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ELLERY QUEEN'S MYSTERY MAGAZINE Vol. 22 No. 121 DECEMBER 1953

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THE FRAME-UP

by ROY VICKERS

WHEN A MURDERER SETS OUT TO plant the crime on an innocent person, he has to synchronize a real murder with an imaginary one — a formidable task, at which he generally fails. In the Rubington murder — so-called from the dormitory suburb of London in which it occurred — the murderer nearly succeeded in planting the crime on the innocent person, in spite of an unimaginative obviousness of method. The police, however, do not share the criminologist's aversion to the obvious — that feeling that if the answer is as plain as a pikestaff, it must be the wrong answer.

In what we may call the first phase of the operation, the "evidence" against Charles Roburn was so overwhelming that anyone but a policeman must have gasped at the idea of a normally intelligent man being such an ass as to leave so clear a trail to himself.

Viola Roburn was found dead of a gunshot wound a few weeks before her wedding to Ralph Nodleigh (headlined in the popular press as The Noodle). An obvious suspect was Charles Roburn, her cousin. By Viola's death he stood to benefit substantially, under a reversion, provided she were to die without lawful issue.

They both lived in Rubington, Viola in a twelve-room house with an acre of garden, Charles in a five-room, brick-built bungalow a hundred yards along the road. Charles was a clean-living man of 30, junior partner in a firm of architects with a flourishing practice in London, and in his spare time, a captain in the Territorial Army, in which his uncle had been a colonel. He was presentable and genial, of athletic habits, intelligent without being intellectual.

A housemaid testified that some five years previously Charles had made a nonsense remark to Viola, in reference to her father's will: "For heaven's sake don't get murdered before you're married, or the police will make a bee-line for me." This was held to foreshadow his intention to kill her.

Anyhow, here was the motive as plain as the pikestaff. For good measure, Charles's revolver was found within 50 yards of the body. Viola had been shot behind the pavilion of the tennis club and the body had been levered a distance of some four feet into a narrow ditch, the lever being a five-foot flagpole, one of two used to mark the car park when the club had guest tournaments. Less obvious was the reason why a large, athletic man in training should have needed a lever.

This oddity, however, was considered too subtle to merit immediate investigation.

On the assumption that money will induce a respectable person to murder — or to refrain from murder, as the case may be — Ralph Nodleigh was above suspicion. By all the rules of the obvious, he must have wanted to marry Viola for her love or for her money or for both.

The police cannot be blamed for not knowing that Ralph Nodleigh happened to be without money-consciousness, possessing more than he required for his way of life, which was very dear to him. He did not want her money. Nor did he want her love, as he felt none for her.

You could say of Viola, at 33, that she was a handsome woman, with beautiful lines. In filmic terms, she would be cast for the Amazon who reveals an abundant femininity in the final sequences. More than one adventurous man had approached her, only to be rebuffed. On her father's death, she sought sympathy from a Miss Hondyke, who had been her schoolmistress — a woman of considerable scholarship whose forthrightness had barred her from advancement in her calling. A deep friendship was formed. Miss Hondyke, who had come for a week, stayed for seven years — that is, for the remainder of Viola's life. She became one of the personalities of Rubington, though no one knew her first name, as Viola always called her "Hondy."

Quite suddenly, as it seemed, Viola abandoned her predilection for spinsterhood. Her determination to marry was not occasioned by Ralph Nodleigh — Nodleigh was occasioned by her determination to marry. He was a geologist and already a senior official in the Ministry which controls the national museums, a brilliant man with a distinguished career in front of him. His bone formation gave his face a slightly sheeplike appearance. Moreover, he was detached and more than a little inept in the small exchanges of everyday life. His not infrequent gaucheries made The Noodle an inevitable nickname.

Viola pounced upon him. By methods astonishing in a girl of her upbringing, she contrived to get her name coupled with his, until he was persuaded that it was socially impossible for him to avoid proposing marriage. He trusted to his mother to extricate him, but she betrayed him by strongly approving of his engagement. Viola overwhelmed him with a womanly tenderness which embarrassed everybody except The Noodle, who assumed it to be the normal behavior of a fiancée. The strain of it all drove him to seek the help of Viola's cousin, Charles Roburn.

At half-past 3 on the second Wednesday in August last — some nine hours before the murder — Nodleigh went to Roburn's bungalow, having taken a half day off for that purpose. Roburn had been attending his annual refresher course of ten days in camp and had written that he would be home at that time. He was a little

late. Roburn's daily help functioned for two hours, in the morning only, so the bungalow was empty. The sun was blazing — one of the sitting-room windows was partly open. Nodleigh, knowing his old school friend would not resent the action, contrived to enter by the window.

The bungalow, designed by Roburn himself, achieved both comfort and distinction. The furniture was hand-made from his own drawings. The living-room could take a party of twenty, yet was not noticeably large for two — thanks to skillful arrangement of bookcases and a settee of deceptive length.

At 3:50, Roburn arrived. As he backed into his garage, he saw Nodleigh in the living-room. Nodleigh, of course, heard the engine. Anyone else would have got up and opened the outer door for Roburn — but that was the sort of thing that never occurred to The Noodle. If he had done so it would have altered the sequence of Roburn's actions.

Roburn, who was in uniform, took out a map-case, a kit bag, and a civil suitcase. From the floor of the car he picked up the belt which carried his holster and revolver — uncomfortable to wear when one is driving a small car. He slung the map-case and looped the belt over his neck, leaving both hands free for his luggage. Battle-dress pockets function mainly as store-cupboards. So he let himself into the bungalow with the daily help's latch-key, which was kept under the mud-scraper. He dumped the two bags and the map-case in the hall. The belt was still round his neck when he entered the living-room.

"Hullo, Noodle! Sorry I'm late. I say, d'you mind waiting a bit longer while I have a shower and civilize myself?" While he was speaking, he removed holster and revolver from the belt and dropped them on the settee, himself retaining the belt. "I must remember to clean this — I fired my six rounds just before I left camp."

Some ten minutes later Roburn reappeared in civil dress. Nodleigh, who had no capacity for small talk, came at once to his point.

"Cambridge has offered me a traveling Fellowship," he announced. "The Ministry wishes me to accept and is willing to grant me three years' leave."

"Congratulations, old man! The Fellowship will lead to a Chair. 'Meet my old friend, Professor Nodleigh.' We must have a party on this."

Nodleigh responded with a very sickly grin.

"In 43 days, as at present arranged, I am to marry your cousin."

"What's wrong with that? Vi always wanted to travel — it was the Hondyke who wouldn't budge."

"My mother," sighed Nodleigh, "thinks a traveling Fellowship means a highbrow pleasure cruise. She's giving a party tonight, by the way, and hopes you will come — a flannel party, mind!

"My work," he continued, "will be done in various mountainous

districts of South America — in conditions of considerable physical hardship and in some peril from disease. Viola could not accompany me. I want to know how far you consider that I am morally obliged to decline the Fellowship."

Roburn did not believe that Nodleigh had any such moral obligation to Viola, knowing that she had deliberately hooked him.

"I'd say you have to ask yourself which you would rather have, the wedding or the Fellowship?"

"I can only answer that in terms." Nodleigh got up, then abruptly sat down again. "D'you know, lots of people call me The Noodle who don't know that it started at school? It's never malicious and it never offends me. But to me it does mean that I must have a socially blind spot. I enjoy the society of women, but only of the kind that I can summon and dismiss at whim. I am wholly lacking in the desire for domestic life with a woman of my own standard of civilization — however gifted and charming she may be. All those natural feelings are sublimated in my work."

Nodleigh was saying very much what Roburn had expected him to say. But the next words startled him, though he had known the other from boyhood.

"So you will see, Charlie, that I do not intend — never have intended — to marry Viola — nor any other woman."

Roburn was impressed. There had been an ominousness — a revelation of an inflexible and unscrupulous determination — which vanished as Nodleigh continued:

"Through some ineptitude of mine, I must have misled your cousin as to the state of my feelings. If that is so, I do not forgive myself. But I cannot pay life-long penance and sacrifice my work."

"But, my dear old Noodle, why not tell her in a friendly way that, for her sake as well as yours — which happens to be true — you want her to turn you down? You could say —"

"Such women listen only to one's conclusions, and then supply their own explanation. Her explanation would be that her womanly charm had been tried and found wanting. My words would convey only insult and humiliation. I can't do it. It would be the abominable small thing — which is so much harder to do than the abominable big thing."

"What's the abominable big thing?"

Nodleigh shrugged. He was a little man and looked ridiculous when he shrugged.

"Besides, my mother would futilize the whole thing by telling Viola that I had been speaking irresponsibly. I have not the equipment for dealing with these emotional situations."

"But, dammit, if you *won't* marry her, you *must* tell her so."

"I admit, Charlie, that I entertained the hope that you would prepare her mind. It is, of course, foolish to subject friendship to a strain —"

"Rot, old man! I'd do it like a shot,

only I know she'd never allow me to finish the first sentence. Also, in her eyes, I am an interested party. If she dies without children, I inherit — I expect she's told you that."

"Yes, so she did. The marriage would bring disaster on you, too."

"Hardly that!" Roburn laughed. "She might marry someone else, or live longer than I. Before we talk any more, I'm going to get us tea. Won't be long — Mrs. Dane always leaves everything ready."

Throughout this conversation, Roburn told the police, the revolver was absent from his consciousness. From the moment when he unfastened the belt in Nodleigh's presence to the moment when the police started talking about the revolver, he had not, he said, given it another thought.

By the time Roburn came in with the laden tea tray, Nodleigh had left the bungalow. This was not in itself remarkable. The Noodle often walked off like that. Some five minutes later, Roburn was opening the front door to Miss Hondyke.

Miss Hondyke was a slender little woman in the early forties whose wrinkles made her look ten years older. She was unfashionably but skillfully dressed, and carried an aura of physical fastidiousness. Her finely chiseled nose and eyebrows made her the sort of woman of whom people say, with doubtful accuracy, that she must have been lovely when she was young. Tennyson's "sweet girl graduate" turned sour, though there was a firmness in her mouth which suggested that she might have become a successful manager of a chain store.

"Mr. Roburn! I heard that you were back from camp and felt that I must consult you at once."

"If you can take bachelor tea, Miss Hondyke, come in."

In seven years, Miss Hondyke had lost the mannerisms of a schoolmistress and acquired those of a *grande dame* exiled in a suburb. She dropped a gracious reference to men who give up their leisure to the Territorial Army. Her amiability alarmed Roburn.

She opened a large purse-bag with looped handles, fashionable some years previously, and offered him a copy of the *Illustrated London News* — a glossy but sober weekly, featuring merit rather than fashion. It was folded so as to direct his eye to a photograph of Ralph Nodleigh, inset in a quarter column summarizing his career to date. In red ink, Miss Hondyke had framed the photograph, had underlined references to the Fellowship and to South America, and had added a comment in the margin — *i.e., in hinterland.*

"Yes, I've heard. What does Viola think about it?"

He returned the journal. Miss Hondyke put it on the floor, under her chair, as if she intended to refer to it again.

"She thinks she will travel with him. If that should prove unsatisfactory, he could resign, as they both have a sufficiency of money. Money indeed! She does not understand the

nature of a Fellowship — nor the nature of a man like Mr. Nodleigh — nor the nature of any man, for that matter!"

Roburn liked her better for this human outburst. Also, he happened to agree with her.

"Then why does she want to marry him?"

"She no more wants to marry him — as an individual — than he wants to marry her. I know Viola. For seven years I have devoted my life to our friendship. *I* have made her happy. She doesn't even pretend she will be happy with Mr. Nodleigh."

Roburn tried to look sympathetic, wondering where she intended to fit him in.

"She does not want to marry him!" repeated Miss Hondyke. "If you had asked me why she *intends* to marry him, I would have answered — because of you, Mr. Roburn."

Roburn blinked.

"You are not suggesting that Viola is secretly in love with me?"

"On the contrary, Mr. Roburn. Quite definitely on the contrary. You are on her conscience. One does not love a person whom one sees, however unjustly, as a perpetual accusation. She bullied you when you were children. She has told me so, literally dozens of times."

"She's exaggerating. She was a big, tough girl and I was a slow grower. But when I was twelve I found that I was the stronger — I'm sorry to say by knocking her down and sitting on her. It stopped then."

"Or began, in more subtle form? As an onlooker, I may see the facts more clearly than either of you. When you first came to live with her, both of you were too young to understand your bereavement. She was bitterly jealous of you. She never got over it. Did you know that she was positively ill with anger when her father left his medals and war trophies to you instead of to her?"

"I guessed something of the sort. That's why I never claimed them. Viola has them to this day."

"I know. These obsessions are never reasonable — they fix on this symbol or that. The trust, of course, rankles. Although she would hardly admit it to herself, she is determined that you shall not benefit by the reversion. Hence this undignified pursuit of the unhappy Mr. Nodleigh. If he should fail her, she will snatch another man. She is good-looking and she has money."

Roburn was more than half-inclined to believe it — at least, it offered a plausible explanation of Viola's behavior. Miss Hondyke's last words lingered.

"I've never done any daydreaming about that money — my chances of inheriting are too remote," he said. "And anyway, if she's determined to marry someone or other, we can't do anything about it."

"I think you could do a lot if you would disabuse her mind of the obsession that she spoiled your boyhood and undermined your self-confidence as a young man. Also, if you were to

tell her what you have just told me about your attitude to the reversion."

"I doubt whether she'd take any notice." Roburn remembered his duties as host. "I say, your tea must have got cold! Let me throw it away —"

"Don't trouble, please!"

"Lukewarm tea is horrible. Bachelor touch, I'm afraid. Won't be half a minute!"

He was, in fact, a minute and a half in the kitchen, heating the water on the gas stove, which was quicker than the electric kettle. In the meantime, Miss Hondyke had taken his cooperation for granted.

"We have been asked —" Miss Hondyke always spoke of Viola and herself as a social unit — "we have been asked to an after-dinner party at the Nodleigh's tonight, and I expect you have, too. You do not object to a benevolent conspiracy? Then I will plead a headache. You can then see Viola home afterwards, as Mr. Nodleigh will hardly leave the house while any guests remain. You will walk, of course, taking the short cut through the tennis club. The weather forecast indicates no change."

Miss Hondyke seemed to have thought of everything.

Suddenly she professed to be alarmed at the flight of time and came near to gulping her tea.

"I suppose I shall be doing Nodleigh a good turn as well as Vi, if anything comes of it — but I don't think anything will," Roburn remarked.

"Forgive me for saying there is a grain of truth in Viola's belief that she injured you." Miss Hondyke allowed herself to survey the six feet of him. "Mr. Roburn, you underestimate yourself!"

After she had gone, he noticed the *Illustrated London News* on the floor under her chair. He picked it up and lobbed it onto the settee.

The *Illustrated London News* was in evidence again at the party that evening, The Noodle's proud mother having bought several copies, which were handed round. Viola had broken the rules by appearing in a semi-evening dress, of a steely blue which emphasized the hard handsomeness of her. To The Noodle's misery she read aloud the eulogy, asserted that she had always longed to visit South America, and that "if" they went up country she would take every care of him.

"Roughing it together will be the best part of the whole adventure, won't it, Ralph dear?"

"Yes, Viola." He smiled as he said it, but the smile remained fixed for a quite inordinate period.

To Mrs. Nodleigh she said: "May I keep this copy for my very own? I shall put it under my pillow and read it all over again as soon as I wake up."

Viola meant it — she did that sort of thing very thoroughly. She had the journal tucked under her arm when she left with Roburn shortly before midnight.

The body was discovered by the club groundsman shortly before midday. It was clad in a semi-evening dress, under a light sports coat. On the dress was a ruby brooch, and in the pockets of the coat a latchkey, some silver, and a tourist agency booklet concerning Peru. The doctor estimated that death had occurred instantaneously, ten to twelve hours previously.

In these outlying, sleek little suburbs there is rarely a local correspondent, so the news missed the evening papers. No one had telephoned Roburn. When he reached his bungalow at 6:15, a couple of county constables in plainclothes gave him the bare fact that Viola had been killed, and asked him if he would be so good as to accompany them, in order "to help the Inspector."

As if cooperating in his own destruction, Roburn behaved with a certain rashness. But so does many an innocent man in such circumstances. The constables were able to report that he had shown no grief, that he laughed excitedly and exclaimed: "Good lord! I always said you would make a bee-line for me, if it happened!" That sort of nonsense, written down in police jargon, can be very prejudicial.

The district superintendent was a personal acquaintance — Roburn generally helped with the annual police gymkhana. After condolences on the death of a cousin, he became official. There were formal questions, the answers written down, and then:

"When did you last see the deceased?"

"At her own front door last night. We had been at a party at Mrs. Nodleigh's house. I saw her home, as her fiancé — Nodleigh — could not leave. We were walking. There's a short cut through the tennis club — by a footbridge at the back of the pavilion. I can't tell you the exact time, but we left the Nodleigh's between half-past 11 and 12."

The superintendent asked clarifying questions only — it was not his job to cross-question — then wrote the answers in detail.

"As a Territorial officer, you keep a Service revolver in your home? What is the number, please?"

When Roburn gave the number the superintendent compared it with a note.

"You'll have to see the Inspector, Mr. Roburn."

"I don't mind seeing anybody — but what's it to do with my revolver? I say! You don't tell me that my cousin was battered to death with my revolver? She couldn't have been shot with it. It was unloaded, and I haven't any rounds. Surely you know that no rounds are issued to us, and that they can't be bought from a gunsmith?"

"I can't talk about it." The superintendent relented. "The fact is, the Chief Constable called in Scotland Yard straight away, as we had to have technical help. That means we've got to watch our step. These answers of yours will go over to Inspector Kyle.

He's one of the best, and if he straightens all this out as far as you are concerned, Mr. Roburn, no one'll be more pleased than me. Meantime, you'd better give us your fingerprints. . . ."

To Roburn, Inspector Kyle was a pleasant surprise. He had a mellow style, behaved more like a business executive than an official. He spoke to Roburn as if he were consulting a colleague.

"I've read your statement, Mr. Roburn. I'll give you the additional facts we've already got. Your cousin was killed instantaneously with a single shot, around midnight yesterday. After death, the body was moved a distance of four feet into that shallow ditch at the back of the pavilion of the tennis club. Beside the body was one of those short flagpoles which mark the car park — the flagpole had been used to lever the body into the ditch. Your Service revolver was picked up in that long grass on the other side of the ditch. It had been thrown there after the chambers had been emptied. So far we have found no shells. Can you go on from there?"

"I can only make it sound worse, Inspector. We did pass behind the pavilion, and it must have been very close to midnight. We sat down for a short while on one of the benches in front of the pavilion — we were discussing her wedding — then I saw her to her door, as stated."

"Can you back that up?"

"I expect Miss Hondyke heard us. She wasn't asleep. Her light went out as we came in sight of the house, and Viola remarked on it."

"Anything else?"

"It's difficult to spot essentials on the spur of the moment," muttered Roburn. "What about this? Viola was carrying a copy of the *Illustrated London News*." Roburn explained about Nodleigh's Fellowship. "While we were sitting on that bench, Viola kept tapping a rhythm with it, which annoyed me. So I grabbed it. But I gave it back to her as I said 'good night.' She said at the party she meant to keep it under her pillow. I don't know whether it was found in her room? That would let me out, wouldn't it?"

"It's not a lot to work on," said Kyle, though he made a note of it. "To come back to your gun, you would say that, if someone pinched your gun, he must have got the ammunition from somewhere else? When did you last fire it yourself?"

"Just before I left camp — that is, after lunch yesterday. We're supposed to put in six practice shots, and I'd left it till late. We draw the rounds, in person, from the camp commandant, who is a Regular officer. We are then required to return the empty shells to him — again, in person. Directly I had done this, I drove home in my own car."

"What became of the revolver?"

The answer expanded into a summary of his movements. Nodleigh had been waiting in the bungalow. Roburn had dropped the revolver on

the settee, to remind himself to clean it. He had eventually brought in the tea for Nodleigh, unaware that the latter had left the bungalow. Miss Hondyke arrived and consumed the tea intended for Nodleigh. Later, he ate the meal his housekeeper had prepared, and about 9, he went to the Nodleigh's — not in evening dress, as it was to be a flannel party.

"Did you clean that gun?"

"No. I would have, if I had thought of it. Actually, I forgot — that is, it was not in my consciousness."

"But you had purposely put it on the settee so that it should catch your eye? Why didn't it catch your eye?" Receiving no answer, Kyle changed tone. "You and I have to find answers to all these questions, Mr. Roburn. You left Nodleigh alone in the room. Was Miss Hondyke alone in the room too?"

"No — well, that is, only while I got some more hot water from the kitchen."

"Then either Nodleigh or Miss Hondyke *could* have taken that gun?"

It was a straw of possibility — which Roburn failed to clutch.

"I've just thought of a much more probable explanation of why I didn't *see* that revolver, though I had put it there to be seen." Roburn seemed pleased with himself. "A copy of the *London Illustrated News* —"

"Again!" exclaimed Kyle.

"Not the same copy!" Roburn smiled patiently. "It's an event for someone in Rubington to have a photo and a write-up in a national journal. You'll find everyone who knows Nodleigh has bought one. Miss Hondyke had come to talk about the effect of the Fellowship on their wedding. And she brought a copy to show me. She had one of those huge bags with looped handles. She forgot to put it back in the bag. I found it on the floor by her chair after she had gone, and I threw it onto the settee. It may have covered the revolver. Anyhow, that's more reasonable than to suppose she or Nodleigh stole my gun."

Kyle made a long note, reread it, altered it a bit, and then said: "You suggest that the gun was stolen *after* you left for the Nodleigh's party. . . . Let's make a list of 'possibles.' Robbery from her person can be ruled out. Can you give us any line as to who would be likely to murder your cousin? I mean, had she any enemies? Does anyone profit by her death?"

"Only me — her death will about double my income."

At this stage Roburn apparently failed to realize that he was the victim of a frame-up. He could legitimately have told the Inspector that Nodleigh was desperately anxious to rid himself of Viola, that Nodleigh was an out-of-the-ordinary man. Instead, he rattled on:

"Her father — my father's brother — in effect adopted me when I was three, after my parents had been killed in an air crash. My uncle made a trust, covering some £30,000. If I

survive her — as I have — I get the lot. If she has a child in lawful wedlock, my interest is extinguished. She was about to be married." He added, "All this must look pretty overwhelming to you. I haven't a leg to stand on, have I, Inspector?"

"You may have — but we haven't found it yet. No doubt, you will rake over the ground with your lawyer. In the meantime, I'm sorry —"

"Arrest?"

" 'Detained.' I'm afraid it amounts to much the same thing. But we shall not charge you, at present, unless you object to being detained."

Roburn did not object. He spent the night in a cell and for the whole of the following morning discussed his position with Malderby, the Roburns' family lawyer, who took a gloomy view. Roburn still failed to mention Nodleigh. In the afternoon he was brought into the superintendent's room, where Detective Inspector Kyle was waiting.

"Well, Mr. Roburn — you know the old gag about the strength of a chain. Glad to tell you the weakest link has snapped. We have the ballistic expert's report. The shot that killed your cousin could not possibly have been fired from your gun."

"Thank God!" Roburn dropped into a chair and gasped like a man who has taken a long dive. Presently, he scowled. "But I thought that ballistic, groove-of-the-barrel test didn't work negatively — meaning you can say for certain that it *was* the same gun, but not that it was *not*?"

"It didn't arise in this case. The gun used had a very slightly larger bore."

"Larger than the Service revolver?"

"Your gun is the pattern used in the last war. The killer used a 1914 gun. Do you know anybody in the neighborhood who has one?"

"No. Oh — now I think of it, Viola herself presumably still had her father's. He was in the infantry in 1914. She has all his war trophies somewhere. There are quite a lot of 'em. He had the M.C. and two French decorations and some German souvenirs."

There was a long silence. Roburn gazed at the door.

"It's a frame-up — plain as a pikestaff!" Kyle used the actual words. "Someone has tried to plant this on you. The killer steals your gun, though he already has one himself. He dumps your gun on the site of the murder. But suppose your gun had not been foul? A gun that had not been fired would have had no significance whatever. Right! How many persons know that you fired your rounds immediately before leaving camp and that you came home with a foul gun?"

"Anyone at camp who saw me hand in the empty shells to the commandant and then drive off."

"Did you give Nodleigh any explanation why you left the gun in the living-room?"

"I did say why, but it was a sort of mutter. I don't suppose it regis-

tered. He wouldn't be interested in that kind of thing."

Roburn, expecting a string of questions about the revolver, was surprised when Kyle stood up.

"Thank you for being so frank with us. We've confirmed all your statements except the one about Miss Hondyke's light being on when you came up the road. She says she went to bed early and turned it off before 11. Sorry we had to detain you."

The inquest, by request of the police, was adjourned after formal evidence had been taken. With the exception of Miss Hondyke, the residents did not attend. In the drawing-rooms of Rubington, the tragedy was emphasized and the mystery was ignored. A collective self-esteem — a caste loyalty — scouted the idea that the temporary detention of Charles Roburn could have been anything other than an honest blunder. The police, they were ready to believe, were singularly prone to honest blunders. They had even begun to badger poor Ralph Nodleigh.

While the inquest was being held, Ralph Nodleigh, perhaps for the first time in his life, found difficulty in concentrating on his work at the Museum. In the middle of the morning he telephoned Roburn at the latter's office in Westminster, urgently requesting that they should meet at the bungalow at 6 that evening, with a view to discussing the probable behavior of the police in the immediate future. The conversation was monitored and duly relayed to Detective-Inspector Kyle.

Kyle arrived at the bungalow a minute or so before Nodleigh.

"Hullo!" exclaimed Roburn, concealing his disappointment. "Anything turned up?"

"Nothing worth talking about. You're expecting Mr. Nodleigh, I believe. I thought we might have a powwow and straighten out the small stuff."

Roburn nodded thoughtfully, as if he liked the idea.

"You may find Nodleigh difficult. He's a bit out of focus with practical things — oh, here he is! Noodle! The Inspector has come to give us a leg-up. Take him inside while I fetch the drinks."

Roburn was pouring the drinks when there was a knock on the front door.

"That should be Miss Hondyke," announced Kyle. "I asked her to be here at 6."

"Your party, Inspector!" chuckled Roburn.

Kyle had the idea that these three might goad each other into giving indirect information which they would not give individually. He was morally certain that he had spotted the murderer — more accurately that, thanks to the flagpole which had been used as a lever, he had at least spotted the sex of the killer. But "spotting" isn't evidence.

Miss Hondyke was wearing a black ensemble in which there was no compromise. It carried menace rather

than a plea for sympathy. The *grande dame* had shrunk back into the unsuccessful schoolmistress — the aging woman who faces an unfriendly world and fights alone.

"Will you take sherry?" invited Roburn.

"No, thank you, Mr. Roburn." She chose a chair near the window, which set her apart from the three men. In a damp silence, Kyle took charge.

"Let me own up that I stage-managed this little gathering. The ordinary police procedure, of the kind we have found effective with the criminal classes, is useless in dealing with persons such as yourselves."

"That conclusion," interrupted Nodleigh, "proceeds from a premise which begs the question whether we are criminals at all."

"Please let me off formal logic, Mr. Nodleigh. I am a plain policeman and plod along by trial and error. Within these four walls, we can cut the formalities and talk as frankly as we like. I shall be frank myself. For instance, I know that you, Mr. Nodleigh, left your house between midnight and five minutes past, on the Wednesday, and that you did not return until a few minutes before 1."

"Good heavens!" exclaimed Nodleigh. After a moment's reflection, he added: "I said good night to a watchman guarding the tools at the corner, where the main road is being repaired. He must have informed you."

"He did," admitted Kyle. "You left your house before all your guests had departed. If you felt free to do this, why did you not see your fiancée home?"

Nodleigh glanced unhappily at Roburn.

"That question raises a point of social psychology, which —"

"Is the short answer that you did not enjoy the society of your fiancée — that you had no intention of marrying her?"

"That is a true, but over-simplified explanation."

"Good!" said Kyle. "Here's another true but over-simplified explanation. We detained Mr. Roburn because his Service revolver was found in the grass on the other side of that ditch. We thought he had shot her with it. Expert evidence, however, has established that the bullet which killed Viola Roburn was not fired from that revolver. You will ask — how did that revolver come to be there at all? The answer is that it was deliberately put there by the murderer — in order to procure the death of Charles Roburn by execution. You will agree that, when we find the person who moved Roburn's gun from this bungalow to that grass, we have found the murderer."

Kyle paused, to let it sink in. Nodleigh looked as if he were struggling to keep silent. Kyle continued.

"That revolver was placed on — *that* — settee, on Wednesday afternoon, in Mr. Nodleigh's presence. He was alone in the room with it for a

short time. It was possible for him to take it, unobserved by Mr. Roburn. Exactly the same applies to Miss Hondyke. We have no evidence that either of them did, in fact, take it. But we can say positively that the murderer was a — person — who knew that Roburn intended to see his cousin home that night. Otherwise, Roburn's gun would have been useless as false evidence. You were about to say something, Mr. Nodleigh?"

"Only that my own motivation cannot be deemed to have included the elimination of *Charles* Roburn! He is no hindrance to my work."

Kyle made no answer. He had met a good many fully fledged professors, none of whom had been noticeably detached, nor given to emphasizing their devotion to their work.

"We will leave Roburn's dummy gun for the moment," said Kyle, "and come to the gun that was actually used for the murder. While Miss Hondyke was attending the inquest, we searched the house of deceased. In a chest containing various war souvenirs we found a Service revolver, with some spare ammunition, belonging to the late Colonel Roburn, deceased's father, used by him in the 1914 war. It was loaded, and one shot had been fired from it very recently. The bore had not been cleaned. The ballistic expert was able to say positively that this was the gun that killed Viola Roburn."

"Am I to understand," asked Miss Hondyke, "that the murderer is supposed to have entered the house unknown to me and returned the weapon to the chest? Why, he would have to pass over a creaking board just outside my room!"

"The weapon was returned after the murder." Kyle added, "As we all contribute items, we shall find that the finger points now at Mr. Nodleigh, and now, perhaps, at you, Miss Hondyke. You will not, I am sure, object to this —"

"The suggestion that any 'finger' could point at myself is ridiculous!" said Miss Hondyke. "I am bereaved of a very dear friend, of seven years' constant companionship. Materially, I lose a good home. My personal income is very small — I must immediately return to the drudgery of teaching."

"I ought to tell you that we have seen deceased's will, Miss Hondyke."

"And I am the sole beneficiary!" Miss Hondyke was scornful. "That means no more than the house — which I cannot afford to keep up."

Roburn sprang from his chair.

"But you would have had £30,000 odd to help you keep the house up — if I had been convicted of her murder!"

"Really, Mr. Roburn!" Miss Hondyke sounded astonished and pained. "I cannot attach any meaning to that remark."

"You were present when I made that silly-ass joke years ago, asking her not to get murdered. So was Malderby, the solicitor. He told us that if I were convicted of murdering Viola, I could not inherit, and that

the trust money would then become part of her estate."

"I have no such recollection!" Miss Hondyke spoke with finality — a schoolmistress forbidding further discussion of an irrelevant topic.

"The murderer," resumed Kyle, "knew that there was a loaded revolver in that chest, and knew where the chest was kept —" he glanced for a moment at Nodleigh "— even if deceased herself was the source of information. The murderer knew how to entice deceased from her house at midnight after Roburn had seen her home —"

"I think not!" It was as if the schoolmistress were correcting a favorite pupil. "Mr. Roburn may have accompanied her to the garden gate. But he is deceiving himself when he says he saw her enter the house. She left the house for the last time when she set out for the party at nine."

"Before you give your reason for that belief, Miss Hondyke," said Kyle, "let me warn you that we have contrary evidence. Deceased was carrying a copy of the *Illustrated London News* when she left the party —"

"I confirm that," interrupted Nodleigh. "It contained a photograph of myself together with some inaccurate remarks about my work."

"Mr. Roburn told us that during the walk home he handled that copy, returned it to her, and saw her take it into the house. In our search, we found a copy of the *Illustrated London News*. On its fortunately glossy surface were three well-defined fingerprints of his."

"That is easily explained, Inspector," said Miss Hondyke. "I had bought a copy. I showed it to Mr. Roburn in this room, and he had handled it. I suggest it was my copy that you found."

"Sorry again, Miss Hondyke," said Roburn. "You forgot to put it back in that rather large bag of yours. It's here." He went to the writing table and opened a drawer. "Those are your red-ink marks round the photo? And that is your handwriting, is it not?" After a long silence, he continued: "I repeat that I did enter the garden with her, was standing close to her when she let herself in with her latchkey, taking her own copy with her." He turned to Kyle. "Perhaps you would like to take charge of this copy, Inspector?"

"Thank you," said Kyle. "It does seem fairly conclusive, don't you think, Miss Hondyke?"

"I do not!" said Miss Hondyke, who would concede nothing. "Mr. Roburn may have handled several copies at the party, any one of which might have found its way into the house."

"And into that room?" queried Kyle. "Let's see where your room is in relation to the hall. If Mr. Roburn will let me use his writing table, I'll make a rough plan of the rooms upstairs."

The three others sat staring at the floor, avoiding each other's eyes. Miss Hondyke broke the silence.

"I don't believe Mr. Roburn saw her let herself in with her latchkey. I found Viola's key on the table in the hall the next morning. She forgot to take it with her to the party."

"An unjustified assumption!" exclaimed Nodleigh. "She might have entered the house intending to leave it again a minute or so after Roburn had gone. Deliberately or absent-mindedly she might have put the latchkey on the hall table and forgotten to pick it up. I suffer a little from such momentary aberrations myself — though, fortunately, not when I am working. Further, it may not have been Viola's key. Inspector, was a latchkey found on her body?"

Kyle stroked his chin reflectively, looking from one face to another. This kind knew nothing of police routine and would believe almost anything.

"I can't remember," he said, brazenly. "It's difficult to keep every detail in one's head — but I'll soon find out. Excuse me." He strode out of the bungalow, beckoned to the police car parked some twenty feet away. A junior came up quickly. Kyle spoke to him and returned to the living-room, to finish his sketch.

He placed it before Miss Hondyke.

"The two best bedrooms, on opposite sides of the landing, I've marked No. 1 and No. 2. No. 2 is yours? And No. 1 — where we found the *Illustrated London News* — was deceased's?"

"No! No. 1 is the spare room. Viola's was No. 3."

"The little room?" Kyle seemed incredulous, almost offended. "I certainly assumed that No. 1 was hers."

"No. 1 used to be her room. But when I came to live with her, she preferred to change." She glanced up at Kyle, then hurried on: "Viola was subject to periodic attacks of night terror. There's a communicating door from my room to No. 3 — that's why she changed. I had left the communicating door open. It was still open the following morning. That's how I know she didn't come up to her room. Her first act would have been to shut the communicating door to avoid waking me."

"If you were asleep before midnight —"

"I certainly was. I went to bed at ten, taking three aspirins. My light could not have been burning at midnight, as Mr. Roburn believes, because I turned it off at a quarter past ten and soon fell asleep."

"So you could not have heard deceased enter the house — assuming that she did so?"

"Aspirin is not a narcotic, and I am not a heavy sleeper."

"Miss Hondyke." Kyle was laboriously patient. "You insist that you must have heard deceased enter, if she did enter. Would you not also have heard the murderer enter, to return the gun — *if the murderer did enter?*"

He broke off at a loud knock on the front door. Roburn answered it, returning with a young plainclothesman.

"Exhibit No. 11, sir," said the latter, handing Kyle a latchkey clipped to an iron tab in which was a panel containing a card, with details. At a glance from Kyle, the junior shut the door and remained in the room.

"This latchkey was found in the pocket of the tennis coat worn by the deceased," announced Kyle, pretending to read the card. "Have you your latchkey with you, Miss Hondyke?"

"I have." Miss Hondyke produced two keys from her bag. "This one is mine. This other is Viola's. I added the piece of string after I had found the key on the hall table in the morning — so I could always distinguish between the two."

Kyle took the first key, placed it against the exhibit, and held both to the light. He did the same with the second key.

"Mr. Nodleigh! Will you be good enough to show me your latchkey?"

"I can't," faltered Nodleigh. "I haven't one. I lost it recently."

"That's unfortunate," grunted Kyle "How long ago did you lose it? I warn you, I shall require corroboration." While Kyle was speaking he held out his hand for Roburn's key.

Roburn detached his latchkey from a pocket chain and handed it to Kyle.

"Brand-new one, eh?"

"Bran'!" grinned Roburn. "I got it from the locksmith's today. My old one was mislaid while I was in camp."

Kyle placed Roburn's key against the exhibit and held both to the light.

"Walters!"

"Yessir."

"Try this key on the front door of this bungalow."

Kyle handed his junior *the exhibit key found on Viola Roburn's body.*

All waited in silence until Walters returned.

"Exhibit key fits the lock, sir!"

Kyle turned to Roburn.

"You didn't lose your key while you were in camp. Here is your key — Exhibit No. 11 — taken from the girl's body. You went back and put it in her pocket — thinking it was *her* key — after you had returned the Colonel's revolver."

Roburn was smiling, his sense of personal peril lost in a sudden ecstasy of egomania.

"My one fatal slip, Inspector. Over-cautiousness! I placed her key on the hall table when I took back the Colonel's gun — to avoid confusing it with mine. Then I clean forgot it on the way out. So I *did* confuse the latchkeys. But not the bedrooms. Oh, no! That spare room — No. 1 on your map — was Viola's bedroom when I used to live in the house. That's why I put the *Illustrated London News* there."

"That makes two fatal slips," corrected Kyle. "But I guessed *you had planted the murder on yourself* — so that it would bounce back on Miss Hondyke. No woman murderer who ever lived would have failed to put that flagpole back in its proper place."

Black Mask *is now part of* EQMM

Do you remember Don M. Mankiewicz's fast-moving, suspenseful novel of horse racing and track life, SEE HOW THEY RUN? *If you do, you will be especially interested in his Black Mask yarn about that form of suspenseful, fast-moving gambling known as crap-shooting.*

About Mr. Mankiewicz's background, and particularly his knowledge of the odds, suppose we let the author speak for himself: "One of the most disconcerting things that can happen to a writer is to be asked— after having stated his trade — 'Yes, but what do you do?' *The inference is clearly that all writers really have more glamorous jobs, such as gandy dancer, soda jerk, or operator of a bread-wrapping machine in a bakery. For the record, I am a writer by day, and by night I sleep. I am also a part-time horse-player, but* SEE HOW THEY RUN *is not a part of my sometime war against the iron genius of the tote. Nor do I know racing as a pavement knows the steamroller. I would say that racing and I have both been scarred by our association . . . I wrote a novel with a racing background because it seemed to me — still does— that this is a pretty neglected field. Racing is the world's largest industry. (I am prepared to document that statement on request.) I live on the border between Valley Stream and Elmont, L. I. My house is about two miles, through the field, from Belmont Park."*

While "Two Rolls, No Coffee" is not a horse-racing story, it is in Mr. Mankiewicz's special field of inquiry, and has the unmistakable stamp of authenticity in both its language and detail. In fact, as a tough tale of what really happens in one phase of organized society, it is one of the very best Black Mask stories of recent years.

