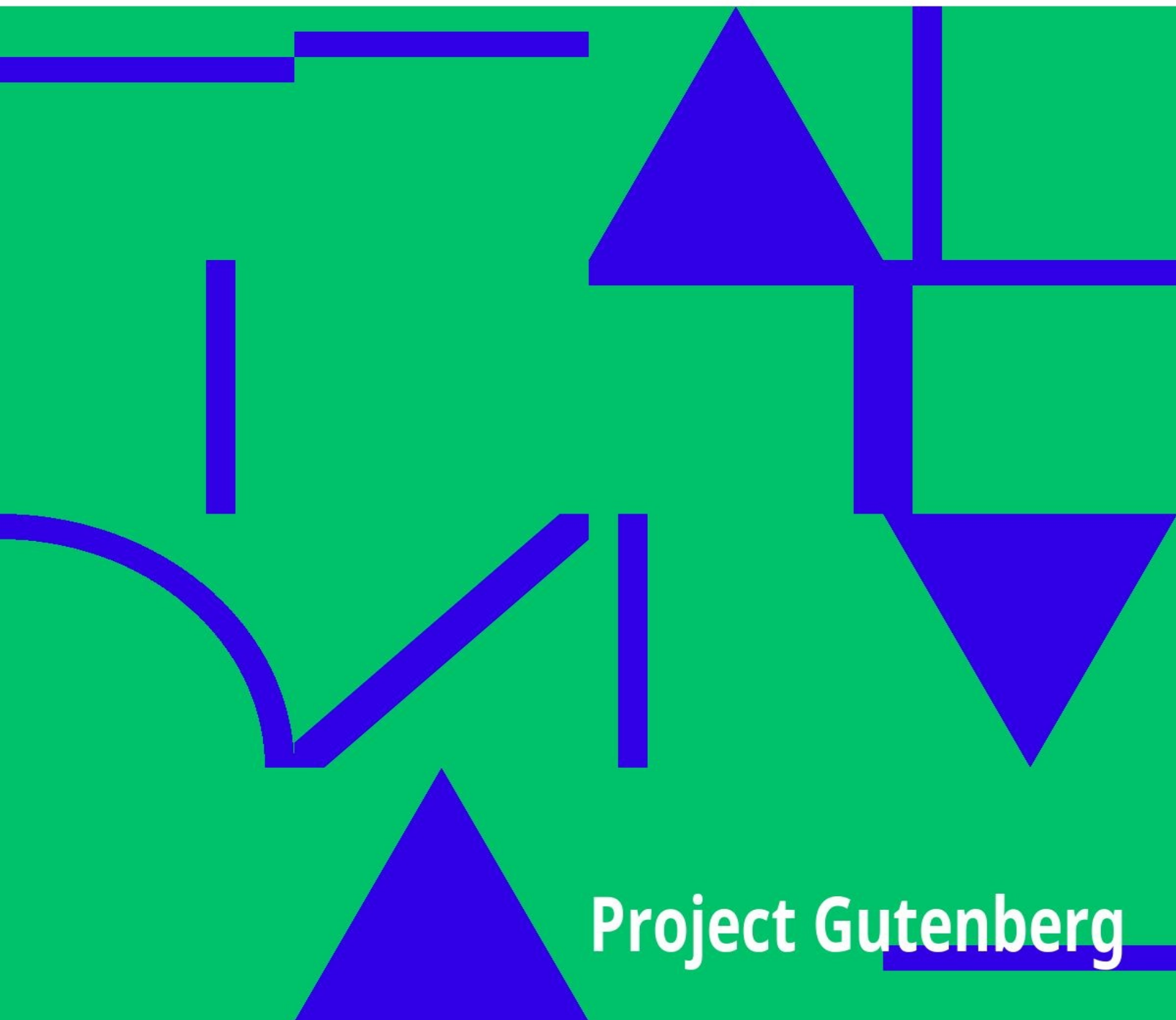


Death Points a Finger

Will Levinrew



Project Gutenberg

The Project Gutenberg EBook of Death Points a Finger, by Will Levinrew

This eBook is for the use of anyone anywhere at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.net

Title: Death Points a Finger

Author: Will Levinrew

Release Date: October 6, 2009 [EBook #30187]

Language: English

*** START OF THIS PROJECT GUTENBERG EBOOK DEATH POINTS A FINGER ***

Produced by Robert Cody

Death Points A Finger

by Will Levinrew

Published by the Mystery League, New York and London.

1933

Other books by Will Levinrew (William Levine) are Poison Plague (1929), Murder on the Palisades (1930), Murder from the Grave (1930), and For Sale—Murder (1932)

Chapter I

The tempo was increasing to its highest pitch for the day. That highly complicated organism, a daily newspaper, which is apparently conceived in the wildest disorder, was about to "go to bed." Twenty typewriters were hammering out their finishing touches and concluding paragraphs to new stories. New leads were being written to old stories.

News machines, telegraph machines, two tickers were adding their quota to the infernal din. Male and female voices were punctuating the grimy air with yells of "copy boy". The men at the horseshoe shaped copy desk were echoing the cry. Boys rushed up to some of the typewriters, and, almost before the type bars ceased their clicking on the last words of a sentence, snatched out the sheet of copy paper from the machine.

The floor, tables, desks, chairs presented an appearance that would have made the owner of a respectable junk shop blush. Discarded copy paper and newspapers, cigarette stubs, burnt matches, strewed the floors. Coats and hats dumped anywhere, littered the desks and battered chairs.

As an obligato to the din, there came from deep in the bowels of the building the rumbling of the huge presses that were throwing out the papers of an earlier edition; a rumble that was felt as well as heard.

Suddenly, as if by magic, the din ceased; "dead line" had been reached. One lone typewriter came to a chattering halt. Men and women rose from their machines, where they had been sitting tense. Cigarettes were lit; the workers relaxed. There began a subdued chatter. Chaff and banter were exchanged, freely, good humoredly.

Only the visible evidence of a former disorder remained. The room was still untidy and grimy. Papers in unbelievable profusion heaped the floors and desks. The rumble in the basement ceased. In a few moments it began again. It was running off the final edition.

James Hale, star reporter on the New York Eagle, who had a few minutes ago been the personification of dynamic activity, was now trying to get a rise out of Marie LaBelle, editor of the Heart Balm column.

Marie was sitting slumped in the chair in front of the typewriter, trying to ignore his jibes. At the side of Marie's desk were the literary effusions from love sick males and females that were the daily grist of "her" department.

Marie glowered at Jimmy, perspiring profusely over Jimmy's witticisms. On the night before, there had been a crap game in which Pop Fosdick, head of the Eagle morgue, had participated. Pop had been a cub when Greeley, Bennett and Dana had been names to conjure with in the newspaper field. Pop still lived in his youth. He had an encyclopedic memory for names, places and dates, which made him so valuable in the morgue.

When a reporter was too lazy to look up some needed information himself, he would ask Pop. Pop would glower, growl, swear—and to hear him was a treat—and get the necessary data. On the night before, in the crap game, Pop had cleaned up the entire gang and broken up the game.

Marie LaBelle was cursing fluently the luck that on that occasion had seemed to run all in one direction—with Pop Fosdick. Marie hitched up the left half of his suspenders and began his old plaint:

"Think of that old geezer, old enough to—"

"Oh, I don't know," broke in one of the listeners. "It doesn't take much to see sevens—, and elevens. Even Pop—"

"I don't mean that," lied Marie. "I wasn't thinking of his luck last night. I was thinking of the remarkable manner in which a man of his age conducts that morgue. It isn't just memory either. He seems to have an uncanny intelligence about—"

"A man of his age," scoffed Jimmy. "He isn't the only one. I know one man who

is, I believe, older than Pop—"

"We all know who that is, of course," jeered Roy Heath, the rewrite man, with his soft southern drawl. "Jimmy is now going to effuse about Professor Herman Brierly. Now, down South, in God's own country there are really remarkable old men. I grant that Professor Brierly is quite a chap for a Yankee; one would think he was a Southerner, but must we listen to—"

Pat Collins, a newcomer to the staff of the Eagle, interrupted.

"Shut up, Roy. I've heard a lot about this Brierly, but I know very little about him. Does Jimmy know him personally?"

"Know him?" drawled Heath. "Pat, to hear Jimmy talk, you'd think he created Brierly. Go on Jimmy, you got an audience."

Jimmy bristled. Roy had touched a sensitive spot, but he saw that this was just the superficial cynicism of the newspaperman. He saw the respectful interest that even these hardened reporters could not disguise. They shared his genuine admiration for the remarkable old scientist.

"Come on, Jimmy," urged Pat. "Tell me."

"You yellow journalists, with your minds running on lurid headlines, can hardly appreciate a man of his kind. Professor Herman Brierly is one of the four foremost scientists in the world today. He shuns publicity, really shuns it, and it is only because of his participation in several remarkable criminal cases that he has become generally known.

"He's nearly eighty years old. He doesn't wear glasses and I believe he still has all his teeth. He is little more than five feet tall, but built like a miniature Apollo; bushy white hair; deeply sunken blue eyes that seem to dissect one with sharp knives, and bushy black eyebrows.

"He has a passion for pure thought and has the finest analytical faculty of any man I know. He can truly be said to 'specialize' in a great many subjects. To him the distance from cause to effect or from effect to cause is a short and a simple one. He has not a superior in physics, chemistry, anatomy, physiology and the sciences generally. He is as familiar with the microscope as the ordinary man is with a pencil.

"It was some years ago that I got him interested in criminology. To his mind each crime is merely a scientific problem which he goes about solving as if it were any other scientific problem. It is only recently that he has begun to take an active interest in the human phases of criminology.

"He hates newspapers, newspapermen and loose thinking. He connects the last, loose thinking, with newspapers and reporters. I got in with him because his chief assistant and adopted son, John Matthews, was a classmate of mine in the university. John, if he lives long enough, will be as great a scientist as his chief. John, or Jack as I call him, is over six feet tall and would have made any professional heavyweight step some if he had taken to the ring as a profession.

"To see and hear the two of them is a treat. It reminds one of a battleship being convoyed by a clean cut little motor launch. And to hear them! The old man is constantly deploring—"

At this moment there cut through the abnormal quiet of the smoky city room the deep growl of its autocrat, "Iron Man" Hite. Jimmy stopped. Hite was calling his name. No one who was not deaf ever let Hite call him twice.

"Hey, Hale," roared the voice.

Jimmy reached the dais of the man who was said to be the best and the cruellest city editor in the newspaper game.

"Jimmy, your vacation begins next week, doesn't it?"

Jimmy nodded and looked at his superior expectantly. Hite continued:

"Your little tin god, Professor Herman Brierly, is spending the summer up in Canada, isn't he?"

Jimmy nodded again.

"Howdje like to spend your vacation up there with Brierly at the paper's expense?"

Jimmy made no effort to hide the suspicion in his eyes. He had heard of Greeks bearing gifts, particularly when the Greek took the shape of his city editor.

"What do you mean, my vacation at the paper's expense? I get my pay during my two weeks' vacation, don't I?"

"Yes, but the paper is willing to pay all the expenses of your vacation besides. What do you think of that?"

The suspicion in Jimmy's eyes grew deeper. He knew his city editor. There was—Hite cut in on his reflections.

"A swell chance for you to spend part or all of your vacation with Professor Brierly and your friend, Matthews. District Attorney McCall is up there too. Brierly is in McCall's shack." He was becoming enthusiastic. "Just think of a vacation at the paper's expense in—"

"I was planning to spend my vacation elsewhere," said Jimmy coldly. "Besides, Professor Brierly doesn't want any visitors. He needs a rest. Jack consented to go up there with the Professor only on condition that McCall doesn't talk shop. I've got my vacation all planned."

"But Jimmy, up there where Brierly is you can get the best ale in the world—and beer—say, just thinking of it makes my mouth water. If you must drink you ought to go up there for a spell instead of drinking this needled beer and the lousy hootch you get in the speakeasies. And that lake up there, Lake Memphremagog, is one of the most beautiful in the world. Just the thing for a newspaperman. Why Jimmy—"

"All right, I'll bite. What do you want me to do up in Canada—on my vacation."

"Who the hell said I want you to do anything on your vacation? That's the chief trouble with this newspaper game; it makes people so damn suspicious."

"Oh, yeah. Tomorrow, Friday, I draw three weeks' pay and my two weeks' vacation begins. You want me to go up to Canada and spend my vacation with Professor Brierly, where the air of Lake Men—whatever the name is, is salubrious and where they have delicious, wholesome beer and ale. I go up there, get healthy and strong, recuperate from this hectic newspaper life and return. When I return, I submit a bill for the fare, and other expenses and the beer and ale. And you pay this expense account. And it ends there, does it? During this two weeks you don't want me to see anybody or do anything or dig up any story for the paper, do you. Is that the program?"

"Sure, that's the program exactly. But you won't object, will you, Jimmy, if I ask you to drop in on someone in a camp near Brierly's. Just drop in once, that's all, and file a little story. It's right near Lentone, Vermont Is that too much to ask?"

"I knew it! There *is* a joker somewhere. Just drop in once and file a little story. You've got a correspondent up there, for a little story. If it's a big story, the A.P. will get it or the paper can send a man up there. What the hell do you want to spoil my vacation for?"

"But this isn't a story, Jimmy. It's got *point* about it that makes it a swell feature story, mebbe a fine human interest yarn, see. And it won't interfere with you at all."

"But—"

Hite's strong teeth clenched his corn cob pipe, his jaw jutted out like a crag; his eyebrows bristled.

"Say, what the hell is all this yappin' about. You pampered pets give me a large pain. I'm askin' you to do somethin'. Either you do it or you don't. Somebody told you you're a star reporter and you believe it. You're developin' a temperament, like a prima donna. I'm payin' you a compliment by giving you a swell feature story; I'm sendin' you where you'd probably like to go anyway; I'm payin' your expenses for your vacation. I'm payin' for all the beer and ale you can guzzle and you balk. What the—"

Jimmy mentally ducked under the gathering storm. Hite was the only human being of whom he was afraid. A vacation up in Canada at the paper's expense wasn't so bad after all. As for the story, he could probably clean it up in a couple of hours, whatever it was. What could possibly happen up there that would take too much of his time? He interjected soothingly.

"Oh, all right, all right, I suppose I'll *have* to go. What's it all about?"

"No, you don't *have* to go. This is your vacation. This paper," virtuously, "doesn't impose on its men. I wouldn't dream of—"

"All right, chief, all right, I'll go. I don't have to go. But I'm just aching, just yearning to go. What is it?"

Hite glowered at him for a moment. His joke wasn't working out quite as planned. Still it would be swell to have Jimmy up there. There ought to be a great feature story in it anyway, particularly on July Fourth, and perhaps a swell follow-up the next day.

His ugly, rugged features returned to normal. He put away his pipe. He said, holding up the clipping:

"There's gonna be a reunion of fourteen men in the camp of Isaac Higginbotham, in Quebec, a few miles north of Lenton, Vermont. The fourteen are all that remain of a group of two hundred and thirty-seven, all of them veterans of the Civil War. Most of the two hundred and thirty-seven were Confederates, but there were a few Union men among them.

"They have a reunion every July 4th. They're mostly northern Confederates. There have been hints for the past twenty years or so that there's something in the group that's strange. It's never got out, because newspapermen never really got after it and covered their reunions. The reasons that first got them together are obscure, but one thing that holds them together is a Tontine insurance policy. It—"

"Tontine?" broke in Jimmy.

"Yeah, Tontine. Don't you know what Tontine insurance is?" he asked with mild surprise. "In Tontine insurance a group of persons get together, pay a lump sum or periodically, with the understanding that the sole survivor takes the whole pot. Understand?"

Jimmy nodded. He repressed a grin. His eyes had caught on Hite's desk a volume of the Encyclopaedia Britannica, Volume XXIII, TAB-UPS. He would look at that volume himself later and learn all about Tontine insurance.

Hite continued:

"Well, Jimmy, among these fourteen survivors are some of the foremost men in the country, men who have served their country in various capacities, a few of them just ordinary poor men. Can't you see what a swell feature story this can be for the Fourth. Patriots all of them: Northern and Southern Confederates, Union men from the North and the South. Why Jimmy—"

Jimmy nodded. His eyes took on the gleam they always held when there was a good story in sight. Canada, with Professor Brierly available, with Jack Matthews, with good beer and ale and the possibility of a good story, with all expenses paid, might be a good idea after all.

Chapter II

About two-thirds of the thirty-odd miles of Lake Memphremagog lies in Canada, Province of Quebec. The lower third lies in Vermont, with Lentone near its extreme southern tip, Magog at its northern extremity.

A few miles above the international border on its eastern shore nestled the rough, comfortable camp that District Attorney McCall, of New York, had turned over for the use of his friend, Professor Brierly, and the immediate members of his household. These comprised John Matthews, Professor Brierly's adopted son and principal assistant; Matthews' sister, Norah, who had recently lost her husband; her four-year-old son, Thomas, and Professor Brierly's housekeeper, Martha, who had been quite certain that without her capable presence, the old savant would be grossly neglected, suffer and die.

Jimmy Hale had elected to drive. July Fourth of that year falling on a Friday, he had decided to start his vacation, nominally, on the following Monday, July 7, actually, on the morning of July second. He argued logically that it might take several of his vacation days to clean up the story. Hite not offering any objections to this, Jimmy started shortly after midnight, Wednesday morning.

The fates were unkind to him. He ran into a rain storm in Connecticut, which followed him through most of Massachusetts. Shortly after he left Brattleboro, Vermont, behind him, he asked two separate individuals for the shortest road to his destination. Each gave him instructions that varied considerably from the other. He decided to follow the direction of the one who looked most intelligent and became lost.

He crossed the Connecticut River several times. His geography being rather sketchy, he became confused by the fact that he appeared to be in New Hampshire part of the time. Then he got lost in Canada, which feat is fairly easy for the stranger.

It was nearly six o'clock in the morning of July third, when he found the camp, about two miles off the road. He bumped over rutted paths through rough, plowed and unplowed fields several miles before he finally arrived. A friendly fox-terrier puppy fawned on him and friskily led him to a porch.

Jimmy was red-eyed, tired, haggard and in a vicious temper when he reached the camp. He knew it was his destination because, on a wide porch facing the west, he came upon his friend and former schoolmate, John Matthews, snugly rolled in his blankets, sound asleep. Jimmy took this sleep as a personal affront. As if jeering at his own sleeplessness, Matthews emitted a faint snore.

Jimmy cat-footed it down to the lake, scooped up a bucketful of water and went back to Matthews.

The blond young giant awoke sputtering and strangling. Through the haze he saw something that reminded him of his friend Jimmy Hale, red-eyed, dust-covered, grinning at him. He himself was lying in a pool of water. Jimmy was flourishing a bucket and hissing.

"Get up you lazy dog, get up. What you mean sleeping on such—"

This ended in a frightened squawk. Matthews leaped. One long arm grasped Jimmy. Then both hands had him. Jimmy was carried struggling to the homemade wharf. Thence he was flung into the sparkling waters of the lake. When his head emerged Matthews flung a cake of soap at him.

"Here, you need this, you're dirty."

The puppy, thinking this was a good game, yelped and frolicked.

Out of a window above the sleeping porch there popped a bushy white head, a remarkably high wide brow, deeply sunken blue eyes and, as if accentuating the rest of the remarkable features, bushy black eyebrows.

An irascible voice, in clear, crisp accents came down.

"What is this, what is this, what is this abominable disturbance?"

"Oh, nothing, Professor," responded Matthews. "A tramp came around and—"

"A tramp, here?" Just then the dripping form of Jimmy emerged from the water. "What's that? Who is that? Dear me, it looks like Mr. Hale."

The bushy white head disappeared. In a short time, the old man, clad in pajamas of somber hue, appeared at the door.

Matthews was staring at Jimmy in well simulated disbelief and surprise. "By gosh, you're right, Professor. It *does* look like Hale. Now who would have thought—"

Professor Brierly glared at his young protégé suspiciously. He stared at Hale.

"But, Mr. Hale is all wet and so are you. Your bedding is—now what kind of prank is that? I came up here for a rest. I—"

"Yes, Professor, Mr. Hale is all wet. He's that way frequently, you know."

"Mr. Hale is—why Mr. Hale you look tired, you're caked with mud. We did not know you were coming."

Hale briefly explained that he had been taking an involuntary lesson in the geography of the New England states and part of Canada; that he had been driving for something more than twenty-four hours. Professor Brierly hospitably insisted that he take a bath and a rest.

Considerably refreshed, Hale awoke in time for luncheon, when he was introduced to the other members of the household, Norah, Matthews' sister and her little boy Thomas, a nut brown youngster of four summers, between whom and Professor Brierly there had grown up a vast friendship. Thomas addressed the old scientist familiarly as "Pop" an appellation that Professor Brierly would have resented fiercely if used by anyone else.

Politeness forbade him from inquiring for whom the vacant chair at the table was standing when there was a crunching of the gravel outside appraising them of the coming of a visitor. The figure of McCall, District Attorney of New York, loomed through the doorway. They had been conscious for some minutes past of the increasing roar of a small outboard motor which had stopped outside their own, door.

McCall grasped the hand of the newspaperman.

"Well, well, look who's here! A regular family reunion. All that's necessary to make this complete is a murder or two and it would be like old times indeed. What brings the representative of the press here?"

Jimmy briefly told McCall the reason for his visit. McCall nodded and turned to Professor Brierly.

"This is a coincidence, Professor, or, not so much of a coincidence at that. Judge Higginbotham's camp is about two miles down the lake here. I know the judge; my father and the judge's family have spent their summers here for a number of years. Judge Higginbotham heard that you were here and he asked me to tell you that he and the rest of his group would be honored to have you join them on their reunion. This takes place formally tomorrow, July Fourth. Then it is their custom to spend about a week together."

"Swell," glowed Hale, "then you can tell me something about it. I looked in our morgue and couldn't get much. While there are reams and reams written about the individual members of the group, dead and living, there is almost nothing of them as a whole."

McCall's face clouded momentarily, then it cleared. Jimmy's quick eyes noted this momentary disturbance of the District Attorney's placid exterior. His newspaperman's keen mind filed it away. Professor Brierly was leaning forward showing more than his usual interest. He said:

"I shall be happy, of course, to avail myself of the opportunity to meet face to face such an interesting group of men, men who have had such a large share in making the history of this country, in the Civil War and since. But surely, Mr. McCall, such men do not hold an annual reunion with their Tontine insurance agreement as the sole tie to hold them together. These men must be above such things. What is there, aside from the insurance, that has held this group together for sixty-five years?"

"Oh, so you heard about this Tontine insurance, did you?" asked McCall.

"I told Professor Brierly about it, Mac," stated Jimmy.

"Oh, I see. Well, you're right, Professor. This is not the thing that holds them together." He ground his cigarette stub into a tray and taking out his pipe, began

meditatively filling it. He lit it carefully and took a thoughtful puff or two. He continued:

"If you've read your history you will remember that at one time, toward the end of that dreadful struggle, the Civil War, all males, from about the age of sixteen upwards, were either drafted or enlisted on both sides. Boys of fourteen in active combat service were fairly common. Father and sons often fought side by side. What is still more deplorable is the fact that often brothers, and even fathers and sons, fought on opposite sides."

McCall puffed more slowly. He was apparently choosing his words carefully.

"What I want to make clear is that thousands of boys in their teens, as young as thirteen and fourteen, were in active combat service. The conditions at that time, of course, were such that boys matured much earlier than they do now.

"Imagine if you will, Camp Douglas, near Chicago, northern prison for Confederate soldiers, where seven thousand prisoners of war were quartered. Picture several hundred prisoners taken at Fort Donelson, including men from Alabama, Mississippi, Texas, sent to Douglas soon after their capture; shivering in the snow in the center of the parade ground, wearing upon their backs all the colors of the rainbow, ragged garments intended for a much warmer climate, frames all unaccustomed to the rigors of a northern winter. A week before, these men were fighting under the serpent flag of Douglas.

"Understand that if you will. Fiery Southerners, among them boys, to whom restraint was particularly galling. What more natural than an attempted prison break." McCall paused uncertainly and continued: "The jail break failed but the abortive attempt bound the ringleaders even closer together than the common cause they were defending.

"About a year after that came the end of the war. With the assassination of Lincoln, there began a period in our history of which none of us can be proud. The damnable Reconstruction Act, the 'carpet baggers,' with the years of consequent misery brought to the South, whose sons fought with the same patriotic motives and feelings as those of the North.

"It was then that this little group was born; they numbered originally two hundred and thirty-seven, Southerners most of them, and a few who had fought for the Union. They were sworn to give their lives, if necessary, to prevent

corrupt politicians having their way with the South.

"All of these were between seventeen and eighteen years of age. One of them explained to me since that they did not want older men because they were afraid that such would not take their Quixotic notions seriously enough. Among them was Lorenzo Tonti, direct descendant of the Tonti, of insurance fame. The youngster had been brought to the United States by one of the followers of Garibaldi, the Italian liberator, who spent a few years in New York City about 1852.

