her father; you also think she knew White personally?"

"Yes, sir. I've seen Miss Ida Mortlake. She's the only one of the household I have seen, because both Miss Carolyn Mortlake and Penney, the clerk, were out yesterday afternoon. You want my honest opinion of her? Well, she's grand," said Page, dropping into humanity with such violence that Marquis blinked.

"Do you mean," asked the other, "that she has the grand manner, or merely what I think you mean?"

"Grand manner? Far from it. I mean I'd back her against any field," replied Page. He could admit how much he had been impressed. He remembered the big house in the park, a sort of larger and more ornate version of the pavilion itself; and Ida Mortlake, white-faced, coming down the stairs to meet him. "Whatever happened at the pavilion," he went on, "it's certain she had nothing to do with it. There's nothing hardboiled or modern about her. She's fine."

"I see. Anyhow, I take it you questioned her? You asked her about her association with White, if there was any association?"

"The fact is, sir, I didn't question her too closely. She was rather upset, as you can imagine, and she promised to tell me the whole story today. She admitted that she knew White, but she knows him only slightly and acknowledges that she doesn't particularly like him. I gather that he'd been attentive. She met him at a studio party in Chelsea. Studio parties seem to be a craze of the elder daughter, who appears to be along the hardboiled line. On this occasion Ida Mortlake went along and met ——"

Whenever there appeared on Colonel Marquis's face a wolfish grin, as happened now, it seemed to crackle the face like the skin of a roast pig. He remained sitting bolt upright, studying Page with a bleak eye.

"Inspector," he said, "your record has been good and I will refrain from comment. I say nothing against the young lady. All I should like to know is, why are you so certain she couldn't have had anything to do with this? You yourself admitted the possibility that White might be shielding somebody. You yourself admitted that there might have been somebody else in the room who got out of a window after the shot was fired, and that White might have locked the window afterwards."

"Did I?" said Page, glad to hit back at the old so-and-so. "I don't think I said that, Colonel. I considered it. I also found, later, that it wouldn't work."

"Why?"

"Before and after the shots I had the two south windows under my eye. Nobody came out of either window at any time. Borden was watching the door. The only remaining way out would be one of the west windows. But we learned from Robinson, the gatekeeper, that neither of the west windows had been touched for over a year. It seems that those

two windows were loose in the frame and let in bad draughts. The judge used that pavilion, as a rule, only in the evening; and he was afraid of draughts. So the windows were always locked and the shutters always bolted into place outside them. You see, when Borden and I came to examine them, the locks were so rusted that it took our combined strength to budge them. The shutters outside the windows had their bolts so rusted from exposure that we couldn't move them at all. So that's definitely o-u-t."

Colonel Marquis used an unofficial word. "So we come directly round in a circle again?"

"I'm afraid so, sir. It really does seal the room up. Out of four sides of a square, one was a blank wall, one was impregnable with rusted bolts, and the other two were watched. We have got to believe Gabriel White fired both those shots — or go crazy."

The telephone on the Assistant Commissioner's desk rang sharply. Colonel Marquis, evidently about to hold forth on his refusal to go crazy, answered it with some annoyance; but his expression changed. He put a hand over the mouthpiece of the 'phone.

"Where is White now? You're holding him, naturally?"

"Naturally, sir. He's downstairs now. I thought you might like to have a talk with him."

"Send them both in," Marquis said to the telephone, and hung up in some satisfaction. "I think," he went on to Page, "it will be a good idea, presently, to confront everybody with everybody else. And I am very curious to form my own opinion of this saint-martyr, or rotter-murderer, Mr. Gabriel White. But at the moment we have visitors. No, don't get up. Miss Ida Mortlake and Sir Andrew Travers are on their way in."

Though Page was afraid he might have pitched it too strongly in his description of Ida Mortlake, her appearance reassured him. Seen now for the second time, she was a slender girl with a coolness and delicacy like Dresden china. Though she was rather tall, she did not seem tall. Her skin was very fair, her hair clear yellow under a black close-fitting hat with a short veil, her eyes blue; and she had a smile capable of loosening Page's judgment. She wore a mink coat which Page — who had been out after fur-thieves in the West India Dock Road the week before — valued at fifteen hundred guineas.

This depressed him. For the first time it occurred to him that, with the old judge out of the way, Ida Mortlake would be a very rich woman.

"Colonel Marquis?" she said, her color rising. "I thought ——"

A clearing of the throat behind her interrupted the speech, for someone towered there. Page had never seen Sir Andrew Travers without his barrister's wig and gown; yet he had the same mannerisms in private life as in a courtroom. They had become,

evidently, a part of him. Sir Andrew Travers had a massive head, a massive chest, a blue jowl, and an inscrutable eye. His wiry black hair was so thick that you expected it to be long, but it was cropped off just above the ears. He was formidable, but he was also affable. He wore a dark overcoat, through which showed a gray cravat; and he formally carried top hat and gloves. His full, rich voice compassed the room.

"In such a shocking affair, Colonel Marquis," he said, "you will readily understand Miss Mortlake's feelings. As a personal friend of poor Mortlake's, I asked the liberty of accompanying her here ——"

Page had got up hastily to stand at attention against the wall, while Marquis indicated chairs. Ida recognized him and gave him a smile. As Sir Andrew Travers lowered himself into a chair, Page seemed to see a manservant at work brushing him to give him that gloss. Sir Andrew assumed his most winning air.

"Frankly, Colonel Marquis, we are here to ask for information ——"

"Oh, *no*," said Ida. She flushed again and her eyes were bright. "It isn't that. But I do want to tell you that I can't believe Gabriel White killed father."

Travers looked slightly annoyed and Colonel Marquis was very bland. He addressed himself to Travers.

"You are familiar with the details?" he asked.

"Only, I regret to say, what I have read here," said Travers. He reached out and touched the newspaper. "You can understand," Travers went on, "that I am in a position of some delicacy. I am a barrister, not a solicitor. At the moment I am here only as a friend of Miss Mortlake. Frankly, is there some doubt of this unfortunate young man's guilt?"

The Assistant Commissioner considered. "There is," he said, "what I can only call — an *un*reasonable doubt. And therefore," Colonel Marquis went on, "would Miss Mortlake mind answering a few questions?"

"Of course not," the girl replied promptly. "That's why I'm here, although Andrew advised me not to. I tell you, I *know* Gabriel White couldn't have done it."

"Forgive the question, but are you interested in him?"

Her face became still more pink and she spoke with eagerness. "No! No, honestly I'm not: not in the way you mean, that is. In the way you mean, I think I rather dislike him, though he's been very nice to me."

"Yet you knew that he was sentenced to flogging and imprisonment for a particularly brutal case of robbery with violence."

"Yes, I knew it," she said calmly. "I know all about that. He told me. He was innocent, of course. You see, it's not in Gabriel's nature; he's too much of an idealist; a thing like that is directly opposed to all he believes in most strongly. He hates war and he hates violence of all kinds. He's a member of all kinds of societies opposed to war and violence and

capital punishment. There's one political society, called the Utopians — he says it's the political science of the future — and he's the leading member of that. You remember when he was tried, the prosecution asked what a respectable citizen was *doing* in a slum district like Poplar on the night that poor old woman was robbed? And he refused to answer. And they made quite a lot of that." She was speaking in a somewhat breathless rush. "Actually, he was going to a meeting of the Utopians. But most of their members are very poor, and a lot of them are foreigners. Gabriel said that, if he had answered, the jury would merely have thought they were a lot of anarchists. And it would only have prejudiced the case still more against him."

"H'm," said Colonel Marquis, after a pause. "How long have you known him, Miss Mortlake?"

"Oh, nearly three years, I should think. I mean, I knew him about a year before he — before they put him in prison."

"What do you know about him?"

"He's an artist."

"There is just one thing," pursued Colonel Marquis, examining his hands, "which does not seem to square with this. You are willing to swear, Miss Mortlake, that White could not have killed your father. And yet, if I understand correctly, you were the one who rang up here yesterday afternoon at four-thirty o'clock and begged for men to protect your father because White had threatened to kill him. Is that true?"

"I know I said so," answered the girl, with a sort of astounding simplicity which never turned a hair; "but, of course, I never thought he would really. I was panicky, horribly panicky. The more I thought of it, the worse it seemed — You see, I met Gabriel yesterday afternoon between three-thirty and four o'clock, I think it was. If you remember, it started to rain about four or a little past. I wasn't very far down North End Road when I saw Gabriel. He was walking along with his head down, looking like thunder. I stopped the car. At first he didn't want to speak to me. But the car was right outside a Lyons', and he said in that curt way of his, 'Oh, come in and have some tea.' We did. At first he wouldn't talk much, but at last he broke out raving against my father. He said he was going to kill him ——"

"And you weren't impressed?"

"Gabriel always talks like that," she answered. She made a slight, sharp gesture of her gloved hand. "But I didn't want a row in a public place like that. At last I said, 'Well, if you can't behave any better than this, perhaps I'd better go.' I left him sitting there with his elbows stuck out on the table. By that time it had begun to rain and lightning, and I'm frightened of storms. So I drove straight back home as soon as I'd got a book from the lending library."

"Yes?" he prompted, as she hesitated.

"Well, I warned Robinson — the

gatekeeper — not to let anybody in, anybody at all, even by the tradesman's entrance. There's a big wall all around, with jagged glass on the top. As a matter of fact, I still don't see how Gabriel got in. I went up to the house. I suppose it was the fact that there was nobody in the house, and there was a storm outside that made me get panicky and still more panicky. At last I simply grabbed the 'phone, and ——" She sat back, breathing hard. "I lost my silly head, that was all."

"Did your father know White, Miss Mortlake?" asked Marquis.

She was troubled. "Yes, I'm pretty sure he did. At least, he knew I had been — seeing Gabriel."

"And he didn't approve?"

"No; I'm sure I don't know why. He certainly never saw Gabriel in my presence."

"So you think there might have been a personal reason why he ordered a flogging? I am aware," Marquis snapped quickly, as Travers opened his mouth, "that you don't have to answer that, Miss Mortlake. Sir Andrew was going to advise you not to answer. But it strikes me the defense will need all the help it can get. In spite of your gallant words in White's favor he admits firing one of the shots. You knew that?"

The girl's blue eyes widened and the color went out of her face, leaving it soft-looking and (for a second) curiously ineffectual. She glanced at Page. "No, I didn't," she said. "But this is horrible! If he really admits doing it after all ——"

"No, he doesn't admit firing the shot that actually killed your father. That's the trouble." Colonel Marquis very rapidly gave a summary of the case. "So, you see, it seems we shall have to prosecute White or, as the inspector says, go crazy. Do you know of anyone else who might have wished to kill your father?"

"Nobody in the world," she admitted. "Quite to the contrary, everybody in public life loved him. You've heard how lenient he was. He never had any animosity from any of the people he sentenced."

"And in private life?"

This evidently surprised her. "Private life? What on earth? Certainly not! Of course," she hesitated, "sometimes — there's no harm in my saying it, is there? — sometimes he was difficult. I mean, he had splendid humanitarian principles and he was always trying to make the world better; but I did wish sometimes he would be less gentle in court and at banquets and a little more humanitarian at home. Please don't misunderstand me! He was a wonderful man and I don't think he ever spoke an unkind word to us in his life. But he loved to lecture: on and on in that smooth, easy voice of his. I — I suppose it was for our own good, though."

For the first time, and with a sort of shock, it occurred to Page that the liberal and lenient Mr. Justice Charles Mortlake might have been a holy terror to live with. Colonel Marquis

looked at Travers. "You agree with that, Sir Andrew?"

Travers clearly had to draw back his attention from other matters. He had picked up the little Browning automatic from the desk and was turning it over in his fingers.

"Agree? About Mortlake having any enemies? Oh, emphatically."

"You have nothing to add to that?"

"I have a great deal to add to it," said Travers with sharpness. He seemed to have developed a number of little wheezes in his throat. "So the second shot was fired from this? Well, it alters matters. I don't know whether or not White is guilty. But I know that now I can't undertake his defense . . . you see, *this Browning automatic belongs to me.*"

Ida Mortlake let out an exclamation. With great urbanity Travers reached into his breast pocket, drew out a wallet, and showed the card of a firearms license. "If you will compare the serial numbers," he said, "you will see that they agree."

"H'm," said Marquis, "are you going to confess to the murder, then?"

Travers's smile grew broader and more human. "God love us, I didn't kill him, if that's what you think. I liked him too well. But this is an unusual position for me, and I can't say it's a pleasant one. I thought I recognized this little weapon as soon as I came in here, although I thought it couldn't possibly be the same one. The last time I saw it, it was in my chambers at the Inner Temple. To be exact, it was in the lowest left-hand drawer of the desk in my study."

"Could White have stolen it from there?"

Travers shook his head.

"I don't think so. I should regard it as extremely unlikely. I don't know White; to my knowledge, I've never even seen him. And he's never been in my chambers, unless it was burglary."

"When did you last see the gun?"

"I'm afraid I can't answer that," said Travers. He was now at his ease, studying the matter as though in luxurious debate. But Page thought he was watchful. "The pistol was too much part of — the domestic furniture, so to speak. I think I can say I haven't taken it out of the drawer for over a year; I had no use for it. It may have been gone for a year. It may have been gone for no longer than a few days."

"Who could have stolen it?"

There was a heavy cloud on Travers's face. "I can hardly answer that, can I? Anyone with free access to my rooms might have done it."

"A member of Mr. Justice Mortlake's household, for instance?"

"Oh, yes, it's possible," replied Travers.

"Very well," said the Assistant Commissioner. "Would you mind, Sir Andrew, giving an account of your movements yesterday afternoon?"

The barrister reflected. "I was in court until about half-past three in the afternoon. Afterwards I walked across the street to the Temple.

Let me see. When I passed through Fountain Court, I remember noticing by the sun-dial on the wall that it was twenty minutes to four. I had promised to be at Hampstead, for tea with Mortlake, by four-thirty at the latest. Unfortunately, my clerk told me that Gordon Bates had gone on the sick-list and had insisted on turning the brief in the Lake case over to me. The Lake case comes up for trial today, and it's rather a complicated business. I knew that I should have to swot up on it all yesterday afternoon and probably all night, to be in shape to argue it today. Which killed any possibility of my going to Hampstead for tea. So I stayed in my chambers with the brief. It was twenty minutes to six when I suddenly realized I hadn't made any excuses over the 'phone. But by that time — well, poor Mortlake was dead. I understand he was shot about half-past five."

"And all this time you were in your chambers? Have you any confirmation of this?"

"I believe I have," the other affirmed with grave attention. "My clerk should confirm it. He was in the outer room until nearly six o'clock. I was in the inner part of the chambers: my living quarters. There is only one way out of the chambers; and to leave them, I should have had to pass through the room where my clerk was. I believe he will give me an alibi."

Supporting himself on his cane, Colonel Marquis got up with great formality and nodded.

"Right," he said. "I have just one request. I wonder whether I can trespass on your time by asking you to wait in another room for about ten minutes? There is something I must do, and then I should like to speak with both of you again."

He pressed a buzzer on his desk. He swept them out of the room with such effortless smoothness that even Travers had scarcely time to protest.

"Remarkable! Excellent!" said Colonel Marquis, who was rubbing his hands with fiendish glee. Page felt that if his chief had not been lame, he would have danced. Marquis pointed a long forefinger at his subordinate. "You are shocked," he went on. "In the depths of your soul you are shocked at my lack of dignity. Wait until you are my age. Then you will realize that the greatest joy of passing sixty is being able to act as you jolly well please. Inspector, this case is a sizzler; it has possibilities; and doubtless you see them?"

Page considered. "As for the possibilities, sir, there seems to be something very fishy about that theft of Sir Andrew Travers's gun. If White couldn't have done it ——"

"Ah, White. Yes. That's why I wanted our friends out of the room; I should like to have a little talk with White, alone."

He got on the telephone again and gave orders for White to be brought up.

There was little change in the young man's appearance since last night, Page noticed, except that he

was now dry and brushed. Two constables brought him in: a tall, rather lanky figure still wearing his shabby topcoat. His darkish fair hair was worn rather long, brushed back from the forehead, and he smoothed at it nervously. His face was strong, with a delicate nose but a strong jaw; and he had good gray eyes under pinched brows. The face was slightly hollow, his movements jerky. At the moment he seemed half-belligerent, half-despairing.

"Why don't you tell us what really happened at that pavilion?" Marquis began.

"I wish you'd tell *me*," the other said simply. "Do you think I've been pounding my head about anything else since they nabbed me? Whatever happens, I'm due for a long stretch at the Moor, because I really did take a crack at the old swine. But, believe it or not, I — *did* — *not* — *kill* — *him*."

"Well, that's what we're here to discover," Marquis said comfortably. "You are an artist, I've heard?"

"I am a painter," said White, still shortly. "Whether or not I am an artist remains to be seen." The light of the fanatic came into his eyes. "By heaven, I wish Philistines would not persist in misusing terms they do not understand! I wish ——"

"We are coming to that. I understand you've got some strong political views. What do you believe in?"

"So you want to know what I believe in?" he demanded. "I believe in a new world, an enlightened world, a world free from the muddle we have made of this. I want a world of light and progress, that a man can breathe decently in; a world without violence of war; a world, in that fine phrase of Wells's, 'waste, austere and wonderful.' That's all I want, and it's little enough."

"And how would you bring this about?"

"First," said White, "all capitalists would be taken out and hanged. Those who opposed us, of course, would merely be shot. But capitalists would be hanged, because they have brought about this muddle and made us their tools. I say it again: we are tools, tools, tools, TOOLS."

Page thought: The fellow's off his onion. But there was about Gabriel White such a complete and flaming earnestness that it carried conviction. White stopped, breathing so hard that it choked him.

"And you think Mr. Justice Mortlake deserved death?"

"He was a swine," answered White calmly. "You don't need political science to tell you that."

"Did you know him personally?"

"No," said White, after a hesitation.

"But you know Miss Ida Mortlake?"

"I know her slightly." He was still inscrutable. "Not that it matters. There is no need to drag her into this; she knows nothing of it."

"Naturally not. Well, suppose you tell us exactly what happened yesterday afternoon. To begin with, how did you get inside the grounds?"

White looked dogged. "I'd better tell you about that, yes, because it's the one thing I'm ashamed of. You see, I met Ida yesterday afternoon. We were at a Lyons' in Hampstead. Naturally I didn't want to meet her just then; but I felt bound to warn her I was going to kill the old man if I could." There was a dull flush under his cheek bones. His fine, rather large-knuckled hands were fidgeting on his knees. "The fact is, I hid in the back of her car. She didn't know it. After she'd left the tea shop, she was going to a lending library just down the road. I knew that. So I followed. While she was in the library, I nipped into the back of the car and got down under a rug. It was a very dark day and raining hard, so I knew she wouldn't notice me. Otherwise I couldn't have got inside the grounds at all. The gatekeeper keeps a sharp look-out.

"She drove through the gates and up to the house. When she put the car in the garage, I sneaked out. The trouble was I didn't know *where* the old swine was. How was I to know he was at the pavilion? I thought I should find him in the house.

"I wasted nearly an hour trying to get into that house. There seemed to be servants all over the place. Finally I did get in — through a side window. And I nearly walked into the butler. He was just going into a front room, drawing-room or the like, where Ida Mortlake was sitting. He said it was getting very late, and asked whether she wanted tea served? She said yes; she said to go ahead and serve it, because her father was at the pavilion and probably wouldn't be up for tea. That was how I knew, you see. So I hopped out the side window again."

"What time was this?"

"God knows; I wasn't paying any attention to that. Stop a bit, though." White reflected. "You can easily enough find out. I ran straight down to the pavilion, as hard as I could pelt. There I ran into your police officers — I supposed they were police officers — and by that time I was determined to kill the old devil if it was the last thing I ever did."

The breath whistled out of his nostrils. Colonel Marquis asked:

"We can put it, then at half-past five? Good. Go on. Everything!"

"I've gone over it a hundred times since then," said White. He shut his eyes, and spoke slowly. "I ran to the door of the study. I ran inside and locked the door. Mortlake had been standing at the window, shouting something to the police officer outside. When he heard me come in, he turned round from the window. . . ."

"Did he say anything?"

"Yes. He said, 'What is the meaning of this?' or 'What do you want here?' or something of that sort. I can't remember the exact words. Then he put his hand up in front of him, as though I were going to hit him, when he saw the gun in my hand. Then I fired. With that pistol," said White, touching the Ivor-Johnson .38.

"H'm, yes. D'you hit him?"

"Sir, I'm practically certain I

didn't," declared the other, bringing down his fist on the edge of the desk. "Look here: there was a very bright light up over the desk. It was in a brass holder of some kind, and it left most of the room pretty dark because it was concentrated. But it lit up the desk and the space between the windows. Just as I pulled the trigger, I saw the bullet-hole jump up black in the wall behind him. And he was still moving and running. Besides . . ."

"Well?"

"It isn't as easy," said White, suddenly looking like an old man, "to kill a man as you might think. It's all right until your hand is actually on the trigger. Then something seems to wash all out of you. It seems as though you can't, physically can't, do it. It's like hitting a man when he's down. And it's a queer thing — just at that second, I almost pitied the old beggar. He looked so *scared*, flapping away from my gun like a bat trying to get out.

"Just a moment," interposed Marquis. "Are you accustomed to use firearms?"

White was puzzled. "No. I don't suppose I've ever handled anything more deadly than an air-rifle when I was a boy. But I thought, shut up in a room, I couldn't very well miss. Then — I did miss. Do you want me to go on? He started to run away from me, along the back wall. He was alive then, all right. I want you to understand that the whole thing was such a brief matter of seconds, all compressed, that it's a bit confused. At this time he was facing, slightly sideways, the wall behind me on my right . . ."

"Facing, then, the corner where the yellow vase stood? The vase where the automatic was later found?"

"Yes. It seemed as though he'd turned round to swing out into the room. Then I heard another shot. It seemed to come from behind me and to my right. I felt — a kind of wind, if you know what I mean.

"After this he put his hands up to his chest. He turned round and took a few steps back the way he'd come, and swung a little back again, and then fell head-first across the desk. Just as he fell, your police officer" — White nodded towards Page — "came in through the window. And that's the best I can do."

"Did you see anybody else in the room, either before or after this shot?"

"No."

The Assistant Commissioner's sombre eyes wandered over to Page. "A question for you, Inspector. Would it be possible for there to have been any mechanical device in that room, hidden somewhere, which could have fired a shot and concealed the pistol without anyone else being there?"

Page was prompt. He and Borden had searched that room too well.

"It's absolutely impossible, sir," he answered. "We nearly took that pavilion to pieces. Also," he smiled a little, "you can rule out any idea of a secret passage or a trap-door. There wasn't so much as a mouse hole. . . .

Besides, there's the gun in the yellow vase, which really was fired inside that room."

Colonel Marquis nodded dully. He said:

"Yes, I think we have got to acknowledge that the second shot was fired by somebody inside the room. Look here, White: how far were you away from the judge when you shot at him?"

"About fifteen feet, I should think."

"H'm, yes. Very well. We assume somebody dropped that pistol into the vase. You say the vase was much too high for anybody's arm to reach down inside and deposit the gun there. So it must have made some noise when it fell." He looked at White. "Did you hear any noise?"

White was troubled. "I don't know. I honestly don't know. I can't remember ——"

"You realize," said Marquis, with sudden harshness, "that you are telling us an absolutely impossible thing? You are saying that somebody must have escaped from a room which was locked and guarded on all sides? *How?* . . . Yes, yes, what is it?"

He broke off as his secretary came into the room and spoke in a low tone. Colonel Marquis nodded, becoming affable again.

"It's the police surgeon," he said to Page. "He's performed the post-mortem. And the results seem to be so interesting that he wants to see me directly. Most unusual. Send him in."

There was a silence. White sat quietly in his chair; but he had braced his elbows against the back of the chair and his heavy handsome face had a blankness of waiting. Page knew what goblins had come into the room to surround the prisoner. If the bullet in the judge's body turned out to be a .38 after all, it meant the end of him. Dr. Gallatin, the police surgeon, a worried bustling man, came into the room with a brief-case in his hand.

"Good morning, doctor," said Colonel Marquis. "We were waiting for you. We can't go any further until we know. What's the verdict?" He pushed the two pistols across the desk. "Public opinion is divided. One branch thinks Mr. Justice Mortlake was killed by a bullet from an Ivor-Johnson .38 revolver, fired from a distance of about fifteen feet. The other branch denies this and says he was killed by a bullet from a Browning .32 automatic, fired from a distance of about twenty-five feet. Which side is right?"

"Neither," said the doctor.

Colonel Marquis sat up very slowly. "What the devil do you mean, neither?"

"I said neither," replied the doctor, "because both sides are wrong, sir. As a matter of fact, he was killed by a bullet from an Erckmann air-pistol, roughly corresponding to a .22 calibre, fired from a distance of about ten feet."

Although Marquis did not bat an eyelid, Page felt that the old so-and-so had seldom in his life received so

unexpected an announcement. He remained sitting bolt upright, looking coldly at the doctor.

"I trust, Dr. Gallatin," he said, "that you are sober?"

"Quite sober, worse luck," agreed the doctor.

"And you are seriously trying to tell me that there was still a THIRD shot fired in that room?"

"I don't know anything about the case, sir. All I know is that he was plugged at fairly short range" — Gallatin opened the little cardboard box and took out a flattish lump of lead — "by this bullet from an Erckmann air-pistol. As a rule you see the Erckmann army pistol, which is a lot heavier than this. But this one is a dangerous job, because it's got much more power than an ordinary firearm, and it's almost noiseless."

Colonel Marquis turned to White. "What have *you* got to say to this?"

White was evidently so strung up that he had forgotten his rôle as light-bringer and social reformer; he spoke like a schoolboy, with sullen petulance. "Here, I say! Fair play! I don't know any more about it than you do."

"Did you hear or see *another* shot fired in that room?"

"No, I did not."

"Inspector Page: you searched the room immediately after you went in. Did you find any air-pistol?"

"No, sir," said Page firmly. "If there had been one, I'm certain we should have found it."

"And you also searched the prisoner. Did he have any such pistol on him, or could he have disposed of it."

"He did not and he could not," replied Page. "Besides, three pistols carried by one man would be coming it a little too strong. In a case like that, I should think it would have been simpler to have used a machine-gun." He saw the Colonel's eye grow dangerous, and added: "May I ask a question? Doctor, would it have been possible for that air-pistol bullet to have been fired either from a Browning .32 or an Ivor-Johnson .38? A sort of fraud to make us think a third gun had been used?"

Dr. Gallatin grinned. "You don't know much about ballistics, do you?" he asked. "It's not only impossible, it's mad. Ask your firearms man. This little pellet had to be fired, and was fired, from an Erckmann air-pistol."

Now that the reaction had set in, White was deadly pale. He looked from one to the other of them.

"Excuse me," he said, with the first trace of humility he had shown, "but does this mean I'm cleared of the actual — murder?"

"Yes," said Colonel Marquis. "Brace up, man! Here, pull yourself together. I'm sending you downstairs for a while. This alters matters considerably."

He pressed the buzzer on his desk. White was escorted out, talking volubly but incomprehensibly about nothing at all. The Assistant Commissioner remained staring after him with sombre concentration, and knocking his knuckles against his desk.

Page and the doctor watched him.

"This is insanity," he went on. "Let us see where we stand: There is now no doubt that three shots were fired: from the Ivor-Johnson, *and* the Browning, *and* the missing Erckmann. The trouble is that we lack a bullet, for only two of the three bullets have been found. By the way, Inspector, pass me over that pellet you found stuck in the wall." Page gave it to him and Colonel Marquis weighed it in his hand. "You say this is from the Ivor-Johnson .38. I agree, decidedly. We'll get a third opinion; what's your guess, doctor?"

Gallatin took the bullet and studied it.

"It's a .38, all right," he agreed. "No doubt of it. I've handled too many of them. This has been chipped a bit, that's all."

"Right, then. This is the one White admits having fired at the judge, as soon as he walked into the judge's study. So far, so good. But what about afterwards? What sort of witchcraft or hocus-pocus happened in the next two or three seconds? — By the way, doctor, you said an Erckmann air-pistol is almost noiseless. *How* noiseless?"

Gallatin was cautious. "That's out of my department, you know. But I think I can give you an idea. It isn't a great deal louder than the noise you make when you press the catch of an electric-light switch."

"Then, sir," interposed Page slowly, "you mean the Erckmann might have been fired in that room almost under White's nose, and (especially with a storm going on outside) he mightn't have heard it at all?"

Marquis nodded. "But take it in order," he said. "After White fires his revolver, the judge starts to run away. Then someone else — standing behind and to the right of White, over in the corner by the yellow vase — fires a shot with the Browning automatic. This shot is heard by Inspector Page, who is within ten steps of the window. But the ***bullet*** from the Browning disappears. If it didn't kill the judge, where did it go? Where did it lodge? Where is it now?

"Finally, someone cuts loose with an Erckmann air-pistol and fires the shot which really does kill Mortlake. But this time the *gun* disappears. Whoosh!" said Colonel Marquis, with an imaginative flourish. "Just as Mortlake falls forward dead across the writing table, Inspector Page arrives at the window, in time to find the room sealed up impregnably from every side — the only point being that the *murderer* has disappeared."

He paused, letting them picture the scene for themselves.

"Gentlemen, I don't believe it. But there it is. Have you any suggestions?"

"Only questions," Page said gloomily. "I take it we agree, sir, that White can't be the murderer?"

"Yes, we can safely say that."

Page took out his notebook and wrote: "Three questions seem to be indicated, all tied up with each other. (1) Did the same person who fired the Browning automatic also fire the

Erckmann air-pistol? And, if not, were there two people in the room besides White? (2) Was the fatal shot fired immediately before, or immediately after, the shot from the Browning? (3) In either case, where was the actual murderer standing?"

He looked up from his notebook, and Marquis nodded.

"Yes, I see the point. Number three is the hardest question of the lot," the Assistant Commissioner said. "According to the doctor here, Mortlake was shot through the heart at a distance of about ten feet. White, by his own confession, was standing fifteen feet away from Mortlake. How the devil does it happen, then, that White didn't see the murderer? Gentlemen, there is something so internally fishy about this case."

"You mean," Page volunteered, "you mean the old idea that White might be shielding somebody?"

"But that's the trouble. Even if White is shielding anybody, how did anybody get out of the room? There was certainly one other person in there, and possibly two. Suppose one, or two, or six people took a shot at the judge: where did the whole procession vanish to — in the course of about eight or ten seconds?" He shook his head. "I say, doctor, is there anything in the medical evidence that would help us?"

"Not about the vanishing, certainly," said Gallatin. "And not much about anything. Death was almost instantaneous. He might have taken a step or two afterwards, or made a movement; but not much more."

"In that case," said the colonel, "*I* am going to find out. Let's have a car round here, Page, and run out to Hampstead. This interests me."

He limped across after his hat and coat. In his dark blue overcoat and soft gray hat, Colonel Marquis presented a figure of great sartorial elegance, except for the fact that he jammed on the hat so malevolently as to give it a high crown like Guy Fawkes's. First, Page had to issue instructions: a man must be sent to verify Travers's alibi, and the files of the firearms department ransacked to find any record of who might own an Erckmann air-pistol. Then Colonel Marquis went limping out, towering over nearly everyone in the office. When Page protested that Ida Mortlake and Sir Andrew Travers were still waiting, he grunted.