TWO ROLLS, NO COFFEE

by DON M. MANKIEWICZ

NOW THAT YOU MENTION IT, CHUM, it is kind of an odd decoration at that. Not the kind of thing you'd expect to find hanging on the wall back of a bar, particularly in a high-class place like this. Looks like a kid's cane to you, huh? I guess you've led a sheltered life, son. That's a dice stick. Every house-run crap game in the world has a stickman, and just about

every stickman uses a curved stick like that to return the dice to the shooter between rolls. Most of them are a little tricky, too, like that one there. They don't always return the same dice they pick up — if you get what I mean.

That stick was given to me by my old man. He'd carried it all over the world with him, like a good mechanic might carry a set of fine end-wrenches or a special pair of calipers that he liked. My dad was a pro, same as I was. He'd handled the sticks at dice tables in Caliente, Reno, Saratoga, Florida, Hot Springs, and even at some of the famous European gambling houses along the Riviera. He had a reputation for honesty that would get him a job with any gambling joint in the world. That may sound a little odd to you, Mac, but a guy who wants to work at a dice table had better be honest, even if his job is switching the dice back and forth so the house doesn't get hit. What I mean by that is, the boss has to know that his employees are all working for him; it'd be awfully easy for a stickman to get tied up with somebody from the outside and make a mistake on purpose with those dice some time. Once, that is. Never twice.

I don't know why I should be telling you the story of my life like this, mister, but you asked about the stick, and I guess you'll stop me if I'm boring you. Well, when Dad got along in years to the point where it hurt him to stand up all night, he wasn't like most stickmen. He'd saved his money. And he quit. You know, like those fellows you read about in the insurance ads in the magazines, that go off to some cabin in the mountains and spend all their time fishing. Well, that's what my old man did; just quit and bought a shack out near Pike's Peak and, except for a Christmas card every year, I haven't heard from him since. At the time he quit, we were both working as stickmen at Rocco's, up the street. You ever been there? Well, don't bother. If you ever feel like going there for an evening's pleasure, as the fellow says, just mail Rocco your money. That way you won't be pushed around and have to smell all the cigar smoke. And you got just as good a chance to win.

What I mean by that is, Rocco's joint is just as crooked as he is, which is the same as to say nothing is left to chance. I have an idea that was one of the things that got my old man to quit, Rocco's being such a crooked house, and him being too old to go traipsing around the country looking for a better job. When he quit, Dad gave me that stick and before he left for the mountains he gave me a quick course in how to operate it. There wasn't anything I couldn't do with that stick. The way it worked is this: a fellow would come in and start shooting. At the start of his roll he got a whole basket of Rocco's dice, every one of them honest, to pick from. Any two dice in the basket that he liked, those were the dice he used. Well, as long as he kept shooting for

reasonable stakes, he'd keep those dice. Every time he'd shoot, I'd slide the dice back to him with the stick, and he'd roll them out again. The house would be taking its percentage out of the side bets, the guy would win-a-little-lose-a-little, and everybody would be happy, particularly Rocco.

That's the way things usually go at any crap table. The bets fairly even, no arguments, honest dice, pass, miss, pass, and the percentage gradually dragging all the money out of everybody's pockets.

But there are emergencies that do come up every now and then. Some guy will get hot and start letting his bets ride — which means he doubles his money with every pass he makes. When somebody starts doing that, that's when Rocco gets glad I've got my stick and know how to use it. You see, if a guy does let his money ride, and if he only gets fairly hot, let's say he makes eleven passes. Now, on that twelfth roll he's shooting 2000 and some dollars *for every dollar he started with.* What we do when this happens is pretty simple, and, while it's not foolproof, it very rarely goes wrong.

We give the guy his perfectly honest dice that he's been shooting with all along for his first throw. If he comes out right there on one roll — if he sevens or elevens, that is — he's a winner and we've got to hope he tries it again. He may crap out on that one roll, too — that is, he may hit two, three, or twelve, and lose right there; but most likely he'll catch a point — that is, he'll roll four, five, six, eight, nine, or ten. And then he'sgot to make his point, roll it again before he rolls a seven, and the percentages say he's not likely to do it. That's why even an honest crap table (if there is such a thing), would make money. But percentage doesn't say he can't make or he won't do it, just that he's not *likely* to do it. That stick up on the wall there, Mac, that's what says he *can't* do it. To put it as simply as I can, that stick has a little slot in it, a kind of panel, and when I grab my end of the stick a little tighter than usual, that panel gets all loose and wobbly. When I push the dice with the stick they just wander in back of the panel and some other dice come out about a quarter inch farther up the stick. Sure it's tough to make a stick like that, but it's tough to make a car, or a watch, or a hat that rabbits can hide in. It's hard to operate a stick like that and not get caught at it, too, and that's why Rocco was paying me 150 a week to push the dice back and forth on his table — and this was some years ago when 150 was pretty good money. I won't bore you with a lot of details about those other dice, chum. They were made in Minneapolis, and to put it very, very simply, they couldn't come up anything but seven.

You get the picture now, don't you, friend? I mean here's this sucker, all set to try to make his eight or nine or whatever for a couple of thousand bucks, and here he is shak-

ing these dice that can't come up anything but seven. Of course, real smart gamblers used to notice that nobody ever seemed to make a good score on the crap table, and most of the big money boys stayed off it. But that didn't bother Rocco; there were plenty of guys in town that figured they could beat that table, and they used to contribute enough to pay my wages and leave the house with a handsome profit.

Every time a guy would miss out on his big roll, whether he did it because his luck was lousy or with some help from my old man's stick, Rocco would look at him real sad and say: "Looks like you lose your dough, son. Two rolls, no coffee." "Two rolls, no coffee" always struck me as a pretty terrible pun, but guys who are winning in crap games all over the world think it's about the wittiest remark ever made.

The guy Rocco said "Two rolls, no coffee" to oftenest was a fellow named Perino. "Patsy" Perino they used to call him. Rocco made that nickname up because he said Perino was the biggest Patsy that ever was, and the tag sort of stuck. As far as I know, nobody ever called Patsy by his right name; in fact, nobody seemed to know what his square name might be. But everybody used to just call him Patsy and it made him furious.

Patsy was convinced of two things in this world. First of all, he was convinced that he was the unluckiest gambler that ever drew breath, and I must say I can see where he got that idea because he bucked Rocco's crap table every payday and I don't think he went away winner more than once. That once was close to Christmas, and I knew Patsy hadn't saved anything out of his pay up at the mill and I figured he'd have to buy his girl a present, so I sort of let him win 140 bucks figuring we'd get it back after the holidays. Rocco gave me hell for it and told me if it ever happened again it would come out of my pay, and, believe me, mister, it never happened again. The other thing Patsy believed was that some day his luck would turn and that when that happened he'd beat that crap table out of every cent he'd poured into it, and more.

Well, like I said, Patsy dropped every cent he could get his hands on into that crap game, and when he stopped coming around, Rocco was worried about him. Not that Rocco gave a damn about Patsy, really. He just thought of Patsy as a kind of agent who had to work all week at a heavy machine and then bring his money to Rocco, and he was sore when Patsy didn't show up.

The upshot of it all was that he sent me up to Patsy's end of town to look around for him and I went wandering up to the bunch of little houses back of the mill where I figured Patsy must live. It's funny, but I'd never been up that way before; working late nights, I'd always had a room near Rocco's place, and when I wasn't working or sleeping I'd usually drop down here for a drink. Well, the first

person I ran into was Patsy's girl. Real pretty she was, too, which is kind of surprising when you figure Patsy wasn't much of a catch, being just another guy who worked in the mill, and not even one of the steady ones who'd bring home a full envelope every Friday, but a born gambler who'd never have a nickel. But everybody's alway known that Louise was Patsy's girl and that was that. I guess she started going with him in high school, before he'd really begun gambling, and when the dice bug bit him she figured she ought to stick with him, same as if he was sick or something, which, in a manner of speaking, he was.

Well, I gave Louise a big smile and an extra cheerful hello, and she just sort of froze up and went on up the street without a word. I followed her, and finally she went into a grocery store, and so did I. Once I'd told her that we were just curious about why Patsy hadn't been around to Rocco's in so long, that he didn't owe us any money or anything, she unfroze a little, and told me that Patsy was in the Army and that he wouldn't be back for a year; not, she was quick to add, that it was any of my business. Well, having nothing better to do, I walked her home, and when we got there, she asked me in, just out of politeness, I guess. Louise is about the politest girl there is. We talked of this and that, mostly about Patsy, and I could see that she didn't hold Patsy's failings against me, which was only right after all. She told me about how Patsy had quit the dice time and time again, and how they were always figuring on getting married as soon as he'd saved up enough money, but how he'd always break down as soon as he got his hands on his pay chit and go down to Rocco's and blow it in. Of course, like I said, it wasn't any of my fault, the whole thing, but listening to her tell it, I was almost ashamed of myself. I got Patsy's address from her, which was Camp Carson, Colorado, and wished her luck, and went back to Rocco's.

Well, Patsy turned out to be only the first of a lot of guys to go into the Army from our town, and eventually it got so the place was mainly populated by overage bankers, school kids, and women. The guys who weren't drafted, it seems they all took off for the other towns chasing after the war plants and the big money. Maybe for a lot of guys the war was a time for big money, but not for Rocco and me. We kept the house going as long as we could, even put in slot machines and let the women in, but it was no use. We started booking horses, and the horses stopped running. So what we wound up doing was the best we could, like the fellow says, and take my word for it, mister, it was no good. We like to starve to death before the war was over.

Well, when it finally did end, the boys started coming back, and the dice started to roll again. Not just small time stuff like before, real big time, big money games. The boys were all loaded from the shipyards

and the airplane factories, and wages were way up at the mill, and what with one thing and another we raised the minimum bet at the crap table from half a buck to half a pound, and Rocco raised me from 150 to two and a half. Things were really great; only one more thing we needed: Patsy. He didn't show up with the rest of the boys, and I was beginning to think that maybe he was as unhandy a soldier as he was a dice-shooter, and in that case he sure never would be back.

Then one night, after closing time at Rocco's, I was sitting right in here having a drink, not behind the bar like now, but over there at one of those little tables, when who should come strolling through the front door? That's right, chum, Patsy himself.

"Hiya, Patsy!" I said. I was really glad to see him — not just because of business, you know. He was like an old friend, even if I never knew him except as another guy to slide the dice to.

He looked at me kind of funny. "Name's John, Tony," he said. "Not Patsy. I learned a lot in the Army, Tony."

He came over and sat down and started to talk. He told me how he'd been overseas, in Italy with the ski troops, and how he'd seen a lot of killing and done a little himself. But he'd been careful. Real careful. "You know why I was so careful, Tony?" he asked me. I just looked at him. "I was careful, Tony, because I wanted to get back to this town. I wanted to go up to Rocco's and get hunk with that damn dice game of his. When you see him, Tony, you tell him I'm in town and I've got money and I'm coming up tomorrow night —" he glanced at his watch — "make that tonight, and give his dice game a real going-over."

Well, when he said that, I knew he hadn't learned as much in the Army as he thought. A man going duck hunting doesn't tell the ducks. It gives them a chance to get set.

Rocco and I got set, O.K. We checked over our board and our dice, and we went over to the bank and got a great big stack of crisp, fresh-looking hundreds, because in a big game it helps if the house has a lot of cash money to flash around.

When we opened for business that night, I could tell something was up. All the boys from the mill were there, and we figured Patsy had been telling them his big plans. Some of the lads came over to the dice table and started shooting, five bucks at a time, but you could tell they were just killing time. Rocco was walking around between the roulette wheel and the craps setup with an expression on his face like a cat that figures to eat a canary.

About 10 o'clock Patsy walked in, and the whole crowd, as if it was a signal, moved over to the dice table. They were standing about four deep around it. The boy who was shooting made his point and picked his saw off the pass line. Then, instead of putting down some more money and shooting again, he set the dice down on the

edge of the table. In any language in the world that means the shooter passes the dice.

"Whose dice?" I said.

Patsy shoved his way through the crowd just to the right of the boy who'd passed the dice and said, "I'll take 'em, Tony. O.K.?"

"Well, Patsy —" I began.

"John." He still didn't sound mad. Just firm.

"John," I said. "You're supposed to let the dice come around to you once, but unless there's some objection, they're yours."

Nobody objected. Patsy picked up the dice. Rocco came over and stood beside me to watch. There was an awful dead silence while Patsy rolled out. Every once in a while I'd say, "Pay the line" or "Pay the field," but there weren't any other bettors. Just Patsy. He was betting twenty bucks at a time, and Rocco and I just stood there and watched him make five points in a row, which put him a hundred ahead and was a little unusual, but nothing shocking. He was shooting with perfectly honest dice, of course; any time a man shootsonly twenty bobs in Rocco's he'll get honest dice, the way I told you. I was starting to relax a little when it happened.

Patsy slapped down another twenty bucks and rolled two fours. Then, while the dice — perfectly honest dice, you understand — were still lying there on the table, down at my end way out of his reach, he turned to Rocco.

"Lay the odds, Rocco?" he asked, very quietly, like you might ask someone the time of day. This meant he wanted to bet some more that he'd make his eight before he rolled a seven, and that he wanted Rocco to give him the odds, which are six to five he won't.

"For how much?" Rocco sounded disinterested, and his voice let everybody know he'd handle any bet a punk like Patsy could make.

"A thousand," said Patsy.

"Laying 1200 to a thou," said Rocco, looking down at my stick.

I tightened my fist around the head of my stick and spun the dice back to Patsy. He didn't look at them, just picked them up in his right hand and shook them back and forth in his fist, holding them way over his head. He slipped his left hand into his pants pocket, hauled out his wallet, and tossed it on the table. "Tony," he said, "get a thousand out of there and put it on the line." I reached over, picked up the wallet, and glanced inside. There was a lot more than a thousand in there, at least a hundred C-notes, it looked like. I picked ten of them out and tossed them on the line. Rocco peeled twelve of his bills off the house stack and added them to the pile.

"Like to see what you're shooting for," Rocco said with that oily grin of his. I suddenly decided I didn't care much for Rocco. For a second, I wished I could get another chance at stick-handling those dice so I could give Patsy the honest ones back again.

Patsy started shaking the dice again, and then brought his hand towards the table. Everybody craned to get a better look. Then, before he turned the dice loose, he stopped again, and put his hand, dice and all, back over his head, like a football player about to toss a pass. He looked over at Rocco like he'd just had an idea.

"Hey, Rocco," he said, very casual, "how much money in that stack?"

"Come on, come on, fire your pistol!" Rocco came back, getting a little impatient. "You going to take all night for your lousy grand? There's enough down there to cover any bet you want to make, Patsy." He said "Patsy" like it was an insult, not like a nickname.

"Good," said Patsy. Then he looked at me. "Tony," he said, "would you please take 10,000 out of that wallet and put it on the *Come*."

Like the fellow says, my life started to flash through my head a little bit at a time and I started to get dizzy. What Patsy was doing was, well, he was betting he'd come. *Come* in a crap game means to make your point — *starting* when you make your bet. I guess you've never shot craps, Mac, so I won't try and explain it to you; the important thing is, if you roll a seven, you've come, and you win. And Patsy was betting ten grand he'd win. And I'd just sticked him two dice that couldn't come up any way *but* seven!

I just stood there, and the guys from the mills started to mutter and chatter among themselves. "What's holding you back? You going to take all night for a lousy ten grand?" One of the mill guys gave a sort of nervous laugh. I looked at Rocco. He was just standing there with his mouth part ways open, like he was seeing what was happening but didn't quite believe it.

Well, what could I do? I tossed Patsy's ten grand over on the little kidney-shaped part of the layout marked *Come*. I closed my eyes while he threw the dice, and when I opened them up again, all the mill guys were cheering, and Patsy was helping himself to ten grand out of Rocco's dough. When he had it all counted up and put away in his poke he turned to me and said: "I guess I lose my other bet, Tony. Two rolls, no coffee. Too bad."

Then he turned away and walked out of Rocco's place and you could tell he wasn't coming back. The original bet, of course, was still on the table, and, like I was dreaming, I picked it up and put it in what was left of Rocco's stack.

That wound up the crap shooting for that night, and I walked down here from Rocco's not seeing where I was going or who I bumped into. It was all a kind of bad dream, like I said.

Well, I'd got a week's salary out of Rocco just the day before all this happened, and I had a kind of hunch it was going to be the last I'd ever get from him, so I sat down in here and drank a good hunk of it up. There was something in what Patsy'd done

that was familiar, vaguely familiar to me, like I'd been through it all before.

About halfway through my ninth bourbon, or maybe my tenth, it came to me. A story my old man used to tell me, about a sucker who'd cleaned out a crap game he knew was crooked, just the same way Patsy did. It had happened to my old man years ago. I put down what was left of my drink and started some heavy thinking, or as heavy as you can think on eight bourbons. Then I remembered that Camp Carson, where the ski troops had trained, is not so very far from Pike's Peak. A guy like Patsy, on a pass, might easily have gone into some gambling joint in, say, Colorado Springs, and maybe . . .

Say, I hope I haven't been boring you, chum, but you know, bartenders are supposed to be a little gabby, and I've been a bartender ever since that night.

What's that, bub? What did Patsy do with his winnings? Well, I don't know if I should tell you that. Your cigar's gone out, though. Here, have a light. Keep 'em. They're on the house — courtesy of Patsy's Bar and Grill.

Black Mask *section continued on page 91*

STATEMENT REQUIRED BY THE ACT OF AUGUST 24, 1912, AS AMENDED BY THE ACTS OF MARCH 3, 1933, AND JULY 2, 1946 (Title 39, United States Code, Section 233) SHOWING THE OWNERSHIP, MANAGEMENT, AND CIRCULATION

of *Ellery Queen's Mystery Magazine* published monthly at Concord, New Hampshire, for October 1, 1953.

1. The names and addresses of the publisher, editor, managing editor, and business managers are: *Publisher*, Lawrence E. Spivak, 570 Lexington Ave., New York 22; *Editor*, Ellery Queen, 570 Lexington Ave., New York 22; *Managing Editor*, Robert P. Mills, 570 Lexington Ave., New York 22; *General Manager*, Joseph W. Ferman, 570 Lexington Ave., New York 22. 2. The owners are: Mercury Publications, 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.; 3. The known bondholders, mortgagees, and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages, or other securities are: None. 4. Paragraphs 2 and 3 include, 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; also the statements in the two paragraphs show the 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. (Signed) Joseph W. Ferman, *General Manager*. Sworn to and subscribed before me this 29th day of September, 1953. [Seal] Howard K. Pruyn, *Notary Public*. (My commission expires March 30, 1955.)

Mrs. Zenith Jones Brown is one of the best-known writers of detective novels in the United States, if not in the entire world. She is a particular favorite with millions of magazine readers, since so many of her novels have appeared as serials in national magazines. Although born in California, her ancestors resided in Maryland, and today Mrs. Brown lives on the very same farm that her forebears owned in 1880.

When her husband, Ford K. Brown, went to England to study — just prior to his becoming a member of the faculty of St. John's College in Maryland — Mrs. Brown accompanied him. During their stay in England she soaked in so much local color and acquired so much familiarity with English idiom that when she began to write stories with British characters and British background, no one dreamed she was an American. And now, after many books published under what might be called her American and English pen-names, she can be said to have developed a completely dual personality; indeed, she has proved her loyalty to both countries in other ways — for example, by naming her two dogs Dr. Watson and Mr. Moto.

Mrs. Brown's Anglo-American pen-names? We almost forgot to tell you! When Mrs. Zenith Jones Brown is writing about Colonel Primrose and the American scene, she is none other than Leslie Ford; and when she is writing about Mr. Evan Pinkerton and a British background, she is, of course, David Frome.

Now we bring you a short story about that shy rabbity little Welshman, Mr. Evan Pinkerton — the sentimental little sleuth who still wears an old-fashioned celluloid collar, string tie, and brown bowler hat, who is the "friend and gadfly on the stolid flank of Inspector J. Humphrey Bull of the C.I.D." To the best of our knowledge, this is the only short story about Mr. Pinkerton that Mrs. Brown ever wrote. We can only say, sadly: "'Tis true 'tis pity; And pity 'tis 'tis true."

THE MAN ON THE IRON PALINGS

by DAVID FROME (LESLIE FORD)

MR. EVAN PINKERTON STOPPED abruptly, clutched his steel-rimmed spectacles, and stared, blinking, ahead of him. For one dreadful moment the policeman's cape on the curving iron paling just beside the entrance to St. Stephen's Close looked like a man's body hanging there.

"Oh, dear!" Mr. Pinkerton thought.

He glanced anxiously behind him to see if anyone had seen him thinking it, and breathed thankfully. The road was quite empty. Nevertheless he scurried along a little faster. The Assistant Commissioner of New Scotland Yard had said, not a month before, that the next time Mr. Pinkerton found a dead body, anywhere, under any circumstances, he was going to hang him, just to make sure.

He had said it as a joke, of course. He had even winked at the Home Secretary's secretary, standing at the window. But the gray, rabbity, little Welshman's tongue had gone quite dry and his heart quite icy. The Home Secretary's secretary's "Ha, ha! Where there's so much smoke — eh, Sir Charles? Ha, ha!" had sounded peculiarly mirthless.

And then Mr. Pinkerton, hurrying along toward the gate, stopped dead in his tracks again and stood staring stupidly. The thing hanging there! It was *not* a policeman's cape playing optical tricks in the dusk. It was a man. He was not hanging there exactly; he was caught and held, his arms out, pinioned between the iron palings. And he was dead. Mr. Pinkerton knew that even before he saw the wet moving thing oozing from the spot under his shoulder and gathering in a slow, darkening pool on the pavement.

Mr. Pinkerton, his face a little white, looked up and down the road. There was no one in sight. The Home Secretary's secretary's "Ha, ha!" sounded suddenly in his ears, and his heart stopped beating for an instant. That is why he did probably the most foolish thing he had ever done in a life fairly compact of foolish, frightened things; he scurried, as fast as he could without definitely bolting for it, past the dreadful inert object and along to the gate of St. Stephen's Close.

The porter just coming from the opposite side of the court looked at him oddly.

Mr. Pinkerton moistened his dry lips. "The meeting of the Society about fishing?" he stammered. He fumbled nervously in his pocket for the card that Sir Timothy Pounceby-Smith had given him, and held it out. The porter looked at it.

"Straight along through, sir," he said. "You're a bit late. They'll be showin' the pictures by now."

Mr. Pinkerton glanced at his large silver watch, but his hand shook so that he could barely make out the time. It was late; he knew that. And ordinarily nothing would have induced him to go barging in, interrupting Mr. King Usher's lecture on "Dangerous Fishing Under Tropical Skies." But the thing out on the paling behind him was not ordinary.

"I'll slip in quietly," he said. "I — I'm very much interested in tropical fish."

He scurried across the narrow paved court to the door the porter had indicated.

"I shouldn't have said that," he

thought wretchedly. It was wrong to lie, of course. But that was not the point. In such cases as this gave every sign of becoming, it was a serious tactical blunder. No one knew that better than Mr. Pinkerton, for many years friend and gadfly on the stolid flank of his former lodger, Inspector J. Humphrey Bull, of the C.I.D. He had seen many people caught up by the heels for less flagrant untruths than that.

For actually Mr. Pinkerton had no interest in fish whatsoever, and he had never fished, or had the faintest idea of fishing, in all his life. He was only coming to hear Mr. King Usher's lecture because Sir Timothy Pounceby-Smith had invited him and given him his card. It was small enough reward for returning the dispatch-case of bearer bonds that Sir Timothy had left on the bench in Lincoln's Inn Fields.

But that, of course, never occurred to Mr. Pinkerton, whom nobody ever invited anywhere in the first place, and who had no need of a cash reward in the second. For Mr. Pinkerton had been left a great deal of money, quite by accident, in the blessed departure of Mrs. Pinkerton from this world; and he still had it, in spite of taxes, because he had never dared spend more than a shilling at a time for fear she would come back, bridging the gap of eternity by the sheer horror of seeing him squander her money.

Very cautiously he pushed open the door of the hall . . . and stopped dead for the third time. The small, hushed room was full of men, and they were all elegantly attired in evening dress.

He had not thought of that. Even if he had, the ancient green suit packed away in mothballs in the attic box-room in Golder's Green would never have done. He stood staring miserably down at his shabby gray lounge suit (Tottenham Court Road, three guineas), one hand fumbling at his purple string tie and his narrow celluloid collar, suddenly chokingly tight round his scrawny little neck, the other clutching painfully at his brown bowler hat.

Then he reached back at the doorknob. But it was too late.

The rich, charming, and rather amused voice of the great sportsman, Mr. Usher, came across rows of immaculate pink-pated old gentlemen.

"There's a place here, sir."

He indicated a spot in the front row. Mr. Pinkerton swallowed very hard. The pink-pated old gentlemen were all staring at him. Sir Timothy would be one of them, of course. There was nothing for it. Mr. Pinkerton could never have told how he got to the empty seat next to another empty seat in the front row. He sat down, cold perspiration in tiny dots on his gray forehead, his eyes fixed mechanically on the lecturer and the stuffed shark's head on the table behind him, with the chromium barbs of a harpoon protruding from it.

All he could see was the body outside, draped on the iron palings, and

the dark pool of blood gathering, viscid-slow, on the pavement. Mr. Usher was no doubt most lucid and interesting, but at the end, when he was coming to a brilliant close, Mr. Pinkerton could not have told whether you fished for whales with a fly or a gaff.

"If Pounceby-Smith were here he could have told you the trouble we had in Guiana last year . . ."

Mr. Pinkerton sat up rigidly with a jerk, a queerly ominous emptiness in the pit of his stomach. And then it happened, as, of course, it was bound to happen. The door opened and a sergeant of police came in.

Mr. Usher's voice died down in slow surprise.

"Sorry to interrupt you, gentlemen," the sergeant said. "Does any gentleman here know Sir Timothy Pounceby-Smith?"

There was a general murmur.

"Then I'll ask you all to stay where you are for the present, if you please. Sir Timothy's body has been found in the road outside. He has been murdered."

In the stunned silence, in the choleric uproar that followed, Mr. Pinkerton, gray and shaken, realizing only too well what was about to happen, stared down at his feet. A sudden wave of nauseating fear surged through him. The toe of his right boot was splotched with blood.

He looked up. The sergeant was standing by him and he was looking down at the toe of Mr. Pinkerton's right boot with a curious intentness. His voice sounded, stolid and polite, miles away. "Will you come along with me, sir, please?"

Mr. Pinkerton opened his mouth, but no sound came out of it. He went out through a foggy, noisy sea of white shirt fronts and pink jowls all reeling biliously together.

A voice spoke promptly as he entered the lodge.

"That's 'im all right, sir."

Mr. Pinkerton recognized the porter's voice. But he did not look at him. He was looking at the very large man seated at the table. The mild blue eyes of Inspector Bull were looking at him in an oddly placed mixture of doubt, annoyance, and distrust.

" 'E must 'ave pinched Sir Timothy's card after 'e stabbed 'im, sir."

Inspector Bull's eyes moved from the dejected figure of his former landlord to the porter and rested on him for a moment.

"That'll be all for the time," he said. The sergeant closed the door behind him.

Mr. Pinkerton shook his head wretchedly in feeble protest.

"Hanky-panky doesn't pay," Inspector Bull said severely.

"I — I don't want to make you any trouble," Mr. Pinkerton said meekly. "He was — he was dead when I came along, and I didn't think anybody had seen me. The road was empty —"

"Yes," said Inspector Bull. He said it heavily, with a sinister emphasis. "That's the trouble. No one's come

out of the Close. The road's a dead end at the bottom, two constables were standing at the top. It *was* empty — and it had been empty for some time. The porter says there was at least fifteen minutes between the time the last people came and the time you showed up. It looks bad, Pinkerton."

Mr. Pinkerton moistened his lips and looked down at the toe of his boot. He looked away quickly with a shudder.

"How do you happen to be here, anyway?" Bull asked.

Mr. Pinkerton's heart sank with a sickening thud. The evidence was terrifyingly against him, his whole story was perfectly preposterous . . . and this sort of thing had happened so often. He really could not expect Bull to go on getting him out of trouble time and again. Not indefinitely.

"Sir Timothy asked me to come. He — he gave me his card."

Inspector Bull stared. "How did you come to know him, Pinkerton?" he asked coldly.

Mr. Pinkerton swallowed.

"Well, you see, I was in Lincoln's Inn Fields, and a lady was sitting on a bench. Pretty soon Sir Timothy came along. Of course, I didn't know it was Sir Timothy then. Well, you could see she'd been waiting for him. He sat down with her. Then, all of a sudden, she grabbed his arm and said something, and he got up and dashed off. Another man came along.

"But just before he'd got to the bench the lady spotted the dispatch-case the first chap had left. You could see she was scared. She shoved it through the back of the bench out onto the grass. Then she got up and said, 'Hullo, darling, isn't this lovely? — Let's go and have some tea,' but the new man wanted to sit down. And all of a sudden he spotted the case there, and said, 'Hullo, what's this?' "

Mr. Pinkerton hesitated, and blushed.

"So . . . well, I nipped over and said, 'Sorry, I left my case,' and the lady said, 'Oh yes. I noticed it when you moved,' and I . . . well, I took it back to my seat, and pretty soon they went away."

Inspector Bull shook his head very severely.

"Well, you see, she was very frightened."

Mr. Pinkerton hesitated again.

"And she was very pretty," he added lamely. The late Mrs. Pinkerton had never been at all pretty.

Bull shook his head still more severely.

"Then I waited a long time for the man to come and get his case, but he didn't, and finally the bell rang for closing the gardens, so I had to open the case to see whom it belonged to."

Mr. Pinkerton gazed anxiously at the Inspector. There was no sign of belief in the mild blue eyes. Still, Mr. Pinkerton thought desperately, if anyone in the world would believe it, it was Bull.

"I couldn't help seeing that it had a lot of bearer bonds in it . . . I mean, could I? But it did have Sir Timo-

thy's name and address in it, too. So I took them to his house and said I'd found them. I didn't tell him about the lady shoving them off the bench, naturally, and apparently he didn't know it. He gave me a glass of sherry and asked me if I was interested in fishing, and he gave me a card for the lecture tonight."

Mr. Pinkerton looked hopefully across the table. Inspector Bull was making squares and circles on the sheet of paper in front of him. Mr. Pinkerton felt again, with a horrible sinking feeling, how utterly preposterous his story was — especially when told by a man not in evening dress who had blood spattered on his boot.

Bull looked up. "Sir Timothy was stabbed in the back," he said stolidly. "The divisional surgeon says the dagger went straight in under the shoulderblade. It must have been done by someone creeping up behind him in the street."

He continued to look very oddly at his former landlord.

"The queer thing is, Sir Timothy reported the loss of £10,000 in bearer bonds to the Yard. Tuesday evening," he said. "He never reported they'd been returned."

Mr. Pinkerton blinked in some excitement. For an instant he even forgot his own dismally involved position.

"Then it looks as if somebody that knew about the bonds had — had stabbed him to get them. Or — to keep them, of course. Doesn't it?"

Inspector Bull nodded.

Then Mr. Pinkerton remembered about himself. "So that, if I — I knew about the bonds, and I was the only one in the road — But then, why didn't I just keep them, in the first place?"

He stopped abruptly as another idea struck him.

"He let me in himself, that night, so nobody knows I went to the house," he said. "Oh dear!"

Inspector Bull continued to look at him.

"But then, what did I do with the — I mean, where did I put the weapon? Have you found it?"

Bull shook his head. "Not yet."

There was a tap at the door. A detective-constable entered.

"No trace of it, Inspector. We've been over everything."

He glanced at Mr. Pinkerton.

"The porter says he's sure this man went directly opposite to the hall door. He didn't see him dispose of anything, and he couldn't have done it outside or round here. It's not in the hall. Then there's another thing, Inspector. I caught the porter stowing this away in the coal-bin. He says he won it on Rhodes Scholar."

He handed Bull a small smudged bit of paper. Bull unfolded it and spread it out on the table. It was a £5 note. Bull took a small jeweler's glass out of his pocket, fixed it to his eye, and studied the note.

"Bring him in," he said. "Keep after the dagger. It's bound to be about somewhere."

Mr. Pinkerton glanced timidly at

the porter. He was deeply relieved. The shadow of the hangman seemed to be lifting a bit.

"Where did you get this, Shrubb?" Bull asked.

The porter hesitated. "I won it, on Rhodes Scholar, that's what I did," he said sullenly. "I put a pound on him —"

Inspector Bull scowled savagely.

"Maybe you can explain how it's got fresh blood on it?" he said curtly.

The porter's face went suddenly white.

"I warn you —"

Shrubb shook his head.

"No ruddy use warnin' me, sir. I never murdered Sir Timothy. It was this bloke 'ere."

Mr. Pinkerton, edging a little nearer Inspector Bull, listened, completely fascinated. The porter, according to his story, had gone outside after Mr. Pinkerton had entered the hall, to see if Sir Timothy was coming, and found his body on the palings. He had started to put in a call when he saw the £5 note in the road next to Sir Timothy's hat. P. C. Nevins was coming down from the top of the road. Feeling that the obvious murderer had gone into the hall, and could not get away, Nevins being already there, he had pocketed the note.

He had heard nothing during the quarter of an hour before. Most of that time he had not been in the lodge. Mr. Abel, the secretary of the Society, had told him to put a new globe in the cloakroom light.

"I 'ad to go up to the office to get a new one. I got back just as this — gentleman came in. I wasn't goin' to let 'im in, not till 'e pulls out one of Sir Timothy's cards, which 'e pinches off 'is dead body."

Mr. Pinkerton shuddered a little.

"All right," Bull said. "You wait outside."

He chewed one end of his tawny mustache and made more squares and circles on the paper in front of him. He shook his head.

"I can't see you killing somebody to get his bonds, Pinkerton," he said. "But it's queer. That passage was certainly empty. Let's see this secretary."

Mr. Pinkerton faced the members of the Society with considerably greater ease, now that he could stay close to Inspector Bull's very bulky figure. He noticed that the Society were not nearly so old or bald or rosy-gilled as they had seemed. In fact, one or two of them looked rather gray and definitely seedy. Especially Mr. Abel, the honorary secretary.

Sir Timothy Pounceby-Smith, it appeared, was president of the Society. He had secured the valuable services of Mr. King Usher for the evening. Mr. Usher was just back from South America after a three months' cruise.

Mr. Abel could state positively that the last three members of the audience — barring Mr. Pinkerton — had arrived together, and they were agreed in maintaining that Sir Timothy's body was not on the paling outside when they came; Mr. Abel had, in fact, spoken to Sir Timothy on the

phone after their arrival — Sir Timothy had rung up to ask them to go on with it, as he would be a bit late. They had, however, waited; in fact, for half an hour. They had then begun, and had been going on for some fifteen minutes when Mr. Pinkerton arrived.

Mr. Abel had understood that Sir Timothy was introducing a guest. Moreover, he had recognized Mr. Pinkerton as the man he had seen leaving Sir Timothy's house in Chandros Street about 10 o'clock on Tuesday. He had dropped in to see Sir Timothy about the Society minutes.

It was true that the porter Shrubb had been sent for a light globe. Mr. Usher had gone into the cloakroom and found that the light did not go on: Mr. Abel had struck a match and found the globe gone. It was annoying, as the lecturer had to arrange his exhibits there. They had previously had trouble about the disappearance of small items of that sort. Sir Timothy, whose company owned the Close, had felt Shrubb responsible; in fact, he was under notice at the moment.

Bull chewed his mustache thoughtfully.

"Did he make trouble when he was given notice?"

"Shrubb? Oh, no, he's been uncommonly civil about it."

"It's a strange case," Bull said placidly. "Sir Timothy was stabbed in the back through the heart. The assailant obviously came up behind him. It's clear also, from the testimony of several witnesses, that no person has left here since Sir Timothy came. Yet there's no weapon about. My men are certain about that. Hard to conceal it in such a place, just on the spur of the moment. Then there's that £5 note."

He looked intently at Mr. Abel, noting the nervous face, sparse blond hair, wispy blond mustache. Definitely on the weak side.

"The £5 note?" said Mr. King Usher. Mr. Pinkerton noticed his quick glance at the secretary.

"I say, Abel. That wouldn't —"

He stopped abruptly.

"Wouldn't what, sir?" Bull asked.

Mr. Usher ran his lean fingers through his dark sun-bleached hair. Mr. Pinkerton noticed that his frosty blue eyes were definitely thoughtful.

"Oh, nothing, nothing at all," he said. "What's this about a £5 note?"

Bull explained. Both men shook their heads. A few members gathered round shook theirs. It was very odd.

"Do you recall where you were, Mr. Abel, at, say, twenty minutes past 9?" Bull said.

Mr. Pinkerton, peering round his elbow, stared up at the honorary secretary.

"Just here, I imagine, Inspector."

Mr. Usher spoke.

"I say, Abel, wasn't it just about then we were hunting the porter? I noticed, because I thought if I didn't get on with it, I'd have to cut out half the slides."

Mr. Abel laughed nervously. "Of course, I'd forgotten. But Shrubb wasn't at the lodge. Do you remember? I'd sent him after a table in the cellar."

Something occurred to Mr. Pinkerton suddenly. The germ of an idea came into his head.

"It's most annoying," Mr. Abel said, "how we have to leave things till the last moment. Of course, it's most kind of Sir Timothy to let us use this room. It's their directors' room, really."

Mr. Pinkerton caught himself with a great effort from making a sudden choking gasp of excitement. He tugged at Inspector Bull's sleeve with shaking fingers. The three men looked down at him. There was surprise on Bull's face, nervous anxiety on Mr. Abel's, a slight amusement on the great sportsman's.

Mr. Pinkerton mastered himself. "May I take your torch?" he whispered.

In one moment he was scuttling back across the court. The lodge was empty. He looked about. There was a ragged curtain in the corner, behind it a small door. Mr. Pinkerton opened it and turned his light up the narrow staircase. It would lead to the rooms above the gate. He closed the door quickly behind him with a sigh of relief and a very pleasant feeling of safety. He could quite easily feel a sharp point under his own left shoulderblade.