"This youngster explained to his comrades the Tontine insurance plan. To boys of that age, fresh from war, this species of gambling seemed very attractive. Thus was born, sixty-five years ago, a group of more than two hundred men."

His audience had been listening to him with keen interest. Each showed it in his own way. To all of them the glamorous background was irresistibly appealing. But Jimmy Hale, the newspaper man, sensed something that did not appear on the surface. He asked challengingly:

"Why were you disturbed, Mac, when I asked you to tell me about it. There is nothing in what you have said that should have caused you any uneasiness."

McCall smiled whimsically.

"Ever the prying newspaperman, eh? There is something I'd rather not tell you, but since you're going to find it out by yourself—trust Jimmy Hale for that—I'd better let you have it first-hand."

"In the attempted jail break I told you of, they were betrayed by one or more of their own men, their own comrades in Douglas prison. The traitors were released and went over to the Union side. This is a phase of their story that none of the men care to talk about.

"The men who failed in the thwarted jail break were later released in an exchange of prisoners and the fortunes of war brought them, as guards to Libby Prison. To that prison there came a group of Union prisoners, among whom there were one or more of the men who had betrayed them.

"They had a peculiar system in Libby Prison at that time. When a group of Union prisoners was brought there, all the members of the group was given one

number; they lost their individuality, so far as the prison was concerned, completely."

"One number?" queried Matthews.

"Yes, one number. Just bear that in mind. All the members of the batch of prisoners in question were given the same number. This group was given the number '14.' That is the way they were known to the officers and prison guards.

"Our friends of the Tontine group were never quite certain who had betrayed them. They suspected several men, among them, some of the prisoners who were brought to Libby Prison and given the number '14.' Later they were certain of it. At the end of the war, each one of them received the following communication:

"None of you will enjoy the fruits of your insurance any more than you did the unsuccessful jail break. 14."

"Since that time, during the entire sixty-five years, when misfortune, sickness, accident, loss or death happened to any member of the Tontine group, the surviving members of the group would each receive a sheet of paper, on which was printed in large characters, the number '14,' just that, nothing more."

McCall stopped; his features were drawn and tense. He continued:

"Do you see the dreadful possibilities in this thing? During the past two years, out of seven deaths, *five were reported as suicides*. After each death all the survivors received the terrible blank sheet of paper with the number '14.' These men are not easily scared. They have all gone through a lot and are able to face things.

"But more. You may put it down to the fact that as a prosecutor, I am naturally suspicious. To me, the Tontine insurance agreement presents dreadful possibilities. Each of the survivors has a powerful motive in—" He shook his head somberly.

"What does the fund amount to now, Mr. McCall?" Asked Professor Brierly.

"Several million dollars. Add to that the fact that in the stock market crash of October of last year, those members of the group who had money, lost it. It is a

nice philosophical and psychologic speculation as to whether the man who had money and lost it or the man who never had it, will more readily commit murder for it. I tell you, folks, I don't like it. This is out of my jurisdiction as prosecutor. I am going there because I am friendly with several of the survivors. But I don't like it."

"Just what or whom do you suspect, Mac?" breathlessly asked Jimmy.

"I don't know," snapped McCall. The normally calm, collected prosecutor was evidently very much wrought up. "Here is a vendetta, regular Italian or Corsican style that has followed these men for sixty-five years. Of the five suicides during the past two years—who knows that they are really suicides. I—I tell you what," he wiped his brow. "I'll be glad to have Professor Brierly there."

Jimmy looked curiously at McCall. This was a mood so unlike the competent prosecuting officer.

Professor Brierly and Matthews shared Jimmy's wonder. Matthews said:

"You talk like a superstitious woman, Mac. What has happened recently that makes you—"

McCall interrupted:

"This diabolical '14' has chosen, during the past few years, the reunion of this group to make himself, or themselves, felt. Nothing has happened recently to make me feel this way. But depend on it, the group will have some communication from '14.' These men, remember, are worldly men who are not easily scared, but the thing is getting on their nerves. I can see it and feel it when I talk to them. When do you plan to go there, Jimmy?"

"Guess I'd better go the first thing tomorrow morning," stated Jimmy, seeing that McCall wanted to change the subject. "The earlier I go the sooner this thing will be cleaned up. From what you say, Mac, I'm beginning to think that I'll have more than a feature story."

"All right, I'll come for you tomorrow morning. You could manage for yourself probably, but it may make things easier if I go down there with you."

"That's good of you, Mac. I know some of them but you know how it is—a

newspaper man coming for a story."

"Very well, I'm running along. I'll call for you in the morning, Jimmy. And Professor, don't let the representative of the press disturb your rest with his vivid yarns."

"Don't worry, Mr. McCall," drawled Matthews; "if he doesn't behave himself, you'll find him among the missing tomorrow."

Norah took the little boy out to play and the three men, Professor Brierly, Matthews and Jimmy were left at the table. A silence fell on the group after the departure of McCall, each absorbed in his own thoughts. It was apparent to Jimmy that McCall's story had made as profound an impression on the other men as it had on him.

Jimmy looked curiously at Professor Brierly, who was rolling a bread pill under his fingers in a mood of deep abstraction. To Jimmy this gesture was of special significance, because it was one which Professor Brierly disliked. He never did it himself and Jimmy had heard him reprove Matthews for doing it. The newspaper man caught Matthews' glance. Jack was going to make a facetious remark, when the old man murmured as if thinking aloud:

"Seven deaths, *five* of them suicides. Strange, strange!"

"You suspect, Professor—"

The old man came out of his fit of abstraction with a start. "I suspect nothing. I never suspect without a sufficient basis of fact. I am very much interested in the story McCall told us. It is very, intriguing. An American vendetta! Possible, of course, for we have our Kentucky mountain feuds. McCall's suggestion is an unpleasant one.

"What dread horror does this mysterious '14' impose that will impel five such men out of twenty-one to commit suicide? The alternative is still more dreadful, Hale. In our criminal investigations, we have come across many instances of careless autopsies. We have come across many instances of loosely written reports by medical and other official examiners."

He shook his head and fell silent for a moment. Then he went on: "Think of it. On the one hand, a man, or men whose hate grew and grew for sixty-five years,

until it became an obsession or outright mania. On the other hand, a fund of several million dollars."

"You suggest, Professor, you suggest—can death be produced so that it looks like suicide?"

"Of course it can."

"In five cases, Professor, within such a short time?"

"In five cases or five hundred cases, but here, this sort of thing is all right for a highly speculative imaginative newspaper man. Both you and McCall infected me with your—let us go outside and enjoy the sunshine."

For a time that afternoon, Jimmy forgot the conversation at the lunch table. He saw Professor Brierly and Matthews in new surroundings. And the charm of it stole in on him and made him forget temporarily the errand on which he came.

* * * * *

Professor Brierly was watching the movements of a lizard with detached interest when his little friend sat down beside him and began, glumly, pushing his toes in and put of the gentle ripples that lapped the shore.

Beautiful Lake Memphremagog, bisected by the international border, lay before them. On the opposite side a motor launch skirted the shore looking unreal against the dark, impenetrable wooded background. In the middle distance a canoe with two figures in it rose and fell lazily in the gentle swell.

Professor Brierly's deeply sunken, bright blue eyes looked with paternal affection at the little figure at his side. The lips under the tip-tilted nose formed, faintly, a pout. It was unusual for Tommy to sit so long beside "Pop" without asking a thousand questions. One of the reasons Tommy liked Professor Brierly so much was that the latter always answered his questions. And the answers were amplified with tricks that were so fascinating.

The professor's associates would have been amused as was Matthews' and the boy's mother, at the old man's painful efforts to use short words easy of comprehension. Professor Brierly never made the mistake of treating the boy or his questions lightly. He always gave them serious consideration; he always

treated the boy with the grave courtesy due an equal.

After the silence had lasted a painfully long time, Professor Brierly asked:

"Anything wrong, Thomas?" The old scientist's concession to the amenities did not extend to calling the youngster "Tom" or "Tommy."

The little chap nodded.

"Yes, Pop, something very wrong, very, VERY wrong."

Professor Brierly's features showed appropriately grave concern.
"What is it?"

"Uncle Jack, he—he—won't let me peddle."

"He won't let you what?"

"He won't let me peddle, peddle the boat." He pointed a grubby finger toward the canoe that was tied to the small wharf.

"Oh, you mean, he won't let you paddle the canoe."

"Yes, Pop, he won't let me peddle."

"*Paddle* is the word, Thomas; say paddle."

"Peddle."

"No, no, Thomas, *paddle*, PADDLE!"

"Peddle."

Any other person but Thomas would have received an outburst of wrath from the old scientist Professor Brierly again demonstrated his deep love for the boy by abandoning the subject of pronunciation and returned to the major issue.

"You say, Thomas, that he won't let you peddle—er—paddle?"

Thomas glumly shook his head.

"But, Thomas, I cannot understand. I saw him teach you to paddle. He made you a small paddle himself."

"Well, he won't let me."

"Did John tell you why?"

"He just won't let me. He says I can't peddle all alone by myself till I c'n swim'n dive real good. I wanna peddle all alone by myself like them." He pointed to two canoes in the distance, each propelled by a lone figure.

"Well, Thomas, can you swim as well as Uncle John?"

"Sure, I c'n swim real good, mebbe not so good as Uncle Jack but-I wanna peddle all alone by myself."

The crunching of the gravel under heavy steps interrupted the two pals. Big, blond, athletic John Matthews was coming down the embankment that led from the rustic sprawling cabin.

"John," said Professor Brierly, gravely, "Thomas here, has a complaint against you."

"Zat so?" A huge hand seized the slack of Thomas's shorts and the boy was heaved up to the muscular shoulder. The two faces were now on the same level and twinkling gray blue eyes were looking into grave brown ones.

"Did you squeal on Uncle Jack, Tommy?"

The brown eyes were looking at him steadily, fearlessly. "I didn't squeal, Uncle Jack, I jes tole Pop"—A grubby hand began rumpling the tousled head. "I tole Pop you won't let me peddle—'n when you learn me to swim'n dive will you let me peddle all alone by myself?"

When Norah rowed out to the forty-two foot launch, two hours later, she witnessed a curious spectacle. As she climbed over the rail she saw her brother standing at the opposite rail holding a long pole, at the end of which there hung out into the water, out of her sight, a strong wash line.

Her brother seemed to be getting vast amusement out of what he was doing.

Professor Brierly and Jimmy Hale were standing near by, interested spectators.

Norah stepped around the wheel house, asking:

"What are you doing, Jack?"

She was treated to Jack's good humored grin as he turned to face her.

"I'm fishin', Norah, fishin'. See—"

He heaved up the thick pole. There was a squealing from the hidden end of the rope. Then, to Norah's shocked eyes, there appeared the squirming, wriggling form of her young son trussed up in a harness that held him about his shoulders and thighs and left his arm and legs free.

Norah rushed forward.

"Tommy! Jack!"

Tommy yelled excitedly.

"Oo, mummie, Uncle Jack's learnin' me to swim. Watch. Lemme down, Uncle Jack 'n show Mummie."

"John Matthews," Norah called in her sternest tones, "let Tommy down, this minute. Suppose the rope broke, suppose—"

"Just watch, Norah. He's gettin' to be a reg'lar Weismuller. Ready Tommy."

With a look compounded of maternal love and pride, Norah watched the little form struggle through the water at the end of its odd fishing line.

This was followed by a diving lesson. There was much splashing, squealing and fun. Every time the little form disappeared beneath the water a big form followed it. When the little head appeared above the surface sputtering, the other was near by to be confidently clasped.

Chapter III

It was not the casual interest of the feature story that now inspired Jimmy Hale, on his way the following morning with his friends to the camp of Isaac Higginbotham. Jimmy's vivid imagination was keyed to its highest pitch. Decidedly this trip to Canada seemed very much worth while, even to a star reporter. What McCall had intimated the day before whetted his appetite. He thrilled at the thought that he was on the scene where a big story might be in the very making. He exulted further at the thought that Professor Herman Brierly was to be with him.

It lacked a few minutes before nine o'clock on the morning of July fourth, when the launch operated by Matthews docked at the small wharf of the Higginbotham camp. Nestled on a small bay of land on the eastern shore of the lake, with the thick foliage forming a dark, somber background, the rambling building comprising the camp formed an ideal place and setting for this type of retreat.

Behind and to one side there loomed a huge rocky outcropping that some volcanic disturbance in the past had cast up. At the edge of this rocky eminence there seemed literally to hang a huge boulder. It appeared from below that only a touch of the hand or a strong wind would send this boulder crashing destructively down on the porch.

The wide porch facing the lake was occupied when the launch tied up at the wharf. It became at once apparent to the visitors that all, or most of the survivors of the strange group were on the wide verandah.

The quiet conversational murmur among the men ceased as the visitors mounted the shallow steps. One rose to greet them. Jimmy could not mistake the venerable head with its white hair surmounting the still erect figure of the famous jurist. Jimmy had seen photographic reproductions of Justice Isaac Higginbotham too often to be in doubt.

The host smiled at McCall. His air was gracious and winning as he held his hand out to Professor Brierly. Before McCall had time to affect the introductions, Justice Higginbotham said:

"Introductions are hardly necessary. I am honored to have Professor Brierly beneath my roof, and this, I am sure," turning toward Matthews, "is Professor

Brierly's associate, Mr. Matthews?"

Jack bowed, acknowledging the distinguished jurist's smile. Justice Higginbotham turned toward Jimmy inquiringly, while the murmur of introductions among the other men was going on.

A rich, deep voice interrupted:

"Mr. Hale, isn't it? Of the New York Eagle?"

It was Thomas Marshall, former ambassador to the Court of St. James, who knew and remembered Jimmy. Another voice, with more than a tinge of the brogue of the Emerald Isle, called out, joining the smaller group:

"Jimmy Hale, or I'm a Swede." Jimmy was glad to see the rosy smiling features and portly figure of former Police Commissioner of New York, McGuire. "What can there be in the meeting of a number of prosy old men, Jimmy, that brings a star reporter all the way up here? Or—oh, I see—you're a friend of Professor Brierly, of course, and Brierly's camp is right up the lake here. McCall's shack, isn't it?"

Jimmy nodded. "Yes, I'm spending part of my vacation at Professor Brierly's camp, but frankly, I'm here at the request of my city editor to cover the reunion of your group."

Jimmy intercepted the swift interchange of glances between the three men, with whom he now formed an isolated group, apart from the others.

Justice Higginbotham said: "You say, Mr. Hale, that you are up here to cover this reunion?"

"Yes."

"And that you are a member of the staff of your paper and not a local correspondent?"

"That's right."

Once more Jimmy noticed the interchange of a significant glance between the men. Clearly they were not at ease. There was an air of tension, of expectancy.

Jimmy's swift glance that took in the other members of the group noted the same tenseness among the rest. As he had come upon the porch, he had mentally counted the men there. He had been told there were fourteen survivors. There were only eleven men on the porch. August Schurman, whom he knew by sight, was not there. Morris Miller, the eccentric retired art dealer, whom he also knew, was also absent.

Jimmy shook himself, mentally. This was absurd. He was permitting the things that McCall had told him to get on his nerves. He brought his mind back to the three men with whom he was standing at the edge of the porch. Justice Higginbotham was saying:

"But come, Mr. Hale, this is not very gracious of me. Let me introduce you to those whom you do not know. Since you are acquainted with Marshall and McGuire you may know some of the others. And Mr. Hale, I recall you young men were being facetious at the entrance of this country in the World War over the names of men recruited into the average company or regiment; you regarded them as distinctly un-American names. That was rather amusing to us old veterans, amusing for reasons that perhaps most young persons would not understand. Just what is an American name?

"Now I am going to run over the names of the men who are on the porch beside us three. Stand by, Mr. Hale!"

With a faint twinkle, he rattled off the following:

"Vasiliewski, Rochambeau, LaRoque, Goldberg, Tonti, Ross, Thomas, Fletcher. And"—There was a pause, a break. The twinkle in the fine eyes was gone. The features of the three turned grave. He concluded his sentence haltingly:

"—Three are not here. They are—Schurman, Miller and Wrigley. But come along, I will introduce you."

Jimmy was puzzled over the fact that, in varying form, the other members of the group expressed astonishment at a member of the staff of a New York paper being there. The venerable insurgent, former speaker of the House, present United States Senator Frank Ross, after a swift glance at Justice Higginbotham, blurted out:

"From the staff of the Eagle you say, Mr. Hale. How could you know in time—"

He cast a startled look in the direction of Justice Higginbotham. Senator Ross subsided, uneasily.

Mr. Marshall ended the painful scene. He addressed the entire group:

"Gentlemen, we all know, of course, that the modern newspaper man is not a peeping Tom, an impertinent individual, who pries into the affairs of others. Mr. Hale honorably represents an honorable profession. I have known him personally for a number of years and I'll vouch for him. He was sent here by his city editor to cover our reunion. That he comes here at such an unfortunate time is a coincidence. We may speak to him frankly. We are perhaps exaggerating and magnifying what is at worst only a normal thing in the lives of old men. We have all lived our lives and death is—" He paused and at several nods from members of the group he turned to Jimmy.

"You come at an unfortunate time, Mr. Hale. Fourteen men were to have gathered here for our reunion. At all our reunions all our members are either present or in some way accounted for. When, for some reason any one of us is unable to come, there is an adequate explanation." He paused, his words were now coming more slowly. Jimmy was now acutely conscious of an air of painful expectancy.

"There are only eleven of us here this morning, Mr. Hale. Two of the eleven arrived this morning, early this morning. Until an hour ago we had not heard from the three missing men. At eight o'clock, about an hour ago, we received a telephone message to the effect that August Schurman, of New York, was found dead in his room. He committed suicide."

The pause that now ensued was painful. The scene before Jimmy was unreal. Eleven old men, not one of them less than eighty-two years of age, men who had seen, lived and suffered much, were looking at him, each in his own way showing his reaction to the scene. Justice Higginbotham turned an apologetic, whimsical smile to Professor Brierly:

"You and I, Professor, and I am sure, the rest of us, can and do look at death calmly. I am sorry to inflict this sort of thing on you, but there are circumstances about this that make it rather painful. The fact that we have not heard from the other two men, Miller and Wrigley, takes on rather ghastly importance."

Once more there was a painful pause. Jimmy's mind was phrasing words to

describe the scene. The eleven old men, waiting to hear from the other three. The dead stillness of the group, hardly breathing; the mask-like features of Lorenzo Tonti, the suffused features and protuberant eyes of Fletcher, the high cheek bones of Stanislaw Vasiliewski, the somber look of former Police Commissioner McGuire, upon whose normally smiling countenance gloom sat so ill.

Jimmy's mind also found words and phrases to describe the sparkling waters of Lake Memphremagog, the wooded western shore in the distance. The few boats floating on the surface of the water looked unreal. The faint soft beat of a distant motor equally false. Jimmy hardly breathed; he had a vague unformed desire to hold this scene, to prolong it. There was a silence that was almost painful. Eleven men waiting, waiting for—what?

The shrill ringing of the telephone in a distant part of the house came with the effect of a sudden blow. Schooled as were most of these men to suppress their emotions, some of them started at the first burst of metallic sound. Jimmy caught the looks that some of them cast at one another. In those looks there was hesitance, and quickly suppressed fear.

A grizzled, white-headed negro came to the door. He addressed Justice Higginbotham.

"For you, suh. Lentone callin'."

As Judge Higginbotham followed the darky through the door one of the men sprang to his feet; Jimmy later identified him as Jules Goldberg, a retired clothing manufacturer. Goldberg snapped:

"What in the world are we afraid of? Are we children? We went through Antietam, Bull Run, Gettysburg. Those of us who were rebels suffered in the hell of Douglas prison. I and other Union soldiers went through the terrible agonies of Libby Prison, where men died like rats on Bell Island. And now we act like frightened women at the sound of a telephone bell that may tell us of the death of one of our comrades. Of course we will die! We will all die; we have lived longer—"

His tirade was cut short. Judge Higginbotham was coming through the door. The speaker wheeled about to face him. Some of the others leaned forward tensely. Justice Higginbotham unconsciously came to a dramatic halt in the doorway. His features were etched into grave lines. It did not bear the kind, mild look that was

its wont. He glanced over the faces of his comrades and their visitors. Jimmy was to carry this scene with him for a long time.

The man in the doorway nodded simply. He took a few steps onto the porch. He said:

"Morris Miller was found dead in his bed a short time ago. The report says suicide."

As if impelled by one muscular impulse, every man on the porch stood up, the one exception being Professor Brierly. They formed a strange group, men of all sizes, all of about the same age, all of them either bald or silvery white. One of them, Hiram Fletcher, towered above the rest, even towered above John Matthews' six feet of lanky muscular height.

Slowly, wordlessly they subsided to their seats. But James McGuire, former Police Commissioner of New York, sprang to his feet. He growled:

"Goldberg is right; we are acting like children. In the name of God let us face this thing the way men ought to face it and lay dead the bugaboo, if it is a bugaboo, or face squarely the facts, if there's really something in it to fear. Let us once and for all do away with this damnable thing. If it's a shadow let's exorcise it. If it's something else, let's find out what it is. None of us believe in ghosts. Well—"

He turned swiftly to Professor Brierly.

"Professor, it's a great break for us that you're here. Won't you help us, won't you —"

Judge Higginbotham chimed in.

"Yes, Professor, your presence here is fortunate, almost providential. You can help us. Your interest in such things and your success in the solution of many apparently insoluble affairs is known to all of us. While we are between us able to cope with most of the things that arise, you, an outsider, without having your emotions involved may see more clearly than we, aside from your undoubted talents in this direction."

"Tell him the story, Isaac, tell him the story," broke in William Flynn, who, up to

this time, had not spoken. "Let us have the benefit of Professor Brierly's opinion anyway."

"I have taken the liberty," said McCall, "of indicating to Professor Brierly the history of your group. He knows at least the outlines of the story that gave birth to your organization. I've also told him about the abortive jail break and your communications from '14.'"

"Just what do you gentlemen fear?" asked Professor Brierly. "What Mr. McCall told me is after all fairly vague, certainly nothing to cause practical men to react as—as you seem to. You receive notice that one of your friends has died; he committed suicide. An hour later you receive word that another also committed suicide. Certainly death in men of your age is not uncommon. Suicide, of late, according to the records, is also common, fairly common. You seem to fear some personal malign influence at work. The fact that up to yesterday there were fourteen out of an original two hundred and thirty-seven seems to disprove such a theory. I have not available actuarial figures, but it seems to me that fourteen out of two hundred and thirty-seven, about six per cent, is a fairly high record of longevity. Are you certain that you have not permitted yourselves to brood on this '14' until it has become an obsession?"

Senator Ross spoke up.

"Would all of us brood on this, Professor? Are we the kind of men to permit—"

"Each of you individually might not, Senator," stated Professor Brierly. "All of you together, talking of it, thinking of it, might, much more easily than each of you singly. There is a mass hysteria that is just as potent in a small group as in a large gathering." He spoke more gently. "I am sorry. This is not the question. You are all disturbed. Let us first learn if the thing that disturbs you has substance or is a mere shadow. That is the thing you all desire, is it not?"

Several nods and a murmur of assent indicated their agreement with this.

"Very well, then, about this number '14.' Is that real or is it mythical?"

Justice Higginbotham answered slowly.

"At one time, Professor, it was real enough, but," turning to Marshall, "When did we last hear of—"

Marshall answered promptly:

"We have not heard of Amos Brown—alive, since 1902."

"But," spoke up Stanislaw Vasiliewski, quietly, "have we proof of his death?"

"That's it," growled McGuire, "We have not. We have not heard of him alive, nor do we know that he is dead. We know in police circles that men can disappear for a great many years. We have received those damnable notes with the number '14.' That's no proof that he's alive, but—"

Professor Brierly, always impatient at speculation, interrupted.

"Let us start this inquiry at the nearest point. Let us begin with the known, if possible, and work forward or backward to the unknown. About which phase of this entire matter are you gentlemen principally disturbed?"

The eleven old men exchanged glances. Senator Ross spoke.

"Between our reunion last year, which broke up about July tenth, until fifteen minutes ago, nine of our group died, seven of them are *said* to have committed suicide. We have not yet heard from '14' about the two deaths of which we heard this morning, but judging from past experiences we will, sooner or later.

"Call this number '14' mythical if you will, Professor, until we have evidence to the contrary. Nevertheless, seven suicides out of such a small group is disturbing—to say the least."

"Unusual, at any rate," commented Professor Brierly. "Just what, if anything, do you suspect?"

"Well, Professor," said Justice Higginbotham, "I, for one, should like to have indubitable proof that these men really committed suicide."

Professor Brierly's deeply sunken, penetrating blue eyes swept around the circle of faces. He nodded:

"Oh, I see. That should be easily determined, certainly with respect to the last two."

"But," objected Lorenzo Tonti, leaning forward, his swarthy features etched in lines of earnest thought, "we have it on competent medical authority that these men committed suicide. What right have we to question that?"