"Let 'em wait," he said impolitely. "The case has taken such a turn that they will only confuse matters. Between ourselves, inspector, I don't care to have Travers about when I examine the scene. Travers is a trifle too shrewd." He said little more while the police car moved through wet and gusty streets towards Hampstead. Page prompted him.

"It seems," the inspector said, "that we've now got a very restricted circle."

"Restricted circle?"

"Like this, sir. There seems no reason why Travers should have killed the judge; and, on top of it, he's got a sound alibi. Next, Ida Mortlake has

an alibi — an unintentional alibi ——"

"Ah; you noticed that," observed Colonel Marquis, looking at him.

"Provided, unintentionally, by White himself. You remember what White said. He got through a window into the judge's house, not knowing the judge was at the pavilion. And he didn't learn the truth until he heard the butler asking Ida whether tea should be served. As soon as he heard this, he nipped out of the window and ran straight to the pavilion. This was at five-thirty, for he met Borden and myself on the way. Consequently, Ida must still have been at the house; and we can probably get the butler's corroboration. That's a sound alibi."

"Quite. Anything else?"

"If," answered Page thoughtfully, "if, as seems likely, no outsider could have got into the grounds — well, it looks as though he must have been killed either by one of the servants or by Miss Carolyn Mortlake or by old Penney, the clerk."

Colonel Marquis grunted out something which might have been assent or disagreement and pointed out that they would soon know. The car had swung into the broad suburban thoroughfare along one side of which ran the high wall of the judge's house. It was a busy street, where a tram-line and a bus route crossed. Along one side were several shops, contrasting with the lonely stone wall across the street, beyond which elms showed tattered against a drizzling sky. They stopped before iron-grilled gates; and old Robinson, recognizing the police car, hastened to open.

"Anything new?" Page asked.

Robinson, the gatekeeper, a little man with a veined forehead and a dogged eye, thrust his head into the back of the car.

"Nossir," he said. "Except your sergeant is still dead-set trying to find out whether anybody could have sneaked in here yesterday afternoon without my knowing ——"

"And could anybody have done that?" asked Colonel Marquis.

Robinson studied him, wondering. "Well, sir, they told me to keep people out — or Miss Ida did, yesterday — and I *did* keep people out. That's my job. You just take a look at them walls. Anybody'd need a ladder to get over 'em, and there's no side of the walls where you could prop up a ladder without being seen by half the people in Hampstead. There's a main road in front and there's people's back gardens coming up against the walls on every other side." He cleared his throat, like a man about to spit, and grew more dogged. "There's only two gates, as you can see for yourself, and I was sitting right by one of them."

"What about the other gate — the tradesmen's entrance?"

"Locked," said Robinson promptly. "When Miss Ida come back from her drive yesterday, about four-twenty, no more, she told me to lock it and I did. There's only one other key besides mine, and Miss Ida's got that."

"You said that both Miss Carolyn

Mortlake and Mr. Penney weren't here yesterday afternoon?"

"I don't remember whether I said so to you. But it's true."

"What time did they go?"

"Miss Carolyn — 'bout quarter to four. Yes. Becos she'd wanted the car. And Miss Ida had already taken the car and gone out a quarter of an hour before that. Miss Carolyn, she was pretty mad; she was going to a cocktail party (people name o' Fischer at Golder's Green); and she wanted that car. As for Alfred Eric Penney, don't ask me when *he* went out. About ten minutes past four, I think."

Colonel Marquis was bland. "For the sake of clearness, we had better make this a time-table. The judge went from his house across to the pavilion — when?"

"Half-past three," answered Robinson firmly. "That's certain."

"Good. Ida Mortlake leaves here in the car about the same time. Correct? Good. Carolyn Mortlake leaves for a cocktail party at fifteen minutes to four. At ten minutes past four, Penney also leaves. At twenty minutes past four, the rain having then begun, Ida Mortlake returns in the car. They all seem to have missed each other most conveniently; but that, I take it, is the time-table."

"I suppose it is; yes, sir," Robinson admitted.

"Drive on," said Colonel Marquis.

The car sped up a gravel drive between doleful elms. Page indicated where a branch of this path turned towards the pavilion, but the pavilion was some distance away, hidden in an ornamental clump of trees, and Marquis could not see it. The house itself would not have pleased an architect. It was of three stories, stuccoed, and built in that bastard style of Gothic architecture first seen at Strawberry Hill, but revived with gusto by designers during the middle of the nineteenth century. Its discolored pinnacles huddled together under the rain. Most of the long windows were shuttered, but smoke drooped down from all the chimneys. Though it was a landmark of solid Victorian respectability and prosperity there was about it something close-lipped and definitely evil.

The height of respectability also was the grizzled, heavy-headed manservant who admitted them. He fitted; you would have expected him. Page had seen him yesterday, although he had taken no statement. They now learned his name, which was Davies.

"If you don't mind, sir," he said, "I'll call Miss Carolyn. As a matter of fact, Miss Carolyn was just about to set out to see you. She ——"

"And if *you* don't mind," said a new voice, "I should prefer to handle this myself, please."

The hall was shadowed by a window of red glass at the back. A woman came out between the bead curtains (which still exist) of an archway to the right. Carolyn Mortlake was one of those startling family contrasts (which, also, still exist). Where Ida was rather tall and soft, Carolyn was

short, stocky, and hard. Where Ida was fair, Carolyn was dark. She had a square, very good-looking but very hard face; with black eyes of a snapping luminousness and a mouth painted dark red. They could see her jaw-muscles. She came forward at a free stride, wearing a tilted hat and a plain dark coat with a fur collar. But Page noticed, curiously enough, that her eyelids were puffy and reddish. She appraised them coolly, a heavy handbag under her arm.

"You are ——?" she said.

Colonel Marquis made the introductions, and in his politeness the girl seemed to find something suspicious.

"We are honored," she told him, "to have the Assistant Commissioner visit us in person. Perhaps I had better give you this."

With a decisive snap she opened the catch of her handbag, and took out a nickeled pistol with a rather long and top-heavy barrel.

"It is an Erckmann air-pistol," she said.

"So it is, Miss Mortlake. Where did you get it?"

"From the bottom drawer of the bureau in my bedroom," replied Carolyn Mortlake, and lifted her head to stare at him defiantly.

"Perhaps," she said after a pause, "you had better come this way." In spite of her defiance, it was clear that she was shaking with some strong inner strain. But she was as cool as ever when she led them through the bead curtains into a thick-cluttered drawing-room.

"I don't know quite what the game is," she went on. "I can't see why anybody should want to do it, because obviously my father wasn't killed with that gun. . . . But I think I know what I was intended to do when I found it. I was supposed to become panicky, and hide the gun away again in case I should be suspected of something, and generally behave like a silly ass. Well, you jolly well won't find *me* doing things like that; I'm not such a fool." She smiled, without humor, and reached for a cigarette box. "There's the gun and you may take it or leave it."

Colonel Marquis turned the pistol over in his fingers. "You think, then," he said, "that somebody deliberately hid this in your room? You have probably observed that one bullet has been fired from it."

"I am not going to pretend to misunderstand when I understand perfectly well what you mean. Or what I think you mean. Yes, I thought of that too. But it's absolutely impossible. There were only two guns, a .32 and a .38; and this isn't either."

"Well . . . waiving that for a moment: you don't happen to know who owns this gun? You've never seen it before?"

"Of course I've seen it before — dozens of times. It belonged to father."

Page stared at this extraordinary witness who spoke with such a contempt in amazement. But the Assistant Commissioner only nodded, with

an appreciative smile.

"Ah, yes. Where did your father keep it?"

"In the drawer of his writing table at the pavilion."

"And when did you see it last, if you can remember?"

"I saw it yesterday afternoon, in the writing table drawer as usual."

"You will perceive, by the haste with which Inspector Page goes after his notebook," Marquis told her suavely, "that these discoveries are coming fast. Suppose, Miss Mortlake, we keep from going too fast, and get these things in order? First of all, naturally, I should like to convey my sympathies in the death of your father . . ."

"Thank you," she said.

"Can you give any reason, Miss Mortlake, why your father seems to have been disliked in his own house? Neither you nor your sister seems to show any great grief at his death."

"Whether I felt any grief or whether I didn't," said Carolyn dispassionately, "I should not be inclined to discuss it with someone I had just met. But didn't you know? He is not our father, really. We were very young when he married our mother; but our real father is dead. I do not see that it matters, but you had better have the facts straight."

This was news both to Page and Marquis, who looked at each other. The Assistant Commissioner ignored the justifiable thrust in reply to his question.

"I have no intention, Miss Mortlake, of trying to trap you or hide things from you. Your father — we'll call him that — really was shot with the air-pistol." He gave a very terse but very clever account of the affair, up to the point they had reached. "That," he added, "is why I need your help."

She had been staring at him, her face dark and rather terrible. But she spoke calmly enough. "So someone really was trying to throw suspicion on me?"

"It would seem so. Again, while it's *possible* that an outsider could have committed the crime, still you'll agree with me that it's very improbable. It would appear to be somebody in this house. Is there anybody here who has a grudge against you?"

"No, certainly not!"

"Tell me frankly, then: how did you get on with your father?"

"As well as people do in most families, I dare say." For the first time she looked troubled.

"You and your sister, I take it, are your father's heirs?"

She tried to force a hard smile. "The old problem of the will, eh?" she inquired, with a mocking ghastliness of waggery. "Yes, so far as I know we were. He made no secret of that. There are small legacies for the servants and a substantial one for Penney, but Ida and I inherit jointly. That's how it used to be, anyhow. He made a will when my mother died. Of course, he may have changed it since, but I don't think so."

Colonel Marquis nodded, and held

up the air-pistol. "This pistol, Miss Mortlake . . . you say your father kept it constantly by him?"

"Good Lord, no! I didn't say that. No; or he wouldn't have kept it at the pavilion. He kept it as a kind of curio. You see, a friend of his was in the Secret Service during the war, and made him a present of it; I believe those air-guns are a rarity."

"Yes. What I meant was, he didn't keep the gun by him because he feared an attack?"

"No, I'm positive he didn't."

"What about the threats made by Gabriel White?"

"Oh, Gabriel! ——" she said. Her gestures seemed to sum up a great deal; then she considered. "Besides, until I saw Ida last night and read the newspapers this morning, I didn't know Gabriel *had* made any threats. Not that he would not have had reason to. My father knew Gabriel — or, at least he knew of him. I don't know how. He never spoke much about it. But he never troubled to conceal his belief that Gabriel was a swine."

"You liked White?"

"Yes. No. I don't know." She paused, and her square handsome face had an expression of cynicism so deep that it seemed to have been put there with a stamp. "My opinion! You flatter me, Colonel. I have been asked my opinion more times in the last ten minutes than I have been asked for it in the last ten months. I rather like Gabriel, to tell you the truth; and I think he's quite straight. But, my God, I hate lame ducks!"

"I see. Now, for the benefit of Inspector Page's notebook, how did you spend yesterday afternoon?"

"Ah, the alibi," murmured Carolyn, slightly showing her teeth. "Well, let's see. The earlier part of the afternoon I spent interviewing a horde of prospective servants. Our maid — we boast only one — is leaving us next month to get married. Ah, romance! So we've got to replace her."

Inspector Page interposed.

"There seem to be a lot of things we haven't heard of, Miss Mortlake," he said. "You mean there were a number of outsiders here in the grounds yesterday afternoon?"

She studied him and at length decided to be civil. "You may set your mind and notebook at rest, Inspector," she informed him. "All of the lot were out of the house and out of the grounds at least two hours before my father was shot. Robinson at the gate can tell you that, if he overcomes his usual closed-mouth tactics. He let 'em in, and counted 'em, and let 'em out.

"The last of them left between half-past three and a quarter to four. I know that, because I was anxious to get out of the house myself. Then I discovered that Ida had gone out and taken the car. That was a bloody bore because I had been rather under the impression it was promised to me. But there it was. I could get a taxi, anyhow. First, however, I went down to the pavilion. . . ."

"Why did you go to the pavilion, Miss Mortlake?"

She flushed a little. "I wanted some pocket-money. Besides, I wanted to tell him, in a dutiful way, that I had engaged a new maid."

"Go on, please."

"He had only been at the pavilion five minutes or so when I got there; he went down about half-past three. You may be interested to know that I got the money. That, incidentally, is how I happen to know the air-pistol was in the drawer of his writing table at that time. He opened the drawer to get his check book. It was too late for the bank, but I knew where I could get the check cashed. When he opened the drawer I saw the gun."

"Was the drawer locked or unlocked?"

She reflected, her hand shading her eyes. "It was locked. I remember: he got a bunch of keys out of his pocket and opened it."

"Did he lock it afterwards?"

"I'm not sure. I didn't notice — after I'd got the check. But I rather think he did. His precious manuscript was there."

"I see. Did he do or say anything notable that you remember?"

"Notable is good. No, not that I remember. He was a little short, because he doesn't like being interrrupted when he's down there reciting chapters of his book to that dictaphone. He wrote down the name of the maid I was going to engage: he wanted to check her credentials before she came here next month. . . . Oh, yes; and he mentioned that Sir Andrew Travers was coming there to tea. They were going to have tea at the pavilion. In the other room at the pavilion — the one across the hall from the study — he has an electric kettle and all the doings. I suggested that he'd better switch on the electric fire in the room across the hall or it would be freezing cold when Andrew got there."

"And did he switch it on?"

She was puzzled. "Yes. Or, rather, I did it for him."

"Inspector, when you and Sergeant Borden searched the pavilion, I suppose you looked into this other room across the hall? Was the electric fire burning in that room?"

Page saw an angry flush come into Carolyn Mortlake's face, but he checked her outburst.

"Yes, sir, the fire was on."

"Thank you," snapped Carolyn Mortlake.

"I don't think you quite understand the meaning of the last question," the Colonel told her calmly. "Now, will you go on with your story, please?"

"I left the pavilion, and the grounds; that was about a quarter to four."

"Yes; and afterwards?"

She folded her hands in her lap with great nicety. Taking a deep breath, she lifted her head and looked him in the eye. Something had blazed and hardened, like the effect of a fire.

"I'm sorry," she said; "but that's where the story stops. That's all I have to say."

"I don't understand this," said Colonel Marquis sharply. "You mean you won't tell us what you did after you left the house?"

"Yes."

"But that's absurd. Don't be a young fool! Your gatekeeper himself told us you were going to a cocktail party at Golder's Green."

"He had no right to tell you any such thing," she flared. "You'll only waste your time inquiring after me at the Fischers'. I didn't go. I intended to go, but an hour or so before I left the house I got a telephone message which made me change my mind. That's all I can tell you."

"But why shouldn't you tell us?"

"In the first place, because you wouldn't believe me. In the second place, because I can't prove where I was during the afternoon, so it's no good as an alibi. In the third place — well, that's what I prefer to keep to myself. It's no good coming the high official over me. I've said I won't tell you, and I mean it."

"You realize, Miss Mortlake, that this puts you under suspicion for murder?"

"Yes."

Page felt that she was about to add something else; but at that moment all emotion, protest, or explanation was washed out of her. She became again a person of shuttered defiance. For someone had come into the room — they heard hesitant footsteps, and the faint clicking of the bead curtains at the door.

The newcomer was a little, deprecating man with a stoop and a nervously complaisant manner. They felt that it must be Alfred Penney, the clerk. Penney's feet were enormous and his hands seemed all knuckles. He had a few strands of iron-gray hair brushed across his skull like the skeleton of a fish, and something suspiciously like side-whiskers. But he had a faithful eye, blinking at them while he dabbed his hand at it.

"I beg your pardon," he said, wheeling round quickly.

Carolyn Mortlake rose. "Alfred, this is Colonel Marquis, the Assistant Commissioner of Police, and Inspector Page. Tell them what you can. For the moment, I think they will excuse *me*."

While Penney blinked at them, his mouth a little open, she strode past out of the room. Then his face assumed his legal manner. "I really beg your pardon," he repeated. "I should not have intruded, but I saw Davies, the butler, in the hall intently listening to what was going on in here, and — no matter. You are the police? Yes; of course."

"Sit down, Mr. Penney," said Colonel Marquis.

"This is a terrible thing, gentlemen. Terrible," said Penney, balancing himself gingerly on the edge of a chair. "You cannot realize what a shock it has been to me. I have been associated with him for thirty years. Twenty-nine and a half, to be exact." His voice grew even more mild. "I trust you will not think me vindictive, gentlemen, if I ask you whether you

have taken any steps with regard to this young hound who killed him?"

"Gabriel White?"

"If you prefer to call him that."

"So?" prompted Marquis, with a gleam of interest. He lifted his eyebrows. "It has been suggested, Mr. Penney, that 'Gabriel White' is not the man's real name. The judge knew him?"

The little man nodded. "I am not ashamed to tell you," he replied, tilting up his chin, "that he did. If he condemned him, he dealt out moral justice; and moral justice was always Charles Mortlake's aim. Charles Mortlake knew the young man's father very well and has been acquainted with the young man since he was a boy. 'Gabriel White' is really Lord Edward Whiteford, a son of the Earl of Cray."

There was a pause, while Penney stared sideways at the fire. "Fortunately," he went on, knitting the baggy skin of his forehead, "the Earl of Cray does not know where his son is, or how he has sunk; and Charles Mortlake was not so inhumane as to enlighten him. . . . Gabriel White, since he prefers to call himself that, started in the world with every advantage. At Oxford he had a distinguished career. He was a leading member of the Union and great things were predicted for him. Also, he was a popular athlete. I believe he holds the university record for the broad-jump; and he was also an expert swordsman and pistol-shot. But, like so many who start with advantages ——"

"Hold on," interrupted Marquis in a voice so sharp and official that Penney jumped a little. "I want to get this straight. You say he was an expert pistol-shot? In my office this morning he told us that he had never handled a gun in his life."

"I am afraid he lied, then," Penney said without rancor. "Lying is a habit of his."

Marquis took the air-pistol from the chair and held it up.

"Ever see this before?"

"Yes, sir. Often," said Penney, taken aback. "It belonged to Charles Mortlake. May I ask why ——"

"When did you last see it?"

"A few days ago, I think; but I am afraid I cannot swear to the exact time. He kept it in the drawer of his writing table at the pavilion."

"Were you at the pavilion yesterday afternoon?"

"Yes, I was at the pavilion yesterday afternoon — for a very brief time. Five minutes, perhaps. Yesterday afternoon I was going to the Guildhall Library to verify a series of references for the book he was writing. I left the house at shortly after four o'clock — it had begun to rain, I may remark — and on my way down to the gate it occurred to me that I had better go to the pavilion and inquire whether there were any additional material he wished me to consult.

"I found him alone at the pavilion, speaking to the dictaphone." The clerk paused and something like the

edge of a tear appeared in the corner of each eye. "He said there was nothing further he wished me to do at the library. So I left the grounds about ten minutes past four. It was the last time I ever saw him alive. But . . ."

"But?"

"I should have been warned," said Penney, fixing his questioner with grave attention. "There was somebody prowling round the pavilion even then. While we were speaking together, I distinctly heard footsteps approaching the windows."

"Which windows?"

"The west windows, sir. The windows whose locks and shutters are so rusted it is impossible to open them."

"Go on."

"Immediately after that, I was under the impression that I heard a sound of someone softly pulling or rattling at one of the west windows, as though trying to open it. But the rain was making some noise then, and I am not certain of this."

"The judge heard it as well?"

"Yes. I am afraid he regarded it as imagination. But only a few seconds afterwards something struck the outer shutter of one of the *other* windows. I am under the impression that it was a pebble, or light stone of some kind, which had been thrown. This window was one of those in the south wall. . . . Judging from accounts I have heard," he turned mildly to Page, "it was the window through which you, Inspector, were obliged to climb nearly an hour and a half afterwards. When Charles Mortlake heard this noise, he pushed back the curtains, pushed up the window, unlocked the shutters, and looked out. There was nothing to be seen."

"What did he do then?"

"He closed and relocked the window, although he did not relock the shutters. He left them open against the wall. He was . . . I fear he was somewhat annoyed. He accused me of entertaining fancies. There is a tree some dozen or so feet away from the window; and he declared that a twig or the like had probably come loose in the storm, and had blown against the shutter. It is true that there was a strong wind, but I could not credit this explanation."

"Do you know whether this air-pistol was then in the table drawer?"

"I don't know; I should suppose so. He had no occasion to open the drawer. But my thoughts did not go — well, quite to the edge of violence in that line." His eyes did not fall before Marquis's steady stare; and presently he went on: "You will wish to know what I did afterwards. I went from here, by Underground, to Mansion House station, and thence to the Guildhall Library on foot. I arrived there at 4:35, since I happened to notice the clock. I left the library at just 5:00. In coming home I experienced some delay and did not arrive here until 5:40, when I heard Charles Mortlake was dead. I am afraid that is all I have to say. . . . And now may I ask why are you concerned with that air-pistol?"

Again Colonel Marquis told the familiar story. As he did so, Penney did not look startled; he only looked witless. He remained sitting by the fire, a gnome with veined hands, and he hardly seemed to breathe. Marquis concluded:

"You see, we are compelled to accept White's innocence. Even if you argue that the air-pistol was in the table drawer and White might have used it himself, still he would not have had the time to fire *three* shots. Next, though he was seized by police officers instantly, the air-pistol had completely vanished; and he could not have concealed it. Finally, he was at once taken to the police station; so that he could not have conveyed the air-pistol to this house. But it was actually found here this morning."

Penney said, "Good heaven! ——" and somehow the expletive seemed as weak and ineffectual as himself. "But this is surely the most preposterous thing I have heard of," he stammered. "I cannot imagine you are serious. You are? But there is no reason in it! Life works by reason and system. You cannot believe that there were three prospective murderers shut up in that room?"

At this point Page had the impression that Marquis was playing with his witness; that he was juggling facts for his own amusement, or to show his skill; and that the colonel had an excellent idea of what really happened in the locked room. Marquis remained urbane.

"Will you argue theories, Mr. Penney? Not necessarily *three*, but certainly two. Has it occurred to you, for example, that the same person who fired the Browning may also have fired the Erckmann air-pistol?"

"I do not know what has occurred to me," Penney retorted simply. He lifted up his arms and dropped them with an oddly flapping gesture. "I only know that, however my poor friend was killed, Lord Edward Whiteford — or Gabriel White, if you prefer — killed him. Sir, you do not know that young man. I do. It sounds exactly like him. He would, and he could, deceive the devil himself! I cannot tell you how strongly I feel about this, or how clever that young hound is. With him it is always the twisted way, the ingenious way."

"Still, you don't maintain he can perform miracles?"

"Apparent miracles, yes," Penney replied quite seriously. "You don't know his cleverness, I repeat; and you won't know it until he somehow hoodwinks and humiliates you as well. For instance, how did he get into the grounds at all?"

"He has already answered that himself. While Miss Ida Mortlake was getting a book at a lending library, he got into her car and crouched down under a rug in the tonneau. When she drove up to the garage, he waited until she had gone and then got out. The day was too dark for her to notice him."

At the doorway someone coughed. It was hardly a cough at all, so modest

and self-effacing was the sound. They looked up to see the grizzled and heavy-faced Davies, the butler.

"May I say a word, sir?" he inquired.

"Eh?" said Colonel Marquis irritably. "All right: what is it?"

"Well, sir, under the circumstances I'll make no bones about saying I overheard what was being said. I mean about the man White, sir, and how he got in by hiding under the rug in Miss Ida's car. However he got into the grounds, it certainly wasn't that way. *He wasn't hiding in the back of the car* — and I can prove it!"

As Davies came into the room, his hands folded in front of him, Penney gave a mutter of petulant protest which changed to interest as soon as he appeared to understand what Davies was talking about. Beyond any doubt Davies looked competent; he was bulbous-nosed and bulbous-eyed, but he had a strong jaw.

"Yes, sir, I admit I listened," he said. "But I look at it like this. We're all shut up in here. Like a ship, as it were. It's to our advantage, servants most of all, to show we didn't have anything to do with killing the poor judge. If you see what I mean, sir. We've got to do it. Besides, it isn't as though I was a proper *butler*. I'm not even allowed to engage a maid, as a proper butler would. Fact is, sir, I was a court crier down on my luck (the drink did it, in Leeds) when the judge picked me up and gave me this job to make good. And I think I did make good, though all I ever knew about being a butler I got from the judge and out of a book. Now that he's dead, my lady friend and I are going to marry and settle down. But, just because he is dead, it doesn't mean we don't care who killed him and that we don't appreciate what he's done for us. So — I listened."

Penney almost sputtered. He acted as though a picture on the wall had suddenly made a face at him.

"You never acted like this before. You never talked like this before ——"

"No, sir," said Davies. "But I never had occasion to talk like this before. The judge would've sacked me." He looked at Marquis steadily. "But I think I can do a bit of good."

Colonel Marquis was interested. "A court crier turned butler, eh?" he said, turning the idea over in his mind. "Been with the judge long?"

"Eleven years, sir."

"Benefit under the judge's will?"

"Yes, sir: five hundred pounds. He showed me the will. And I've got a bit saved as well."

"All right. Let's hear about this business of White, or Lord Edward Whiteford; and how he didn't get in here by hiding in Miss Mortlake's car, and how you knew about it."

Davies nodded, not relaxing his butleresque stance. "The thing is, sir, she went out in the car yesterday afternoon. It started to rain, and I knew she hadn't an umbrella with her. Now, the garage is twenty yards or so from the house. At near on half-past

four — maybe twenty or twenty-five minutes past — I saw her drive back. I was in the kitchen, looking out of the window, when I saw the car swing round the drive. So I got an umbrella and went out to the garage and held it over her coming back to the house so she shouldn't get wet."

"Yes; go on."

"Now, I was out to the garage before she'd even got out of the car. I did what you naturally do; as soon as Miss Ida got out, I opened the door of the back and looked to see whether she'd brought any parcels. There was nobody in the back of that car. And nobody could have nipped out before I looked in, because there was nowhere to go."

"Would it have been possible," Page asked, "for him to have slipped out of the car as it came through the gates, or somewhere on the drive before Miss Mortlake reached the garage?"

"I can't tell you that, sir. You'd better ask Robinson or Miss Ida. But if he *said* he didn't slip out until the car came to the garage ——?"

Colonel Marquis did not comment. For a brief time he stared across the room. "Anything else?" he prompted.

"Yes, sir. A bit of exoneration," replied Davies promptly. "Even though I'm not a proper butler, still I feel responsible for the other servants. If you see what I mean. Now, sir, there's only three of us, excluding Robinson, of course, but then he rarely comes to the house. There used to be four, when the judge kept a chauffeur; but he let the chauffeur go and pensioned him handsome. At present, then, there's the cook, the maid, and me. Can I take it for granted that the judge was killed between, say, twenty minutes past five and twenty minutes to six?"

"You can," Colonel Marquis agreed, and glanced at Page. "Did you note, inspector, the exact time to the minute or second when all the shots were being fired?"

Page nodded. "I looked at my watch as soon as I got into the pavilion and took the gun out of White's hand. It was half-past five, almost to the second."

"Thank you, sir," said Davies, with heartiness and almost with a smile. "Because all three of us, cook, maid, and me, happened to be in the kitchen at that time. We were together until a quarter to six, as a matter of fact. I know that, because it's the time the evening post arrives, and I went to the door to see whether there were any letters. So we can produce a corporate alibi, if you see what I mean."

Marquis spoke musingly, his fingertips together and his cane propped against his leg. "By the way, we might check up on another part of White's story and see whether it tallies. He admits that he came here in order to kill the judge ——"

"Ah," said Penney softly.

"— and thinking the judge was here in the house, he prowled round until he got through a side window. He says that at close to half-past five

he was here in hiding, and heard you ask Miss Ida Mortlake whether tea should be served at last. Is that true?"

"So that's why the window was unfastened," muttered Davies, and pulled himself up. "Yes, sir: quite true. It was at twenty minutes past five. Just after I asked her that, I went out to the kitchen; that's how I know all the servants were together. She also told me she had telephoned the police about this man White — or whoever he is — and the cook was in a considerable flutter."

"There's something on your mind," Marquis said quietly. "Better speak up. What is it?"

For the first time Davies was showing signs of discomfort. He started to glance over his shoulder; but, evidently thinking that would be unbecoming, he assumed a stolid expression.

"Yes, sir, I know I've got to speak up. It's about Miss Carolyn. I think I can tell you where she went yesterday.

"As you heard, sir, the maid is leaving next month to get married. Yesterday Miss Carolyn was interviewing a lot of applicants. Now, it happens that the maid's got a cousin — a nice girl — and she was anxious for her cousin to get the place. But Miss Carolyn said sentiment has no business in a thing like that. Well, Millie Reilly (that's the maid) wasn't afraid of her cousin being beat out of it by casual applicants who might come here, but she *was* afraid the Agency might dig up somebody with references a yard long. And the Agency has been 'phoning here several times. So the long and short of it is," Davies squirmed a little but spoke in his best court voice, "that Millie's got into the habit of listening in to all the 'phone conversations, in case it should be the Agency. There's a 'phone extension upstairs."

Colonel Marquis leaned forward.

"Good," he said. "I was hoping we should come across something like that. Don't apologize for the delinquencies. Miss Mortlake told us that she intended to go to a cocktail party, but that she received a 'phone message which caused her to change her mind. Did Millie hear that message?"

"Yes, sir." Davies's discomfort had grown acute, and he fiddled with his cuffs; he spoke almost violently: "She listened. A man's voice said, 'If you want to know something that vitally concerns you and Ralph Stratfield, go to the stationer's shop at 66 Hastings Street, W.C.1, and ask for a letter written to you under the name of Carolyn Baer. Don't fail, or it may be the worse for you.' "

Colonel Marquis sat up and Page almost whistled. Unless there was a coincidence of names, here was again a crossing of the ways with the C.I.D. The Ralph Stratfield he knew was well known to Scotland Yard, although they had never been able to obtain a conviction and Stratfield swanked it in the West End with his thumb to his nose. Ralph Stratfield was a super-gigolo who lived off women. Several times he had skirted

the line of blackmail and once he had been brought to court for it. But he had been ably defended — by Sir Andrew Travers, Page now remembered — and had come off scot-free. Also, Page realized why Carolyn Mortlake might have been so determined to keep her mouth shut, even under bad risks.

The bead curtains were swept aside. Carolyn Mortlake came into the room with short, quick steps. Her face was sallow with rage and the eyes so dead that they looked like currants in dough. She stood trying to control her voice, but behind this shaking there was an inner emotion; and that inner emotion was shame.

"You may go, Davies," she said, calmly enough. "I will speak to you later. But I should advise you to begin packing at once. You will have to accept a month's wages in place of notice."

"Stay here, Davies," said Colonel Marquis.

He hoisted himself to his feet, supporting himself on his cane. He towered over her in the firelight.

"I'm afraid the police have first claim, Miss Mortlake," he went on, after an explosive pause. "You can't order the witnesses about like that, you know, when they have something to tell us. You are at liberty to discharge him, naturally; but I should be sorry to see you do it. He was only trying to protect you."

"You ——," said the girl. It was an ugly word, and it had even more startling a quality in this sheltered Victorian room.

"Ralph Stratfield is poor company, Miss Mortlake."

"I think," she said with sudden politeness, "it is none of your damned business with whom I choose to go, or whom I see. Or is it?"