At the top of the little staircase he hurried along a narrow hall to the left, stopped at the head of a wider stairs leading down into the court, then opened the door to his right and turned his beam into a small room opening on the front. It was not hard — certainly not after his many years as potboy and scullery-maid in his wife's lodging-house in Golder's Green — to recognize it instantly as the porter's bedroom.

Mr. Pinkerton stood for an instant there, trembling with excitement, looking about him: at the floor, at the grate in the corner. He crossed to the window, opened it cautiously, and peered out and down. The white ball of light from the powerful torch fell on the pavement just below. Sir Timothy was gone; but the dark splotch of blood was still there.

Mr. Pinkerton caught his breath sharply. He disregarded the constable at the gate, peering curiously up at him, leaned far out of the window and brought the beam slowly up the white plaster face of the wall.

Then he shouted down at the constable. "Tell Inspector Bull to come!"

Inspector Bull crowded his great shoulders through the window, sweeping the torch up and down.

"It's there, you see," Mr. Pinkerton said timidly.

"What's where?" said Bull.

"Blood," Mr. Pinkerton said. "Just a spot of blood on the plaster."

Bull drew back into the room.

"He was stabbed from behind —" Bull began.

"No, no, he wasn't at all!" Mr. Pinkerton cried. "That's the whole point! That's just what you were supposed to think! But he wasn't. The road *was* empty!

"He was just coming in," Mr. Pinkerton said quickly. "He was di-

rectly under this window, of course, and he went over to pick up a £5 note. The note was dropped from this window, of course — just so that he *would* bend over. And when he did . . . well, of course, then he was a perfect target. And when he was struck, why, he automatically straightened up, and then collapsed and was caught there on the paling.

"Then he wiped the weapon clean and burned the paper he'd wiped it with — in the grate there."

"And went out and got the note?" Bull said slowly. He crossed to the grate. The beam rested for an instant on the charred paper there.

"Well," he said, "have you found the weapon then, man?"

Mr. Pinkerton adjusted his steel-rimmed spectacles, blinking a little. "Well," he said, "I know what it is. And I *think* I can find it."

It was the third time that he had confronted the Society for the Prevention of the Sale of Game Fish for Domestic Purposes. For a moment, in the suddenly silent little hall with all the faces turned toward him, he stood irresolute, staring timidly about. Then his face lighted, and he marched — insofar as a gray little rabbit of a man can be said to march — up to the platform, where the honorary secretary stood by the lecturer.

Mr. Pinkerton reached out one hand and drew the chromium-plated harpoon out of the head of Mr. King Usher's preserved shark. It came out quite readily, to his great relief: a shining steel shaft with a dagger point — leaving behind it, where they had been neatly inserted, the barbs that apparently held it there.

Mr. Pinkerton turned and held it up so that Inspector Bull could see the thin line attached to the butt, turned back to the table, and picked up the small harpoon gun with its cylindrical reel.

Then he darted to Inspector Bull's side, for there was a look of cold ferocity on Mr. King Usher's handsome face that he did not like at all.

"It was quite simple, really," Mr. Pinkerton said, a little breathlessly. "He'd filed off the barbs that make the harpoon stick. He pinched the light globe to get rid of the secretary and the porter, and he ran up to the porter's room and just shot Sir Timothy as he was coming in, with this gun. It — it must have a very light charge, and would make hardly any noise. Then he reeled in the harpoon, and it was easy — and very clever too — when he'd got back to the cloakroom to hide it in the most obvious possible place, in front of everybody."

It was possibly a bit late, but the proprietor of the King's Arms pushed two pints of bitter across the bar. Mr. Pinkerton raised his.

"It wasn't quite fair, not really," he said. "You see, when I went back to the lecture hall with you, I wasn't so . . . so upset. And I recognized Mr. King Usher. He was the husband of the lady on the park bench."

Erle Stanley Gardner has written at least 75 novelettes about Lester Leith, the bloodhound-buccaneer. We haven't read them all— most of the Leith stories are in out-of-print magazines which are now virtually unobtainable. But of those we have read, we would nominate "Bird in the Hand" as perhaps the best of the series, the one whose basic plot conception is probably the most ingenious in the entire saga of the light-fingered, lightning-witted Lester. So chuckle again, for old times' sake, with Lester Leith, Bird Fancier . . .

BIRD IN THE HAND

by ERLE STANLEY GARDNER

LESTER LEITH SURVEYED HIS VALET through a film of blue cigarette smoke. His thought-slitted eyes were brittle-hard with interest.

"Found him dead, eh, Scuttle?"

"Dead as a doornail, sir," he said.

Lester Leith's eyes became speculative. He inhaled a deep drag of smoke which made the end of the cigarette glow like a coal in the half-darkness beyond the floor lamp.

There followed a silence, broken only by the crackling of the flames in the fireplace. The valet, poised on the balls of his feet, like a man about to strike a knockout blow, watched his master as a cat might stare at a mouse. But Leith's eyes were focused upon the twisting spiral of cigarette smoke which eddied upward from the end of the cigarette.

"Murdered, of course, Scuttle?"

The valet wet his thick lips with the tip of a nervous tongue. He looked up.

"Why do you say 'of course'?" he asked.

Lester Leith made a deprecatory gesture with the hand which held the cigarette.

"According to your statement, the man was an international gem thief. He'd arrived on the boat with a big shipment of stolen gems, or there's every reason to believe he had them.

"The customs had a spy planted on the boat, a man who acted as room steward. He'd found out that a small steamer trunk, made along the lines of a miniature wardrobe trunk, had been cleverly designed with a false side that would slip out when one unscrewed the lock. And the smuggler evidently realized the steward had made the discovery, for he lured him down into a passage back of the baggage room, knocked him unconscious, bound and gagged him.

"Then the smuggler landed, got his

ingenious trunk through customs and went to the Palace Hotel. You tell me that the steward regained consciousness, managed to free himself and telephoned the police and the customs authorities. They rushed to the Palace Hotel and found their man dead. It's a natural assumption that he had been murdered."

The valet nodded his head in oily agreement.

"Well, sir, whether it's the natural assumption or not, the man was murdered. There was a knife driven right through his heart."

Lester Leith blew a contemplative smoke ring, watched it as it drifted upward and disintegrated.

"Humph," he said at last. "Any sign of a struggle?"

The valet's voice lowered, as though he was about to impart a secret.

"Now we're coming to the strange part of it, sir. The man had been tied in a chair, bound hand and foot and gagged, and *then* he'd been stabbed."

Lester Leith's eyes became level-lidded with concentration.

"Yes?" he said, his voice like that of a chess player who is concentrating on the board, "and the trunk?"

"The trunk, sir — was gone!"

And the last two words, coming at the end of an impressive pause, were hurled forth like a denunciation.

Lester Leith's eyes abruptly became lazy-lidded with mirth.

"Come, come, Scuttle, there's no need to be so dramatic about it. You're like an amateur elocutionist at a charity entertainment reciting *The Shooting of Dan McGrew*. Of course the trunk was gone. Obviously, the man was murdered by someone who wanted the jewels."

The spy wagged his head solemnly.

"No, sir, you don't understand. The police were right on the man's heels. He hadn't been in the hotel fifteen minutes when the police arrived."

Lester Leith let his forehead crease in a frown of annoyance.

"Well, what of it? Obviously, fifteen minutes was time enough for a murder. It should have been time enough for a robbery as well. Hang it, Scuttle, what's the big idea? You're as mysterious about this as an old hen with a choice morsel of gossip. Why the devil shouldn't the trunk have gone?"

The valet answered with the faintest touch of triumph in his voice.

"Because, sir, every piece of baggage that's checked into the Palace Hotel is listed on their records, and there's never a piece of baggage that goes out that isn't checked against that list. They had too much trouble with baggage thieves and with guests who slipped their baggage out of the back door. So they installed a baggage checker.

"Now that trunk of Cogley's was distinctive. It was striped so it could be easily identified in customs. The baggage checker remembers it being taken into the hotel, and he's positive it didn't go out. And the bellboys and the freight elevator man are all certain it didn't go out. The Palace Hotel is run on a system, and it's easier to

get money out of the safe than to get baggage out without a proper check!"

Leith yawned.

"Very possibly, Scuttle. The Palace Hotel has several hundred rooms. It's obvious that the murderer simply took the trunk into a vacant room where he could work on it at his leisure."

The valet snorted.

"You must think the police are fools, sir!" he exclaimed, and there was a trace of bitterness in his voice. "All that was checked by the police. They realized that possibility within five minutes, and made a complete check of the place. It was done without any confusion or ostentation, of course, but it was done. A bellboy or a house detective or a police officer, under one excuse or another, entered every single room in the hotel within twenty minutes of the time the murder was discovered. What's more, every nook and cranny of the hotel was searched.

"And the trunk vanished. It simply evaporated into thin air. It went in, but it didn't stay in. Yet it didn't go out. There isn't a single clue to the murderer, nor to the trunk!"

And the spy smirked at Lester Leith with that exaltation shown on the face of a pupil when he asks a question which baffles the teacher.

Lester Leith shrugged his shoulders.

"Oh, well, there's an explanation somewhere. Trunks don't vanish into thin air, you know. But why bother me with it? I'm not interested."

"I know, but you're always interested in unusual crimes."

"Was, Scuttle, was. Don't say that I am. I admit that I formerly took a more or less academic interest in crimes. But that was before Sergeant Ackley got the idea I was beating the police to the solution of the crime and robbing the robber."

The valet's voice was insinuating.

"But this is such a very interesting crime, sir. After all, there'd be no harm in thinking out a theoretical solution, would there?"

Lester Leith did not answer the question directly.

"What other clues were there, Scuttle? How did the police decide that the murderer had entered?"

"Up the fire escape and through the window."

"The fire escape?"

"Yes, sir. The room was locked on the inside, the key was in the lock. The window opened on the fire escape and it had been jimmied. The marks of the jimmy showed plainly in the wood, and there were traces of prints on the fire escape, rubber heels."

Lester Leith tossed away the stub of the cigarette, took out his cigarette case, absently abstracted another cigarette.

"Funny that the murderer could have worked so quickly, and it's strange that of all the rooms in the hotel the man would have secured one that opened on the fire escape. Of course, that solves the mystery of the trunk. The man took it down the fire escape with him — the murderer, I mean."

Long before Lester Leith finished,

the valet was wagging his head in negation.

"No, sir. In the first place, it was the most natural thing in the world for Cogley to have a room which opened on the fire escape. The murderer had made all the arrangements. In the second place, the missing trunk couldn't possibly have gone through the window. The window is small, and the trunk, although smaller than the average wardrobe trunk, is, nevertheless, too big to . . ."

Lester Leith interrupted his valet.

"The murderer made arrangements for the room!"

"Yes, sir. You see, a Mr. Frank Millsap telephoned the hotel and said that he wanted two rooms, that they had to be adjoining and on the fourth floor. He seemed quite familiar with the hotel and suggested Rooms 405 and 407. He said the name of the party who would occupy 407 was Cogley.

"Of course, it's all clear now. He wanted to get this man, Cogley, in a room which had the fire escape opening from it. But the request didn't seem unusual then. When Cogley arrived from the boat and registered he was shown at once to the room. The clerk didn't ask him about the reservation, he was so certain that . . ."

Suddenly Lester Leith chuckled.

"That would be the police theory," he said.

"That *is* the police theory," said the spy with dignity.

Lester Leith raised an eyebrow.

"Indeed!" he muttered. "You seem remarkably well posted about it."

"I only read it in the newspaper!" said the spy hastily.

"I see," murmured Lester Leith, "and who was this Frank Millsap?"

"Probably a fence, a man who deals in stolen jewels on a large scale."

"And the loot, Scuttle?"

"There were at least five magnificent diamonds. The customs detective was certain of that. And then there were some odds and ends, amounting in all to rather a goodly sum, but the most valuable part of the loot consisted of the diamonds."

Leith nodded — a meditative, speculative nod.

"Are you interested, sir?" asked the spy anxiously.

Lester Leith sighed. "In spite of myself I'm becoming interested."

"Ah-h-h-h!" breathed the spy, and his tone contained the satisfaction of a salesman who has just secured the name of the customer on the dotted line.

"Yes," resumed Lester Leith, "I can almost think of a possible solution, Scuttle. That is, you understand, an academic solution. And I say 'almost,' because I am afraid to let my mind complete the thought and actually secure a solution.

"This confounded Sergeant Ackley is so obsessed with the idea that I beat the police to the solution of crimes, simply by reading of them in the newspaper . . . Bah! If I were a policeman, Scuttle, I'd hang my head in shame if I were ever driven to make such a confession of incompetency."

The valet followed the conversational lead.

"But you yourself have admitted that it's sometimes possible for one to reach what you refer to as an 'academic solution' through a study of the newspaper reports of crime."

"Certainly," agreed Lester Leith. "Many times all the facts necessary to solve a crime are in the hands of the police, and in the hands of the newspaper reporters. They simply don't fit those facts together. It's like one of these jigsaw puzzles. There may be all the parts in one's hands, but fitting each part so it dovetails with the corresponding part to make a complete picture is something else.

"What I was commenting on, Scuttle, was the *attitude* of the police. I would be ashamed to admit such a degree of incompetency as the sergeant admits when he accuses me of doing what he thinks I have been doing."

The valet nodded, impatiently.

"Yes, sir. But *I've* always admired your academic solutions immensely. And you can confide in me quite safely. So, if you have any ideas about a solution — er — an academic solution of the present crime, sir, I should like to hear them."

Lester Leith yawned.

"You've given me *all* the facts, Scuttle?"

"Yes, sir. All the facts the newspapers have published."

"Let me see the papers."

"Yes, sir."

The valet passed over the newspapers. Lester Leith read them through. His eyes were clouded with thought, his forehead furrowed in concentration.

"So the police have been watching everyone who checked out of the Palace Hotel since the crime, eh?"

"Yes. That is, the police have felt that there might have been an inside accomplice. If that were the case, it would undoubtedly be some transient guest, someone who checked into the hotel merely to help in the commission of the murder. And so they've been keeping an eye on those who checked out to see who they are and what they do for a living."

Leith nodded again. His eyes were narrowed now.

"Very interesting about the woman, Scuttle."

"What woman, sir?"

"The kleptomaniac. Didn't you read about her? The one who can't remain away from department stores and who always tries to pick the pockets of her gentlemen friends?"

The valet moved his massive shoulders in a gesture of impatience.

"That's just an ordinary case, sir. She can't be involved in this murder mystery."

Lester Leith raised disapproving eyes.

"Scuttle! Are you insinuating that you'd like me to solve this murder case and find the missing loot?"

"Just an academic solution," muttered the spy.

Lester Leith let his lips expand into a grin.

"Well, if I were giving an *academic*

solution — and, mind you, it would be strictly academic — I'd get the kleptomaniac and a bloodhound-canary, and after that there'd be nothing to it."

The spy blinked twice, as a man blinks who has received a heavy blow on the head.

"A bloodhound-canary!" he said.

Lester Leith nodded.

"In a big cage, Scuttle. And I should say that the cage should be kept covered with canvas or a heavy twill."

The sigh of the police spy was much like a gasp.

"And the kleptomaniac. What would she have to do with a solution of the case?"

Lester Leith arched his brows in well-simulated surprise.

"But she's a thief!"

"Well?" demanded the spy.

"There's an axiom," proclaimed Lester Leith, "to the effect that it takes a thief to catch a thief. And one can't disregard axioms, Scuttle. You know that as well as I do — or should."

The valet shook his head as though he had taken a long dive through very cold waters and was seeking to catch his breath as well as to clear his vision.

"A kleptomaniac and a bloodhound-canary," he said. "I never heard of any such thing."

Lester Leith nodded.

"You'll get accustomed to the idea after a while. It's really very logical, Scuttle."

The valet grunted. "But what in heaven's name *is* a bloodhound-canary?"

Lester Leith lowered his voice.

"The bloodhound of the air, Scuttle."

"Huh?" said the valet.

Lester Leith nodded.

"It's the rarest breed of bird in the world, Scuttle," he said. "I'm not at all surprised you've never heard of it. In fact, there's only one specimen in this country. It belongs to a friend of mine who lives in the city — he brought it back from a dangerous trip to the tropics.

"The chief trait of a bloodhound-canary is that it can trail things through the air — other birds, or airplanes, or falling bodies — anything that goes through the air. That's due to its wonderful ability to recognize scents. We have canine bloodhounds that trail things across the ground. The rare bloodhound-canary does the same thing in the air a bloodhound does on the ground."

For a moment the valet was speechless. Lester resumed.

"And since this trunk vanished into thin air," he said, "I'd say a man would need the help of my friend's valuable bloodhound-canary to trail it."

The valet, his face purple now, whirled on his heel.

"Very well," he gritted. "You've had your little joke. I tried to give you the facts you wanted because I thought you'd be interested. But being made the butt of a joke!"

And he strode toward the door which led from the room.

Lester Leith watched the man with laughing eyes. The spy was huge,

some six feet odd of hulking strength, and he moved with a ponderous stealth, like a stalking elephant. Lester Leith, on the other hand, was closely knit, feline, quick-moving.

"Scuttle," he called.

The spy paused, his hand on the door.

"I wasn't making sport of you," drawled Lester Leith. "And since you seem inclined to doubt my statement, I've decided to show you just how a theoretical solution *could* be worked out with the aid of this wonderful canary and a kleptomaniac.

"Would you mind getting a cab, going to a bird store, and getting me a bird cage? I shall want a perfectly huge cage, Scuttle, one that has a diameter of at least four feet. And I'll want a cover for it. Have the cover tailored to fit smoothly — something made of dark cloth so that the canary will get lots of rest. It's very delicate, you know.

"I'll attend to getting the kleptomaniac myself, Scuttle. And I'll see my friend and borrow his flying bloodhound. And you may start now. Of course, you won't breathe a word of this to Sergeant Ackley."

And Lester Leith arose, flipped the cigarette into the fireplace, and strode toward his bedroom, leaving a gaping spy standing awkwardly, one hand on the door knob.

"But," stammered the spy, "I don't understand."

"No one asked you to, Scuttle," said Lester Leith, and slammed the bedroom door.

Bessie Bigelow glanced up at the man who sat in the taxicab, faultlessly tailored, wearing his evening clothes with an air of distinction.

"The bail," she said, "was five grand."

Lester Leith nodded, as though $5,000 was distinctly a minor matter.

"Plus about a thousand to pay the department store," went on Bessie Bigelow.

Lester Leith nodded again.

Bessie reached over and placed a hand on his coat sleeve.

"Now listen, guy," she pleaded. "I'm a good scout, but I'm a shoplifter and a pickpocket, and I ain't nothing else. Don't get me wrong. You come along and play Santa Claus for me, but that ain't going to get you no place.

"I'm a crook, all right. I've worked the department stores and pulled the pickpocket stuff for a long time. I ain't no kleptomaniac. Kleptomaniac, my eye! That's a line of hooey the lawyer thought up for the judge, and the newspaper boys glommed onto it and made a big splurge about the beautiful woman who was in jail because she just couldn't keep her hands to home."

Lester Leith lit a cigarette. He hadn't even glanced at the blonde who was rattling off the conversation at his side.

"Listen," insisted the blonde, "if you're playin' Santa Claus with the idea that you're gettin' a blonde lady friend you got another guess comin'. And if you're one of those settlement

workers that always come around givin' the girls a chance to reform, you got two more guesses comin'.

"I ain't goin' to be a sweetie, and I ain't goin' to reform. I'm spillin' it to you straight because you got a chance to go back an' glom the coin you put up for bail and to reimburse the department store. I've done lots o' things in my life, but I ain't never obtained no money from a gent under false pretenses. I'm a girl that shoots right straight from the shoulder, that's me."

Lester Leith nodded.

"Very commendable, your frankness," he muttered.

The girl snorted.

"Listen, guy, what do you want?"

Lester Leith turned to face her.

"I want your help."

"In what?"

"In convincing the police that I am innocent of certain crimes they try to pin on me."

The girl's blue eyes widened.

"Now that," she said judicially, "is a new one!"

Leith nodded.

"And what do I do?" she asked.

"You go to a hotel with me, and we get rooms, separate rooms, but rooms which adjoin," said Lester Leith.

The girl yawned.

"Pardon me," she said wearily.

"For yawning?" asked Lester Leith.

"Naw," she drawled, "for thinking your line was a new one. From there on, big boy, I know it by heart."

Lester Leith shook his head.

"No," he said, "I'm afraid you don't."

"Well, go on," she said, "and don't hesitate in the rough places. Spill it and get it over with. Exactly what is it you want?"

"I want you to occupy this room, probably as my sister or niece," said Lester Leith, "and I want you to come and go as you please. You will probably be followed by police, but that's a minor matter. And I want you to curb your illicit activities as much as possible. Use a certain amount of discretion as to the pockets you pick. That's all."

The girl's eyes were narrow, hard.

"Listen," she said, "I hate a damned mealy mouthed hypocrite. Now you been pretty decent to me. So come clean. If that's all, say so, and if it ain't, say so."

"That," said Lester Leith, "is all."

She sighed.

"Well," she said, "I sure gotta hand it to you. If that's all, you're sure a new one."

"Nevertheless, that *is* all," said Lester Leith. "Only I want to warn you that the police will be watching you. If you do exactly as I say they can't convict you of anything. If you fail to follow instructions you may get yourself into rather a tight fix."

Bessie Bigelow nodded.

"Guy," she proclaimed, "I like you, and I like the way you came across with the bail money. I'm going to do it."

Lester Leith's nod was rather impersonal.

"Thanks, Bessie," he said.

The cab rumbled on in silence.

"Well," said Bessie, rather ruefully, "if we're going to be pals, I may as well start shooting square by giving you back your things."

Her hand disappeared down the front of her dress, came out with something that glittered in the reflected street lights.

"Your watch," she said.

Lester Leith took it unsmilingly.

"Thank you, Bessie."

She regarded him with a puzzled expression.

"Didja know when I lifted it?" she asked.

He shook his head.

"Within ten seconds after I got in the cab," she said. "I sized you up as a settlement worker that was goin' to pull a lot o' hooey and wind up by having to be slapped to sleep, so I made up my mind I'd get mine while the gettin' was good."

Lester Leith returned the watch to his pocket.

"I don't blame you," he said.

Her next sigh was almost a groan.

"And your wallet," she said. "It sure feels fat."

She passed over his wallet.

"Take that after the watch?" asked Lester Leith with a note of respect in his voice.

"Naw," she said. "I took that while you was talking with the bail clerk, right after you put up the six grand . . . listen, guy, you ain't lost nothing but a thousand bucks, that's what the department store took to square up the charge account. The rest of the money is simply bail, and they can't make that shoplifting charge stick. They can't identify the goods. I'll stick right around and demand trial, and they'll dismiss the case. Then your five grand comes back."

Lester Leith muttered another word of thanks.

"And if you let me work that hotel we're goin' to, I'll have your thousand back for you inside of a couple of weeks."

Lester Leith shook his head.

"No, Bessie. While you're with me, your play is to be the sad, penitent kleptomaniac who is taking treatments from a psychiatrist, having, however, occasional symptoms."

"Okay," she said. "You shoot square with me and I'll shoot square with you."

The cab drew up in front of the Palace Hotel.

Lester Leith assisted the girl to the ground. He indicated three bags to the doorman and stalked into the lobby. The clerk bowed obsequiously, spun the register, and handed him the desk pen.

"I believe," said Lester Leith, with dignity, "that you have a reservation for me?"

"Yes?" asked the clerk. "What was it?"

"The name," said Lester Leith, "is Frank Millsap. I wired about rooms. I was to have 407 reserved for me, and 405 for a friend of mine."

And Lester Leith scrawled a signature across the hotel register.

Frank Millsap, he wrote.

Had he slapped the clerk in the face with a wet towel, that individual could not have shown greater astonishment or dismay.

"Mill . . . Millsap . . . Frank Millsap . . . 405!" he stammered.

"Yes," snapped Lester Leith, "Millsap, and I fail to see any reason for excitement or comment. I made the reservation over the telephone several days ago."

The clerk took a deep breath, gripped the sides of the counter.

"But Mr. Cogley came here . . ."

"*Mister* Cogley!" snapped Lester Leith. "Who the devil said anything about a Mister Cogley? The room was reserved for Miss Cogley, my niece. And I want to warn you that she's suffering from a certain type of nervous disorder and any commotion is quite likely to raise the devil with her nerves. Now get busy and assign us to those rooms."

The clerk was gaping.

"You mean to say . . ."

"I mean to say," snapped Lester Leith, "that I have come here to secure treatment for my niece, that she's highly nervous, and that I wanted rooms on the fourth floor because she prefers the fourth floor, and that I wanted rooms back from the street to be away from the noise. I secured the assurance of the manager that 405 and 407 would be reserved, and I want those rooms."

The clerk nodded.

"Just one moment," he said. "I'll have to consult the manager!"

"Very well. Consult him then!" said Lester Leith. "While you're doing that I'll bring in the rest of my baggage, a very valuable bloodhound-canary, and I don't want him subjected to any undue jar or noise. He's very delicate. In fact, I'll carry the cage myself!"

He stalked to the door, where a second taxicab had drawn up to the curb. Inside that cab was an enormous cage tightly covered with a black cloth which had been tailored to fit over the bars like a glove.

Lester Leith pushed aside the curious doorman, the eager bellboys, gently lifted the big cage from the cab, raised it to his shoulder, carried it into the hotel.

From the interior of the cage came the sound of little fluttering noises.

Sergeant Arthur Ackley, bull-necked, grim-jawed, sat at the battered desk at headquarters which had been the scene of many a stormy interview.

The side of the desk bore scratches from the nails of police shoes, where they had been elevated from time to time in moments of relaxation. The surface was grooved with various charred lines, marking the places where cigarettes had been parked and forgotten.

Across this desk, facing the sergeant, was Edward H. Beaver, the man who worked under cover as valet for Lester Leith, and upon whom Leith had bestowed the nickname of Scuttle.

"I know a canary *has* got something

to do with it," Beaver was saying. "It sounds goofy, and it *is* goofy. A bloodhound-canary! But when you stop to think it over, it ain't so goofy after all. He's always getting some fool thing that don't make sense, and then using it to . . ."

He broke off as the telephone shrilled its summons.

Sergeant Ackley grunted in the process of leaning over the desk, then scooped the telephone to him. He twisted the cigar to one side of his mouth, sighed wearily.

"Yeah," he growled.

The receiver rattled like a tin can tied to the tail of a fleeing dog. Sergeant Ackley gradually hitched himself bolt upright. His eyes popped wide open.

"Huh?" he said.

The receiver rattled again.

Sergeant Ackley cleared his throat and by a conscious effort tightened his lips.

"Okay. Now get this straight. Play right into his hands. Let him get away with it, with anything. And rush ten of the boys right down there. Let 'em register as guests. Stick a dick on the elevator. Put one of our men at the desk. But keep the whole thing under cover. Don't let him think there's a plainclothesman in the place. Get me? Let him think he ain't tailed.

"But keep a watch on his door, and keep a watch on that fire escape. Don't let him make a move that ain't reported. And if he ever tries to leave that hotel, have one of the boys pretend to be a sucker from the sticks that's had his pockets picked. See?

"Let him make a squawk and there'll be a man in uniform always within call. Let them hang the pickpocket rap on Leith for a hurry-up search. Get me? This is once I ain't taking no chances. Now get busy!"

Sergeant Ackley slammed the receiver back on the hook, banged the telephone down on the desk, and glowered at his undercover man.

"The crust of the damned fool!" he exploded.

"What's he done now?" asked Beaver.

"Gone to the Palace Hotel and claimed he was the Frank Millsap that telephoned in the reservation for Millsap and Cogley, and that the woman he's got with him is his niece."

Beaver wet his lips.

"You mean the kleptomaniac?"

"That's the baby. He put up the bail and squared the department store charge account for a thousand bucks, cash money. Then he shows up at the hotel and says her name's Cogley and that she's suffering from a nervous trouble. The clerk stalled him along while he telephoned in, and now I'm going to get enough men on the job to cover the case right. I ain't going to let that damned, supercilious, smirking . . ."

Beaver interrupted.

"Has he got the canary?" he asked.

"He sure has! He's got the thing all wrapped up in a cage that's big enough for an eagle."

Beaver furrowed his brows.

"What the devil does he want with

a canary? And why does he insist it's a 'bloodhound-canary'?"

Sergeant Ackley waved his hand, the gesture of one who brushes aside an unimportant detail.

"Forget it! He's just got that canary to kid us along. He wants to sidetrack us. Concentrate your attention on the main problem, Beaver. We gotta find out what he's doing in that hotel . . . Not that we don't know. It's simple as hell. What I mean is that we gotta do like the Japs do with their pelicans."

Beaver's eyes widened.

"What's that got to do with it?"

Sergeant Ackley laughed.

"Plenty. They starve the birds and then take 'em out on their boats. They clamp a ring around their necks to keep 'em from swallowing. The bird sees a school of fish and flies over, swoops down and scoops up a whole beakful of 'em, an' a pelican's beak holds a lot. Then the bird tries to swallow 'em, but the ring keeps the fish right where they belong. The Jap pries the bird's bill open, spills out the fish, and sends him away after more fish.

"Now this guy, Leith, has been lucky. I ain't giving him credit for any great amount of brains, but for a lot o' luck. He's managed to dope out the solution of a few crimes from having the facts told to him, and he's always thrown us off the trail by kidding us along with a lot o' hooey.

"This time he ain't going to kid nobody except himself. He's got the hiding place of those diamonds figured out, and he's going there to cop 'em off. Well, I'm going to just stick the ring around his neck, and let him cop. Then when he tries to swallow, he'll find that we'll just pry his jaw open an' make 'm spill the goods.

"See? He'll be just like the trained pelican. He'll get the stuff for us, then we'll shake him down and take all the credit for solving the case. After that we'll cinch the stolen goods rap on this guy, Leith, and fry the murderer. And if we can't find the murderer, we'll just hang the whole works on Leith, frame him for the murder, and fry *him*."

Beaver sighed.

"It sure sounds nice the way you tell it, Sarge, but I wish you'd find out what he's goin' to do with that there canary before we get into this thing too deep. Somehow or other I got a hunch that canary is goin' to be the big thing in this case . . ."

Sergeant Ackley's face turned red.

"That'll do, Beaver. You go ahead and obey orders, and don't ball things all up trying to get intellectual. You leave the thinkin' to me. You do the leg work.

"That's where you've always gummed the works before. You let this guy drag some red herring across the trail, and you go yapping off on that side trail while Leith gets his stuff across and ditches the swag.

"Now I don't want to offend you, but I'm in charge of this case, and I'll do the thinking. You beat it on back to Leith's apartment, and telephone me whenever anything breaks. I'm go-

ing to play this hotel end of it my way."

The undercover man started to say something, thought better of it.

"Yes, sir," he said, saluted, turned on his heel and walked out.

Lester Leith stared around him at the hotel rooms.

There was nothing to indicate that one of these rooms had been the scene of a gruesome murder. Hotels have press agents who thrust forward certain favorable facts and keep others very much in the background when it becomes necessary.

The newspaper accounts of the Cogley murder had only mentioned the location of the crime as having been in a "downtown hotel." They had been indefinite as to the name and location of this hotel and none of the accounts had so much as mentioned the floor on which the room had been situated, let alone the number of that room.

People have a superstitious dread of sleeping in a bed in which a murder has been committed, and some persons shun a hotel merely because a crime of violence has been committed under its roof.

The girl stared at Lester Leith with uncordial eyes.

"You're leavin' that connecting door unlocked?"

"Yes. I want to get into this room without going down the hallway. When you are in the room you can lock the door. But when you are absent I want to be free to come and go."

"And you want me to do my stuff?" asked the girl.

"Meaning?" inquired Lester Leith.

"Copping watches and that sort of stuff?"

He nodded.

"But you don't want me to do anything with 'em, hock 'em or anything like that?"

Lester Leith shook his head vigorously.

"No. I want you to give everything you take to me."

The girl sighed.

"Hell," she said, bitterly, "somebody's always taking the joy outa life. Here it is!"

And she tossed a hard object to the hotel dresser, an object that rattled, rolled, and sent forth sparkles of scintillating fire.

Lester Leith stared at it.

"Where did that come from?"

"The hotel clerk's necktie, of course," she said. "You didn't think I'd pass up anything like that, did you?"

Lester Leith stared at her in appreciative appraisal.

"Good work! Did you get anything else?"

She shook her head.

"I lifted the bellhop's watch, but it was a threshing machine movement, so I slipped it back again."

Lester Leith smiled, crossed the room to the telephone.

"Can you shed any tears?" he asked the young woman.

She shook her head.

"Never shed a sob in my life. I

never regretted anything I did bad enough."

"Can you look meek and regretful?"

"Maybe."

"Okay. Get gloomy then, because I'm getting the clerk up here."

Lester Leith took down the telephone receiver.

"The room clerk," he said.

There was a pause, then the click of a connection.

"A most unfortunate occurrence," muttered Lester Leith apologetically into the transmitter. "Please come up right away to room 407. I'll explain when you get here. Come at once."

He hung up the telephone, turned to the girl.

"Pull out the handkerchief and droop the eyes," he said.

She sat down on the edge of the bed, hung her head.

"Okay, but don't put it on too thick, or I'll giggle."

There was a knock at the door.

The clerk, white-faced, wide-eyed, stood on the threshold. Back of him was a lantern-jawed individual with pig eyes. Out in the corridor two men were engaged in a casual conversation of greeting, exclaiming that it was a small world after all, shaking hands with a fervor that was too exclamatory to be entirely genuine.

The clerk stepped into the room.

"Meet Mr. Moss," he said, nervously.

Lester Leith bowed.

"The house detective, I take it?"

The clerk cleared his throat nervously, but the big form of the man with the lantern jaw barged forward.

"Yeah," he growled, "I'm the house dick, if that means anything."

Lester Leith was suavely apologetic.

"So glad you came, so glad we can have this little conference. I'm sorry it all happened, but glad we can discuss it privately. You see, my niece is suffering from a nervous disorder. In short, gentlemen, she's a kleptomaniac. Her hands simply will not let other people's property alone. She's particularly hard on department stores."

The house detective glowered at the girl who sat on the edge of the bed, head hung in shame, her hands clenched.

"Klepto — hell!" he exclaimed. "What you mean is that she's a shoplifter. I've heard of lots of these here cases of nervous troubles, but they're all the same. Now, don't you try to pull nothing in this hotel, because . . ."

"No, no!" exclaimed Lester Leith. "You don't understand. The girl has everything she could wish for, everything that money can buy. She simply has an irresistible impulse to steal. Now what I wish to do is to assure you that if there is anything taken from any of the guests of the hotel I will be financially responsible. I will make good the loss."

The house detective sneered.

"I had intended," continued Leith, "to have my niece examined by the best brain specialist in the city. But unfortunate symptoms have developed which make me realize that an

acute attack is developing, and I cannot reach the brain specialist. I think, perhaps, your house physician would be able to handle the situation until we could secure a specialist."

The clerk fidgeted, looked at the house detective.

The house detective yawned.

Lester Leith extended his hand toward the clerk.

"Permit me," he said.

He opened the hand.

"Good God!" exclaimed the clerk, his hand darting to the knot of his tie, drifting down the glistening silk. "That's my stickpin!"

Lester Leith was smilingly suave.

"Exactly," he said.

The detective half-raised his body from the chair he had been occupying, then settled back. The clerk clutched at the diamond pin.

"Now," purred Lester Leith, "perhaps you will be good enough to call the house physician."

The clerk and the detective looked at each other.

The house detective carefully twisted his head to one side and closed a surreptitious eyelid.

"I think," he said, "I got a friend who's a specialist on this sort of a case. I'd better get him."

Lester Leith bowed politely.

"As you say, gentlemen. I will endeavor to keep my niece under restraint until the physician arrives. I hope I don't have to confine her in an institution. In the meantime, remember that I will be responsible for any loss which occurs in the hotel. And perhaps it would be advisable to notify the occupants of the adjoining rooms that there is an . . . er . . . unfortunate case located here. They could be asked to report promptly on anything they might find . . . er . . . mislaid."

The clerk and the house detective shuffled out. The door closed. The girl raised an unpenitent face and grinned.

"Now what?" she asked.

Lester Leith regarded her gravely.

"If you had to build an ironclad, copper-riveted alibi, what would you do?"

She puckered her lips, narrowed her eyes in thought.

"Absolutely ironclad?" she asked.

Leith nodded.

"Well," she said, "I've pulled a stunt once along that line that ain't never been improved on. I let a cop who was pretty well up in the big time date me up. He was married. It would have been a swell alibi if I'd had to use it; only I didn't have to use it."

Leith took out a wallet.

"I think," he observed, "it would be a fine time to start building an alibi."

She took the bill he handed to her, whistled, thrust the money down the top of her stocking, and grinned.

"I like," she said. "You'd rate a goodbye kiss if I hadn't just smeared my mouth all up pretty for the clerk. As it is, you're a good guy. G'bye."

She went out the door, as graceful as a slipping shadow. The hallway seemed to be unduly active. Three

men were strolling along. A fourth man was arguing with a porter about the cost of transporting a trunk.

Lester Leith smiled.

He locked the door, walked through Room 407 to Room 405, took a small leather packet from his pocket, extracted a tiny drill. With this drill he bored a very small hole in the panel of the communicating doorway which led to Room 403.

When this hole was completed, Lester Leith applied his eye, saw that the room was dark and vacant, nodded sagely, and took additional tools from the leather case.

After some ten seconds the bolt twisted and the communicating door swung open.

The room showed that it had been occupied for some time. The furnishings were those of the ordinary hotel bedroom, but there were individual touches — photographs on the walls, a pennant or two, a sofa cushion, and a special reading lamp.

Lester Leith noted them, noted also that the clothing had been unpacked from the suitcases and the bulky trunk, and placed in the closet of the room and in the drawers of the bureau. The massive trunk was presumably empty, but it was tightly locked.

Lester Leith nodded, as though he was finding exactly what he had expected, and set to work. He dragged the bulky trunk into Room 405, then into Room 407. He then went back to Room 403, pulled the clothes out of the bureau drawers, took the suitcases, the reading lamp, the sofa cushion, even the photographs on the walls. He denuded the room of every single item of individual furniture.

Then he retired once more to Room 405, locked the communicating door, applied his eye to the peephole he had gimleted in the panel, and waited.

He had over an hour to wait.

His room was dark, save for such light as came through the windows, light which ebbed and flowed with the regularity of clockwork, marking the clicking on and off of some of the neon signs which were on the roofs of adjoining buildings. The noise of the side street came to his ears in a confused roar. The blare of automobile horns, impatiently trying to move traffic, the muttered undertone which marks the restless motion and conversation of hustling throngs, all blended into an undertone of sound.