"We have it on medical authority," tartly interposed Professor Brierly, "but I am not certain it is competent medical authority. I have seen too many careless autopsies made and read too many loosely written reports to have abiding faith in such things."

McCall nodded emphatically.

"Professor Brierly is right there, of course. I have seen, in my official capacity, the things he mentions."

"So have I," chimed in Higginbotham, Fletcher and McGuire.

"Very well, then," said Professor Brierly. "We will not indulge in guesses, conjectures or surmises. Such things are likely to induce an unhappy state of mind. Schurman, you say lives in New York. We shall go to New York if we have to. Is there not something nearer, something—"

"Morris," interrupted several members of the group, "lives in Lentone." Judge Fletcher corrected, "right outside of Lentone."

"Then," stated Professor Brierly, "that is the place to begin, as soon as we know what we are looking for. One of you gentlemen, I am certain, can obtain the necessary permission to have me verify the official verdict of suicide. When we have done that, we shall have cleared away much doubt and uncertainty." His speech was now crisp, clear, incisive. "Is there any reason why we cannot do this at once?"

"No," said Justice Higginbotham slowly, "there is not. But we are waiting to hear from the only one of our members unaccounted for,—Wrigley." Jimmy noticed that while their mood had lightened during the past few minutes in the interchange with Professor Brierly, the mention of the name of the missing member brought back the atmosphere of gloom and doubt.

"Tell me all you care to tell me, Judge, of the inception of your group. Sometimes talking about a thing to an outsider helps. You gentlemen have brooded on this too long. Let us see if we can help clear it up."

Justice Higginbotham told in elaborate detail what McCall had sketched briefly. His deep voice, the remarkable voice that had handed down so many important decisions from the highest tribunal in the land, rolled on, with the gentle lapping of the waters of the lake against the small wharf, a faint obligate Jimmy was to remember this scene for a long time; it was etched on his memory very clearly.

He sensed that the old jurist was talking against time. While he seemed absorbed in his tale as were the others, this absorption was only superficial. With their inner senses they all seemed to be waiting, waiting for the dread news of their missing comrade.

These old men, everyone of whom showed his uneasiness in his own way, had each lived more than three-quarters of a century. Some of them showed their age very distinctly, mentally and physically. Jimmy could see their attention wander from the absorbing tale as Justice Higginbotham unfolded it, one of the most glamorous that Jimmy had ever heard.

Suddenly, in the middle of a sentence, Justice Higginbotham stopped talking. From the room facing on the porch there had come the faint whirring that was a prelude to the striking of the old-fashioned clock. Then came the deep tones of the hour.

Jimmy remembered now that when the clock had struck an hour before there had come the telephone message appraising the group of the death of Morris Miller.

The last stroke was still reverberating when the staccato jangling of the telephone bell drew a number of the old men to their feet. As if by a common impulse, as if they expected to get the answer to their spoken question through their eyes, every person on the deep porch, turned in the direction of the telephone. They looked as if they expected to see the dread message or messenger through the walls between them and the instrument.

The white-headed, grizzled negro came to the door. He spoke to Justice Higginbotham:

"Fo' you, suh. Je'sey City callin'."

As Justice Higginbotham arose to answer the call, Antoine Rochambeau spoke, his voice breaking to a faint croak:

"Jersey City is the home of Wrigley." The speaker was looking at Professor Brierly with burning eyes, a hectic flush flaming in his drawn cheeks. Professor Brierly looked at him sharply. He swiftly stepped to his side, laying his hand soothingly on his shoulder. The flush subsided, the man's tense body relaxed. He shook his head mumbling.

Fourteen pairs of eyes were looking toward the doorway as Justice Higginbotham once more returned, and came to an unconscious dramatic pause. He nodded, as if in confirmation of a statement.

"Wrigley was drowned yesterday noon at Bradley Beach, a seaside resort on the New Jersey coast about one mile south of Asbury Park."

While he was talking, Jimmy heard the squealing of brakes on the other side of the house. A motor car had come to a stop in front of the camp.

The eyes of the entire group turned in that direction. At Justice Higginbotham's announcement several of the men had stood up. They now dropped back into their seats. There was a long pause. To Jimmy it seemed that they all held their breath. The negro came to the door, in his hand a sheaf of telegrams. His eyes swept over the entire group.

He held them out to Justice Higginbotham who had stepped aside from the doorway to make way for him.

"Telegrams for you all. They didn't phone, suh, 'cause you done tole 'em not to phone no telegrams. De man am waitin' foh an ansuh."

Justice Higginbotham selected one of the telegrams and ripped open the flap. There was no change in his fine mobile features, but his eyes were fixed on the message for a long time. He was brought to himself by the negro.

"Am they any reply, Jedge?"

Justice Higginbotham, without raising his eyes from his message said, gently:

"No, Charley, no reply." Turning to the rest of the group he said, still gently: "My message is just the word 'fourteen,' that's all, just 'fourteen.' The other messages are probably—but you'd better look yourselves." He walked about the group and gave each of his ten associates one of the envelopes. He then held out his

message to Professor Brierly. Jimmy saw the message. It bore the word, 'fourteen'; it had no signature.

Jimmy gripped the arms of his chair as he looked about the other men on the porch. There was a rustling and tearing of paper as flaps were ripped open. Some of them did it quickly, some of them held their envelopes for a short time before opening them.

When the rustling ceased, Thomas Marshall stood up. He said grimly to Professor Brierly:

"Here is your case, Professor, all complete. You've got it now with all the trimmings."

Chapter IV

With John Fletcher, former Justice of the Supreme Court of the State of New York, at one end of a telephone, official red tape was quickly and effectively cut. Professor Herman Brierly was given the powers and privileges necessary for an independent investigation.

Less than an hour after the receipt of the telegrams, Professor Brierly, accompanied by McCall, Matthews and Jimmy Hale, was at the office of the medical examiner, who was charged with making the official report on deaths by other than natural means.

Dr. Simpson showed the old savant marked respect. Parts of the story had leaked out somehow and the knowledge that behind Professor Brierly were such distinguished names had its effect, apart from the weight that the old scientist's own name carried.

The four men were led into a small bare chamber, behind the office of the medical examiner, where all the earthly remains of Morris Miller lay on an enameled metal slab.

Dr. Simpson drew aside the sheet, saying:

"I've not yet had time to make a post mortem, Professor, but that will be only a formal gesture in this case. This is obviously suicide."

Professor Brierly, who did not mince words when engaged in a scientific investigation, took one look at the hole in the temple with its encircling powder marks. He snapped:

"This is obviously *not* suicide; certainly not, if this wound was the cause of death, which neither you nor I at present know. Have you the weapon with which this was done?"

Dr. Simpson reddened.

"The police have that, sir."

"And the bullet—oh, of course you have not extracted that. We will do it together, if you please."

Professor Brierly began taking off his coat and vest, Matthews doing likewise.

Dr. Simpson said tartly:

"Since you know so much about it without examination, and are so cock sure that it isn't suicide, why bother with such trifles as the weapon and the bullet. You might have sat down and written a thesis about it without even seeing the body."

Professor Brierly whirled on him bristling. Matthews, coat and vest in hand, slid between them. They were of equal height. Matthews looked at the other and said softly:

"Doctor, it isn't safe or wise to talk to Professor Brierly that way when I'm around. We don't want any trouble. You were told to give Professor Brierly the fullest opportunity and help in making this post mortem. We don't need your help, but it would be wiser not to interfere."

Dr. Simpson was looking into a pair of dangerously cold blue eyes. Nothing made Matthews as angry as an affront to the man who was more than father to him. Dr. Simpson saw the rippling muscles, he saw the clean cut jaw; he remembered the names of the men who were behind this investigation. He retreated gracefully.

"Oh, all right, but it disturbs a professional man to have his word questioned so lightly. I have some reputation—just a minute, I'll bring the instruments."

Jimmy asked Matthews:

"How long will this take, Jack?"

"Perhaps an hour, Jimmy, why do you ask?"

"Nothing, I want to go out and use the phone. I'll be back before you're through."

For the past half hour Jimmy had been outwardly calm, but inwardly raging with impatience. Minutes became a matter of supreme importance now. James Hale,

the newspaper man, now had a big story, and it was important to catch the Eagle's home edition if possible. This was July Fourth. On this day, while they issued a paper, they kept only a skeleton staff. With nothing big breaking they were likely to put the home edition to bed and call it a day, leaving just a man or two in the office for emergencies, similar to the early morning dogwatch.

He also took a malicious satisfaction in shooting something into the office that would keep them all on the jump for the rest of the day and perhaps late into the night.

Jimmy, accustomed to thinking in headlines, had been formulating a head for the story; he was now murmuring it to himself as he hurried to a public telephone: DEATH POINTS A FINGER, DEATH POINTS A FINGER, over and over again. He saw those words, in letters three inches high, flaming across the top of the front page.

When the pleasant far-away voice of the operator said: "New York Eagle" Jimmy barked: "'Lo Ann, gimme the city desk quick, will you."

"Mr. Hite's wire is busy, will you wait a minute, Mr. Hale?"

"Can't Ann. I got to catch the home, put whoever Hite's talkin' to on another wire and gimme the chief."

Jimmy had made a request that he would have made only in dire emergency; he felt he was justified. He heard a faint clicking, then came Hite's familiar growl:

"Are you drunk, Jimmy? What the hell can be so important that you must cut in—mebbe you think I'll stop the presses for a feature story. I—I said I'd pay the expenses of the trip, not for useless, expensive telephone calls. You could have mailed—"

"'Scuse me, chief. I got a wow of a story. When's the home going to bed?"

"Just gone; didn't I tell you—"

Jimmy found an effective way of stopping this flow of talk. He cut in, saying:

"One, perhaps three of this Tontine group have been murdered during the past twenty-four hours."

"What!"

The growl that came over the wire was a scream. Jimmy jerked the instrument away from his ear.

The explosion kept ringing in his ear painfully. Hale repeated slowly:

"One, perhaps three of the Tontine group were murdered during the past twenty-four hours."

The growl that now answered him was Hite's normal voice, with the tense undertone it held when he had a big story. Jimmy heard Hite's voice faintly; the city editor was giving orders to the pressroom that would stop the presses. For the next fifteen minutes there would be feverish but orderly activity.

"All right, Jimmy, just gimme the flash so I'll have enough for a head; the copy desk's all gone. Then I'll put you on Roy's wire and you can give him the story."

Jimmy, with the capacity of the trained newspaper man to tell a big story in a few words, told Hite enough in four sentences to furnish material for a headline. Then, with malicious satisfaction, he said:

"There's a New York end on this, chief."

This he knew would have the effect of keeping in the office everybody who had not yet gone home and might even cause a scurrying about that would call in others, thus spoiling whatever plans they had made for the rest of the day. Newspaper men have no union hours. He added as an afterthought: "I got a swell head for this, chief. DEATH POINTS A FINGER."

The answer to this was a grunt. There was a click and Roy Heath's soft southern drawl came floating over the miles of wire. There was a stream of invective. Jimmy's past, present and future were depicted in pointed billingsgate, all done in good English. Roy had planned a pleasant afternoon and evening with a lady who had just finished a triumphant musical comedy engagement. And now—Jimmy wickedly cut in on this by saying:

"This is a swell obit, Roy." There is nothing the newspaper man hates to do as much as an obituary. The cub's early training is obtained on the obituary column. Roy took a fresh start, but he was cut short, evidently by Hite, whose desk was

near the rewrite man's.

"All right, shoot if you got anything to say."

Jimmy, for the next thirty minutes, sketched the vivid story, so fresh in his mind over the miles of wires between them, interrupted from time to time by the growing excited ejaculations from Roy Heath, as he sensed the "scoop" qualities of the story. He ended:

"Tontine is spelt—"

"I know how to spell it and I know what it is. I got some education. I ain't a damn ignorant Yankee."

"One of the members of this group is Lorenzo Tonti, a direct Descendant of the man who devised this insurance. The fund now amounts to about several million dollars. During all this time, whenever there was an accident, injury or death to a member of this group, each of the survivors received in an envelope a sheet of paper with the number '14' on it.

"This bunch had an annual reunion on the Fourth of July, a gesture to show the real patriotism of Southerners—"

"What do you mean 'gesture'? They are the only real patriots in the country."

"Fourteen survivors were to have met at the camp of Isaac Higginbotham, former justice of the United States Supreme Court. Eleven came. At eight o'clock this morning a telephone message came telling of the suicide of one of them, August Schurman, retired art dealer, of New York. At nine o'clock there came a telephone message telling of the suicide of another, Morris Miller, of Lentone, Vermont. At ten o'clock there came a message telling of the drowning of Herbert Wrigley, retired manufacturer, at Bradley Beach, New Jersey.

"Just as they received word of the third death there came a batch of telegrams, one for each of the eleven survivors, with the word 'fourteen' on each telegram, just that, nothing else, just 'fourteen.'

"We just saw the body of Morris Miller. The medical examiner pronounced it suicide. Professor Brierly, after looking at the bullet wound in the temple, says, that if that wound caused death, it is not suicide. And you betcher life what

Professor Brierly says is so. Me and the Prof are now gonna make an exhaustive investigation and give you our findings. Got it all?"

The monosyllabic grunt coming over the wire showed Jimmy that Roy Heath had taken it all. Jimmy knew that there would now come from Heath's clicking typewriter keys an amplified and elaborated story that would take the breath of all who read it. Shortly the halted presses would resume their roar and pour out an edition that would startle the country.

Soon other papers would take up the burden. This was a story of major importance. There was thrill, glamour, romance, drama, everything that goes to make the big newspaper event. And it was.

Chapter V

At the police station, where the investigators and the reporters were sent by Dr. Simpson, they were told that Detective Brasher, who had the case in hand, was still at the home of Morris Miller, finishing his examination.

They had no difficulty finding the Morris home. He had built, years before, a house which was called by the natives for miles around, "Miller's Folly," to resemble a medieval castle. Miller had gone to the extent of building a draw bridge in front of the house, which was let down and drawn up regularly morning and night.

The rear of the house was on a high point facing the western shore of Lake Memphremagog, with only a narrow strip of land separating it from the waters of the lake. The blankness of the entire rear facade of the structure was broken only by one window, built into a deep embrasure. Above the window was a small circular opening about the size of a porthole.

Detective Brasher was cordial to the visitors. He had been notified of their coming.

He led the way to the room on the third floor where the body had been found that morning.

"Nothin' to it, Professor," said Brasher, "nothin' to it. Mr. Miller used this room to write and read in and the next room for sleeping. You see it is a sort of suite, with a bath room and everything.

"This room is just as we found it this mornin' when we broke in. Mr. Miller was lyin' on the couch there, the bed in the next room is made up like the maid left it; it hadn't been slept in. He was lyin' on his back with a hole in his temple—oh, you saw that. All right.

"Well, his arm hung down over the edge of the couch, and the revolver was on the floor where he dropped it. There was his finger marks on it all right and no one else's. The gun is there," pointing to a table, among miscellaneous odds and ends, "and nobody touched it. The door was locked from inside and so was the window of the bedroom. They tell me he always slept with the door and window locked."

"How did he get air during the night?" asked McCall.

"Through that." Brasher was standing on the threshold separating both rooms and was pointing to the porthole in which was fixed a circular fan. Brasher continued:

"We came here about eight o'clock, or mebbe a quarter after. Mr. Miller used to get up very early. When he wasn't down for breakfast this mornin' and the people down stairs knowin' he had an appointment with Judge Higginbotham, they came up and called. When there was no answer to their callin' and knockin' they called us up.

"Me and another man from headquarters, we broke the door open and we found him like I tell you. Doc Simpson says he was dead about five or six hours when we found him. That makes it about three o'clock when he kills himself. You see the servants had all gone after dinner; gone to a movie. A shot fired in this room couldn't be heard down stairs. I tried it.

"No, there's nothin' to it, Professor. It's a dead open and shut case. Mr. Miller committed suicide, don't need any scientific sharps to tell that."

Professor Brierly nodded absently. He was gazing about the room. Then he walked to the library table, on which lay the revolver. He stooped over it and turned to the detective.

"May I examine this weapon, Mr. Brasher?"

"Sure, help yourself."

"It is certain, Mr. Brasher, that there are no finger prints on this weapon other than those of Mr. Miller?"

"That's certain. Our finger print man hasn't had the experience of the big city men, but he's a good man, just the same, and knows what he's talkin' about."

"And he said what, about the finger prints?"

"He said that there were Mr. Miller's finger prints all over the gun, that part of Mr. Miller's thumb print, his right thumb was on the trigger, showin' that that's the way he must have pulled the trigger, with his thumb, understand?"

"We will take this for granted, Mr. Brasher. Now, did any one disturb the barrel of the weapon, remove the shells or—"

"No, Professor, nothin' like that was done, the gun is there just as we found it. We know a little about guns but we ain't expert, get me, and we thought we'd leave it till—"

Professor Brierly was not listening. He gingerly picked up the weapon from the table, using his handkerchief, and removed the cylinder, which held one empty shell and five loaded ones.

With a deftness and a certainty of movement, remarkable in a man of his age, he removed one of the bullets from a shell, using his knife for the purpose. He first examined the bullet and compared it with one he took from his vest pocket. Then he spilled the powder into the palm of his hand, examined and sniffed that. He looked up.

Brasher was beginning to show a little impatience. He said:

"Like I said, there's nothin' to it, Professor, nothin' at all. Miller committed suicide."

Professor Brierly shook his head gently.

"I am afraid you are wrong, Mr. Brasher. There is a great deal to it. One thing, seems certain. If Mr. Miller killed himself, it is reasonably certain that it was an accident; that he did not intend to do so. And, off hand, although I am not prone to giving snap judgment, I should say that the chances are enormously against his either having shot himself by accident or design."

"But, Professor, there was Mr. Miller on the couch, his gun near his hand, where he dropped it. The door and window were locked, not only locked, but bolted, from inside; Mr. Miller was a very suspicious man; that's why he built this tower.

"In addition to this, he had a burglar alarm on the door, he didn't need one on the window.

If you look out the window in the next room you'll see that it would take a bird, or anyhow, something that can fly, to get at it. A monkey couldn't get at the window, to say nothing of getting in.

"When we came this morning, the door was bolted and the alarm was on. The window was as you see it, bolted from inside. As for that ventilating thing, a baby couldn't get in. There were powder marks around the bullet hole. So, how —"

Professor Brierly was not listening. He walked into the bedroom, followed by the others. He examined the walls and floors. He went to the window, submitting each pane to a careful scrutiny. He looked carefully at the sill. Then he went to the door, with its jagged scars showing from the recent assault upon it by the police. He returned once more to the window. He opened it—it swung outward on a hinge—and looked out a long time.

When he withdrew his head from his long scrutiny, even Matthews, who knew him best, could not tell from his demeanor if he had what he was seeking. For that matter, Matthews was completely in the dark as to what his mentor and foster father was looking for.

Professor Brierly turned to Brasher, who had followed him into the room and was following his movements with cynical amusement.

"Who takes care of these rooms, Mr. Brasher; I mean who cleans them?"

"I don't know, but there's a sort of housekeeper. I'll get her up here."

"Do so, please."

A thin, middle-aged woman, dressed in somber black, appeared. She looked from one to the other of the group of men. There was no emotion visible on her thin features, except for a tinge of defiance. She was introduced as Mrs. Horsnall.

"Mrs. Horsnall," asked Professor Brierly, "who cleans these rooms?"

"The maid, Ella."

"When did she clean these rooms last?"

"Yesterday afternoon."

"Are you sure she cleaned them properly?"

"She did that, or she would have heard from me. I looked at the rooms myself after she was through. I always look after the work of the help around here."

No one present doubted that she did a thorough job of looking after things.

"Have any repairs been done in these rooms recently, Mrs. Horsnall?"

"Repairs, how do you mean?"

"Well, such things as locks, hinges, lights, windows, and so forth."

"No. We've got a man of all work who takes care of such things. He hasn't been in these rooms since last spring; he replaced that fan in the hole there." She pointed to the ventilator.

"How is it there is no screen on the window? There are mosquitoes around here, are there not?"

"Yes, sometimes. But Mr. Miller never opened the window, except at night sometimes, when there wasn't any light in the room and that only for a short time. You see, he was queer that way. He was afraid of being shot at."

"Did Mr. Morris have any revolvers, Mrs. Horsnall?"

"Yes, he had three or four."

"Is that one of them?"

"I don't know. I wouldn't know one from the other. I never touched them; I was afraid of them."

"And you are quite certain, Mrs. Horsnall, that no repairs were made in the rooms since last spring and that no one except you, the maid, Ella, and Mr. Miller himself were in these rooms since last spring?"

"I'm sure of that, sir."

"Will you send the maid, Ella, up here, Mrs. Horsnall, and, thank you."

Ella, a sulky young woman of Irish extraction, came and verified everything Mrs. Horsnall had said. Professor Brierly took her over practically the same ground as he had the older woman.

Professor Brierly dismissed her and went back to the window, which he submitted once more to a careful scrutiny. He absently picked at the outer edges of the panes with his fingers. He turned to Detective Brasher, saying, apologetically:

"I came up to this beautiful country for a rest and a vacation; I did not think I should have any need for any revolvers. Can you tell me where I can get one like this and shells like these?" He pointed to the table.

Brasher looked at him suspiciously.

"Sure, Professor, you can get them at Hinkle's sporting goods store, in town. Hinkle carries everything, but," belligerently, "what about your sayin' that Miller didn't kill himself?"

"If you mean by 'killing himself,' that he committed suicide, I can safely say, even now, with the incomplete information I have, that he did not kill himself. There is a possibility that he was handling the weapon and accidentally discharged it. But the surrounding circumstances make that highly improbable."

He paused for a moment and asked, abruptly: "Is there any objection to my

looking about the grounds?"

"None at all, Professor, but do you mind telling me what you want a gun like this for?"

"Certainly not. I should like to make some tests with it."

"Professor, I've heard a lot about you. I'd like to work with you. I'm a rough neck, a man without education, just a hard working detective, but I do the best I can. I'd like to—"

Brasher paused, floundered and reddened. There was a soft gleam in the deeply sunken bright blue eyes of the old scientist. He nodded.

"Of course, I'll be happy to have your help. I will just look about—"

"I'll go with you, Professor, and there's no reason why you can't have this gun, if it will help you."

"That will be fine, Mr. Brasher. It is just the thing I need." He waited while the weapon and the shells were wrapped in a paper. Matthews took the parcel and the five men went outside.

Chapter VI

Professor Brierly nodded with satisfaction when he looked up at the rear facade of Miller's Folly. Near the edge of the roof, was a chimney. A plumb line dropped from the center of the chimney would drop about three feet to the right of the only window in the blank, forbidding wall.

"I see," commented the old man, "a chimney. I did not know." He turned to Brasher. "You offered to help, young man; here is your chance. At the rear of the chimney, near its base, particularly the two rear angles, you will find fresh marks. The chimney is probably scuffed as though a rope had been drawn tightly about it and pulled back and forth. You will find the edges of the roof, coincident with the sides of the chimney, also scuffed as though a rope had been pulled across the edge with quite a weight at its end. You—"

Brasher did not hear the end. He was racing around the side of the building. In a short time they saw his figure on the edge of the roof clinging to the chimney. Then he crawled to the edge and leaning far forward, he gazed intently at something that the men below could not see.

Brasher looked down and nodded his head so violently that he nearly threw himself from the roof. He came racing around the side of the house in a short time.

"You're right, Professor; it's just like you said. I begin to see—"

Professor Brierly was pointing at a spot on the wall about three feet from the ground. There was a scar in the cement joining the stones. The scar was a small hole about large enough to hold a man's small finger. The scar ran obliquely from above, downward and inward.

Professor Brierly was saying:

"There are a number of these scars running up in a staggered arrangement, one above the other, about a foot apart, literally. I saw some of these scars from the window above and one especially deep one. It is fairly obvious—"

"I get you, Professor, I get you. You think—"

Professor Brierly shook his head.

"I shall tell you definitely what I think when I have made the tests with the revolver. Can we get shells like these at Hinkle's? I shall need some more."

Professor Brierly chose to keep his own counsel on the way to Lentone and thence to their camp on the lake. Arrived there, he did not waste much time. Taking a number of sheets of paper, he shot at them from varying distances with the revolver found in Miller's room. Beginning by holding the muzzle an inch from the cards, he gradually increased the distance inch by inch until he was shooting from a distance of twelve inches. Then he shot from a distance of fifteen, twenty, twenty-five and thirty inches.

He now turned to the men who had been watching him.

"I can now say definitely that Mr. Miller was shot with the muzzle somewhere

between twelve and fifteen inches from his temple. I still do not understand why the killer approached so close without—"

"Morris Miller was almost stone deaf," interrupted Brasher.

"Ah, that accounts for it; that clears up something that puzzled me."

"Since you three have conspired to make me take an interest in crime," his glance swept Jimmy, Matthews, and McCall, "I have gone rather exhaustively into matters that hitherto only interested me casually. I spent two months in the Scientific Crime Detection Laboratory of Northwestern University. Among the subjects I took up were powder marks.