"Under the circumstances, yes. Look here, you know how you're feeling as well as I do. Now that it's said and done, there's no reason why it should come out. All we care about is where you happened to be yesterday afternoon. Will it do any great harm to tell us whether you really went there?"

She had herself well in hand now. "I'm sure I don't know. I'm sure it won't do any particular good. You needn't preach about Ralph Stratfield: Ralph had nothing to do with that message. It was a fake. In other words, Mr. Clever, I was got out of the way by one of the oldest, most bewhiskered tricks ever used in shilling shockers. There is no such address as 66 Hastings Street. There is only one stationer's in the street and that wasn't the place. It took me quite a time to tumble to it, unfortunately, and it succeeded. For, you see, I can't prove where I was yesterday and I'm in exactly the same situation I was before. Why anyone should ——"

She stopped, and for a moment Page had an uncomfortable feeling that this hard-headed, savage young lady was going to collapse in tears. She almost ran out of the room. Penney, muttering inarticulately, fol-

lowed her. When they had gone the force of her emotion surcharged the room still. Davies made a feint of mopping his forehead.

"It's a good thing I've got a bit of money saved," he said.

"It would appear," mused Colonel Marquis, "that neither of Mr. Justice Mortlake's daughters selected the company he would have chosen for them. By the way, did you ever see Gabriel White?"

"No, sir. He never came here. The only time I ever saw him was yesterday afternoon, between two police officers. Mr. Penney says he's a lord?"

Marquis smiled with tight-lipped amusement. "No, my lad. No: you're not supposed to question me. I'm supposed to question you. And I dare say you've kept your ears and eyes open. Who do you think killed the judge?"

"The only thing I've got, I admit, is a germ of an idea, and it may not be worth much. But if I were you, sir, I should keep a sharp eye out for Sir Andrew Travers."

"So? You think he's the murderer?"

"N-no, no, I don't mean that, exactly." Davies seemed a trifle hurried, and he was certainly not anxious to commit himself. "I only said, keep a sharp eye out. From what I heard it struck me that there's one thing that doesn't seem to fit anywhere. It's this: it's one of them shots, *and* Sir Andrew's gun. That's what's throwing you all skew-wiff. It's that one shot, from the Browning automatic, which won't fit in anywhere no matter how you explain the case. It's a kind of excrescence, if I've got the right word. Incidentally, sir, everybody seems all hot and bothered about one thing which seems fairly simple to me."

"I'm glad to hear it. What is that?"

"Well, you're wondering what happened to the bullet out of the Browning. Everything seems to have vanished, and that bullet vanished with it. But common sense must tell you where it went."

"Yes?"

"It went out the window," returned Davies promptly. "You didn't find it in the room and it can't have melted or anything. After the judge had opened the window, he turned back to see White, and White shot at him, and then everybody started firing all over the room. But the window was up a little way — with the inspector here running towards it."

Colonel Marquis seemed genuinely delighted. He rubbed his hands, he jabbed the ferrule of his cane against the floor; and at length he consulted Page.

"What do you think of that suggestion, Inspector? Is it possible?"

Page felt a retrospective shiver. "*If* it happened," he said, "all I've got to say is, it's a wonder I'm not a dead man now. I don't see how it could have missed me. I was running in a dead-straight line for that window. And as I told you, when I heard that shot I wasn't ten steps away from the window. Of course, it may

have gone in a diagonal line. It probably did, being fired from the corner where the vase stands. But it's odd that I didn't hear it, or any sound to indicate it, if it came so close to me as that. I didn't notice anything."

Somewhere in the depths of the house a doorbell began to ring. It was a discreet, muffled doorbell, like the house and like the judge. When he heard it, Davies's big body stiffened back into its official posture, as though by an effect of magic or plaster-of-paris. Though he had been about to speak, he went gravely to answer the bell. And then Sergeant Borden burst into the room.

"Robinson told me you were here, sir," he said. "I wish you would come down to the pavilion. I've found something that changes the whole case."

"Well?"

"First, there're some footprints. Pretty good footprints. But that's not the main thing. I've found a bullet fired from a .32 automatic, and probably the Browning."

"Where did you find it, sergeant?" asked Colonel Marquis.

"Stuck in a tree some distance away from the window where you" — he nodded towards Page — "climbed through, sir." After a pause (while Davies, in the background, grinned broadly) Borden continued: "But some of the footprints don't make sense either, sir. It looks as though the murderer must have got in and out through one of the west windows — the ones that are so locked and rusted that you can't open them even now."

They walked down to the pavilion, taking a branch of the gravel path which led them to the back of it. Though the rain had cleared, the sky was still gray and heavy-looking, and what wet foliage still remained clinging to the trees hung down dispirited.

Rounding the side of the pavilion, they came on Robinson, in a cap and a big sou'wester, morosely regarding the ground. Under the west window nearest the northern end — just inside was the vase in which the Browning had been found — a few wooden boxes had been upended in a line to protect the exhibits from rain. Borden lifted the boxes almost reverently. Along the side of the wall ran what in summer must have been a flower-bed, terminating in a brick border below the window. The flower-bed was a big one, running out ten feet from the window. Five footprints were visible in the uneven soil, though they were so churned and blurred by the rain that they could be distinguished as little more than outlines of feet. But the toes were all pointing *away* from the pavilion, and all were made by the same pair of shoes.

Borden snapped on a flashlight, following the ragged line across the ten-foot expanse of flower-bed, and Colonel Marquis studied it.

"Were those tracks here yesterday afternoon, sergeant?"

The sergeant hesitated and looked

at Page, who undertook the responsibility. "I don't know, sir," Page answered. "I imagine they must have been, but we didn't go outside the pavilion once we found it was locked up from the inside. It's another oversight, but there it is. Anyhow, it seems to corroborate one thing Penney said, if you remember. He said that when he was talking to the judge yesterday a few minutes past four, he heard somebody prowling round the house; also, that he thought he heard the prowler testing the shutters on one of the west windows." Then Page stopped and looked at the tracks. "Hold on, though! That won't do. Because ——"

"Exactly," said Marquis, with dry politeness. "Every one of these tracks comes *away* from the window, as though somebody got out the window and slogged back. Well, how did the prowler get *to* the window?" He turned round almost savagely. "Let's understand things. Inspector, are you certain beyond any doubt that those windows haven't been tampered with?"

"Beyond any doubt," said Page, and Borden agreed with him.

"Robinson, do you agree with that?"

"I do," said the man. He pondered. "Here! Point o' fact, there was trouble about those same windows only a few days ago. Miss Ida, she wanted the judge to get new frames put in 'em, because the old ones are bad and that's why the shutters have to be kept up. She said it was sense, because then the judge could have light instead of being in the half-dark all the time. I was going to do it, but the judge wouldn't hear of it."

In the gloom Page could see that a slight transformation had gone over the Assistant Commissioner's face: an expression as though he were blinking, or making a face — or seeing light. He turned away, poking at the ground with his cane. When he turned back again, he was calm and almost brisk.

"Put your light on those tracks again," he ordered. "What do you make of them, Inspector?"

"It's a big shoe," said Page. "A number ten at the smallest. The trouble is that you can't make any clear estimate about the weight of the man who wore it, because the tracks are flooded and there's no indication of what their depth was."

"Does anyone we know wear a number ten?"

"White doesn't: I can tell you that. He's tall, but he doesn't wear more than a number seven or eight."

"Very well. For the moment . . . what other exhibits have you to show us, sergeant?"

"Round to the front, now, sir," said Borden. "There's that bullet in the tree; and to round it off, there's more footprints. And a woman's this time."

Colonel Marquis did not seem so surprised as Page would have expected. "Ah, I rather thought we should come to that," he remarked, with almost a comfortable air.

The front of the pavilion was un-

changed, except that now the shutters on both windows of the study were folded back against the wall. Page tried to visualize the scene as it had been yesterday. But he was astonished at the tree to which Borden led them. This was a thick-waisted elm some fifteen feet away from the window in a direct line. Page remembered the tree well enough. When he had been running for the window, he had passed that tree so closely as to brush it; and retracing every step in his mind, he realized that he had been passing the tree at just about the time the second shot had been fired.

Sergeant Borden pointed with a pardonable air of triumph and directed the beam of his flashlight at the bole of the tree. "Now look sharp, sir — some little distance up. If you reach up you can touch it. That makes about the right height if it came out through the window. That's a bullet-hole, and it's pretty sure to be a .32 Browning bullet embedded in there."

Colonel Marquis studied the crumbled and sodden little hole, and then looked back towards the window. "Dig it out," he said.

When Borden's penknife had produced another lead pellet, not quite so flattened by the soft wood in which it had been buried, it was passed from hand to hand and weighed. Page now had no doubt. "Subject to examination," he said cautiously, "I'd say that's certainly the .32 Browning bullet. But," he added with some explosiveness, "how in the name of God ——?"

"You have doubts? H'm, yes," grinned the colonel. "But wait until we have finished. Borden, as soon as you've shown us the footprints, get on the 'phone to the Yard and have the photographer out here. I want photographs and measurements of that bullet-hole. You see the queer thing about it? The bullet went in an almost direct line."

"Photographer's coming, sir," Borden told him. "And here are the other footprints." Moving his companions back a little, Borden threw his light to indicate a spot some distance behind and to the right of the tree as you faced the pavilion. The grass under the tree was soft and sparse, well protected by the branches above. Impressed in the soil was the clear print of a woman's shoe, narrow, pointed, and high-heeled. It was the right shoe, a smudged toe-print of the left one being about six inches away from it. It looked as though someone had been hiding behind the tree and peering round it. But — the moment Page saw that print — his scepticism increased to complete unbelief.

"We'd better go easy, sir," he said calmly. "This thing's fake."

Sergeant Borden made a protesting noise, but Marquis regarded him with bright and steady eyes of interest.

"Exactly what do you mean by that, Inspector?"

"I mean that somebody's been manufacturing evidence since yesterday afternoon. I'll take my oath there

was nobody standing behind that tree. I know, because I passed within a couple of inches of it, and I should have seen anybody in that whole vicinity." He knelt beside the two prints and studied them. "Besides, take a look at the marks. (Got a tape-measure, Borden?) They're much too deep. If a woman made that right-hand one, the woman must have been an Amazon or a fat lady out of a circus; whoever made those prints weighed twelve or thirteen stone. Or else ——"

Marquis, who had been beating his hands together softly and peering round him, nodded. "Yes; I don't think there's much doubt of that. The person who made the marks was either a man, or else a woman who stamped violently on the ground with the right foot in order to leave a sharp, unmistakable impression. . . . It's manufactured evidence, right enough. So, I am inclined to think, are those other number-ten footprints on the far side of the pavilion. We were intended to find both sets of prints. But there's one thing which doesn't seem to fit in. What about the .32 bullet in the tree? Is that manufactured evidence too? — and if so, why?"

Page contemplated Old Man River, wondering whether this was a catechism or whether Old Man River really did not know the answer.

"I'll admit, sir," he said, "that Davies's deductions seem to have been right. He said we'd find a bullet outside somewhere and here it is. But it's very fishy all the same. I was passing that tree when the shot was fired. How is it I didn't hear anything: the vibration of it or the sound of the bullet hitting the tree? It *might* have been done without my knowing it. It's possible. But there's one thing that's not possible at all . . ."

"The line of the bullet?"

"The line of the bullet. As you say, it's gone into the tree on a dead straight line from that window. Well, the Browning was fired from the far corner of the room. As we stand here facing the pavilion, that corner is on our left. In order to get into the tree in this position, that bullet must have curved in the air like a boomerang — a kind of parabola, or whatever they call it. Which is nonsense."

"Yes," said Colonel Marquis. "Into the pavilion, now."

They tramped in during a gloomy silence. Page switched up the lights in the little central hall, and opened the door of the study on the left. Nothing had been altered. The big room smelt close and stuffy. When Page touched another switch, a flood of light poured down from the dragon-lamp hanging above the judge's writing table. It was true that little could be seen beyond the immediate neighborhood of the table; the opaque sides of the lamp gave it the effect of a spotlight, and the room became a masked shadow of bookshelves from which the big yellow vases gleamed faintly.

First Colonel Marquis went across to the west windows and satisfied himself that these were impregnable. "Yes," he growled. "Unless the mur-

derer made himself as thin as a picture postcard, he didn't go out there. Also, this room is genuinely dark. We'll try a little experiment. I was careful to bring this along." With sour suavity he produced Sir Andrew Travers's Browning from his coat pocket. "But before we do . . ."

He juggled the pistol in one hand, his eye measuring distances. He then walked slowly round the room, examining each window. At the writing table he paused, and the other two followed him there.

The drawer of the writing table was unlocked. He pulled it out, exposing neat sheets of typewritten manuscript. On top of them lay a memorandum pad and a check-book on the Whitehall Bank. On the memorandum pad were a few lines of small, precise handwriting:

> Sara Samuels,
> 36d, Hare Road, Putney.
> Refs.: Lady Emma Markleton, "Flowerdene," 18, Sheffield Terrace, Kensington, W.8. (Have Penney write).

"The new maid and her references," said Colonel Marquis. "Not much there. As a last hope let's try our reconstruction."

The other limped across the room to the corner by the yellow vase in the far corner, and again he juggled Sir Andrew Travers's Browning.

"I am going to stand here and fire a shot in the general direction of where the judge was standing. Afterwards I will drop the pistol into the vase. Inspector, you will represent White. Stand where White was standing, about the middle of the room. When you hear the shot, whirl around — and tell me whether you can see me."

Page took up his position. He had expected the shot immediately, but no shot came. Colonel Marquis was playing for time so as to take him off guard; so much he realized while he waited.

The shot was so loud that it seemed to make the room shake like a cabin at sea. Startled in spite of himself, he swung round against the vibrations. He had been looking at the brilliant beam of light from the dragon-lamp, and he was a quarter blind when he stared into the corner. He could see absolutely nothing, for the darkness appeared to have speckles in it; but he heard a faint noise as of someone putting an umbrella into a porcelain umbrella stand.

"Well, can you see me?" rumbled a drawling voice out of the darkness.

Page's eyes were growing accustomed to the dark. "No, sir," he answered. "By this time I can only see a kind of shadow along the vase."

Colonel Marquis limped forward, twirling the pistol with his finger through the trigger-guard. He put out a long arm and pointed. "You observe, Inspector, that the bullet did not go out of the window."

A much-annoyed Sergeant Borden was already examining the fresh scar. In the yellow-papered wall between the south windows there were now

two bullet-holes. The bullet fired by Colonel Marquis was close to the left-hand window, it is true; but it had not come within a foot of going out the open space.

"Yes, but if it didn't go there," insisted Borden doggedly; "now, I ask you, sir, where did the other one go? I'm fair sick of bullets. It's raining bullets. And there's no sense in any of 'em."

At half-past five that afternoon Inspector Page emerged from the Underground at Westminster Station and tramped wearily up the Embankment to New Scotland Yard. He had made undeniable progress; his notebook contained evidence of both acquittal and accusation. But he had got no lunch and no beer.

Not more than a popgun's shot away from Scotland Yard there is a public-house, tucked away in such fashion that it is not generally noticed; and, in fact, there is a pretense that it does not exist at all. But it is much patronized by members of the Force. Pushing up through the chilly dampness which was bringing fog off the river, Page found that the pub had just opened its doors. He did not go into the public bar. Moving on to a private room, where a bright fire burned, he was surprised to find it occupied. A figure sat with its long legs stretched out to the fire, showing a head with sparse white hair over the back of the chair, a pint tankard in a speckled hand, and a cloud of cigarette smoke over all. Then the figure craned round, revealing the grinning face of Colonel Marquis.

Now this was unheard-of. If Assistant Commissioners go into pubs, they do not go into pubs patronized by their subordinates; and it would cause surprise to see them drinking with anybody less than a chief inspector. But Colonel Marquis enjoyed above all things to break rules.

"Ah, Inspector," he said. "Come in. Yes, it is the old man in the flesh; don't stare. I had been rather expecting you." He took charge of matters. "Beer," he went on. "And take a long pull before you start to talk." When the beer was brought, he smoked thoughtfully while Page attacked it. "Now then. What luck?"

"Aaah," said Page, relaxing. "I don't know about luck, but there have certainly been plenty of developments. The case has gone pfft."

"What the devil do you mean, 'pfft'?" inquired Marquis with austerity. "Kindly stop making strange noises and answer my question. It is a regrettable thing if an inspector of Metropolitan Police ——"

"Sorry, sir. I mean that two of our calculations have been upset. The person who looked most suspicious, and didn't have an alibi, is pretty well exonerated entirely. The person we regarded as being more or less above suspicion is — well, not above suspicion now."

Marquis opened his eyes. "H'm. I'm not surprised. Who is exonerated?"

"Carolyn Mortlake," Page answered wearily. "I wish she hadn't

given us all that trouble. Maybe she doesn't know it herself, but she's got a cast-iron alibi. . . . She really did go to Hastings Street. I went there myself this afternoon to see whether I could pick up any trace of her. I was equipped with a photograph. There's no stationer's at number 66, but there is a news-agent's at number 32: which is the closest anybody could find to it. And she tried that as a last resort. The woman who keeps the shop had noticed a woman prowling up and down the street, looking at numbers and acting queerly. Finally this stranger made a dash, came into the news-agent's, and asked for a letter in the name of Carolyn Baer. I got out my photograph. There's no doubt of it; the proprietress of the shop identifies her as Carolyn Mortlake. . . . There was no letter, of course. The thing was a trumped-up job. But she was in that shop at twenty minutes past five yesterday, a shop in Bloomsbury. Not even if she had flown or used seven-leagued boots could she have got to Hampstead by five-thirty. And she's out of it."

Colonel Marquis drew a deep breath. For a brief time he remained staring at the fire, and then he nodded. "It clears the air, anyhow," he said. "What's next? If one person is exonerated, who's the one to go back under suspicion?"

"Sir Andrew Travers."

"Good God!" said Marquis.

He had clearly not expected this. He got up out of his chair and limped up and down the room with angry bumps of his cane.

"I see, sir," remarked Page, with a broad smile. "I'll lay you a small bet. I'll bet you thought I was going to say Miss Ida Mortlake."

"Shrewd lad," said Marquis, looking at him. "You're not a fool, then?"

"Not altogether," said Page, considering this. "I know you've been thinking that I've rather too pointedly overlooked her. You'll adduce evidence — of contradictory times. White says she was in the house, talking to the butler, at close on five-thirty; just before White himself rushed down to the pavilion. Result: alibi. Davies says she was talking to him at twenty minutes past five, and after that Davies left her. Result: no alibi."

"Yes, I'd thought of it," agreed the other shortly. "Waiter! More beer!"

"You could even say that there seems to be a woman's touch about this crime. And it's certain there was a strong effort to throw suspicion on Carolyn Mortlake. But my early opinion of Ida holds. And I'll tell you something more," continued Page with fierce earnestness, and tapped the table. "The brain behind this business is a man's."

"I agree, yes. But go on about Travers. Why is he back under suspicion?"

"Maybe that's too strong a statement. Sir Andrew stated that he was in his chambers all yesterday afternoon; and that there is no way out of the chambers except through the

clerk's room. . . . Well, sir, that's a plain, flat, thundering lie. There is another way out. There's a fire escape at the back of the building and it runs past the window of Travers's study. Sir Andrew Travers could have gone down that. I don't say he *did*, you understand.

"H'm," said Marquis. He sat down again and eyed the overmantel dreamily. "There is a hive of offices thereabouts," he added. "Somehow, I can't help feeling that the spectacle of a portly and dignified barrister in a top hat climbing down a fire escape in the middle of the afternoon would be bound to excite some comment, not to say mirth. Damn it, Page, the picture is all wrong. In this case Sir Andrew Travers is like Sir Andrew Travers's own pistol: he's an excrescence. How does he fit in? Where is his motive for murdering his friend? How could he have got inside the grounds of the house under Robinson's watchful eye? No, I don't see that stately top hat involved in any such business as this."

"I thought you had some idea of the truth, sir?" Page suggested. He was not without malice in saying it, and he stung Marquis.

"You are quite right, young man. I know the murderer and I know how the crime was committed. But I need facts and I need proof; in addition to which, I have sufficient humility to think I may be wrong, though the possibility is so slight that it needn't bother us. Hum. Let's have facts. Did you dig up anything more today?"

"No more that concerns alibis. For instance, there's Davies." He looked sharply at the other, but Colonel Marquis was very bland. "His alibi — the story that he was in the kitchen with the cook and the maid between twenty minutes past five and a quarter to six — is more or less substantiated. I say 'more or less' because the cook says he was down in the cellar, fetching beer, for some three minutes round about five-thirty. The question is whether he would have had time to nip down to the pavilion, vanish, and nip back again.

"There's only one other person associated with the case — old Alfred Penney. He hasn't got an alibi, in the sense that it's impossible to check it. He says he left the Guildhall Library at five o'clock and came home by Underground; but due to missing trains at a couple of changes and being held up generally, he didn't arrive home until five-forty. The last man in the world whose movements you can ever prove is someone traveling by Underground. Personally, I think he's telling the truth."

Page closed his notebook with a snap. "And that's the lot, sir," he concluded. "That's *everybody* connected with the case. It's got to be one of those. I have two pieces of evidence which round out my report, and I'll repeat them if you like; but they only go to show how narrow the circle has become."

"We'd better have everything."

"Yes, sir. I tried to find out who had faked those number ten shoeprints and also the woman's tracks. I had no difficulty getting permission to go through any wardrobe in the house I liked. That print of a woman's right slipper was a number four. Both Ida and Carolyn wear number fours. But there was no sign of mud on any of the shoes in the house, aside from the ordinary rain-splashes you'd get walking about in the street. That's point number one. Point number two concerns the men's shoes. Only one person in that house wears number tens ——"

"Who's that?" demanded Colonel Marquis sharply.

"Penney."

From the other's expression, Page could not tell whether he was stimulated or disappointed; but there was undoubtedly a reaction of some kind. He sat forward in the firelight, snapping his long fingers, and his eyes were shining. But since he did not comment, Page went on:

"Penney owns two pairs of shoes; no more. That's established. There's a brown pair and a black pair. The black pair he wore yesterday, and were wet. But neither pair had any mud-stains; and mud is devilish difficult to clear off completely so that you leave *no* traces."

He stopped, because he noticed that the waiter who had served them was now poking his head cautiously round the door of the room and looking mysterious. The waiter approached.

"Excuse me," he said, "but are you Colonel Marquis? Yes. I think," he added in the manner of one making a deduction, "you're wanted on the telephone."

The Assistant Commissioner got up sharply and Page observed that for the first time he looked uneasy. "All right," he said, and added to Page: "Look here, this is bad. Only my secretary knows where I am. I told him he wasn't to get in touch with me unless . . . you'd better come along, Inspector."

The telephone was in a narrow hallway, smelling of old wood and beer, at the back of the house. A crooked light hung over it; Page could see the expression on his superior's face and the same uneasiness began to pluck at his own nerves. A heavy voice popped out of the telephone receiver, speaking so loudly and squeakily that Colonel Marquis had to hold the receiver away from his ear. Page heard every word. It was a man's voice and the man was badly rattled.

"Is that you?" said the voice. "Andrew Travers speaking." It cleared its throat, wavered, and became loud again. "I'm at Mortlake's place," the voice added.

"Anything wrong?"

"Yes. Do you know anything about a girl — named Sara Samuels, I think — who's just been engaged as a maid here, and who was to come next month to replace Millie Reilly? You do. Well, you know she was in the grounds here yesterday afternoon

and was the last of the maid-contingent to leave. She 'phoned here about an hour ago. She asked to speak to Carolyn; she said she had something vitally important to tell her, and was afraid to tell it to anybody else; Carolyn engaged her, you see, and she doesn't seem to trust anybody else. But Carolyn's out, seeing to the funeral arrangements. I said I was the — legal representative. I asked whether she couldn't tell me. She hemm'd and haw'd, but finally she said she would come round to the house as soon as she could."

"Well?"

Now Page could imagine Sir Andrew Travers's large white face, its chin showing more blue against the pallor, almost shouting to the telephone. "She never got to the house, Marquis," he said. "She's lying out in the driveway here, dead, with the knife out of a carving set run through her back."

Very slowly Colonel Marquis replaced the receiver, contemplated the telephone, and turned away. "I might have expected that," he said. "My God, Inspector, I might have foreseen it. But I never saw the explanation of one thing until just that second when Travers spoke . . . Evidently someone at Mortlake's was listening in on that telephone-extension again."

"You mean she was killed to shut her mouth about something?" Page rubbed his forehead. "But I don't understand what it was she could have seen or heard. Even if she stayed a bit behind the others and went out after them, she must have gone before four o'clock. At that time the judge was alive and well."

His companion did not seem to hear him. Colonel Marquis had almost reached a point of biting his nails. "But that's not what is bothering me, Inspector. I might have assumed the murderer would have killed Sara Samuels. But in that way? No, no. That was a bad blunder, a fatal blunder. You can see that I've got my evidence now; one more thing to do and I can make an arrest. Yes, I can't understand why the murderer killed her in that particular way, and inside the grounds of the place; unless it was blind panic, of course, or unless ——"

He swept his worry aside; he became brisk.

"You are in charge, Inspector. Hop into a squad car and get out there as fast as you can. Carry the usual routine until I get there. I'll follow in a very short time. I am going to bring two people along with me when I follow you. Both are very important witnesses. One is — you will see. But the other is Gabriel White."

Page stared at him. "I suppose you know what you're doing, sir. Do you think Gabriel White was guilty after all?"

"No, White didn't kill the judge. And it isn't likely he killed the Samuels girl while he was sitting under our eye at Scotland Yard. But he will be very useful in the reconstruction," said Colonel Marquis, with slow and terrifying pleasantry,

"when I demonstrate, in about an hour's time, *how the murderer got out of the locked room!*"

The lights of the Scotland Yard car were turned almost diagonally across the drive in the darkness. Ahead the broad gravel driveway curved up a slight incline towards the house; there were elm trees on either side, and due to the ornamental curves of the drive, this point was visible neither from the house nor from the lodge-gates. Outlines were still more blurred by a smoky white vapor, not light enough to be called mist or thick enough to be called fog, which clung to the ground like a face-cloth and moved in gentle billows.

In the front of the police car Page stood up and looked over the windscreen. The headlights played directly across on a body lying some two or three feet off the drive to the left, near the base of an elm. It was that of a woman, lying partly on her back and partly on her right side.

Page got out of the car, taking his flashlight. There were other figures, shrinking or motionless, drawn some distance away from the body. Sir Andrew Travers was there; hatless, and with the collar of his blue overcoat drawn up, he looked somewhat less impressive. Ida Mortlake was there, looking round the edge of a tree. Finally, Robinson the gatekeeper stood guard like a gnome in a sou'-wester, holding a lantern.

The dead woman lay on a carpet of fallen leaves which, Page realized, would make it impossible to trace any footprints. By the condition of the leaves it was clear that she had been struck down in the driveway and then had been dragged over to where she lay. Without moving the body, he could see by stooping down the handle of the knife protruding from her back just under the left shoulder-blade. His light showed that it was an ordinary carving knife, such as may be seen on any dinner table, with a black bone handle of fluted design. There was a good deal of blood.

She was a woman in the late twenties, short, rather plump, and quietly dressed. No good idea could be gained of the face under the tipsy hat, for the face was grimy with mud and cut with gravel. When the murderer took her from behind, she had evidently been flung forward on her face in the drive; and afterwards she had been turned on her back and dragged to where she lay.

Page's light roamed round the spot, in and out of the trees, and across in the direction of the pavilion. "Damn," he said; and focused the beam. Some three or four feet away from the body there lay in the leaves a heavy hammer.

"Right," said Page, straightening up towards the police car. "Crosby, photographs first. Laine, fingerprints. The rest of you over here a little way, please. Who found the body?"

Robinson, defiantly, held up the lantern so as to illumine his swollen-veined face and telescopic neck.

"Me," he said. " 'Bout half an hour ago. Maybe. I dunno. Sir Andrew,"

he nodded, "'phoned down and said to expect a woman name of Samuels, and to let her in. She got here and I did. When she went up the drive, I stuck my head out the door of the lodge and looked up after her. I couldn't see her, becos the drive turns so much. Like it is here. I was going to shut the door, but I heard a queer sort of noise."

"What sort of noise? A cry? A scream?"

Robinson jumped a little. "I dunno. More like a gurgle. Only loud. I didn't like it, but there wasn't nothing else to do. I got my lantern and started running up the drive. Just as I turned round the corner — right here — I see something like someone dropping something and running away. I didn't *see* much. Kind of a rustle, like, and something like a coat. It run away in the trees. It dropped something. If you want to know what I think it dropped, it was that." He pointed unsteadily towards the hammer lying among the leaves. "I'd got a bit of an idea that someone turned the poor damn woman over on her back and was going to bash in 'er face with that hammer. Only I got here too quick. Then I hopped it up to the house and told Sir Andrew."

At this point Page became conscious that the group was growing; that other people were silently drawn to the magnet of a dead body and the dull lights. A rich, husky, old-port voice, the voice of Davies, spoke up.

"If you'll let me get a better look, sir," said Davies grimly, "I think I can identify both the knife and the hammer. I think that's the carving knife out of the ordinary set in our dining-room. The hammer looks like one that's kept at a work bench in the cellar."

"Sir Andrew Travers ——?" said Page.

Travers, though a trifle hoarse, was master of himself again, as his courtroom manner showed. "At your service, Inspector," he intoned, in a vein of attentive irony.

"Were you here at the house all afternoon, Sir Andrew?" Page asked.

"All afternoon, since about three o'clock. I believe I reached here just as you, Inspector, were leaving. When Robinson brought the news to the house, I was playing backgammon with Miss Mortlake here. We have been in each other's company all afternoon. That's true, isn't it, Ida?"

Ida Mortlake opened her mouth and shut it again. "Yes, of course," she answered. "Why, certainly it's true. They don't think any differently, do they, Andrew? Oh, this is *horrible!* Mr. Page ——?"

"Just a moment, miss," said Page, and swung round as he heard a step on gravel. "Who's there?"

Out of the dimness of flickering lights swam the white, square, pale face of Carolyn Mortlake; and it had a startled expression which vanished instantly. What caused that startled expression Page could not see, but it became again the old cynical mockery which could not quite keep back fear. She cradled her arms in her sleeves

and jeered.

"It's only the black sheep," she said. "Only the poor so-and-so, I mean, who runs around with blackmailers, turning up again like a bad penn——" She stopped. "I say, that reminds me. Where is Penney?"

"Mr. Penney's at the pavilion," Ida replied. "He went there an hour or so ago to straighten up some of father's papers."

Page interposed, "You say Mr. Penney is still at the pavilion? Hasn't anyone told him?"

"I'm afraid not," said Ida. "I — I'm afraid I never thought of it. And he probably hasn't heard anything —"

"Look out!" cried Carolyn Mortlake suddenly.

With a roar, a flourish, and a glare of headlamps, another police car had swung through the lodge-gates a little way down the slope, and it came bucketing round the curve towards them in a way that made Page jump back. When it was almost on the group, the driver jammed on his brakes as though at a signal. The black bulk ground to a dead stop. Then, behind a faintly luminous windscreen in the front seat, a tall figure rose with great politeness and lifted its hat.

"Good evening, ladies and gentlemen," said Colonel Marquis, like a B.B.C. announcer.