Lester Leith remained at his post, silently observant.

His vigil was at last rewarded.

A key clicked in the lock of 403. The door swung open, showing light from the corridor, the silhouette of a chunky man. The door closed. The bolt clicked, and the light switched on.

Lester Leith could see the look of stunned amazement on the face of the man in the adjoining room as he discovered what had happened.

The man was in his early forties, alert, broad-shouldered, self-sufficiently aggressive. But now his self-sufficiency melted away from him. His face writhed with conflicting emotions.

He glanced back of him at the door through which he had just entered, then at the doorway where Leith watched.

For some ten seconds he stood motionless, apparently adjusting himself. Then his hand slipped beneath the armpit of his coat, extracted a snub-nosed automatic, and he tiptoed toward the door behind which Lester Leith crouched.

Softly, silently, he twisted the knob of that door, and found that the door was locked. Then he stepped back, letting light once more come through the small hole Leith had bored.

The man walked to the telephone in the corner of the room, took down the receiver.

"Room clerk," he rasped.

The man recounted his troubles to the hotel clerk. Lester Leith could not catch all the words, but he could hear the tone, and gather the import of the conversation. Then the man in the adjoining room hung up the telephone, crossed swiftly to the window, pulled down the shade, went to the door, made certain it was locked, looked at the transom, making sure it was closed.

He secured a chair, stood on it, and unscrewed the brass screws from one of the wall lighting fixtures. The fixture lifted out, disclosing a cunningly designed hiding place. In that hollowed-out hiding place, at one side of the spliced electric wires which conveyed current to the wall fixture, was a chamois bag.

The man opened this bag with fingers that quivered, and gave an exclamation of relief. Then he hastily closed the bag, pushed it back into its hiding place, paused for a moment's consideration, and replaced the screws in the wall fixture. He got down from the chair, moved it so that its back was against the wall, unlocked the outer door, stepped into the corridor, and closed the door, locking it from the outside.

Lester Leith worked with incredible rapidity.

He opened the communicating door, glided into the opposite room, pulled the chair back to the place directly underneath the wall fixture, untwisted the screws with a screwdriver, opened the chamois bag.

There were many gems in that bag, gems that sparkled and glittered. But Leith was careful to take only a limited number — very few, but those few the best. Then he closed the bag, pushed it back into its recess in the wall, screwed back the light fixture, replaced the chair, and slipped from the room into his own room, number 405.

He thrust a cautious head out of the window.

The fire escape stretched down the side of the building like a black ribbon. Three men were seated in the alley underneath that fire escape. Another man sprawled on the seat of a truck that was parked a few feet to one side.

Leith abandoned the window.

He tiptoed to the door of his room, pulled up a chair, climbed on the

chair, stared out through a crack in the transom.

He could see a section of the hallway.

Two men, wearing the uniform of bellhops, yet seemingly strangely mature for bellboys, were walking up and down, their manner that of sentries on duty. A burly porter, who would have never been taken as a porter save for the cap he wore, was seated on a trunk. A well-dressed man with alert eyes was standing far down at one end of the corridor.

There was no possibility of escape from Room 405.

And, as Leith stared, three purposeful men emerged from the elevator and moved toward his room. They were the clerk, the house detective, and the self-sufficiently belligerent man who occupied 403.

Even as Leith stood there, they started to knock on the door, and, as they knocked, the two mature bellboys crowded forward, the porter jumped down from his seat on the trunk, and the gimlet-eyed man at the end of the hall moved forward on rubber-soled feet.

Lester Leith stepped from the chair and went into action.

What had been a polite knock was repeated more loudly. Then it was repeated again with two fisted emphasis.

"What is it?" called Lester Leith in the blurred tones of one who has been aroused from slumber.

"Open this door," said the hoarse voice of the house detective. "We want to talk with you. This is Moss, the house dick."

"Oh," said Lester Leith. "Just a minute."

And he jumped on the bed to give a creaking noise to the springs, then let his feet thud to the floor.

Yet it was several seconds before he opened the door.

His hair was tousled. His eyes were blinking. His collar was wrinkled and his coat was off. There was an air of dazed perplexity about him.

". . . lay down for a minute," he explained sheepishly. "Must've dropped off."

He sucked in a prodigious yawn.

Moss lowered his broad shoulders and pushed past Lester Leith into the room. Directly behind the detective, walking with a certain cat-footed manner, his right hand hovering near the lapel of his coat, his eyes narrowed, came the occupant of 403. The clerk was a tardy third in the procession.

One of the mature bellboys cleared his throat suggestively.

The house detective turned, called over his shoulder:

"Come in here, Joe."

The bellboy pushed eagerly forward, forcing the clerk into a quicker step.

Lester Leith seemed more awake now.

"What's the matter?" he asked anxiously.

The house detective switched on the light, looked the room over.

"Where's the dame?" he asked.

"You mean my niece?" asked Lester Leith.

"You know who I mean. She went out. Did she come back?"

It was the bellboy who answered.

"Naw," he said, "she didn't come back."

"Certain?" asked the house detective.

"Sure," said the bellboy.

Lester Leith let his eyes widen.

"Why," he exclaimed with a simulation of surprise, "you're a detective!"

The man who was dressed as a bellboy snorted.

"Let's take a look around," he said.

They moved forward, a compact knot, save for the squat man who occupied room 403. He gravitated slightly to one side.

"All the personal belongings from my room," he said, "have been stolen."

Lester Leith let his jaw sag.

"Good heavens!" he said.

The detectives strode through the connecting bathroom, walked into 407.

"This the stuff?" asked the man who had posed as a bellhop.

The occupant of room 403 stared at the assortment.

"Good Lord, yes!" he exclaimed. "How did it get *here?*"

Lester Leith joined in the exclamation, his tone one of dismay.

"Good heavens!" he groaned. "She's had an attack!"

"Yeah," sneered the detective. "Ain't that too bad!"

Lester Leith turned to the occupant of Room 403.

"But I'm responsible," he said. "I'm financially responsible. Only I want to know just what I am responsible for. Here, in the presence of these officers, we will open this baggage and list the contents."

There was a sudden swirl of motion behind Lester Leith. Two hands clamped down on his arms. Glittering bracelets of steel clicked around his wrists.

"Yeah," sneered the man who had posed as bellhop, "and we'll just keep you out of mischief while we're making the examination."

Lester Leith stiffened. His face mirrored dismay.

"Listen, officer," he said. "I can't explain, but you'll ruin some very precious plans I have if you do not remove those handcuffs. I demand that you release me."

The detectives joined in a guffaw.

"Ruining plans of crooks is one of the best things I do," said the detective.

"No, no. You don't understand. Call Sergeant Ackley. Get him here at once. I demand that this baggage be opened. And I want Sergeant Ackley here . . ."

The squat occupant of Room 403 moved easily toward the door.

"I'll open it fast enough," he promised. "But I've got to go to my room to get my keys."

He took swift steps toward the door.

"No, no!" yelled Lester Leith.

"Stop him. Get Ackley! Get Ackley. I can't make any accusation while that baggage is unopened, but I want Sergeant . . ."

The detective swung his right fist.

The blow made contact with Lester Leith on the jaw. Leith slumped to the floor, inert.

"Hell," said the detective. "I didn't hit him hard. He must be playing possum. I didn't want any more of his damned bawling. Where's the sarge?"

"Coming," said a voice from the corridor.

A compact body of men moved into the room.

"Better frisk him," said someone.

"He'll keep," chuckled one of the detectives. "Let's look around."

"Maybe we went a little too fast, Joe," cautioned one of the men. "Orders was to give him enough rope to spring his stuff, and then clamp down on him."

"Well," countered the individual addressed as Joe, "he had enough rope, and he was pulling his stuff, or I miss my guess."

Hands went through Lester Leith's clothing.

"Nothing here," said a voice.

"Look the room over," ordered someone else. "Close that door. We don't want a crowd in on this. Where the hell's the sarge? He was sticking around for a while. Then he said he had a sick friend he had to see, and left a telephone number where we could call him if anything broke."

"You call him?" asked the clerk.

"Yeah. Soon as the guy from 403 made the squawk. Say, where is *that* bird?"

"Gone to get his keys."

"Well, we better go down there, and . . . here's the sarge now."

There were purposeful steps, the banging of the door as it slammed open, then the voice of Sergeant Ackley.

"Well," he exclaimed, "what's up! See you got the bracelets on him. Did you catch him with the goods?"

"We caught him right enough," said the voice of the man called Joe. "I don't know just what he was pulling, but . . ."

Lester Leith stirred, moved his eyes, groaned.

"Open the man's trunk," he said, and then slumped back into silence.

"What happened to him?" asked Sergeant Ackley.

"Oh, he was squawking, and I cracked him an easy one an' he wilted."

Sergeant Ackley grunted.

"Better be careful. He's a smooth one. And he keeps a good lawyer. If we haven't got the goods on him . . ."

"We got the goods on him right enough," said Joe.

"Open the trunk anyway," said Sergeant Ackley.

"Guy's gone for the keys," said Joe.

There was a period of shuffling silence. Someone scraped a match and lit a cigarette. Then someone coughed.

"Say, where *is* that guy?" asked someone.

Lester Leith moaned, twisted.

"Don't let him get away," he pleaded in a groaning whisper. "I tried to get you, Sergeant . . ."

Sergeant Ackley suddenly exploded into action.

"Go grab that bird, Joe! Bill, get that trunk open. This looks like a job that's been bungled. That guy in 403 . . . Get started!"

There came a scurrying motion, swift voices, shouted comments. Then a report was called down the hallway. "Went down the stairs. Thought you sent him, Joe. He said you did!"

Profanity spouted from Sergeant Ackley's lips.

"Get that guy! He's the murderer and the gem thief. Hurry up. Throw out the dragnet. Give the signal. Close the block!"

And he ran to the window, flung it open, raised a police whistle to his lips, blew a shrill blast.

Lester Leith sat up.

For a man who had been knocked out, he seemed to be in serene possession of his senses.

"I warned you, Sergeant," he said. "Will someone please give me a cigarette?"

Sergeant Ackley flung back from the window, glowered at the handcuffed figure on the floor.

"Hell!" he said.

Lester Leith talked fluently.

"We've had our differences, Sergeant, but I thought I could patch them up by putting a feather in your cap. I figured the murdered man's trunk had held the gems, but that the trunk had proven obstinate. The murderer, however, would never have carried the whole trunk with him unless something had happened to make that the only course possible.

"He'd killed the gem thief and was opening the trunk when something happened to alarm him. That something must have been the arrival of the officers. That meant the murderer was trapped in the room when the officers were demanding an entrance.

"He'd previously forced the window over the fire escape to make it seem like an outside job. But he couldn't have escaped through that window because it's obvious that he must have taken the trunk with him.

"Therefore there was only one escape he had — through the communicating room and into his own room. If my theory was correct, the murderer had been at work on the trunk when the officers banged on the door. He didn't want to leave his loot, so he shouldered the trunk, slipped into 405 and through it into his own room and locked the door.

"Then he had to do something with the trunk. He realized there'd probably be a search for it. So he hid it in the most obvious place in the world — remember 'The Purloined Letter' by Poe? *He simply put the stolen trunk, which was small, inside his own trunk, which was large!*

"That meant he had to wait for a later time to tackle the secret combination. It also meant that he had to be an old resident of the hotel, both for the purpose of avoiding suspicion,

as well as to have been sufficiently familiar with the hotel to know that the rooms he wanted for his victim, which would adjoin his room, would have an opening on the fire escape —"

Lester Leith was interrupted by a man bursting into the room.

"There's a secret hiding place in 403 back of a wall fixture. A guy jerked it out by the roots, and . . ."

And that man, in turn, was interrupted by the rattle of gunfire from the street.

There were more than a dozen revolver shots, exploding in rapid succession. Then the wail of a siren, the sound of shouts, a police whistle blowing frantically.

"They've got him!" exclaimed Joe.

The men rushed toward the window.

"Go see what happened, Joe!" rasped Sergeant Ackley.

Men piled out of the room.

Left behind, Sergeant Ackley glowered at the handcuffed figure.

"I think I've got you this time!" he said.

Lester Leith sighed.

"I did *so* want to give you an olive branch by letting you take the credit for capturing the murderer. And then you had to spoil it all. And one of your men struck me, while I was handcuffed! An unprovoked, brutal, police assault."

Sergeant Ackley grinned.

"Tell it to the jury," he said.

Lester Leith shook his head.

"No," he said, "I shall tell it to the newspapers!"

Sergeant Ackley began to look worried.

He surveyed the room with suspicious eyes, strode to the covered bird cage, ripped off the cover. A startled canary hopped about the cage, chirped indignantly. Ackley cursed the bird, kicked the cage.

A man rushed into the room.

"Bagged him!" he exclaimed. "He was shot half a dozen times. They closed in on him and he tried to smoke his way out. Dead now, but he had enough life left when they got to him to admit that he did the job. And he had the loot with him."

There was disappointment in Sergeant Ackley's voice.

"Had the loot with him!"

"Yep, in a small chamois bag that he'd kept hidden in the space back of the wall light. He told 'em how he did the job. Knew Cogley was coming here to the Palace. Knew he was going to keep an appointment with a fence. So this bird reserved the room he wanted, trapped Cogley, and tipped off the fence the bulls were hep. That kept the fence away.

"The guy sneaked into Cogley's room when he was washing up, cracked him on the dome, tied and gagged him, intended to get the stuff and beat it. But Cogley came to, recognized him, so he croaked Cogley, then started after the trunk when he heard the officers coming. He dragged the trunk into his own room, and . . ."

"Never mind all that," snapped Sergeant Ackley. "I had deduced

that much myself. I would have arrested this man only I wanted to use him to bait a trap for Leith. But did the police recover *all* the gems?"

"The whole sack!" gloated the detective.

"Hell!" said Sergeant Ackley.

Lester Leith smiled.

"Now can I have a cigarette?" he asked.

Sergeant Ackley walked to the door, slammed it shut.

"Listen, this guy never had the chance to check all the jewels. There were a lot of diamonds in that haul. Maybe some of 'em got away. Let's search this room and the two adjoining. And I mean search 'em. No maybe about it. Take 'em to pieces. Rip out the wall fixtures, X-ray the furniture. This bird Leith is too smooth to have let anything like that slip through his fingers."

They got busy and searched, and the net result of that search was to uncover nothing at all. Never had rooms been subjected to such a search, and Lester Leith himself helped make the search complete. Whenever the police seemed to be overlooking a single cranny or corner, Lester Leith would point it out.

"The brass in the bed is hollow, Sergeant," he suggested. And: "There might have been a hole bored in the curtain pole in the closet."

Those suggestions were received in sullen silence, but acted upon with alacrity. The morning was sending its chill fingers through the air when the officers finished. A clock struck two somewhere. Sergeant Ackley ran doubtful fingers through his matted hair and surveyed the wreckage.

"Well," he said, "they ain't here."

Lester Leith grinned.

Sergeant Ackley scowled at him.

"But you still got some explaining to do. I've half a mind to throw you in on suspicion and let you explain how you happened to be trailing this crook around. You *intended* to hijack him, even if we did beat you to it!"

Lester Leith looked hurt.

"Tut, tut, sergeant! I was doing you a favor. My solution was only academic."

"All right, boys," Sergeant Ackley said wearily. "Let 'm go."

One of the detectives had a bright idea.

"The woman accomplice," he said, "the one that posed as his niece. She was away . . ."

Sergeant Ackley hastily interposed an interruption.

"Let her out," he growled. "She's got an ironclad alibi, one that don't need to enter into the case. I checked it up myself. That's what delayed me getting here."

The detective's voice held a trace of admiration.

"Gee, Sergeant, you sure work fast!"

"That's the way to work!" he said. Then his eye fell on the canary in the huge cage.

"Say," he demanded, "what the hell's the idea of that bird?"

"A very valuable bird," said Lester Leith. "A Peruvian bloodhound-ca-

nary. I was hoping to try him out."

Sergeant Ackley stared at the cage.

"False bottom, maybe," he said.

The detectives shook their heads.

"Nothing doing, sergeant," said Joe. "Every inch of it has been checked."

Sergeant Ackley fixed his moody eyes upon the canary.

"Birds have craws, boys, and maybe there's a fine stone stuffed down this bird's craw. Wring his neck and let's have a look!"

Lester Leith's voice suddenly became ominous.

"Sergeant, I've let you ride roughshod over my rights long enough. If you take the life of that canary, I'll have you arrested for cruelty to animals, and, by George, I'll spend a hundred thousand dollars prosecuting the charge! That's a very rare species of canary, and very delicate. It's worth thousands!"

Sergeant Ackley's face broke into a smile.

"Now," he gloated, "we're getting close to home. Pull that bird out here and let's see what he's got inside of him."

One of the detectives was more humane.

"We've got the house physician's X-ray machine," he said. "We can use that just as well, and then this guy won't have any squawk."

"Okay," said Sergeant Ackley. "Give 'm the once-over."

The bird was held under the X-ray. The result was the same as the rest of the search — negative.

"All right," said Sergeant Ackley, "we've solved the Cogley murder. That's a good night's work. Let's get home, boys, it's getting along —"

He fished mechanical fingers in his watch pocket, then let his jaw sag, his voice trail into silence as those searching fingers encountered nothing.

"My watch!" he said.

The men stared at him.

His hand darted to his necktie.

"And my pin! Good heavens! What'll my wife . . ."

He paused.

In the moment of tense silence which followed, Lester Leith's drawling voice carried a cryptic comment.

"I'm glad the young lady has an alibi," he said.

Sergeant Ackley's face purpled.

"Shut up!" he bellowed. "I remember now, I left my pin and my watch on my dresser at home. Let's go, boys. Get out of here. Leave the damned slicker and his canary!"

And Sergeant Ackley pushed his men out into the hall, showing a sudden haste to terminate the entire affair.

Edward H. Beaver, undercover operative of the police department, detailed to act as valet to Lester Leith, suspected hijacker of stolen jewels, held up a grayish feather between his thumb and forefinger, and stared reproachfully at Ackley.

"I told you, Sergeant, that he never did anything without a reason. That canary, now . . ."

Sergeant Ackley banged his feet

down from the desk. His face was distorted with rage.

"Beaver, you're detailed on that suspect. You live with him, hear everything he says, know everything he does, and yet the guy keeps pulling things right under your nose. It's an evidence of criminal incompetency on your part."

"But," interpolated the spy, "I suggested this about the canary before, sir. I suggested that the solution of the whole affair might be . . ."

"You're all wet, Beaver. I even X-rayed the blasted canary. He couldn't have had a thing to do with it!"

"Yes, Sergeant," said the spy, meekly, a little too meekly, perhaps; "but I found this feather in the bottom of the cage."

"Well, what of it?"

"It's not the color of the canary, sir. It's not a canary feather."

Sergeant Ackley stared, his eyes slowly widening.

"Well, what sort of feather is it?"

"I had it classified at the Zoo. It's a feather from a pigeon, one of the sort known as a homing pigeon. It's barely possible that covered cage contained half a dozen homing pigeons, besides the canary, trained to go to a certain particular spot immediately upon being released. And then Lester Leith could have picked out a dozen of the most valuable stones, slipped them into sacks that were already attached to the birds' legs, tossed the birds out of the window, and then later on, gone to the place where they had flown and picked up the diamonds. After all, we have no assurance except what Leith said that the cage contained *only* a canary. The cage was always covered. It may have contained homing pigeons, and . . ."

Sergeant Ackley glowered, bellowed his comment.

"Well, that was your business! You're a hell of a spy if you can't tip us off to what's going on!"

"I warned you, Sergeant, that the canary was the key to the crime. But you overlooked the bird in the hand to go chasing off after . . ."

Sergeant Ackley's chair scraped back along the floor as the big bulk of the sergeant got to its feet, as the sergeant's face glowered down upon his subordinate.

"That'll do, Beaver! Your suspicions are absurd, your statements incorrect, and your deductions too late. This department is interested in getting results, not in diagnosing failures. Get out!"

"Yes, Sergeant," said Edward H. Beaver.

"And keep your mouth shut, Beaver!" warned the sergeant as the spy's hand was on the doorknob.

The retort was a grunt, inarticulate, but hardly respectful.

Then the door banged.

Sergeant Ackley raised a hand to his necktie. His fingers caressed the smooth expanse where his diamond stickpin had formerly glistened. That spot was now bare.

Sergeant Ackley's face was twisted into an expression which was neither prepossessing nor pleasant.

OUT OF PATIENCE . . .

by ANTHONY BOUCHER

If you want a receipt for a popular mystery
  As it appears all too often today,
Take all the critical comments most blistery:
  Use them as guides, and you'll make murder pay.

Hardness of Hammett, but not his morality;
  Style out of Chandler, with none of his power;
Tempo from "Black Mask," without its vitality;
  Gags out of Latimer, turned slightly sour;
P. I. lone wolf with incessant hot-pantism;
  Violent beatings which leave him intact;
Talk about "justice" to cloak vigilantism;
  Magnums of brandy which leave him unswacked;
Night clubs and gangsters and blackmail and Mafia;
  Dope and stag pictures (with no fill at eve);
Plot watertight as is child-woven raffia;
  Same old solution a fool can perceive;
Footnotes that Kinsey decided to bowdlerize;
  Cases Krafft-Ebing regretfully cut;
Corpses as cold as the snow a Swiss yodeler eyes;
  Wenches as hot as a rhino in rut;
Late Adolf Hitler for pure Nordic snobbery;
  Popeye (Bill Faulkner's) complete with corncobbery;
G. L. K. Smith for contempt of democracy;
  Rasputin for rankest religious hypocrisy;
Touches of Hemingway gone to the bad;
  "Venus in Furs" and the Marquis de Sade . . .

Add to these elements nothing deducible,
  Melt them all down in a pippin or crucible;
Set them to simmer, but leave on the scum,
  And a fast million books is the residuum.

Rhys Davies has been called "one of Great Britain's finest prose artists." The London Times described him as "seemingly the most spontaneous of story-tellers. He has a beautifully free and limpid narrative flow, in which richly humorous insight into character deepens into a poetic apprehension of the commonplaces of human experience."

We don't think you will disagree with the London Times when you read Rhys Davies's penetrating and shuddery account of a big sunlike woman, luxuriantly tropical, who looked like a prosperous barmaid — "the good, healthy, middle-class heart of a country, well-off and assured, the daughter of a successful civilization." But what made this particular woman so prosperous, so self-assured? Ah, that is for Mr. Davies to reveal. But surely there is no doubt that there are women who exert a fatal fascination for those poor men "who in whimpering loneliness prowl about the edges of other people's happiness."

THE TRIP TO LONDON

by RHYS DAVIES

MAGNIFICENTLY SHE TOOK HER seat in the compartment, a fine sunlike woman simmering with well-being and physical vigor. The atmosphere of rich profusion she brought with her was accentuated by the shower of travel comforts she dropped to the seat — glossy magazines, sweets, cigarettes, bags of fruit. A luxurious fur bristled over her Amazonian shoulders, her hands sparkled with rings, a dazzling brooch lay in her bosom. At first glance she looked like a prosperous barmaid of the traditional good-hearted type. She was about 40, though her complexion was a young girl's.

No one could remain neutral or indifferent in her presence. She was of those who are the first to break up the cautious silence of a railway carriage. "Well," she exclaimed, settling, "that's over! I always enjoy a trip to London but it's nice to be going home again. A week of it is enough for me. . . . And the money!" At this last exclamation she bared her eyes in mock terror. They were unexpectedly black and small. And in them was a momentary whip, a flicking out of something baleful. No doubt she could be a fury when roused.

She opened her glossy handbag, took out a black cigarette case and a lighter to match. Everything looked new and shining — the handbag, the fur, her clothes, the rakish hat

perched on the freshened blonde hair. "The things I've bought! I run wild in shops, that's fact." Her gaze kept on darting as if expectantly towards the platform.

"You ladies," jocularly remarked the tall man, "go rampaging in the shops, while we men, God knows why, kill ourselves making what goes into them."

"I never bring the wife to London if I can help it," said the stout man lugubriously. "There's nothing you can't get at home at half the price."

"Oh, you men!" she glowed. "Always wanting to tie us up at home, so mean."

And, still smoking a cigarette, she opened a packet of sweets and popped a piece of Turkish delight into her mouth. Then, delving again into the crowded handbag, she extracted a lapis lazuli case and unnecessarily powdered her nose. There was something released and holiday about all her actions. She was a pleasure to watch.

A man had kept on passing the shut door. He looked into the compartment yet again, came back, and entered. He was slight, middle-aged and of respectable appearance, neatly dressed, and with a narrow indecisive face. He settled himself nervously opposite the big sunlike woman. She took up one of her magazines and flicked over its pages. At the same time she was saying to the stout man, giving him a challenging dart from her eyes:

"But thank goodness *I* can't be kept at home any longer. I'm a widow and I live alone. I've got a cozy home but I won't be locked up in it any more. I go out enjoying myself in the shops, money though it costs."

The newcomer had the disadvantage of entering a compartment where the other three occupants had already made amiable contact. But he did not look like a person who wished to join in the friendliness. Except for the jumpy face he was nondescript. He seemed a man who wished to dwindle out of notice. Yet he kept on looking at the woman in a kind of half-hidden anguish. She radiated such full pleasure in her secure place in the world.

"Why is it," the tall man still jocularly mourned, "we men sweat to make money only to let women treat it like water?"

She bustled enjoyably. "We women want to know why too, you see!" She put her head on one side, her black gaze darting balefully at him. "Perhaps it's because there's not enough in men to please us, and we've got to have something else. . . . I bought a silver cake stand in Regent Street," she went on, inconsequent, "though I've got two already."

"It's queer," lamented the tall man, "but men do get fascinated by a woman that spends his money *ad lib* — yes, fascinated, like they say a bird does by a snake."

"Women," she pointed out, "got their advantages for you, haven't they? We soothe you; don't we give you home comforts, don't we put

you poor cold creatures to sleep nice and comfortable?"

And her splayed fingers, with a languid ladylike gesture, took another sweet. She then vivaciously changed her magazine and pretended to peep at the pictures. Not once did she look at the slight wincing man sitting opposite her — perhaps because he rarely moved his eyes from her face.

It was true that she subsided into silence for quite a good part of the two-hour journey. But it was a silence radiating a tropical liveliness. Continually she smoked, ate, or passed rapidly from magazine to magazine. Her strong but soft-looking jaws, ceaselessly obliterating sweets, moved rhythmically as the train's wheels. Now and again she placed a hand, blind in its plump fleshiness, on her bosom and fumbled for the large brooch dripping with blue, red, and lurid green clusters of imitation jewels.

The two men who had conversed with her rustled newspapers in clouds of pipe smoke. Married-looking and matured, they glanced at her now and again with a wary pleasure, delighting in but critical of her rich spread of gewgaws, eatables, and frivolous women's journals. But the other man, slunk so wornly in his corner, still did not spread himself with this satisfaction. Behind the spellbound gaze of his eyes he appeared to writhe in apprehension. He gave off an atmosphere of one who in whimpering loneliness prowls about the edges of other people's happiness. But still she did not look at him.

"I went to the Zoo," she prattled suddenly. "I saw the lions and tigers. They're pretty."

"Pretty!" repeated the stout man in surprise. "Do man-eaters look pretty?"

"I daresay," flirted the tall man, "you find men are more like kittens than like lions."

"Oh, I don't know," she smiled luxuriantly. "I've only been married once. I lead a very quiet life. A shopping trip to London, that's all I get out of life now."

The slight man opposite her listened to this with an awareness wistful in its intensity. Why did he not join in the conversation? Was he defeated by some hungry shyness, waiting for her to look at him and to part that pink mouth in a smile for him alone? She did not do so. Instead she ate the last of her victuals — a most expensive-looking hothouse peach. She bit into its golden and rosy flesh with a relish at once greedy and delicate, dabbing at her chin and lips with a chiffon handkerchief.

It was too much for him. He closed his hypnotized eyes at last, he seemed to squirm down into himself, utterly routed.

"Well, we're drawing near," she gurgled. "Home! Oh, I'm looking forward to my own fireside. . . . Drizzling rain as usual. Sooty too," she said, not without pleasure. "I must say it's nice to smell a bit of our own city soot."

Out in the autumn dusk lay the factories, the lurking smoke, the crush of dwellings, and the great black roads. There were the grunting iron-chested engines, the chimney stacks, and the stern concrete yards. Out there was work and the day after day monotony. . . . But she, she would shine and sparkle over these things and obliterate them. The train glided to a standstill. She arranged her fur, stepped out with quite a curt *Good evening*, and refused a porter for her suitcase. And all light seemed to leave the carriage.

The slight man roused himself, jumped. Suddenly he hurtled himself out of the carriage and hurried down the platform, a chiffon handkerchief in his hand.

"You left this handkerchief behind." There was a little nervous yelp in his voice.

She bent her glowing head down towards him; she smiled. And in her black eyes leaped that little whiplike flame. "Now that's kind of you! . . . You're the quiet gentlemen that sat opposite me. Did I disturb you? I'm such a chatterbox."

The station's black façade towered over them like some entrance to the underworld. They stood there in its gritty maw. It was the final, the frightening and agonized last moment. He said in a vanquished yelp: "Can we take some refreshment together?" A tram car clanked and screeched somewhere. People sped blackly through the drizzle. A faint odor of violets coming off her, she bent her head to him again. She smiled, fully and glitteringly.

It was then that he saw, in the whirring lights of cabs and buses, that she had two rows of dead-white false teeth. Somehow — perhaps it was because of their cheapness — they gave him courage. "Please do," he wheedled, but with decision. "Look, we can go in there! They have a quiet lounge, very select."

"I don't mind if I do," she said comfortably.

They sat under an immense palm, on bony tubular chairs before a table of beetroot-colored wicker. A melancholy old waiter brought her a port, him a whiskey. Two dahlias were purply dying in a vase between them; two commercial travelers, the only other customers, held bored conference on stools at the bar. He said: "I don't mind telling you, if you don't mind listening, that I've fallen for you."

"Now then!" she tittered. "That's not how a man of your sense should speak. . . . But perhaps you're a bit lonely —"

"I am," he replied, his fingers beating a tattoo on the table. And he launched at once into particulars of himself. He was an agent for manufacturing engineers and was often away from home. He was unhappy with his wife and she with him; they hadn't spoken properly for months. She didn't care a scrap what he did. There were no children. He was sick to death of his monotonous work; he had a bit of money put by. But

he never mentioned his name or where he lived. The commonplace recital was jerked out anxiously, but it sounded like truth.

"You want to take a holiday from your troubles," she said kindly. "You're not well, I can see. It just shows you that money can't buy everything."

She seemed to bend over him in amplitude, gather him up, and at the same time obliterate him in the wealth of her bosom. For, strangely enough, his achievement in getting her to sit there with him sociably did not solidify him. He seemed to wilt, under the sprouting palm, though when ordering drinks he was lordly enough with the waiter padding about vaguely on his slouching old feet.

She met him by appointment the following evening in the city, having formally invited him to supper. But she had told him he would never find her house alone. And they must arrive after dark; the world was so full of unjust tongues. He was not allowed to take a cab even tonight. The tram car was almost full; she would not let him sit with her. The tram lines ended in a desolate half-built housing estate which seemed bitten rawly out of the land. A faint uneasy scent of the open country blew round the unlit corners.

He followed her down a new asphalt road. Unfinished houses loomed on either side. A steam roller, red light on the ground before it, stood massive; the road ended with abrupt finality. There seemed no more houses or people. She waited and, slinking and shadowy in his dark overcoat, he drew abreast with her.

"We can walk together now," she whispered. "We've half a mile to go yet. . . . I warned you!"

"I don't mind," he said doggedly.

"They're spoiling the country," she prattled. "When I was a girl I used to come out here picking blackberries. . . . Still, it all makes money. I've been thinking of taking a little shop on this estate. But it needs a bit more capital than I've got."

At the bottom of a dropping lane edged with iron railings and withering thorn bushes they came to a dim stretch of country smelling of marsh and dank vegetation. "There's ponds here," she said. "Some of them are deep. . . . It's not far now. My husband owned land down here; a pity it wasn't up on the estate — I would be rich now." For the first time there was a hard rasping note in her voice.

They had passed a couple of dark, silent bungalows. The marshy odor, of reeds in rot and stagnant autumnal water, was not oppressive. In summer the place would sprout in steamy florescence and the air would be like jelly. A distance beyond the ponds a road hummed with cars and lorries; it was the main highway. "You can get buses there," she said. "This lane leads out to it between the ponds."

"The whole of England is cut up," he yelped. "People and noise are

never far off. Roads, roads everywhere, and networks of wires above. It's a regular web."

"There are quiet corners," she answered, in a soothing way, "where you can still rest peaceful. . . . There's my house."

Unlatching a gate she went with her full-rigged assurance across a garden. An earthy smell of many chrysanthemums hung in the dark. The low moaning hum of the cars had taken away the sense of lonely isolation. A dog barked. The dim house looked like a Victorian villa, brave in its aim at grandeur. There was a deep porch above a flight of steps flanked with urns.

"You'll be ready for your supper," she said. "I've laid it."

She opened a dark door . . .

"I always say," she smiled, "that a trip to London does you good."

She looked out of the cab window into the wintry afternoon street. At a traffic stop the soft yellow illumination of a jeweler's window changed her happy gaze into a childishly greedy snatching. "Oh!" she cried, "all that gold! . . . People are rich."

"My trip's done *me* good, anyhow!" said the man beside her. "When I said to myself on the ship, 'I'll be in London for Christmas,' I didn't think I was going to get such a present as meeting you."

"Oh," she expanded, "am I a present? I began to think I was an expense to you. . . . I do feel mean," she added, in pouting self-reproach, "but you understand, don't you, that I'm not a woman like that?"

"You're a *friend*," he said, loyally and with simple submission. "I'm no great shakes as a chap, I know — only an old crock from the tropics. I don't expect more than friendship, see!" His round wondering face, like an oddly matured adolescent's — for he was well into middle age — was pasty and flaccid. The tropical sun had not made him lean and wizened; it had only demolished hard bone and muscle. "When I saw you sitting in that sedate hotel," he went on, "enjoying your meal, I said to myself, 'That's a woman I'd like to know; there's no nonsense about her.' "

"I do enjoy myself," she admitted. Between them on the seat were a number of parcels, paper satchels, and magazines. She stroked her fur coat lovingly. "Oh, I'll have to go careful next year. . . . Seventy pounds this coat cost!" she said in a hushed but gleeful way.

"Why, that's not so bad, surely?" he said with some swagger.

Her black flicking eyes peeped round at him. "Don't you think so?"

Walking down the platform of the railway station, glistening and magnificent in her coat, she said, "But I'm always glad to go home. I'm a woman for my own fireside. I've got a cozy little place, though I say it."

"Home!" he sighed, trotting at her side like a plump schoolboy. "I lost mine when I was seventeen.

That's what made me go to the East. I haven't a single relation left now. I'm just an orphan." A helpless little waif of humanity he seemed, trotting there by her side.

After selecting her seat and dropping the numerous parcels she came back to him on the platform. "Never mind!" she leaned down towards him — "You're coming to see me, aren't you! You promise? And you've got the arrangements clear?"

"Clear as daylight," he assured with damp ardor. "I wish I was coming now."

"Yes, a pity it isn't convenient for me today. But, gracious, tomorrow will soon be here. I'll have a nice supper ready for you."

Doors were slamming. The air quivered with a sense of finality, of farewells and decisive movement. Now she stood leaning out over him from the carriage window. He laid his hand yearningly over hers. She shone down on him from among an odor of carnations. But already her imminent departure was draining him of such color and vitality as she had shed on him in the cab. He wilted in grief and mumbled: "I shan't eat till that supper tomorrow night!"

"Till tomorrow then!" she sang from the gliding train.

There was no one of interest to her in the carriage: three women and the husband — no doubt of it — of one of them. She shut them out of her gaze relentlessly, though all were interested in the splendor of her settling to the journey, the dazzling glow of her presence, the profusion of her trinkets and parcels. Here was the good, healthy, middle-class heart of a country, well-off and assured, the daughter of a successful civilization. She was a nation in herself. Before the train was well out of the station she was eating a rosy Empire apple, brought for her by a laden ship triumphantly cleaving the seas of the world.

Presently she took from her handbag a folded newspaper bought in the London hotel. It had been published in her native city. And she read again:

DISAPPEARANCE OF LOCAL MAN

Concern has been expressed at the disappearance of Mr. James Waite of Hill Avenue, who has not been seen or heard of for two months. His wife, Mrs. Hilda Waite, fears he has lost his memory and states that her husband, a highly respected member of a City firm, suffered from a slight nervous breakdown some months ago, due to overwork. The mystery is complicated by the fact that when last heard of, Mr. Waite drew from his bank two substantial sums of money within a week. The missing man is aged 47, of slight build and medium height. Anyone who may have information of him is asked to communicate with the Central Police Station.

This is the second disappearance of local businessmen in recent months. The case of Mr. R. Tibble, a loyal and highly esteemed member

of a well-known hardware house, will be recalled. Mr. Tibble has never been traced.

Suddenly it was as if a thunderous cloud passed over her face. She looked up, her black gaze thrashing across to the man sitting by his wife's side opposite her.

"This carriage is a nonsmoker!" she reminded him haughtily.

"I beg your pardon," he said, and put out his cigarette.

Opening a paper satchel she selected a piece of Turkish delight and passed on to other items in the newspaper. Shortly afterwards she began nipping into the many magazines strewn beside her. A blank silence, decreed by her, reigned in the compartment.

The wintry dusk was closing. Through it the train hurled its way to the industrial city whose toiling men and machines manufactured so many of the necessities of modern comfort. But she, she was taking to it warmth and seductive colors. She looked mollified now, reposed in her grandeur of flesh. She ate sweetmeats, grinding them rhythmically in her soft but powerful jaws. She shut herself in her luxurious fur coat, ignoring the other passengers again, never once offering magazine or sweet to the other women.

They, neatly turned out in unremarkable garments, eyed with distrust this dynamo in the corner. The hand of the wife stole in protection to her husband's and patted it — perhaps to soothe him after the snub he had received. For he was certainly looking uneasily roused.

An unusual and "different" story by the author of LITTLE CAESAR, *one of the modern high-spots in the field of crime writing . . .*

NOBODY'S ALL BAD

by W. R. BURNETT

I'M CONVINCED THERE'S A HEAP OF nonsense wrote about this here so-called Golden West. I ain't what you'd call a reading man, but since I been old and infirm, as you might say, I been kind of doing some perusing, and I don't find no truth in books nohow. Leastways in books I know.