"It was obvious to me at the first glance at the wound that it was not self-inflicted. I felt reasonably certain that the weapon was held a greater distance from the head than it would be held if the victim contemplated suicide. That is why I suggested the possibility that he had held the weapon and it had gone off by accident. That seemed a remote possibility, but still a possibility.

"Powder marks tell quite an interesting story to the student. Black powder will not leave the same marks at the same distance, either in kind or degree, as will smokeless powder. The same kind of powder fired from a weapon with a short barrel will leave burns that differ radically from those fired from a long barrel. The amount of powder also will make a difference.

"Black powder is merely a physical mixture of three ingredients. The charcoal which goes into its composition is not burned at the time of firing and remains unchanged. Each little unburned charcoal grain becomes a secondary projectile, which leaves its mark not only on the surface that received the bullet if it is close enough, but also makes little pits on the base of the bullet.

"Smokeless or semi-smokeless powder is a chemical compound in which the ingredients are radically changed in form. At the time of firing, smokeless powder is practically all burned and only gases are left, leaving neither soot nor pits on, the base of the bullet. Smokeless powders will also leave burns on the surface at which the bullet is fired, but neither as black, nor deep, nor as numerous as those left by black powder.

"Thus you see, given the same ammunition, the same weapon, it can be ascertained by tests, with a fair degree of accuracy, at what distance a shot was

fired. The zone of black around the wound itself, the size of powder marks, the thinness with which they are scattered, all tell their story."

"Is this true, Professor, at distances beyond which there are powder marks?" asked Jimmy.

"Yes, it is, but not within inches, of course, nor within a few feet, perhaps. But even at those distances it can often be approximated.

"Given the hypothesis that Miller was murdered, the rest was easy. If you will go back there, Brasher, and dig your nail into the putty holding the window nearest to the bolt, you will find it soft; the other putty is hard. There are five rows of panes. The one I refer to is in the middle row at the extreme left. The killer had the forethought to use putty that was of about the same color as old putty. But I saw on the sill some minute grains of glass glinting in the light.

"Mrs. Horsnall, without knowing why I asked the question assured me that there had been no repairs, such as replacing panes of glass. When I leaned out of the window, I saw the scars in the cement. Perfectly obvious. An active man, a strong man, probably a left-handed man, threw a string with a stone at the end over Miller's Folly. With this string he drew over the building a stronger twine. Finally he drew over the top of the building a strong rope, like a wash line, or something stronger. He then drew both ends of the rope around, forming a loop, about the chimney.

"Using the chimney as his anchor, with his rope looped around it, it was fairly easy for an active man. He used the kind of spurs that electric workers use to climb up wooden poles. Those spurs left the scars I pointed out. He had a hand hold, of course, on the two ends of the rope hanging from the chimney about two feet from the window.

"The rest was rather difficult. When he reached the height of the window, the nearest pane, fortunately for him, the one near the bolt was two feet from his perch, at his left. That is why I suggest that he may be a left-handed man. He cut out the pane, opened the window, went in, killed Miller and then spent some time hiding his traces. Among these was replacing a pane of glass and using putty colored like old putty.

"A very, very dangerous murderer and a very clever one, but hardly a subtle one."

He turned to Brasher. "Now, young man, the rest ought to be simple police work. Find a man in possession of twine and rope, on which you will find adhering bits of brick, cement and paint, from Miller's roof. Find him in possession of a pair of spurs, on which you may find adhering bits of cement and you have your murderer."

As Brasher, thanking him effusively, was about to go. Professor Brierly detained him.

"Just a moment. I want to send a telegram to New York. Leave this at the telegraph office for me, please."

He turned to his companions as Brasher departed; he smiled whimsically:

"Since you insist on plunging me into these things, I might as well be prepared. I wired for several things that we may need before this is over."

McCall was knitting his brow. He had followed with glowing admiration the exposition of the old savant.

"Professor," he asked, "you say the murderer is a clever one, but hardly a subtle one. Why do you say that?"

Professor Brierly dropped wearily into a deep chair on the porch. He shuffled the sheets of paper each with its bullet hole surrounded by powder marks.

"A man who kills another, usually uses the tools he knows best; frequently he uses the tools of his trade. That is easiest; following the lines of least resistance. Or, if killing becomes his profession, he adopts and adapts certain tools for his purpose, with which he becomes familiar.

"Just see how this murder was accomplished. A professional need not be ashamed of the way the pane of glass was inserted, the use of the rope, the climbing irons, or the spurs. The man who did this has used all these materials and tools before.

"Even in this country, where we are far behind certain European countries in such matters, it should be a simple matter for the police to pick up the killer. They can go through their records for the men who are accustomed to rob houses this way. They may find half a dozen in their files. They will pick up all of them

who are not in prison and pin this murder on the guilty person. The others will have adequate alibis.

"It must be obvious to you, of course, that though Miller's safe was rifled, robbery was not the real motive for the entrance; it was murder. It must also be obvious that no eighty-two-year-old man could have done this. If an eighty-two-year-old man engineered it, he hired some one. The man he hired, as I am showing you, left a broad trail. Find him and you will find the man behind him."

He rose. "I am rather tired. I am not as young as I was. I'd better take a rest."

"An eighty-two-year-old man? Are you suggesting, Professor—" began McCall.

"I? I am suggesting nothing. It was you, Mr. McCall, who made the ugly suggestion, remember.

"There is the mysterious number '14,' who, if he exists, is assuredly not less than eighty-two years old. Then, there is a several million dollar fund of which you told me. It was you, Mr. McCall, who made the ugly suggestion that such a sum was a tremendous temptation, both for men who have always been comparatively poor and for men who have had much and now have nothing.

"I am merely giving you the results of my conclusions from facts as I found them.

"Incidentally, this murderer, the man who killed Miller, is not very original. I remember a case in Germany in which a robber entered a house using just that means, a rope, a chimney and climbing irons. Yes, yes. It has all been done before. I did not need all the clues I found on the window and outside the house. The powder marks were enough. The killer was too hasty or too careless or too ignorant. He might not have known that there is an enormous difference between powder marks inflicted when the muzzle is two inches away and those inflicted when the muzzle of the weapon is twelve inches away. The powder marks alone, without any other factors, that slight difference of a few inches, might make the difference between life and death for the murderer."

"And the two other men, Professor?" asked Jimmy.

"Of the two other men," snapped Professor Brierly, impatiently, "I know no more

than you, and little is known about their deaths right now."

"But don't you think," continued the persistent reporter.

"You don't mean, don't I think, Mr. Hale," jeered Professor Brierly. "You mean don't I guess. No, I never guess. I leave that for highly imaginative newspaper men, or," he waved his hand sarcastically at his grinning assistant, "to John, there. Bring me some facts and I shall try to give you an opinion, an opinion that I may base on those facts, but, what do you know of the other men?" he challenged sharply.

"Well, there's not much question about one of them, the one who was drowned at Bradley Beach. That seems like an honest drowning. But August Schurman, from our information, apparently hanged himself in his study in one of those old houses on the lower west side."

There was no sign of weariness now on the part of the old scientist. He was fully aroused. His deeply sunken eyes were glowing. Jimmy had used an old formula that he always found efficacious.

"Oh, yes?" Professor Brierly was leaning forward. "Not much question about Wrigley, the man who was found in the water at Bradley Beach, is there? All we know about him is that he was found dead in the water. Do you know that he was drowned? Of course you don't.

"And Schurman, the man who was reported to have committed suicide by hanging. All you know about that is that he was found hanging in his study, dead. Do you know that he died by hanging? Do you know that he was not dead before he was hung? If that is the case, then obviously, he could not have hung himself. Perfectly astonishing to me, Mr. Hale, that a man who has followed your profession as long as you have should be so gullible. For that matter, do you know those men are dead?"

After firing this sarcastic shaft, he shook his head, saying: "As I said, Mr. Hale, I am tired and I need some rest. And nothing makes me more tired than idle, futile speculation. The principal difference between a scientist and a newspaper man, Mr. Hale, is that one knows—the other—guesses."

* * * * *

The last rays of the sun were flaming in the sky across the lake when Professor Brierly suddenly said to Matthews: "John, take me down to the Higginbotham camp. The Judge tinkers with physics and mechanics, he offered me the use of his equipment. It may be a good thing for all of us to take our minds from this terrible affair. Too much brooding will certainly not help."

Matthews looked at him suspiciously. Without comment, he made ready to go.

Justice Higginbotham received the two men graciously. He took them at once to his work shop.

"I'm just an amateur, Professor. But it is a good thing for an old man to have a hobby, a very perplexing hobby. Modern science makes so many strides every year, every day, that it is practically impossible for an amateur to keep apace." He preceded them to a spacious shed in the rear of the house. It was carefully and immaculately arranged, each article in its place and most of them carefully labeled.

Professor Brierly's eyes gleamed with interest as his eyes fell on a series of tubes, some of which resembled radio tubes in their sockets.

"Ah," he murmured. "Photo-electric tubes. It should be fairly easy for you to keep apace with that for the reason that this particular branch of science is still in its infancy and we are all groping in the dark. No matter how little you know about the matter, Judge, you cannot know a great deal less than any of us."

"That's your modesty, Professor. I had just been installing some of the simpler devices when," his fine features clouded, "this deplorable, this terrible affair interrupted me." There was silence for a moment. With a visible effort of the will, he continued:

"I am so glad you and Mr. Matthews are here. I am rather vague about it. While I enjoy finding things out for myself, this has been rather difficult. I am not certain I understand the photo-cell's sensitiveness to color. You see, I was trying—"

"Why, that is comparatively simple, Judge. I see you have everything needed right here."

"Yes, I got it all from a catalogue. But now that I have it, what am I going to do with it?"

Professor Brierly stepped forward. He and Matthews worked quickly, deftly, the old scientist uttering a word of explanation now and then. The venerable jurist watched their deft handling of intricate mechanism with keen interest and obvious enjoyment.

After half an hour that seemed to Justice Higginbotham only a few minutes, so keen had been his absorption in the task, Professor Brierly and Matthews stepped back. Professor Brierly had three cards colored red, green and blue in his hand. He pointed to three indicators that he had connected to wires running from a tube.

"You see, Judge, the three indicators are marked respectively with the colors of these cards. As I pass these cards in front of the tube, the corresponding indicator will record its passage. Watch!"

He passed the cards in front of the tube slowly, first in one order then another. He changed their order; he increased their speed. The result was the same. The respective indicators each time, rapidly or slowly recorded the passage of the corresponding color correctly.

Justice Higginbotham beamed with admiration.

"I told you you were modest, Professor. It would have taken me weeks or months to do that. I've been working on rather an ambitious project with these tubes, you may laugh when I tell you; I was well on the way with it when," once more his features clouded, "this hellish thing interrupted me."

Professor Brierly, glad to take the other's mind from the dreadful tragedy stalking him and his companions, asked:

"What is the ambitious program you had mapped out that you believe will make me laugh?"

"It is true, is it not, Professor, that the impulse transmitted by a photo electric cell can be translated into incalculable energy; can be made to do things that normally require a great deal of power?"

"You have about stated the case, Judge. We know very little about it yet, about its possibilities, but they seem endless and practically indefinite.

"The impulse generated can be made to pick up a thread, or pull a trigger, operate a trip hammer, blow up a mine or move a battleship or an ocean liner, given a strong enough lever. And that means simply a proper transformation of power or energy.

"The theory is comparatively simple. Wherever or whenever a beam of light can be received, interrupted, modified, amplified, or controlled in any way, a light-sensitive cell can be employed to generate the impulse, which, properly applied, can do almost anything.

"Does that seem too involved?" asked Professor Brierly.

"No, I think not. It was acting on that theory that I experimented with—well, come along and I will show you."

He led the way outside, where he pointed to the overhanging rock.

"Professor, as that rock is situated now, what would happen if it came down? You see how delicately it seems to be balanced."

"If it came down," stated Professor Brierly, "it would crush your main building to match-wood."

"Yes, I guess it would. Well, here is what I planned. I erected a lever behind it operated by a trigger-like arrangement. I installed a photo-electric cell with wires running to the trigger. I was going to shore up this side of the decline running from the rock, so that when the trigger released it, it would be deflected and roll into the lake.

"But at that point, this deplorable affair with our group happened. All I needed to do was to shore up this side of it. I was going to make quite an occasion of it. I planned to invite a number of friends and show them that with a simple beam of light I could move that gigantic rock."

"Hmm," commented Professor Brierly. "In view of the fact that you have not yet made provision to deflect the rock it seems rather dangerous to leave things in this state. If the rock came down it would hit the roof of the porch and kill whoever happened to be there. You say you have installed the photo-electric cell? What is to prevent—".

"Oh, I have guarded against that, Professor. I placed the tube up there," he pointed to what looked like a bird's nest near one of the gables. You see, as that is situated, no light can ever get at it; the foliage of that tree keeps the sun away and its always rather dark there. In addition, there is that little shutter that I placed in front of it.

"I also disconnected the wires leading from the tube to the trigger." He beamed with the pride of the child, or the amateur, who has done something clever.

"What do you think of it, Professor?"

"You managed very well, indeed. With this knowledge, I should feel rather uncomfortable sitting on the porch if I did not know you had taken all the precautions you mentioned. Playing with this hobby must give you considerable satisfaction, Judge."

"Yes, I get a great deal of joy out of it. But come, I am being selfish keeping you away from my other guests. They—"

He did not finish the sentence. He was once more reminded of the terrible pall of threatening gloom hanging over him and his comrades. The men sat in the large living-room chatting for a while. But it was forced. None of them could pretend that he was completely at ease.

Chapter VII

Jimmy decided to put a detailed account of the latest developments of the story on the wire in Lentone. He therefore asked Matthews to take him down in the sea sled. He could make better time that way than driving his own car over the plowed and unplowed fields that lay between the camp and the road.

But he did not telegraph his story. He found the small telegraph office besieged with a crowd of men and women, all clamoring for a wire. Jimmy grinned at the spectacle. It did not take the veteran newspaper man more than a glance to know it for what it was.

Three hours had elapsed between the time he telephoned his flash and the moment when he stepped into the small telegraph office in Newport. In those

three hours, all the big and some of the little papers of the country had frantically wired their nearest correspondents to get busy.

From the North in Canada, from the South, East and West men and women began converging on the little town of Linton, Vermont. A day later these local correspondents would be replaced by star reporters, special writers, feature writers, syndicate writers, novelists, and sob sisters.

Jimmy knew that within twenty-four hours every big newspaper in the country and every important press service would be represented.

Still grinning, he backed out of the telegraph office and hunted for the nearest public telephone. He found a repetition here of the condition he had met in the telegraph office. He had to walk six blocks before he came to a booth at which one or more persons were not awaiting their turn.

Forgotten now was any thought of enjoying himself in rest and recreation on his vacation. The newspaper man remains a newspaper man for a long time, only because he loves the game. And "game" is what the newspaper man who belongs, calls it. Those who do not belong get out of it sooner or later. On a big story he does not think of food, drink or hours. In the absorption of a big story he can and does continue without rest an unbelievable number of hours, subject himself to relentless physical strain. In doing so he enjoys it, as he does nothing else. He exemplifies perfectly the statement by the philosopher that there is no greater joy on earth than the one found in work. Hardly anyone, in any other occupation puts in the hours, the work, the loyalty for so little financial reward as does the newspaper man.

Jimmy's connection with his office was quickly made. Hite's few sentences were short, sharp, barking ones. Hite was keyed up to the highest pitch. By this time a call had gone out and he had enough men to handle all phases of the story. Hite gave some brief orders, made some caustic comment and switched the wire to Roy Heath's desk.

Even this individual's speech was not now the lazy drawl it habitually was. The tremendous scope of the story, the tense feverish activity on the part of Hite at the desk near him infected even Roy Heath.

Jimmy knew without being there that since the moment he had hung up the receiver on his first call, Hite and the rest of the staff had been in a frenzy of

activity. Jimmy could picture it as though he were there, Hite barking orders to men and office boys at his elbow and at men and women perhaps hundreds and thousands of miles away. Jimmy could picture the stream of men and women and boys parading before his desk for orders. Jimmy could picture him perhaps talking into three telephones almost simultaneously; to the composing room, to a member of the staff somewhere in the Metropolitan area and to a correspondent many miles away.

Far and wide over the entire country, lapping over into foreign countries ranged the newspaper net that was thrown out for information. This information, arriving at the office, would be weeded out. The wheat would be separated from the chaff; the usable stuff would be licked into shape and Roy Heath and two other rewrite men would transform it into living, dramatic, racing, pulsating recital.

With only a faint trace of his lazy drawl, Roy said:

"All right, Jimmy, shoot it fast. Story waitin' for a new lead."

Jimmy poured into his ears the newest developments of the story; Professor Brierly's search and his conclusions. Jimmy concluded with:

"About the New York end now, Roy. About Schurman and Wrigley—"

"We're coverin' that, Jimmy. Schurman committed suicide, I guess, and about Wrigley, nothin' to that. He was drowned. He—"

At this point Jimmy interrupted. With a fair imitation of Professor Brierly's crisp, staccato, clear cut accents, with the perfectly astonishing memory for which James Hale was known, he said:

"Oh, yes? Not much question about Wrigley, the man who was found in the water at Bradley Beach, is there? All we know about him is that he was found dead in the water. Do you know that he was drowned? Of course you don't.

"And Schurman, the man who was reported to have committed suicide by hanging. All you know about that is that he was found hanging in his study, dead. Do you know that he died by hanging? Do you know that he was not dead before he was hung? If that is the case, if he was dead before he was hung, then, obviously he could not have hung himself. Perfectly astonishing to me, Mr.

Heath, that a man who has followed your profession as long as you have should be so gullible. For that matter, do you know these men are really dead. We scientists—"

With surprising patience, Roy had listened to this burlesque. That was because Roy was one of the greatest rewrite men in the profession. Roy's quick mind had instantly grasped the thing that was behind this burlesque. At this point he interrupted.

"I get you, Professor. Too bad you can't be here yourself. But I promise that in a couple hours we'll know more about Schurman's and Wrigley's death. Swell tip, Jimmy. We'll go right after it. That all?"

"Yep," said Jimmy, going back to character. "That's all, Roy, s'long. Oh, wait a minute, Roy. Schurman is at your end. Got any dope on that?"

"No, Jimmy, all we got is a flash. We're gettin' the details now. He had engaged a plane to fly up to Higginbotham's camp, plannin' to be there first thing in the mornin'. When he didn't come up to the airport, the pilot began telephonin'. Finally, about eight o'clock or so in the morning, an old woman who takes care of Schurman's apartment, came and found him hangin'. That's about all we got, Jimmy."

Jimmy was about to hang up the receiver, when Hite's harsh growl cut in:

"Wait a minute, Jimmy. I was listening in. You gave me an idea. We can and will, of course, verify these two deaths, but it would be swell if Professor Brierly were here. Could you persuade him to come down here to give us the benefit of his experience and advice?"

"I don't know, chief. He's a crochety old gent, you know, and he has notions about things. He might take the notion that it is not fitting or pleasant or convenient to go. He might think—oh, he might think anything."

"Yes, Jimmy, I know something about the peppery old gent. But you stand pretty strong with him. See if you can persuade him. I'm going to take it for granted that he'll come. Will he object to riding in a plane?"

"Who, Professor Brierly? Don't make me laugh, chief. There isn't a thing on, above or beneath the earth that he's afraid of. If he decides to come he'll want to

come the quickest way possible."

"All right then, Jimmy. I'll charter a plane by wire. If he consents to come there will be a plane ready for him in the airport most convenient to his camp, wherever that is, or right on the lake. Step on it, Jimmy."

Jimmy thought of using the telephone, decided against it. It might take some diplomatic finesse to persuade the old scientist to hire himself out to a newspaper. He might feel it degrading and cheapening to do such a thing.

On the way to the camp, Jimmy's moods were reflected in his features by alternate smiles and frowns as he pictured the manner in which his office would be received.

By the time he reached the camp he decided against using any cheap trickery to accomplish his purpose. He held Professor Brierly in too much esteem to attempt such a thing. He made up his mind that forthright frankness would serve his purpose best. He was delighted and surprised at the ease with which his errand was accomplished.

Professor Brierly consented to make the trip without hesitation. He did balk at first about accepting the plane at the expense of Jimmy's paper, but he was persuaded that it was ethical in the highest degree to do so. Jimmy clinched this argument by saying that if Professor Brierly refused to do it for the paper, Hite would perhaps engage one of the charlatans or pseudo-scientists, against whom the old savant was in the habit of raving.

At this moment there came from the direction of the lake the deafening roar of an airplane motor, which diminished as it came nearer. Looking out they saw an amphibian taxi to within a few yards of the wharf. Hite had not wasted time. The plane was there to take Professor Brierly to New York.

Jimmy decided to call it a day. His long drive from New York and the strenuous day just past, broken only by a few hours' sleep, told even on his robust constitution. Besides, there was nothing further to do that afternoon. Hite had indicated that when Jimmy's fresh news was put on the presses the staff would quit for the day.

He was in Lentone bright and early the following morning. A short visit to the home of the late Morris Miller followed by a visit to the police, gave him very

little for a new lead to the story. He ruefully told himself that the news was probably where Professor Brierly was. He telephoned to his paper.

Hite's voice had a tremor that showed he came as near laughing as he ever got.

"Great little guy that professor of yours, Jimmy. My, oh my, what a newspaper man he would have made. Is he always that way, Jimmy?"

"What did he do, chief?"

"What did he do? For one thing he came as near getting me fired from this job as I ever got. He snarled and growled at me. He told the managing editor that he was an ignoramus and the M.E., believe it or not, took it, took it like a little lamb, Jimmy. Dije ever hear anybody call the M.E. an idiot and get away with it?"

"He told Mr. Conway, the boss, that he was a charlatan; that he was running a yellow sheet; that he had the ethics of a hyena; that he was pandering to the worst passions of the ignorant mob and a few other choice things.

"He set the police commissioner's office on its collective ear and drove the medical examiners crazy. What he said to them should be preserved as a method of raising blisters on a man's skin with language and done in good English.

"He did say one nice thing about one human being. He said that one James Hale, Esq., was not so bad—for a newspaper man. Now don't get swelled up over this like a poisoned pup, Jimmy, or I'll have you killed. The price quoted for murdering a newspaper man is very low.

"But Jimmy, he gave us a swell new lead on the story. Schurman was murdered. Everybody here said he had committed suicide. As for Wrigley, that appears to have been an honest drowning. He was really drowned. We're looking it up just the same, but we have the old bird's word for it that he died by drowning. Say, Jimmy doesn't that bird ever sleep. He was busy as a bee all night. He left here about five this morning and may be up there already for all I know. When he left he was as chipper and fresh and full of pep as—well words fail me, Jimmy.

"He says he's going right up to the camp of Justice Higginbotham. Jimmy, I'd give a leg if I could have had a stenographic report of his speeches while he was here and a picture of the individuals at whom those speeches were fired.

"S'long, Jimmy, remember we're runnin' a daily paper and not a quarterly." This was Hite's usual formula.

Jimmy now decided to charter a swift motor boat. Professor Brierly's camp and Justice Higginbotham's camp were both a considerable distance off the main road. A swift motor boat, with a competent man to handle it, would transport him from Lentone to either or both camps in less time than would a motor car.

Getting a motor boat was not as easy as he had anticipated. He learned that a sudden demand within the past twenty-four hours had apparently exhausted all the available craft that were for hire. Something that one of the boatmen let drop gave him an inkling of the reason for this. The correspondents who were pouring into Newport had reached the same conclusion as he and had forestalled him. He also learned that every available motor car had been hired within the past few hours.

Foreseeing the possibility of being on the story for some time, he set out with the idea that if he could not charter a boat he would buy one. He felt that the expense would be justified and he was certain the powers that be on his paper would approve such a step; they were not niggardly in the matter of expenses.

After a protracted search he found a youngster of eighteen, Harry Stoy, who was not only willing to sell him his sea sled, but was also willing to hire out as the boat's crew. Harry was a fine upstanding youngster, who knew motor boats and who knew the lake and surrounding country. When Harry learned that the man to whom he sold the boat was a newspaper man on a big murder story, he stopped bargaining and entered the chase with nearly the same amount of enthusiasm as that shown by the reporter himself.

Jimmy opened his eyes wide with astonishment when Harry took him to Justice Higginbotham's camp. Boats were tied to the small wharf. Boats were moored to every available spot on the shore. For hundreds of yards about the wharf boats were anchored. Not since he had seen a regatta had Jimmy seen so many boats in one place at the same time.

When he stepped to the wharf and thence to the wide porch, he understood the cause of this. As he had seen at the telegraph office and the public telephone booths, Justice Higginbotham's camp was now a magnet for all the newspapers and press services in the United States and Canada. Near the wharf he

recognized the plane that had transported Professor Brierly to New York.

Chapter VIII

Jimmy recognized several of the men and women on the porch as reporters and feature writers. These, knowing that Jimmy's paper was the one that sprung the story, made a concerted rush for him. He fended them off. He told them that beyond what had been printed he knew nothing. Asked about Professor Brierly, he told them that he had not seen the old scientist for more than fifteen hours; that his paper in New York had handled that end. He assured them that beyond the bare announcement over the phone that Schurman had been murdered, he knew nothing new.