There was a silence. Page was well enough acquainted with his chief to be aware of the latter's deplorable fondness for flourish and gesture. Yet, as Colonel Marquis leaned his elbows on the windscreen and peered out over the group with an air of refreshed interest, there was a curious grimness of certainty about him. In the rear of the car Page could see that three persons were sitting, but he could not tell who they were.

"Most of you are here, I notice," Colonel Marquis went on. "Good! I should be obliged if you would all come over to the pavilion with me. Yes, all of you. I have one other guest to increase our number. He calls himself Gabriel White, though some of you know him under another name." He made a gesture. One of the dark figures in the back of the car stirred and climbed out. In the group before the headlights there was silence; Page could read no expressions. But Gabriel White himself seemed drawn and nervous.

They walked in a sort of Indian-file to the pavilion, choosing the path so that they might not interfere with any traces round the body. All of them were aware that this was the end, although few of them knew what end.

The pavilion was illuminated in all its rooms, the curtains drawn across the windows. When that tramping procession went down to the study a somewhat frightened Mr. Alfred Penney — with a pair of spectacles down his nose — started up from behind the judge's desk.

"Join the group, Mr. Penney," said Colonel Marquis. "You will be interested in this."

Again from various pockets he produced his arsenal of three pistols and arranged them in a line on the writing table, from which Penney had moved back. Page noticed the positions of the various people. Ida Mortlake stood very far back from the table, in shadow, with Travers beside her. Carolyn Mortlake, her arms folded with a swaggering gesture, leaned against the east wall. Davies, imperturbable, but clearly enjoying this, was at Colonel Marquis's elbow as though to anticipate any want. Penney hovered in the background. The defiant Robinson (still refusing to remove his cap) was by the window. Gabriel White — who suddenly seemed on the verge of crumbling to pieces — stood in the middle of the room with his hands in his pockets.

And Colonel Marquis took up a position behind the table under the lamp, smiling at them, with the three pistols ranged before him. "At this moment, ladies and gentlemen, Sergeant Borden is showing the body of Sara Samuels to someone who may make a strange identification. But in the meantime, in order to round out my evidence, I should like to ask two questions . . . of Miss Ida Mortlake."

Ida took a step forward, more vigorous than Page had ever seen her. Her lovely face had little color; but it looked much less soft. "Whatever you wish to know," she said.

"Good! At the beginning of this investigation, Miss Mortlake, we heard that there were two keys to the tradesmen's entrance in the wall round these grounds. Robinson had one; you, in your nominal capacity as housekeeper, had the other. They were of value only yesterday afternoon, when you asked for that gate to be locked. Robinson locked the gate with his key. Where was, and is, yours?"

She looked at him calmly. "It was in the drawer of the butler's pantry, along with the other keys. And it's still there."

"But — a corollary to the first question — the key could be taken out, a copy made, and put back again, without anyone being the wiser?"

"Well . . . yes, I should think so: It was never used. But why?"

"Good. My last question, then. Today our friend Robinson told us a significant thing. He said that a short time ago a great rumpus was being cut up about these east windows in here: the ones with the loose frames, on which the judge kept the shutters closed at all times. He said that you suggested getting new frames put into the windows, so that there could be more light in the room. I want you to think carefully before you answer. Was what Robinson said true?"

Her eyes widened. "Well . . . yes, in a way. That is, I was the one who actually *spoke* about it to father. But he wouldn't hear of it; there was a most awful argument, and I let it drop. But it wasn't my idea, really."

"Then who suggested it to you? Can you remember?"

"Yes, of course. It ——"

There was a clumping of feet outside in the hall and the door opened. Sergeant Borden appeared, saluting, his shining face well satisfied. "All set, sir," he reported. "It took a few minutes longer than we thought, because this Samuels girl's face was dirty and we had to wash it before the lady could be sure. But here she is and she's ready to testify any time you like."

He stood aside, to show a flustered, dumpy little woman, with a glassy eye and gray hair. She wore black; she took protection behind an umbrella; and at first glance Page thought he had never seen her before. Then he realized with a shock who she was. Colonel Marquis nodded to her. "That's settled, then," he said. "Your name, madam?"

"Clara McCann," replied the woman, getting her breath. "Mrs." she added.

"What is your occupation, Mrs. McCann?"

"*You* know what it is, sir. I keep a news-agent's shop at number 32 Hastings Street, Bloomsbury."

"You have just looked at the body of Sara Samuels, Mrs. McCann. Did you ever see her before?"

Mrs. McCann took a grip of her umbrella and spoke in a rush: "Yes, sir, I did. There's no mistake about it now, like there was when I only saw the photograph. She was the lady who came into my shop yesterday afternoon at twenty minutes past five and asked if I had a letter for her in the name of Carolyn Baer."

At the end of a dead silence, which sounded in Page's ears like a sort of roar, one face in the room shifted and changed. Colonel Marquis lifted his hand.

"Your warning, Inspector," he said. "It's not my duty to give it. But there's your prisoner."

Page said: "Carolyn Mortlake, I arrest you for the murder of Charles Mortlake and Sara Samuels. I have to warn you that anything you say will be taken down in writing and may be used as evidence."

For a space of time in which you might have counted five slowly, no one moved or spoke. Carolyn Mortlake remained leaning against the wall, her arms folded; the only change about her was that her eyes had acquired a steady, hard shine, and her dark-painted mouth stood out against her face.

"Don't — don't be an ass," she said harshly. "You can't prove that." Then she screamed one word at him, and was calm again.

"I can prove it, my young lady," said Colonel Marquis. "I'll show you just how far I can prove it by giving you time to think of an answer and a defense. I'll leave you alone with your thoughts for a few minutes, while I speak of somebody else."

He swung round abruptly, the light making harsh shadows on his face. There was a queer sucking sort of noise: the noise of Gabriel White trying to moisten his lips. White was not

standing quite so erect. It was his face which had shifted and changed, not Caroline Mortlake's.

"Yes, I mean you," said Colonel Marquis. "I mean Carolyn Mortlake's lover. I mean Gabriel White, or Lord Edward Whiteford, or whatever you care to call yourself. God's death, you're a pretty pair, you are!"

"You haven't got anything on me," said White. "*I* didn't kill him."

"I know you didn't," agreed the other. "But all the same, I can send you to the gallows as accessory before and after the fact."

White took a step forward. But Sergeant Borden put a hand on his shoulder. "Watch him, Borden," ordered Colonel Marquis. "I don't think he's got the nerve for anything now, but he's a dead shot — and he once beat a woman half to death in a tobacconist's shop merely because she had only a pound or two in the till when he needed a little spending money. The old judge was right. There seems to have been some doubt as to whether Friend White is a saint or a well-defined swine; but the old judge knew long before we did."

Marquis looked at the rest of them. "I owe some of you an explanation, I think," he went on; "and the shortest way will be to show you how I knew that White was lying from the very first — lying through and through — lying about even the things he *admitted* having done. That was (as he believed) the cleverness of his whole plan. Oh, yes: he was going to kill the judge. He would have killed the judge, if his sweetheart hadn't interfered. But he was never going to hang for it.

"Stand back, now, and look at certain bullet-holes. There has been one basis in this case, one starting point for all investigation, one solid background which we all believed from the outset. We took it for granted. It concerns the two shots which were fired in here — the shots from the .38 Ivor-Johnson revolver and the .32 Browning automatic — the two shots which did *not* kill the judge. We accepted, on White's word, the statement that the first shot was from the .38 revolver and the second shot from the .32 automatic. We were meant to accept that statement. White's defense was based on it. And that statement was a lie.

"But even at first glance, if you look at the physical evidence, White's story seemed wildly improbable on the very points of guilt that he admitted. Look at this room. Look at your plan of it. What was his story? He said that he rushed into the room, flourishing the .38 revolver; that the judge was then at the open window; that the judge turned round, shouting something; and at this moment, while the judge was still in front of the window, he fired.

"Yes; but what happened to that .38 bullet? That bullet, which White said he fired as soon as he got in here, smashed the tube of the dictaphone and crashed into the wall *more than a full six feet away from the window where the judge was standing.* Now this

is incredible. It cannot be believed that even the worst revolver shot, even one who did not know a pistol from a cabbage, could stand only fifteen feet away from the target and yet miss the target by six feet.

"And what follows? Outside the window — on a direct line with the window — there is a tree; and in this tree — also in a direct line with the window — we find embedded a bullet from the .32 Browning automatic. In other words, this Browning bullet is in precisely the position we should have expected if White, coming into the room, had fired his first shot from the Browning .32. He missed the judge, though he came close; the bullet went through the open window and struck the tree.

"It is therefore plain that his first shot must have been fired from the Browning. As a clinching proof, we note that his story about the mysterious shot from the Browning — the second shot, fired from behind him and to the right, over in the corner by the yellow vase — is a manifest lie. The bullet could not have first described a curve, then gone out the window, and then entered the tree in a straight line. More! Not only was it a lie, but obviously he knew it was a lie.

"So the course of events was like this. He entered this room, he fired with the Browning .32, and he missed. (I will presently show you why he missed.) White then ran across the room, dropped the Browning into the vase, ran back, and *then* he fired the second shot with the Ivor-Johnson .38. Do you care for proof? My own officers can supply it. This morning I conducted a little experiment here. I stood over there in the corner by the vase and I myself fired a shot. I was not aiming at anything in particular, except in the direction of the wall between the windows. It struck the wall between the windows, a foot to the right of the open one. Had I been farther out into the room, more on a line with the table, my bullet would have struck exactly the spot where the Ivor-Johnson .38 shot went into the wall. In other words, where White was standing when he pulled a trigger for the second time."

Sir Andrew Travers pushed to the forefront.

"Are you saying that White fired both the shots after all? But that's insane! You said so yourself. Why did he do it in a room that was sealed up? What was the sense of it?"

"I will try to show you," said Colonel Marquis, "for it was one of the most ingenious tricks I know of. But it went wrong . . .

"The next bit of evidence to claim our attention is a set of well-stamped footprints, made by a man's number-ten shoe, crossing a ten-foot flowerbed outside the west windows. All these tracks led away from the window. We were meant to believe that someone in a number-ten shoe (which was larger than White's) had got out of that window and run away. But it was impossible for anybody to have got out there, due to the condition of

the window sashes. So the footprints were obviously faked. Yet, if they were faked, how did the person who made them get *across* that big stretch of flower-bed in order to make a line of tracks coming away from the window? It was even asked whether he flew. And the person must have done just that. In other words, he jumped. He jumped across, and walked back, thus faking his evidence an hour or so before the judge was actually killed. There is only one person in the case who is capable of making a leap like that: Gabriel White, who, as Mr. Penney told us this afternoon, holds an unbeaten record for the broad-jump at Oxford. . . .

"And next? Next we hear from Robinson of a sudden and energetic plan, originating in the judge's household not long ago, to open up those windows so that they shall be like ordinary windows. All things — you begin to see — center round a phantom murderer who shall kill the judge and escape from that window, leaving his tracks and his gun behind.

"White's plan was just this. He meant to kill Mr. Justice Mortlake, but he is clever enough — kindly look at him now — to know that, no matter how the judge died, he is bound to be suspected. I do not need to review the case to convince you of that. He cannot possibly commit a murder where *no* suspicion will attach to him. If he tries some subtle trick to keep out of the limelight and the public eye, they will nail him. But he can commit a murder for which there will not be enough evidence to convict him, and of which most people will believe him innocent.

"He can — with the assistance of an accomplice in Mortlake's household — obtain possession of a Browning pistol belonging to some friend of the family. It does not really matter what pistol, so long as it can be shown that *White* could not have stolen it. Very well. He can make wild threats against the judge in the hearing of anyone. He can with blatant swagger and obviousness purchase a .38 calibre gun from a pawnbroker whom he knows to be a copper's nark — and who, he also knows quite well, will immediately report it. He can also procure, from any source you like, a pair of number-ten shoes which are nothing like his own shoes. He can get, from his accomplice, a duplicate key to the tradesmen's entrance which will enable him to enter the grounds when he likes. Finally, he can get his accomplice's word that the rusted windows and shutters are now in ordinary working order.

"Then he is ready. On any given afternoon, when the judge is alone in the pavilion, he can get into the grounds an hour or so before he means to make his attack. He can implant his footprints. He can give the shutters a pull to make sure they are in order. Then he can alarm the household — get them to chase him — get any convenient witnesses on his trail. He can rush into the pavilion, as though wildly, a long distance ahead of them. The shoes in which he made the tracks

are now buried somewhere in the grounds; he wears his own shoes. He can lock the door. He can fire two shots; one a miss, one killing his victim. He can fling up one of the west windows and toss the Browning outside. When the pursuers arrive, there he is: a man who has tried to murder — *and failed.* A real murder, instead, has been done by someone who fired from a window, and jumped out; someone who wore shoes that are not White's shoes and carried a gun White could not have carried. In short, White was blackening his character in order to whitewash it. He was admitting he intended murder; at the same time he was showing he could not have done it. He was creating a phantom. He would not get off scot-free; he was in danger; but he could not possibly be convicted, because in any court there would loom large that horned and devilish discomfort known as the Reasonable Doubt. His deliberate walking into the hangman's noose was the only sure way of making certain it never tightened round his neck."

Page turned round towards White; and again there was a subtle alteration on the young man's face. Though the same ugliness still moved behind the eyes, his handsome face has almost a smile of urbanity and charm. He had drawn himself upright.

"There is still a reasonable doubt, my dear old chap," said Lord Edward Whiteford lightly. "I didn't kill him, you know."

"Look here, Marquis, I am trying to keep my head," thundered Travers. "But I don't see this. Even if this is true, *how did the real murderer get out of the room?* We're as badly off as we were before. And why was White such an ass, or his accomplice such an ass, as to go through with the old scheme when the windows *hadn't* been altered? You say Carolyn is the murderer: I can't believe that ——"

"Many thanks, Andrew," interrupted Carolyn mockingly. She shifted her position and walked forward with quick jerky steps. It was clear that she had not got herself completely under control: she could master her intellect, but she could not master her rage, which was a rage at all the world.

"Don't let them force you into admitting anything, Gabriel," she went on almost sweetly. "They are bluffing, you know. They haven't a scrap of real evidence against me. They accuse me of killing father, but they don't seem to realize that in order to do it I must have made myself invisible; and they won't dare go to a jury unless they can show how father really was killed. Besides, they'll make fools of themselves as it is. You spotted it, Andrew. If Gabriel and I were concerned in any such wild scheme, we should have known the windows were sealed up ——"

A hoarse voice said: "Miss Carolyn, I lied to you."

Robinson had taken off his hat at last and he was kneading it in his hands. He continued: "I lied to you. I been on hot bricks all day; I been

nearly crazy; but, so help me, I'm glad now I lied to you. You — the tall gent — you, sir: a couple of nights ago she gave me a five-pun note if I would sneak down here and put one of them windows right, so it could be opened, anyhow. And I went. But the judge caught me. And he said he'd skin me. And I went back to you; and I wanted that five-pun note; so I lied and said I'd fixed the window. I know I swore on the Bible to you I'd never mention it to anybody, and you said I wouldn't be believed if I told it, but I ain't going to be hanged for anybody. . . ."

"*Catch her, Page,*" snapped Marquis.

But it was not necessary to restrain her. She turned round to face them with a smiling calmness.

"Go on," she said.

"You and White planned this together, then," said Colonel Marquis. "I think you hated the judge almost as much as he did: his every mannerism, his very mildness. Also, I am inclined to believe you were getting into desperate straits over your earlier affair with Ralph Stratfield the blackmailer. If your father ever heard of that, you would be unlikely to get a penny under the will. And you needed money for your various fancy men like Stratfield — and Gabriel White.

"Of course, it was plain from the start that White had an accomplice here in the house. He could not have known so much, got so much, unless that were so. It was also clear that his accomplice was a woman. The case had what Inspector Page described as a woman's touch in it; and no other possible accomplice in the house had any adequate motive except yourself — and your sister. That, I admit, bothered me. I did not know which of you it was. I was inclined to suspect Ida, until it became obvious that all these apparent attempts to throw suspicion on you were really intended against her and one other. . . . What size shoes do you wear, Travers?"

"Tens," said Sir Andrew grimly. "I'm rather bulky, as you've noticed."

"Yes. And it was your pistol; above all, it was your known afternoon to visit the judge. That was why White delayed so long, hoping you would appear. You are — um — associated with Ida Mortlake. Yes; you were the combination intended to bear the suspicion, you two.

"In the scheme as planned, Carolyn Mortlake was to have no hand in the actual murder. But she must have an alibi. For they were going to create a mystery, you see. Anybody might be suspected in addition to Travers and they must keep their own skirts absolutely clean. Hence the trick: 'Ralph Stratfield' was to be used as a blind, in a brilliant alibi which was all the more strong for being a discreditable alibi. Gabriel White should put through a 'phone call to the house, saying to go to such-and-such an (imaginary) address and ask for a letter. You, Carolyn Mortlake, *were really intended to go.* It was an ingenious shamplot: there was no such address and

you and White knew it; but it would serve more strikingly to call attention to you later, when you wandered up and down a street for the inspection of later witnesses, and had an alibi for half an hour in *any* direction, no matter what time White should kill the judge. It would, in other words, give you an excuse for wandering all over the place under the eyes of certain witnesses. Also, you were to refuse to answer any questions about it: knowing quite well that the police would find it and that the invaluable Millie Reilly, the maid, was listening in to all 'phone conversations. She would report it. You could afford to have the apparent truth, the 'alibi,' dragged out of you. It was exactly like White's plan: you too were blackening your character in order to whitewash it.

"But you did not go to Hastings Street after all." Marquis stopped. He looked at her curiously, almost gently; then he nodded towards White. "You are very much in love with him, aren't you?"

"Whether I am or not," she told him, "is none of your business and has no connection with this case."

She was pale nevertheless. What puzzled Page throughout this was the gentle, aloof, almost indifferent air of Gabriel White himself, who had none of the bounce or fire which had characterized him in the morning. He stood far away on a polar star.

"Yes," Colonel Marquis said sharply, "it has a great deal of connection with the matter. You were afraid for him. You thought him, and you think him, weak. You were afraid he would lose his nerve; or that he would grow flurried and bungle the business. And above all you were afraid — fiercely afraid — *for* him, because you love him. You wished to remain behind here. Yet you are, I venture to think, a cold-hearted young devil, almost as cold-hearted as that smirking Adonis there. And yet you wanted that alibi. Opportunity knocked at your door yesterday afternoon: you interviewed a batch of applicants for the maid's position ——?"

"Well?"

"And one of them looked like you," said the Assistant Commissioner. He glanced at Page. "Surely you noticed it, Inspector, in Sara Samuels? The short, plump figure; the dark good looks? She wasn't by any means a double, but she was near enough for the purpose. Suppose the Samuels girl were sent to Hastings Street? It was a dark, rainy day; the girl could put her coat collar up, as she was instructed; and to a casual witness she would later appear to *be* Carolyn Mortlake. It might be a case of 'Oh, you badly want a job, do you? Then I'll test you. Go to Hastings Street ——' and the rest of it — 'otherwise you get no job.' The girl would agree.

"If later the Samuels girl came to suspect something . . . well, you weren't much afraid: you have great faith in the power of blackmail and of saying 'You daren't speak now; they'd arrest you.' But it was unlikely

the Samuels girl ever would come into it. She was not to take over her job until next month. There was absolutely no reason why the police should think of her at all.

"And there was your plot, all cooked up in ten minutes. You could remain behind now — and even kill the old man yourself if White wavered.

"That, I think, was why you went down to the pavilion before you ostensibly 'left' the grounds. It wasn't that you wanted money. But you did want the gun in your father's desk. To get it without his knowing might have been difficult. But you yourself, unfortunately, gave a clue as to how you might have stolen it, when you were so eager to throw suspicion towards Sir Andrew Travers by stressing the point of his being expected there. You mentioned to your father that the electric fire wasn't turned on in the living-room; and that it would be freezing cold, and that the tea things were not set out. We have heard from others about his extremely finicky nature and how he would not allow others to touch things he manipulated himself. He would, to prevent your doing it, go into the living-room, turn on the fire, and set out the kettle. In his absence you, in this room, would steal the Erckmann air-pistol out of the drawer.

"I don't know whether it occurred to you to shoot him through the heart then and there, and so prevent White's bungling. But you realized the chances against you and you were wise enough not to do it. In one place you erred: you forgot to look closely at the west window, to make sure Robinson had repaired it as he had sworn. Well, you left the grounds after that.

"Meantime, White is talking to your sister at a teashop. He didn't want to see her, really; it was a bad chance meeting; but since it couldn't be avoided, he tried to pile it on thickly by raving out threats against your father so as to strengthen his position. But, unfortunately, he went too far. He scared her. He scared her to such an extent that when she went home, she 'phoned the police. You two conspirators did not want the police — emphatically not; it was too dangerous. White wanted to run into that pavilion pursued by a servant, or seen by a few servants; no more.

"When Ida had gone home, White followed and let himself in through the tradesmen's entrance with the duplicate key. It was foresight to have had that key, for he couldn't have known in the ordinary way that Ida would order the gate locked. By the way, my friend White: you told a foolish lie when you said you got into the grounds in her car. That was not only foolish, it was unnecessary. And I am tolerably sure it was done to direct attention towards her, making us wonder just how innocent she might have been in the rest of it.

"For consider — I am still following you, White — what you did then. Once in the grounds you set about prowling round the pavilion. You

made your tracks. When you touched the shutters of the west window they still seemed tolerably solid: which bothered you. You went round and threw a pebble at one of the front windows, so as to draw the judge and Penney (who was with him then) to the front of the pavilion. And then you would be able to get a closer look at the shutters on the west window. Unfortunately, the judge only opened the front window and looked out; you didn't draw him away at all. But you thought, as Carolyn had assured you on Robinson's word, that the west window would open easily from inside.

"Presently you went to the house. In the yarn you told us there was one truth: you did get into the house through a side window, after a long failure to penetrate anywhere else. The purpose was to appear suddenly in the house before the servants; to run out pursued by the redoubtable Davies; to be seen lurking and dashing, and leave a trail to the pavilion. But — when you got through a window at twenty minutes past five — you heard a terrible thing. You heard Ida Mortlake talking to the butler. I say, Davies: in that conversation did Miss Mortlake tell you anything else besides the fact that the judge was taking tea at the pavilion?"

Davies nodded glumly.

"Yes, sir. She said not to be alarmed if I saw any policemen on the grounds. She said she had telephoned for them. I already knew it, as a matter of fact. Millie heard her on the 'phone extension."

Colonel Marquis snapped his fingers. "Good! Now see White's position. He is up in the air. He is wild. He doesn't want the police or he may lose his nerve. Or will he? He climbs out of the window and stands in the rain wondering like hell. And White omitted to tell us about that hiatus of ten minutes next day; he placed the conversation at close on half-past five, thereby neatly throwing suspicion on Ida Mortlake when we learned the real time of it. Thus he stands in the rain, and finally he goes to the pavilion, still wild and weak and undecided. But thunder and lightning inspired him and he makes up his mind to be a god. He makes up his mind to kill the judge in front of all the police in the world . . . just as lightning shows him two policemen in the path. . . .

"But," snapped Marquis grimly, "let's not forget Miss Carolyn Mortlake, for hers is now the most important part in the story.

"She has come back into the grounds, unknown to White. (She was almost locked out unexpectedly; and, if White hadn't conveniently left the tradesmen's entrance unlocked when *he* went through, she wouldn't have been able to get in at all.) She is watching, and I am inclined to think she is praying a little. And what does she hear? At close on half-past five, near the lodge gates, she hears Robinson arguing with a couple of police officers who have just arrived.

"This must seem like the end. She runs back towards the pavilion before they can get there. There are trees round that pavilion. There is one particular tree, a dozen or more feet out from one of the front windows, and she hides behind that. And she sees two things in the lightning — the policemen running for the pavilion and a distracted Gabriel White running for it ahead of them.

"There is now no question about worrying whether he might lose his nerve; she KNOWS he has lost his nerve and will smash all their plans like china, if he goes ahead now. The worst of it is that she cannot stop him. He will be caught and hanged for a certainty. Is there any way she can keep him from being caught for a murder which has now become a foolery? There is none . . . but she is given one.

"She is now in front of the tree, between it and the pavilion, hidden from Page's view by the bole of the tree. But at Sergeant Borden's yell the providential occurs. The curtains are pushed back. Mr. Justice Mortlake opens the window halfway, thrusts out his head, and shouts. There is her stepfather, facing her ten feet away, illuminated like a target in the window. There is one thing, my lads, you have forgotten. If a Browning .32 bullet can fly out of an open window, *an Erckmann air-pistol bullet can fly in!*

"She lifts the Erckmann and fires. There is no flash. There is no noise, nothing which would not be drowned out easily by the storm. The Erckmann bullet was in Mr. Justice Mortlake's chest about one second before Gabriel White threw open the door of the study. She has only to draw to the other side of the tree and the inspector will not see her as he runs past."

Sir Andrew Travers put out his hand like a man signaling a bus.

"You mean that it was the *first* shot? That both the other two were fired afterwards?"

"Of course I do. And now you will understand. Struck in the chest, he barely knows what has happened when White bursts into the room. Remember, the doctor told us that death was not instantaneous; that Mortlake could have taken several steps, or spoken, before he collapsed. He turned round when he heard White enter. And then . . .

"You will be able to see what turned our friend White witless and inhuman, and why he had on his face an expression of bewilderment which no actor could produce. White lifted the Browning and fired; but on the instant he fired or even before, his victim took a few sideways steps and fell across the writing table. Well, has he shot the judge or hasn't he? What is more, he has no time to find out. He has forgotten that window. He has bolted the door, but now they may be in and catch him before he can make his second-to-second plans. He runs to the window to throw out the Browning. And the universe collapses, for the window will not budge. There is only one thing he

can do; he simply drops the Browning, and it goes into the vase. Now all he wants to do is strike back, for he hears Page's footsteps within ten paces of the window. He swings round with the .38 revolver and fires blindly again. Was it with the intention of completing his story and his plan somehow? Yes. For, whatever happens, he has got to stick to his story. The worst and most devilish point is this: he does not really know whether he has killed the judge. He does not know it until this morning.

"But now you will be able to see why Inspector Page, running for that window, swore no bullet could have been fired past him into the tree, or he would have heard signs of it. It was because the bullet which struck the tree was the first of the two fired by White, and was fired when the inspector was seventy feet away from the tree. You also see why Page saw no women or no footprints. She had already run away. But she came back, after he had climbed through the window. She hid behind the tree and peered round it, in order to get a direct view into the room. That was how she slipped — you noticed the blurred toe-print on one shoe — and planted that smashing heavy footprint (all unknowingly) in the soft soil. It is a great irony, gentlemen. For that was a perfectly genuine footprint. We must assume that she remembered it and destroyed the slippers afterwards.

"We must assume many things, I think, until I prove them in the case of Sara Samuels. When you went out this afternoon, Miss Mortlake, did you see the Samuels girl on her way here? Did you realize that she knew the trap alibi she had fallen into and that she was coming here to betray you? Did you dodge here ahead of her, through that invaluable tradesmen's entrance now unlocked? Did you get into the house unobserved and find the knife and the hammer? Did you wish to make her unrecognizable, so that it should never be observed that she looked like you and thus betray the alibi? Only you had interviewed her, you know, and Robinson had no good description. It was blind panic. You little devil, it was murderous panic. But at least you did not err on the side of over-subtlety — as you have done ever since you planted that air-pistol in your own bureau drawer, and so conveniently made out that your sister was trying to throw suspicion on you."

Carolyn Mortlake opened and shut her hands. She remained under the brilliant light by the table; but abruptly she flung round towards White. She did not scream, because her voice was very low, but her words had the effect of a scream of panic.

"Aren't you going to do anything?" she cried to White. "Aren't you going to say anything? Deny it? Do something? Are you a man? Don't stand there like a dummy. For God's sake don't stand there smirking. They haven't got any evidence. They're bluffing. There's not one piece of real evidence in anything he's said."

White spoke in such a cool, detached voice that it was like a physical chill on the rest of them.

"Terribly sorry, old girl," he said, with a grotesque return of the old-school-tie; "but there really isn't much I can say, is there?"

She stared at him.

"After all, you know, that attack on the girl — that was a nasty bit of work," he went on, frowning. "I couldn't be expected to support that. It's like this. Rotten bad luck for you, but I'm afraid I shall have to save my own skin. *Sauve qui peut*, you know. I didn't commit the murder. Under the circumstances I'm afraid I shall have to turn King's evidence. I must tell them I saw you shoot the old boy through the window; it can't hurt you any more than their own evidence, now that the murder's out, and it may do me a bit of good. Sorry, old girl; there it is."

He adjusted his shabby coat, looked at her with great charm, and was agreeable. Page was so staggered that he could not speak or even think. Carolyn Mortlake did not speak. She remained looking at him curiously. It was only when they took her away that she began to sob.

"So," said Colonel Marquis formally, "you saw her fire the shot I take it?"

"I did. No doubt about that."

"You make that statement of your own free will, knowing that it will be taken down in writing and may be used as evidence?"

"I do," said White with the air of a martyr. "Rotten bad luck for her, but what can I do? How does one go about turning King's evidence?"

"I am happy to say," roared Colonel Marquis, suddenly rising to his full height, "that you can't. Making a statement like that will no more save your neck than it saved William Henry Kennedy's in 1928. You'll hang, my lad, you'll hang by the neck until you are dead; and if the hangman kicks your behind all the way to the gallows, I can't say it will ever weigh very heavily on my conscience."

Colonel Marquis sat at the writing table under the dragon-lamp. He looked pale and tired and he smoked a cigarette as though it were tasteless. In the room now there were left only Ida Mortlake, Sir Andrew Travers, and Page busy at his notebook.

"Sir," said Travers in his most formal fashion, "my congratulations."

Marquis gave him a crooked grin. "There is one thing," he said, "on which you can enlighten me. Look here, Travers: why did you tell that idiotic lie about there being no way out of your rooms at the Temple except through the front? No, I'll change the question: what were you really doing at five-thirty yesterday afternoon?"

"At five-thirty yesterday afternoon," Travers replied gravely, "I was talking on the telephone with the Director of Public Prosecutions."

"Telephones!" said Marquis bitterly, striking the desk. Then he looked up with an air of inspiration.

"Ha! I see. Yes, of course. You had an absolutely water-tight alibi, but you didn't care to use it. You spun out all that cloud of rubbish because ——"

"Because I was afraid you suspected Miss Ida Mortlake," said Travers. Page, glancing up, thought that he looked rather a stuffed shirt. "I — hum — there were times when I was afraid she might have been ——" He grew honest. "Fair is fair, Marquis. She might have done it, especially as I thought she might have stolen my gun. So I directed your attention towards me. I thought if the hounds kept on my trail for a while, I could devise something for her whether she were guilty or whether she were innocent. I had a sound alibi, in case you ever arrested me. You see, I happen to be rather fond of Miss Mortlake."

Ida Mortlake turned up a radiant and lovely face.

"*Oh, Andrew,*" she said — and simpered.

If a hand-grenade had come through the window and burst under his chair, Page could not have been more astounded. He looked up from his notebook and stared. The sudden gush of those words, no less than the simper, caused a sudden revulsion of feeling to go through him. And it was as though, in his sight, a blurred lens came into focus. He saw Ida Mortlake differently. He compared her with Mary O'Dennistoun of Loughborough Road, Brixton. He thought again. He was glad. He fell to writing busily, and thinking of Mary O'Dennistoun. . . .