Take these here Western novels now. Hogwash! Plain, unadulterated hogwash. There's always a vilyun black as ink, and a hero white as snow, and a sweet little schoolmarm or sech a matter in the offing, as you might say, and that there's a Western novel. Even a Mexican'd laugh himself sick. I'm telling you, life in this here Golden West didn't go by no formulas. It was a lot better and a lot worse than most people knows about.

Take that Lincoln County War where Billy the Kid done his high, wide and handsome riding. Let one of these here writing fellers take it up and what do you reckon he'd make of it? A massacre or a holy war, yes, sir, and Billy the Kid'd be a poor misunderstood angel or a demon with a forked tail, spitting fire. 'Tain't in the cards that-a-way, gents. 'Tain't all one way or another; it's mixed. Howsomever, that ain't what I starts out to say. I starts out to tell you about Billy the Kid.

Well, personally, I could never see nothing to get excited about in this here Billy the Kid. Good enough boy, as they grew 'em out here in them days, and as fine a shot as ever used a six-shooter. Kind of a bashful-acting boy, somehow, though he was always a-laughing and a-kicking up his heels, as you might say. Nerve? Yes, sir; that boy had nerve and lots of it. But still there was a God's plenty of men with nerve in these parts, gents. It wasn't no outstanding virtue like sobriety would have been; far from it. But what I'm getting at is this, even if I am shying away from it like a yearling: the truth ain't never been told about young William Bonney, which was The Kid's name.

The Mexicans around these parts are locoed over Billy, El Cheevito, they calls him, and they talks nonsense and rubbish till it gives an old-timer the bellyache. Good enough boy; but no demon and no angel, that's my contention. Maybe there was a hundred boys in this here Southwest as nervy and as plucky as The Kid, but they wasn't

put in The Kid's circumstances, as you might say, and so you never hear tell of them.

There's a heap of chance in this world. Things goes by chance a whole lot. I'm telling you, and I've seen plenty. How about that time down to old Alex McSween's adobe in Lincoln when the Murphy boys burnt the McSween boys out and peppered 'em with lead when they come through the door? Yes, sir. Old McSween steps out and, bang! down he goes first pop with his Bible in his hand, so I've heard tell; though a Bible was a queer instrument to be a-carrying in the Lincoln County War.

Out steps a couple of more boys and down they go, full of shot. Yes, sir. Then out steps The Kid and his chances was the slimmest of the lot, as there wasn't a feller in the Murphy faction that wouldn't've give his trigger finger to let some daylight into Billy. What happens? Nothing. Positively nothing. They bangs away at The Kid and nary a bullet does he get in his young hide. Nary a bullet from guns fired at ten yards. Now that's chance, gents. You can't make me believe nothing different nohow.

Other day I was a-talking things over with an old messmate of mine and somehow we got to jawing about Billy the Kid and the Lincoln County War. "There's a special Providence looking after critters like The Kid," says this here old longhorn.

"Hell," I says, "your mind must be a-failing."

"Nothing like it," says my old matey. "I'm telling you I know what I'm a-saying."

Then he relates to me how down Tombstone way old Wyatt Earp, and, gents, there never was a nervier and straighter-shooting feller, walks right up to a passel of Curly Bill's rustlers and bangs away at 'em, and them with rifles at fifteen yards a-peppering at him in broad daylight, and never a crease nor a scratch does he get.

"Howsomever," I says, "that's just luck, like filling an inside straight."

"No, sir," says this stubborn old hombre, "some men has got something on their side excepting luck."

And you couldn't make him believe different effen you argued forever.

No, sir. Books ain't telling the truth, and no wonder when an old hombre like my matey begins talking about a special Providence for bad men. An old hombre that's been every place, from Dodge City, when she was a ripsnorting town, to San Francisco; down the Pecos and 'cross the Rio; lived in Tombstone when she was roaring and in Lincoln when they shot a man a day.

I'll tell you a little story being's you got time to listen, and maybe it'll kind of open your eyes about the Golden West, you being strangers, and maybe it'll amuse you some likewise. Effen not, don't stand on ceremony, as Sheriff Brady used to say, but bust right out with yawns. When a man gets old he gets garrulous with the past and no mistake nohow.

Well, when I was a sight younger than I am at this sitting, with black hair and not this dead white stuff, I was working for a man named Riddle over Lincoln way. Riddle was tangled up with the Murphy faction 'count he was in business with Murphy some; but he wasn't no man for wars and did a lot of lamenting about sech goings-on; a peaceable-like man. But in them days effen you lived in Lincoln County you was in the war whether you liked it or not, as you might say. Neutrality was looked on by both parties as a sight suspicious.

Howsomever, Riddle never actually got in any of the ructions till one day he was over in Lincoln and bumped plumb into The Kid, who was coming out of a bar as old man Riddle went in.

"Asking your pardon," says old man Riddle, who didn't know Billy the Kid from Lucifer.

The Kid laughed and batted him one with the flat of his hand.

"That'll learn you to go around asking pardons, you old snake," says The Kid. Then he turns his back and goes on calm as you please.

That was Billy the Kid, turning his back on a man he'd just whacked across the face, which wasn't healthy in them days nohow. Old Riddle, peaceable-like, as I say, just stood there and looked at this blustering kid, who wasn't no more than nineteen nor twenty, maybe less. And the longer he looked the madder he got, so he ups with his rifle and is all for shooting The Kid when a feller of the name of Willis struck the gun from his hands and planted a knife in him.

"Shooting The Kid in the back, was you!" says this here Willis party.

But old man Riddle don't say nothing. He just climbs up on his horse and rides for home, holding his side. Nervy old crow, he was. When he pulls in I was standing over by the corral, whittling or something, and he says: "War is declared for good and all, boys, and we'll fight till there ain't a McSween varmint left in the county nohow."

Then he kind of gets a funny look on his face and falls off his pony. That knife went deeper than he calculated and 'fore nightfall he was a dead cattleman.

Well, we buries him over back of the ranch house. There wasn't no cemetery in Lincoln in them days; they usually just buried 'em where they lay effen it was feasible. And we puts up a board, saying: "Elias Riddle. Killed in the Lincoln County War."

Well, we was some inflamed, being as how Riddle was a good man to his hands, and when his brother come in from Santa Fe to take the ranch over we was r'aring to go, which didn't anger the brother none, as he was a fire-eating kind of feller, noways like the old man. Them that didn't have rifles was supplied by old man Riddle's brother, and he 'lows as how they can start shooting any time.

Lem Cowan was my matey then and a mighty square feller he was,

though apt to get full of nose paint and shoot things up some. He used to be friendly with this here Billy the Kid and rustled cattle with him a whole lot in Old Mexico, but since the killing of old man Riddle he was dead set against him and went around saying he'd pay off that slinking varmint as soon as he got square with Willis, the feller that got old man Riddle.

Well, Lem Cowan sure enough made good on the Willis end of the deal. He shot him so full of holes out on the Riddle range one day that he wouldn't hold water nor liquor neither no more than a sieve. But Lem got sort of overconfident and boastful, as you might say, and one day he ran square into The Kid on the streets of Lincoln and 'fore you could chalk your cue he was shot by The Kid, who shot first and talked afterwards. The Kid could pull a six-gun and shoot accurate 'fore you could get your hand towards your gun. He was sure hell for quickness.

Well, some Murphy boys took Lem into the Murphy store and propped him up on the counter to die, but he didn't die none, which fooled everybody, including himself, and when he got a little better they moved him out to the ranch and put him in the bunkhouse.

That bullet had sure raised the devil in Lem. He couldn't sleep nor eat for thinking about that Billy the Kid person, and him and the new Riddle boss used to spend hours in the bunkhouse a-taking turns cussing The Kid and 'lowing what they'd do to him. Well, the rest of the hands was a little lukewarm about the matter by now, and wise they was, though I'm including myself in that category. What was the sense in a bunch of cowhands getting themselves shot up over a fight that didn't pay no dividends to them neither way?

'Course they got pretty riled up at first over the killing of the old man, but time sort of dulls things and as they begin to forget about the old man tumbling from his saddle and all, they begin to think more about their own hides and less about shooting things up. As I say, I was lukewarm. I was saving my money, figuring I'd go a-prospecting over Little Mesa way, and I was aiming to keep from getting planted effen I could help it. But this here devil of a Cowan, flat on his back in the bunkhouse, called us 40 kinds of cowards and he had such a lashing tongue and such a way with him that it wasn't long till we begin to get all het up again, being young fellers and warmblooded and not particularly relishing being called cowards nohow. But we was playing in luck 'cause things kind of settled up without us horning in.

One evening up rides a Mexican of the name of Romero, or some sech name, all shot up and bleeding, and he says that Billy the Kid has been run out of town, that McSween is dead, that the troops is a-camping at the edge of town, and that the Lincoln County War is practically over. We take the Mexican back to the

bunkhouse to palaver with Lem and get himself tied up and respectable, and we lights out for town.

Sure enough what the Mex says is right. The Murphy boys have done burned old man McSween's house down and killed him, which is a pity, as he was a decent, God-fearing man, effen he was a lawyer, and two or three of the McSween boys is stretched out in the street, dead as might be, and these here Murphy boys is drunk as loons and sashaying and capering about among the dead like a passel of Apaches. Well, we stayed to watch the excitement, being's we had been pretty quiet of late and longing to work off our energy some place, and then we rides home, singing.

Might be a week later, gents, and we're still a sight joyful over the end of the Lincoln County War, and riding in from town full of nose paint and contentment. It was a mighty fine night with a full moon and a nice breeze, and we was just kind of idling along, when up the trail comes some feller, hell bent for election, rides past us like a cyclone, and yells: "Ketch me, you sons-of-guns. I'm Billy the Kid, and I'm looking for excitement!" Well, he got it. We all blazed away at once with six-shooters and rifles and down went his horse, but up he got and 'fore we knowed what the play was he'd winged two of our horses, including mine, and had vanished, clean vanished, gents, like as if he'd flew away.

I was so cussing mad I extricates myself from my horse, which is kicking up a big fuss and getting ready to die, and starts after The Kid. I hear him thrashing his way down a hillside where he'd vanished and I bangs away at the noise, then goes after him.

Well, the boys shout for me to come back and raise almighty hell yelling and whooping in that quiet night, but I'm that mad and locoed 'cause I lost my pony I don't know a thing excepting to get the brazen varmint that done the shooting. I'm getting farther and farther away from the boys all the time, and pretty soon I can't hear them noways and all I can hear is a feller running like holy hell and a-thrashing through the brush. I don't know how long I kept hotfoot after that Billy person, but by the time the east began to get light I'd lost him. I was still on the Riddle range but way over to the eastward, and I had heard some talk lately about some Mescaleros that had got disgruntled-like and left their reservation, but that was way off to the south, so I just rolled up in my coat to sleep some 'fore I made tracks for the ranch.

It might have been two hours later or sech a matter when I wakes up with a start, hears some yelling and carrying on, and sees a man hotfooting it down a little ridge not a quarter of a mile off. It's this here Billy the Kid. I can recognize him easy, and he's in a almighty big hurry about something, and I see what it is when a couple of Injuns stick their nobs up over the edge of the ridge. Yes, sir. Here I was right in the middle of that

passel of locoed Mescaleros which had skipped their reservation.

I was cold and chilled, and I wasn't looking for any such ructions this early in the morning. But I seen I was in for it, so I looks to my rifle and yells to The Kid. He sees me and kind of stops and considers for a spell. He ain't in such a good fix nohow. Injuns on one side of him and one of old man Riddle's men on t'other, but blood is thicker than water, and Injuns is Injuns, so he joins up with me, ducking and running.

The Injuns is holding a powwow up at the edge of the ridge and they don't interrupt themselves none excepting to take a pot shot at The Kid or me once in a while just to keep us interested. But Injuns can't shoot nohow and that far away it's plumb ridiculous. Up comes this Billy the Kid, his face red from running, grinning from ear to ear and showing his big teeth.

"How many Injuns is they?" I says.

"Seven or eight," says Billy. "Was that a good pony of yourn?"

"It surely was," I says, "and I don't thank you none for your gunplay."

"I was loaded up with jig-juice," says Billy, "and my blood was up; I'm plumb sorry."

Well, we crawled up into the hills just across from the Injuns and got our backs up against a rock wall and a big boulder in front of us. The Injuns was still powwowing over on the ridge and popping at us every now and then just to relieve their feelings, I reckon, 'cause they wasn't doing nothing but wasting powder.

"Looky here, pardner," says The Kid, "you're a Riddle man, ain't you?"

"I am," I says, "and I been chasing you all over hell and gone."

"Well," says The Kid, grinning, "here I be."

He was a danged ingratiating feller and I kind of took a shine to him.

"Looky here," he says, "let me take that rifle and dust them Injuns."

"Nope," I says, "use your six-gun."

"Can't," he says. "The range ain't right and I dropped my rifle some place or another."

"Pretty careless, ain't you?" I said.

"Right smart," he said and picked up my rifle and was sighting it when I took it away from him.

"Use your own gun," I says. But, gents, effen he didn't talk me out of that gun I'm a shoemaker, and good thing he did, too, 'cause while we was arguing a couple of young bucks started veering off to the right, figuring to flank us, I reckon. Effen he didn't get 'em both with two quick shots!

Yes, sir, mighty good shooting it was and him a-grinning and a-smiling all over his face with his big hat pushed back.

"Good gun," he says, handing it back to me.

Them Injuns 'peared to lose heart, as you might say, after that snap shooting and snuck over, not taking no chances, and picked up their comrades and disappeared over the hill.

Well, we sat there behind that boulder till round noontime, kind of expecting them Injuns to come back or do something and not wanting to walk into no ambuscade, but they never showed up.

"Well," says Billy, "I'm getting powerful hungry and a little water wouldn't hurt none."

So we footed it down across the valley and made Seven Mile Spring toward evening. We just walked along side by side and not saying a word, mind you, but me thinking plenty how I ought to take this desperate character, as they say, and turn him over to the proper authorities. But I don't know. I kind of took a shine to The Kid and, besides that, being's I'm a truthful man and ain't got no reputation to keep up now that I'm about ready for eternity, this Billy person wasn't the kind that you march off to jail nohow and a gun in his face didn't mean much to that hombre; and effen you understand me, I kind of lost my ill feeling toward this Billy person since him and me fought off them Injuns together, yes, sir.

Well, after we'd soaked ourselves with water down at the waterhole, Billy says: "I'm on my way, mister; so long."

"So long," I says.

And there he goes, turning his back on me and walking off as unconcerned as you please just as effen him and me was the best friends in the world and I hadn't been chasing him all over hell and back the night before. At the top of the ridge he looks back and sort of nods, and that's the last I ever see of that so-called bad hombre, Billy the Kid.

Well, gents, that's the last of Billy the Kid in person in this here chronicle but it ain't the last of him in another form, as you might say. It was two hours later and dark; I was hoofing it for the ranch when I hears a sight of horsemen coming across the vega and me not knowing whether it be Injuns, McSween remnants nor what, till Tom Kane opens his big mouth and yawns, then I yells to 'em.

"By God," says Riddle, "we thought you was done for sure enough; been a-hunting you since sun-up."

"I had a brush with some hostiles," I says, "and it delayed me a whole lot."

So Tom Kane took me up behind and we made tracks for the ranch, talking and jesting about them Mescaleros and sech, till one of the hands says: "Did you ketch up with that varmint, Billy the Kid?"

This here hand was just joking, you see. Well, I didn't know what to say, but being, generally speaking, a truthful man, I says: "Yep, me and The Kid stood off a bunch of Mescaleros meaning no good, killing two."

"What!" screams Riddle. "Where is this Billy person?"

"Done gone on," I says.

"Gone on!" yells Tom Kane. "Effen that don't beat all with your matey Lem Cowan still laid up with The Kid's bullet."

"Well," I says, "I 'lows as how

since we fought off them Injuns they ain't no sense nor profit in us being nasty with each other."

"You draws your pay tonight," says Riddle.

Well, I wasn't none too popular around that ranch, gents, as I reckon you can figure out for yourselves. Riddle pays me off and tells me to cut myself out a pony besides 'cause he owes me a bonus, and Tom Kane brings me my saddle that he brung in offen my dead pony.

In the morning I'm out saddling my pony when I see Lem Cowan coming out of the ranch house where he's been sleeping lately 'count it's quiet and he's pale and staggery, but he's got a six-gun in his hand and he says: "I'll learn you to go consorting with that killing varmint, you Judas!" And he bangs away at me, but being weak and shakylike, he misses me by a mile and then the boss comes up and takes the gun away from him and carries him in the house, 'cause he don't weigh no more than a hundred pounds. But he kicks and squeals mighty lifelike.

I gets on my pony right spry 'cause I know that gunplay is contagious, like measles, and I don't want no well men taking shots at me 'cause some of them Riddle boys can shoot.

"Goodby," I says, waving my arms and off I go galloping, hell bent for election.

Well, that's about all of my story, gents, excepting that Lem Cowan and me turns out to be pardners after all and goes a-prospecting together over Little Mesa way and finds the old Red Cougar Mine, where we made our pile. Yes, sir. And Billy the Kid got himself shot up a whole lot over Sumner way by Pat Garrett, sheriff in them days, who used to be his bosom friend, and nobody was a-looking for him to be the feller to get The Kid nohow.

Well, as I was saying, there's been a heap of rubbish wrote about this so-called Golden West. There's no truth in books, gents, and little knowledge in the heads of them that writes 'em. Wasn't a matter of vilyuns and heroes and herowines in these parts.

No, sir. It was all jumbled up so bad it would take God almighty Himself to cut out His own cattle and leave the rest to the devil. Do you see how I'm aiming?

DEPARTMENT OF "FIRST STORIES"

E. H. Reynier's "Cinder City Blues" is one of the thirteen "first stories" which won special awards in EQMM's Eighth Annual Contest. It is a distinguished story to have been written by a new writer. The people and theme of the story are not pleasant — but life is not always pleasant. "Cinder City Blues" takes place in a skid-row shantytown dump — a collection of cold, dirty shacks in the midst of ashes, trash, and garbage; and it deals, directly or indirectly, with such people as bums, rummies, hopheads, scavengers, pariahs, thieves, and assorted black sheep; and all of it — the squalid shacks and the sordid surroundings — lie constantly in the shadow of the City Jail.

The author started out to be a textile chemist. He spent a year in Europe, before the war, studying textile printing. Then in 1942 he enlisted and for the next few years served in Australia and New Guinea. After the war he worked on an aerophysics project, mostly on deserts and mountains, and now he is doing radar research on the South Jersey shore.

None of which really explains why Mr. Reynier is a writer — or, looking at it from an entirely different point of view, all of which explains why Mr. Reynier is *a writer . . .*

CINDER CITY BLUES

by E. H. REYNIER

IN THE DARKNESS OF THAT EARLY morning when Roscoe pommeled Spoon awake, the old man grumbled and he wasn't very pleased, but he crawled out of his bed and wandered in confusion about the frigid stillness of the shack. Roscoe offered a stumbling, evasive explanation of what had happened. Spoon wasn't listening; he didn't really care how it had happened. He bundled up in heavy winter clothing and took his frightened young neighbor to a hiding place.

That was the beginning of a bitter winter day. A low-bred, slobbering monster of a day that belched and blustered in from the sea. Wind clawed the ragged surface of the bay and pushed out brutal little tines of driven sleet to whip the few who were unsheltered. No one was likely to be snooping in the unused sheds and oyster houses on the marsh.

Spoon didn't mind the weather. As his old gray workboat rolled in the chop coming back along the bay

shore, he leaned against the wheel, wearing his age, his low estate, and his irreverence for propriety all with flippant ease. He was shielded from the sharp edge of the weather by a boy's knit hat and a giant's overcoat, and he was preserved from the cheerlessness of the day by a bottle of wine in his pocket.

He eased the boat in toward the rickety dock which stood at the end of Cinder City's only street. The bow dropped sharply as he reversed the ancient marine engine. His mooring line thumped over the piling. The boat nudged its rope fenders dockside.

Mumbling busily to himself, Spoon swung up onto the dock. His eroded face was pleased and responsive as he argued with himself about what to do with Roscoe. But he lost the argument and his happiness drifted off into the frozen wasteland of ashes and trash on which Cinder City was built when he noticed that the police car was parked halfway down the street. As he watched, two policemen came out of one of the shacks strung along the edge of the bay. They entered another.

Police held a place far down on Spoon's scale of values. They walked on cloven hoofs and were followed, always, by the shadow of desolation.

And lower still in the old man's esteem was the broad little lump of a man who stood in the street talking to Sergeant Chibodi. Sharkhook Henry was tarred and tainted: a headquarters' canary, a petty runner with connections in the disreputable City Jail, and a persistent contender for Spoon's authority in Cinder City.

As the old man approached, the Sergeant stepped away from Henry and stood with his big fists on his hips. He was square-faced and jowly, and the raincoat he wore bulged far out around his waistline. Spoon's bleary eyes inspected him from his archform shoes to the little fatpads which held his cap up.

"Ain't there a City Ordinance limits the kind of garbage is allowed on this dump?" Spoon asked.

"None of your guff, Spoon," the Sergeant growled. "I've been waiting for you."

"That's nice." Spoon's smile showed the stubby remains of his teeth and the extent of his disdain. While the two cops moved on to inspect another shack, he glanced sourly at Henry, who was edging in to listen. "You boodle grabbers expect to find something worth stealing out here?" he asked.

"There's a rumor floating downtown that you could tell us where Roscoe Turner's at," Chibodi said.

Spoon looked up at the big cop, guileless and amused. "God help you when you come to get your sins forgave, Chibodi," he said. "Roscoe's just a big, dumb kid. His mother was a halfwit and his old man hadn't sense enough to tell. You going to raise a fuss because he sneaked out of the jail a couple days before he was due to get tossed out?"

Chibodi frowned down at Spoon's

good humor. "Yeah," he said. "I'm going to raise a fuss, and I'm going to have lots of help. Roscoe knifed a matron on his way out. She died."

Spoon blinked. He rubbed a gnarled old hand across his face. It left an unhappy twist behind it. "She died." He repeated it flatly. "I never knew prison matrons did die. I thought they dried up and sifted away through the cracks in the floor."

There was no humor in it. Spoon was qualified, at any time, to judge the degrees of danger from authority. A petty thief missing from the City Jail would add little to the galling burdens which backs like his had to bear. But murder would be charged against them all. Spoon scuffed uneasily at the sleet-covered ashes.

"I was hoping you'd tell us where to find him," the Sergeant said. "You're the one he's most likely to come to for help. I'd hate to think you'd give him another chance. Roscoe's a murderer."

"Roscoe ain't a murderer, Chibodi," Spoon objected. He stared along the forlorn line of shacks, dim and cold-looking in the day's thick weather. "There's some parts missing out of his head, but he ain't no more a murderer than me."

"Anybody's a murderer who's killed one single person," the Sergeant pointed out. "Even if she was a police matron."

The two cops who were searching came out of the last shack. Chibodi waved them back to the squad car. "We'll get him," he said. He walked a few steps toward the car, then turned back again. "And if I find a half a hint that you've been hiding Roscoe, I'll have you evicted and committed to the county home within twenty-four hours. And all the courthouse bums who've been saving you from it the past ten years won't raise a finger to help you."

The old man's venomous hoot of derision followed Chibodi as he turned away. "You ain't getting me committed nowhere. Not you, or all the pointy-headed cousins you can wheedle up from hell. You're a big, fat, puddlegutted freak with the soul of a snake, Chibodi," his voice cracked as he yelled after the departing cop, "and if you cleaned the crooks out of that jailhouse you wouldn't be wearing out your flat feet chasing Roscoe."

"Stop driving so hard at the snoot," Sharkhook Henry advised him. "You'll get us all in trouble."

"We're all *in* trouble," Spoon said. "We got in trouble last night." His glance at the goat-faced little man beside him was cold as the sleet-filled wind. "Or," he stared intently into Henry's beady and ferocious eyes, "do you have a note from your flatfoot teachers saying you're exempt?"

Henry pulled his greasy red mackinaw closer around his throat and reset the barbless sharkhook which pinned the front of it. "I don't need a note to know that snarling at Chibodi won't get him to like this shantytown you think you own. At your age you ought to have more sense."

"I've got sense." Spoon watched Henry toy nervously with the steel sharkhook, burnished and bright from constant handling. "Sense enough to know that throwing a half-wit boy to the wolves ain't the way to keep them out of the yard."

"Roscoe killed her." Henry's thin voice was sharply insistent. "Everybody knows it."

"I ain't so sure I know it," Spoon told him.

Annoyed, Henry stuck his head forward. "I was there when they took the old bag from the kitchen down to the morgue. She had a slash in her throat."

Spoon considered this. "The one who raised the commotion about you peddling dope in the jail?"

"I never peddled dope!" Henry's tongue tangled on his haste to deny the accusation. "I send in a bottle now and then, or nerve pills . . ."

"And clean their socks out in the swindle." Spoon's chin curled upward. He looked away and spat bitterly into the falling sleet.

Henry's knuckles whitened as his fist clamped down on the shank of the shark hook. "What I do downtown is one thing you better keep your pushed-in nose out of," he muttered. "Stick to nursing the skid-row scavengers."

"I'll wet nurse who I think needs it," Spoon told him. "Just be careful I don't start on you." He grinned broadly as he turned his back on Henry and walked to his shack. He let the door of the shack blow shut against his back, and his shoulders sagged beneath the weight of his sodden overcoat. He wondered whether he was letting Henry maneuver him into a pit he'd never get out of. Spoon knew the signs; he'd been through it all before. Henry itched to be the boss man in Cinder City.

The old man shook his head in weary determination. He had no intention of seeing his shantytown turned from a haven for the black sheep and pariahs of the community to a warren of thieves and degenerates.

Muttering, he took off his hat and his overcoat.

The house, like all the rest of Spoon's environment, was ramshackle and inelegant. It was framed with driftwood planks and roofed and sided with tin and linoleum from the dump on which it stood. But it had, beneath the garish scraps and patches, the same adequacy as its owner. It was all the shelter a man really needed.

A table, a dresser, a white iron bed piled high with grubby-looking comforters stood on raked cinders. An oil stove stood crookedly in a back corner, its reservoir perched on a makeshift stand beside it.

Spoon lit the stove and set his coffee pot over the burner. While the lapping, sloppy flame reached out to mull the chill from the shack, he changed to dry clothes.

The coffee boiled over. He filled an agate cup, half with coffee, half with wine, and returned to sit on the edge

of the bed and dunk stale bread in the hot bellyboiler. Sleet clattered on the roof like angry fistfuls of beans. Spoon slurped his breakfast slowly, picking at the deepest warts and pimples of his life, wondering what to do.

Spoon was a reasonable man, more honest with himself than with the world around him. He knew Chibodi liked and respected him — just as he liked and respected the fat sergeant. But he also knew that Chibodi had meant his threat. The Sergeant could have him committed to the county home, and Spoon would go. They would make him go. They would rent him out to the professional keepers of the indigent and he would be delivered in a mean and useless wrangle.

It would be a bitter and a graceless time. Cinder City would bow to Henry, Roscoe would burn, and Spoon would be helpless to change it.

He heard the door open and looked up to see the cause of the day's trouble sidle in. Spoon shoved the wet knob of bread into his mouth and wiped his dribbling chin. "Roscoe," he mumbled through the mush, "your brains is in as bad shape as your luck. Neither of them's worth spit. Whyn't you stay down in the oyster house where I left you?"

Bareheaded, bald and ugly, and dressed in scavenged clothes, Roscoe hung his head in embarrassment. The childish smallness of his nose and mouth and eyes made him look featureless. A welt ran from his chin to his ear, sore and angry-looking on the pasty gray flesh of his jaw.

"I seen the police car go out," Roscoe said. "I didn't know if they took you. I was afraid you'd leave me freeze down there."

"Get back in the corner behind the bed so you can crawl under if anybody comes. Maybe you should have froze," Spoon added, getting some bread and coffee for him. "I didn't figure on you lying to me."

Roscoe squatted on the floor behind the bed. "What'd I lie?" he asked.

"Who learned you to knife women?"

Roscoe didn't answer. He was pulling a comforter down to cover himself with.

"Come on—talk!" Spoon demanded.

"She come at me with a billy," Roscoe answered slowly. "I don't think I hurt her."

"You killed her," Spoon told him.

Roscoe gaped and drew back into his corner. He pulled the comforter over his head. "I don't know what happened, Spoon," he said. "It's Chibodi should have got killed."

"You didn't kill Chibodi. You killed some old woman you never seen before."

"It's Chibodi's fault. He didn't have to take me in. All I was doing was picking over some trash."

"Chibodi warned you often enough not to dump people's trash cans in the street."

"You on his side, Spoon?" Roscoe asked.

"He's a cop. He acts like a cop is supposed to."

"You're on his side, Spoon," Roscoe decided.

Spoon leaned over the foot of the bed to look down. "You better start to use what little bit of sense you got, Roscoe," he said. "When you drink your coffee on the city dumps, you ain't expected to have a front-pew point of view. There's rules. You tangle with that fat cop any place around here, and this whole shantytown would be sunk in the bay a couple hours after."

"You don't want to help me, Spoon."

"I'll help you all I can," Spoon said patiently. "But there's others live here. If you're set on getting out of line, they come first."

"If you wanted to help me, you'd go see the judge," Roscoe grumbled.

Spoon stared indignantly at the lumpy mess behind his bed. "You going to do what I say? Or you going to tell me what to do?"

"They going to electrocute me, Spoon?"

"If they prove you killed that old woman, your chances ain't good."

"She come at me, Spoon. She hit me."

"What'd she come at you for?" Spoon asked. "Why wasn't you locked up?"

"I was working in the kitchen."

"Working in the kitchen is a gravy train that don't come free in the City Jail. How'd you get it?"

"They sent me there to do it."

"Who fixed it?" The old man barked the question.

Roscoe pulled the comforter over his face and burrowed deeper into his hiding-place.

Spoon reached down and grabbed a fistful of comforter. He pulled it from Roscoe's face. "Was you delivering in the jail for Henry?"

Roscoe turned his face away from the old man's hard-eyed anger.

Spoon shook him roughly. "Was you sneaking stuff into the jail for Henry?" he asked again.

Roscoe groaned. "Henry tried to help me," he said.

Spoon grabbed the thin fringe of Roscoe's hair and twisted his head to the light so that he could see the welt which ran across his jaw. "Was Henry there when the old woman got killed?"

"Spoon."

The old man heard his name spoken in a low voice from the doorway. He let the comforter go and Roscoe cowered back behind the bed.

Henry was standing just inside the door.

Henry eyed Roscoe, but it was Spoon he spoke to. "I thought I told you to keep your nose out of what I was doing?"

"I been too many years putting my nose where I pleased to begin aiming it to order now," Spoon said.

"Spoon," Henry's head wagged a threat, "you try connecting me with any part of this business and you won't have no nose."

Spoon's eyes popped with indignation. He took a step forward, pointing a finger at Henry. "You can make up

your mind I'll see that Roscoe don't get credit for something he never done. And," the old man's voice rose as Henry's fist clamped, white and tense, on the shank of the hook, "don't lift that gaff at me or I'll give you a lesson you're overdue to get! I ain't no old woman with her back turned."

"You sound like you was there and seen it." Hatred for Spoon twisted Henry's face. Each word appeared an effort.

Spoon's smile was crude and ugly. "I didn't need to. I been in the City Jail too many times not to know the way it works. If Roscoe was working in the kitchen, I can tell you why. And if that flatfooted old frump got murdered, I can tell you how it happened. . . ." His jaw clamped shut with a clack as the door to the shack swung open.

Chibodi stood in the doorway, raincoat dripping, sleet crusted on his cap and his eyelashes.

The Sergeant's eyes swept about the shack. He pushed the door shut against the slash of wind and sleet.

"How did it happen, Spoon?" he asked. "If Henry doesn't want to hear, tell me."

Henry drew his breath in a noisy gasp. "The old fool's slipped his moorings," he said.

Spoon's arms dropped to his sides as he shuffled over to get between Chibodi and the bundle where Roscoe was hiding.

That wouldn't help, he knew. But he felt helplessly guilty. He could see the glint of triumph in Henry's eyes.

Henry would let Chibodi know where Roscoe was and the Sergeant would take him in for the headquarters squad. They'd work on him till he gave them whatever information the Prosecutor's office required. In the hands of experts Roscoe would shape like clay: he would believe the story himself after a couple of hours' questioning. And everybody would believe it once it was rehearsed. It would set, and to challenge it would be like pounding on a block of stone.

"Maybe you could tell me, Spoon," the Sergeant rumbled, "and maybe you better. Unless you want this whole shantytown shoved right into the bay."

"You can shove this shantytown wherever it'll fit," Spoon's voice rasped, "but you ain't going to pin a murder on Roscoe."

"I'll pin it on Roscoe till I've got reason to think it pins better on someone else," said Chibodi. "It looks to me like she caught him sneaking out of the kitchen and he lost his head and cut her throat when she tried to stop him."

"What was he doing in the kitchen at all?" Spoon bellowed the question. "It's a privilege the jailer gets paid for."

"I don't run the jail, Spoon," Chibodi said. "It's true, that's one of the things there turns my stomach. People like Henry here, who can't get into the jail any more, can still come and go in the kitchen, can arrange for someone like Roscoe to

deliver their bootleg turpentine and purple nerve-pills to swindle the poor jailbirds out of the few measly dollars they've got." His cocked eye dared Henry to make a peep of protest. But then the Sergeant looked back to Spoon and shrugged. "Henry's days are numbered. But swindling rummies and gulling hopheads with dyed aspirin is one thing — and bloody murder is another."

Backed against the wall, Henry pointed an ineffectual finger at the blanket under which Roscoe was hiding. "Roscoe killed her!" he blurted. "It don't help to drag in every little thing you know about. Roscoe is the killer."

"That's the way it looks, Spoon," the Sergeant agreed. "Your red herring adds a bit more smell, but Roscoe's still a murderer."

It would go this way, Spoon knew, all along the line. Roscoe would be defenseless before the set conviction of his guilt which, once it was formed, could never be cracked by either his own dumb witlessness or the angry opposition of an old bum from the City dumps.

He could tell Chibodi how it happened. But telling wouldn't help, Spoon thought. Nothing would help short of beating the fat cop's brains out with some solid evidence. And there was no evidence — none except the welt on Roscoe's jaw, which would be lost and meaningless an hour after the police began to question him.

Spoon scratched at the stubble on his chin and his tired old eyes flickered as he thought of it. His grin grew — flat-mouthed and humorless — holding Chibodi's attention as he snatched for the trailing edge of an idea that had slithered back to hide. He dragged it out again and looked it over.

The grin broadened as Henry pointed again to the corner and Chibodi frowned, trying to understand the byplay.

Spoon spun on his heel, reaching down to the bundle by the bed. He grabbed with both hands and lifted Roscoe, comforter and all, from the floor.

He heard Chibodi's surprised grunt as the comforter slid down and Roscoe stumbled for his footing, blinking in the dimness of the shack. Spoon swung deliberately, full across his body, and brought a crashing backhand to Roscoe's jaw.

The blow knocked Roscoe onto the white iron bed. Spoon caught a handful of Roscoe's coat and lifted him back to his feet.

Roscoe whimpered, knees sagging, hands dangling helplessly at his sides as the old man slashed him across the face again. He fell backward a second time and lay moaning on the bed.

Chibodi jumped, a fist cocked and ready. His fat hand caught Spoon's shoulder.

The old man lurched about, his flat-mouthed, ugly smile and bitter eyes inches from Chibodi's face. "There's your murderer," he squawked. "There's the boy you say is

a murderer. He ain't got sense to lift his hands to protect his face when he knows he's going to get hit! Look at him," Spoon yammered at the fat cop, "and while you're looking, look at the welt on his other jaw — the side *I didn't* touch. Look at it and see if you doubt she caught him smuggling junk in the jail and clouted him cold and got her throat cut by somebody who was trapped there and couldn't get out no other way."

For a long instant Chibodi stared blankly, his grip tight on Spoon's arm. Spoon waited while the Sergeant struggled to readjust his thinking, while his anger waned and was replaced by growing comprehension.

Roscoe's soft sniffling on the bed was hardly audible over the beating sleet. The burble of the oil stove was the loudest sound of all.

Suddenly Henry's heavy shoe screaked on the cinder floor. Chibodi drove backward without looking. The shack groaned as his fat, raincoated shoulder slid in between Henry and the driftwood planking of the door. The sharkhook flashed in Henry's hand.

Chibodi bellowed in pain and anger as the hook dug deep into his left shoulder. He sank to one knee, both hands gripping Henry's forearm.

Spoon bellowed, too — a curdling string of waterfront invective. More nimbly than he had moved in years, he grabbed the back of Henry's collar and yanked. Helplessly caught, Chibodi came, too.

They all tumbled backward across the shack. As they gathered momentum Spoon threw Henry sidewise, and Chibodi, the sharkhook deep in the bone and tissue of his shoulder, whipped around and crashed against the rear wall of the shack.

The wall had not been engineered to withstand such a strain. Chibodi sat down through it, his legs and shoulders inside, the bulk of his raincoated bottom sitting on the ground outside.

Spoon let go and chopped with the hard edge of his hand on Henry's collarbone. Henry pulled the hook free and whirled, crouching, to swipe back. The point of the hook nicked Spoon's throat and Henry spun into a murderous clout from Spoon's bony fist.

Henry's arms waved wildly in search of support. He landed against the oil stove in the corner. He went up over it, his feet high above him, his head butting into the rusty stovepipe. It all came down in an unhurried crash — a clatter of tearing tin, shattered castings, and tumbling cinder blocks. The last of it to tumble was the reservoir of kerosene.

Spoon saw it flicker and explode, heard Henry's snarl and saw Henry's feeble kick. Like a jinni let loose, it filled the hovel. The tiny place was alive with fire. It billowed up as he tumbled away from it.

The fire exhausted the oxygen in the little shack and flattened down to snap and flutter at the meager bits remaining. In the wavering light of the flames which fed wherever bits of

air were trapped, Spoon saw the hole where Chibodi had been blown through the back wall.

The room detonated a second time. It boiled and seethed around Spoon as he grabbed one of Roscoe's ankles and headed for the door. He cleared it through the black oil fumes and reeled a few feet through the freezing slush, dragging Roscoe behind him. With one last tug at Roscoe's wriggling ankle, he stopped and tottered.

Chibodi skidded around the corner of the shack with one cuff of his trousers burning as Spoon hit the cinders. The big cop's raincoat enveloped him as he rolled.

Cops have thick skins and hard skulls, and cops' love for shantytown idiots and waterfront bums is limited. But there was no note of callousness in the clamor Chibodi stirred up to get two of them moved from the dumps. The streets quivered with the echo of Chibodi's boorish bellowing.