At this moment the grizzled negro came to the door of the porch and gestured to Jimmy. He said to the reporter when Jimmy came near him:

"The jedge, Mistuh Hale, sez for you—all to come in an' see him and the otheh gempmen."

Aside from the eleven men he had first met the day before, there were in the big, comfortable living-room, Professor Brierly and District Attorney McCall. He felt and saw that all of them were looking at him.

He was shocked at the appearance of some of the men. They seemed to have shrunk in size. There was a furtive air about some of them; stark fear, fear of the unknown danger, shone in the eyes of a number of the men present.

"Mr. Hale, it is not your fault, but you are indirectly responsible for the presence of all those men and women out there. It is a very distressing thing. Newspapers have their place and uses, of course; we all recognize that, but we cannot at a time like this be besieged by a horde of men and women, not all of whom, I regret to say, have the delicacy to show the kindness and consideration—"

"I get you, Judge. The thing to do, of course, is to tell them that you will issue periodic announcements about the developments in the case. They will all understand that, I am sure, and respect your wishes for privacy at other times."

"Yes, of course, that is the simple, the obvious thing to do. Will you act for us, Mr. Hale. Tell them—"

"Sorry, Judge, I should like to act in this capacity. But I also am a newspaper man out on a story and I should be in a false position. I can help you with advice, but that is as far as I dare, as far as I can go in such a matter. I can assure you that everything you tell me in confidence will not be printed without your permission. Your comrades here who know me, Judge, will vouch for me, perhaps."

Marshall, McGuire and Fletcher nodded.

Mr. Marshall, at Jimmy's suggestion, went out to the porch and told the assembled newspaper men of the decision they had reached concerning the issuing of statements for the press. When he returned, Professor Brierly said:

"In this case, Hale, how will you treat information that you acquire through your contact with me. Would it be honorable—"

"I've thought of that, Professor. I shall not use any information I get through my living at your camp that all the others are not permitted to use. This, of course, does not apply to matters that I would have learned without knowing Professor Brierly."

Some of the men present wrinkled their brows in perplexity. They had difficulty following such a nice point of ethics. But they dropped the matter by mutual consent. After all it was a slight matter in the face of the great tragedy facing them.

Jimmy turned his attention to Professor Brierly, who had been talking when he was ushered into the room. The other men settled themselves back to listen. The old scientist was saying:

"August Schurman was murdered, Wrigley was really drowned. I do not know at this time whether or not some outside influence was responsible for his drowning. I merely had myself flown to the New Jersey sea coast town, where they were keeping the body. My examination was hasty, but enough to determine that he was drowned; death was really due to that."

There was a dead silence in the room. The calm unemotional voice of Professor

Brierly in this room of utter fear set Jimmy's spine tingling. Once more, for the third or the fourth time since he had come upon these men, he was struck with the odd notion that it was not real; that he was witnessing a play in which the actors did not know their lines and were missing their cues. It was the grotesque bordering on the terrible, the tragic.

"And Schurman, Professor?"

Jimmy almost jumped, as did some of the others on this breaking in of his thoughts. They also were evidently immersed in their own thoughts. It was Goldberg and Vasiliewski, who, as if actuated by a single impulse, had broken the silence.

"Schurman," answered Professor Brierly slowly, "was murdered; there is no question about that." Something clicked in Jimmy's mind. He had missed something from Professor Brierly's speech. There was not his wonted incisiveness and crispness. The reporter looked sharply at the old man. Jimmy's mind cleared; he became convinced that Professor Brierly was hiding something, was withholding something he had learned in New York. He did not, as he was accustomed to do, explain in elaborate detail. Former Police Commissioner McGuire asked:

"Murdered! How was he murdered? The information is that he was hung. What a strange way of murdering a man."

Professor Brierly nodded. He said: "He was found dead, hanging from a hook in his living-room, but he was dead when he was hung."

Marshall burst out:

"Why did you go to New York, Professor?" Still speaking slowly, Professor Brierly answered: "I was engaged by the New York Eagle to undertake the trip for the purpose of viewing both bodies. I also had another reason. Since I am plunged into this investigation it may be necessary for me to have certain instruments, instruments of precision, for the purpose of conducting certain inquiries and for making certain tests."

"Why, Professor," exclaimed Justice Higginbotham. "You need not have gone to the trouble for the second reason you give."

"It is likely that my workshop and laboratory contain everything you might need."

The professor's eyes lit up with a gleam of interest.

"Indeed they do, and I may yet avail myself of them, but I wired yesterday for additional instruments, and early this morning I stopped at my place, where I obtained a few things I needed." He arose to go, but Justice Marshall detained him:

"You did not tell us the details of the death of the two men you saw in New York and Bradley Beach, Professor. You say Schurman was murdered. Won't you tell us about it?"

Jimmy was once more conscious of a hesitancy in Professor Brierly's manner. Jimmy was quite certain that if the old man were not such a forthright individual he should have used evasive tactics at this time. After a brief pause, scrutinizing briefly the faces in front of him, he resumed his seat.

"Schurman was murdered by being struck at the base of his skull. The blow fractured one and dislocated another one of the vertebrae causing asphyxia, which made it easy for the examiner to conclude that he had been asphyxiated by the rope with which he was hung." Once more the reporter was conscious of an unwonted hesitancy in the old scientist's manner. He cast another glance about the semicircle of strained faces; then went on: "After he was struck the fatal blow, he was hung to a hook high up on the wall of his bedroom. Schurman occupied a small apartment on West Fourteenth Street, one formerly occupied as a theatrical boarding house, when that was the theatrical district.

"Entrance into his apartment was affected by an expert cracksman, the New York police say. Schurman had a small safe. The marks on the safe and the method in which entrance was affected makes the police believe that they may be able to find the man.

"There was an additional factor. There was a small electric refrigerator which was open when the body was found. There were some soiled dishes on the table in the kitchen. It appeared that an enormous quantity of food had been eaten. On one of the shelves of the refrigerator there was an apple, a green apple in which there were teeth marks.

"Someone had evidently bitten into this apple and found it too green for eating. The maid, who came to the apartment once a day to clean up, was able to estimate the amount of food that had been eaten since she had last visited the place. Six eggs were eaten at this meal.

"This woman found Schurman's body yesterday morning. The condition of the body showed that it had been dead nearly twenty-four hours. The condition of the stomach showed that he had not eaten for about six hours prior to death, and no eggs then. A quick search by the police placed him in a small restaurant near his apartment, about two o'clock on the morning he was found. Thus it may be assumed that the person who murdered Schurman is the person who consumed that enormous amount of food. The police say they have one additional bit of evidence they would rather not divulge."

At this point in the recital McGuire jumped up. His features were alight with a mixture of ferocity and the zeal of the hunter. He growled:

"The bird who did that left his visiting card!"

All eyes were turned in his direction.

He continued:

"Cracksmen, criminals of all kinds have their idiosyncrasies, their peculiarities. They do certain things and thus leave a broad trail for the police to follow. The police know these peculiarities, they have a record of them. Here is a bird who does an unusual thing, he eats an enormous quantity of food. He is an expert; he has probably done it before. The police are sure to get him. During my tenure of office as Police Commissioner of New York, I have seen it work out this way lots of times. They never learn, the criminals don't; they never learn."

McCall nodded. "You're right, Commissioner. Professor Brierly suggested that yesterday, when he was discussing the murder of Morris Miller. The murderer in that case left even more pronounced clues than this one you are now discussing. Professor Brierly then said that the police must surely have a record of a man who does things in such a way."

"Sure to have," responded McGuire. He arose and stretched his short huge bulk. "This is something like it. We now have something tangible, something definite.

It was the damnable inaction that was beginning to get on my nerves. I'm going to use your phone, Judge."

They heard his voice rumbling at the telephone in the adjoining room. They were still conscious of his deep growling voice when Professor Brierly, Jimmy and McCall departed.

The two younger men succeeded in warding off from Professor Brierly the barrage of questions that was fired at him by the horde of men and women who still waited about, hoping for a crumb of information in addition to that which had been furnished.

When they were free of the crowd of newspaper men, Jimmy asked:

"Did the police tell you, Professor, what the additional bit of evidence was?"

"Yes, when I convinced them it was not suicide they made a more extended search of the apartment. It was then they learned that an expert cracksman had entered, that an expert had opened the safe without blowing it open or forcing it open. This cracksman, however, did things in a way that only about half a dozen men in the country do it and the police have all of them tagged.

"The additional individual evidence was entirely accidental. They found under the safe a small nail file. On its smooth portion they found a clear thumb and forefinger print. They were rather mysterious about it, so evidently they think they can lay their hands on the man who left this print. Off hand, I should say that finding the man who did it and fixing the guilt definitely should be rather easy."

He stopped, shook his head in some perplexity, and murmured:

"There is something about the whole devilish business that just won't fit, won't fit into all the known facts, won't fit into observation and experience; won't fit —" The rest was too low for Jimmy to hear.

Professor Brierly refused the offer of the pilot of the plane that was gently rocking near the wharf. Getting into McCall's boat with its owner, they got under way, followed by Jimmy Hale and his youthful pilot, Harry Stoy.

Chapter IX

As they approached the camp, Jimmy was amused to see the occupation with which Matthews was employed. He was still teaching young Thomas Van Orden how to dive. From a distance Jimmy saw with approval that Tommy had progressed rather well in the art. The youngster made a fairly creditable dive. Matthews was lifting him aboard the cruiser, when the youngster saw the approaching boat.

"Hey, Pop!" he yelled, his shrill treble ringing across the water. "Lookit me dive." He jumped, landing in a flat "belly whopper" causing a splash grossly disproportionate to his small form. Matthews, with a grin dove after him and the lesson for the time being was over. Tommy was sent into the house, where he was followed by his adoring mother.

Matthews jerked his thumb toward the porch and said to Professor Brierly:

"You've got company, sir. He had to see you, so he's waiting. You can hear him from here."

The "him," they could hear was Detective Brasher, slumped in a deep wicker chair, head thrown back, sound asleep, his snores causing a discordant note on the peaceful scene.

At the touch of Jimmy's hand on his shoulder, he awakened. He smiled sheepishly as his eyes fell on the group standing about him and dragged himself out of his chair.

"Scuse me, Professor; I been busy with this and ain't had much sleep. I found something that'll interest you. Mr. Matthews said you'd be along pretty soon, so I waited. Here, Professor—" He leaned over and, from behind the chair he had occupied on their arrival, he took a coiled rope. He dropped it with a soft plop at Professor Brierly's feet.

"What do you think of this, Professor?"

Professor Brierly almost pounced on the loose coils at his feet. He carefully unwound it. There was nearly a hundred yards of wash line. Tied securely to the end of this there was an equal length of twine. Tied to the end of the latter, there

was a long length of fish line, at the end of which there was a fairly heavy sinker. There was no gut or hook, just the sinker.

Professor Brierly looked approvingly at the unkempt, red-eyed detective.

"Good work, Mr. Brasher! Splendid! Where did you find it?"

"I'm not as clever as you think, Professor, or I would 'a' had this yesterday. I looked around after you left Miller's Folly. I found tracks of a motorcycle on the ground a short distance away. We're pretty careful about smuggling any booze around here, you know, Professor, so I asked around, thinking maybe a trooper on our side or mebbe one of the Mounties on this side would have seen or heard a motorcycle.

"A trooper on our side of the line heard a motorcycle about two o'clock yesterday morning. I figgered that if it had bumped off Miller, I wouldn't want to be carting around with me, any longer than I had to, several hundred yards of rope and twine, like you said he had to have. Not with troopers snoopin' around and asking questions mebbe that might be hard to answer.

"I asks myself what would I do with it? I snooped around and about a quarter mile from the Folly there is a gully with weeds growin' over it so you can't see it unless you know it's there or you fall into it. The motorcycle tracks lead right up to this gully. Mebbe the bird who bumps off Miller rides into it at night. About twenty, thirty yards from the place he rides into it, I find this." He nodded toward the rope which Professor Brierly was carefully examining as he was uncoiling it.

Professor Brierly looked up, a trace of anxiety in his deep eyes.

"Was there water in the gully, Brasher?"

"A little, not to amount to anything."

The anxiety in Professor Brierly's eyes deepened. "Running water, Brasher?"

"Oh, no, not that. Just a little water in the bottom from some rain mebbe, or, mebbe it was seepage."

Professor Brierly's features cleared. There was no hesitation in his manner. He

turned briskly to Matthews.

"Did the microscope and slides come, John?" When Matthews answered in the affirmative, he continued:

"A large vessel, John, and some clear cold water."

He turned to the detective.

"Lie down on the hammock there, Brasher, while I am making some tests. I'll wake you when—"

"Do you mind, Professor, if I watch you—if I watch you make your tests?"

"Certainly not, but you will not find it very interesting."

Matthews brought out to the porch an infant's bathtub of enameled metal ware. He poured water in it from the well and asked the old man:

"Won't there be complications, Professor? This water is not distilled and—"

"You will make a microscopic examination of the water, John, and make a careful record, while I wash the rope and twine."

While Matthews went indoors to do his mentor's bidding, the old scientist uncoiled the three sections of rope, twine and fish line. He swirled first one of them violently in the clear water of the bathtub. Then, he siphoned off the water. The water was then subjected to a careful filtering process. The solids resulting from this were subjected to the microscope.

This was done in turn with each section of the coil of rope and twine that Brasher brought. Toward the end of his examination, Professor Brierly had Matthews' help. Jimmy wondered at the smoothness and celerity with which the two men worked. They must have done this many times in the past. There seemed perfect understanding. Without a word being uttered, each man's hands did their appointed task as though one brain dominated them. There was no fumbling, false motions or getting in one another's way.

Each man's movements were carefully checked. The results of the examination of each microscopic slide were carefully noted. They worked with machine-like

precision. Jimmy could understand now why Matthews was rapidly attaining a reputation as a scientist second only to his beloved chief. Gone now was the habitual good humored grin with which Matthews treated most things and people. Neither man dominated; both worked as one; there was perfect coordination.

During the tests, Martha came out to call them to lunch; Professor Brierly shook his head impatiently. At the second call he snapped irascibly at the old housekeeper. Turning to the others, he said:

"Go on in and have lunch, all of you; this must be finished." His audience did not budge; their absorption in his task was matched only by his own. Martha shrugged her ample shoulders in resignation and with a snort of disgust left Professor Brierly and his adopted son to their task.

At last it was finished. Professor Brierly spoke to Brasher:

"Bits of brick and mortar on the fish line, twine and rope show that this was in all probability the means used by Miller's murderer. This is probably from the chimney. There is also some roof paint, from the edge of the roof of Miller's Folly."

He looked at the notes he and Matthews had made. He continued:

"Mr. Brasher, the rope prior to its use around the chimney of Miller's Folly was for a considerable time at a farm or farmyard, where you will find the following:

"A boxwood hedge, of the species *B. sempervirens*, the common box.

"One or more pear trees.

"You will find these shrubs," handing him a list.

"On that farm there are two horses, a bay and sorrel.

"There is a black and white cow.

"There are some leghorn chickens.

"There is a collie dog."

McCall, Jimmy and Brasher were startled. They stared at the old man in disbelief. McCall said:

"Oh, I say, Professor, see here—" He stopped. He saw Matthews grin and wink at Jimmy. Professor Brierly was oblivious to the interruption. He continued:

"The fish line contains all the characteristics of the rope, but was not at that place for so long a time." He looked once more at his slip of paper.

"I forgot to mention that a stream of water runs through or adjacent to the place where these ropes were kept."

He looked once more at his notes and shook his head.

"The twine," he said slowly, "was also at that place for a considerable length of time. In addition, it appears to have been for some time in a hat factory, where felt hats are made; in a part of a hat factory where a good deal of the fur from the felt hats is in constant motion. I am not familiar with hat factories, but it must be in a branch of the factory, where the hat is worked after it has been dyed."

He caught the detective's look of astonishment.

"Really, Mr. Brasher, there is nothing remarkable about this. Your feat of finding the rope was far more meritorious, both the reasoning and the actual finding of the rope. What John and I did just now was absurdly simple.

"All you need do now, Mr. Brasher, is find a man, probably a left-handed man, who lives on a place such as I described, who owns a motorcycle who cannot account for the time in which we know Mr. Miller was killed; who either worked in or had access to a hat factory; a man who has a pair of climbing irons and you have the murderer."

"Oh, yeah, is that all?"

Professor Brierly bristled.

"What is there difficult about that? That should be simple. Surely there are not a great many farms or farmyards that comply with all the conditions I enumerated. Surely that should be merely detail, just the work the police ought to be able to do. Ex-Police Commissioner McGuire thinks that too."

He waved his hands with a gesture of finality and Brasher knew that he was dismissed. With a look of awe and reverence he departed, shaking his head wonderingly.

Professor Brierly was also shaking his head. There was a puzzled frown on his fine features. He said:

"I shall have to recast my opinion about the man or men who are responsible for these two murders. I said he or they are clever but not subtle. I was wrong, there is a subtlety about it, a devilish ingenuity about it." He shook his head once more, the puzzled frown becoming deeper. "There are things about these two murders that do not fit and it seems hard to make them fit. I wonder—" He shook his head violently as if to clear it of an unpleasant or hazy thought.

Hale began, slowly, not knowing how to broach the subject:

"Was there something, Professor, that you were holding back in Justice Higginbotham's camp, something you knew, that you did not care to tell."

Professor Brierly looked at him quizzically.

"You *are* an acute young man, Hale—or, was I so obvious?"

He sat for a long time thoughtfully tearing to bits the small sheets on which he had made his notes of the examination of the ropes and twine. He continued slowly:

"What the microscope showed me this morning increased my doubts about the matter. The trail left by the murderer in Miller's Folly seemed clear enough. Finding the rope, however, instead of clarifying the case makes it more puzzling. What we found on the rope and twine does not at all accord with the rope itself and its implication.

"I find an analogous situation in New York. Everything seemed clear enough. Someone entered Schurman's apartment. That person was either rather skilled in human anatomy or he was told how to hit Schurman. The victim was struck in such a way that it could easily have been mistaken for simple asphyxia or the kind of asphyxia that you would find in a body that has been hung by the neck. Everything seemed simple enough until I found the apple."

"The apple?" queried McCall.

"Yes, the apple of which the murderer almost took a bite. It was a green apple. The murderer was about to take a bite, but he changed his mind. It was too hard, or too bitter, or too sour." He changed the subject abruptly. "And what will the District Attorney of New York County do about August Schurman's murder? That, at least, is in your jurisdiction, Mr. McCall."

"Yes, that is in my jurisdiction. I have wired orders and my office is doing all it can right now to cooperate with the police. We should hear something shortly."

Professor Brierly turned to the reporter.

"Obviously, Mr. Hale, the ends of justice will not be well served if you should publish in your paper what we discovered today by means of the microscope. The police may be seriously hampered in its work if too much or any publicity is given this matter."

"But Professor—"

The old man snapped at him. "But nothing. If you were not here you would know nothing about it. Certainly, if the police discovered what I discovered they would be very careful to withhold it from reporters. Surely you have enough in this story to satisfy even your insatiable appetite for news."

Jimmy gulped. It was a bitter pill to swallow. Here he had a juicy bit of news that would delight Hite and he could not publish it. What a swell new lead for the story. Acting contrary to the old man's wishes in the matter was, of course, out of the question.

Chapter X

Dinner was finished at the Brierly camp when a telephone message from the Higginbotham camp requested Professor Brierly to come down there that evening, if it was convenient. McCall and, as an afterthought, Hale, were included in the invitation.

After their arrival Justice Higginbotham began without preamble:

"What conclusions have you reached with reference to these murders, Professor?"

Professor Brierly looked at his questioner curiously. He looked about at the other men. The strain was increasingly telling on them. Old men, all of them, the difference that the last three days had made in their appearance was startling. A furtive, harrowing fear was apparent in most of their countenances.

Professor Brierly answered gently:

"I do not believe I have reached any general conclusion, Judge. The facts, as I found them, that may be helpful to the police I have given the police. Understand, please, I am not a policeman nor a detective. I am a simple scientist and it is as problems in science that I approach these subjects."

"Perhaps I have not made myself clear, Professor. We, or rather most of us, are in a very unhappy state of mind. Thus, what might three days ago have been a very simple thing, takes on for all of us perhaps a grossly exaggerated importance. Mr. Flynn there," glancing toward one of the men who was looking with dull unseeing eyes at the table, "has an important errand at his home. His home is in Pleasantville, N.Y. That is not far from New York City. We are really perplexed as to whether we ought to let him go." Justice Higginbotham nervously clenched his fist until the knuckles showed white.

"This is ghastly, Professor. Let me put it bluntly. Here we are, eleven old comrades, and we are—shall I say it—suspicious of one another. There, you have it, but it is the simple truth. Perhaps all of us do not share this unworthy feeling." He smiled grimly and continued:

"We are old men. In this state of mind, if it continues and grows as it must, unless this damnable mess is cleared up, we will all die shortly without the aid of murder."

McGuire stood up abruptly and took several paces back and forth. He growled:

"Yes, it's hellish. We don't like the idea of Flynn going off by himself and at the same time we are all afraid to stay here. That damn Tontine policy. If not for that we would not—"

His sentence was left unfinished. Several of the old heads nodded in agreement. Flynn looked up. With an air of obviously false bravado he exclaimed:

"What the hell is there to be afraid of? And suppose I do follow the others? I told you when I came three days ago that I could not spend the week. I just have to attend to this matter." He shook his head stubbornly. "If we take this attitude—we are men, aren't we. Can't we protect ourselves, now that we know definitely of the danger. Or aren't we exaggerating the danger?"

Mr. Marshall said gently.

"But it is not altogether our fear for your safety, Bill, that is in our minds. It is—let us put it frankly—"

McGuire interrupted.

"Oh, go on, say it, Hank, say it! It is fear of one another as well as fear for one another. Is that it?"

Marshall nodded. Jimmy tingled at this scene. There was an electric tension that might result in—almost anything. McGuire continued:

"Stay here, Flynn, stay here until this thing is cleaned up."

Flynn got out of his seat. He picked up a light top coat and hat that had been on the arm of his chair.

"Well, I've got to go and that's that. You all know I've got to go. If you're afraid of me, send a guard along. If you're afraid for me, the same guard can do your business."

Justice Higginbotham turned to McCall.

"Mr. McCall, see to it that Flynn is guarded from the moment he steps foot in New York. We will see to it that he has adequate protection until he reaches New York." His eyes swept the rest of the group. "Is that satisfactory?"

There was a general nod of assent. Justice Higginbotham continued:

"For God's sake, let us not be children or old women. We have all faced death

before, we have faced other and worse things. We should get some reports soon that will clear this up. In a day, at the most in two days, we will know definitely if Amos Brown, the only remaining member of '14', is still alive."

Bruce Thomas spoke up:

"Facing death from a musket with your comrades about you is comparatively easy, Isaac. But this damnable thing—"

"Forget it. Let us confront it. We—"

The ringing of the telephone interrupted him; Jimmy saw the majority of the old men wince as at a blow. He had a vivid recollection of the hourly ringing of the telephone on the fatal morning of July fourth, it seemed so long ago, and the deadly messages the telephone brought.

The grizzled negro came to the door.

"Lentone police calling, Jedge."

There was an unwonted gleam of excitement in the eyes of the venerable jurist as he returned to the waiting men.

"Lentone police say they have the man who murdered Miller. They want you to come down there, Professor. A man by the name of Grasher—"

"Brasher," corrected Jimmy.

"Yes, Brasher, he was on the wire. He seemed quite elated and he wants you to come right down there, Professor."

William Flynn who was about to go when the telephone bell rang, paused when he heard the news. He shrugged his shoulders. Jimmy who had been watching him saw the look of furtive defiance and bravado lift from him. He said:

"That doesn't make any difference in my plans. I'll have to go anyway. I'd like to wait and see this out. I feel better just the same though, if they've got the killer."

McCall addressed him: "Come down to the Lentone police station with us, Mr. Flynn. We'll arrange for protection for you."

Chief of Police Cassidy, of the Lentone Police, consented readily to the request made by McCall. Then the three men were led into the chief's office. Brasher explained briefly:

"Professor, this bird we got has as many aliases as I got hairs in my head and he's got a criminal record as long as my arm. He's known to the police from here to the Mississippi. The last job he did was in New York, up above Yonkers, where he got into a house like he got into Miller's Folly, chimney, rope, climbing irons and everything. He beat the rap on a technical kink.

"About three hours ago, he was caught over near the New Hampshire line driving a stolen car. We got his record all right. We was waitin' till you came. Want to ask him some questions?"

"No, but I should like to be here when you examine him, if you don't mind?"

Chicago Boyle' alias 'Lefty' Harris, alias to many names to mention, was brought in. Boyle was a well dressed man in the middle thirties. He was strongly and compactly built. He scrutinized carefully each of the men who faced him. He jauntily asked for a cigarette, which Brasher supplied him. He did not take his eyes from Professor Brierly while he was lighting the white tube.