"In one way this has been a very remarkable case," said Colonel Marquis. "I do not mean that it was exceptionally ingenious in the way of murders, or (heaven knows) that it was exceptionally ingenious in the way of detection. But it has just this point: it upsets a long-established and domineering canon of fiction. Thus. In a story of violence there are two girls. One of these girls seems dark-browed, sour, cold-hearted, and vindictive, with hell in her heart. The other is pink-and-white, golden of hair, innocent of intent, sweet of disposition, and (ahem) vacant of head. Now by the rules of sensational fiction there is only one thing that can happen. At the end of the story it is proved that the sullen brunette, who snarls all the way through, is really a misjudged innocent who wants a lot of children and whose hardboiled worldly airs are a cloak for a modern girl's sweet nature. The baby-faced blonde, on the other hand, will prove to be a raging, spitting demon who has murdered half the community and is only prevented by arrest from murdering the other half. I glorify the high fates, we have here broken that tradition! We have here a dark-browed, sour, cold-hearted girl who really *is* a murderess. We have a rose-leaf, injured, generous innocent who really *is* innocent. Play up, you cads! *Vive le roman policier! Ave Virgo!* Inspector Page, gimme my hat and coat. I want a pint of beer."

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ALBERT PASTOR AT HOME

by DASHIELL HAMMETT

LEFTY comes in and drops his suitcase and kicks the door shut and says, "How's it, kid?"

I get up to shake hands with him and say, "How's it, Lefty?" and see he has got a goog or black eye that is maybe a week old and some new skin growing in alongside his jaw. I am too polite to stare at these things. I ask, "Well, how'd you find the old home town?"

"I just looked behind the railroad depot and there it was," he replies jokingly. "Kid, I'm here to tell you it was one swell visit. This big city stuff is all oke, but when you go back to the place you was born and the kids you run around with and your family and — Say, kid, I got a kid brother that ain't eighteen yet and you ought to see him. Big as me except for weight and a couple inches of height and can he throw hands. When we put the gloves on down the cellar mornings — what a kid, kid! Even when I was in shape I would've had trouble holding him. You ought to see him, kid."

I think that it will be all right to refer to those things on Lefty's face now, so I say, "I'd like to. Why don't you bring him on? Any boy that can get to your ponem like that ought —"

Lefty puts a hand to the eye that is not in as good shape as the other one and says, "That ain't his. That's —" He laughs and takes his hand away from his eyes and takes a jewelry box out of his coat pocket and passes it to me. "Take a look at that."

In the box there is a watch that looks like platinum attached to a chain that looks like platinum. I think they are.

Lefty says. "Read what's on it."

On the back of the watch it says *To Albert Pastor* (which is the way Lefty writes his name when he has to) *with the gratitude of the members of the Grocers' Protective Association.*

"Grocers' Protective Association," I say slowly, "that sounds like —"

"A racket!" he finishes for me and laughs and bangs my desk with his hand. "Call me a liar if you want, but back there in my home town, this little burg that ain't got a quarter million people in it — but get me right, a swell little burg just the same — they got racketeers!"

I would not want to call Lefty a liar even if I thought he was a liar because he would have been heavyweight champion of the world before he left the ring to go in business with me if they did not have rules you are supposed to fight by in the ring and if he did not have a temper which kept him forgetting they had rules you were supposed to fight by. So I say, "Is that so?"

Lefty says that is so. He says, "You could've knocked me over with the

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District Attorney's office. Big city stuff back there! Ain't that a howl? And my old man being shook down along with the rest of them."

"Your old man is a grocer?" I ask.

"Uh-huh, and he always wanted me to follow in his own footsteps," Lefty says, "and that's the real reason he didn't have no use for my fistic career. But that's all right now — now that I retired from the arena. He's a swell old guy when you're old enough to understand him and we got along fine. I give him a sedan and you'd ought to see the way he carries on about it. You'd think it was a Dusenberg."

"Was it?" I ask.

Lefty says, "No, but you'd think it was a Rolls the way he carries on about it. Well, I'm there a couple days and he lets off about these bums that'd been lining up the grocers round town — join the protective association or else, with not many takers for the else. It seems the grocer business ain't none too good by its own self and paying alimony to these mugs don't help it none. The old man's kind of worried.

"I don't say nothing to him, but I go off by myself and do some thinking and I think, what's the matter with me going to see these babies and ask them do they want to listen to reason or have I got to work on them? I can't see nothing wrong with that idea. Can you?"

"No, Lefty," I say, "I can't."

"Well, neither could I," Lefty says, "and so I did and they don't think they want to listen to reason. There's a pair of them in the protective association office when I come in — just about what I expected — they know the words, but they ain't got the motions right yet. There was a third one come in after awhile, but I'm sweating good by that time and handy pieces has been broke off some of the furniture, so I make out all right, and the old man and some of the others buy me this souper with some of the dues they'd've had to pay next month if there'd been any protective association left."

He puts the watch and chain back in the box and carefully puts the box back in his pocket. "And how's *your* father's horse?" he asks.

I take the envelope with the money in it out of my pocket and give it to him. "There's your end," I say, "only Caresse's not in. You know — the little fat guy around on Third avenue."

"I know him," Lefty says. "What's the matter with him?"

"He says he's paid so much for protection now that he's got nothing left to protect," I say, "and he won't stand for the boost."

Lefty says, "So?" He says, "That's the way, soon's I get out of town these babies think they can cut up." He stands up and buttons his vest. "Well," he says, "I guess I'll go round to see that baby and ask him does he want to listen to reason or have I got to go to work on him?"

THE CORPSE IN THE CLOSET

by Q. PATRICK

LIEUT. TIMOTHY TRANT entering his sister's chattering living room, thought how depressing cocktail parties sounded. In the New York Homicide Division he was tabbed as a playboy, largely because he'd gone to Princeton — a frivolous pursuit in the eyes of his police pals. He usually avoided social functions; but his sister Freda always bullied him into attending hers. She was the only woman who could still intimidate him and knew it.

She bore down on him: "Timothy, as usual, you're disgracefully late. The whole point of the party was for you to meet Celia Prentiss — and she's almost ready to leave."

"She'll survive not meeting me." Timothy nodded to where several men were clustered around an expensively shiny blonde. "If she ever needs a cop, it's only to direct traffic."

"Really, Timothy! Celia's incredibly rich, and it's too absurd — you, a bachelor at thirty-one. Of course, she has a frightful husband who won't divorce her and who's behaving simply horribly. But these days you can always get rid of husbands."

"I could murder him, for example," said Timothy. He was immune to matchmaking.

He looked around the crowded room. If he had to go to parties, at least he'd talk to people who interested him. His eye fell on a refreshingly unaffected girl sitting alone in a corner. She was feeling in her bag as if searching for a cigarette. Suddenly her body stiffened. Swiftly she pulled a piece of paper out of the bag and stared at it. As she read it, her expression showed consternation — almost fear. Then she pushed the paper back into her bag and snapped the clasp.

Timothy was intrigued by what he'd seen. "I'll meet your heiress, Freda," he said. "But first introduce me to that girl in the corner."

"Sue Spender? She's a nobody — Celia's roommate. Just a poor cousin or something."

"Don't worry — I won't marry her. Just give me five minutes with her."

"All right." Stiffly Freda guided him to the girl. "Sue, my brother, Lieut. Trant of the Homicide Division." She eyed Timothy firmly. "I'll be back in a moment."

Sue Spender, Timothy realized, was quite a beauty. Under the small hat tilted over soft brown hair, her skin was like country cream, her eyes golden brown. Mystery or no mystery, she was a very desirable dish.

Dismay still lurked in her eyes. "You're the brother I've heard so much about. The extraordinary one — the policeman," she said.

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"Extraordinary? Is that amiable?"

"I mean extraordinarily clever. Everybody says so." She gave him a quick smile that affected Timothy rather more than he cared to be. "This is luck. You're the one man I need," she said.

He dropped into the next chair. "In trouble? Committed a murder, I hope? I have a weakness for beautiful murderesses."

Calmly she said: "Oh, I've committed a murder — two in fact. But that's all in the past."

He blinked. "I wish I'd known you then."

"You wouldn't have been much interested. But this —" She gestured bewilderedly. "I don't know what to make of it, whether it's just a joke or — sinister."

"It wouldn't have something to do with a piece of paper you just found in your bag?"

She stared. "You *are* extraordinary."

"What did the *billet doux* say?"

She handed him a piece of paper. Her eyes watched his face — puzzled, uneasy. "It must have been put in my purse here at the party. When I arrived, I powdered my nose in the bedroom. I'm absolutely certain it wasn't there then. Do you think it means there's some kind of danger?"

The message was crudely printed in pencil:

"This is a warning. Take some serviceable male home with you from the party and get there at eight — unless you want to find a *corpse in your closet*."

Timothy turned the note over. The paper had been torn from a larger sheet. In one corner were the printed letters OPM. "Are you the sort of person who inspires threats?" he asked.

"Oh, no. About committing murders — that was a joke. I'm awfully dull and respectable. . . I left my bag over on the mantel for a while. Anyone could have got at it."

"How many people do you know here?"

"That's what's so odd. I just came because I'm Celia's roommate. I only know three."

"Celia Prentiss. . . ?"

"And the two men with her now."

The group of admirers around Celia had dwindled to two — a towheaded naval officer and a young civilian with thick black hair.

"The officer's Oliver Brown, just back from Japan today. He's been in love with Celia for years. The other's Dr. John Barker. Celia's been going around with him since she separated from Martin, her husband, last year."

"I'll make a guess. They're rival suitors."

The naval officer was saying something to Celia. Then he crossed the room to Timothy's sister, shook her hand, and left. Timothy watched his departure.

"Any idea why 'corpse in your closet' is underlined?" he asked Sue Spender.

She flushed. "I recently wrote a mystery story. It's called *The Corpse in the Closet*."

"Oh," said Timothy, suddenly

dubious. And then: "Those murders you committed."

"I know what you're thinking. That I'm staging all this to try to intrigue a real policeman, or get publicity. I swear it isn't true. Do you believe me?"

Timothy grinned. "Policemen don't believe anyone." The grin went. "Does anyone else here know you wrote that book?"

"I doubt it. I used an assumed name."

"Then almost certainly the note was written by Celia, one of the boy friends — or you."

She smiled vividly. "You're ornery, aren't you? Whoever wrote it — why?"

"Presumably because he or she wants a man brought to the apartment at eight."

"But why?"

"That," said Timothy, "is not so simple. But there's an elementary way to find out."

Her face lit up. "You'll come with me?"

"Delightedly."

"And you think there's danger?"

"If there is, it'll be the first time anything stimulating ever came out of one of Freda's parties."

Freda loomed at their side. "Timothy, Celia's leaving. She wants to meet you."

To her surprise Timothy jumped up. "I'm *really* dying to meet Celia," he exclaimed.

Sue rose too and went with him. Celia looked as charmingly stupid as her photographs in the social columns. Dr. Barker looked sulky and handsome. Timothy watched them both with veiled interest.

The heiress' desire to know Timothy had obviously been in Freda's matchmaking imagination. Celia smiled a few banal politenesses and turned to Sue: "Darling, Oliver's run home — to change. He's filthy from traveling. He's coming to the apartment at eight."

Dr. Barker's sulks were clearly due to the intrusion of Lieut. Oliver Brown. In spite of Celia's undivorceable husband, her admirers seemed to feel proprietary about her. She thrust an absent-minded hand at Timothy and drifted away on the doctor's arm. Soon they re-emerged from the bedroom, Celia resplendent in a sable wrap. Freda scurried to see them off. Timothy glanced at Sue.

"Twenty of eight. We'd better be going."

Freda reappeared, frowning. "Really, Timothy, you weren't very charming to Celia."

"I'm sorry," he said meekly. "It was just that I was speechless with admiration." He kissed Freda. "Miss Spender and I have to be leaving too. Thanks for a lovely party."

Freda eyed Sue suspiciously. "Don't talk nonsense. You had a horrible time."

"On the contrary," said Timothy, "I couldn't have enjoyed myself more if I'd found a corpse in your closet."

With Sue tense at his side, Timothy drove uptown toward the apartment

she shared with Celia. The note, whether genuine or faked by this unusual girl, piqued him.

As they sped through traffic, he let his thoughts ramble happily through fields of the most sinister nature. "If *you* don't inspire threats," he asked, "how about Celia?"

"Celia? Oh, no. Everyone loves her — except Martin."

"Her husband?"

"Yes. He's the most impossible person. He only married her for her money — but exploded with moral indignation when she separated from him. As for the divorce — he's got smart lawyers and Celia's been pretty careless; not really bad, of course — just unconventional. He's threatening every kind of counter suit, with disagreeable publicity. He'll probably squeeze a couple of million out of her before she gets free. And not only that: he's always making scenes, screaming about killing himself and her — and he still has a key to the apartment. I've begged her to change the lock, but she just won't bother. She thinks things always turn out all right."

"She does?" Timothy jammed his foot on the accelerator, shooting the car forward.

Sue watched in alarm. "Whatever's the matter?"

"I've just had a disagreeable idea about things turning out all right," he said grimly.

As he swung into Sue's block, the street was practically empty. One other car was drawing up outside a striped awning. Celia and Dr. Barker got out and disappeared into the building. Timothy roared down the block, jolted to a stop and, grabbing Sue, ran into the apartment-house foyer. The elevator was taking Celia and Dr. Barker up.

Timothy asked sharply: "What floor?"

"The third and fourth. It's a duplex."

Seizing Sue's hand, Timothy ran up the stairs. At the third floor he asked: "Where?"

"Down here. But please explain."

"The best way for things to turn out for Celia now would be *to have no husband. I . . .*"

They reached the apartment door. It was ajar. They stepped inside — and were confronted with wild confusion. Celia, her sable wrap askew, was shrilling into the telephone: "The police! Quick. Send the police."

Behind her, near the stairs, the door of a big hall closet stood open. Visible around it were a pair of male feet. Dr. Barker was kneeling by the body of a strange man who lay sprawled inside the closet, head and hand pointing outward. Blood matted his red hair. At his side, tossed on a coat, was a heavy metal statue of some Greek god. The head of the statue was stained with blood.

Dr. Barker glanced up at Timothy, his dark face drawn with astonishment and horror.

Timothy snapped: "Martin Prentiss?"

"Yes."

Sue was at Timothy's side. "The corpse in the closet," she gasped. "So the threat was real. And you — you were right."

Timothy, at Barker's side, began to examine the body. Celia, her police call completed, hovered, moaning: "John, is he dead?"

"Yes, Mrs. Prentiss, he's dead," said Timothy.

"I might have known." Celia gave an unstable laugh. "It's just the sort of thing Martin'd do — killing himself in my closet."

"He didn't kill himself — he was murdered. Hit on the head with the statue."

"Murdered!"

"He's right." Dr. Barker's voice was grim.

"It only happened a short time ago, too. Look at the blood, Trant — not congealed. The body's still warm, not rigid. At the most he's been dead half an hour."

Timothy knew the doctor was telling the obvious truth. He told Sue to lead the half-hysterical Celia into the living room. After a routine examination he and Dr. Barker joined the girls. In a deceptively soft voice, he said: "Perhaps you'll tell me what happened before Miss Spender and I. . ."

"I found him," broke in Celia. "We came in. I opened the closet to put my coat away. He — he was there. I didn't know he was dead. I called to John. I went to the phone. . ."

". . . And then you arrived," added Barker. "We must have been here less than thirty seconds before you came."

That was also true. One thing seemed clear: Celia and Dr. Barker couldn't possibly have killed the man in thirty seconds, and their movements for the past half-hour had been virtually as much under his observation as those of Sue. All three were patently innocent. Timothy thought of the cryptic note. If Sue was telling the truth, Lieut. Oliver Brown was the only other person who could have written it — and he'd left the party half an hour before the others.

Timothy felt depressed. Apparently the solution to this crime was going to be boringly obvious.

The buzzer sounded. Timothy said: "I'll go." He opened the door. The uniformed figure of Lieut. Brown stared at him belligerently. "Who are you?" he said. He had a nice face, thought Timothy, straight and uncomplicated.

"I'm afraid I'm a policeman."

"A policeman?" The young man paled "Nothing's happened to Celia?"

"Something has happened to her husband."

Brown grinned happily. "Something unpleasant, I hope."

"Very unpleasant. He's been murdered."

"Murdered!"

"Within the last half-hour." Timothy's gray eyes were fixed on the young man's uncertain face. "Prentiss had a key. He must have let himself

in while his wife was still at the party. Someone arrived. Prentiss opened the door. The person who arrived murdered him — within the last half-hour."

Lieut. Brown shifted his feet. Timothy continued: "I understand Mr. Prentiss was making a great deal of trouble for his wife. Also that, once she was free, both you and Dr. Barker were interested in marrying her."

The young man's mouth went defiant. "What if it's true?" he said.

"If it's true," said Timothy sadly, "you're going to need a very good alibi for the last half-hour — or a very good lawyer."

In answer to Celia's call, Captain Dalton soon arrived, with the medical examiner and a squad of men. Dalton was Timothy's superior and had never liked him. He was sarcastic about Timothy's presence at the scene. Timothy became tactfully unobtrusive, told Dalton everything, and left him in charge.

Once the medical examiner had established that the murder had taken place within the last half-hour, Dalton examined the alibis of Dr. Barker, Celia, and Sue and, on Timothy's testimony, found them flawless.

Then he turned to Brown. The lieutenant's account of his movements between seven-thirty and eight was extremely tenuous. He said he'd left the party at seven-thirty, gone to his room, taken his time about changing, and arrived at Celia's to have Timothy open the door to him. He claimed no knowledge of the murder or the note in Sue's bag.

"I suggest, young man," said Dalton, "that you'd made a date to meet Prentiss here while his wife was at the party. You knew he had a key. You left the party at seven, went home, changed quickly and came here. Prentiss let you in; you killed him, went away, and pretended to arrive for the first time when Trant opened the door to you."

Lieut. Brown preserved a dignified silence. "The note?" asked Timothy.

Dalton blustered: "Obvious. He knew Prentiss would be dead at seven-thirty. He planned his innocent arrival at eight. He wanted to be sure there'd be at least one unbiased witness to his arrival after the crime."

"Oh," said Timothy meekly.

Dalton glared: "Got a better idea?"

"Oh, no," which was true.

Dalton was booking Brown as a murder suspect, while Celia, pale and distraught, hovered around the young lieutenant. Timothy picked up the note from Sue's bag, turned it over, and stared at the printed letters OPM at the jagged top corner. As he examined them, an extremely unorthodox idea came to him.

The men from the morgue were about to remove the body. Timothy gestured them aside and knelt by Prentiss' head. He ran his fingers over the matted red hair and felt the wound, where the blood was now congealing. Close to it, his sensitive touch traced a small but distinct swelling. He felt sudden exhilaration and whispered to the medical examiner.

Dalton and Brown had risen. Celia was sobbing, while Dr. Barker and Sue were trying to comfort her. Timothy strolled to Dalton's side: "Taking Lieut. Brown away?" he asked.

"What you think I'm going to do? Invite him home to supper?"

Timothy looked thoughtful. "It might be less embarrassing than arresting him."

Dalton's eyes popped. Celia turned her stricken face to Timothy. "You mean he didn't do it, don't you?"

"I mean there are a couple of questions we should ask before we do anything drastic."

Celia said eagerly: "We'll tell you anything — anything."

Dr. Barker said: "What do you want to know?"

"For example —" Timothy was looking at his shoes. They were a little too expensive for the police force. Dalton disliked them intensely. "Mrs. Prentiss, did Lieut. Brown go with you to the party from here?"

"No. He met us there. He phoned here about a quarter of five. He's just back unexpectedly from Japan. He wanted to see me. I had to go to the party. I asked him to meet me there — and have dinner afterwards."

"And the rest of you? How did you prepare for the party?"

Sue's gold-flecked eyes watched him. "That's simple. Around five, Celia and I started to dress. Dr. Barker arrived around five-fifteen. I let him in and went back upstairs to finish dressing. I guess we all started for the party around five-thirty."

"Then you met Lieut. Brown for the first time at the party?"

"Yes. I was introduced to him just before you arrived."

"I see." Timothy turned to Dalton. "I suggest you release Lieut. Brown."

Dalton spluttered: "Trant, you're being fancy — as usual."

"Oh, it's not fancy — because Lieut. Brown didn't kill Prentiss. In fact, he's the only one who couldn't under any circumstances have killed him."

They all stared at Timothy.

"In the first place," he said, "it's obvious he didn't write the note. Since he'd only met Miss Spender a few moments before the note was written, he wasn't likely to know she'd written a book called *The Corpse in the Closet* under an assumed name. That, however is only incidental. Prentiss was not killed between seven-thirty and eight. He was killed much earlier — before anyone went to the cocktail party."

Dalton's face was plum red. "But the medical evidence! Are you crazy?"

"Maybe I was a little too definite. Prentiss wasn't exactly *killed* before the party."

"Not *exactly* killed!"

Timothy smiled at him sweetly. "I noticed a swelling on Prentiss' head, the sort of swelling that could be caused by a violent blow from some hard instrument. Now, the medical examiner and Dr. Barker agree that the blow which killed him must have killed him instantly. Everyone knows

there is no swelling from a blow *after death.*" He shrugged. "In other words, we're left stranded with a completely unexplained — bump.

"Our murderer was very ingenious. All the evidence points to the fact that Prentiss was killed while Mrs. Prentiss, Dr. Barker, and Miss Spender were at the party. In a way, the evidence is true. But there's something else that makes a very big difference."

He smiled amiably at Sue. "Does the detective story writer get the point of the bump? A bump comes from a blow. So Prentiss got a blow on the head some time *before* he was dead — a long enough time for the bump to form. In other words, Prentiss came here earlier — before you left for the party. One of you let him in and, either in a heated quarrel or with premeditation, hit him on the head with the statue. The blow was strong enough to knock him unconscious and keep him unconscious for a considerable time — but not strong enough to kill him. Okay; one of you picked up Prentiss' unconscious body and hid it in the closet for future reference."

He paused. "Thanks to Lieut. Brown, the future reference fitted perfectly. Brown had called Mrs. Prentiss at quarter of five. He was to meet her at the party, leave early, and then pick her up here at eight. The Lieutenant was an exemplary scapegoat.

"Now you see how necessary and how clever the note was. Prentiss was not dead then, but he had to be dead, and in such a way that only Brown could have done it. Okay. One of you slipped the note in Miss Spender's bag. And the point of the note? To be sure that *an impartial* witness would be present at the right moment. That Miss Spender chose a professional detective for her serviceable male was just a bad break for the murderer."

Timothy was watching Dalton now. "Get it? The murderer left the party just before Miss Spender and her witness. He arrived here, where he knew Prentiss was lying unconscious where he'd left him — in the closet."

The quiet gaze moved to Dr. Barker. "At first I thought Mrs. Prentiss might have been your accomplice. But I see she wasn't. After Sue let you in, you were alone downstairs while the girls were upstairs dressing for the party, where they could hear nothing.

"That's when Prentiss let himself in and you knocked him out. I guess you had no distinct plan then but, being a doctor, you could gauge pretty certainly that the blow had been hard enough to keep him unconscious for at least two hours, which was all you needed. After the party you drove Mrs. Prentiss home. You let her discover the so-called corpse. Naturally she called you, a doctor, to examine Prentiss while she phoned the police. The statue was nearby. While she was on the phone,

it was the easiest thing in the world to give Prentiss one quick, lethal blow while you were supposedly examining him in the closet.

"It was split-second timing, but you had every chance of success," said Timothy. "There was no danger of Miss Spender and me getting here ahead of you; you were at the cocktail party too, and could always leave with Celia in a hurry if you saw us going. As it was, we arrived here thirty seconds after you, exactly the time you intended. We saw Prentiss was dead and must have died within the last half-hour; yet we knew you couldn't possibly have had time to kill him. We were wrong; you *did* have time.

"Too bad about the bump," said Timothy. "If you'd aimed your second blow accurately, you might have obliterated all traces." He paused. "Too bad about the note too. That was frankly careless. You should have done a better job of tearing the paper. That OPM was what gave me the clue. I realized it was part of the letterhead of a prescription pad. It was the end of 4:30 PM, or whenever you finished your office hours."

He turned to Dalton. "The motive won't be difficult. He wanted to marry Mrs. Prentiss — probably, if I may be indelicate, for her money. He was making progress — and then Lieut. Brown showed up. This was a wonderful opportunity to get rid of the husband and the rival suitor in one fell swoop."

Dr. Barker had been jolted off his guard. His collapse was not long in coming. After Dalton had taken him away, Timothy studied Celia and Lieut. Brown almost paternally. "You had to lose one of your suitors, Mrs. Prentiss. I hope you prefer the one left."

Celia smiled faintly and slipped her hand into the Lieutenant's.

"My sister Freda," murmured Timothy pensively, "was hoping you'd marry me." He grinned. "I'll try to be brave. Maybe in time my broken heart may heal."

He smiled at Sue. "Maybe you'll help me heal it," he said. "Dinner tomorrow? Or — if it's not too precipitous — tonight?"

NEXT MONTH . . .

ELLERY QUEEN'S MYSTERY MAGAZINE will contain the following stories, among others:

HELP WANTED, MALE by *Rex Stout*
THE LADY WHO LAUGHED by *Roy Vickers*
THAT'S YOUR OWN FUNERAL by *Cornell Woolrich*
THE CASE OF THE COCKFOSTERS EMERALDS by *Arnold Bennett*

and other stories by Dorothy L. Sayers, O. Henry, Lemuel de Bra, Frederick Irving Anderson and Lillian de la Torre

OBSERVE AND REMEMBER

by GEORGE HARMON COXE

WHEN Steve Rankin brought the elevator down to the main floor Miss Appleton was waiting. Lipstick was a hasty smear on her mouth and there was a dab of powder on her ear, and he would have hurried her right up — she worked for Boulanger, the lawyer, on the third — if he hadn't looked in the view mirror and found Mr. Van Nostwick's image looming up.

Mr. Van Nostwick occupied offices on the second and dealt in diamonds and precious stones — a ponderous man with three chins and a wing collar to accommodate them. Behind him came the mailman — not Wally Bendow, the regular carrier, but a new one, who stepped hurriedly in, his leather sack on his back. Between the third and fifth floors, Steve gave him a corner-of-the-eye scrutiny. Average size, dark, sharp-featured. His uniform was as worn as Wally's and no better fitting, though the shoes were good.

"Wally sick?"

"Touch of grippe, I guess."

"Been carrying long?"

"Couple of years, but never on this route."

Going down, Stella Williams got on at the fourth. She gave him a smile and he gave it back to her because she looked so young and vital in that brown dress she'd bought last week.

"Sneaking out for coffee already, huh?" he said.

"Don't you wish you could?"

"Don't I, though." No smear of powder or lipstick on her. He'd miss seeing her when he got his appointment. But you couldn't tell. He might even get this beat. Maybe he could fix it so he could meet her some morning for coffee.

Sergeant Grauer was kidding the fellow at the cigar counter. He came over to Steve.

"Here's another 'Wanted,' kid," he said.

Steve opened the circular. It was a regular police form, showing full-face and profile pictures of a man wanted for bank robbery.

"I'll give it my attention," Steve said, and grinned at the grizzled veteran in plain clothes.

"If you need any help, yell."

Grauer chuckled and went back to the cigar counter. He'd be there another ten minutes arguing about politics, but Steve saw Mr. Turner coming along, and behind him Mr. Jacobsen, the wholesale jeweler on the fourth — and his cold was better; he wasn't wearing the scarf any more. Mr. Turner, the bookkeeper for Stein & Son, was just the same — quiet, colorless, tired-looking.

He let the car stand on the fourth and opened the circular. Tod Erickson, alias Erik Tolman, alias Ted Eichler, he read. Six feet — 190 — partly bald — brown eyes — sallow complexion . . . He studied the

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thick-jowled face, the heavy nose. The buzzer summoned him and he went down thinking.

Sometime — soon, he hoped — he'd be exchanging this tan uniform for a blue one. He'd passed the exams and all he had to do was wait. If something happened to hurry up the appointment that would be swell, but Steve wasn't expecting much to happen to help him. Not here in the Jewelers' Building.

It wasn't big, but it was modern. Unlike its two- and three-storied walkup neighbors, this building had the latest of everything, including burglar alarms. With push buttons scattered about in every jewelry office there wasn't a chance of anybody getting close enough to throw the switch. No, it wasn't because he hoped to hurry things that he studied "Wanted" circulars and eyed people so closely; he was just practicing against the day when he wore a shield. They'd kidded him some, the other rookies, but he knew what he wanted and didn't mind. Sergeant Grauer understood and that's why he offered advice.

"There're just two kinds of cops," Grauer said. "Those that figure they're lucky to have a job and just want to work it out to a pension and keep their noses clean — that kind, and the kind that want to get ahead. You're that kind, kid, but you have to prove it. My old man had it pegged right for our kind of cop. Instead of Stop, Look, and Listen, it should be Listen, Observe, and Remember. That's what he used to say."

Steve thought it was good advice, and fun too, sizing people up. He put the circular away as the main door swung back. A man and a woman were waiting. The man was big, thick-jowled, sullen-looking; the woman was flashily dressed and heavily made-up. To Kalmus, the credit jewelers, to pay the weekly buck, Steve thought, and when she got off at the second, confirming his judgment, he scanned the stranger, thinking about the circular, seeing certain similarities but not, he decided, enough.

He made two more trips and then got a call to the fifth floor. It was the stranger again. Steve wished he'd take off his hat, wondering if he was baldish. A salesman from Hurwich Brothers got on at the fourth with his jewelry sample case. At the third a girl stepped in, on her way out for "cokes" for the office. At the second the woman from Kalmus was waiting, and the mailman. He stepped in last, swinging his pack farther around on his back and facing the door. The car had started down when the impulse hit Steve Rankin and he leaned against the wall, feeling for the emergency switch with his elbow, an odd excitement plucking at his nerves as he surreptitiously snapped it off.

The car stopped between floors. He heard the big man grunt. Steve began to work the lever back and forth, saying, "That's funny."

The big man got surlier. "What's funny about it?"

"Maybe it's the power," Steve said. "A fuse blew maybe."

"Ain't you got a signal here or something?"

Steve said he hadn't. "It ought to come on in a minute." A tightness came about his chest. Suppose he was wrong? Suppose he got in trouble?

"If it's the power," the mailman said, "Why is the light still on here?" And then he had pushed Steve aside. He found the switch, snapped it on and stepped back, his face moist and stiff. "Now try it," he said curtly.

Steve let his breath come out. "Funny," he said when the car started down.

"Yeah," the big man said. "*Very* funny."

The door swung back and Steve went out with the mailman, relief striking at him when he saw Sergeant Grauer at the cigar counter. He called to him and grabbed the mailman's arm. The fellow snarled and tried to pull free and then Grauer was there.

"He's no mailman," Steve said.

"Why ain't he?" Grauer didn't get it. "Where's he been then? To a masquerade?"

"If you're a cop," the man said, "drag him off or I'll sign a complaint. You're bucking the Government when you bother me."

"He's a phony." The tightness about Steve's chest was constricting even more now, his tone desperate. "Hold him until — "

"Look." Grauer was annoyed. "This won't help your appointment, son, unless — "

That was when the alarm went off, a terrifying blast of sound that hammered at Steve's eardrums and comforted him strangely. He countered enthusiastically when the mailman whipped up the gun and kicked the fellow's feet from under him, sitting on his head while Grauer slipped on the cuffs.