The echo was diminished but far from dead when the Sergeant waddled painfully into the ward where Spoon lay.

The old man saw him coming. He sat up in the bed, a cotton cocoon with a grotesquely smudged and blistered face. His eyes brightened as they inspected the sling on the Sergeant's arm and the way his jacket bulged over his bandaged shoulder. "You better start taking better care of yourself, Fatso," he said. "You're getting awful lumpy and lopsided."

"Save the guff, Spoon," Chibodi growled. "I just spoke to Roscoe."

Spoon's interest sharpened. "Did he get burned bad?"

"He's like you," Chibodi told him. "Too thick to burn."

Spoon pawed at the bedcovers with his bandaged hands. "I better go see him," he said, "and explain why I slugged him."

"Roscoe can wait. He knows you didn't mean him any harm. Anyway," the Sergeant watched the nurse straighten the blankets on the bed, "he's pretty well in the clear. We checked the coroner's report. The matron's throat wasn't cut. It was torn — like with a sharkhook. With Henry dead there won't be any case. Roscoe will come out all right." He hesitated a moment before he said, "You'll have some questions to answer, Spoon."

The memory of the Sergeant's threat to evict him nudged vaguely at Spoon's mind. "Chibodi," the old man's smile showed the stubby remains of his teeth, "you're a —"

"Shut up!" The Sergeant's fat hand was raised defensively before him. "There'll be a hearing in a couple weeks about the way the City Jail is run. I told the Prosecutor to list you as an expert."

Spoon's flat-mouthed grin followed the Sergeant. "That's nice, Fatso," he called after the departing cop. "Between you and me and Roscoe, we'll pull the boodle out from under all your pointy-headed cousins."

Black Mask Magazine . . .

THE FOURTH DEGREE

by C. P. DONNEL, Jr.

IT KIND OF FRIGHTENS A MAN WHEN he finds he's losing his grip on himself. That undershot smile Wirth handed me, as I slammed the cell door and he stood there stroking his jaw, drove me stamping out of the jail, and I was shaking like a leaf as I bulldogged my car away from the curb and blazed off down the street. I could hear Dave Tyson, my deputy, yelling: "Hey, Sheriff, wait a minute!" but I kept right on going.

I must have broken most of my own traffic regulations, because I drove blindly. Why I punished myself by squeezing the wheel extra hard with my bruised hand, until I had to grit my teeth and flip my head to shake the tears from my eyes, I don't know — except that it sort of eased the pressure of that big, hard, sharp-edged chunk of Responsibility that was swelling up right under my breastbone. Also, I guess I felt it was crazy wrong of me to have a moment's peace until I'd done something about that look in Mrs. Hesketh Osborne's eyes.

I didn't dare go home, not and see my wife and Ed, Junior, at the supper table, my wife smiling and Ed, Junior, so solemn and proud at sitting in a regular chair, with only a couple of cushions jacking up his fat back, instead of perching in that high chair he'd just graduated from. Why, Ed, Junior, was almost exactly the age of little Thirsy Osborne. They'd had a swell time together on the lawn at the last church party, running around under people's feet, and after they'd got both hands into a plate of jumble cookies, the little Osborne girl had held Ed, Junior's arm just like a mother, when he went around the tree to be sick.

As I shot past the Inn and took the old dirt road around the lake I tried to picture where the Osborne kid was eating tonight — if she was eating — but I had to quit it when the shakes came on again and I knew that in another minute I'd be heading back for the jail to get my hands on Wirth's throat. I'd have killed Wirth with my bare hands, in cold blood, if it would have proved anything. But I've seen a lot of men in my time, and played a lot of poker, and when, in my office, Wirth had picked himself off the floor and said: "I'd be careful, Sheriff. Remember, I'm the one that has to take the money," and added that I'd never break him with any third degree, I knew, although I hated to believe it, that I couldn't make him talk that way.

I twisted the car off the road, bumped down into a clump of alders at the lakeside, and sat there in the cold, staring across at the Inn. Just a few lights, I noted. Funny how you go off the trail when your mind's overloaded. I remember thinking that by Saturday, with the weekend crowd, there'd be four times that many lights. Saturday? Why, the Osborne kid would be dead Saturday night unless — and here the lump in my chest really made itself felt — I did something about it. But what could I do?

I slumped down under the wheel and gave it to myself right on the chin. Mrs. Osborne would go to town and get the money. We'd give it to Wirth and put him on the train. And somewhere, Saturday night, three or four dirty rats would be divying up a hundred grand. And while they did, we'd be sitting at Mrs. Osborne's, just waiting and hoping and wondering — that was the worst of it — if they were turning the kid loose like they said they would — wondering if the kid was alive to *be* turned loose. And Mrs. Osborne would be pretending that everything would be all right. . . .

The next thing I knew I was at the bar at the Inn, staring at the bartender, who was asking me something. I must not have answered him, because feet shuffled behind me and a hand fell on my shoulder and a voice said: "The sheriff will have a double rye, Jim — straight — and the same for me." I wheeled, with a snarl coming up, and there looming over me, running his left paw through that crackling red hair of his and sticking out his right, with his freckles lit up by that thousand-watt grin, was Doc Walter Rennie.

How he does it I don't know. I wouldn't have spilled what was on my mind to my own mother. But somehow, two or three minutes later, I was in the easy-chair up in his room, my feet cocked up on the desk, and — it was like spreading butter on a burn — telling him all about it. Even before I was through he was wriggling into a trench coat and hunting around for the slouch hat he always wears, and right near the end he clipped me off with: "Finish it on the way down."

"Down to where?" I asked.

Doc Rennie, who's built like a broad-shouldered scarecrow, barks like a bulldog, when he's excited. "Down to the jail, of course. I want a look at this hard nut of yours."

When Ann Ulrichs, who'd been a pretty big star in New York, married young Hesketh Osborne, who had that big place just outside our township, everybody figured they'd just spend the summers there and go south in the winter.

She blew that idea right out of the window the first winter, making it plain to one and all that she hadn't come to stay with us — she'd come to live with us. Folks were stand-offish at first — you know how they are in the country about somebody with a big estate and plenty of money — but

when Hesketh Osborne died in that plane crash in Oklahoma, and the word got around that Mrs. Osborne was going to have a baby, you should have seen our folks rally around. I sure was proud of our ladies. They took her things, used to drop in with a bit of sewing, they talked kids and baby-clothes to her, and how popular Hesketh had been, and all about his father and grandfather. And three months before the baby was due, there was enough baby-stuff tucked away in tissue paper in bureau drawers around town to stock a store.

After the baby came, she blossomed out. Every couple of days you'd see her batting around town in their old station wagon, a bandanna around her hair. Osborne had left half a dozen cars, and she kept a chauffeur, but she hardly ever had him drive her around. And a couple of years later you began to see a round-faced little girl riding beside her every time she'd come in to see about some sewing or do some work at the church. She wasn't exactly pretty, Mrs. Osborne wasn't. She was small, and her hair was kind of an indefinite brown, and she'd have been a shade plain except for her eyes, which were big and deep and brown, and her smile. She had one of the nicest smiles I'd ever seen.

I was sort of surprised, when she came in this evening just as I was about to go to supper, that Thirsy — her real name's Teresa — wasn't with her. Her chauffeur, Wirth, came in behind her, and there was something about the way he came in, something easy and confident, I didn't quite like. The look on his swarthy face didn't seem to go with the uniform he wore. And when she sat down and said: "Good evening, Ed," and put a big knitting-bag on my desk, he sat down without being asked. She shot a queer, quick look at him before she swung her glance squarely into my face, and I swear I could almost tell what she was going to say before she said it. She said: "Ed, Thirsy's disappeared."

I had a funny feeling she was determined not to blow up before this Wirth, and she didn't. She's clean strain, that girl — one hand was balled into a neat little fist, and it tightened a little as she spoke, but that was all. She turned to Wirth and said: "All right, Wirth, tell the sheriff what you told me."

Wirth hunched himself forward leisurely, his bull shoulders and flat face giving him a granite front. His thin mouth hardly moved when he talked, and his voice had no more feeling in it than a flat wheel on a boxcar, but I'll say one thing for him: he made himself plain.

"Thirsy came for a ride with me about 5:30 when I was taking the sedan down to the garage to see about the carburetor. She asked to come along." He had one of those furry, husky voices. I'd seen Mrs. Osborne's eyes blaze for an instant as he started, when he'd left the "Miss" off Thirsy's name. "On the way," — he didn't even bother to tell us where — "a car blocked me and two men with masks on, and guns, took Thirsy."

Having got that off, he paused a moment and did something I tucked away in my mind for future action. He lit a cigarette. It would have been kinder if he'd smacked Mrs. Osborne across the face with his open hand. Only the change in his tone, as he went on, kept me in my seat.

"The situation is this, Sheriff" — he kind of gathered us both in with his eyes to make sure we were getting it, as though we both didn't know, right in the pit of our stomachs, that this was the really important part — "they want $100,000 in small bills delivered to them by Saturday night. I'm to take it. I know — they told me — where to go."

I was already trying to think of that Washington number you call to get J. Edgar Hoover. I guess I must have looked right through Wirth for a couple of seconds, and it gave me away, because when he spoke again I caught a thin edge of warning that snapped me right back to attention.

"It won't be quite that easy, Sheriff." He was out in the open now, although not a thing he was saying would have meant anything in court. "They hang people for kidnaping these days. And you can't be hanged twice."

I said: "What do you mean?" But I knew. Mrs. Osborne sucked in her breath, and I knew she knew.

"Just this: if there's any play in the papers, or any big search put on, they'll kill the kid in a second. You can take my word for that, Sheriff." I wouldn't have taken his word on anything else in the world, but I recognized that for the God's truth.

"You mess with the F.B.I., Sheriff, and that kid's as good as dead. And if I'm followed when I leave here with the money on Saturday, or there's the slightest thing out of line when I get there, they'll knock the kid off and run for it. As I said, they can't be hanged any deader for ditching the kid than they can for the snatch, and with the kid out of the way it'd double their chance for a getaway."

His lip curled a little and his flat face sank a little deeper between those heavy shoulders. "You see, Sheriff" — it was like he was talking to a child — "the F.B.I. can beat all the angles of a snatch case except that one: their case is no good unless they recover the kid alive. They — or you — will never do that in a thousand years in this case, not until that hundred grand's in the hands of the guys who've got Thirsy now, and not until they've got a good head-start with it."

How I made myself say it I don't know, it was so foolish to try, but I said, as smoothly as I could: "I'm sure you're interested in helping us get Mrs. Osborne's little girl back, Wirth. Where is this place they're keeping her — the place you're to take the money to?"

You know that kind of quiet that hums in your ears. We had ten seconds of that. Wirth's eyes were narrowed and shining and deadly.

"I'm not going to tell you," he said. It was just as if he'd said: "Today

is Tuesday." Just a statement of fact.

Mrs. Osborne was standing now. I was so proud of her that my Adam's apple knotted up on me, because her hands weren't shaking as she hauled some things out of the knitting-bag, and her voice was steady as a drum-roll. She never looked at Wirth again.

"Here are some snapshots of Thirsy, Ed," — she didn't look at them as she passed them over — "and here's a complete description of her I wrote out — it tells everything."

I think my own eyes got kind of bright when I glanced at it and saw: *Scar, small, tip of right forefinger, from breaking child's nursing-bottle.*

"And this," she finished up, handing over a big, square envelope with something thin and hard in it, "is a recording I made of Thirsy's voice a day or two ago — the first one I've tried. It's" — she made it on the second try — "it's *Mary Had a Little Lamb*."

At the door she turned. "I'll keep the servants quiet. There will be no gossip getting about. Tomorrow I'm going into the city to arrange for the money. I won't do anything until I hear from you."

Wirth never batted an eye as I hooked my fingers inside his stiff white collar and asked him where the kid was. He never even shook his head. I spun him into the corner with the heel of my hand, hauled him up, and let him have it on the side of the face, with my fist this time. He came up and I cut loose again. When he came up the second time, his eye was cut and he was shaking his head like a fighter does, to clear it. Then those shakes I mentioned came on and I almost jumped back, because I suddenly realized that if I got hold of his throat again I might not be able to let go.

I couldn't spot the slightest hint of yellow in him as he watched me.

"I'd be careful, Sheriff," he said, dabbing at his eye with a clean handkerchief from his hip pocket. "Remember, I'm the one that has to take the money. Nobody else can do it. And if the boys hear I'm being knocked around — and they might — it's an even bet they'll get scared for fear I'll talk, and —" He left it hanging and added, with a regular pen-twist to his mouth: "Third degree —" and laughed. That's when I slung him into a cell and went out.

I finished telling Doc Rennie all this just as we pulled up in front of the jail. He hadn't said a word all the way in. He got out and knocked his pipe out on his heel. "I'm inclined to agree with this Wirth person, Sheriff. No third degree will break a man like that. That was part of what he figured on when he framed the — er — snatch."

I don't know what I'd been expecting from Doc Rennie, but when he said that the whole weight of the thing hit me again and the lump in my chest came back. He looked at me and smiled a little. "Maybe," he said, "we can construct a fourth degree for our noncommunicative friend."

I didn't get it, but that "we"

helped some. That meant Doc Rennie was in this thing with me. We went inside.

Doc Rennie was a brain surgeon till he got more interested in talking his way into a person's head than in drilling his way in through the bone. So now he's a psychiatrist. He spotted a murder for me once that not a cop in the country would have called. He's a peculiar sort of duck — that is, he thinks ahead of you and he's sort of hard to follow — and that business he pulled in Wirth's cell made me afraid he was in line for some treatment from one of his brother loony-doctors.

First, he didn't give Wirth a chance to get set. Wirth was sitting on his cot — it's iron and attached to the wall — when I opened the cell door. Before he could get up Doc Rennie stepped past me, that wide mouth of his set in a professional smile that was — well, it looked like he expected Wirth to get violent and was trying to calm him down right at the start. He said: "I'm Doctor Rennie," and in another second he'd thumbed Wirth's eyelids up and his hard blue eyes were squinting into the chauffeur's little black ones.

"Hmmmm," he said, still smiling that now-just-take-it-easy smile. "Cross your legs."

You could see Wirth was about to squawk, but I think that smile baffled him, so after a second he crossed his legs. Doc Rennie bent over and chopped the top knee a couple of times. The leg didn't jerk.

That's all Doc did to him. After the second jolt on the knee, he ignored him and stared around the cell. He picked up a magazine and a New York paper from the end of the cot and looked them over. "Bit out-of-date," he said, waving them at me before tossing them back. Then I knew he was going screwy, because the magazine was that week's *Saturday Evening Post* and the paper was dated the day before.

Wirth's eyes never left the Doc from then on, but what he thought didn't show on that flat pan. He stared at Doc's back when he went over to the opposite wall and looked at the calendar there (I keep calendars in the cells — the boys like to check off the days). He stared up at Doc's face when he turned and peered into the mirror over the cot. He followed Doc's eyes when Doc stood in the center of the cell and craned his neck around looking over the dirty gray walls.

That was all, except what Doc said after we left the cell and were passing through the big steel door between the cell block and my office. He stopped there and spoke to me crossly, as if I was opposing what he said. "You can't keep that man here long," he said, loud and official.

I guess I'd had a little too much for one evening. "Suppose you tell me just why the hell I can't."

He pushed me into the office and stayed in the doorway only long enough to say: "You'll be taking a grave responsibility if you do, Sher-

iff." It dawned on me this was for Wirth's benefit. "Did you see that man's eyes?" he snapped, pushing the door to. "He's not . . ." and here his voice trailed off as the door clanged shut.

We flopped into chairs. I wouldn't have asked him: "Why?" about that funny business in the cell for anything. I just waited. He stunk up the room with his old pipe for five minutes before he said: "Get a pencil and paper."

I broke down and said: "Why?" — but he didn't hear me, or pretended he didn't. So I got them.

He saw I was beginning to boil over inside, so he came across and stood over me. "It's a gamble, Sheriff. We've only got three days — actually only two, because we can't really start until tomorrow night. Believe me," — and his tone was solemn as a church — "I'm thinking of that child's mother, or I'd never . . ."

He didn't finish, but it came to me that Doc Rennie didn't like whatever he was about to do any better than I liked being bossed around and kept in the dark. I realized also that Doc was not exactly taking a vacation when he pitched in and worked with me. I came off the fire and cooled down. "Shoot," I told him.

He caught the change in me and bobbed his head like he was pleased. He said: "Get this: make this jail loud and cheerful tomorrow. Have plenty of noise. You're on a sidestreet, so detour some traffic by here, if you can. I want plenty of talking, plenty of movement, plenty of bustle and walking around. I want Wirth to hear it.

"I'm going into the city tomorrow and I'll be back around six. When I get here, you have ready a big can of some quick-drying paint, preferably yellow, a camp bed, and a warped mirror. And be prepared to move your other prisoners somewhere else.

"Don't give Wirth any lunch tomorrow, and don't, above all, give him any supper until I get back. That's all. I'll take this with me." He picked up the envelope with the record of little Thirsy Osborne's voice and jammed the slouch hat onto his head. "Don't forget the noise," he reminded me. "It's highly important."

I couldn't help saying: "You're the doctor, but if you think you're going to crack this Wirth with a little noise, Doc, you're nuts. Hell, you'll never scratch his shell that way."

Doc Rennie was on his way out as he answered, and I didn't quite catch all he said. It was something about "boring from within."

Wirth probably figured it was like that, all the time, but for me the next day, which was Wednesday, was about the craziest I've ever spent. I guess you'd call it fantastic.

It started off with trouble with Dave Tyson. I got him up about 5 and told him everything, and when I was halfway through he was breathing heavily through his nose and it was all I could do to keep him from

heading straight for the jail and taking Wirth to pieces. You see, Mrs. Osborne had been awfully nice to Dave's wife a couple of times. Finally, I got him quieted down to where he was just cussing a little under his breath and we got the detour signs. Before six, trucks and cars were bumping past the jail like it was on the main road.

We had only two prisoners besides Wirth, and Dave had an inspiration. He put them into the same cell and "smuggled" in a couple of pints of cheap whiskey. In 30 minutes they were talking loud, and in an hour they were singing. I guess they thought Christmas had crept up on them unawares.

We left the big door between the outer offices and the cell block open, and when everything else would fail, Dave and I would start an argument. Then we had a call from a committee of merchants to ask what the hell about the detour signs, and I took my job in my hands and got them all mad and stretched our "conference" to an hour and a half. They were all voters and I was glad election time was two years away.

Things threatened to die down in the afternoon, but while Dave was out getting the paint and bed and other stuff, I turned the radio up and we had a couple of hours of soap operas.

Every now and then I'd drift down the cell block and sneak a look at Wirth. I had to cut it out finally, because I was going sick with fear and general discouragement. The racket bothered Wirth about as much as a sparrow's chirp. He read his magazine and paper all morning and yelled for more to read and some lunch, and when I wouldn't get him either, he took a nap. He was still asleep, or pretending to be, when Doc Rennie's roadster pulled up about six.

The Doc had several flat packages under his arm when he walked in, and he asked Tyson to get some stuff out of the back of his car. Dave came in wrestling with a big, heavy cardboard box and set it down and we told Doc how Wirth had acted. To my surprise, he seemed pleased. "He seemed very much at home, eh?" he said, and gave a little rattling laugh. He sent Tyson out again, for some heavy tools this time, and told me to get Wirth some supper. I got him a big bowl of chile con carne, which was what Doc suggested, but before I took it in to him Doc dumped about an ounce of some dark liquid into it and stirred it up well, and when he tasted it and nodded, a dim light came on in my brain. Doc opened the cardboard box and began fiddling with some wire.

That brown stuff must have been potent. Wirth never stirred when we lifted him off his bunk around 8 o'clock and put him into another cell for a while. Even the noise we made getting the bunk bolts out of the wall, which took a couple of hours, and the slap-slap of the paint brush as Dave went to work on the cell walls didn't wake him. When Dave had finished, and was setting up the

camp bed where the bunk had been, Doc went out to do some more work on the thing in the cardboard box and we heard him trailing wire around between the office and the cell next to Wirth's. The other two prisoners were gone. I'd taken them down to the old jail by the railroad station and shut them in with another quart of whiskey and plenty of food.

It was nearly 4 A. M. on Thursday, and we were all dead beat, when we got through. We loaded Wirth back into his cell and stretched him on the camp bed. The last thing Doc did in the cell was come in with some of the stuff he'd brought from the city. He took down our calendar and put up one he'd got. He picked up the *Post* and the paper where Wirth had dropped them and put another magazine and paper in their place. Dave took down the good mirror and put up the warped one he'd got, which made you look like you were in the funny-house at the state fair. Then Doc said: "Wait here a minute," and went up to the office.

Dave and I looked at each other, and the expression on his face told me some more about what Doc was aiming at. We'd been around those cells for eight years, the two of us, and they were part of our regular life. Suppose you came home tired some night, and there was nobody there, and when you went into your room — why, it wasn't your room at all! "Makes me feel kind of funny," was all Dave said, looking around at the loud yellow walls, all clean, and the camp bed. That's just the way I felt, and to cover it up I picked up the magazine and the paper.

They were no help. They were both dated: *May, 1932.* I hopped over and looked at the calendar. That was a 1932 one, turned to May. For just a second those bright yellow walls went a little blurred on me — I was tired, anyhow — but Dave's fingers biting into my arm yanked me back to my senses. "Listen!" he whispered.

At first you could hardly hear it. I guess we listened for five minutes. Then it got just a teeny bit louder and I saw Dave go gray in the face.

Yes, sir, I guess I went kind of pale myself. So much had happened, and I'd been worrying so, that you could hardly blame me for feeling kind of vague and faint when I stood in a cell I didn't even recognize and heard little Thirsy Osborne's voice out of nowhere, reciting, very low but distinct and with a lot of expression I guess her mother had taught her — *Mary had a little lamb, its fleece was white as snow, and everywhere that Mary went . . .*

We walked out of the cell very deliberate, the way you do when you feel like running. The place was so quiet you could hear Wirth's breathing, long and slow.

We shut all the windows and every door in the place except the big one between the office and the cell block. We left that open a crack and Doc Rennie pulled up an easy-chair and sat with his ear to the crack.

He sat there for over 36 hours,

snatching a nap once in a while on the old leather office-couch while Dave and I spelled him. He couldn't sleep long, though — twenty minutes and he'd be up again and at the crack, just listening.

We kept the place a tomb, even to going around in our stocking feet. No traffic was passing outside, and all we had to do was listen — and think.

Wirth didn't say a word that first day, which was Thursday, even when a grim-faced woman he'd never seen before, in a white uniform, brought him breakfast and supper. He didn't sleep that night, either, because Doc Rennie put some stuff in his food to keep him awake. We heard him tossingall night long. You see, he couldn't read, because the light was off.

Friday morning my wife — that was the grim-faced woman in the white uniform — reported he was pale but seemed all right. Doc shook his head and my heart dropped into my shoes.

Dave and I felt bad, but we felt sorrier for the Doc than for ourselves. He was trying to pretend he was satisfied, and taking it calmly, but you could just feel it — from the way he sat forward in the chair, hour after hour — that he was down, and afraid that we didn't have time enough.

If there'd been anything less than a kid involved, damned if I wouldn't have felt just a little sorry for Wirth, lying there in the pitch black, wondering about those magazines and the calendar and the cell and the very bed he was lying on. And not hearing a thing — in a place that the day before had been full of everyday noises — except little Thirsy Osborne's voice, whispering to him all night long, over and over — *Mary had a little lamb, its fleece was white as snow and . . .*

The thing I'd been really dreading most happened early Friday afternoon. There was a light knock on the outside door and I knew who it was before I stepped outside. Mrs. Osborne had a handbag that seemed kind of heavy. She looked at my stockinged feet and at the whiskers — I hadn't shaved for two days — and then straight into my eyes, which had circles around them like a turkey buzzard's. Then she patted my arm and bit her lip, and I'd have strolled through hell barefooted for her — and will yet. She said: "I've got the money here, Ed. Will you let Dave go with me to the house?" So I said sure, and she said: "You'll — you'll get in touch with me the first thing in the morning about getting Wirth off, won't you?" and I nodded, and went in to tell Dave.

Friday afternoon, not long after Mrs. Osborne and Dave had gone, we heard the camp bed creaking like Wirth was trying to get a nap, so Doc let little Thirsy whisper to him some more. Doc heard him rustle the magazine and paper a couple of times, and then a slam when he threw them back on the floor. When my wife came back from taking him his supper, she said he was sweating some and his shirt was open to his waist and his eyes were kind of sunken. But that didn't mean

anything. He hadn't said a word to her.

About midnight Friday night, I had to quit looking at the clock altogether. I was afraid I would suddenly look at it and find Saturday morning had come. Doc got up and stretched the cramps out of himself once in a while, but the half-smile he'd toss me was the weakest attempt at one I'd ever seen.

At 3 o'clock he made a sign to me to turn up the record-player with Thirsy's voice on it. My hands trembled so I had to cut the thing off to do it, because I knew this was our last shot. Then all of a sudden, just as I was about to switch it back on, Doc waved both hands at me furiously and got halfway up from the chair. I crowded close to him and I could feel his whole body shaking.

Down the black hall from Wirth's cell was coming: "Listen — listen — listen," over and over again, low, as though Wirth didn't have much breath. He paused, and Doc jerked his thumb toward the record-player. I hustled back to it and turned it on, and Thirsy talked to Wirth louder this time: *Mary had a little lamb . . .*

Doc moved his hand in a slow upward motion. Gradually I turned the volume up and stepped to Doc's side to listen. Thirsy's voice was filling the blackness out there now, beating away at Wirth's ear-drums. I speeded up the thing and her recitation went up to a screaming burlesque of what it had been, into a din you could hardly understand. Where we were, it almost deafened us for a few seconds. But it didn't deafen us so that, at the end of two minutes, we couldn't hear Wirth screaming.

I jumped to the big door to open it, but Doc elbowed me back. His eyes were purple-rimmed but the blue irises were hard as steel, and he was gauging the quality of Wirth's screams as coldly as you'd judge a tool you were going to buy. He jerked his thumb again and I snapped off the record-player. A second later we stood in the dark outside the cell. I was holding a flashlight ready.

Wirth was screeching: "Change trains at Buffalo and catch the — you gotta listen — I tell you, I know where she is! I tell you I know *where she is!* I'm not crazy! Listen . . . ."

I switched on the light as Doc nudged me. That face! And the clothes — filthy, where he'd been rolling on the floor.

Doc Rennie looked at him like he was a specimen in alcohol and turned to me and said, kind of indifferent: "I warned you about this man, Sheriff. He doesn't really know anything. He's just —"

And here Wirth broke in, bellowing and crying so you could hardly understand him: "Twenty-one fourteen Frederick Street, Twenty-one fourteen Frederick Street," begging and groveling at us to believe him.

Doc Rennie said, in the smoothest sort of conversational tone, like he might be talking very politely to a lady: "That's in Chicago, I believe, isn't it?" And it was like putting on a

new record, for Wirth started saying, very serious and important:"Chicago, yes, Chicago. Twenty-one fourteen Frederick Street, Chicago. You see, I know. It's Twenty-one fourteen . . ."

But we were on our way. Five minutes later I had the F.B.I. in Washington on the phone and they put me right through to Hoover himself. I felt better after I'd talked to him. I gave him Mrs. Osborne's number for the call-back, if and when it came. Five minutes after that Doc Rennie and I were on our way to Mrs. Osborne's. She was up, looking like a little girl in a sweater and skirt, fighting down the fear behind her eyes and holding tight to the belief, with us, that things were going to be all right — never once asking if it might not have been better just to pay over the money —

Doc Rennie made her play pinochle with him until the call came, which was just at dawn. The Doc jumped for the phone. We could hear the operator saying: "Mrs. Hesketh Osborne, please. Chicago calling." Doc Rennie stuck right at Mrs. Osborne's side as she took the receiver from him. The "hello" she said, you could hear being squeezed right out of her heart.

We heard the operator saying: "Go ahead, Chicago."

We were waiting for a man's voice, but they have some smart boys in that F.B.I. The voice that answered Mrs. Osborne was a little voice high and excited: *Mummy! Mummy!* . . .

The only explanation Doc Rennie ever made to me about Wirth was short but sufficient. He said: "When you rob a man of his confidence in his eyes and ears, you take away his confidence in his mind. Wirth had nerved himself to gamble on a beating or imprisonment. He hadn't figured on insanity. I've never seen a man yet who could hear insanity coming close to him and keep his head."

Dave and I, after we caught up on our sleep, took a couple of days off for some rabbit hunting. That was what Doc Rennie had come up for, but we didn't see anything of him. That is, not until several days later, late one afternoon, when we were cutting across one of the bridle paths on Mrs. Osborne's place.

Dave said, in that offhand way of his:

"Good chance to steal a couple of horses."

I looked.

Two saddle horses were kind of grazing around behind a rough wooden bench down in the hollow. Doc Rennie and Ann Osborne, in riding clothes, were sitting on the bench.

As Dave said, it was a good chance to steal a couple of horses. They'd never have heard us.

A WINNER IN EQMM'S PRIZE CONTEST

The author of "The Poison Typewriter" was born in Boston in 1919, was graduated from Harvard in 1941, served in the United States Army from 1942 to 1946, and was Fellow in Creative Writing at Stanford University in 1948 and 1949. No novice in writing, Mr. William Abrahams: he has had his poetry published in many of the best magazines — Harper's Bazaar, the New Yorker, the New Republic, Poetry, etc.; he has had two novels published — INTERVAL IN CAROLINA *and* BY THE BEAUTIFUL SEA; *and at the time of this writing he is finishing his third novel — to be titled* THE BLACK SHEEP. *His prize-winning story in EQMM's Eighth Annual Contest is his second short story to appear in print; the first was in Whit Burnett's* STORY NUMBER TWO, *which came out last year . . .*

Once upon a time it was called "the poison pen"; now, in our more civilized world, it might be called "the poison typewriter." More civilized? No, that's not true. More mechanized, perhaps; but however written — by primitive chisel on a primeval slab, by crowquill, fountain pen, or ballpoint, by typewriter, teletype, or telepathy — the sending of malicious anonymous letters is an unforgivable and unjustifiable crime. Mr. Abrahams's account of the anonymous letters typed by a Professor of Fine Arts in a fifth-rate college is an engrossing and distinguished story — as subtle and witty as its chief character is obscene and decadent.

We asked the author to tell us why and how he came to write this demonic story. Mr. Abrahams replied that he wanted to show how an action started as a joke can conceal a deeper and more sinister intention; how this secret and shadowy action looks against a sunny and open landscape; and finally, how a style can be made increasingly serious in tone as the action it describes becomes increasingly serious in import.

THE POISON TYPEWRITER

by WILLIAM ABRAHAMS

MANDARIN COLLEGE WAS ONE OF the smaller institutions of higher learning in lower California. Its campus was a rather haphazard anthology of Spanish, Gothic, and Drive-in architectures; its most famous alumni were the president of a bank in Corvallis, Oregon, and the

quiz-master of a nation-wide television show. In short, Mandarin was incontrovertibly and effortlessly fifth-rate. None of the faculty denied this, although some deplored it. But Professor Andrew Atwater, who with young Mr. Barber comprised the entire department of Fine Arts, delighted in Mandarin's abysmal status. At 45 he was more than willing to admit that he had struck bottom.

Years before, Professor Atwater had been considered a young man of promise. Somehow that promise had never materialized. There had been the first auspicious instructorship at an Eastern university, followed some years later by an assistant professorship at a state college in the Midwest; and then Mandarin had called him. Lower, the professor would declare over salmon-croquette luncheons at the faculty club, mortal man could not sink. He was tall and desiccated-looking, with parchment skin and a scraggly salt-and-pepper mustache. He felt that at Mandarin, in a world of glaring sunlight, dusty palm trees, and students in blue jeans, he had found his proper spiritual level.

Yet he was not even secretly unhappy. He lived in a three-room Spanish bungalow on the edge of the campus, and his walls were hung with reproductions of paintings by Picasso. He had all the accouterments of the bachelor professor: books; phonograph records; gin; hayfever; a pantry stocked with canned goods; and a Siamese cat named Vashti. His closest friends were Paul and Althea Barber.

Paul Barber was tall, well above six feet, and thickly made, with a set of conspicuous muscles that were just beginning to go flabby. Meeting him for the first time, Professor Atwater had been puzzled by a sense of familiarity — surely they had met before, somewhere? — then realized that his face was merely a variation of the face he had seen in a thousand magazine advertisements, warning him against body odor, offering new cars, new plumbing, new soft drinks. Like its prototype, Paul Barber's face was most remarkable for its inability to express any emotion whatever, except for a kind of animal contentment: eight hours sleep every night; three square meals every day; enough sex to keep a man from straying off the reservation. In fact, it was Paul's ordinariness that made him attractive to the professor. As for Althea Barber, she was the female counterpart to her husband; more than that, she was, in her mindless, sunburned, and long-legged fashion, an authentic beauty.

The Barbers were members of what passed for the Bohemian set at Mandarin College. Thus, when they invited Professor Atwater for lunch on Fridays, they would serve hamburgers (done with oregano and chives, for Mr. Barber regarded himself as a gourmet) and a green salad and red wine, and they would all sit on the floor, listening to something like the Dunbarton Oaks Concerto. Althea would be wearing green corduroy shorts and one of Paul's faded G.I. shirts, open at the throat and knotted

pirate-fashion above her waist. The Barbers were agreeable to look at and be with, but in addition the professor cultivated them because they made no secret of their admiration for him. Young and inexperienced, they mistook his cynicism for sophistication, his boredom for worldliness, his spiteful gossip about the famous dead for erudition.

Outwardly and inwardly, and certainly by the standards he had himself laid down for the good life, the professor was a happy and contented man. Then, one evening in March, as he was sitting alone in the living-room of his Spanish bungalow, he entered into a trance state. Stiff as an automaton, he crossed to the typewriter, slipped a sheet of paper into the machine, and began to type. When he had finished, he read what he had written, and a smile almost of madness lighted his ravaged face.

"Deer frend, how do you know what your wife is doing when you are not at home? o yes you think you are a man my frend but there are better men than you are on this campus; this is just a peece of frendly advice; sinceeerly yours, a frend."

Then he placed an envelope in the typewriter and addressed it to Mr. Paul Barber, Fine Arts Department, Mandarin College.

The next morning Professor Atwater awoke early, ate his usual breakfast — two soft-boiled eggs, one slice of unbuttered toast, and four cups of black coffee — and went outside. For a few moments he was transfixed by the beauty of the distant landscape. Beyond the groves of trembling eucalyptus trees stretched vast bare fields, lion-colored, burnt over by the sun; and beyond the fields, opulent hills, like wave after wave of yellow silk, rolled and plunged toward purple mountains. But when he thought of what the landscape concealed — hawks swooping down to the live-oak, madrone trees which clung sidewise to the hills, and diamond-back snakes coiled in the dry grass — he shuddered, and set out for the familiar, ugly campus.

It was not until he was in the office that he shared with Paul Barber on the second floor of the Humanities Building that the professor remembered his letter. The sight of it, unopened and conspicuous on Paul's desk, awaiting his return from his 9 o'clock class in Renaissance Painting, was like a blow. He sank down at his own desk and tried to discover some logic in an action that now seemed wholly illogical. His first impulse was to destroy the letter before Paul's return. That would be the sensible thing to do. But he sat motionless. After all, he reasoned, if one chose to regard the letter as the beginning of a prank — and how else could one regard it? — then there was no reason why it should not be brought to its intended conclusion. Also, it would be amusing to observe Paul's reactions, to see that blank handsome face of his in the flux of unfamiliar emotion. Naturally, there would be no further

letters written; the first one would be sufficient for his purpose, the professor told himself — and believed what he was saying.

At five minutes of 10 the bell that signaled the end of classes vibrated through the building. A moment later there was the sound of feet in the corridor and loud voices, as students streamed out of the lecture halls. Professor Atwater spread out a group of examination blue-books on his desk, so as to give the appearance of working, and waited. He hadn't long to wait. Young Mr. Barber barged into the office, smiling cheerfully, and threw his books down on his desk. "Well," he said, "that's that. I'm done for the day. Guess I'll take off."

The professor glanced up. "I envy you," he said. "I have these blue-books to get out of the way." And he resumed work with an air of ferocious concentration. This was a pose, of course. Actually his whole attention was concentrated on Paul Barber. Out of the corner of his eye he watched him as he picked up the envelope, opened it, pulled out the letter, read it through once, perhaps twice, then crumpled it in a ball and dropped it in the wastebasket. But Paul's face was expressionless. It hadn't changed. It betrayed no emotion whatever.

The professor felt himself growing suddenly and unreasonably angry. Shocked at the rapidity of his heartbeat, he stared down at the page open before him and read again and again one phrase: "*The Embarkation for Cythera* is a painting by Fragonard. . . . *The Embarkation for Cythera* is a painting by Fragonard. . . ." Again and again he slashed through it with his red pencil.

Then Mr. Barber broke the silence. "Andrew?"

"Yes?"

"There's something I want to talk to you about."

The professor put down his pencil. He felt marvelously relieved: so Paul was going to talk to him about the letter, make him his confidant. The prank would achieve its purpose, after all. "What is it?" he asked.

"It's about my father."

"Oh. I see. Your father." Then, with an effort, he adopted the ironic tone that was usual for him when discussing this familiar subject. "Ah, yes, your father, the merchant prince. What about him?"

"Well, he's after me again. He wants me to work in his San Francisco branch."

"You've said no to him before," the professor began.

"Yes, but even so —"

"My dear Paul, do you see yourself in the market-place?"

"It wouldn't be so bad. Besides, he's offering me a helluva lot of money. More than I'll ever make from teaching. I just wonder if it's fair not to —"

"Fair?" asked the professor coldly. "Fair to whom?"

"To Althea, of course."

That night the professor sent off the second letter, and two nights

later, the third. Two more followed; yet not even then did Paul Barber reveal the slightest trace of unrest. Each letter was read, crumpled in a ball, and tossed into the wastebasket. He never mentioned them to the professor. His manner, as he opened and disposed of them, suggested that they might have been no more than advertisements from a publisher of textbooks.

It was this indifference that the professor found most tormenting. By now he was ready to admit the peculiarity of his behavior, and he knew well enough what an alienist — a word he preferred to psychiatrist — would have made of it. This was no longer a prank, but something sinister and diseased, something dangerous. Yet he couldn't bring himself to stop. He was involved in a sickening cat-and-mouse game which would end only when Paul had given a sign. One word from him, one gesture, one fleeting signal of apprehension, and no more letters would be sent. He would have achieved whatever it was that he, or the demon within him, wanted to achieve. But what troubled the professor most, as he lay sleepless through the interminable nights, was to wonder why he should have chosen the Barbers for his victims. They were his closest friends at Mandarin, an essential part of his existence; without them, as he had often said, the campus would have been a graveyard. Why, then, should he have turned against them?