After blowing a series of small smoke rings, he asked:

"You're Professor Brierly, aren't you?" His voice was soft and quietly modulated. His diction was that of a fairly well educated man.

Professor Brierly nodded curtly. Brasher pointed to a chair and said:

"To save time, Boyle, I suppose you'll admit that you're 'Chicago' Boyle, alias 'Lefty' Harris, alias—"

Boyle nodded indifferently.

"Oh, yes, I'm Boyle all right, what of it? I was going about my business, when a hick cop picked me up because he thought my car was stolen. Then I'm transported half way across the state and brought here. What's it all about?"

"We want to ask you some questions, Boyle."

"You can ask as many damn questions as you please. I won't answer 'em. I know my rights. I asked to see a lawyer and you've kept me—"

"Oh, you'll get your lawyer, all right but first—"

"No, first I'll see my lawyer."

Brasher stepped to the doorway and beckoned. A middle-aged man, with blond hair and gimlet like black eyes stepped in. He nodded curtly to the others and said to Boyle:

"What is it?"

"I'm kept here without the shadow of a legal excuse. I don't know what I was arrested for. I've seen no warrant. I haven't been charged."

Counselor-at-law Forman whirled on the chief of police.

"Is this true?" Without waiting for an answer he said heatedly:

"I demand to know what he's charged with. I demand that he be brought before a judge and admitted to bail. I'll have a *habeus corpus*—"

Brasher said softly.

"It's true we didn't charge him. We want to ask him some questions. If he insists on his rights, we'll charge him all right but if we do there won't be no bail. There's no bail for what we're gonna charge him with."

Boyle and Forman stared at the speaker. The lawyer finally asked:

"What are you talking about, no bail. Only in murder cases can a prisoner be denied bail."

"That's what I'm talkin' about, Mr. Forman. You're a smart lawyer all right. Murder is what we're gonna charge him with if he and you insist."

Jimmy had been watching Boyle. After the first momentary surprise, a gleam of sardonic amusement appeared in his eyes. He seemed not at all concerned with the gravity of the charge. But this lasted only a short time. He turned grave, but

Jimmy was quite certain he was not frightened. He said:

"Wait a minute, Mr. Forman. This flatfoot hasn't got a thing on me. It may be better to answer questions and—"

"No!" burst out Forman. "Don't answer any questions. They'll—"

Of the two the prisoner seemed far the cooler. He shook his head gently.

"Naw, they won't do a thing; they haven't got anything to do it with. Let 'em ask."

The lawyer glared at him. He spat out:

"Better get another lawyer, since you know so much." He turned abruptly and walked out.

Boyle turned a smiling face to the other men in the room.

"These mouthpieces have their little ways, haven't they? One would think HE was being accused of murder. Go on and ask what you like. I'll answer your questions because I haven't got anything to hide."

"That's swell," said Brasher with thinly disguised sarcasm.

"Member the job of yours near Yonkers, where you got in with a rope hooked around a chimney and climbin' irons. 'Member that, Boyle?"

"Sure, I remember it. But that was a frame up. The police had to have a goat and I was it. But they didn't get away with it. Some judges are honest and this one didn't let them frame me."

"Yeah, that's right. Well, Boyle, mebbe you heard about this Morris Miller who was murdered right outside of town here early in the morning of July 4th. Heard of that did you?"

There was a tightening of the prisoner's jaw muscles. His brows were drawn together. His hand holding the cigarette stopped midway. He was looking fixedly at the detective. He nodded.

"Yes, I heard of it. What of it?"

"Well, the bird who bumped off this Miller got in by using a rope hooked around a chimney like you did—excuse me—like they alleged you did in Yonkers. He used climbing irons too. You used to be a lineman didn't you, Boyle?"

Brasher stopped, waiting for the effect of this on the prisoner.
He continued:

"Now all you got to do, Boyle, is to convince us that you weren't there when Mr. Miller was killed and we'll let you go. See."

Boyle's eyes blinked. His ruddy complexion turned several shades lighter. He blinked again. He wet his lips. He made a visible effort to appear calm. He sneered:

"Just like a dumb cop. Asking me to prove that I didn't do it. You ought to know by this time that it's up to you to prove that I did it, that I was where you say I was."

"I'm not saying anything—yet, Boyle. I'm not saying you was there, but—" he stood up and was standing over the prisoner his face thrust forward, his eyes glinting threateningly, "Boyle, you got a record as long as a pedigreed dog. You've been mugged and finger printed all over this country. You done a bit in Joliet for getting into a house the same way as you got in in Yonkers and as you got in—Miller's Folly. All you got to do, Boyle, is prove—sure you're right about the law, Boyle, about us having to prove it, you're right about that.

"But just picture the jury, Boyle. The jury don't know as much law as you do. We'll give the jury your record, see? We'll tell 'em—we'll tell 'em plenty. Where was you that night Boyle?"

Boyle wet his lips.

"I was in a 'speak' that night. About eight o'clock I got talking with a man, a stranger, a man I don't know. We had a couple of drinks. He had a business proposition to make and he wanted me to take a drive with him. I went. Next thing I knew, I woke up in a ditch about four miles from here. It was morning. I guess my drink was drugged. The man, whoever he was, took everything I had on me except my watch. He didn't get it because it was in the little fob pocket of

my trousers. I had a vest on."

"Where was this 'speak,' Boyle?"

"It was Corbett's," said Boyle after a momentary hesitation.

"Did anybody in Corbett's know this bird, Boyle?"

"I don't know; he was a stranger to me."

Brasher lifted the receiver from the hook. After an interval the connection was made. Boyle watched him anxiously while he was asking the unseen person at the other end of the wire some questions. Brasher hung up the receiver. He turned to Boyle:

"Yeah, they say you was there and left with a stranger about eight o'clock that night. They never saw this bird before. What business was you talkin' to him about, Boyle?"

"Oh, just some private business."

"Oh, private business, huh. You walk away with—by the way, Boyle, what business are you in now?"

There was a long pause. Then Boyle answered in a low voice, all his jauntiness and assurance gone.

"I do a little bootlegging."

"Willing to admit it now, huh. Bootlegging is easier than murder ain't it, Boyle? And where was you goin' when you was picked up?"

"I was leaving the state. What the hell could I do. This bird cleaned me out. I had my roll on me when I was with him."

"Yeah. You, Boyle, an old-timer, falls in with a stranger in a speakeasy and goes with him at night in his car to listen to a business proposition. And the next thing you know it's mornin' an' you're sleepin' in a ditch. Well, Boyle, we'll make it all legal now. I charge you with murderin' Morris Miller on the night of July 3rd. I warn you now that everythin' you say may be used against you."

As he was about to be led out of the room, Professor Brierly asked a question.

"Mr. Boyle, the watch you spoke of. What kind of watch is it, a wrist watch or a pocket watch?"

The prisoner looked at him a long time, then he burst out.

"What the hell is this? What's the watch got to do with—"

"Do you care to answer the question, Mr. Boyle?" asked the old scientist.

There was something in Professor Brierly's demeanor that made the prisoner change his mind and his manner. He answered politely:

"A pocket watch, sir."

"How long have you had the watch?"

The prisoner reflected the surprise of the other men but answered promptly: "I've had it about eighteen years."

"Thank you Mr. Boyle. May I see the watch please—oh, I beg your pardon. I forgot."

When the prisoner was led out, Professor Brierly asked Brasher to show him the watch. When it was brought, a thin, gold, open face watch, Professor Brierly asked:

"How can we determine if he is telling the truth about the length of time he had the watch?"

McCall asked Brasher:

"How long ago was this Yonkers job, Brasher?"

"'Bout three years ago."

McCall turned to the Professor.

"They may have a record in the police station, where he was booked on that Yonkers affair of the stuff he had with him. If they have a record and description

of this watch we will know that he has had it this length of time anyway. Will that help, Professor?"

"Why, yes. That may be very helpful."

The New York District Attorney made the call. When his connection with the proper source of information was finally complete he held out his hand mutely for the watch. He described it in detail including a monogram on the case. When he hung up the receiver he nodded.

"Yes, this watch was among the effects found on his person when he was arrested. A careful record was kept of it because at the time it was suspected that the watch had been stolen."

Brasher had impatiently waited for this, to him unimportant and irrelevant matter to be disposed of. Now he burst out.

"Well, Professor, we got him didn't we. That sure was a swell tip of yours."

Professor Brierly did not appear to be listening. When Brasher repeated the question he shook his head absently.

"What? Oh, yes, yes. If you mean that we have the murderer of Mr. Miller, Mr. Brasher, I am not at all certain that you are right. Would you mind asking this Boyle when he had this watch cleaned last?"

Brasher looked at him in undisguised surprise. Professor Brierly was oblivious to this. He was peering intently at the watch. Brasher stepped out and in a short time he returned saying gruffly:

"He says it hasn't been cleaned for about four or five years." Then he changed his tone and asked with a faint imitation of his former enthusiasm:

"But we got him, Professor, we got him. Gee what a swell break for us that you was there." He added generously. "I'm sure I couldn't 'a' seen what you seen, Professor."

Professor Brierly was still in an absent minded mood. He was looking at the watch. Suddenly he said:

"Mr. Brasher, may I have this watch for a few hours. I will return it."

Brasher looked at the chief of police who nodded.

Chapter XI

Jimmy stayed in Lentone while Professor Brierly went on to his own camp. Jimmy called up his office where he knew that a dog watch would be kept all night.

The sleepy voice that identified itself as Duke Wellington became crisp when Jimmy gave his name. The entire office was now a throb and expectant of news from the Canadian border.

"Just a flash, Duke. I'll file a story in time for the first edition tomorrow morning. They picked up 'Chicago' Boyle here near the New Hampshire border; Boyle was in a job in Yonkers some time ago where he got into a house the same way the killer got into Miller's Folly; chimney, rope and climbing irons. Boyle's alibi is fishy, Duke, awfully weak.

"A member of this Tontine group, William Flynn, who lives in Pleasantville decided he had to go home. There was quite a scene about it in Judge Higginbotham's camp. This thing is getting on the nerves of most of them. They're all up in the air. They weren't going to let him go. Finally they compromised by letting him go under escort, get me. A policeman from Lentone and a trooper are going to escort him to the Massachusetts line, where someone else will take it up.

"McCall, the D.A., arranged with the police authorities to watch him while he's in New York, to see that nothing happens. Better cover that, Duke, have a man pick him up with escort when he gets off the train. Any news at the New York end?"

"Naw, police handing out a lotta applesauce about soon having the bird who bumped off Schurman. I think they picked up about thirty-five assorted crooks on this Schurman killing. I'll say this for 'em, I never saw 'em so busy since that bird bumped off a couple cops and a kid. That all, Jim?"

"Yep. Think I'll go up to Professor Brierly's camp and if he hasn't got anything to say, I'll hit the hay. Tell Hite, if he calls, that I'll file a full story, will you?"

Jimmy's eyes glinted with amusement when he came to the wharf of McCall's camp. It was still daylight and he had no difficulty recognizing some of the high lights in his profession on the porch and on the wharf. A number of them had simultaneously arrived at the conclusion that they would fare better perhaps camping on Professor Brierly's trail than they would in following the Higginbotham group and the meager information that the police were willing to divulge.

They surged about him when he stepped off the boat. He soon convinced them he would share with them every bit of news he got from Brierly, the police, or the Tontine group as it was now called. All of them now had the story of Boyle's arrest.

Jimmy listened with a grin as they told him of their experience when they tried to pump Professor Brierly. One of them sported a black eye. He had used language that Matthews did not like and the blonde young giant had punched him in the eye and threatened to clean out the entire group if they didn't let the Professor alone. Jimmy assured them earnestly that Matthews meant what he said. After convincing themselves that they could get no more news at this source the crowd melted and the camp was left to the peace of a Canadian summer night.

Professor Brierly was fingering Boyle's watch with a perplexed frown on his fine features as Jimmy stepped into the living-room. The old man looked up as the reporter entered the large room with its soft lights.

"What about the watch, Professor? Can you tell as much about it as you can about the rope and twine?"

Professor Brierly snapped at him:

"Are you trying to be funny, young man? Are you trying to convey the impression, are you implying that you do not believe what the microscope showed me when—"

"Pardon me, Professor. I worded my question wrong. No, remarkable as it sounds, I believe every word you say, of course. But—"

"There is nothing specially remarkable about it, Mr. Hale. The true value of the microscope in scientific criminal investigation is just now beginning to be appreciated. The watch, now—" Once more the puzzled frown that had appeared several times creased his brows. He continued slowly:

"There is nothing in the watch that places it in or near the farm or farmyard from which the heavy rope, the twine and the fish line seem to have come. There is certainly nothing that places it in a department of a hat factory where dyed particles of felt hats may be found in great profusion."

"You mean, Professor," broke in McCall, "that a microscopic examination of the watch didn't show those characteristics?"

"Yes."

"Provided, Professor, Boyle is telling the truth about when his watch was cleaned. If the watch were thoroughly cleaned it would obscure—"

"Boyle told the truth, or the approximate truth about the time his watch was cleaned last. The watch shows evidence of that."

"What do you say about, Boyle, Professor?" pursued Jimmy.

"There is not a single shred of evidence against him. As I have heard you say, Mr. Hale, I would not convict a yellow dog on such evidence."

"Did you hear his alibi, Professor? It's certainly a flimsy excuse, if I ever heard one."

"True, it is flimsy. But I am half inclined to believe it because it is so flimsy. I watched him very carefully, as you no doubt did. I was impressed with the belief that the charge of murder surprised him. And it did not appear the surprise of a murderer who thought he had his trail well hidden.

"Boyle is rather above the average criminal. The murderer as we have seen, is a man of considerable resource. If caught, he is certain to have a better alibi than Boyle had, a more plausible alibi. Does Boyle strike you like the kind of man who, if he murdered a man, would not have a more plausible story? No, I tell you, its very lack of plausibility almost convinces me of its truth.

"Boyle is in a desperate situation and he knows it. He showed it by readily admitting that he was engaged in the illicit traffic of liquor, when apparently, the police were not at all concerned with this phase of his activities.

"But aside from all this, there is the watch; the watch is very important. It may be negative, it is true, but it is nevertheless very convincing. The rope and the twine and the fish line were positive evidence. Not evidence that the murderer owned the farm or farmyard perhaps, but evidence that the articles in question were at that farmyard a considerable time; evidence that the twine was in a hat factory.

"Place the rope, twine and fish line in Boyle's possession; place Boyle in a hat factory and you may convince me of his guilt of Miller's murder. Not otherwise."

He snapped shut the watch case, with an emphatic click. His brow cleared.

"Negative evidence is often very important, is it not? It helps clear one's mind. I think I am beginning to see. What a gorgeous plan it was. Did I say that I took back what I said about the man, responsible for these deaths not being subtle? I did? Well he is subtle, dangerously so."

"Do you mean, Professor," Jimmy leaned forward eagerly, "that you know the man who—"

"Not so fast young man. I do not know who it is, but I am beginning to think I know who it might be; who it can be. Is that dubious?" His eyes were now gleaming. The three men watching him knew the signs. His small shapely hand was pounding the arm of his chair softly. He became suddenly grave. He spoke to McCall:

"Did we hear Flynn say that he told his comrades when he came here that he would have to leave on an important errand today?"

McCall and Jimmy nodded. Professor Brierly's gravity became more profound. He sprang to his feet. He said emphatically:

"Call New York at once, Mr. McCall. Do not waste a minute. Tell them to take extreme precautions in watching Flynn. I believe Flynn is in the greatest danger. Oh, fool that I am! Why did I not think of it? At once, Mr. McCall, at once." He

pounded the table impatiently. As McCall was turning the small crank to ring the operator, Professor Brierly added:

"After you've done that, McCall, see if you can get in touch with the train that Flynn took. Warn his guards."

When McCall came back to the table looking inquiringly toward the white-headed old scientist, the latter smiled slowly. "Thinking that I am getting into my dotage, young man? Flynn is in deadly danger. I will feel at ease about him only when he gets back here safely. His greatest danger is when he arrives in New York. He is probably safe on board the train but I do not know, I am afraid for him."

Jimmy went outside to see to the comfort of his youthful pilot. Harry Stoy had made his bed on the ground near the wharf. He said he liked to sleep outdoors under the sky. When he returned Jimmy took his portable typewriter to his room where he wrote far into the night.

The entire household was wrapped in slumber when the telephone bell awoke them with its insistent buzz. McCall, cursing the impulse that had made him install a telephone in this out of the way camp, arose sleepily and took down the receiver.

The growling voice at the other end of the wire identified itself as that of Hite, of the New York Eagle. McCall profanely told the voice that he would get Jimmy, when Hite stopped him.

"Never mind Jimmy, you'll do. I was at a night club when I got word that you sent out word to guard Flynn. Is that right?"

"Yes. Is that what you woke me up for. Can't a newspaper respect another man's ___"

"Aw, boloney, save that for the jury. I called you up to tell you that I did something for you. A souse got in a fight with Flynn on the train. The cop and the trooper staved off trouble. I got in touch with someone up there and now there's two secret service men on the train with him. They got on the train at Brattleboro. Tell your friends and tell Jimmy. Good night."

When McCall turned away from the telephone, Jimmy was standing there

watching him. When he heard what the District Attorney, with considerable heat, had to say, Jimmy grinned.

"Save it, Mac, save it. You ought to thank the old grouch for calling you up. He put two secret service men on the train with Flynn? Just like Hite. You'll have to admit that it takes a newspaper man to do things."

McCall glared at him. Jimmy returned the glare with his most impudent grin, and they returned to their beds.

Chapter XII

Sunday, the next day, gave Jimmy a chance to rest. He supplied himself with as many papers as he could get in Lentone and began reading what others had to say about the most sensational murder case in a decade. From the first moment when Professor Brierly had pronounced the Miller death a murder the affair had assumed national importance.

Following the clues supplied by the members of the Tontine group a number of the papers and the important press services had followed the dim traces of one Amos Brown, the last surviving member of the batch of prisoners who had been numbered '14' in Libby Prison far back in 1864.

One of the papers told in vivid detail of the disbanding of the army of the North by President Johnson on assuming office after Lincoln's assassination. This told of the day when two hundred thousand in weather worn uniforms, with tattered flags and polished guns trudged in review before the President.

It pictured several members of the Tontine group, youngsters of seventeen or eighteen, forming part of the audience that saw this army go by. It depicted a few of the Union members of the Tontine group in that marching horde. The story told in vivid detail of the attempts of the Confederate veterans to go back home to the quiet and industrious productive life which now that peace was at hand, they yearned most for.

The papers gave a brief history of each member of the dwindling Tontine group. They showed how the two hundred and thirty-seven adversaries in the war had

lived in amity and peace during the span of years in the true spirit of comradeship.

The papers spoke of the enormous size of the fund, which in the sixty-five years had, because of compound interest, grown with geometric leaps. One of the special writers had elicited from Mr. Marshall, former Ambassador to Great Britain, the information that for nearly a decade the surviving members had reached a compromise by which each survivor was to get annually an amount sufficient for a livelihood. This amount was not divulged. This reporter did learn, however, that this was done at the suggestion of one of the wealthiest members of the group. Jimmy suspected that this member was August Schurman.

It was explained that the purpose of this was to save from actual want those members who were not as fortunate financially as their comrades. This method of dividing a small part of the fund, without impairing seriously the capital amount, would preserve the self-respect of the poorer members.

One of the papers dug up an interesting story about Stanislav Vasiliewski, who was a Confederate soldier and had a brother in the Union army. Stanislav's brother had been captured and held in Jackson, Mississippi, where a rickety old enclosed bridge, the ruins of which had been left standing above the water, was used as a prison. The prisoners were kept in this structure for one month in the coldest season of the year without beds or bedding. At this prison there was no fire or lights. Almost every day two or three were carried out dead; some of them frequently lay at the entrance to the bridge unburied four or five days.

Stanislav found his brother a prisoner in this place. It appeared certain to him that his brother would not survive the terrible conditions more than a few days longer. He thereupon changed uniforms with his brother and forced the latter to leave the prison, himself remaining with the probability of facing a firing squad.

This paper mentioned Colonel Thomas C. Fletcher, of Blair's Brigade, commander of the Missouri Wide Awake Zouaves, being wounded and captured by the Confederates and with twenty other men, privates and officers, being put into this prison.

Reporters, special writers, novelists spread themselves in this Sunday edition. They extracted from the situation all the thrill, glamour and romance they could. And permeating it all was the terrible threat of death that hung over the heads of

the Tontine group; the mysterious "14," who for all these years had followed the group relentlessly with his terrible reminders.

And, strange to say, with the major newspapers and police of two countries making an exhaustive search, there was not one tangible clue leading to the murderer or murderers. The newspapers talked of "clues." The police of many communities talked of "clues." They issued statements to the effect that shortly there would be new developments. Jimmy, the veteran newspaperman, took this all for exactly what it was worth. He knew that most of it or all of it was "dope." The reporters had run out of facts and were having recourse to vague speculations. Strange too, Jimmy wondered that in a story so replete with color and glamour, that this should be the situation.

The story was less than three days old; that is a long time counted in editions. Many editions had gone to press. City, state and Federal police were actively on the job. And now, when Jimmy was reading the Sunday papers, nearly sixty hours had elapsed since the news of the first death had come to Justice Higginbotham's camp and the police had not a single shred of evidence linking the murders to any one.

Professor Brierly's name did not have a prominent part in any of the stories he had read. Jimmy knew why. Professor Brierly was averse to being quoted unless he had something definite to say. He never gave an opinion unless it was an opinion based on fact that one could "go to court with."

The first flaming headlines had featured Professor Brierly necessarily, since it was he who had pointed out the fact that two of the deaths were murders.

* * * * *

Jimmy, late that Sunday afternoon, went once more to the camp of Justice Higginbotham. The large, comfortable cottage, with its graceful furniture, its books, its meager, comfortable furnishings, was a house of death, dread and horror. Its inhabitants were afraid of one another. The opening of a door, any untoward noise, the ringing of the telephone, caused most of them to jump and look about apprehensively. In sheer bravado, they, one at a time, went out of the house either to walk about the rough ground, or to go to Lentone.

A visit to the police station there bore no fruit. Brasher was red-eyed, haggard and in a vicious humor. Boyle had closed up after his first talk with Brasher and

he now refused to add anything to what he had already told him, or to retreat an inch from his position.

With Brasher's permission, Jimmy tried to interview him. Boyle was not now the suave, smooth, modern type crook. He had had ample time to realize fully the dangerous position he was in. He knew that this was not a case of an ordinary murder, or of the murder of one gangster by another. He knew that the nation was aroused over these murders, and that he would stand very little chance before a jury unless he could build up a stronger defense than he possessed, or find a more plausible alibi.

Boyle swore at Jimmy with an understandable wrath. He poured out his hopelessness and rage in obscenities that made even the hardened newspaper man wince. He cursed Jimmy, the police, Professor Brierly, McCall, everything and everybody to which he could lay tongue. Jimmy looked at him pityingly, understandingly, and left him, raging and cursing.

Jimmy decided to go home and bask in the camp's domestic quiet. Tommy Van Orden, under his mother's adoring eyes, was trying, in imitation of his big Uncle Jack, to teach the puppy to wipe its paws.

The three men were on the porch. Professor Brierly, in an expansive mood, was enlarging on one of his favorite conversational topics.

"Education! Education has become a mere form. There was a time in this country, even in this country, when a boy or girl went to an institution of higher learning for only one reason: to get an education. And now! Stadia and bowls instead of laboratories and classrooms. Physical perfection has become a fetish and that is being highly commercialized.

"When Einstein delivers an important pronouncement, an announcement that is of universal importance, the papers facetiously give it a few paragraphs. But when a center receives the football and runs several hundred yards with it, the papers get hysterical—"

"A center, Professor? Several hundred yards?" murmured Matthews.

Professor Brierly glared at him. Matthews gently corrected him:

"A center wouldn't be permitted to receive a pass, or run several hundred yards

or—"

"Well, the tacklers, then, or the guardsmen."

"Nor the tackles or guards, Professor," murmured Matthews.

"Keep quiet!" snapped Professor Brierly. "What difference does it make. The point I am making is that the mass is taught to pay too much attention to perfectly inconsequential things while they ignore or overlook the things of sound worth.

"You can get, at most, only a handful of persons to listen to a sound informative lecture, whereas seventy thousand persons will sit in a freezing rain to watch Cagle, of Southern California, or Grange, of Yale—"

Matthews again interrupted:

"Better not make it public, Professor, that Cagle played on the Trojans team, or Grange for old Eli. If it became known—"

"You are the saddest commentary of the truth of what I am saying," snarled the old scientist. "How can a person know the worthwhile things when he stores his mind with such trivial—you know far too much of such things, young man."

Martha came to the door and told Jimmy that he was wanted on the telephone. She also emphatically gave it as her opinion that a man who spoke as did the caller on the telephone was no gentleman.

With the utterance of his "Hello," Hite's growl came over the wire.