They had found the box of loose diamonds when Mr. Van Nostwick, his wrists still taped, came charging down the stairs, shouting about not suspecting the mailman until after he'd switched off the alarm . . .

Sergeant Grauer was whistling when he came back a little later. "It was a set-up," he said. "The guy hired an office in the joint next door and wrote himself a letter. When the regular mailman, Bendow, delivered it, he jumped him and switched the uniform. How'd you tumble, son?"

"The way he carried his sack. Mailmen are supposed to switch it from back to front in crowded places like elevators and subways. So they can always watch it. I noticed Bendow and asked him. He says it's about the first thing they learn. I wondered about it when he rode up; when he did it again I had a hunch."

Grauer nodded approvingly. "What'd I tell you?"

"To observe and remember." Steve's grin cracked wide open. He felt so good he couldn't help it.

"I'll tell the Inspector you've been practicing," Grauer said. "You better get ready to switch uniforms yourself."

A decade ago detective-story anthologies were a drug on the market: publishers were reluctant to publish them and when they did take a chance, readers were even more reluctant to buy them. Beginning in 1941 the detective anthology took an upswing and during the boom war years hardly a month passed without the appearance in book stores or on newsstands of another omnium-gatherum of detective-crime-mystery shorts. Now the anthology is in the discard again, and while there are many reasons to account for its decline, two stand out with glaring prominence. For one thing, there is no doubt whatever that anthologies became a good thing too fast; everybody became an editor and in a few years the plethora of scissors-and-paste "experts" killed the goose that laid the golden egg. Too few anthologists (and publishers) realized what Philip Van Doren Stern meant by the difference between scissors-and-paste and scissors-and-taste. Secondly, too many anthologies were mere higgledy-piggledy bouquets of dried flowers. A living, breathing anthology should not be a hodgepodge of unrelated stories; it should have a creative approach, a basic idea, a theme, and all the stories included in the anthology should contribute to the fullness and development of that over-all theme. Hence, when an anthology appears that is the blood, sweat, and tears of a truly conscientious craftsman, it should be hailed and applauded — and read.

Such an anthology is FAMOUS STORIES OF CODE AND CIPHER, *edited by Raymond T. Bond and published by Rinehart and Co., 1947. This is the first anthology of its kind, and that fact alone stamps the collection as important. Besides, Mr. Bond has performed an excellent job of covering an anthologically virgin field: in addition to an Introduction which alone is worth the price of the book, Mr. Bond has put together in a single volume some of the finest code and cipher stories ever written, and it is a subtle compliment to EQMM that of the sixteen stories selected by Mr. Bond, no less than four emanated from "Ellery Queen's Mystery Magazine."*

We now bring you a code story that somehow Mr. Bond missed, and we think Mr. Bond will be the first one to agree that it is one of the cleverest code stories ever told in approximately 1000 words.

MESSAGE IN CODE

by BEN WILSON

I HAVE Charlie's typewriter on the mantle, over the fireplace. It's a battered old machine, but a lot of folks have been trying to buy it from me — for real money. I told them all no. That typewriter means too much to Ma and me.

I always hoped that Charlie would

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stay in Pittsfield and take over the machine shop when I retired. He had a knack with tools all right. But once he got a taste of newspaper work, there was no holding him.

He spent three days with us just before his paper sent him to England. Charlie wrote Ma twice every week. She's got all his letters tied up with a blue ribbon, and right on top is that one about him from the American Ambassador. Of course the letter about Charlie I like best, though, is the one I got from that English newspaper friend of his.

That letter tells in the clearest kind of way, just what happened . . .

The first any of them at the U. S. Embassy knew that anything was wrong was when the two English Intelligence officers brought Charlie's typewriter in for the Americans to look at. The young Englishman banged the typewriter down on the desk and said, "I trust you don't use this childish code here at the Embassy."

The Americans just looked at him. Then the older Englishman pointed to the keys on Charlie's typewriter. They had been changed around. There was a *K* in the spot where the *G* should be. And where ought to be a *D* there was a *P*. Instead of the keyboard looking like it usually does, it looked like this:

Q . Y N B U O E T
I F P M K A J K L :
Z X R V B S D , W ?

The type had been changed, too, right along with the keys. When the key that said *K* was pushed, a *K* came up on the paper. The whole business had been switched around. If you didn't look at the keys and typed touch-system, you got a jumble of letters instead of the words you intended to write. Any message typed by the touch-system on that typewriter would automatically become a code.

But any code man in *any* country would be able to decode it in a few minutes.

The older officer explained: "It belonged to an American newspaperman who was killed this afternoon. He couldn't have been using this code in his dispatches; the censor would have stopped them. So —"

"So you thought he was working for us." the Ambassador said. "Well, he wasn't."

One of the stenographers couldn't keep his hands off the typewriter. Curiosity, I guess. He wanted to see if it still worked all right. His fingers zipped over the keys and the type jumped at the page like popcorn from an uncovered skillet. His mouth fell open. "Look!" he excitedly cried.

The Americans followed his pointing finger to what he had typed and they could hardly believe their eyes. There was a message for them.

Well, when everybody *there* had told all they knew about the affair and Intelligence had put it all together, the whole thing became clear: Charlie had come across important information. The Nazi agents in England knew it and were out to get him be-

fore he could pass it on. They trapped him in his room.

He knew he'd never leave that room alive. And he couldn't reach anyone — his telephone line was cut.

Then he got his big idea. He was probably fussing around with the typewriter when he thought of switching the keys around. We'll never know why the Nazis didn't take the typewriter when they finally broke in and shot him. They probably were as scornful of it as the young British officer had been. Anyhow, they went over the room inch by inch, and when they left, they were certain there was no message.

But the Nazis were wrong; there *was* a message. There it was, right on the typewriter paper. The Intelligence officers had the stenographer try it again. And the message came out the same, though the English still couldn't figure how the Americans had stumbled onto it. As fast as an air hammer, the stenographer typed it over and over again.

SE. OF BAY BODY MEN ILL KEEP DYS REDY BE BAY IOP EM BAYON TINB'

It didn't take a code man to figure that one out. The TINB' had them stumped for awhile. So did the ILL . . . Then the senior officer suggested it might be "I'll" . . . That didn't work either, but it put them on the right track. What it was supposed to be was "Isle" — an island. The TINB', they found, meant "Tenby."

What the message meant was: "*Southeast of bay, there is a body of men on an island. Keep your distance. But be ready. Be at bay 10 P.M. Bay on Tenby.*"

Tenby is the name of a town in the southwestern corner of Wales. It's located on Carmarthen Bay — and a few miles southeast of Tenby is the island, Caldy.

They turned the message over to the War Cabinet and the English followed Charlie's instructions. They were at Carmarthen Bay at 10 o'clock every night for three nights. And they sent Welsh soldiers over to Caldy and cleaned up the fifth columnists on the little island.

At 10 sharp on the third night Hitler tried his invasion. And there was the British Army, Navy, and RAF concentrated in one spot, waiting for him.

What a greeting he got!

Charlie had been a smart one — he hadn't left a message around for anyone but the right people. His message wasn't really in the machine at all; it was in the *fingers* of any American typist who stepped up to it.

What the Nazis didn't know — and the English either, for that matter — was that almost any American will feel a typewriter out with exactly the same sentence — one that reads:

"NOW IS THE TIME FOR ALL GOOD MEN TO COME TO THE AID OF THEIR PARTY."

PERKINS FINDS $3,400,000

by PHILIP WYLIE

THE newspaper-reading public never learned the details of the Manhattan Commercial Bank and Trust Company robbery. The story was made a secret for a variety of reasons, not the least of which was the humiliating part played in it by the police.

In missing the inside story of this robbery, the public also missed a glimpse of one of the strangest persons living in Manhattan. The brilliant sleuth and silent avenger of the bank disaster was himself a former bank clerk. His name was Willis Perkins. There are a great many people like Willis Perkins, but few of them, because of their very nature, attain to a parallel success.

Perkins, a thin, frail, prematurely aged and almost childlike man of forty-odd years, lived alone on the top floor of a brownstone apartment house in the Chelsea district. He was familiar to most of the people in the environs of his lodgings because he had dwelt there for more than twenty years. However, he was so shy that few of them had acquired even a casual acquaintance with him. Early in his childhood his consuming passion had been born, and two decades spent over the ledgers of a downtown bank in no way served to dim his purpose. Willis Perkins had decided at the age of twelve that he was created to be a detective.

If he had applied for a position on the New York police force, his application would certainly have been greeted with laughter. The departmental concept of a detective is far removed from vague gray eyes, stooped shoulders, and thin trembling hands, so Perkins' course was necessarily different. He joined six libraries. He had read almost every mystery story produced by publishing houses since 1905. He had devoured textbooks on criminology and he had devoted many of his evenings to a study of psychology and to chemistry in the Extension Courses of Columbia University.

Perkins had also saved his money, so that after twenty years of arduous labor and careful investment his accumulated pittance had become a sum sufficient to afford him an income for the rest of his life. He had then resigned from the bank and embarked upon the serious business of being a detective.

Needless to say, his career thereafter was partly fantastic, partly absurd, and almost wholly pathetic. The front room in his apartment in Chelsea was crammed to the ceiling with his books. In the back room was his chemical laboratory and there he lived, waiting, watching, and hoping for the occurrence of a crime. It is a matter of record that in the vicinity a crime did occur and that, although

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Perkins devoted to it the full benefit of his self-training, his clues were unreadable and his conclusions worthless. The solution of that particular crime was arrived at by accident, and the part Perkins played in it gave him an introduction if not an entrée to the local branch of the police department, but after the few stirring days surrounding that single sordid misdeed, Perkins relapsed to his old manner of living.

Perkins kept a private file of all crimes recorded in the newspapers. He might occasionally be seen on the fringe of a crowd that gaped at the comings and goings of the police and reporters near a scene of violence. At other times, in dead hours of night, Perkins might have been observed slinking through mid-downtown streets, his eyes prying suspiciously into every dark corner and his nose almost sniffing the air in the hope of detecting sinister maneuvers. . . .

On a hot evening in August Perkins was on his way home from an investigation of some suspicious-looking boxes he had noticed in the subway station at Times Square, when he joined with several other loungers to observe an excavation which was being conducted on a twenty-four-hour-a-day schedule. The excavation was deep — driving toward bed rock to make a foundation for a future skyscraper, and it furnished a rather handsome spectacle. Some of the steel work had already been put in place, and the last blasting and drilling was being done under floodlights.

For a long time Perkins watched these pygmies who worked in the gloom, but of all the bystanders he was the only one who noticed that the excavation was being made next door to the Manhattan Commercial Bank and Trust Company. It was natural that he should do so; Perkins was a safeguarder of the public. His first observation was that the actual physical stability of the bank might be in some measure endangered by the propinquity and depth of the excavation. His next observation was that in the intricate tiers of rock and machinery a nice chance would be afforded to pierce the wall of the bank and enter it from a subterranean point.

That thought captivated Perkins's mind to such an extent that he allowed himself to elaborate it. The tools were at hand — it would be necessary only to organize the men. Sufficient cover was furnished by the steel work and the skeleton floors laid across it. Perkins became so enamored of the idea that he converted it into one of his myriad suspicions and determined to report it to the police.

Hence, on the following morning he appeared rather smugly before the local precinct captain and produced his card, which read, "Willis Perkins — Private Investigations."

The captain said, "Well, what do you want?"

"Did you ever notice," Perkins half whispered, "how close the excavation for the Seward Building is

to the Manhattan Commercial Bank and Trust Company?"

"Yeah. What about it?"

"That's all," Perkins said mysteriously.

"Huh?" The captain looked blank.

Perkins vouchsafed a little more information. "Of course I have no proof, but if I were a police officer I would give the greatest attention to such items as excavations that are made in juxtaposition to banks."

Perkins was rather rudely informed that the captain's time was valuable; and the request that he depart immediately was in no way polite.

Undaunted, Perkins supervised the excavation for the foundations of the Seward Building. He watched the drills go deeper, he listened to the blasts, he saw the growth of the steel work, and in all that he saw nothing amiss. The walls of the bank had been shored up. The excavation went vertically downward beside the bank. Perkins also inspected the bank and again found nothing to appeal to his imagination.

If he had carried his investigations further, he might have discovered that the bank's vaults were on the same side of the building as the excavation; he might have discovered that, owing to the continual bombardment of steel-bitted tools and dynamiting in the large hole next door, the burglar-alarm devices had been disconnected so that they would not register false alarms. On a particular day he might also have discovered that a rumor of mysterious origin had led the Manhattan Commercial Bank and Trust Company to anticipate the possibility of a run, so that into the bank's vault was hastily placed an additional three million dollars. But Perkins missed all those facts.

He was quietly preparing his breakfast of dry cereal and boiled eggs when the police came for him. He was ushered into the presence of the captain of the local precinct and was greeted with a mysterious sentence:

"Well, Mr. Perkins, we got the goods on you all right, so you might as well come clean."

"Goods on me — come clean — what about?"

"Come on," the captain said, "what about this bank business?"

Perkins was a little bit relieved. "Oh, you have turned up something on it?"

The captain was more explicit. "Listen, Mr. Perkins. You knew something about that. What was it?"

Perkins was now very much frightened and he could not understand why his willingness to assist the police had involved him in such a vigorous questioning, especially since he had acted on no more than a whim.

"Put him in the cooler," the captain said, "and maybe it'll improve his memory."

Perkins spent twenty-four perplexed and almost tearful hours in a cell which was supposed to improve his memory, but since his memory was as free from guilt as a child's, it merely acted as a source of further

alarm. Twice he was taken out and twice he was questioned. His entire life was investigated by the authorities. Finally the captain was compelled to conclude that Willis Perkins's warning had been what Perkins would consider a brilliant deduction, and what the police department knew was but mere outlandish chance.

The truth was self-evident. On the night of August 26th a great many things had happened in the vicinity of the Manhattan Commercial Bank and Trust Company. The protective devices in the vaults had been disconnected because of the noise of excavation. A large sum of cash had been stored in those vaults in anticipation of a run. The excavation beside the vaults had reached its maximum depth and was screened from public gaze by the flooring on the steel work. The policeman on that beat, shortly after midnight, was attracted to a vociferous street fight. The night watchman and the protection agency operative had been slugged. There had been several heavy explosions beside the bank. Laborers had bored under the vaults. With dynamite and oxyacetylene torches they made their way through the wall. Thereafter they removed the small inner vault of the Manhattan Commercial Bank and Trust Company and withdrew through the hole.

From that moment on the inner vault and its contents disappeared. The explosions had wrecked part of the side of the bank. They had also extinguished the floodlights and turned the excavation into a pit of intense darkness.

Actual entrance to the vaults, together with the heavy explosions, had set off the few alarms that remained connected, and in a few minutes, from all sides, both police and private detectives rushed toward the Manhattan Commercial Bank and Trust Company. The thieves apparently made their getaway in four vehicles. The police arrived in time to follow two of them, but, while one — a truck — was overtaken, nothing of any value was retrieved.

The truck was driven by a youth who insisted that he had been hired to sit outside of the bank until a certain instant and then to drive as rapidly as possible toward Albany. A protracted grueling produced no further information. The young man had no knowledge of his employers' names; the description he gave of them was worthless; and he was the sole individual whom the police could capture who was directly connected with the disappearance of a little less than three and a half million dollars.

Naturally the police had remembered Perkins and his warning. In their feverish desire to present the public with a victim they had hastily arrested him. He was released only when they realized that the presentation of him as their victim would be more ridiculous than having no victim at all.

The entire city was frantic. The steady ground-fire of police criticism

increased in volume to a public uproar. If millions of dollars could be bodily exhumed from strong bank vaults, then nothing was safe. All private property was at the mercy of diabolic fiends. The press alternately sneered and bellowed. Little by little the ingenuity of the scheme became apparent. In the first few minutes it was thought that an accidental explosion had merely damaged the bank wall, and pursuit of the fleeing automobiles was a matter of routine, but when the crumbling and riddled vaults were discovered, and when it was found that the entire night shift of the excavating crew had vanished, it became all too clear that the explosion was part of a robbery.

In the morning the caved-in borings were uncovered, and the place where the floodlights had been cut off was found. Connection was made between the cutting off of the burglar alarms in the vaults and the tunneling, and by afternoon of the first day the whole world knew that the rumor of a run on the Manhattan Commercial Bank and Trust Company had been deliberately started to insure the presence in the vaults of a large sum of money.

It was not until twenty-four hours later, upon his release from jail, that Willis Perkins learned of the affair. Then he went home to think.

Meanwhile the police were frantically working on the case with the information, or rather the lack of information, at their disposal. It was easy for them to learn what had been done. Almost the entire force which had been hired by the contractor to do his rock and steel work had either belonged to the gang or had been bought by the gang.

Various other clues were presented in due time. The borings that led into the bank had been ingeniously hidden so that any chance inspection would not reveal them. There was no evidence of collusion with superiors but only of an extreme foresight and cleverness. Three of the four vehicles which had left the scene at the time of the last and largest explosion had been discovered and two of them proved to be stolen cars. Some hours after the explosion a plane had landed at a Newark field. Two men carrying large suitcases had stepped into it, taken off, and disappeared. Since one of the stolen cars had been recovered in Newark it was thought that the thieves possibly made their getaway by airplane, after opening the stolen inner strong-box and removing the contents.

Precautions against dissemination of the money were taken internationally. In every police headquarters in the world the numbers of the bills of large denomination were made known. Thousands of gunmen and yeggs everywhere were apprehended and questioned. Detectives visited innumerable dives and offered quietly a variety of bribes and trades to the criminal world if it would only divulge a single piece of information,

but the regular criminal world did not seem to have this information.

Even Willis Perkins — he sometimes thought of himself as "The Great Perkins" — was unable to evolve a theory. He might have admitted defeat — for did not even Sherlock Holmes have his little volume of cases unconcluded? — had it not been for his accidental meeting with a former friend.

For twelve of his twenty banking years Perkins had occupied a desk side by side with Milo DeMar. The meeting point of the two men had been figures, and only the most conventional friendship had existed between them. DeMar had used his funds to support a large family, while Perkins had saved his for his future as a detective. DeMar had been moved to considerable awe when Perkins resigned from the bank, and it was DeMar whom Perkins met while he was making his regular monthly withdrawal from his account, which he kept at the place where once he had been an employee. DeMar wore an old felt hat and a somewhat shabby coat over a shiny suit, and DeMar was on his way to lunch. He saw Perkins in line at the window and he greeted him warmly.

"How are tricks, old man?"

Perkins started and recognized his one-time co-laborer. "Oh, hello, DeMar," he said. "Fine, fine."

"Why not have lunch with me?"

Perkins considered. He looked critically at his watch and then sharply at DeMar. "Can we get through in thirty minutes?" He wished he had said twenty-eight minutes. It would have sounded more effective.

"Sure."

DeMar waited until Perkins's turn at the window had come. Then, together, they went to a cafeteria. They took an inconspicuous table in a corner of the room and began to eat. Perkins ate in a preoccupied manner and he was pleased to notice that DeMar was watching him curiously. Finally DeMar spoke.

"What do you do with yourself these days, old man?"

That was the question for which Perkins had waited. "My work is of a rather private nature," he said. "I am a detective."

"No!" DeMar said. "No!"

Perkins nodded silently and rested his hand on DeMar's arm. "At the moment — and this is in strict confidence — I am making a separate and personal investigation of the robbery of the Manhattan Commercial Bank and Trust Company."

Only then did Perkins notice that DeMar's prodigious emotion was not occasioned by amazement. A singular color had come into DeMar's face. His little eyes were almost shut. His fork had been dropped on the table. He exploded. He roared with laughter. "Oh, that's the funniest thing I ever heard in my life. Wait till I tell the old gang; it'll paralyze them."

He paid his check and staggered from the cafeteria, leaving Perkins rooted to the spot. His heart had turned to ice, his feet were unable

to move, and two actual tears flooded the rims of his eyes.

Back in his room he sadly surveyed the two chambers which he had prepared as the background for his world-shaking career. There were his books — shelves that reached to the ceiling — and there in the other room, his microscope and his test tubes, his beakers and his retorts. A sort of frenzy gripped him. "If I could only have been on the spot that night," he said to himself. "If I could only have gone through the tunnel on my hands and knees, if I only had some clue. A squashed stub of a cigarette, or even its ash. A hairpin at this time would be worth a fortune."

He threw himself listlessly into an armchair. On the table beside the armchair was a meerschaum pipe, and on a hook within easy reach was a fore-and-after tweed cap. On the table was a humidor filled with shag tobacco. Even these props of greatness were no use to him in his time of travail.

For half an hour Perkins did not move. He was thinking. Then slowly and painfully he spread out his collections of newspaper clippings; beside them he set the notes on his investigations. For the thousandth time he began a course of reasoning, and he talked aloud.

"We deduce," he mumbled, "the theft of three million four hundred thousand dollars, by an organized gang. Now —" and at that point Perkins was illuminated by divine fire. "Now, since this sum of money was so intelligently attracted to the vaults, and since the vaults were so ingeniously rifled, may we not also deduce that the eventual concealment and disposition of the money would be conducted on the same intellectual plane?" At this point Perkins stopped. It was a step in logic which he had not hitherto taken, a step in logic which the police would doubtless overlook. Whoever had stolen the money would certainly cover their tracks and conceal the money as ingeniously as they had taken it. Once more Perkins spoke aloud to himself:

"Would it be as clever to sling that inner vault into a waiting truck as it had been to mine beneath the building? It would not. An automobile might be wrecked. It might be arrested for speeding. Anything might happen to it." Perkins's brain, driven by desolation, worked with redoubled energy. They had actually arrested the driver of one of the vehicles and a veritable inquisition had adduced no information except that the driver had been hired to wait near the bank until a certain instant and then to flee precipitately toward Albany. Suppose the driver's story was true. It would mean that the escaping automobile had been merely a blind. Three other automobiles had escaped. Suppose they, too, had been blinds. An airplane had left Newark field with mysterious passengers some time after the robbery. Suppose that also had been a blind.

Perkins was pale as death. He rose and strode back and forth across his room. "Ruses," he murmured. "Blinds," he shouted. "Eureka," he said, and finally, "Hot ziggity!"

Another fact had pressed upon his intelligence. Immediately after the explosion the lights which flooded the excavation had been cut off. What did that mean? It meant that the bank's inner vault was disposed of in the darkness that followed. It was not sent away in the fleeing trucks. It was moved somewhere in the small area of that darkness during its short duration. "Where?" Perkins spoke the word aloud while he stared at the chandelier. "Where?" He pulled the end of his nose. He took the meerschaum pipe. He filled it with shag. He paced the room. "Where?" He sank his chin upon his chest. "Where?" He gripped the bowl of his pipe in his fist. Not across the street, for the street was lighted. Not over the back of the excavation, for it was cut off by a brick building. "Where?" To one side. And how? The inner vault was enormously heavy. It could not have been handled like a trunk. Cranes! Donkey engines! Windows! If — and Perkins was staggered by the thought — if the prize had not been sent away in the rapidly departing automobiles, it surely must have disappeared *through one of the windows of the tall building on the side of the excavation opposite the bank!*

Ten minutes later Perkins was on his way to the scene of the crime. With a little judicious questioning he elicited the fact that a short while before the excavation had started, a new firm had rented the offices on the third floor of that building.

One of the facts most frequently alluded to by the newspapers was that the small inner vault containing the money was exceedingly heavy and to move it in a few moments was no mean undertaking, but Perkins saw how it could have been accomplished — how it had been accomplished. The great blast, then darkness, then the slow, downward reaching of one of the powerful steam shovels.

He concluded his investigations and once more went to the local police station. He would speak only to the captain, and his very persistence at last gained him an interview.

"I suppose," the captain said, "you want to tell me that they're going to bomb Grand Central Station."

Perkins shook his head. "No. It's about that bank robbery."

"Listen —" the captain began savagely, for the bank robbery was the sorest point in his life.

It was Perkins who interrupted him. It was Perkins now who was master of the situation, Perkins, who with a quiet indomitability compelled the other's attention. "It'll just take a minute," he said. "Please don't interrupt me. I'll sketch at first a few details of the robbery." He proceeded to do so. Then to the increasingly irritated captain he said, "I presume you have never read a story entitled *The Purloined Letter*."

"Get to your point," the captain said.

"In *The Purloined Letter*," Perkins continued pleasantly, "a valuable document is hidden by being put in the regular letter box with other letters. Detectives search the house, probe pillows and so on without finding it, because, so to speak, it was before their very eyes. I think" — and Perkins made his conclusion very dramatically — "that you will find the same condition applies to some three million four hundred thousand dollars for which you're searching."

The captain spoke quickly. "Is that all you have to say? If it is, get out of here, and the next time you show up I'm going to send you over to the Island as a public nuisance."

Perkins explained the rest of his theory; that the automobiles and trucks were merely to put the police on the wrong scent, and that the loot was not in the automobiles; and since it weighed so much, it could not have been disposed of very easily, and certainly could not have been moved even from the excavation unless it had been moved in the first few moments after the big vault had been entered. Hence it must be concealed somewhere in the same block as the excavation. Perkins then demonstrated that the windows opposite the bank could easily be reached by the steam shovels, and that the steel cargo in question would be nothing to those powerful arms.

When he finished, the captain leaned forward. "Listen, guy," he said. "That's the craziest thing I ever heard in my life, but it makes sense. If you're right, well —" He rapped on his desk.

The recovery of the entire sum stolen from the Manhattan Commercial Bank and Trust Company is a matter of record, and of somewhat dramatic record, for, when the police investigated the two-months-old offices of the firm of North & Griggson, which overlooked the Seward excavation, they were met with a hostile reception. Two policemen were wounded and it was necessary to toss tear-gas bombs through the transom to subdue the defenders of the bank's funds.

It was midnight when, flushed and triumphant, the police captain knocked on the door of Perkins's apartment.

Perkins had expected the call. He was smoking his meerschaum and wearing his fore-and-after cap. He looked up from a thick tome, the title of which was CRIMINOLOGY, recognized the police captain and said, "Ah."

The captain was voluble. "I have been expecting you to come into the station all afternoon," he said. "Listen, guy. This is just about the greatest thing that ever happened to you. I haven't told the Commissioner who tipped me off yet, but I'm going down to see him tonight, and I want you to come with me. I suppose you know that there's a reward on this thing big enough to set you up for the rest of your life? Get your coat and come on."

Perkins shook his head. "Thanks,"

he said, "but you'll excuse me, Captain O'Hara."

"Huh?"

Perkins stretched and yawned in a slightly bored manner. His moment had arrived, and from a thousand mystery novels he had learned how to wait. "The fanfare, the publicity, of such a thing is scarcely in my province, I'm a private investigator, and I prefer to remain in the shadow." Now Perkins frowned. "I can conduct my operations more easily if I'm unknown. I hope and trust that you will not mention my name publicly."

The police captain was flabbergasted. "But what'll I tell them, then?"

Perkins's smile was austere. "My dear O'Hara, the simple chain of deduction which led to the location of that money was for me a most elementary process. Elementary, my dear O'Hara, elementary. Even you, under certain conditions, would be capable of it. You're young, life stretches before you. I insist that you assume the authorship of the discovery."

"You mean —" O'Hara said stumblingly.

"Tell the public you did it. Give the police credit. Of course I'd appreciate the mention of my name privately to the Commissioner inasmuch as I am very anxious to obtain a slight favor from him."

"Favor?" repeated the startled O'Hara. "He'll give you the City Hall for a skating rink tonight if you ask."

Perkins shook his head. "No," he said, "I don't skate. But I would very much appreciate a police card which would allow me to pass unhindered through fire lines and the like."

It was a blow that staggered O'Hara. But some Irish intuition told him that he had come upon a rare and magnificent character. With a flourish he unpinned his gold badge and placed it on Perkins's lapel.

"If that's what you want," he said, "I'll see that you get it from the Commissioner; and the reward too."

"One other thing," Perkins said, as an afterthought. "I'd appreciate it if the Commissioner would write a letter for me."

"A letter?" O'Hara said.

"Yes. A brief note to the effect that my services had not been without value to the department. A personal letter, you understand, to a man named DeMar, a friend of mine. A rather skeptical friend, I regret to say."

It is not a matter of public record, but it is a fact that the check for the reward was given to Timothy O'Hara, that he promptly endorsed it and mailed it to Willis Perkins, that Willis Perkins returned it, that finally they divided it in equal parts, after many hours of harangue and argument, and that, at present, one Timothy O'Hara now an Inspector in the New York police force and one Willis Perkins, Private Investigator, regard each other with an almost infinite mutual esteem — as two gentlemen of such high caliber should.

LOST GIRL

by WILLIAM MACHARG

A cop's troubles are other people's troubles too," O'Malley said, "and my trouble right now is that motion-picture actress Marva Tuller that has disappeared. This is a Missing Persons Bureau case, but now so many people have got sure that the lady must be dead that us homicide cops are working on it. I guess you know about the case."

"Of course," I said, "and so does everybody else who reads the newspapers. She had only small parts. Then she won a contest for a big part in a big picture and the night before the contract was to be signed she disappeared."

"Right."

"Some people thought it was publicity."

"They don't think that now."

"She was engaged to marry a man named Frederick Surrel and she broke the engagement and didn't see him. He begged her to meet him one last time and she went out in his car with him and no one has seen her since."

"I guess I don't have to tell you nothing."

He had a police description of the girl and a small picture of her. She was quite lovely.

"Well, I got to go round and be a cop," he stated.

We saw the girl who had been Miss Tuller's closest friend. Her name was Miss Purling. We found her posing in a photographer's studio and she didn't have many clothes on.

"Miss Purling, how do you figure this about Miss Tuller?" O'Malley asked her.

"She's dead."

"I guess you don't know that, though."

"I do. Listen: Marva and I had been going together for two years. We posed and we were in choruses and we got extra parts in pictures and did anything we could because we were sure some day we'd get our chance. Well, she got her chance and it was a big one, and nothing but being dead could have stopped her from signing that contract."

"That don't prove nothing, lady. Is this a good picture of her?"

"Yes. The police wanted a picture and I picked one that was the best of her."

"She ever talk to you about that guy Surrel?"

"She told me she was going to marry him. Then afterward she told me she wasn't but she wouldn't tell me why. She wouldn't have married anybody now because she was going to California."

"I hear the first thing this guy Surrel did," O'Malley told me after we left Miss Purling, "was go get himself a lawyer."

We went and saw Surrel. The police report on him said that he was in-

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terested in the theater and wrote plays and pictures but nobody produced them. We found him at home. It was a handsome big apartment and another man was with him. They both were about twenty-six years old and were good-looking.

"Another policeman?" the second man inquired.

"That's right."

"You don't have to answer any questions, Fred," the man said to Surrel.

"You this guy's lawyer?" O'Malley asked.

"I don't have to answer that either, but I will. Yes. I live with him and my name is Hern."

"Sure he'll answer. This guy was engaged to that lady. She got a picture contract and broke off with him. He took her out riding and she never came back. The question is, did he knock her off?"

"Certainly not," Surrel replied. "She broke our engagement some time before she got the contract. I admit I tried to get her to reconsider about me and we went for a drive to talk it over."

"Drove where?"

"Out Riverside Drive. Then we drove back again. We had some words about her breaking the engagement and she got out of the car."