He couldn't answer the question.

Exhausted, he set out in the glaring sunlight across the campus, and hoped that each morning's letter would prove strong enough, vicious enough, to provoke from Paul a response that would end everything.

After the failure of the sixth letter, the professor decided that the time had come for more direct action. He purchased a briar pipe at the campus tobacco shop and spent two unpleasant evenings, for he didn't smoke himself, blackening the bowl. Whatever the discomfort, it would be worth it: action, not literature, he decided, was the way to get at Paul Barber's phlegmatic spirit. And now, in consequence, his own spirit lightened. He waited without tension for Friday, the first day of the spring vacation, when he was to have lunch with the Barbers.

He arrived early. As he'd expected, the Barbers were both busy in the kitchen, so it was a simple matter for him to conceal the pipe behind one of the pillows on the studio couch. But as the lunch progressed he began to feel that he had acted too hastily. The Barbers had never been more charming; he had never enjoyed them more than he did at this moment. It was easy, and given his temperament, natural for him to patronize their life, to recognize in it something faintly absurd and second-hand; but the fact was, their life was indispensable to him. He decided that he would retrieve the pipe from its hiding place before he left, that he would write no more letters. The game was at an end.

This decision, arrived at so spontaneously, excited him. He wished that he could give it physical expression, and it was only with difficulty that he restrained himself from reaching out to Althea, where she sat across from him, and stroking her sleek bare legs. Suddenly, without looking up, he felt that she was staring at him, and his face reddened. Had she guessed what he was thinking? Something was not quite right, there was a tension in the room — perhaps it had been there from the beginning. He got up from the floor and sat on the edge of the studio couch.

"All right," he said with false playfulness, "now tell me. You have something on your mind, haven't you?"

Simultaneously Paul said "No" and Althea said "Yes," and then they smiled at each other and Paul said, "It's about the job."

"I thought so."

"How did you know?" Althea asked.

"Because you have transparent faces, of course. Both of you. You can't keep secrets from the old man." He smiled. "Now, what about the job? You're not still thinking about San Francisco, I hope?"

"But, Andrew, what choice do I have? You know how much I'm making here at Mandarin."

"Barely enough to live on," Althea added.

"I know what you're making here now," the professor said calmly. "But I also happen to know what you may be making here next year."

"What do you mean?"

"I mean that I was speaking to Dean Benson about you yesterday afternoon. I have reason to believe that next year there'll be an assistant professorship . . ." He let the sentence trail off into significant silence

"If it were true," Paul began.

"But it is," he said firmly. And it was true enough, in part; yesterday afternoon he had spoken to the Dean about Paul. But the Dean had explained that the budget for the Fine Arts Department made no provision for an assistant professorship, and so, under the circumstances, there was nothing that could be done. The Dean had sighed his famous sigh: not that he didn't believe that young Mr. Barber deserved a promotion — perhaps the year after next, they would see.

"Even so," Althea murmured doubtfully, "it's only 3500."

He felt a virulent dislike for her at that moment. "My dear girl, there are more important things than money." Then, with a casual movement, he slipped his hand under the pillow and brought out the pipe. "Well," he said, "what's this? I didn't know you'd taken to smoking a pipe."

"I haven't," Paul answered. He turned to Althea. "Any idea where it came from, honey?"

She shrugged. "I've never seen it before."

"Then someone must have left it behind," the professor volunteered smilingly. "He's lying on the couch, he rolls over, the pipe slips out of his pocket — you know how it is."

"Yes," said Althea, "we know how it is." She reached up and took the pipe from him and examined it. After a moment she returned it to him. "Well, Andrew, it's not ours. You may as well keep it for yourself."

"But you forget," he said at once, "I don't smoke."

"That's right," she said, and she glanced at Paul — nervously, it seemed to the professor. "I forgot for a moment — you don't smoke." She began to gather up the dishes and carry them into the kitchen.

"I'll help you, honey."

"No, you stay with Andrew."

The professor glanced at Paul's face. What he saw there awakened in him a sensation that mingled fear and pleasure. For the mask was stripped away, and the boyish, handsome face expressed a range of emotion that the professor had almost despaired of uncovering: dislike, suspicion, even loathing.

He got to his feet. "A delightful luncheon," he said, "but I must go now."

"Must you?" Paul asked.

"Vashti, you know. I'll have to feed her. She's very demanding about meals." Then he extended his hand in farewell, but just at that moment Paul had turned to put another record on the phonograph. "Well, I'm on my way."

"Goodbye, Andrew," Althea called from the kitchen.

Once at home, once he had fed Vashti and taken a long cold shower, he put on a pair of Chinese pajamas, and stretched out on the sofa in the living-room. It was a warm, languid afternoon. The scent of acacias, in full bloom on the campus now, drifted in through the open windows and hung heavily in the air. The professor dozed.

When he awoke it was almost midnight. He felt tired and irritable; his head ached, his eyes were smarting. Perhaps this explained why the recollection of his lunch with the Barbers brought him no pleasure, only an increasing sense of unrest. It was to be presumed that Paul believed in the letters' malicious disclosures, that the pipe had confirmed suspicions that must have been present from the beginning, that, in a word, he believed Althea was unfaithful to him. "But I didn't want that," the professor said.

All that night he turned the problem in his mind. By morning, not unnaturally, he had arrived at a more complex and disturbing interpretation. Going back over events of the preceding day, analyzing what Paul had said and Althea had said, scrutinizing their every inflection and gesture, he accepted the possibility of their knowing that it was he who had written the letters. Now, for the first time, the appalling nature of the trap into which he had fallen became clear to him; for either alternative, that Paul believed in the letters or knew who had written them, meant an end. And the future in that case was an intolerable blank.

He telephoned the Barbers several times that day, but there was no

answer: only a dead steady vibration, on and on and on, seeming to mock at him. His unrest grew. Merely to have heard their voices would have reassured him.

It was not to be endured, this uncertainty. He glanced about the living-room, now so repugnant to him, and when his eyes focused on the typewriter, squatting there on the desk like some obscene, menacing shape, the power to determine his own actions abandoned him all at once. From now on he did what he did in response to some force from within. The possibility of choice was gone. Passive as a sleepwalker, he obeyed, did as he was told.

Thus, he was not surprised, later that evening, to find himself standing outside the Barbers' house, although he could not remember walking there, nor even wanting to be there. The door was locked, the windows closed, the garage empty. But for the professor this no longer signified anything. Nor was it significant, later still, that he should be once again in his Spanish cottage.

Somehow, passively, he filled a saucer with milk for Vashti. Passively he began to undress, walking back and forth between the living-room and the bedroom, muttering under his breath snatches of verse he had memorized years before. Then, standing in his pajamas on the threshold between the two rooms, he was abruptly shocked awake.

The gooseneck lamp on the desk had been lighted. Yet he was absolutely sure that he had not lighted it himself. Yellow light coned down on the typewriter, on a sheet of paper inserted in it. Yet he was sure that there had been no paper in the machine when he had left the house earlier that evening. Trembling, pitched somewhere between terror and exaltation, the professor approached the desk and bent down to read:

"Deer frend; surprise surprise all filth and lies; hi diddle diddle; each man kills the thing he loves; this is a peece of frendly advice; sinceeerly yours, a frend."

He opened his mouth to speak, but no sound came. Darkness billowed upward from the four corners.

Then it was morning.

Someone was pounding at the door.

There was a boy in blue jeans and T-shirt on the porch. "Special delivery for Professor Atwater," he said.

"Yes, I am Professor Atwater."

He waited until the boy was bicycling down the road. Then he opened the letter. It was from Althea. "Dear Andrew," it began. "This will possibly come as a surprise. On the spur of the moment we decided to take the San Francisco job. I'm sure you will understand. . . ."

The letter slipped from his hand, but he made no effort to retrieve it.

At last he turned back into the house. Licking his lips, he was puzzled by their salt taste. It was not until he was standing before the mirror in the bathroom, razor in hand, that he realized he was crying . . .

The literary hat trick . . . Mel Dinelli's "The Man" first appeared as a short story in "Story" magazine, issue of May-June 1945. Then the author transformed the short story into a play which premiered on Broadway on January 19, 1950 at the Fulton Theatre, with Dorothy Gish as the star, supported by Don Hanmer and Peggy Ann Garner. At last reports, the short story and play will become a motion picture (if it hasn't already done so by the time this issue appears), with the screen play probably having been written by Mel Dinelli himself. And although we are not sure, we wouldn't be the slightest bit surprised if "The Man" has not also had radio and television adaptations as well.

There are no further fields to conquer. Here is the "acorn" from which tall tales grow . . .

THE MAN

by MEL DINELLI

MRS. GILLIS'S ROOMER, MR. ARMstrong, tried to warn her that morning before he left on his business trip. They were just finishing breakfast, and he was rather in a hurry. "I don't care what you say," he said seriously, "you're alone here in the house all day. There're no close neighbors, and after all, you know nothing about the man."

Mrs. Gillis smiled. "Good gracious, you'd think I was a pretty young thing of twenty to hear you tell it."

"And another thing," he continued, "it seems strange to me that a young man should be job hunting from door to door in this day and age. Why, there're plenty of jobs to be had."

Mrs. Gillis laughed. "You're a worry wart, Mr. Armstrong. And now that I've found someone to do my heavy work, I'm not going to let you and your silly notions change my mind."

"All the same though," Mr. Armstrong said stubbornly, "I'm not leaving the house this morning till I get a look at the guy."

Mr. Armstrong was late to his appointment that morning; he didn't leave the house until after 9. As he dried the breakfast dishes, he kept looking out the window toward the long driveway.

Mrs. Gillis wasstill amused. "You're making a mountain out of a molehill — why, there's a phone in the house, isn't there? And I'm sure Sarah wouldn't let me down if there was any trouble."

"Sarah's fat and old, and she hasn't a tooth in her head," Armstrong said.

"A growl is more effective than a bite, and besides —" Mrs. Gillis began, but suddenly she noticed Mr. Armstrong was smiling. He'd seen her young man coming up the driveway. And Mrs. Gillis smiled too. Even she had forgotten what a meek, harmless-looking lad he was. Why, he could hardly be called a man at all, she thought, and then Mr. Armstrong laughed. "So that's the critter who's been causing me all this mental anguish," he said.

Mrs. Gillis was pleased at his reaction. "There, you see! You, and your silly notions!"

"Why, the little guy's not strong enough to keep a regular job, I suppose."

"Hush, now!" Mrs. Gillis said quickly. "There you go from one extreme to the other. I won't stand for your making fun of him."

"All right, I can go on my trip now," he said, as he wiped the last of the dishes. "Expect I'll be gone about a week this time."

Suddenly Mrs. Gillis's old dog came out from under the stove; she looked at the door a moment, and then she growled softly.

Mrs. Gillis was surprised. "Well, Sarah," she said, "don't tell me that I'm going to have trouble from you, too, now! What is it, girl?"

The dog whimpered a bit and then she barked weakly. Mrs. Gillis reached down and patted her. "Why, I believe she's been listening to some of your foolish notions, Mr. Armstrong," she said, amused.

There was a knock at the door, and Sarah's barking grew louder. Mr. Armstrong spoke to the dog quietly. "There now, Sarah," he said, "I'm sorry that I made you nervous about him. Why, if you could see the guy —"

"Sh!" Mrs. Gillis said, as she moved toward the door to open it. "He'll hear you!"

"Good morning, lad," Mrs. Gillis said as she opened the door. "I've been expecting you. This is my roomer, Mr. Armstrong — and I don't believe you told me your name."

"I'm Howard Wilton, ma'am," the young man said, as he stood there holding his hat in his hand.

"Hello, Howard," Mr. Armstrong said cordially. "I'm glad you've come and I know you'll be a great help to Mrs. Gillis — and you'll be company, too —"

Suddenly Sarah was growling again, and the young man looked down at her. "I don't believe your dog likes me," he said.

"Of course she does," Mrs. Gillis said quickly. "But she's getting old and peevish like some of my other friends." She looked over Howard's shoulder at Mr. Armstrong.

She finally calmed Sarah down, and then she found a sunny spot for her in the breakfast room.

Mr. Armstrong left, but not before he'd winked at Mrs. Gillis to signify that he'd been a fool to worry over her new hired man.

"Come along now, Howard," Mrs. Gillis said as she started for the

kitchen. "I'll show you where to hang your coat."

She led him to a closet storeroom at the back of the house, and she handed him a clothes hanger and a rough, heavy apron which she kept for her cleaning help.

Howard took the apron and then he looked up at Mrs. Gillis. "Is this apron clean?" he asked.

"Why, of course it's clean," she replied. "No one's worn it since it was laundered last."

"There're spots on it," Howard said slowly. "See?" he held out the apron.

"Spots?" Mrs. Gillis took the apron. "Why, that's paint. No dirt in dried paint, son," she said.

"If you don't mind, I'd rather not wear it."

"What will you wear then? You didn't bring other clothes, did you?"

"I'm a neat worker, Mrs. Gillis. You needn't worry about my clothes," he said as he removed his coat.

Mrs. Gillis was silent for a moment. She was on the verge of telling him that she wasn't the slightest worried about his clothes, but when she turned, the light hitting his face from the small storeroom window made him look so strange. She was startled for a moment, and then she thought, you're a silly old woman, and then she smiled.

"Are you laughing at me, Mrs. Gillis?" he asked.

"Why, no, son," she answered kindly. "I was laughing at myself. Come along now, let's get started."

Howard had been at the den floor a short time when Mrs. Gillis heard him walk back to the closet storeroom.

"Can I help you, son?" she called.

"I'm going after my coat," he replied. "I don't like it being out there in the storeroom — it's a breeding place for moths, you know."

"Now, son," Mrs. Gillis smiled, "it takes longer than that for moths to get started."

"Perhaps you won't think it's quite so amusing when I tell you that it's my best and only coat," he said.

"I didn't mean to hurt your feelings, lad. Where would you like to put it — in the kitchen, perhaps?"

"No. The cooking fumes wouldn't be good for it. I'll take it right in the den with me." Then as an afterthought, he added, "That is, if you don't mind, Mrs. Gillis."

"Go right ahead," she said. But her eyes were puzzled as she stared after him.

Suddenly Mrs. Gillis was thankful that there was a phone in the house. He was such a peculiar boy. She wasn't really alarmed. Still, it was good to know that the phone was there and that old Sarah was in the breakfast room asleep.

She went on about her own work that morning. But several times she went into the den to have a look at him. He wasn't doing much, she could see that. He seemed to keep polishing one small square in the corner of the room. Finally she spoke to him. "Is there anything you need, son?" she asked.

But there was no answer. He didn't even bother to look up. He kept running his cloth over the same spot — over and over again.

"Howard," Mrs. Gillis began.

"I won't be spied upon," he said suddenly. "I won't put up with that!"

Mrs. Gillis was really concerned. "See here, lad," she said, "I think we must have gotten off on the wrong foot. I'm not spying on you."

"Then why do you keep popping in like this?" he snapped. And then he was speaking very rapidly, "Would you like me to work faster — would you like me to spill out my life's blood for you here on the floor? Is that what you're after?"

Mrs. Gillis was suddenly afraid. "Howard, lad," she said, "are you well? Are you well enough to work?"

"Of course I'm well. If only you'd quit bothering and questioning and pestering me! Is that too much to ask?"

Mrs. Gillis hesitated a moment before speaking. "Howard, I'm interested in young men. I have two boys of my own — they're in the service. See, that's Bill on the desk there — he's a Marine. And on the table there, that's Dennis. He's in the Infantry, overseas."

Howard looked at her grimly. "So that's why you hate me! I see it all now!" he said.

"Hate you? Why, whatever gave you —"

"Yes, you hate me," he interrupted. "I could tell it the moment I walked into this house this morning!"

"But Howard —"

"You hate me because I'm young and I'm not in the service like your boys."

"It never occurred to me! You must know I was grateful when you came looking for work."

"Grateful!" he sneered. "You resented me. The only reason you have me here is to work my life's blood away. To punish me for not being in the service, just because your sons are in the service and I'm not."

Mrs. Gillis was very gentle when she answered. "Son, you're ill. Let's put the work away now, and I'll make you a cup of tea."

"So you don't want me to do the job, is that it?" he said bitterly. "You're like the Army — there was a job to be done, and they wouldn't let me in — and now you'd like me to stop in the middle of this, wouldn't you?"

"I only want you to do whatever will make you feel better," she said quietly.

"Well, leave me alone then!"

"Very well." Mrs. Gillis started to leave, but somehow she could feel his eyes on her. And then she heard him call her, and his voice was low and cold. "Mrs. Gillis!"

"Yes?"

"I'll tell you why I'm not in the Army — if you insist."

"I don't insist at all, Howard."

"If you must know," he said, so low she could scarcely hear, "they said there was something wrong with my mind."

Mrs. Gillis closed the door softly behind her. The first thing she thought of when she reached the hallway was the phone. But it was in the den — with him. She ran quickly to the back door, but it was locked; and the key wasn't in its usual place.

A little breathless, she went to the front door. It, too, was locked. She was on the verge of trying the windows, when she suddenly thought of Sarah. She was afraid for her — Sarah hadn't made a sound in hours. Mrs. Gillis had just started for the breakfast room when she heard a crash. It came from the den, and she rushed in to find Howard peacefully polishing away at the same spot. He hadn't moved an inch. He didn't look up at her, and then she saw the phone which had fallen to the floor beside him.

"The phone fell," he said calmly.

As Mrs. Gillis walked over to pick up the phone, she saw that the wires had been jerked out of the wall. She stood looking at the wires a moment and then he spoke to her.

"I suppose you think I ruined your phone," he said.

"The wires —" she began.

"That happened when it fell to the floor," he replied.

"But it couldn't have!"

"That happened when it fell to the floor," he repeated.

Mrs. Gillis started to speak again. "But —"

"I don't suppose you'll be able to use it any more," he said quietly. "Not for a while, anyway."

"No, I don't suppose I will," Mrs. Gillis replied, as she looked at him.

She began to feel frantic. All the doors were locked, and the high, old-fashioned windows offered no quick means of escape. And Sarah had disappeared. She called her several times, and she combed the house for her, but she was nowhere to be found. Then she decided to take one last look in the closet storeroom.

"Sarah! Sarah!" And as she entered the closet, she knew that he was behind her, standing in the narrow doorway. A shiver went through her.

"Mrs. Gillis."

"Yes?"

"Are you looking for your dog?"

"Yes. I haven't seen her all morning. She was in the breakfast room."

"Well, she's not there any longer," Howard replied.

"I know. Where is she?" Mrs. Gillis asked timidly.

"Where is she?" Howard repeated after her.

Mrs. Gillis suddenly became excited. "Yes, where *is* she?"

"She's gone," he said flatly.

"Gone?" Mrs. Gillis looked at him. "If you've harmed her —"

"She didn't like me, you know."

"See here," her voice rose, "I've put up with enough! You tell me where my dog is, or —"

"Or what, Mrs. Gillis?"

"I'll — I'll —"

"You'll do what, Mrs. Gillis? What will you do?"

Mrs. Gillis was becoming hysterical. "Sarah! Here, Sarah!" she cried.

"She's gone, Mrs. Gillis. I told you."

"You've harmed my dog!"

"Have I?"

"You killed her!" Mrs. Gillis began to cry. "Poor Sarah, who'd never hurt a thing."

"She would have hurt me."

"You're bad, Howard — you're wicked! You're a coward!"

"I'm not a coward, Mrs. Gillis. Cowards are afraid to kill."

Mrs. Gillis was sobbing now. "Only a coward would kill a poor old dog."

"If I were a coward, I'd be afraid of you," he said. "And I'm not afraid of you."

"You let me out of here," she said, as she attempted to go past him.

But he stood firmly wedged in the doorway. "I have strong hands, Mrs. Gillis. My fingers are like steel."

"I've never harmed you, Howard."

"No, and Sarah didn't either. But she would have, if I hadn't harmed her first."

"Let me out of here," Mrs. Gillis screamed.

"You're getting very noisy," he said. "Perhaps if I locked you in here, you'd calm down a bit."

"Howard! Howard!" She screamed hysterically.

And then he suddenly stepped out of the doorway and he slammed the door shut, and she heard the key turn in the lock. For a moment she had a feeling of unreality. Was this really happening? The dim light from the little square window picked out a limp, lifeless object in the corner among the dusty mops. She knew without looking further what it was — poor Sarah. Sarah, who'd never harmed a soul.

Mrs. Gillis remained in the closet for what seemed hours. And she could hear him moving about the house. Finally, he came back and he spoke to her through the door.

"Have you calmed down?" he asked.

"Yes, Howard. Let me out."

"Why?"

"Because it's warm in here. Because I want to get out."

"You were looking for your dog, weren't you?"

"Never mind about that," she said, after a slight pause. "Let me out."

"Mrs. Gillis, if I kept you in there, you wouldn't be able to spy on me ever again."

"I won't spy on you, Howard. Let me out."

"Do you know what I've been doing, Mrs. Gillis?"

"No."

"I've been doing your den floors like you asked me to. It was fine being able to work peacefully — knowing that you were some place where you couldn't bother me."

"I won't bother you, Howard."

"It was very peaceful — nobody to bother me."

"Let me out, Howard."

"Will you promise to do as I tell you?"

"I promise."

"Anything?"

"Yes, anything."

"Very well, then —"

Mrs. Gillis heard the key turn in the lock.

"Now, no tricks," he said.

"No."

"Feel my hands, Mrs. Gillis," and he held them out before him. They were thin hands, and he turned them over slowly, and he looked at them. "Are they nice hands?" he asked.

"Yes," she replied meekly, "they're nice hands."

"You haven't felt them."

Mrs. Gillis knew better than to argue. She forced herself to take hold of one of them. It was icy cold, and the wax had make it sticky.

"Have your sons as nice hands as these?" he asked.

"No, they haven't," she replied quickly.

"But they got into the Army, didn't they? I'm just as good as they are, you know."

"Of course you are, Howard. Wouldn't you like some food, lad? You haven't eaten all day."

"Some food would be good," he said quietly.

"Let me fix you some," and she moved slowly past him toward the kitchen. He looked at her, but he seemed preoccupied.

"Mrs. Gillis," he said, "a woman I worked for once said my hands were weak."

"She did?"

"She soon found out, however."

"Here, now, lad, I have some nice cold roast in the icebox."

It was almost as if Howard spoke to himself now. "I taught her a lesson."

"It'll only take me a minute to fix some salad," Mrs. Gillis said.

"Are your sons' hands strong, Mrs. Gillis?"

"Not as strong as yours, Howard. I'll set the table right away," she added eagerly.

"Mrs. Gillis, feel my hands again. They're like steel, you know."

Then Mrs. Gillis heard a car drive into the driveway. She looked out the window, and then Howard saw it too.

"If those are friends of yours," he said sternly, "I'd advise them to go away."

"Now, Howard —"

"I'd tell them to go away," he said, "before anything happens to them."

And then Mrs. Gillis's heart sank — for the car was backing up. Someone had simply pulled up in the driveway in order to back around and turn in the middle of the block.

"They're going," he said.

"Yes, they're going," Mrs. Gillis said.

She finally managed to get some lunch on the table, and Howard sat down beside her. He didn't say much, and he ate very little. Mrs. Gillis tried to appear casual, to engage him in a conversation.

"Do you work often, Howard?"

"Not often."

"Do you have any trouble finding jobs?"

"People are anxious to get help these days. Weren't you?"

"Yes, I was, Howard."

He sat a moment without speaking, and then he said, "They're looking for me, Mrs. Gillis."

"Who?"

"I don't know exactly. The people I worked for last, I guess."

"Was that here, in this town?" she asked.

"No. It was in another town. Everyone was looking for me, so I went away. It's horrible to be spied upon, Mrs. Gillis. Do you know what it is to be spied upon?"

"No, I don't."

"Would you like to know?"

"No, Howard, I wouldn't."

"Perhaps if you knew what it was like, you'd not spy on me any more," he said.

Then he began to watch her curiously. She rose uneasily to her feet, and she began to clear the dishes, and he followed her. All during the time she washed them, he watched her. Quietly, without saying a word. It took all the self-control she had to keep from crying out. Finally, he spoke to her.

"Do you like being spied on, Mrs. Gillis?"

"No, no!" She was suddenly pleading, "Howard, whatever it is you want, take it and go away!"

"There's nothing I want. I only want to stay here with you."

Mrs. Gillis was sobbing, "I can't stand it, Howard! I can't! I'm an old woman. Please go away and leave me alone!"

"I'm not going away, Mrs. Gillis. There's still a job to be done. I'll go away after I've done everything that has to be done."

"Howard, I have some money here in my pocket. I got it upstairs for you. It's a great deal, and I'll give it to you."

"I don't want your money, Mrs. Gillis."

"Then go away," she said frantically.

"That would be foolish. Then you'd tell on me."

"No, I wouldn't. Really, Howard, go away and I'll never tell a soul that you've been here."

"I don't believe you. And I don't trust you. There's only one way of being certain that you won't tell."

He was looking steadily at Mrs. Gillis now, and then they both heard the truck pull up in the driveway. Mrs. Gillis moved to the window and Howard followed her. It was the milk truck.

"Tell him to go away," Howard said in a low voice.

"I can't. I've ordered some extra things," she replied.

"Run into the storeroom until he goes," he demanded.

"I can't, Howard. He knows I'm here, and he'll expect me to pay him."

"You promised to do as I told you!" Howard whispered furiously.

Now they could hear the sound of the milk bottles rattling in the driveway.

Mrs. Gillis spoke rapidly. "Howard, if I tell him to go, he'll think something's wrong — and then you'll get caught for sure."

"All right, Mrs. Gillis. Take whatever you've ordered. But if you pull any tricks, you'll be sorry."

Without another word he stepped

back from sight between the stove and the wall, but he kept within easy reach of her. The milkman knocked as usual at the window over the sink.

"Just a moment," Mrs. Gillis called, as she raised the window.

"Good afternoon, Mrs. Gillis."

"Good afternoon."

"Lovely day, isn't it?"

"Yes, it is."

"I think I have good news for you," the milkman said.

"You have?"

"Yes. Beginning the first, I think we're getting on some badly needed help, and in the future your deliveries will be made in the early morning."

"That's nice."

"I don't believe you ever did like these late deliveries, did you?"

"I never really minded." Mrs. Gillis looked uneasily toward the stove.

"If all of our customers were like you, Mrs. Gillis, it wouldn't be such a bad old world. Here you are, one quart of milk, and a pint of half-and-half. Goodbye, Mrs. Gillis." As he started to pull the window down, Mrs. Gillis called out suddenly.

"But the extra things — you forgot them!"

The milkman pulled the window up again. "The extra things?" His voice was puzzled.

"Yes, the extra things," she said rapidly. "Now don't tell me you'd forgotten them! The eggs, the butter —"

"I'll get them right away," and he turned down the driveway.

"Mrs. Gillis," said Howard in a hoarse whisper, "I'm going to give you one more chance. When he comes back, you're to get rid of him, do you hear? If you give me away, I'm going to kill you. I'll kill you before he can get inside this house, and I don't care what they do to me."

"I won't give you away, Howard," she said. "I'll only pay him — I have to do that —"

They heard the milkman coming back down the driveway.

"Shut up!" Howard whispered roughly, "and remember!"

"Here you are," said the milkman as he came to the window.

"Thank you."

"Anything else?"

"No — no, that's all."

"Mrs. Gillis," the milkman began, "I was going to say —"

"I'm sorry," she interrupted frantically, "I'm sorry, but I can't stop to talk today. I'm very busy." And she pulled the window down.

Howard stood for a moment behind the stove. His eyes were blazing. Then he spoke without moving.

"You're very clever, aren't you, Mrs. Gillis?"

"What do you mean?" she asked fearfully.

"You thought you were going to put something over on me, didn't you?"

"I sent him away, didn't I?" she asked meekly.

"The *extra* things you ordered! There weren't any!"

"Yes, there were! You saw him! You heard him!"

"He didn't know what you were talking about!" snapped Howard.

There was a sudden rapping on the window. The milkman had returned. He stood outside the window. Howard held his position back of the stove; his knuckles grew white as he clutched his knife.

"This is your last chance," he whispered angrily. "*Get rid of him!*"

"I will, Howard, I will," Mrs. Gillis said. Then she raised the window.

"I'm sorry to bother you again, Mrs. Gillis," said the milkman, "but you forgot the ration points on the butter."

"Yes, the ration points —" she said vaguely. She walked quickly to the cabinet and pulled open a drawer. The ration books were there, and there were knives too. She hesitated for a moment, then she picked up a book and she hurried back to the window. "Here you are."

The milkman took his points and then he handed her the book. "Sorry I had to bother you, Mrs. Gillis. But you see, I have to account —"

"Yes, yes," she interrupted. "I'm busy — can't you see I'm busy?" She pulled the window down.

"Tell me when he's gone," whispered Howard.

Mrs. Gillis stood by the window and she watched the milkman get into his truck and drive off.

"So that was your scheme, was it?" said Howard. "So you wanted to give me away?"

"He's gone now, Howard." Mrs. Gillis said.

Howard stepped out from behind the stove. As he moved toward her, she kept stepping back until she was flat against the wall.

"You thought he'd save you, didn't you?"

"No, no! I sent him away like you asked me."

"Do you know what would have happened to me? Do you?" he shouted.

Mrs. Gillis didn't answer.

"They would have taken me away," he shouted furiously.

"Howard, leave me alone," sobbed Mrs. Gillis.

"I'm going to punish you!"

"No, Howard. I've been punished enough!"

He was standing very close to her now, and he still held his knife.

"Howard! Howard —" she began. But suddenly everything was black for Mrs. Gillis, and she slipped to the floor.

When she came to, she was still on the kitchen floor. Her head throbbed, and she remembered nothing for a moment. Then she remembered everything. But where was he?

She lay there for a moment and she listened. The house was very quiet. She rose to her feet and she made her way slowly to the back door, and tried the knob. But it was still locked.

She tiptoed into the breakfast room, the dining room, the living room. But there was no one. She tried the front door. It, too, was still locked.

She thought of the windows a moment, and decided against them. If he

were still in the house, and surprised her in her attempt — and suddenly she saw the den door. It was closed and she stared at it, expecting it to open at any moment.

Then she heard a sound. A soft, swishing sound — like waves washing up against a hard surface. She stood there for some time listening. It seemed like hours before she could bring herself to move. Then a strong impulse made her walk toward the den door.

Suddenly the hall clock began to strike. Why, it was 5 o'clock! Mrs. Gillis had been unconscious for longer than she'd thought. Had it all been a dream? Then she heard the swishing sound again, and she moved toward the den door. The knob felt icy cold as she turned it. As the door opened, the swishing sound grew louder.

The room had already turned dark in the late afternoon light, but she could see him now. He stood in the middle of the room. He was pushing the heavy floor polisher over the same spot. Back and forth, back and forth.

She started to close the door, but he looked up and saw her.

"What time is it, Mrs. Gillis?" he asked.

"About 5."

"Well, I guess I'll call it a day now." He looked down at the floor proudly. "I've done a nice job, haven't I?"

"Yes, Howard. Very nice," she replied.

"I think I'll be going now."

He picked up his coat which lay on a chair. Then he looked at the floor again. "Doesn't it shine nicely?" he asked.

"Yes, yes, it does!"

"Was it worth $5 to you?"

"Yes, Howard," said Mrs. Gillis softly.

She hesitated for a moment, and then she reached quickly into her apron pocket, and gave him some money.

As he moved to take it, he looked at his hand. He seemed to study it, then he said, "I have nice hands, haven't I?"

"Yes, Howard," she said quickly. "Here, take the money."

"Thank you." He looked at his hands again. "It's a pity they have to be used to polish floors."

"You've done such a good job," she said breathlessly, "I'm going to give you a few extra dollars."

"Thank you. Will you be needing me tomorrow?"

"No, thank you, Howard."

He went quietly to the front door. Finding it locked, he turned to her with a puzzled look on his face.

"The door's locked, Mrs. Gillis."

"Yes, Howard. Do you have the key?"

"Yes, yes, I have," he said, after a pause. "I just remembered." He took a key from his pocket and unlocked the door. Then he turned to her. "Goodbye, Mrs. Gillis," he said.

"Goodbye, Howard," she replied, as he closed the door softly after him.

THE REAL McCOY

In July 1950, Richard Deming spent two weeks in St. Louis soaking in background on local police and court procedure for a novel he was then writing. He talked to everyone he could think of who might be able to supply him with information and color. One day, while talking with Lieutenant Maurice O'Niell (now Captain O'Niell), head of the St. Louis Homicide Squad, the lieutenant got onto one of his favorite subjects — how vastly real-life murder investigation differs from the Hollywood version thereof. Many homicides, claimed Lieutenant O'Niell, contain no element of mystery whatever. For example: during a domestic quarrel a husband brains his wife with an axe. For two hours previously the neighbors have had ringside seats to the battle of the sexes, and when the police arrive the husband is still wandering around with the murder weapon in his hand. Or take another case: a woman shoots her husband, immediately phones the police, and announces what she has done — just as simple as that. In neither instance are the police required to solve anything: their job is simply to line up the witnesses and gather sufficient evidence for the circuit attorney to prove in court what everybody already knows.

On the other hand, continued the lieutenant, when a "mysterious" homicide did occur, it usually contained an impossible amount of mystery — often far more than any fiction writer would dare put on paper. To illustrate: during a store holdup the bandit loses his head and kills a customer who walked in unexpectedly. The bandit is masked, of normal size, and has no unusual characteristics — no limp or odd manner of speaking or readily identifiable clothes. He never before saw the man he killed, so that a checkup of the victim's background is obviously useless. The only clue is the bullet, and as so often happens, the slug struck a bone and is too battered to provide comparison tests — even if the murder gun does eventually turn up. The case is all mystery from beginning to end — and no lead goes anywhere except to a dead end.

It is Lieutenant O'Niell's honest opinion that no fictional or movie sleuth, however brilliant, could solve this type of crime. Unless the bandit is caught for another crime and in the course of questioning reveals his guilt of earlier crimes (a common occurrence), the case would simply remain in the Open File for years — and the lieutenant, to prove his point, pulled out a drawer in a filing cabinet and indicated a substantial number of folders on Unsolved Cases. True, the file represented the accu-

mulation of years of official frustration, but the lieutenant assured Mr. Deming that the general belief that murder will out is pretty much a fictional myth. Every city in the country (if not in the world) has its thick, dusty Open File.

"Most of them will never be solved," said Lieutenant O'Niell sadly — and that remark planted the seed of Richard Deming's story, which won a Third Prize in EQMM's Eighth Annual Contest.

"Open File" portrays an utterly accurate picture of a routine homicide— a run-of-the-mill case told in matter-of-fact style. No sensationalism. No pandering to morbid tastes. No thrills for thrills' sake. Just a straight documentary that shows how a real-life detective acts in a realistic murder investigation — and with a perfectly realistic ending . . .

OPEN FILE

by RICHARD DEMING

IT WAS A RUN-OF-THE-MILL CASE. Check the files of any homicide squad and you will find a hundred like it. Maybe a thousand in the big cities. In St. Louis we stick them in what we call our Open File. I don't know where they keep them other places, but no matter where they keep them or what they call them, they are run-of-the-mill.

The lieutenant himself took the call when it came in about 11 Wednesday morning, and I drew the case because I happened to return from a hit-and-run just as he hung up.

"Harris!" the lieutenant bawled when he saw me. "Get your butt down to 1046 Eichelberger and see what the hell they got. Some wet-eared rookie from Carondolet Precinct is so excited over the first corpse he ever saw, I can't make out whether it's homicide or a natural death."

"Yes, sir," I said. "Want I should type up this hit-and-run first?"

"Anybody dead?"

"Not yet. One woman to City Hospital for observation. Maybe internal injuries."

"Then save it. Dictate it to a stenographer when you get back."

He howled at his own joke. He howls every time he makes it, which is frequently. The only stenographers we see in Homicide are either dead or have just made somebody dead.

1046 Eichelberger was the lower left flat of a four-family building which had, instead of the usual inside foyer, a box-like open porch with separate entrances to each flat. I didn't have any trouble spotting it,

for besides a squad car with a cop in the driver's seat half the residents of the South Side were milling around on the lawn trying to peer through the windows.

The door was opened by the rookie who had phoned in, a cop about twenty-two years old who was built like a rhinoceros. He was still agog with excitement, but beneath it I detected a poorly suppressed air of self-importance. Officious, I thought the moment I glimpsed him, an eager beaver with rosy dreams of working his way up to commissioner. Just like me, twenty years ago.

"Lieutenant?" he asked.

"The lieutenant was otherwise engaged," I said. "He sent his regrets. I'm Corporal Sod Harris."

"Oh," he said, let down. He wasn't only a rookie, but a brand-new rookie. Who but a brand-new rookie would expect the head of the homicide squad himself?

I said, "You can trust me. I been doing this work some years now. Spill it."

He blinked at me, then moved his oversized body aside to let me in. "I'm Patrolman Fritz Kaltwasser," he said, then repeated it to make sure I got the name. Who knows? — even a corporal's report might be seen by some division head on the lookout for sharp young men. "It's a girl named Eleanor Vogel, Corporal. She's in the bedroom." He added with a touch of pride, "I sent her folks upstairs by the neighbors, so they wouldn't mess up any evidence."

By the neighbors, I thought. A South Side Dutchman. South St. Louis idiom is wonderful. "Let's go by the show, ain't it? they say, meaning, "Let's go to the show, shall we?"

Fritz Kaltwasser is German for Frederick Coldwater.

I succumbed to an impulse to heckle him. "The parents under guard?"

"Huh?" He looked at me blankly, then blushed a furious red. "But they couldn't have . . . I mean, their *own* daughter."

"I was kidding," I said, relenting. "Let's see the stiff."

He winced. He didn't like the thought of a South Side girl being called a stiff, even after she was one. Maybe I should have said "remains."

The girl in the flat's only bedroom had been about nineteen. She was black-haired, passably pretty, possibly even exceedingly pretty in life, if her face had possessed any animation. It didn't possess any now.

She was over in the far corner in a half-sprawled, half-seated position, her back against the wall, one leg straight out and one bent under her. She was dressed only in a slip and stockings, and between a rather prominent pair of breasts a lot of blood had coagulated. She looked straight at us from sightless eyes.