"The way you act anyone would think that you were on a vacation. Where the hell were you? I've been trying to get you in all the places you should be if you're on the job. I was at the club and just got a flash that something big broke, something in connection with the Tontine group. I've been trying to get you. Where the hell were you?"

"Just came from the police station a few minutes ago, chief. What is it?"

"How the hell do I know what it is? Who's on the story, you or I? I called up the police, every department, from the cops up. I can't get a word out of 'em. I know

something big broke the way they act. They've had orders to shut down tight; that's why I can't get a word. There isn't a man in the office beside myself. There's somebody down in the business office who's taking care of the switchboard. I can't go out because I may miss a call.

"Step on it! Scurry around and see what it is. And keep in touch. Call up every few minutes."

Jimmy hung up the receiver and stood at the instrument in thought, holding the receiver in its hook as though he would get inspiration from the lifeless instrument. He had learned to have a profound respect for Hite's tips. Hunch or flash, whatever it was, it was undoubtedly something. He started swiftly for the hotel in Lentone, where many of the newspaper representatives congregated. If anyone among them knew of something to justify Hite's excitement, he would show it in some way. There would be a tension, a restlessness that would give the secret away.

The first look at the large group of men and women lolling on the wide verandah of the hotel convinced Jimmy that none of these knew of anything big breaking. News sleuths, do not act the way these did with something big. They are up and moving.

He went back to the police station. There was nothing new there. He called up Justice Higginbotham's camp and spoke to McGuire. There was nothing there. He called up Professor Brierly.

Jack, who answered the phone, assured him that everything was peaceful there also.

He called up the office again. This time he was connected directly with the city room. When he identified himself his eardrums were almost shattered by the howl that came over the wire:

"Flynn was murdered an hour ago!" Hite yelled.

Jimmy's body stiffened as if a live galvanic battery had been applied to it. Flynn, murdered? With guards near by, men who had been warned and ordered—Jimmy, trained as he was to disaster and tragedy in all its forms, somehow could not accept this. He said inanely:

"Flynn, murdered? Did you say Flynn, chief? Why he—"

"What the hell is the matter with you, are you drunk? Yes," the word came in a hiss. "I said Flynn, William Flynn, the member of your Tontine group we were warned to guard."

"But wasn't he guarded?"

"Yes, he was guarded. Two of his guards were in his house with him. Three were outside." Jimmy had been leaning weakly against the instrument as if for support. Now he came out of it. He was the alert newspaper man.

"How about the guards, chief? How did it happen?"

"The guards were blown to hell with him. He was picked up in each state as soon, as he crossed the border. The Federal man was with him all the time. He had to transact some important business with a nephew in Orange, New Jersey. He went there first, under guard. Then he went home, to Pleasantville. There was no one there; the house had been closed up. About three or four minutes after he got there there was an explosion that blew the entire dwelling to kindling wood. The two guards, one of them a state trooper, and one of them a Federal man, were killed with him. There wasn't enough left of him or them to put in a bushel basket.

"The police have a drag net out. All the roads, all the railroads, all the airports are guarded. The river and the water front, every wharf in New York and New Jersey is taken care of. You would think a flea couldn't get through. They've picked up hundreds of men."

"What do you want me to do, Chief?"

"I don't know, but *get around*, see the members of the Tontine group. Persuade Professor Brierly to come down here if he can; the plane is still up there and is at his disposal. And by the way, Jimmy, if he consents to come, unless there is something up there that needs your personal attention, come with him. You seem to be the only person who can get along with him or get anything out of him. Step on it. I'll stay here until I hear from you, at any rate."

Professor Brierly listened carefully to Jimmy's swift explosive sentences in which he transmitted the high lights of the tragedy four hundred miles away. As

he had done on a former occasion, Professor Brierly acceded at once to the request that he go down by plane to view the scene of the explosion.

While Jimmy made the telephone call for the plane, the Professor was getting himself in readiness for the flight. He looked up in surprise as he saw Matthews also in the act of preparing for a journey.

"Where are *you* going, John?"

"Going with you, Professor. Jimmy tells me it's a cabin plane that will accommodate six or seven passengers."

Professor Brierly looked at him suspiciously. Matthews' features were etched in grave lines. The big, blond young giant looked rather grim. Jimmy looked on in surprise at this scene, which he could not understand. Professor Brierly dissented impatiently.

"Nonsense, John. What need is there for you to go?"

Matthews answered quietly: "Sorry to disagree with you, Professor, but I'm going along."

Professor Brierly, after glaring speechlessly at his adopted son, shrugged his shoulders and continued getting himself in readiness. Jimmy followed Matthews out to the porch. He asked quietly:

"What is this, Jack? I don't get it at all."

Matthews looked at him without trying to conceal his contempt.

"A hell of a bright newspaper man you are! It was Professor Brierly who pointed to the fact that Miller's and Schurman's deaths were murders. If not for that, Flynn's death might have been put down to some accident.

"I wouldn't feel at all comfortable having the old gentleman go down there alone. It's true he'll have you there, Jimmy. You're a good little man and you've got plenty of guts, but I'll feel better, lots better, if I am with him personally."

"Well, what was he sore about?"

"He's sore because he knows why I'm going and he hates to be taken care of. We had some words about his going day before yesterday. He's a cocky old guy, as you know, isn't afraid of any single thing on earth and it galls him to have me go along to play nursemaid. Well, he can just be sore. I'm not going to leave his side." He paused and then said slowly:

"Jimmy, I don't like this. I don't like it a damn bit. Birds who will play this kind of a game, with several million dollars at stake, who will plan murders like these, won't stop at anything. And there's no question about it that the Professor has interfered with their plans somewhat. I repeat, Jimmy, I don't like it a damn bit. In all those things you got him into I never had quite the same feeling I have now. I'm really afraid for him.

"Well, I'm going to be with him and I'm likely to take drastic action first and talk afterward if someone makes a suspicious move."

Jimmy soberly nodded. His absorption in the story had made him overlook this ramification of it. He could see that it was highly probable that Professor Brierly might be in as great danger as was any member of the Tontine group.

The pilot of the amphibian, when he taxied up to the wharf, told Jimmy that arrangements had been made that he land the plane on a field belonging to John Mallory, amateur sportsman and airman, whose estate was close to the home of William Flynn, at Pleasantville.

Chapter XIII

The plane dropped down out of the sky at four o'clock Monday morning, Eastern Standard time. Professor Brierly, as was his wont when traveling in a conveyance that he could not drive himself, was fast asleep. He had slept throughout the journey in spite of the roar of the whirling blades that had swept them through the skies.

A light touch on his arm woke him as they taxied to the end of the field. At its further end a man was seen pottering about the small hangar.

As the three men stepped out of the plane, two uniformed policemen approached. One of them, after looking at the ill assorted trio, addressed Professor Brierly.

"Herman Brierly?"

Professor Brierly looked up at the huge bulk of the man. He nodded, staring in puzzled silence from one to the other policeman. The spokesman for the pair said: "Will you come with us, Mr. Brierly. We—"

Jimmy's swift, keen glance took in the two men, their uniforms, their badges, their features, their shoes. He paid special attention to their shoes.

He murmured softly to Matthews:

"Good hunch of yours, Jack. Get set, they're not policemen."

Matthews slid his lanky length between Professor Brierly and the uniformed men. He interrupted their spokesman:

"What's this about, what do you want Professor Brierly for?"

The other looked at him insolently.

"I said, we want Professor Brierly, young feller."

"Yes, I heard that; I asked what you want him for."

"Well, if you want to know, he's under arrest."

"I'm still curious to know all about it," quietly said Matthews.

"What's he under arrest for?"

"Listen, young feller, we was ordered to bring him in, see? And we're gonna bring him in. Now we don't want no trouble. If he comes along with us quiet like —"

Matthews' body had by this time edged the tiny form of Professor Brierly several feet away. Matthew's large form was now squarely between that of the little scientist and the two policemen. Jack interrupted:

"You don't want trouble, do you? Well, I do. I want trouble. I'm just aching and pining for trouble. If you don't want trouble you know how to avoid it. Go 'way and don't bother us—"

The other policeman was circling the pair. Jimmy interrupted at this point. Jimmy was talking in a soft low drawl. Those who knew Jimmy Hale knew that he was never as dangerous—to others—as when he spoke that way.

"Officer, this can be settled easily. You've got a warrant, of course. My friend," jerking his head toward Matthews, "is a little hot-headed. If you just show us the warrant, there won't be any trouble."

Another man in uniform had been approaching the group from a car that was parked in the road near the edge of the field. As he came nearer, he called out:

"Oh, what the hell's all this palaver about. Let's take him." He lunged for Professor Brierly, his hand outstretched.

Matthews got into motion at the same time. The third policeman did not quite reach Professor Brierly. A hard, bony fist struck him about two inches above the belt buckle. He folded up, emitting a hoarse grunt, his bulging eyes mirroring

acute pain. The mate to the first fist whipped up in a short vicious arc. The man's head snapped backward. His knees wilted; he fell to the ground slowly as a tree falls; he lay there quietly.

The two other policemen had moved forward. Jimmy moved toward them. Jimmy was never quite good enough to make the varsity team in his four years at college. But he had tried for four years and he had always been on the squad. His coach had, what amounted to a phobia, in the matter of blocking. Thus Jimmy, if he learned nothing else, had learned how to block. His coach had said repeatedly that no man can become a football player unless he learn to block. He had blocked and tackled big, fast, bruising varsity players for four years. And this was a time when the flying block and the flying tackle were not barred. Jimmy had also been taught that "clipping," blocking from the rear, was dangerous to the blockee and was severely penalized.

Jimmy took a few mincing steps. His compact one hundred and fifty-eight pounds left the ground and turned sideways. Jimmy's right hip struck one of the blue coats right back of the knees at the joints. The man uttered a howl of anguish. There was a nasty snap. The man had a bad fracture that would keep him limping for the rest of his life. In falling, the man's hands flailed wildly. One of these hands struck Jimmy squarely in the eye. Jimmy got up quickly, his normally mild brown eyes blazing. He was just in time to see the finish.

The third man had reached for a gun. A long iron arm reached out, a large hand seized the hand with the weapon. Two men nearly of equal height stood facing another. The eyes of one reflected surprise, anger and disappointment. The eyes of the other were now the color of cloudy ice. They were blazing with cold ferocity. The one thing needed to drive Matthews into a murderous rage had happened: an assault on Professor Brierly. In addition to the vast respect and veneration Matthews had for the old man he had a tenderness for him such as a man has for his mother. His scientific associates would have had difficulty recognizing the budding young scientist who showed so much promise under Professor Brierly's tutelage. The pressure of the fingers increased. The fingers of the blue coated individual opened and the weapon dropped.

Matthews made a sudden movement. He released one hand but held on to the other. He was now behind the blue coated back. He had the other's arm bent across the back; he was pushing it up. He had the dangerous hammer-lock, a hold barred in amateur wrestling.

The other panted chokingly:

"Let go, damn you!"

There was no answer. The pressure increased. There was a sudden tightening of the already taxed muscles. There was a dull snap; the blue coated figure fell writhing to the ground.

The pilot, amazed at what was going on before him, had left the plane. He stood wide-eyed and white-faced at what he saw. Matthews stood there panting. A thin grin, the ghost of his usual grin wrinkled his taut features.

"Don't worry," he said, "they're not policemen."

Professor Brierly had stood by, hands clenched, eyes flashing. They had started toward the hangar from which a man was running toward them, Matthews said, banteringly:

"What do you think of the relative value of physical as against mental culture now, Professor. Know what these birds were after, don't you?"

Professor Brierly said resolutely:

"I have not changed my mind at all. I might have discussed it with them. I might have—"

"Yeah," broke in Jimmy inelegantly. "As I once heard Jack say to you, you might have slugged 'em with your culture and logic."

The old scientist glared. He burst out: "You are both—"

"Yes, Professor," interrupted Matthews, "Jimmy certainly is, all that and then some. And Professor, did you have a good look at Jimmy's left eye. Me, oh my, what a mouse. WHAT a shiner." The three fell silent. Matthew's hand fell on Jimmy's shoulder as they approached the hangar.

"I knew you were a good little man, Jimmy; I always said so. Your coach would have been proud of you if he could have seen it. You earned your letter, Jimmy." The hand increased its pressure on the shoulder, dropped, and there was no further allusion to the episode.

Jimmy went into the hangar and put in two quick telephone calls, one to his office, where the dog watch was on duty, and one to Police Headquarters in New York City. To each he told the episode of the pseudo policemen. New York police headquarters promised that they would get in touch immediately with the State police and with the Pleasantville police. His office also promised immediate action. He learned later that when the police arrived there was no sign of their assailants. But other and more pressing matters engaged the attention of Professor Brierly and the reporter; matters that drove the fight out of their minds.

A short drive took them to what had once been the home of William Flynn. They were at once admitted inside the police lines. McCall, from Canada, and Hite, from New York, had paved the way for them.

The explosion had not been as severe as Jimmy had been led to believe. Two of the lower rooms remained nearly intact and some portions of the foundation. State, county and city police were there, in uniform and in plain clothes. Even at this hour a huge crowd had gathered. Newspaper representatives from all the New York papers from nearby towns and from news-gathering bureaus, were there.

Two state troopers and one member of the Pleasantville police force had been on guard outside the house when the explosion occurred. The house was at the end of a quiet residential street. Beyond the house there was a patch of wooded ground which cut off the view from a state road running to Tarrytown, about a hundred yards deep. The house nearest to the one that had been wrecked by the explosion was two hundred yards distant.

One of the state troopers who had been on guard outside the house was present when the three men arrived. His testimony was brief.

They had come to the house about seven-thirty, daylight saving time, the night before. There were in the party seven persons, the chauffeur of the car that had taken them from the station, William Flynn, three state troopers, one Federal secret service man and a policeman from Pleasantville, who had taken the place of the New York policeman when their train arrived at the local station. The car they had taken was not a taxi, but a large public limousine, such as are used in many small towns. It held the entire party.

Mr. Flynn, a state trooper and the Federal man went into the house; the others

stayed outside. About three minutes after the three men had entered the house the explosion occurred.

Professor Brierly asked the trooper:

"Where was the driver of the taxi, when this happened?"

"He was right here with us, sir. He stayed a while, talking about the murders of Mr. Flynn's friends. He seemed to know all about it."

"You say it was about three minutes after they went into the house?"

"It could not have been more than five minutes at most."

"Did you notice anybody on this street when you came, or before the explosion?"

"No, sir. We made a search afterward. You see the next five houses are closed for the summer. That means that the nearest house where there was anybody at the time is not less than three hundred yards away. There wasn't a soul on this street. After the explosion, of course, there was a mob. You'd wonder where all the people came from in such a small town Sunday evening."

"And the three men in the house were killed outright?"

"Yes, sir."

"Did you look in the patch of woods over there?"

"No, sir. I didn't see the need for it and I was too busy keeping the people a safe distance away. Fortunately there was no fire."

Professor Brierly went into what was left of the house. He carefully picked his way through the broken furniture, the crumbling brick and mortar, twisted metal. Frank Hall, from the Bureau of Combustibles, was there. He was acquainted with Professor Brierly and he greeted the old scientist cordially, saying:

"There is some evidence, Professor, of a simple bomb filled with black powder. I cannot find the firing device, whatever it was. I cannot find any timing device either."

"A timing device, Mr. Hall? Suppose the explosion had occurred ten minutes earlier. It happened, if I am correctly informed, only three minutes after he came home."

"That's all right, Professor. I thought of that, but he was expected much sooner, hours sooner."

Professor Brierly nodded absently. "I see," he murmured. He was looking about him intently. Suddenly he stooped and peered at a black mark along a strip of moulding that had fallen from some part of the wrecked structure. He picked it up and examined it carefully. He showed it to Mr. Hall.

"Did you see this, Mr. Hall? Looks like a burn that might have been made by a fuse, does it not?"

"Yes, Professor, it does, but one of the peculiarities about this kind of thing is that it destroys its own evidence pretty much. If we don't know where the lighted fuse originated and where it led, it doesn't do us much good, does it?"

"That's right, but this obviously comes from an upper room, doesn't it?"

"Yes, I believe it does. But the upper rooms are gone, you see."

"And you really think, do you Mr. Hall, that there was a timing device? It seems plausible to you that men who are engaged in such desperate business would leave such a thing to the mere chance of finding their victim home at the time their device was set to go off?"

"Well, perhaps not, Professor, but what else is there?"

"Nothing, yet, Mr. Hall, but let us look about."

Professor Brierly, with Jimmy and Matthews close at his heels, went picking his way through the wreckage. He stepped outside and looked carefully among the debris. The force of the explosion seemed to have propelled a major portion of the wreckage in the direction of the backyard. It was here that Professor Brierly found a section of a papered wall with a telephone bell-box attached.

He looked long and earnestly at a spot of the paper near what had been the bottom of the box. With Matthews' help, he forced open the enameled lid,

exposing the wires, binding posts, terminals and bell. From among the wires he carefully picked out a frayed piece of gray thread. He once more peered intently into the box and at the papered area of wall to which it was attached.

"John," he said, holding the thread up for the young man's inspection. "Does this properly belong to a telephone box of this type?"

Matthews looked curiously at the bit of frayed thread. He shook his head. "I can't understand what it's doing there, Professor."

"And yet, John, this bit of thread had a very definite function, a very definite and murderous function, indeed. I think I am beginning to understand. Now let us go look for a timing device."

"But you said there wasn't any timing device, Professor," protested Jimmy. "At any rate," answering the old man's glare, "that it appeared illogical that a timing device was employed."

"Nevertheless, Mr. Hale, there was a timing device, not the kind Mr. Hall had in mind, perhaps, but some timing device. The explosion you will admit was timed very accurately indeed."

He walked outside, followed by his two companions. He walked briskly toward the patch of woods. Here he entered a faint path that was evidently used by those who came to this street from the state road. He walked carefully along the edge of the woods skirting the road on which was the wrecked house. A few yards from the path he came to a cleared patch.

He stopped and looked about him. He pointed to the ground. He said:

"Trailing is one of the accomplishments that was unfortunately left out of my education. But does a man have to be an Indian to read this correctly?" He was pointing at the ground. The small cleared space was littered with cigarette butts, rolled in brown paper and what had once been a popular brand of tobacco. There were also a number of burned matches. From this patch, screened by some undergrowth, there was a clear unobstructed sight of the late William Flynn's home.

Professor Brierly continued:

"Here is your timing device, Mr. Hale. This person, presumably one person, showing commendable patience, as evidenced by the number of cigarettes, waited here. A human timing device, but a very accurate one is proved."

"But, Professor," protested Jimmy, "that would entail wires, buried wires, perhaps. Such wires would not be readily destroyed. Such—"

"Tut, Mr. Hale. You forget that it takes only a fraction of a second for an electric impulse to encircle the earth. We live in modern times. What need for clumsy wires. And yet in a sense you are right. There were buried wires."

"John," turning abruptly to his young assistant, "that path leads to a state road. See what is at the end of that road, will you. See if there is any shop or place where there is a public telephone."

John Matthews had started along the path when he turned abruptly and came back.

"Professor, I'd rather Jimmy went. We'll wait here for him." John looked grim as he said this. He looked meaningfully at Jimmy. Professor Brierly laid his tiny hand on the big shoulder, in his eyes an unwonted brightness. The Nordic is not a demonstrative creature, particularly the male creature.

"You foolish boy, come on, we'll all go."

A garish filling station was diagonally opposite the path. The familiar sign of the bell indicated that a telephone was to be had inside. But the place was still closed. Professor Brierly jotted down the name on the sign. The three men returned to the wrecked house. After a perfunctory look about the scene, Professor Brierly indicated that he was ready to go. On their way to the station he asked Jimmy if he would take him up to see his city editor, Hite. Jimmy, carefully restraining a grin, gravely consented.

The man who had driven them from the hangar hearing them discuss their trip to New York, told Professor Brierly that the car, as well as the plane, was at his disposal. They therefore, drove to the city.

A quick breakfast at an all night lunch counter, a shave and massage and the old man, apparently as fresh as though he had spent the night in bed, was ready to resume his task.

On the short ride to the newspaper office, Professor Brierly's eyes fell on one of Matthews' big hands. It was an angry red and was swollen. There was instant contrition and solicitude. The old man touched the hand gently:

"What happened, John?"

"Say, Professor, look at Jimmy's eye. Ain't it a peach?"

"John, I asked you, what is the matter with your hand?"

"My hand, Professor, which—" Professor Brierly's ire was rising.

"John—"

"Oh, you mean my hand, Professor. I guess I broke a metacarpal bone. That bird had a hard jaw. Too bad I didn't use my foot," he said, regretfully.

"You're a savage young man," blared the old man. "Such instincts are—"

"Shall we say—er—primitive," suggested Jimmy.

Chapter XIV

Hite rose from his seat and laid down his pipe when Jimmy led the little man into the busy city room, a mark of respect Hite rarely showed any one. After greetings were exchanged, Hite led the way into the office of the managing editor, who had not yet arrived. Seeing the little scientist seated, Hite growled:

"Well?"

"Thank you for the opportunity to investigate this, Mr. Hite. This is one of the most interesting criminal inquiries I have ever conducted."

"Were you up to Pleasantville, Professor?"

"Yes, we are coming from there now."

"Did you find anything?"

"Yes, I found this." He took from a folded slip of paper the bit of frayed thread he had found in the telephone box.

Hite looked from the bit of thread to the fine features of the man; he looked at the two young men who grinned at him. He said:

"All right, Professor, I'll bite. What is this?"

"Would you say, Mr. Hite, that this bit of thread belongs inside a properly constructed telephone box?"

When Hite still looked at him in puzzled silence, Professor Brierly, with delicate precision, using a hook on a pen knife, picked the lock of the telephone box fastened to the managing editor's desk.

"See, Mr. Hite. This box, wires, binding posts, terminals, and so forth, is identical with the box that was blown from a wall in the Flynn home in Pleasantville. On the bottom of this box you will find a number of holes; if you put your finger there you will feel them. Now, Mr. Hite, if you will examine this box carefully, you will find that there is no thread like this to be found. Indeed, you will not find any legitimate use for such a piece of thread in the box. And remember that this box locks and opens with a key owned by the man who installs the telephone. You noticed that I had to pick this lock. It looks like a screw head that opens with a screw driver, but it is not.

"Now, Mr. Hite, suppose I wanted to blow you to kingdom come with a bomb and you lived in an isolated house situated like the late Mr. Flynn's. Here is the way I might do it. There are hundreds of other safe ways but this is one of them.

"I should enter the house in your absence. I should place my bomb and run a fuse from the bomb to one of the holes in this telephone box. I should tie the clapper of the bell down in the box with a bit of weak thread, a bit of thread like this, Mr. Hite."

He held up the bit of gray thread and continued:

"I should predetermine precisely the strength of the thread with relation to the resistance offered by the tied down bell clapper. I should know exactly how many times the operator would have to ring your telephone before the thread broke, say fourteen times. I should watch you from a convenient patch of woods.

When you came home I would go to the nearest telephone and call your number. At the fourteenth ring, the clapper would break loose and strike a nail that discharges a blank cartridge that I had fastened with a small wooden block. The flare from the cartridge ignites the fuse I told you about and—"

His open hands, palms upward, made an expressive gesture.

Hite was staring at him in wide-eyed astonishment, his rugged jaws clenching his corn cob pipe until his muscles on the sides of his jaw stood out in ridges. He took the pipe slowly from his mouth.

"Say, Professor, ain't you coverin' a little too much territory. Isn't that rather a bit—"

Professor Brierly exploded into wrath.

"You newspaper men!" he almost spat the words out. "You print the wildest, most improbable tales, stories that have no basis in fact or in logic. You print statements by charlatans, without taking the trouble to verify them. And here, when I give you the result of a simple scientific bit of reasoning, almost syllogistic in its scientific simplicity you—"

Hite ducked, from the storm. He sent a ferocious scowl in the direction of the two young men who were grinning behind Professor Brierly's back. He held out a large gnarled hand placatingly:

"Pardon me, Professor, but it does seem far—I mean—your logic is absolutely amazing. We who know you believe it, of course, but—"

"Oh," said the old man mollified. "You shall have proof of course. We found evidence that a person stood in sight of the house in a patch of woods. A short distance from that is a filling station, where there is a public telephone. I took the name," he handed the city editor a slip of paper with the name of the filling station.

"You have the means of finding such things out and verifying them. You have the exact time of the explosion. See if someone did not call Flynn's home at the time of the explosion without having the call completed."

Hite punched a button on the desk. To the copy boy who popped his head into

the office, he roared:

"Send in Mac, George and Barney!"

Three young men came into the office, greeted Jimmy and waited. His words coming like the staccato roar of a machine gun, Hite addressed the three:

"George, a telephone call was made from this station," handing him the slip of paper, "find the number in the telephone book. The call was made last night at precisely the time that Flynn's house in Pleasantville was blown up. It might have been made from a station near there. The call was not completed, because there was no answer. Operator was asked to ring a long time. Verify this. Don't take any hooey from the telephone company that it's against the rules. It's against the rules in this office for a reporter to come back without what he was sent to get. Scram.