"Yeah? Where was this?"

"At Seventy-second street. I never saw her afterward."

We examined Surrel's car. The police had examined it before.

There was no sign that anything had happened in it.

"You're stuck, O'Malley," I declared.

"You're telling *me*?"

"Your whole police department's stuck. You can't arrest anybody because you can't even prove there's been a crime. That girl may show up any day, if not in New York, then somewhere else — maybe in California."

"I got no idea she will show up. We'll see where she lived."

It was a small, haphazardly furnished apartment. There were a lot of pictures of Miss Tuller. There had been letters, some of them from men, but the police had taken those. The letters hadn't helped them.

There was some jewelry and O'Malley examined it carefully.

"Nobody bumped her off for her jewelry," he remarked, "because this stuff ain't worth it."

He took some of the pictures, and we went back to headquarters. I saw him every day after that but he said there was nothing new about the case.

"I guess we found everybody that ever went with that girl," he told me, "but if one of 'em wanted to get rid of her we got no proof of it."

The next morning's papers said the police were prepared to make an arrest. I found O'Malley.

"Whom are you going to arrest?" I asked.

"Why, nobody. Us cops have to say things like that sometimes just because we don't know nothing else to say."

"Then you're incompetent," I told him. "I have been analyzing this case and it is entirely simple. It's certain that girl was murdered, and you have found only one man who had an opportunity and a motive. Surrel was the last person with her and he admits they quarreled. You should arrest him."

"You're good. But we can't arrest nobody till we know what happened to the girl."

"You make me sick!" I shouted.

He was going to the precinct station and I asked him why.

"Well, we all been running our legs off asking questions of these people, so now we figure they got to come to us."

I went along. A captain of homicide detectives was at the station house and had the use of the precinct captain's office. A huge enlargement of a picture of Miss Tuller was on the desk and a big opal brooch was lying on it. Miss Purling was waiting in an outer room with some other people. There was a man, Feld, who was connected with the picture company, and another one named Millen, who was in the theater business, and a man named Shoener and a couple of girls. Then Surrel and his lawyer came in. Then some more people came in. When they were all there, a cop showed them into the captain's office.

"We are preparing to make an arrest in the Tuller case," the captain of detectives told them. "You people have all made statements, and some of you have told the truth and some of you haven't — you know which. Before we go further I'm going to give any of you who wants it a chance to change your statement. A stenographer has your statements in the next room. You can go in there one by one and look them over and make any changes you wish."

A cop showed Miss Purling into the next room. We waited. After a while Miss Purling came out and went away and Shoener went in. When he came out, one of the girls went in.

"I've things I ought to be attending to," I whispered to O'Malley, "but I don't want to miss anything."

"There ain't nothing going to happen here. You go along. If anything happens later on, I'll call you up."

I went about my business and about ten o'clock that night he called me up.

"Come on," he said, "to headquarters."

I grabbed a cab and went to headquarters but I didn't go in because O'Malley and a couple of plain-clothes cops were just getting into a car.

"Did somebody change his statement?" I inquired.

"You can't be that dumb!"

We drove out on Long Island. Near Hempstead we turned onto a dirt road and came to a deserted house. The yard was filled with cops, and some men were taking debris out of an old dry well. We stood around and waited and pretty soon they found Miss Tuller under the debris.

"Perhaps now," I said to O'Malley, "you'll make that arrest."

"You're a little late. They got the

guy pinched before now."

We drove back to headquarters. I thought the man they had arrested would be Surrel but it turned out to be the lawyer. O'Malley went into an inside room where they were questioning Hern and in about half an hour he came out again.

"We got it now," he declared.

"How was it?"

"Hern knocked her off. This Surrel is a good kind of guy with enough money so he don't have to work, and he was interested in theater and picture people. Him and Hern knew each other since they were kids living on Long Island, and Hern had a small job with a law firm and he wasn't making enough money to live very well. So this good-natured Surrel says to him 'You come and live with me till things get better with you, and you won't have to pay no more than you are paying.' Surrel was engaged to Miss Tuller when Hern went to live with him, and Hern met her and he got crazy over her. Well, you can't never tell what them girls will do. This Tuller girl had a good guy that wanted to marry her, and she went and fell for Hern, who is excitable and not very much better than a well-dressed bum, and she began to meet him without Surrel knowing, and Miss Purling didn't know it neither, because when Miss Tuller was with Hern, Miss Purling thought she was with Surrel. Miss Tuller broke her engagement to Surrel because of Hern, but she wouldn't tell him why. Hern didn't have no money and didn't want to quit living with Surrel. Then later on Miss Tuller won that picture contract. There couldn't no guy mean as much to Miss Tuller as that contract did and maybe by that time she had begun finding out what kind of guy Hern is. Anyway, she told Hern it had to be over between 'em after she signed. The night Miss Tuller got killed she seen both those men. She went for that ride with Surrel and then met Hern. Hern had rented a 'drive yourself' car and they went out to that empty house on Long Island where Hern's folks lived when he was a kid. They had went there sometimes before. Hern quarreled with her there because she was quitting him and he bumped her off."

"How did you find all this out?"

"We didn't. Hern just now told us. Say, listen: Circumstances was such that it looked certain this Miss Tuller had been knocked off but we couldn't find no body. We had a list made of everybody that she knew well, and we checked up where everybody was the night she was killed, and we crossed off the list all the ones that couldn't have had nothing to do with it. So then we had about a dozen people left."

"Was Hern on the list?"

"Not at first. We put cops tailing them dozen people twenty-four hours a day, but we didn't learn nothing. So I wondered was there some way to make whoever had knocked off the girl tell where he was. I and you had went to Miss Tuller's place and we seen a lot of pictures of the girl and seen her jewelry, and I took some of the pictures of her in different kinds

of clothes. Well, I didn't have no particular plan in doing that, but I kept looking at the pictures. So I noticed in one of 'em she had on a brooch that I hadn't seen among her jewelry. I asked Miss Purling was Miss Tuller wearing that brooch when she disappeared and Miss Purling didn't know, but I figured she must have if it wasn't among her jewelry. So then I got that idea."

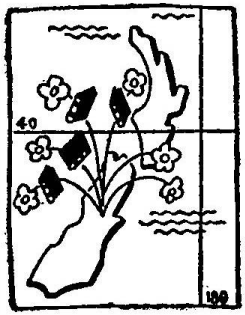
"What idea?"

"You seen what the girl had on when she was took out of the well, so why ask that? She had on that brooch. I figured if somebody had knocked the girl off, he was worrying for fear she would be found; so if we could make him think maybe she had been found, but not be sure of it, there wasn't no guy could be strong enough not to go where he had hid her and take a look. Miss Purling remembered that that guy Shoener had given Miss Tuller the brooch and he told me where he had bought it, and I seen the jewelers and showed 'em the picture and they remembered the brooch. They made me another just like it. Then we give out that we were going to make an arrest and we fixed up a game about them statements to get all them people to the station house. We had that big picture of Miss Tuller made and put it on the desk, and we put the brooch on top of it, because that way we made sure that there wouldn't nobody miss seeing the brooch. I had to tell Miss Purling not to ask nothing at the station house when she seen it. I knew whoever knocked the girl off wouldn't ask nothing. Well, we might have missed out on it. Hern had been with Surrel all the time, and we thought he was just looking after Surrel's interests. It didn't come to us he was keeping track that way of what was done by us cops, and it wasn't until right at the last we put some cops to follow him. Hern was kind of smart about going out there to Long Island. He didn't know he was being followed, but he borrowed Surrel's car and he drove up to Westchester and he crossed to Long Island on the ferry and went and took a look to see if the well had been disturbed, and then he come back again by way of Westchester. The cops that was following him searched his family's old house and found blood on the porch. So then they telephoned us and we arrested him when he got to town. They kept on searching the place and a lot of stuff had been thrown in that old well and they found Miss Tuller's hat in it. So then we knew she was in the well. When we told Hern how he himself had told us where to look for her, he broke down and told us why he killed her."

"Not bad police work, O'Malley."

"Why, it's a satisfaction that we got the guy. Us cops have so much trouble with them lawyers when we're giving evidence in court that it's going to be a pleasure to get one of 'em electrocuted."

DIG DEEP IN MARSHES OLD



Once upon a time, while we were browsing in Bartlett's FAMILIAR QUOTATIONS *for the exact wording of a will-o'-the-wisp of the memory, we came upon, quite by accident, two references to "marshes." Immediately it occurred to us that we could make use of the two allusions if ever we had occasion to write about the two Marshes in the field of the detective short story — especially since the two quotations possessed an uncanny application and relevance. Take, for example, what the poet Sidney Lanier wrote in his "The Marshes of Glynn": "Ye marshes, how candid and simple and nothing-withholding and free, Ye publish yourselves to the sky . . ." It is almost as if Sidney Lanier could see into the future, predict that there would be two detective-story writing Marshes, that their styles would be seemingly candid and simple and free, that they would play fair with their readers — nothing-withholding — and consequently be published "to the sky." Remarkable prescience, indeed! — for there was Richard Marsh of an earlier generation, and there is Ngaio Marsh of today.*

Richard Marsh's contribution to the detective short story consists of four books, none of which, alas, is well-known among modern readers. The first was published in 1898 and called CURIOS: SOME STRANGE ADVENTURES OF TWO BACHELORS. *It is, as the title informs us, a curious book, containing some strange and fascinating mysteries, and we plan to bring you at least two of them in forthcoming issues. In 1900 Richard Marsh published an equally obscure volume —* AN ARISTOCRATIC DETECTIVE, *containing a group of short stories about the Honorable Augustus Champnell, son of the Earl of Glenlean. In 1909 appeared* THE GIRL IN THE BLUE DRESS, *and in 1912 his best-known volume of detective shorts —* JUDITH LEE, *whose adventures have been referred to briefly by Willard Huntington Wright (S. S. Van Dine) and Dorothy L. Sayers (by the latter in a mere footnote listing) but which have never been reprinted in any contemporary anthology or magazine. Perhaps some day we shall rescue Judith Lee from a rather undeserved oblivion; in her own way she was an unusual lady detective — she earned her living as a teacher of the deaf and dumb, and her ability to read lips gave her a peculiarly feminine advantage in the investigation of crime.*

Ngaio Marsh's reputation is based wholly on her detective novels, which critics all over the world have acclaimed as "suave, intelligent, and amusing." It wasn't until 1946 that Ngaio Marsh wrote her first detective short story — "I Can Find My Way Out," winner of a Third Prize in EQMM's

First Annual Contest. Rather, we publicized it as her first detective story and discovered that we were wrong only when the author herself advised us that she had written an earlier one in the late 1930s. Of course you know what happened next: we promptly asked Miss Marsh to dig the old short story out of her files and send it to us as fast as an airplane can travel from New Zealand, Miss Marsh's home, to New York — which, praise be, Ngaio Marsh proceeded to do.

So, harking back to the work of Richard Marsh and unearthing Ngaio Marsh's true first-short-story is but to "dig deep in marshes old" — the second quotation gleaned so fortuitously from good old Bartlett. But Ngaio Marsh's first short story is not old in the sense of being old-fashioned. Perish the thought! "Death on the Air" is all that the critics have said about Ngaio Marsh's novels — it is suave, intelligent, and amusing. Further, it is an Inspector Roderick Alleyn story. And finally, it is a Christmas story — the perfect ending for this, our Holiday, issue.

DEATH ON THE AIR

by NGAIO MARSH

On the 25th of December at 7.30 a.m. Mr. Septimus Tonks was found dead beside his wireless set.

It was Emily Parks, an underhousemaid, who discovered him. She butted open the door and entered, carrying mop, duster, and carpet-sweeper. At that precise moment she was greatly startled by a voice that spoke out of the darkness.

"Good morning, everybody," said the voice in superbly inflected syllables, "and a Merry Christmas!"

Emily yelped, but not loudly, as she immediately realized what had happened. Mr. Tonks had omitted to turn off his wireless before going to bed. She drew back the curtains, revealing a kind of pale murk which was a London Christmas dawn, switched on the light, and saw Septimus.

He was seated in front of the radio. It was a small but expensive set, specially built for him. Septimus sat in an armchair, his back to Emily and his body tilted towards the wireless.

His hands, the fingers curiously bunched, were on the ledge of the cabinet under the tuning and volume knobs. His chest rested against the shelf below and his head leaned on the front panel.

He looked rather as though he was listening intently to the interior secrets of the wireless. His head was bent so that Emily could see the bald top with its trail of oiled hairs. He did not move.

"Beg pardon, sir," gasped Emily. She was again greatly startled. Mr.

Tonk's enthusiasm for radio had never before induced him to tune in at seven-thirty in the morning.

"Special Christmas service," the cultured voice was saying. Mr. Tonks sat very still. Emily, in common with the other servants, was terrified of her master. She did not know whether to go or to stay. She gazed wildly at Septimus and realized the he wore a dinner-jacket. The room was now filled with the clamor of pealing bells.

Emily opened her mouth as wide as it would go and screamed and screamed and screamed. . . .

Chase, the butler, was the first to arrive. He was a pale, flabby man but authoritative. He said: "What's the meaning of this outrage?" and then saw Septimus. He went to the arm-chair, bent down, and looked into his master's face.

He did not lose his head, but said in a loud voice: "My Gawd!" And then to Emily: "Shut your face." By this vulgarism he betrayed his agitation. He seized Emily by the shoulders and thrust her towards the door, where they were met by Mr. Hislop, the secretary, in his dressing-gown. Mr. Hislop said: "Good heavens, Chase, what is the meaning —" and then his voice too was drowned in the clamor of bells and renewed screams.

Chase put his fat white hand over Emily's mouth.

"In the study if you please, sir. An accident. Go to your room, will you, and stop that noise or I'll give you something to make you." This to Emily, who bolted down the hall, where she was received by the rest of the staff who had congregated there.

Chase returned to the study with Mr. Hislop and locked the door. They both looked down at the body of Septimus Tonks. The secretary was the first to speak.

"But — but — he's dead," said little Mr. Hislop.

"I suppose there can't be any doubt," whispered Chase.

"Look at the face. Any doubt! My God!"

Mr. Hislop put out a delicate hand towards the bent head and then drew it back. Chase, less fastidious, touched one of the hard wrists, gripped, and then lifted it. The body at once tipped backwards as if it was made of wood. One of the hands knocked against the butler's face. He sprang back with an oath.

There lay Septimus, his knees and his hands in the air, his terrible face turned up to the light. Chase pointed to the right hand. Two fingers and the thumb were slightly blackened.

Ding, dong, dang, ding.

"For God's sake stop those bells," cried Mr. Hislop. Chase turned off the wall switch. Into the sudden silence came the sound of the door-handle being rattled and Guy Tonk's voice on the other side.

"Hislop! Mr. Hislop! Chase! What's the matter?"

"Just a moment, Mr. Guy." Chase looked at the secretary. "You go, sir."

So it was left to Mr. Hislop to break the news to the family. They listened to his stammering revelation in stupefied silence. It was not until Guy, the eldest of the three children, stood in the study that any practical suggestion was made.

"What has killed him?" asked Guy.

"It's extraordinary," burbled Hislop. "Extraordinary. He looks as if he'd been —"

"Galvanized," said Guy.

"We ought to send for a doctor," suggested Hislop timidly.

"Of course. Will you, Mr. Hislop? Dr. Meadows."

Hislop went to the telephone and Guy returned to his family. Dr. Meadows lived on the other side of the square and arrived in five minutes. He examined the body without moving it. He questioned Chase and Hislop. Chase was very voluble about the burns on the hand. He uttered the word "electrocution" over and over again.

"I had a cousin, sir, that was struck by lightning. As soon as I saw the hand —"

"Yes, yes," said Dr. Meadows. "So you said. I can see the burns for myself."

"Electrocution," repeated Chase. "There'll have to be an inquest."

Dr. Meadows snapped at him, summoned Emily, and then saw the rest of the family — Guy, Arthur, Phillipa, and their mother. They were clustered round a cold grate in the drawing-room. Phillipa was on her knees, trying to light the fire.

"What was it?" asked Arthur as soon as the doctor came in.

"Looks like electric shock. Guy, I'll have a word with you if you please. Phillipa, look after your mother, there's a good child. Coffee with a dash of brandy. Where are those damn maids? Come on, Guy."

Alone with Guy, he said they'd have to send for the police.

"The police!" Guy's dark face turned very pale. "Why? What's it got to do with them?"

"Nothing, as like as not, but they'll have to be notified. I can't give a certificate as things are. If it's electrocution, how did it happen?"

"But the police!" said Guy. "That's simply ghastly. Dr. Meadows, for God's sake couldn't you —?"

"No," said Dr. Meadows, "I couldn't. Sorry, Guy, but there it is."

"But can't we wait a moment? Look at him again. You haven't examined him properly."

"I don't want to move him, that's why. Pull yourself together boy. Look here. I've got a pal in the C.I.D. — Alleyn. He's a gentleman and all that. He'll curse me like a fury, but he'll come if he's in London, and he'll make things easier for you. Go back to your mother. I'll ring Alleyn up."

That was how it came about that Chief Detective-Inspector Roderick Alleyn spent his Christmas Day in harness. As a matter of fact he was on duty, and as he pointed out to Dr. Meadows, would have had to turn out and visit his miserable Tonkses in any case. When he did arrive it was

with his usual air of remote courtesy. He was accompanied by a tall, thick-set officer — Inspector Fox — and by the divisional police-surgeon. Dr. Meadows took them into the study. Alleyn, in his turn, looked at the horror that had been Septimus.

"Was he like this when he was found?"

"No. I understand he was leaning forward with his hands on the ledge of the cabinet. He must have slumped forward and been propped up by the chair arms and the cabinet."

"Who moved him?"

"Chase, the butler. He said he only meant to raise the arm. *Rigor* is well established."

Alleyn put his hand behind the rigid neck and pushed. The body fell forward into its original position.

"There you are, Curtis," said Alleyn to the divisional surgeon. He turned to Fox. "Get the camera man, will you, Fox?"

The photographer took four shots and departed. Alleyn marked the position of the hands and feet with chalk, made a careful plan of the room and then turned to the doctors.

"Is it electrocution, do you think?"

"Looks like it," said Curtis. "Have to be a p.m. of course."

"Of course. Still, look at the hands. Burns. Thumb and two fingers bunched together and exactly the distance between the two knobs apart. He'd been tuning his hurdy-gurdy."

"By gum," said Inspector Fox, speaking for the first time.

"D'you mean he got a lethal shock from his radio?" asked Dr. Meadows.

"I don't know. I merely conclude he had his hands on the knobs when he died."

"It was still going when the housemaid found him. Chase turned it off and got no shock."

"Yours, partner," said Alleyn, turning to Fox. Fox stooped down to the wall switch.

"Careful," said Alleyn.

"I've got rubber soles," said Fox, and switched it on. The radio hummed, gathered volume, and found itself.

"No-oel, No-o-el," it roared. Fox cut it off and pulled out the wall plug.

"I'd like to have a look inside this set," he said.

"So you shall, old boy, so you shall," rejoined Alleyn. "Before you begin, I think we'd better move the body. Will you see to that, Meadows? Fox, get Bailey, will you? He's out in the car."

Curtis, Hislop, and Meadows carried Septimus Tonks into a spare downstairs room. It was a difficult and horrible business with that contorted body. Dr. Meadows came back alone, mopping his brow, to find Detective-Sergeant Bailey, a fingerprint expert, at work on the wireless cabinet.

"What's all this?" asked Dr. Meadows. "Do you want to find out if he'd been fooling round with the innards?"

"He," said Alleyn, "or — somebody else."

"Umph!" Dr. Meadows looked at

the Inspector. "You agree with me, it seems. Do you suspect —?"

"Suspect? I'm the least suspicious man alive. I'm merely being tidy. Well, Bailey?"

"I've got a good one off the chair arm. That'll be the deceased's, won't it, sir?"

"No doubt. We'll check up later. What about the wireless?"

Fox, wearing a glove, pulled off the knob of the volume control.

"Seems to be O.K." said Bailey. "It's a sweet bit of work. Not too bad at all, sir." He turned his torch into the back of the radio, undid a couple of screws underneath the set, and lifted out the works.

"What's the little hole for?" asked Alleyn.

"What's that, sir?" said Fox.

"There's a hole bored through the panel above the knob. About an eighth of an inch in diameter. The rim of the knob hides it. One might easily miss it. Move your torch, Bailey. Yes. There, do you see?"

Fox bent down and uttered a bass growl. A fine needle of light came through the front of the radio.

"That's peculiar, sir," said Bailey from the other side. "I don't get the idea at all."

Alleyn pulled out the tuning knob.

"There's another one there," he murmured. "Yes. Nice clean little holes. Newly bored. Unusual, I take it?"

"Unusual's the word, sir," said Fox.

"Run away, Meadows," said Alleyn.

"Why the devil?" asked Dr. Meadows indignantly. "What are you driving at? Why shouldn't I be here?"

"You ought to be with the sorrowing relatives. Where's your corpse-side manner?"

"I've settled them. What are you up to?"

"Who's being suspicious now?" asked Alleyn mildly. "You may stay for a moment. Tell me about the Tonkses. Who are they? What are they? What sort of a man was Septimus?"

"If you must know, he was a damned unpleasant sort of a man."

"Tell me about him."

Dr. Meadows sat down and lit a cigarette.

"He was a self-made bloke," he said, "as hard as nails and — well, coarse rather than vulgar."

"Like Dr. Johnson perhaps?"

"Not in the least. Don't interrupt. I've known him for twenty-five years. His wife was a neighbor of ours in Dorset. Isabel Foreston. I brought the children into this vale of tears and, by jove, in many ways it's been one for them. It's an extraordinary household. For the last ten years Isabel's condition has been the sort that sends these psycho-jokers dizzy with rapture. I'm only an out-of-date G.P., and I'd just say she is in an advanced stage of hysterical neurosis. Frightened into fits of her husband."

"I can't understand these holes," grumbled Fox to Bailey.

"Go on, Meadows," said Alleyn.

"I tackled Sep about her eighteen

months ago. Told him the trouble was in her mind. He eyed me with a sort of grin on his face and said: 'I'm surprised to learn that my wife has enough mentality to —' But look here, Alleyn, I can't talk about my patients like this. What the devil am I thinking about."

"You know perfectly well it'll go no further unless —"

"Unless what?"

"Unless it has to. Do go on."

But Dr. Meadows hurriedly withdrew behind his professional rectitude. All he would say was that Mr. Tonks had suffered from high blood pressure and a weak heart, that Guy was in his father's city office, that Arthur had wanted to study art and had been told to read for law, and that Phillipa wanted to go on the stage and had been told to do nothing of the sort.

"Bullied his children," commented Alleyn.

"Find out for yourself. I'm off." Dr. Meadows got as far as the door and came back.

"Look here," he said, "I'll tell you one thing. There was a row here last night. I'd asked Hislop, who's a sensible little beggar, to let me know if anything happened to upset Mrs. Sep. Upset her badly, you know. To be indiscreet again, I said he'd better let me know if Sep cut up rough because Isabel and the young had had about as much of that as they could stand. He was drinking pretty heavily. Hislop rang me up at ten-twenty last night to say there'd been a hell of a row; Sep bullying Phips — Phillipa, you know; always call her Phips — in her room. He said Isabel — Mrs. Sep — had gone to bed. I'd had a big day and I didn't want to turn out. I told him to ring again in half an hour if things hadn't quieted down. I told him to keep out of Sep's way and stay in his own room, which is next to Phip's, and see if she was all right when Sep cleared out. Hislop was involved. I won't tell you how. The servants were all out. I said that if I didn't hear from him in half an hour I'd ring again and if there was no answer I'd know they were all in bed and quiet. I did ring, got no answer, and went to bed myself. That's all. I'm off. Curtis knows where to find me. You'll want me for the inquest, I suppose. Goodbye."

When he had gone Alleyn embarked on a systematic prowl round the room. Fox and Bailey were still deeply engrossed with the wireless.

"I don't see how the gentleman could have got a bump-off from the instrument," grumbled Fox. "These control knobs are quite in order. Everything's as it should b- Look here, sir."

He turned on the wall switch and tuned in. There was a prolonged humming.

". . . concludes the program of Christmas carols," said the radio.

"A very nice tone," said Fox approvingly.

"Here's something sir," announced Bailey suddenly.

"Found the sawdust, have you?" said Alleyn.

"Got it in one," said the startled Bailey.

Alleyn peered into the instrument, using the torch. He scooped up two tiny traces of sawdust from under the holes.

"'Vantage number one," said Alleyn. He bent down to the wall plug. "Hullo! A two-way adapter. Serves the radio and the radiator. Thought they were illegal. This is a rum business. Let's have another look at those knobs."

He had his look. They were the usual wireless fitments, bakelite knobs fitting snugly to the steel shafts that projected from the front panel.

"As you say," he murmured, "quite in order. Wait a bit." He produced a pocket lens and squinted at one of the shafts. "Ye-es. Do they ever wrap blotting-paper round these objects, Fox?"

"Blotting-paper!" ejaculated Fox. "They do not."

Alleyn scraped at both the shafts with his penknife, holding an envelope underneath. He rose, groaning, and crossed to the desk. "A corner torn off the bottom bit of blotch," he said presently. "No prints on the wireless, I think you said, Bailey?"

"That's right," agreed Bailey morosely.

"There'll be none, or too many, on the blotter, but try, Bailey, try," said Alleyn. He wandered about the room, his eyes on the floor; got as far as the window and stopped.

"Fox!" he said. "A clue. A very palpable clue."

"What is it?" asked Fox.

"The odd wisp of blotting-paper, no less." Alleyn's gaze traveled up the side of the window curtain. "Can I believe my eyes?"

He got a chair, stood on the seat, and with his gloved hand pulled the buttons from the ends of the curtain rod.

"Look at this." He turned to the radio, detached the control knobs, and laid them beside the ones he had removed from the curtain rod.

Ten minutes later Inspector Fox knocked on the drawing-room door and was admitted by Guy Tonks. Phillipa had got the fire going and the family was gathered round it. They looked as though they had not moved or spoken to one another for a long time.

It was Phillipa who spoke first to Fox. "Do you want one of us?" she asked.

"If you please, miss," said Fox. "Inspector Alleyn would like to see Mr. Guy Tonks for a moment, if convenient."

"I'll come," said Guy, and led the way to the study. At the door he paused. "Is he — my father — still —?"

"No, no, sir," said Fox comfortably. "It's all ship-shape in there again."

With a lift of his chin Guy opened the door and went in, followed by Fox. Alleyn was alone, seated at the desk. He rose to his feet.

"You want to speak to me?" asked Guy.

"Yes, if I may. This has all been a great shock to you, of course. Won't you sit down?"

Guy sat in the chair farthest away from the radio.

"What killed my father? Was it a stroke?"

"The doctors are not quite certain. There will have to be a *post-mortem.*"

"Good God! And an inquest?"

"I'm afraid so."

"Horrible!" said Guy violently. "What do they think was the matter? Why the devil do these quacks have to be so mysterious? What killed him?"

"They think an electric shock."

"How did it happen?"

"We don't know. It looks as if he got it from the wireless."

"Surely that's impossible. I thought they were fool-proof."

"I believe they are, if left to themselves."

For a second undoubtedly Guy was startled. Then a look of relief came into his eyes. He seemed to relax all over.

"Of course," he said, "he was always monkeying about with it. What had he done?"

"Nothing."

"But you said — if it killed him he must have done something to it."

"If anyone interfered with the set it was put right afterwards."

Guy's lips parted but he did not speak. He had gone very white.

"So you see," said Alleyn, "your father could not have done anything."

"Then it was not the radio that killed him."

"That we hope will be determined by the *post-mortem.*"

"I don't know anything about wireless," said Guy suddenly. "I don't understand. This doesn't seem to make sense. Nobody ever touched the thing except my father. He was most particular about it. Nobody went near the wireless."

"I see. He was an enthusiast?"

"Yes, it was his only enthusiasm except — except his business."

"One of my men is a bit of an expert," Alleyn said. "He says this is a remarkably good set. You are not an expert you say. Is there anyone in the house who is?"

"My young brother was interested at one time. He's given it up. My father wouldn't allow another radio in the house."

"Perhaps he may be able to suggest something."

"But if the thing's all right now —"

"We've got to explore every possibility."

"You speak as if — as — if — "

"I speak as I am bound to speak before there has been an inquest," said Alleyn. "Had anyone a grudge against your father, Mr. Tonks?"

Up went Guy's chin again. He looked Alleyn squarely in the eyes.

"Almost everyone who knew him," said Guy.

"Is that an exaggeration?"

"No. You think he was murdered, don't you?"

Alleyn suddenly pointed to the

desk beside him.

"Have you ever seen those before?" he asked abruptly. Guy stared at two black knobs that lay side by side on an ashtray.

"Those?" he said. "No. What are they?"

"I believe they are the agents of your father's death."

The study door opened and Arthur Tonks came in.

"Guy," he said, "what's happening? We can't stay cooped up together all day. I can't stand it. For God's sake what happened to him?"

"They think those things killed him," said Guy.

"Those?" For a split second Arthur's glance slewed to the curtain-rods. Then, with a characteristic flicker of his eyelids, he looked away again.

"What do you mean?" he asked Alleyn.

"Will you try one of those knobs on the shaft of the volume control?"

"But," said Arthur, "they're metal."

"It's disconnected," said Alleyn.

Arthur picked one of the knobs from the tray, turned to the radio, and fitted the knob over one of the exposed shafts.

"It's too loose," he said quickly, "it would fall off."

"Not if it was packed — with blotting-paper, for instance."

"Where did you find these things?" demanded Arthur.

"I think you recognized them, didn't you? I saw you glance at the curtain-rod."

"Of course I recognized them. I did a portrait of Phillipa against those curtains when — he — was away last year. I've painted the damn things."

"Look here," interrupted Guy, "exactly what are you driving at, Mr. Alleyn? If you mean to suggest that my brother —."

"I!" cried Arthur. "What's it got to do with me? Why should you suppose —."

"I found traces of blotting-paper on the shafts and inside the metal knobs," said Alleyn. "It suggested a substitution of the metal knobs for the bakelite ones. It is remarkable, don't you think, that they should so closely resemble one another? If you examine them, of course, you find they are not identical. Still, the difference is scarcely perceptible."

Arthur did not answer this. He was still looking at the wireless.

"I've always wanted to have a look at this set," he said surprisingly.

"You are free to do so now," said Alleyn politely. "We have finished with it for the time being."

"Look here," said Arthur suddenly, "suppose metal knobs were substituted for bakelite ones, it couldn't kill him. He wouldn't get a shock at all. Both the controls are grounded."

"Have you noticed those very small holes drilled through the panel?" asked Alleyn. "Should they be there, do you think?"

Arthur peered at the little steel shafts. "By God, he's right, Guy," he said. "That's how it was done."

"Inspector Fox," said Alleyn, "tells me those holes could be used for conducting wires and that a lead could be taken from the — the transformer, is it? — to one of the knobs."

"And the other connected to earth," said Fox. "It's a job for an expert. He could get three hundred volts or so that way."

"That's not good enough," said Arthur quickly; "there wouldn't be enough current to do any damage — only a few hundredths of an amp."

"I'm not an expert," said Alleyn, "but I'm sure you're right. Why were the holes drilled then? Do you imagine someone wanted to play a practical joke on your father?"