In her lap lay an Army .45 automatic, and in the wall behind her were three holes which looked as though they might have been made by shots from the gun.

Although he must have looked at her before, Patrolman Fritz Kaltwasser was staring at the corpse from bulging eyes and his face was a light shade of green. I took his elbow and piloted him back to the front room before he threw up.

"Give me the story," I said.

Gradually his color returned to its usual ruddiness. He pulled a flat notebook from his hip pocket.

"At 10:56 A.M.," he said, reading, "Patrolman John Lieber and I were cruising west on Bates between Thirty-seventh and Dewey when we got a radio report . . ."

"Not that," I interrupted. "Just what happened here."

Reluctantly he closed the book. "Well, from what I could gather, she must have been shot about 10. She was alone in the house. Her mother and father were shopping over by Grand Avenue, and there was nobody but the girl here when they left at 9. A half dozen neighbors heard the shots. Four or five of them — shots, I mean. A lot of people stuck their heads out back to ask each other what it was, but nobody seemed to know. The lady upstairs thought it sounded from down here, but she thought nobody was home. She saw the parents go out, see, and she thought the girl was at work. She would have been ordinarily, but her folks tell me she lost her job yesterday. The father and mother found her when they came back at 10:30."

I asked, "Anybody have guesses about who did it?"

He shook his head. "None of the neighbors anyway. I didn't ask the parents much, because they're all to pieces. Could it be suicide? I mean, the gun in her hap . . ."

"Don't rush me," I said. "A doctor seen her?"

"Dr. Koenig, the family physician. He's upstairs with the parents now. I told him not to disturb the body beyond what was necessary to make sure she was dead until after the medical examiner saw her."

I stared at him. He expected a medical examiner to rush to the scene of the crime, like they do in the movies. Our coroner's physician has two assistants, and they do their examining without ever leaving the morgue. Why the movies do it differently, I don't know. What our coroner's physician could find out at the scene of a crime that he couldn't find out quicker in his modern autopsy room, I do know. Nothing.

I said, "Go get that doctor."

As he started to leave, I walked over in the corner to pick up the phone.

"Hey!" he said. "Fingerprints."

On the phone, he meant. In the movies you pick up a phone with a handkerchief. Of course, a handkerchief would smear fingerprints as much as your hand, but the movies don't know that.

"Yeah, fingerprints," I snarled at him. "And footprints. How come you let that mob of people out front trample possible footprints?"

He looked as though I had kicked

him in the stomach. Then, as he started determinedly toward the front door, I said, "Don't chase them away. Just ask those who know anything about this to stick around. Get their names and addresses while you're asking them."

"Yes, *sir*," he said. *Sir* to a corporal.

I lifted the phone by its mouthpiece so as not to disturb the possibly precious prints on the place you would normally hold it. I once heard of a case cracked by fingerprints. It was an extortion case, not a homicide, but still you never know.

Wiggans answered at Homicide. "The lieutenant is out on the street," he said. The lieutenant is never out on a case, or looking at bodies in the morgue next door, or over in court. He's always "out on the street."

"I got a probable," I said. "1046 Eichelberger. Left-hand flat downstairs. I'll need pictures, lab stuff, an ambulance."

"Check," Wiggans said. "You phone the circuit attorney's office?"

"You phone it," I said. "You're closer."

Fritz Kaltwasser came back trailed by a tall elderly man. Dr. Herman Koenig his name was, and he said he had known Eleanor Vogel all her life. Delivered her, as a matter of fact, in the same bedroom where she died.

"There isn't much I can tell you, Corporal," he said. "Mr. Vogel called me, and after I looked at the girl, I called the police. The only pertinent information I have is she is dead."

"Ten o'clock jibe as the time of death?" I asked.

"I saw her about a quarter of 11," the doctor said. "There's a bullet through her heart, so she must have died instantly, and she hadn't been dead long. I understand shots were heard about 10. There's no way of telling any closer than that when she died."

"Only one bullet in her?"

"I only noted one wound."

I asked, "Move her any when you examined her?"

He shook his head. "I merely felt her pulse and listened for her heart before I called the police. After they arrived I didn't touch her again because Fritz told me not to disturb her position."

Fritz. He knew the young cop too. Probably delivered him. Everybody on the South Side knows everybody else.

I asked him if he had any ideas about the girl's death, but he didn't. I also asked him if he knew anything about her personally, whether she ran around, had boy friends, and so on. He didn't know that either. She was just a kid he had delivered, doctored through measles and other childhood diseases, but whom in recent years he saw only when she was sick.

I said, "Thanks, Doctor. Guess you won't have to hang around any longer." I wrote his name and address in my notebook.

Papa Vogel was a retired railroad man, a short stout individual with a tobacco-stained mustache and a

curved pipe he never took out of his mouth. Ordinarily he probably was a pretty stolid person, but now he was in a crushed daze. Mama Vogel was a female version of Papa, without the mustache and pipe. She had been hysterical, but by the time I got to her she had settled down to a kind of hopeless grief.

Papa kept ineffectually trying to comfort her by patting her shoulder every once in a while and saying, "Now, Mama," but it didn't accomplish anything. She kept repeating, "Oh, Papa," every time he patted, until the repetitious dialogue began to get on my nerves. But you can't tell a couple of parents who have just lost their only daughter to shut up, so I worked in my questions between pats.

Neither parent had any idea as to who could have killed the girl. The possibility of suicide had not even occurred to them in spite of the automatic being found in her lap, and in spite of their having a vague idea it was a gun she had possessed for some time. They cleared this up by explaining she had borrowed either this gun or one similar to it from a boy friend some months back to use as a prop in Cleveland High School's annual alumni play, in which she had a part. They assumed the gun had been returned, but possibly she had never gotten around to it.

They had little to tell me about the killing which I didn't already know from Fritz Kaltwasser. From 9 until 10:30 they had been shopping at a group of small stores along Grand Avenue just north of Bates. I had them list the stores and the order in which they visited them.

At 10:30 they returned home and let themselves in by key. They explained that when they left, Eleanor was still in bed, the back door was locked, and they left the front on night lock. It was still on night lock when they returned and the back door was still locked too. Probably they would not have discovered the body immediately had the door to the bedroom not been open, but they had to pass it as they carried their various packages to the kitchen. Consequently they found the girl at once.

Aside from that, all I got from Papa and Mama Vogel was background. Eleanor Vogel had been nineteen, a graduate of Cleveland High School, and had worked as a stenographer for the Sanford Shoe Company until the day before, when she had been let out.

Losing her job had been entirely unexpected, the parents said. Five minutes before quitting time the girl had been called to the main office, handed a check for three days work plus accumulated vacation leave, and told not to come back in the morning. Why she had been so abruptly discharged, she refused to tell her parents, but she had seemed exceedingly bitter about it. They said she had come straight home from work and after briefly informing her parents of what had happened, locked herself in her room and refused to come out.

Ordinarily when she didn't go out in the evening, Eleanor spent a good deal of time on the phone, her parents said. But last night she had not stirred from her room long enough to call a single friend. At 11 P.M. Mama Vogel had looked in to find her in bed asleep, and when the parents left at 9 A.M. she was still asleep.

The parents knew little about her personal life beyond the fact that her main boy friend until a week ago, when they had parted after a spat of some kind, had been a lad named Arthur Blake, the same one who loaned her the gun. Probably the spat had been because of jealousy on Arthur's part, they guessed, as Eleanor had been quite popular with other men. With rather pitiful pride Mama Vogel said her daughter had a date nearly every night, but when I asked for a list of names, she reluctantly admitted the only one she had ever met was Arthur Blake. When Eleanor went out with the others she customarily left the house alone and met them at some predesignated spot.

In spite of the apparently clandestine nature of these assignations, both Papa and Mama Vogel insisted with blind parental faith their daughter had been a "good girl."

I got a further hint of the dead girl's character when I learned the sole bedroom in the four-room apartment had been hers, the parents using a folding divan in the front room.

"A young girl, she needs her own room," Mama Vogel said between tears. "We try to do as good by her as we can, even though it ain't much."

The neighbors' opinions, though cautiously expressed, were not as kind to Eleanor as her parents'. The consensus was that the girl was inclined to be wild, as more than once she had been observed being dropped from cars a quarter block from her house by strange men at hours as late as 2 in the morning. One woman — there is at least one such self-righteous and omniscient person in every neighborhood—declared she had always known the girl would come to a bad end. If Eleanor had confined herself to "that nice Arthur Blake," who at least came to the house like a gentleman, she would still be alive, the woman told me, adding with grim satisfaction that the girl obviously had been murdered by one of the bad lot she went with, who were too sneaky to show their faces.

None of the other neighbors had any theories as to who had shot the girl, or why.

No one had seen anyone enter or leave the Vogel flat while the parents were gone. As leaning out of back windows was the normal method of conversing with neighbors in that neighborhood, everyone had rushed to the rear when the shots sounded, and a dozen people could have walked out the front door without being observed. No witnesses were available from the other side of the street because that was a vacant lot.

Though no one had happened to check a clock at the time, there was general agreement the shots had

sounded approximately at 10. On the number of shots I found two schools of thought, one faction insisting there had been four and the other holding out for five. One deaf old lady who lived nearly a block up the street swore there had been more than a dozen, but since she was barely able to hear me when I shouted at her, I discounted her as a reliable witness.

I had finished preliminary questioning when Joe Saltzer arrived with a camera and laboratory kit, and Assistant Circuit Attorney Cass Humphrey showed up right behind him.

I brought Cass up to date before we went into the bedroom. So far I had entered the room only deep enough to get a good look, there being a rule about having a representative of the circuit attorney's office present before you begin messing with evidence. The Assistant C.A. is supposed to instruct you in the preservation of evidence, which is smart in theory, as the circuit attorney's office is responsible for presenting the evidence in court. However, when a cop has been ten years on Homicide, like me, and an Assistant C.A. has been out of law school only four months, like Cass Humphrey, it becomes a little ridiculous. Not that I think I'm smarter than Cass. He's nearly as smart as his father, Senator Jim Humphrey, who always drew straight Es compared to my straight Ms when we attended Soldan High School together. But even a dumb cop is likely to learn more in ten years than a smart lawyer can pick up in four months.

Cass merely watched while I went to work.

First I had Joe Saltzer take pictures from various angles to get a permanent record of everything in the room. Then I had him dust the gun in the girl's lap for fingerprints.

Contrary to popular belief, you do not leave nice clear fingerprints on every smooth surface you touch. Unless your fingers hit the surface with just the right pressure, and without sliding, you leave only useless smudges. On the corrugated grip of an Army automatic you couldn't leave a fingerprint even if you tried, but there is always the chance of finding fingerprints where the slide is pulled back to throw a shell in the chamber.

On the slide Joe brought out several beautiful smudges.

This routine time-waster being out of the way, I checked the clip and found four shells missing. A hands and knees search resulted in locating two of the ejected casings under the bed and the other two under the dresser. We found half a thumbprint on one, hopelessly smeared.

Then, for the first time, I gave my attention to the body. Under the slip she wore nothing but a garter belt, and apparently she had been caught in the act of dressing, for only one stocking was snapped. Her fingernails, clipped short in stenographer style, were bright red. I was gratified to note she had used them for scratching, for beneath them she had managed to collect tiny flakes of blood-speckled skin. Carefully I scraped them clean,

dropped the scrapings in an envelope, and gave it to Joe.

The girl's hair was singed in one spot which roughly lined up with one of the holes in the wall behind her, indicating that a bullet had caused the singe. I had another close-up made to show this, as it completely canceled the already unlikely possibility that Eleanor had herself pumped three bullets into the wall, then sat down and put the fourth into herself.

On both upper arms the girl had light bruises, which looked as though someone had gripped her hard by the biceps. On the back of her left shoulder was another slight bruise and her left elbow was skinned from contact with the wall.

The total picture added up to someone having grasped her by the arms, hurled her into the corner, and having pumped four bullets at her while she sprawled there. He had been a lousy shot, for only one had connected.

An ambulance had arrived from City Hospital by then, and I let them take the body away to the morgue.

Then I went over that bedroom inch by inch. Aside from the marks on the girl and the skin flakes beneath her nails, there was no sign of a struggle. Near the door I found two six-inch black hairs on the rug and preserved them in an envelope. To my naked eye they looked like the girl's, but the lab could decide definitely.

The top drawer of the dresser had been pulled open about a foot. In its right front corner was a folded silk scarf with an indentation in its center the size of the gun, indicating the automatic probably had lain there a long time. Farther back in the drawer I found an empty spare clip.

The next two drawers yielded nothing but clothing, but the bottom one contained her personal mementoes and keepsakes. Here were old invitations to high school dances and parties, her grade school and high school diplomas, a dried corsage — all the trivia a nineteen-year-old girl might save. But not a single letter. The absence struck me as so odd that I made a note of it in my book. A girl who had dates every night certainly would have a few love letters. And a girl who would save an old dried-up corsage just as certainly would not throw love letters away.

When I asked Mama and Papa Vogel, they had no idea whether their daughter had saved letters or not, but seemed certain she would have kept them nowhere but in her dresser if she had.

At the rear of the bottom drawer, beneath the newspaper lining, I found a little black address book. Riffling through it, I discovered it contained the phone numbers of 26 men, all identified merely by first names plus the first initial of the last name. But through the phone numbers it would be a simple matter to track them down.

I started to drop the book in my pocket, then thought of something and riffled through it again. No one named Arthur was listed, yet until a

week ago Arthur Blake had been her "main" boy friend.

Maybe it meant nothing except that Arthur had no phone.

While I was combing the room, Joe Saltzer dug three bullets out of the wall and sealed them in a marked envelope.

When I finished with the bedroom, I had Joe dust the entire flat for fingerprints, including the telephone Fritz Kaltwasser had been so concerned over. He found three prints good enough to photograph, all in the kitchen. But when two proved to be Mama Vogel's and the third Papa's, we neglected photographing them. Fingerprints are lovely for identification purposes when a guy who knows how to take them inks a person's fingers and gently rolls them across a white card. But they aren't often helpful as clues.

Rookie Fritz Kaltwasser was still hanging around. Observing us packing up shop, he asked, "Aren't you going to make paraffin tests?"

Joe Saltzer looked at me. I looked at Joe. Then I looked back at the kid.

"Aren't you and your partner supposed to be riding around in that squad car, son?"

"My partner's in the car with the radio on," he said. "There haven't been any calls." He stood looking at me inquiringly, waiting for an answer to his question.

"You got any paraffin with you?" I asked Joe.

"Sure," he said. "It's part of the kit."

"Let's take some paraffin impressions,"

"What the hell for?" he wanted to know.

"Education," I said. "Nobody educated me when I was a rookie. They made me learn by myself, which is why I'm a corporal instead of commissioner. I want this kid to know about paraffin tests so he can grow up to be commissioner."

So we took some paraffin impressions. First we tried Papa Vogel, who docilely submitted without having the vaguest idea what we were doing. We lifted a whole flock of carbon particles from his right palm.

Fritz had faith in the paraffin test. He had seen it in the movies, where it conclusively proves whether or not a suspect has fired a gun. The flashback of the gun is supposed to imbed carbon particles in your hand. He looked at Papa Vogel with his eyes round.

"He smokes a pipe," I disillusioned him. "He uses kitchen matches."

Mama Vogel gave a positive test too. I didn't try to explain that one. It could be that she had fired a gun recently. It also could be she forgot to wash her hands after going to the bathroom. Urine is full of carbon particles. Most likely she had used a match to light the kitchen oven.

"Want us to take your impression?" I asked Fritz.

He looked embarrassed. He muttered that he had fired on the range that morning.

I took the impression anyway. It

was negative. Apparently he had a nice tight gun which didn't allow flashbacks.

"The courts don't accept paraffin tests as evidence any more," I explained to him. "So we don't bother to take them. Any other phase of this investigation you think we might have overlooked?"

He mumbled he hadn't intended to tell us our job. He was only trying to help.

Outside Joe Saltzer said to me, "Hope I never develop into as sour an old man as you. You have to take the kid down quite so hard?"

"Me?" I asked. "I did him a favor. Next homicide he'll know what he's doing. Think I wasted all that time educating him just to put a smart kid in his place?"

"Yes," he said unkindly.

Cass Humphrey, who had not opened his mouth during the investigation, trailed us outside. "What do you think, Sod?" he asked.

"You can rule out any possibility of suicide," I told him. "I think you can also rule out the killer being a prowler. A day-time prowler in a residential neighborhood like this is unlikely in the first place, and he would have had to pick a night lock to get in. Any prowler smart enough to pick that lock would be too smart to pull a job at 10 in the morning. Besides, I checked the lock and it shows no signs of being tampered with.

"I think the girl knew the killer and let him in the front door. I say the front because she wouldn't have been likely to relock the back door if she had opened it, but the front would automatically lock itself. I imagine he got her out of bed, as she was still there when the parents left at 9, and she went to the door wearing the pajamas and dressing gown which are now hanging from a hook on the door of her closet. Either she knew the killer intimately enough to dress in front of him, or she left him in another part of the house while she dressed, and he suddenly walked in on her.

"I think the gun came out of her top bureau drawer, and since even her parents didn't know it was there, it's hardly likely the killer did. I think she pulled the gun out, probably in self-defense, the killer took it away from her and killed her with it. There was some kind of struggle, because there are marks on her and she scratched him with her nails."

"Attempted rape, maybe?" Cass asked.

I shrugged. "Possibly. Also possibly a lover's tiff. Or the girl might have been doing a little blackmail." I told him my thoughts about finding no letters among the girls's mementoes.

"You mean there probably were letters and the killer lifted them?"

I shrugged again. "Perhaps she just never saved letters. From the other stuff she kept I have an idea she would, though, all tied up in pink ribbon. Her folks didn't know of any, but then they didn't know much of anything about her private affairs."

"At any rate, we've got enough definitely to establish it as homicide, haven't we?"

I told him if the coroner's jury managed to return any other verdict in the face of the evidence, we could arrest the foreman, for obviously no one but the murderer would cast a vote for anything but homicide.

Unfortunately the solution of the case was not that simple, for when the coroner's jury met on Friday as usual, it rendered a verdict of homicide.

In the meantime I began the staggering amount of routine checking you always have to do in a run-of-the-mill case. Much of it was valuable only from the negative point of view that it eliminated remote possibilities, but it all had to be done. A door to door canvas of people in the Vogels' neighborhood, for instance, on the off-chance some neighbor who had not come forward had glimpsed someone entering or leaving the flat. And checking the stores where the Vogels claimed they were shopping. Though I hadn't the remotest suspicion that either parent had killed the girl, I couldn't simply accept their statements they had been gone from the house from 9 to 10:30. All the stores in that particular shopping area are relatively small businesses, and the Vogels were known by sight in all of them. They were remembered every place they had been.

A general pick-up order had been issued for a white man between 30 and 45 with a ruddy complexion, dark brown hair, good general health, and blood type O, who had scratches on his face. This description emanated from the lab, but since I don't work in the lab, I have no idea how they deduced all that from a couple of flakes of skin.

The order brought in several scratched-up underworld characters, most of whom I didn't have to bother with because they were eliminated by blood typing. But I wasted half a day on two who came within the proper blood type before discarding both because of unshakable alibis.

I wasted half a day on Arthur Blake too. He was twenty, good-looking in a skinny sort of way, and worked in the shipping department of the Ralston Purina Company.

Factors pointing to his possible guilt were his fight with Eleanor a week before her death and his ownership of the gun found in her lap, which ballistic tests had definitely established as the weapon which killed the girl and fired three other bullets into the wall.

Factors pointing to his innocence were that he had got himself a new girl two days after his fight with Eleanor, indicating the fight had not completely shattered him; that he was too young to fit the lab's description of the killer, and at the time the girl was shot he was at work in the shipping department alongside a couple of dozen other people.

The gun he had loaned to the girl was a World War II souvenir given him by an older brother, he said. No, it wasn't registered. Was it supposed

to be? No, it had not been loaded when he gave it to her, but he gave her an extra clip with it, and that had been loaded. Why? He didn't know. The extra clip had been in his drawer with the gun, and he just gave it to her. Why hadn't he asked for the gun back, particularly when they were breaking up? He didn't think of it. He hadn't forgotten it, and meant to get it back eventually, but he just didn't think of it at the time.

The break-up battle, as Eleanor's folks guessed, had been over her going out with other men.

"She seemed to get crazier and crazier," he told me. "In high school she never went out with anybody but me, but this past year — year and a half maybe — she started going out with everybody. All of a sudden she seemed to get the idea no man could resist her, and thought she had to prove it by dating a different man every night."

"It happens to young girls sometimes," I said. "Psychologists call it a 'phase.' You ever have physical relations with her?"

He looked at me with indignation. "Of course not. She was my *girl*."

Fine standard of morality. You don't violate your girl. Probably he went to prostitutes.

"Think maybe she was being a little loose with these other men? The ones who never came to the house."

He flushed, started to shake his head, thought better of it and said with an embarrassed air, "How would I know?"

Obviously it was a thought he had deliberately skirted, something he refused to consider possible about his former "girl," even after she ceased to rate that classification. It occurred to me his suspicion she was being promiscuous with other men while he continued to treat her as chaste might have a lot to do with his quick recovery after the final split. Some guys have to respect a woman in order to love her.

Apparently he had done a little spying on Eleanor before the blowoff, for he knew her dates customarily picked her up a block from her home at the corner of Eichelberger and Grand. He had never managed to glimpse any of them except as vague figures behind the wheels of cars, and knew none of them except one. During their last fight Eleanor defiantly bragged she was going out with her boss, a 40-year-old man with a wife and two children.

I had already discovered the girl's former boss was one of the 26 men listed in the little black book, for with the cooperation of the telephone company we had attached last names and addresses to the listing. By then I also had the post mortem report.

It showed that Eleanor Vogel had been pregnant.

The addition of even hearsay evidence that she had been dating her boss gave me pretty good ammunition with which to call on the man.

Warren Phillips was a minor executive for the Sanford Shoe Company. He was a slim, ungrayed man

of natty appearance with a nice smile and a cheerful manner. He had his own office, but it was merely a partitioned recess in a row of a dozen similar offices, fronted with glass so that there was no visual privacy from the main office immediately outside of it.

He greeted me with wary friendliness, waved me to a seat, and said with a show of frankness tempered by just the proper amount of impersonal sadness you exhibit over the death of people you don't know very well, "I suppose you've called about that unfortunate girl whom we let go the day before she was killed, Sergeant?"

"Corporal," I said. "Yeah, Eleanor Vogel. Tell me about her, Mr. Phillips."

He lifted his hands deprecatingly. "There really isn't much I can tell, Serg . . . Corporal. She was assigned as my stenographer about six months ago. I believe she worked here a few months before that in the stenographers' pool, but I'm not certain. I saw her every day, five days a week, for six months, but I really didn't know her. She was just someone I gave dictation to."

"You never saw her outside of office hours?"

"Of course not."

I tabled that for the moment. "Why was she fired?"

He smiled embarrassedly. "She wasn't exactly fired, Corporal. She was laid off. And I'm afraid that was my fault. Her work slipped and I asked to be assigned a different girl."

"You didn't have her canned because you had made her pregnant and she was raising a fuss, huh?" I asked idly.

His eyes grew big and round. "What . . . what was that?"

I pulled out Eleanor's little black book, thumbed it open. "She lists you as 'Warren P., parenthesis, the boss, two exclamation points, close parentheses. Garfield 8-1942. Call Sunday mornings only.' When your wife was at church, I presume."

"That . . . that's preposterous!" he said in a strangled voice.

I stretched the truth a little. "Her ex-boyfriend, Arthur Blake, knows of at least one occasion you were out together until after midnight. He's willing to testify in court."

"In court?" he squeaked.

I settled back in my chair. "Tell me about it, Mr. Phillips," I suggested.

So he told me about it. First I had to listen to a plea I have heard many times in my twenty years as a cop — the one about being a married man with children, that a scandal would kill his family and probably lose him his job, that he didn't care about himself, but couldn't stand the thought of his family suffering. In twenty years I've never run across a selfish pleader — not a single one who ever cares for himself. Back him in a corner and he throws his wife and children at you. Or his mother, if he's single.

When I grew bored, I told him to shut it off and get to the point.

It had started shortly after Eleanor began working for him, he said. He tried to explain that she had something sensual about her which made men constantly aware of her body. He wasn't the only one to notice it. She was regarded throughout the office as a "hot number," and he had taken a little good-natured joshing from the other executives at the time she was assigned to him. He insisted she had made all the advances, throwing out stronger and stronger hints that he appealed to her.

Eventually the inevitable happened. He worked her overtime one evening, took her to dinner afterward, and they ended up in a tourist cabin. He claimed he had taken her out only six times altogether in as many months.

"I wasn't the only man," he said in a depressed voice. "She even used to describe to me what she did with other men, though not by name. Apparently she liked men older than herself, for she was proud of the number of middle-aged men she had chasing her. Obviously she confused promiscuity with popularity, for she seemed to be convinced she was the most popular girl who ever lived. The fact that men always picked her up away from her house and never took her anywhere in public didn't in the least shake this belief. I don't think she was a nymphomaniac, or even particularly passionate, but she certainly had some kind of psychological twist in her thinking. Even if she wasn't a nympho, she was definitely man-crazy."

He paused to throw me what was supposed to be a man-to-man look, but came out merely as an embarrassed cringe. "Under the circumstances can you blame me for my reaction when she announced she was pregnant and insisted I was to blame? Naturally I refused to take responsibility."

"So you had her fired for even suggesting it," I remarked.

He looked sheepish. "I didn't have her fired. I merely asked that she be transferred back to the stenographers' pool. It's not my fault the pool was full and the main office laid her off. What else could I do? She was getting so insistent, the situation was impossible."

"What else could you do?" I repeated. "You could put a bullet through her heart."

His face turned gray. "You don't think . . . ," he whispered. "You don't think I . . ."

"Tell me about 10 o'clock Wednesday morning," I said.

For a long time he simply looked at me. Then he pressed a buzzer and a pretty girl of about twenty rose from a desk in the outer office and came in. I noted there was nothing sensual whatever about this girl.

Phillips introduced her as his new stenographer and told me to ask her anything I wanted. I did, and learned that the morning Eleanor Vogel was murdered, the new stenographer had sat and taken dictation from Warren Phillips from 8:30 until noon without a break.

That ended that lead.

During the next four days I had hauled in every one of the other 25 men listed in Eleanor Vogel's little book. Not one of them proved younger than 30 and they ranged upward in age to an old roué of 60 who had grown children older than Eleanor. Only five were unmarried.

I listened to bluster and indignation, to outright defiance (temporary) and to groveling pleas not to bring ruin on the innocent heads of wives and children. I listened patiently, and then in each case I reached in and squeezed out what I wanted to hear.

With the exception of the last three names on the book, which apparently had not had time to ripen into intimacy, it was the same old story each time, with variations only in the manner in which they had originally met the girl. In only two cases had the meetings been through legitimate introductions, both occurring at public dances. The others had been pick-ups. Eleanor had managed to get herself picked up in bars, on park benches, in swimming pools, at Forest Park Highlands, and simply while walking along the street.

Also, with variations in terminology, every one of the men described her as Warren Phillips had. Through their words I constructed a picture of the girl which would have fascinated a psychiatrist. It was a picture her parents would have denied with horror, and even Arthur Blake, despite his half-confessed suspicions, probably would have refused to believe.

Through some twisted psychology Eleanor Vogel seemed to think the attention of men older than herself proved her a *femme fatale*, and she had not only given herself without discrimination to any man above 30, she had literally thrown herself at him. The little black book was the list of her "conquests."

Perhaps a psychiatrist could have understood the causes behind such a fixation developing out of what seemed to have been a normal childhood, but I made no attempt to figure her out, or to judge her either psychologically or morally. My job was to catch her murderer.

I thought perhaps I was getting somewhere when seven of the men she had listed in her book admitted she had accused them of making her pregnant, with as little luck as she encountered with her boss.

But because of the hour the shooting had occurred, twenty-two of my suspects were able to prove they were at work. The other three proved they were out of town.

I started over again.

Although neither Warren Phillips nor any of the other 25 listed in the book showed evidence of having been scratched, Warren Phillips and twelve of the others fell within the loose description issued by the laboratory. After blood tests were run, the number was reduced to Warren Phillips and two others.

We took skin samples and eliminated everybody.

I started all over again, this time

broadening the field of investigation.

From Mama and Papa Vogel I got a list of friends Eleanor had not included in the little black book. High school friends, people she had known at work, boys and girls both. Patiently I hunted them down and asked questions. Did she ever mention being afraid of anyone? Did they know she had a gun at home? Did they know she went with older men? With anyone at all? Who?

Nothing.

I was just getting ready to start over a third time when the lieutenant snarled something about spending my life on a single case and threw two new ones in my lap. So I contented myself with poring over the case record for a final time.

Every bit of evidence it had been possible to collect by modern scientific methods of criminology was there. The beautifully clear photographs, the lab reports, the post mortem report, the copy of the coroner's inquest, the pages and pages of questions and answers typed up by my two index fingers. Could it be put together and produce an answer by nothing but the addition of human reason?

I took the case record home with me to try it on my own time.

The fact that the gun had been loaded when Eleanor tried to use it, and had it wrested away from her, started a train of thought. Certainly it had not been loaded when used in the alumni play. Would she have kept it loaded afterward? Hardly likely, unless she felt she might have to use it in self-defense against someone later.

It seemed plausible to infer she had been aware of possible danger.

This deduction brought me no nearer a solution than I had been.

Again I concentrated on the already memorized evidence, and out of it I was able to draw some fine general and alternate theories.

Perhaps there was a man with a scratched face somewhere in town who had been one of Eleanor's conquests, but for some reason she had failed to enter his name in the book. Perhaps the man simply had no phone.

Perhaps the book had nothing to do with her killing. Perhaps the peculiarly absent letters were the key, and she had been killed for their possession.

Perhaps Arthur Blake, or Warren Phillips, or one of the other 25 men in the little black book had hired a professional killer.

Perhaps, after all, it was simply a prowler with a knack for picking locks in broad daylight.

The trouble with every perhaps was that it pointed nowhere at all.

The next morning I took the case back to Homicide and put it in the Open File. It is still there, along with a hundred other cases in the same file. A run-of-the-mill case. A kind of murder every homicide squad gets oftener than it admits. A kind of killing every homicide cop occasionally slaves over — and finally, reluctantly, closes by sticking it in the Open File.

The unsolved homicide.

AUTHOR'S NOTE: *"Open File" is simply a realistic portrayal of a common but generally unpublicized type of homicide case. It is not intended to be one of those puzzle stories in which the reader is challenged to figure out the solution; nor is it intended to be an "unfinished" story in "The Lady, or the Tiger?" tradition, in which the reader is kept in a state of "suspended cerebration," wondering what happened after the story ends. Yet there is a puzzle in this story, and if you are the kind of reader who enjoys matching wits with the detective (or the author) you may wish to solve the case for yourself.*

Corporal Sod Harris was deliberately permitted to miss an important point in the investigation of Eleanor Vogel's murder. This overlooked point directs suspicion to one person as the instigator of the murder, if not the actual killer. Had Corporal Harris caught the point, the story's outcome might easily have remained unchanged — the clue might have led to a dead end. But if you think you are a shrewd and observant amateur detective, try to answer these two questions:

What point did Corporal Sod Harris miss?

And to whom did this clue point?

The point that Corporal Harris missed was simply the significance of the time of the murder. According to the evidence, Eleanor Vogel came straight home after learning she had lost her job and thereafter had no contact with anyone except the murderer. Therefore, the only one of the numerous suspects who would expect the girl to be home at 10 in the morning on a working day was her boss, Warren Phillips.

You will recall that the reason the upstairs neighbor did not investigate the Vogel apartment, even though the neighbor thought the shots came from there, was that she thought no one was at home in the Vogel apartment — the neighbor had seen Eleanor's parents leave and had every reason to assume that the girl was at work. All of Eleanor Vogel's lovers — except Warren Phillips — would also have assumed she was at work. None of them — except Warren Phillips — would have picked that particular time to visit the girl or have instructed a professional killer to call at that time.

Yes, the very time of the murder points to the victim's boss, Warren Phillips, as the possible culprit.

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edited by ROBERT P. MILLS

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KEY TO REVIEW SOURCES

AB: *Anthony Boucher in the New York Times*

FC: *Frances Crane in the Evansville (Ind.) Press*

SC: *Sergeant Cuff in The Saturday Review*

DD: *Drexel Drake in the Chicago Tribune*

H-M: *Brett Halliday and Helen McCloy in the Westport (Conn.) Town Crier*

DBH: *Dorothy B. Hughes in the Albuquerque Tribune*

LGO: *Lenore Glen Offord in the San Francisco Chronicle*

EW: *Elizabeth Watts in the Boston Globe*

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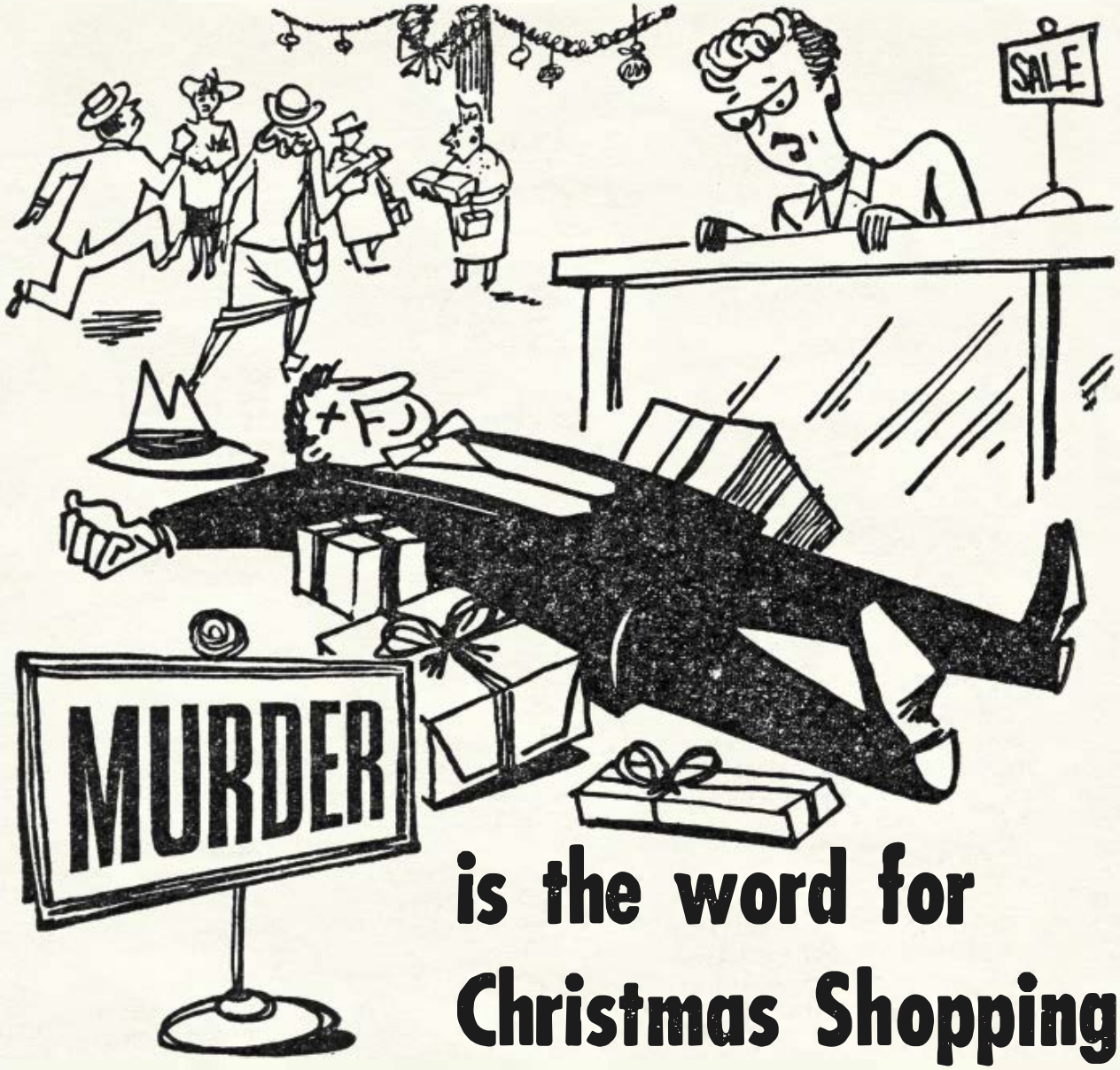

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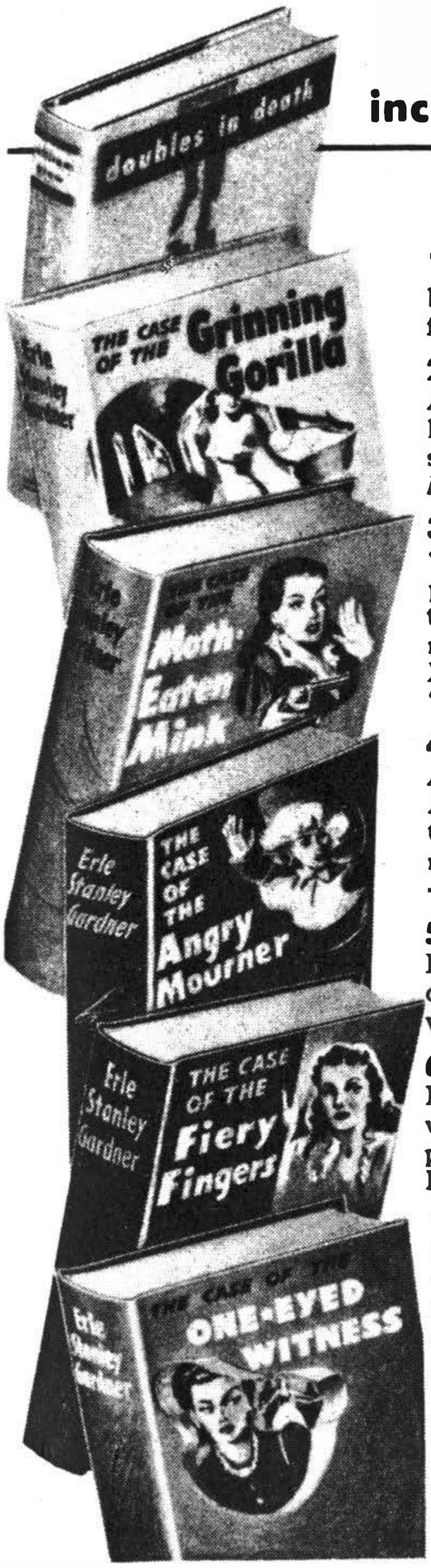

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