"A practical joke? On *him?*" Arthur gave an unpleasant screech of laughter. "Do you hear that, Guy?"

"Shut up," said Guy. "After all, he is dead."

"It seems almost too good to be true, doesn't it?"

"Don't be a bloody fool, Arthur. Pull yourself together. Can't you see what this means? They think he's been murdered."

"Murdered! They're wrong. None of us had the nerve for that, Mr. Inspector. Look at me. My hands are so shaky they told me I'd never be able to paint. That dates from when I was a kid and he shut me up in the cellars for a night. Look at me. Look at Guy. He's not so vulnerable, but he caved in like the rest of us. We were conditioned to surrender. Do you know —"

"Wait a moment," said Alleyn quietly. "Your brother is quite right, you know. You'd better think before you speak. This may be a case of homicide."

"Thank you, sir," said Guy quickly. "That's extraordinarily decent of you. Arthur's a bit above himself. It's a shock."

"The relief, you mean," said Arthur. "Don't be such an ass. I didn't kill him and they'll find it out soon enough. Nobody killed him. There must be some explanation."

"I suggest that you listen to me," said Alleyn. "I'm going to put several questions to both of you. You need not answer them, but it will be more sensible to do so. I understand no one but your father touched this radio. Did any of you ever come into this room while it was in use?"

"Not unless he wanted to vary the program with a little bullying," said Arthur.

Alleyn turned to Guy, who was glaring at his brother.

"I want to know exactly what happened in this house last night. As far as the doctors can tell us, your father died not less than three and not more than eight hours before he was found. We must try to fix the time as accurately as possible."

"I saw him at about a quarter to nine," began Guy slowly. "I was going out to a supper-party at the Savoy and had come downstairs. He was crossing the hall from the drawing-room to his room."

"Did you see him after a quarter to nine, Mr. Arthur?"

"No. I heard him, though. He was working in here with Hislop. Hislop had asked to go away for Christmas. Quite enough. My father discovered some urgent correspondence. Really, Guy, you know, he was pathological. I'm sure Dr. Meadows thinks so."

"When did you hear him?" asked Alleyn.

"Some time after Guy had gone. I was working on a drawing in my room upstairs. It's above his. I heard him bawling at little Hislop. It must have been before ten o'clock, because I went out to a studio party at ten. I heard him bawling as I crossed the hall."

"And when," said Alleyn, "did you both return?"

"I came home at about twenty past twelve," said Guy immediately. "I can fix the time because we had gone on to Chez Carlo, and they had a midnight stunt there. We left immediately afterwards. I came home in a taxi. The radio was on full blast."

"You heard no voices?"

"None. Just the wireless."

"And you, Mr. Arthur?"

"Lord knows when I got in. After one. The house was in darkness. Not a sound."

"You had your own key?"

"Yes," said Guy. "Each of us has one. They're always left on a hook in the lobby. When I came in I noticed Arthur's was gone."

"What about the others? How did you know it was his?"

"Mother hasn't got one and Phips lost hers weeks ago. Anyway, I knew they were staying in and that it must be Arthur who was out."

"Thank you," said Arthur ironically.

"You didn't look in the study when you came in," Alleyn asked him.

"Good Lord, no," said Arthur as if the suggestion was fantastic. "I say," he said suddenly, "I suppose he was sitting here — dead. That's a queer thought." He laughed nervously. "Just sitting here, behind the door in the dark."

"How do you know it was in the dark?"

"What d'you mean? Of course it was. There was no light under the door."

"I see. Now do you two mind joining your mother again? Perhaps your sister will be kind enough to come in here for a moment. Fox, ask her, will you?"

Fox returned to the drawing-room with Guy and Arthur and remained there, blandly unconscious of any embarrassment his presence might cause the Tonkses. Bailey was already there, ostensibly examining the electric points.

Phillipa went to the study at once. Her first remark was characteristic. "Can I be of any help?" asked Phillipa.

"It's extremely nice of you to put it like that," said Alleyn. "I don't want to worry you for long. I'm sure this discovery has been a shock to you."

"Probably," said Phillipa. Alleyn glanced quickly at her. "I mean," she explained, "that I suppose I must be

shocked but I can't feel anything much. I just want to get it all over as soon as possible. And then think. Please tell me what has happened."

Alleyn told her they believed her father had been electrocuted and that the circumstances were unusual and puzzling. He said nothing to suggest that the police suspected murder.

"I don't think I'll be much help," said Phillipa, "but go ahead."

"I want to try to discover who was the last person to see your father or speak to him."

"I should think very likely I was," said Phillipa composedly. "I had a row with him before I went to bed."

"What about?"

"I don't see that it matters."

Alleyn considered this. When he spoke again it was with deliberation.

"Look here," he said, "I think there is very little doubt that your father was killed by an electric shock from his wireless set. As far as I know the circumstances are unique. Radios are normally incapable of giving a lethal shock to anyone. We have examined the cabinet and are inclined to think that its internal arrangements were disturbed last night. Very radically disturbed. Your father may have experimented with it. If anything happened to interrupt or upset him, it is possible that in the excitement of the moment he made some dangerous readjustment."

"You don't believe that, do you?" asked Phillipa calmly.

"Since you ask me," said Alleyn, "no."

"I see," said Phillipa; "you think he was murdered, but you're not sure." She had gone very white, but she spoke crisply. "Naturally you want to find out about my row."

"About everything that happened last evening," amended Alleyn.

"What happened was this," said Phillipa; "I came into the hall some time after ten. I'd heard Arthur go out and had looked at the clock at five past. I ran into my father's secretary, Richard Hislop. He turned aside, but not before I saw . . . not quickly enough. I blurted out: 'You're crying.' We looked at each other. I asked him why he stood it. None of the other secretaries could. He said he had to. He's a widower with two children. There have been doctor's bills and things. I needn't tell you about his . . . about his damnable servitude to my father nor about the refinements of cruelty he'd had to put up with. I think my father was mad, really mad, I mean. Richard gabbled it all out to me higgledy-piggledy in a sort of horrified whisper. He's been here two years, but I'd never realized until that moment that we . . . that . . ." A faint flush came into her cheeks. "He's such a funny little man. Not at all the sort I've always thought . . . not good-looking or exciting or anything."

She stopped, looking bewildered.

"Yes?" said Alleyn.

"Well, you see — I suddenly realized I was in love with him. He realized it too. He said: 'Of course, it's quite hopeless, you know. Us, I

mean. Laughable, almost.' Then I put my arms round his neck and kissed him. It was very odd, but it seemed quite natural. The point is my father came out of this room into the hall and saw us."

"That was bad luck," said Alleyn.

"Yes, it was. My father really seemed delighted. He almost licked his lips. Richard's efficiency had irritated my father for a long time. It was difficult to find excuses for being beastly to him. Now, of course . . . He ordered Richard to the study and me to my room. He followed me upstairs. Richard tried to come too, but I asked him not to. My father . . . I needn't tell you what he said. He put the worst possible construction on what he'd seen. He was absolutely foul, screaming at me like a madman. He was insane. Perhaps it was D. Ts. He drank terribly, you know. I dare say it's silly of me to tell you all this."

"No," said Alleyn.

"I can't feel anything at all. Not even relief. The boys are frankly relieved. I can't feel afraid either." She stared meditatively at Alleyn. "Innocent people needn't feel afraid, need they?"

"It's an axiom of police investigation," said Alleyn and wondered if indeed she was innocent.

"It just *can't* be murder," said Phillipa. "We were all too much afraid to kill him. I believe he'd win even if you murdered him. He'd hit back somehow." She put her hands to her eyes. "I'm all muddled," she said.

"I think you are more upset than you realize. I'll be as quick as I can. Your father made this scene in your room. You say he screamed. Did anyone hear him?"

"Yes. Mummy did. She came in."

"What happened?"

"I said: 'Go away, darling, it's all right.' I didn't want her to be involved. He nearly killed her with the things he did. Sometimes he'd . . . we never knew what happened between them. It was all secret, like a door shutting quietly as you walk along a passage."

"Did she go away?"

"Not at once. He told her he'd found out that Richard and I were lovers. He said . . . it doesn't matter. I don't want to tell you. She was terrified. He was stabbing at her in some way I couldn't understand. Then, quite suddenly, he told her to go to her own room. She went at once and he followed her. He locked me in. That's the last I saw of him, but I heard him go downstairs later."

"Were you locked in all night?"

"No. Richard Hislop's room is next to mine. He came up and spoke through the wall to me. He wanted to unlock the door, but I said better not in case — he — came back. Then, much later, Guy came home. As he passed my door I tapped on it. The key was in the lock and he turned it."

"Did you tell him what had happened?"

"Just that there'd been a row. He only stayed a moment."

"Can you hear the radio from your room?"

She seemed surprised.

"The wireless? Why, yes. Faintly."

"Did you hear it after your father returned to the study?"

"I don't remember."

"Think. While you lay awake all that long time until your brother came home?"

"I'll try. When he came out and found Richard and me, it was not going. They had been working, you see. No, I can't remember hearing it at all unless — wait a moment. Yes. After he had gone back to the study from mother's room I remember there was a loud crash of static. Very loud. Then I think it was quiet for some time. I fancy I heard it again later. Oh, I've remembered something else. After the static my bedside radiator went out. I suppose there was something wrong with the electric supply. That would account for both, wouldn't it? The heater went on again about ten minutes later."

"And did the radio begin again then, do you think?"

"I don't know. I'm very vague about that. It started again sometime before I went to sleep."

"Thank you very much indeed. I won't bother you any longer now."

"All right," said Phillipa calmly, and went away.

Alleyn sent for Chase and questioned him about the rest of the staff and about the discovery of the body. Emily was summoned and dealt with. When she departed, awe-struck but complacent, Alleyn turned to the butler.

"Chase," he said, "had your master any peculiar habits?"

"Yes, sir."

"In regard to his use of the wireless?"

"I beg pardon, sir. I thought you meant generally speaking."

"Well, then, generally speaking."

"If I may say so, sir, he was a mass of them."

"How long have you been with him?"

"Two months, sir, and due to leave at the end of this week."

"Oh. Why are you leaving?"

Chase produced the classic remark of his kind.

"There are some things," he said, "that flesh and blood will not stand, sir. One of them's being spoke to like Mr. Tonks spoke to his staff."

"Ah. His peculiar habits, in fact?"

"It's my opinion, sir, he was mad. Stark, staring."

"With regard to the radio. Did he tinker with it?"

"I can't say I've ever noticed, sir. I believe he knew quite a lot about wireless."

"When he tuned the thing, had he any particular method? Any characteristic attitude or gesture?"

"I don't think so, sir. I never noticed, and yet I've often come into the room when he was at it. I can seem to see him now, sir."

"Yes, yes," said Alleyn swiftly. "That's what we want. A clear mental picture. How was it now? Like this?"

In a moment he was across the room

and seated in Septimus's chair. He swung round to the cabinet and raised his right hand to the tuning control.

"Like this?"

"No, sir," said Chase promptly, "that's not him at all. Both hands it should be."

"Ah." Up went Alleyn's left hand to the volume control. "More like this?"

"Yes, sir," said Chase slowly. "But there's something else and I can't recollect what it was. Something he was always doing. It's in the back of my head. You know, sir. Just on the edge of my memory, as you might say."

"I know."

"It's a kind — something — to do with irritation," said Chase slowly.

"Irritation? His?"

"No. It's no good, sir. I can't get it."

"Perhaps later. Now look here, Chase, what happened to all of you last night? All the servants, I mean."

"We were all out, sir. It being Christmas Eve. The mistress sent for me yesterday morning. She said we could take the evening off as soon as I had taken in Mr. Tonks' grog-tray at nine o'clock. So we went," ended Chase simply.

"When?"

"The rest of the staff got away about nine. I left at ten past, sir, and returned about eleven-twenty. The others were back then, and all in bed. I went straight to bed myself, sir."

"You came in by a back door, I suppose?"

"Yes, sir. We've been talking it over. None of us noticed anything unusual."

"Can you hear the wireless in your part of the house?"

"No, sir."

"Well," said Alleyn, looking up from his notes, "that'll do, thank you."

Before Chase reached the door Fox came in.

"Beg pardon, sir," said Fox, "I just want to take a look at the *Radio Times* on the desk."

He bent over the paper, wetted a gigantic thumb, and turned a page.

"That's it, sir," shouted Chase suddenly. "That's what I tried to think of. That's what he was always doing."

"But what?"

"Licking his fingers, sir. It was a habit," said Chase. "That's what he always did when he sat down to the radio. I heard Mr. Hislop tell the doctor it nearly drove him demented, the way the master couldn't touch a thing without first licking his fingers."

"Quite so," said Alleyn. "In about ten minutes, ask Mr. Hislop if he will be good enough to come in for a moment. That will be all, thank you, Chase."

"Well, sir," remarked Fox when Chase had gone, "if that's the case and what I think's right, it'd certainly make matters worse."

"Good heavens, Fox, what an elaborate remark. What does it mean?"

"If metal knobs were substituted for bakelite ones and fine wires brought through those holes to make contact, then he'd get a bigger bump

if he tuned in with *damp* fingers."

"Yes. And he always used both hands. Fox!"

"Sir."

"Approach the Tonkses again. You haven't left them alone, of course?"

"Bailey's in there making out he's interested in the light switches. He's found the main switchboard under the stairs. There's signs of a blown fuse having been fixed recently. In a cupboard underneath there are odd lengths of flex and so on. Same brand as this on the wireless and the heater."

"Ah, yes. Could the cord from the adapter to the radiator be brought into play?"

"By gum," said Fox, "you're right! That's how it was done, Chief. The heavier flex was cut away from the radiator and shoved through. There was a fire, so he wouldn't want the radiator and wouldn't notice."

"It might have been done that way, certainly, but there's little to prove it. Return to the bereaved Tonkses, my Fox, and ask prettily if any of them remember Septimus's peculiarities when tuning his wireless."

Fox met little Mr. Hislop at the door and left him alone with Alleyn. Phillipa had been right, reflected the Inspector, when she said Richard Hislop was not a noticeable man. He was nondescript. Grey eyes, drab hair; rather pale, rather short, rather insignificant; and yet last night there had flashed up between those two the realization of love. Romantic but rum, thought Alleyn.

"Do sit down," he said. "I want you, if you will, to tell me what happened between you and Mr. Tonks last evening."

"What happened?"

"Yes. You all dined at eight, I understand. Then you and Mr. Tonks came in here?"

"Yes."

"What did you do?"

"He dictated several letters."

"Anything unusual take place?"

"Oh, no."

"Why did you quarrel?"

"Quarrel!" The quiet voice jumped a tone. "We did not quarrel, Mr. Alleyn."

"Perhaps that was the wrong word. What upset you?"

"Phillipa has told you?"

"Yes. She was wise to do so. What was the matter, Mr. Hislop?"

"Apart from the . . . what she told you . . . Mr. Tonks was a difficult man to please. I often irritated him. I did so last night."

"In what way?"

"In almost every way. He shouted at me. I was startled and nervous, clumsy with papers, and making mistakes. I wasn't well. I blundered and then . . . I . . . I broke down. I have always irritated him. My very mannerisms —"

"Had he no irritating mannerisms, himself?"

"He! My God!"

"What were they?"

"I can't think of anything in particular. It doesn't matter does it?"

"Anything to do with the wireless, for instance?"

There was a short silence.

"No," said Hislop.

"Was the radio on in here last night, after dinner?"

"For a little while. Not after — after the incident in the hall. At least, I don't think so. I don't remember."

"What did you do after Miss Phillipa and her father had gone upstairs?"

"I followed and listened outside the door for a moment." He had gone very white and had backed away from the desk.

"And then?"

"I heard someone coming. I remembered Dr. Meadows had told me to ring him up if there was one of the scenes. I returned here and rang him up. He told me to go to my room and listen. If things got any worse I was to telephone again. Otherwise I was to stay in my room. It is next to hers."

"And you did this?" He nodded. "Could you hear what Mr. Tonks said to her?"

"A — a good deal of it."

"What did you hear?"

"He insulted her. Mrs. Tonks was there. I was just thinking of ringing Dr. Meadows up again when she and Mr. Tonks came out and went along the passage. I stayed in my room."

"You did not try to speak to Miss Phillipa?"

"We spoke through the wall. She asked me not to ring Dr. Meadows, but to stay in my room. In a little while, perhaps it was as much as twenty minutes — I really don't know — I heard him come back and go downstairs. I again spoke to Phillipa. She implored me not to do anything and said that she herself would speak to Dr. Meadows in the morning. So I waited a little longer and then went to bed."

"And to sleep?"

"My God, no!"

"Did you hear the wireless again?"

"Yes. At least I heard static."

"Are you an expert on wireless?"

"No. I know the ordinary things. Nothing much."

"How did you come to take this job, Mr. Hislop?"

"I answered an advertisement."

"You are sure you don't remember any particular mannerism of Mr. Tonks's in connection with the radio?"

"No."

"And you can tell me no more about your interview in the study that led to the scene in the hall?"

"No."

"Will you please ask Mrs. Tonks if she will be kind enough to speak to me for a moment?"

"Certainly," said Hislop, and went away.

Septimus's wife came in looking like death. Alleyn got her to sit down and asked her about her movements on the preceding evening. She said she was feeling unwell and dined in her room. She went to bed immediately afterwards. She heard Septimus yelling at Phillipa and went to Phillipa's room. Septimus accused Mr. Hislop and her daughter of "terrible things." She got as far as this and then

broke down quietly. Alleyn was very gentle with her. After a little while he learned that Septimus had gone to her room with her and had continued to speak of "terrible things."

"What sort of things?" asked Alleyn.

"He was not responsible," said Isabel. "He did not know what he was saying. I think he had been drinking."

She thought he had remained with her for perhaps a quarter of an hour. Possibly longer. He left her abruptly and she heard him go along the passage, past Phillipa's door, and presumably downstairs. She had stayed awake for a long time. The wireless could not be heard from her room. Alleyn showed her the curtain knobs, but she seemed quite unable to take in their significance. He let her go, summoned Fox, and went over the whole case.

"What's your idea on the show?" he asked when he had finished.

"Well, sir," said Fox, in his stolid way, "on the face of it the young gentlemen have got alibis. We'll have to check them up, of course, and I don't see we can go much further until we have done so."

"For the moment," said Alleyn, "let us suppose Masters Guy and Arthur to be safely established behind cast-iron alibis. What then?"

"Then we've got the young lady, the old lady, the secretary, and the servants."

"Let us parade them. But first let us go over the wireless game. You'll have to watch me here. I gather that the only way in which the radio could be fixed to give Mr. Tonks his quietus is like this: Control knobs removed. Holes bored in front panel with fine drill. Metal knobs substituted and packed with blotting paper to insulate them from metal shafts and make them stay put. Heavier flex from adapter to radiator cut and the ends of the wires pushed through the drilled holes to make contact with the new knobs. Thus we have a positive and negative pole. Mr. Tonks bridges the gap, gets a mighty wallop as the current passes through him to the earth. The switchboard fuse is blown almost immediately. All this is rigged by murderer while Sep was upstairs bullying wife and daughter. Sep revisited study some time after ten-twenty. Whole thing was made ready between ten, when Arthur went out, and the time Sep returned — say, about ten-forty-five. The murderer reappeared, connected radiator with flex, removed wires, changed back knobs, and left the thing tuned in. Now I take it that the burst of static described by Phillipa and Hislop would be caused by the short-circuit that killed our Septimus?"

"That's right."

"It also affected all the heaters in the house. *Vide* Miss Tonks's radiator."

"Yes. He put all that right again. It would be a simple enough matter for anyone who knew how. He'd just have to fix the fuse on the main switchboard. How long do you say it would take to — what's the horrible

word? — to recondition the whole show?"

"M'm," said Fox deeply. "At a guess, sir, fifteen minutes. He'd have to be nippy."

"Yes," agreed Alleyn. "He or she."

"I don't see a female making a success of it," grunted Fox. "Look here, Chief, you know what I'm thinking. Why did Mr. Hislop lie about deceased's habit of licking his thumbs? You say Hislop told you he remembered nothing and Chase says he overheard him saying the trick nearly drove him dippy."

"Exactly," said Alleyn. He was silent for so long that Fox felt moved to utter a discreet cough.

"Eh?" said Alleyn. "Yes, Fox, yes. It'll have to be done." He consulted the telephone directory and dialed a number.

"May I speak to Dr. Meadows? Oh, it's you, is it? Do you remember Mr. Hislop telling you that Septimus Tonks's trick of wetting his fingers nearly drove Hislop demented. Are you there? You don't? Sure? All right. All right. Hislop rang you up at ten-twenty, you said? And you telephoned him? At eleven. Sure of the times? I see. I'd be glad if you'd come round. Can you? Well, do if you can."

He hung up the receiver.

"Get Chase again, will you, Fox?"

Chase, recalled, was most insistent that Mr. Hislop had spoken about it to Dr. Meadows.

"It was when Mr. Hislop had flu, sir. I went up with the doctor. Mr. Hislop had a high temperature and was talking very excited. He kept on and on, saying the master had guessed his ways had driven him crazy and that the master kept on purposely to aggravate. He said if it went on much longer he'd . . . he didn't know what he was talking about, sir, really."

"What did he say he'd do?"

"Well, sir, he said he'd — he'd do something desperate to the master. But it was only his rambling, sir. I daresay he wouldn't remember anything about it."

"No," said Alleyn, "I daresay he wouldn't." When Chase had gone he said to Fox: "Go and find out about those boys and their alibis. See if they can put you on to a quick means of checking up. Get Master Guy to corroborate Miss Phillipa's statement that she was locked in her room."

Fox had been gone for some time and Alleyn was still busy with his notes when the study door burst open and in came Dr. Meadows.

"Look here, my giddy sleuth-hound," he shouted, "what's all this about Hislop? Who says he disliked Sep's abominable habits?"

"Chase does. And don't bawl at me like that. I'm worried."

"So am I, blast you. What are you driving at? You can't imagine that . . . that poor little broken-down hack is capable of electrocuting anybody, let alone Sep?"

"I have no imagination," said Alleyn wearily.

"I wish to God I hadn't called you in. If the wireless killed Sep, it was because he'd monkeyed with it."

"And put it right after it had killed him?"

Dr. Meadows stared at Alleyn in silence.

"Now," said Alleyn, "you've got to give me a straight answer, Meadows. Did Hislop, while he was semi-delirious, say that this habit of Tonks's made him feel like murdering him?"

"I'd forgotten Chase was there," said Dr. Meadows.

"Yes, you'd forgotten that."

"But even if he did talk wildly, Alleyn, what of it? Damn it, you can't arrest a man on the strength of a remark made in delirium."

"I don't propose to do so. Another motive has come to light."

"You mean — Phips — last night?"

"Did he tell you about that?"

"She whispered something to me this morning. I'm very fond of Phips. My God, are you sure of your grounds?"

"Yes," said Alleyn. "I'm sorry. I think you'd better go, Meadows."

"Are you going to arrest him?"

"I have to do my job."

There was a long silence.

"Yes," said Dr. Meadows at last. "You have to do your job. Goodbye, Alleyn."

Fox returned to say that Guy and Arthur had never left their parties. He had got hold of two of their friends. Guy and Mrs. Tonks confirmed the story of the locked door.

"It's a process of elimination," said Fox. "It must be the secretary. He fixed the radio while deceased was upstairs. He must have dodged back to whisper through the door to Miss Tonks. I suppose he waited somewhere down here until he heard deceased blow himself to blazes and then put everything straight again, leaving the radio turned on."

Alleyn was silent.

"What do we do now, sir?" asked Fox.

"I want to see the hook inside the front-door where they hang their keys."

Fox, looking dazed, followed his superior to the little entrance hall.

"Yes, there they are," said Alleyn. He pointed to a hook with two latch-keys hanging from it. "You could scarcely miss them. Come on, Fox."

Back in the study they found Hislop with Bailey in attendance.

Hislop looked from one Yard man to another.

"I want to know if it's murder."

"We think so," said Alleyn.

"I want you to realize that Phillipa — Miss Tonks — was locked in her room all last night."

"Until her brother came home and unlocked the door," said Alleyn.

"That was too late. He was dead by then."

"How do you know when he died?"

"It must have been when there was that crash of static."

"Mr. Hislop," said Alleyn, "why would you not tell me how much that trick of licking his fingers exasperated you?"

"But — how do you know! I never told anyone."

"You told Dr. Meadows when you

were ill."

"I don't remember." He stopped short. His lips trembled. Then, suddenly he began to speak.

"Very well. It's true. For two years he's tortured me. You see, he knew something about me. Two years ago when my wife was dying, I took money from the cash-box in that desk. I paid it back and thought he hadn't noticed. He knew all the time. From then on he had me where he wanted me. He used to sit there like a spider. I'd hand him a paper. He'd wet his thumbs with a clicking noise and a sort of complacent grimace. Click, click. Then he'd thumb the papers. He knew it drove me crazy. He'd look at me and then . . . click, click. And then he'd say something about the cash. He never quite accused me, just hinted. And I was impotent. You think I'm insane. I'm not. I could have murdered him. Often and often I've thought how I'd do it. Now you think I've done it. I haven't. There's the joke of it. I hadn't the pluck. And last night when Phillipa showed me she cared, it was like Heaven — unbelievable. For the first time since I've been here I *didn't* feel like killing him. And last night someone else *did!*"

He stood there trembling and vehement. Fox and Bailey, who had watched him with bewildered concern, turned to Alleyn. He was about to speak when Chase came in. "A note for you, sir," he said to Alleyn. "It came by hand.

Alleyn opened it and glanced at the first few words. He looked up.

"You may go, Mr. Hislop. Now I've got what I expected — what I fished for."

When Hislop had gone they read the letter.

Dear Alleyn,

Don't arrest Hislop. I did it. Let him go at once if you've arrested him and don't tell Phips you ever suspected him. I was in love with Isabel before she met Sep. I've tried to get her to divorce him, but she wouldn't because of the kids. Damned nonsense, but there's no time to discuss it now. I've got to be quick. He suspected us. He reduced her to a nervous wreck. I was afraid she'd go under altogether. I thought it all out. Some weeks ago I took Phips's key from the hook inside the front door. I had the tools and the flex and wire all ready. I knew where the main switchboard was and the cupboard. I meant to wait until they all went away at the New Year, but last night when Hislop rang me I made up my mind to act at once. He said the boys and servants were out and Phips locked in her room. I told him to stay in his room and to ring me up in half an hour if things hadn't quieted down. He didn't ring up. I did. No answer, so I knew Sep wasn't in his study.

I came round, let myself in, and listened. All quiet upstairs, but the lamp still on in the study, so I knew he would come down again. He'd said he wanted to get the midnight broadcast from somewhere.

I locked myself in and got to work.

When Sep was away last year, Arthur did one of his modern monstrosities of paintings in the study. He talked about the knobs making good pattern. I noticed then that they were very like the ones on the radio and later on I tried one and saw that it would fit if I packed it up a bit. Well, I did the job just as you worked it out, and it only took twelve minutes. Then I went into the drawing-room and waited.

He came down from Isabel's room and evidently went straight to the radio. I hadn't thought it would make such a row, and half expected someone would come down. No one came. I went back, switched off the wireless, mended the fuse in the main switchboard, using my torch. Then I put everything right in the study.

There was no particular hurry. No one would come in while he was there and I got the radio going as soon as possible to suggest he was at it. I knew I'd be called in when they found him. My idea was to tell them he had died of a stroke. I'd been warning Isabel it might happen at any time. As soon as I saw the burned hand I knew that cat wouldn't jump. I'd have tried to get away with it if Chase hadn't gone round bleating about electrocution and burned fingers. Hislop saw the hand. I daren't do anything but report the case to the police, but I thought you'd never twig the knobs. One up to you.

I might have bluffed through if you hadn't suspected Hislop. Can't let you hang the blighter. I'm enclosing a note to Isabel, who won't forgive me, and an official one for you to use. You'll find me in my bedroom upstairs. I'm using cyanide. It's quick.

I'm sorry, Alleyn. I think you knew, didn't you? I've bungled the whole game, but if you will be a supersleuth . . . Goodbye.

Henry Meadows

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF CONGRESS OF AUGUST 24, 1912, AND MARCH 3, 1933

of Ellery Queen's Mystery Magazine, published monthly at Concord, N. H., for October 1, 1947

State of New York, County of New York, ss. Before me, a Notary Public in and for the State and county aforesaid, personally appeared Joseph W. Ferman, who, having been duly sworn according to law, deposes and says that he is the Business Manager of *Ellery Queen's Mystery Magazine* and that the following is, to the best of his knowledge and belief, a true statement of the ownership, management, etc., of the aforesaid publication for the date shown in the above caption, required by the Act of August 24, 1912, as amended by the Act of March 3, 1933, embodied in section 537, Postal Laws and Regulations, to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager are: *Publisher*, Lawrence E. Spivak, 570 Lexington Ave., New York 22, N. Y.; *Editor*, Ellery Queen, 570 Lexington Ave., New York 22, N. Y.; *Managing Editor*, Mildred Falk, 570 Lexington Ave., New York 22, N. Y.; *Business Manager*, Joseph W. Ferman, 570 Lexington Ave., New York 22, N. Y.

2. That the owners are: The American Mercury, Inc., 570 Lexington Ave., New York 22, N. Y.; Lawrence E. Spivak, 570 Lexington Ave., New York 22, N. Y.; Joseph W. Ferman, 570 Lexington Ave., New York 22, N. Y.; Mildred Falk, 570 Lexington Ave., New York 22, N. Y.

3. That the known bondholders, mortgagees, and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, and security holders, if any, contain not only the list of stockholders and security holders as they appear upon the books of the company but also, in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given; also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner; and this affiant has no reason to believe that any other person, association, or corporation has any interest direct or indirect in the said stock, bonds, or other securities than as so stated by him.

J. W. Ferman, *Business Manager.*

Sworn to and subscribed before me, this 17th day of September, 1947.

[Seal] Ethel M. Shields, *Notary Public*
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—Continued from other side

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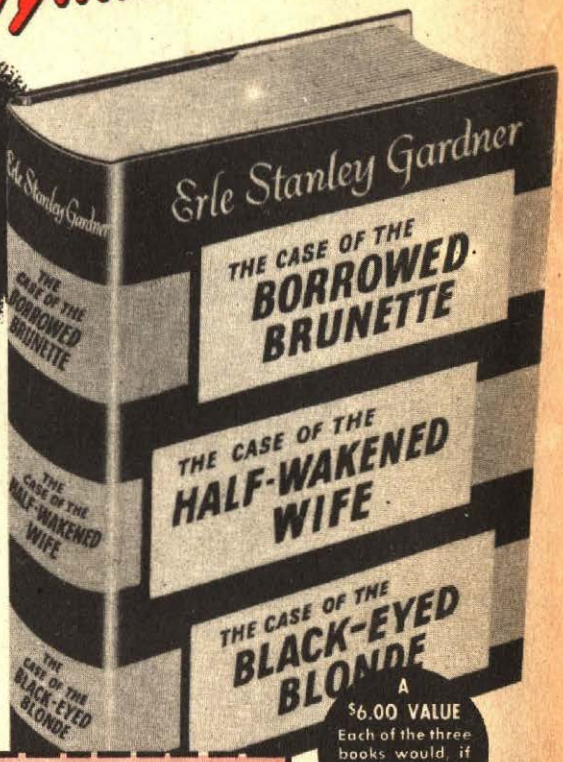

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