"Mac, you heard what I said to George. Go to the filling station I told him about. The bird who made the call hung around there a long time, probably in a car. Mebbe somebody caught the number of the car. See if someone remembers this bird who made the call. Take a taxi and tell him to step on it. If any dumb cop stops you, tell him I'll have him broke if he won't let you go. Go on, get out, what the hell you waitin' for?

"Barney, go up to Center Street and see the stuffed shirt in the Commissioner's office. If he ain't in he ought to be; a public servant ought to be at his desk by this time. It's after eight o'clock. Lookit me. Get him out of bed if you have to and ask him how long the public is going to be fed on hooey when there's such an important murder case. Ask him what the hell are the police doing on these murders besides making statements. Get going and if you don't bring in a story for the first edition I'll drop you out the window."

He turned to Professor Brierly:

"Excuse me a little while, Professor, I've got to give out some assignments." He turned to Jimmy and growled:

"Say, lissen, young feller, in the last wire you sent, you misspelt a name. How many times have I got to tell you—"

He stopped. For the first time that morning did he get a good look at Jimmy's

swollen, purple eye. He whistled. His face wrinkled in what passed with him for a smile. He murmured in reverent awe:

"What a shiner, what a peach. Where did you get—"

He opened the door into the noisy city room. His roar cut through the conglomerate clatter. The room hushed.

"Hey, gang, come here quick. Lookit Jimmy. Ask him where he got it. Bet he tells each of you a different lie." The doorway was instantly filled with grinning faces. The hubbub subsided after a few minutes and Hite shooed them out of the room. He turned to Professor Brierly, his hand on the door knob.

"Oh, by the way. I had somebody chased up to Pleasantville to see about the cops who wanted to arrest you. They were all gone. The pilot up there says it was a peach of a scrap and he ought to know; he's been in some himself. Rather lucky for you, you were not alone, eh Professor? They didn't expect any one to be with you."

"It was not luck, Mr. Hite. John insisted on coming along with me. Anyone would think to hear him talk that I am unable to take care of myself, but perhaps it was fortunate after all that he and Hale were there. Don't laugh at Hale's eye; he got it in that fight."

"Huh, huh, I see. Anything I can do for you, Professor, while we're waiting for a report?"

"I should like to send some telegrams, Mr. Hite, please."

"Why, sure, wires, phones, anything. Jimmy'll help you; he knows the ropes."

The door closed behind him. Professor Brierly murmured:

"What a perfectly astonishing person. He literally takes your breath away. Is that his manner all the time, Hale?"

"No, not all the time, Professor. Usually he's worse."

The two young men left him and for the next hour and a half Professor Brierly kept several copy boys and the telephone operator on the jump. He was not

disturbed. The managing editor was told who was in his office when he came in and he took a desk in the city room, where he transacted his routine morning business.

Professor Brierly was sitting at the desk mentally going over the tangled threads of the case. He was rejecting one by one the many fanciful hypotheses that imaginative newspaper writers had woven about the case. With cold, precise logic, he was fastening link to link in his strange chain of evidence. Such was his impersonal absorption in the case that the attack on him with its possible consequences, was now forgotten.

The telephone bell tinkled. Orders had been given the operator not to disturb Professor Brierly and to ring the phone in the managing editor's office only if the call was for the old scientist. He picked up the instrument; this might be the answer he was awaiting to a telegram.

He was hanging the instrument back in its pronged cradle with a shade of disappointment, when the door was thrown open. Hite came in.

"Professor, they got the bird who bumped off Schurman. The D.A. was on the phone about it, up in that camp of his. He gave orders that you be permitted to cross-examine this bird. He told 'em to hold him for you."

Professor Brierly scrambled to his feet.

"Indeed, I shall be glad to see him. How interesting."

He was taken to the office of the district attorney, where an assistant and a sergeant of police met him. Sergeant Conners, who had met Professor Brierly on previous matters, said to the scientist.

"We should 'a' had this bird sooner, but it seems he was sleepin' off a drunk somewhere and no one knew where he was. 'Fingy' Smith is his name, Professor. We got his record. His finger prints are the ones we found on the file. And he is the bird who always eats a lot whenever he does a job, specially eggs. How this bird can put away eggs is a wonder; he's a little feller, too." The monologue was cut short by the entrance of the prisoner who was chained to a burly headquarters man, accompanied by another officer in civil clothes.

'Fingy' Smith was a small, dark man who greeted the assembly cheerfully.

Professor Brierly looked at him curiously. The little finger on his left hand, was missing; it had been shot away in a brawl. The lobe of his left ear was also missing. Jimmy later learned that it had been chewed off in a rough and tumble fight in a Chinese joint on the Pacific coast.

Sergeant Conners greeted him pleasantly, the assistant district attorney, somberly. He did not hold with being on pleasant terms with criminals. Conners said:

"'Fingy', this is Professor Brierly, he is gonna ask you some questions."

"How de do, Prof. I heard about ye. You got a reputash. Don't get too intimate with the dicks.

His response to Heath's steady look was a cheerful smile. Professor Brierly asked:

"Do you know what you were arrested for, Mr. Smith?"

"Naw! Somebody must be makin' a holler about a crime wave. Whenever they do that the cops get busy and make a pinch. They got it easy with a guy like me. I'll be frank with you, Prof, I got a record. But what of it? I been runnin' straight, lately."

Professor Brierly did not try to interrupt him. He was enormously interested in this first-hand contact with a prominent member of the criminal classes. He said, gently:

"I will tell you what you were arrested for, Smith. You are charged with murdering August Schurman."

Smith's mouth opened wide, as did his eyes. If this was acting it was very well done. The look of surprise faded and the smile, a little forced perhaps, was once more in evidence.

"Don't give me a laugh, Professor. You got a reputation for bein' on the level. Don't let the police bull you into lettin' 'em frame me. Me commit murder? Ask the police and if they're honest, they'll tell you I never carried a rod or anything else with me. Ain't that so, Sarge?" he asked.

The police officer merely stared at him, he did not answer.

Professor Brierly was looking intently at the prisoner. He arose and asked the prisoner to sit in a chair where he would face the light that came in from a tall window. Here, Professor Brierly stepped close to him and, in the manner of a dentist, asked him to open his mouth.

Everybody, including the prisoner, looked at the old scientist with surprise. 'Fingy' had recovered his composure by this time. He asked Professor Brierly:

"What is it, Prof, is it me tonsils or me teeth? I had me tonsils out and a tooth carpenter recently socked me a hell of a wad for fixin' up me grinders."

When the old man did not respond to this humor, he said, resignedly:

"Oh, all right, Prof, you're the doctor. I don't know what the hell this is about but —"

He threw his head back and opened his mouth wide. Professor Brierly peered intently into the mouth of the prisoner. He stepped back and said to Connors and the assistant district attorney:

"I am through with Mr. Smith; I have no further questions to ask. I should be glad, however, to stay here and—"

Connors turned to the prisoner savagely. His apparent good humor was gone. This was the kind of business he understood; he was at home cross-examining prisoners. He would show Professor Brierly how to make a crook wilt.

"'Fingy,' where was you on the night of July third and early mornin' July fourth?"

The prisoner wrinkled his brow in thought. He had regained his composure entirely, although he was not now in the jovial mood he presented when he came in.

"The night of July third? Lemme see." His brows drew together. "Well, that night, I was givin' a little party to some friends in me apartment."

"Who all was there, 'Fingy'?"

The prisoner gave the names of four men and two women, Conners jotting down the names on a slip of paper.

"That little job, o' yours four years ago in Rye, 'Fingy' you wasn't framed on that was you?"

"Well, I guess they had the goods on me all right. But what of that? I done my bit, didn't I?"

"I ain't talkin' about that, 'Fingy,' I jest wanted to get it straight. You got in like the police said and you opened the safe like they said too, didn't you?"

"Yeah, I guess I did."

"And you ate a lotta food, didn't you, 'Fingy', some seven or eight eggs on that job?"

"Yeah, I'm always hungry on—I mean for a little guy, I can eat an awful lot and I sure do like eggs."

"Well, 'Fingy,' the guy that bumped off Schurman ate a big meal; he ate six eggs; he opened the safe like you do, he entered the apartment like you do. What you got to say about that?"

"What of it? I ain't got nothin' to say about it. I was givin' a party to some friends, I'm tellin' you. You can ask 'em."

"Yeah, we'll ask 'em all right, 'Fingy'. What time did your friends come to the party?"

"They began droppin' in about eleven o'clock."

"And where was you about two or three hours before that?"

"I was home in my apartment."

"Anybody with you there during that time?"

Smith wet his lips. His features had become drawn. He was a long time answering this question. Finally he shook his head.

"I don't remember."

"Oh, you don't remember, huh. Well, 'Fingy,' you'd better remember. You don't know how important it is for you to remember that little thing, 'Fingy'."

He walked close to the prisoner and stood huge, bulging and threatening over him.

"Do you recognize this?" He held out a small nail file wrapped in tissue.

The prisoner looked at it. He was now very much ill at ease.

"What do you mean, do I recognize it?"

"Did you ever see this before, 'Fingy'?"

"I seen thousands of nail files like this."

"Did you ever own one like it?"

"Sure, I owned dozens, what of it?"

"Well, 'Fingy,' this was found under Schurman's safe. Your finger prints is on it."

The prisoner's head jerked back as if struck a blow. He looked at the file, he reached out for it and drew his hand back. He looked with startled eyes at his inquisitor. He sat back in his chair. He sneered:

"Aw, hell, it's a frame up. How can my finger prints be on—" he sprang to his feet. "I wasn't there, I tell you, I wasn't there." The last word ended in a scream. He stood tense, rigid and fell back into his chair. He took an ornate handkerchief from his pocket and wiped his palms. He passed the handkerchief over his face.

Connors looked toward the men who had brought in the prisoner. He asked:

"Got him booked?"

"No, we're jest holdin' him."

"Take him away and book him. Charge him with the murder of August Schurman."

During the cross-examination, Professor Brierly had not once taken his eyes from the prisoner. He was staring at him with the intent absorption he gave to an interesting specimen under the microscope. As they were about to lead Smith away, Professor Brierly started forward.

"Just a moment, Sergeant, before you take him away, I'd like to have an impression of his mouth, rather his teeth, his upper and lower teeth. If there is a dentist near by—"

"His teeth, Professor. In the name of God what do you want with an impression of his teeth."

The assistant district attorney injected himself into the proceedings:

"District Attorney McCall, Sergeant, gave explicit orders that Professor Brierly be given every opportunity to make a complete examination; that he be afforded every facility—"

"Oh, all right. We'll have some dentistry. Dan, go over across the street and ask Doc Harris to come over here with the material for takin' an impression. Step on it."

When the impression had been taken, Professor Brierly said to the dentist:

"Doctor, we should like to have a model of this right away, please. It is important."

"It may not be a very good one, Professor, a stone model would be better, but it will take—"

"Yes, I know, that will take too long. Speed is essential. It will be accurate enough. Hasten the setting, please, doctor."

When the prisoner was taken away, the Sergeant turned to Professor Brierly; he said with gracious condescension:

"I dunno what that impression is for, Professor, but I guess mebbe you know what you're doin'. But we got the man who bumped off Schurman, ain't we?"

Professor Brierly took from his pocket an object that he showed to

Conners:

"Do you recognize this, Sergeant?"

"Why, ain't this the apple with the teeth marks you found in Schurman's refrigerator? How could it keep like this?"

"No, it is not, Sergeant; it is a replica. Take it into your hand and you will see it is not an apple. It is a model of the apple you saw. Alphonse Poller was the brilliant scientist who devised this method of taking impressions and making models. He called it 'moulage.' The word is used either as a verb or a noun.

"Off hand, I should say that 'Fingy' Smith's teeth will not fit into the marks made in this apple. When the plaster model comes up here we will see."

"What of it?" belligerently protested Conners. "We have his fingerprints; that's good enough for me. Someone else could have taken the bite in the apple."

"Who, Sergeant, who? Who could have taken that bite? Mr. Schurman did not do it. His teeth did not fit; I looked. The teeth of the housekeeper and the maid did not do it; I looked at their teeth. All of the housekeeper's upper teeth are artificial, she wears a plate. The maid has all her own teeth.

"This model shows that the person who bit into the apple, has a two tooth bridge on the upper jaw. The left lateral incisor is attached to the left canine, the eye tooth."

"But my God, Professor, you are setting up teeth marks against fingerprints. Teeth marks, well what's the difference between teeth marks. Some may be different, but—"

"Tooth marks, Sergeant, are as distinctive as fingerprints. No two single objects in the whole wide world are alike. No two red blood corpuscles coming from the same blood stream are precisely alike. True, they may differ only microscopically, but they differ nevertheless."

"Professor," asked Jimmy, "couldn't two artificial sets of teeth be alike?"

"Of course not! While the teeth are moulded by machinery, they are set up on a model of the individual's mouth by hand. And can you conceive a human pair of

hands setting up two sets of teeth precisely alike? It is unthinkable."

"But, Professor," pursued Conners, "lookit the case we got against this bird. There's his record. He always works his jobs this way; he left what we call his 'callin' card.' The large meal, the eggs the housekeeper says was missin' and last of all there's the nail file with his fingerprints.

"You heard his alibi, Professor. He spent part of the night with friends of his, other crooks. He can't account at all for the hour or two before and after Schurman was killed."

"The plaster models will be here, shortly, Sergeant. You can then see for yourself. All you say is correct but you must, before you convict him, account for the tooth marks in that apple. That is of the utmost importance, Sergeant."

The plaster models of the upper and lower teeth of the prisoner came up in a short time. Professor Brierly held out the models and the moulage to the police officer:

"Here, Sergeant, see if you can make them fit. You don't have to be a dentist to see that the teeth that bit into the apple are not the teeth of which these are models."

Chapter XV

As Professor Brierly, followed by the two younger men stepped into the busy city room, Hite held up a sheaf of telegrams that had come for the old scientist during his short absence. Professor Brierly took them as Hite said, "When you get through with these, Professor, I'll give you a message, a verbal message that I've got for you."

Professor Brierly quickly ran through the messages. He looked up:

"You know, I instituted inquiry for one Amos Brown, who is thought by some members of the Tontine group to have been the only surviving member of the group known as '14'. Several of the men told me they had reason to believe that it was he who used to send the blank sheets of paper with the number '14' on it.

But inquiry showed that they had really no proof of his being alive after 1902. Subsequent to that they only got those messages to remind them of his existence.

"These telegrams inform me that Amos Brown died in 1902 on the outskirts of South Bend, Ind. But he was survived by a son and a grandson. The son, according to my informants, died about three years later. The grandson, who was also named Amos Brown, was last heard of somewhere in the New England States.

"My informants tell me that the grandson is now about thirty-five years old, if he is alive.

"So you see, there is an Amos Brown who might have inherited along with his grandfather's other possessions, his vendetta, his lifelong hatred for our Tontine group. But I am expecting more detailed information that may place this grandson definitely. Now what is the message you had for me, Mr. Hite?"

"Our man who covers headquarters, Professor, saw 'Fingy' Smith a few minutes after he was booked and charged. 'Fingy' insists on seeing you, personally."

Professor Brierly made a grimace of distaste.

"I do not like it. I do not like the atmosphere of a prison. I suppose I ought to go. If the poor man is innocent he needs help badly. He is caught in a net of circumstantial evidence that may send him to the electric chair. If I were certain he is innocent, I should not hesitate."

He bent his head in thought. After a long pause he looked up, his eyes troubled.

"I shall go, Mr. Hite. Can it be arranged?"

"Sure it can. After what McCall said, they'll not raise any obstacles to anything you want to do. I'll have Hale go along with you."

"Have you heard from your reporters about the telephone call, Mr. Hite?"

Hite's eyes gleamed. "Yep. I heard from 'em. You sure got a bull's eye then, Professor. The records show that someone called Flynn's home just about when the explosion occurred. The man in the filling station remembers that a guy

called about that time. He can't give a very good description. There was no car, Professor. The man at the service station says he saw the man go into the patch of woods. He thought at the time that was because he wanted to get to the scene of the explosion. For that matter everybody in the road was trying to get there. A few minutes afterward, the man at the filling station says he saw a man wheel a motorcycle out of the woods and ride past. He kinda thought it was the same man, though he didn't take particular notice. They were all excited about the explosion. That means that the man probably had his motorcycle parked in the woods, while he was waiting for Flynn to come home.

"Does that help you, Professor?"

"No, except that it corroborates a theory I had about the matter. It merely fits in with the rest of the devilish pattern."

No difficulty was encountered when the three men came to the Tombs. Sergeant Conners was there ahead of them. He was not going to permit the prisoner to work a sympathetic gag on the old scientist. Conners realized that Brierly had considerable influence. If 'Fingy' could induce the old man to use his influence in his behalf, it would not be so easy to convict him.

'Fingy' was not pleased at the presence of the police officer. He made the best of it however. He realized that he was not in a position where he could dictate terms.

"Professor," he began, "I don't know about this taking an impression of my mouth and the other new fangled scientific bunk. But I know about you. I hear you're a straight shooter and I want to spill the whole thing to you."

He gulped painfully and after a glance at the police officer he went on:

"All the police is after is a record, see? And even the D.A.'s office is the same. When the D.A. gets you before the jury he'll do what he can to send you to the hot seat.

"Well I'm gonna give you the straight of this, Professor. Like I said, I was giving a party to some friends of mine that night. Early in the evening I get into a studd game on Second Avenue and go broke, see? Cleaned, Professor. And here's this party comin' off with some good guys and nice gals comin'.

"All I had in the apartment was about a quart and a half of gin and a little rye. Not a thing to eat, not even a slice of bread or a drop of ginger ale.

"So what do I do? I breaks into a delicatessen store and gets a load of stuff. That was just about ten o'clock, the time the papers say old man Schurman is croaked."

Sergeant Conners, who had listened with a sneer now emitted a loud snort. The prisoner cast in his direction a fleeting look of defiance. His eyes returned to Professor Brierly who had been staring at him intently, while his tale unfolded. He continued:

"I know this sounds fishy, and what I'm gonna say now sounds even more so, mebbe, but if you'll just listen to me, sir, I'll prove what I say.

"This delicatessen store is a little place on Grove Street near Eighth Avenue. Now you can think that I hears about this delicatessen store being broke in and I tells you about it because the real thief ain't comin' to the front to say he done it. You can think I can't prove it; you can think this ain't much of a alibi. But just listen, Professor. Look at this!"

He sprang from his chair and tore off his coat and vest. Conners had also sprung to his feet, but subsided when he saw that the prisoner did not contemplate violence. The prisoner in his haste to unbutton his outer shirt, ripped the buttons. He exposed his arm high up near the shoulder. He showed a ragged scar several days old.

'Fingy' continued:

"See this, Professor? When I was takin' some things from the shelves in the delicatessen store, I rips my coat and get this scratch on a nail stickin' out from the shelf. The nail is three shelves up from the floor near the last showcase on the right as you go in."

Smith stopped. He was panting as though he had been running. Sweat was streaming from his brow. He crumpled the shirt and wiped his face with it. He began slowly putting on his shirt.

Professor Brierly was not looking at the prisoner. He was looking at the police officer. In the latter's features incredulity was struggling with something else for

expression. Professor Brierly snapped his fingers.

"Hale, this must be verified! John, go with him; take the nail. Wait! Get an instrument and draw a drop of blood from Smith here. Compare it with the blood you find on the nail, if you find any. And—" He whirled on the prisoner.

"Where is the coat and shirt that were torn on the nail?"

"Still up in my apartment, I guess."

"Go on, John. Get the nail and the clothes; go on to our house, make the necessary tests as soon as you can."

At Jimmy's request, before he departed on his errand to the delicatessen store, Professor Brierly was escorted to the office of the Eagle by two plainclothes men who were ordered to shoot, and shoot to kill, at the slightest suspicious movement against the old scientist.

Hite went into blazing activity when Professor Brierly recounted the result of his errand to the Tombs. Men, women and boys were sent scurrying to various sections of the city. The city editor barked an order into a telephone in response to which the tremor of the presses which shook the building, ceased.

A rewrite man tactfully got from Professor Brierly the salient features of the newest angle to the story.

Matthews was nodding his head emphatically as he came into the city room and his glance met that of his mentor.

"It fits, Professor," he was saying. "The delicatessen store was robbed about the time Smith said it was; the nail was there, the head covered with blood. There was a tear in his coat and shirt. There was some blood on the garments. The blood on the nail and the clothes are of the same type as that of Smith. It might be all Smith's."

Jimmy went to the telephone and called up a high police official, a very much harassed official, one whose peace had been very much disturbed by the activities of the remarkable old gentleman. The papers, his superiors, the D.A.'s office had been riding him unmercifully. Now, when they had a crook whom the

crime fitted so well, this crazy old scientist had to come along and spoil it all with his queer doings.

Jimmy, in short crisp sentences told this individual of the latest developments of the Tontine murders. He concluded by asking:

"What are you going to do about this, Mr. Englehardt, and what are you going to do with 'Fingy' Smith?"

Mr. Englehardt completely lost his temper, which a public official should never do with a newspaper man. In a hoarse voice that was almost a scream he yelled:

"You go to hell!"

The receiver was crashed down on the hook. Jimmy heard the click. He smiled, then his eyes took on a cold dancing light as he sat down at his typewriter. The light in his eyes boded ill for Mr. Englehardt.

Hite asked Professor Brierly:

"And what now, Professor. Where do we go from here?"

"I go from here to the camp on Lake Memphremagog, Mr. Hite." The game will be played out there. I am getting some more information about young Amos Brown, grandson of the ill-famed number '14'. The latest information brings him uncomfortably close to the Higginbotham camp.

"The pattern is beginning to take shape, Mr. Hite. The pieces are beginning to fall into place. I believe that the next act in this tragedy will take place at or near Justice Higginbotham's camp. If there is nothing further to keep me here, I should like to go back. Is Mr. Hale going to continue his vacation with me, Mr. Hite?"

There was a humorous smile in the fine deep-set eyes. The skin on the city editor's gaunt features wrinkled. He yelled:

"Hey Jimmy!" As Jimmy left his typewriter he said to the old man: "I see Jimmy is in the throes of a literary composition. He seems all het up. But he can probably go with you right away. The plane is still at your disposal."

When Hale explained what he was writing, Hite's eyes glinted.

"Too bad, Jim, I hate to deprive you of the pleasure of writing it, but the Professor wants to go. Give it to Roy, Jim. He can raise as many blisters on the hide of a politician as you can."

Chapter XVI

Jimmy was dropped off at the Higginbotham camp; the other two men went ahead to their own camp.

A wild, distracted young woman met them. Norah was standing near the edge of the water gesticulating wildly. Jack, in instant concern ran through the last few feet of shallow water. "Jack," she panted, "Tommy is gone." He stared at her stupidly. She continued wildly: "Jack," she panted, "Tommy is gone! he's gone!"

He reached her side and took her shoulders. "Get hold of yourself, sis. Tell me —"

"When he didn't get up, his usual time this morning, I didn't think anything of it. I didn't want to go up to disturb him. At eight o'clock I went up to his room, he wasn't there. Martha said she heard him outside about six o'clock, or perhaps a little earlier.

"She didn't think anything of it; he often did that. We felt he was safe, the water is too shallow to drown between here and the float. But—"

Her arms went about him convulsively and she broke into violent sobbing. She calmed herself in a moment and continued:

"I tried to reach you in New York, but you had gone. Mr. McCall advised against notifying the police. He thinks that is perhaps the worst thing we can do. He went down to the other camp and to Lentone to see what he can do. Oh, Jack—"

Professor Brierly stood wide-eyed as he heard the news. This was more than the mere solution of a problem. His little friend had become very dear to him. He looked at the expanse of water rippling and glinting in the mid-day sunlight. Then he looked up and down the shore line. The irregularity of it at this point

was such that one could not see a great distance in either direction.

He stared at the growth on each side of the house. Impossible that Tommy could have penetrated more than a few yards in either direction. And Professor Brierly too, remembered that the little boy had shown a disinclination for going into the woods alone. Back of the house stretched the trail leading through the woods and fields, plowed and un-plowed, to the main road. Norah and McCall had been over that.

Professor Brierly went into the house. Norah was going about distractedly from room to room, looking in impossible places for the missing boy. Matthews had gone up the road. The young man returned shortly and they all went down to the water. Jack, his usually smiling features set in lines of care, got into the canoe and paddled slowly toward the float, his eyes fixed on the water.

Here, as was the case for some distance out, the water was so clear that the pebbly bottom was distinctly visible, with its tiny fish darting in flashing schools, from shadow to shadow.

Jack waved his hand and went roaring toward Lentone in the sea sled. This blow, he felt, coming to his sister so soon after the late tragic loss of her husband was more than one person should be called upon to bear. He went to the post office and barely glanced at the mail and newspapers the clerk handed him. He met Jimmy as he left the post office. With set face and dead tones he apprised his friend of the calamity that had visited their camp. Jimmy, in silence, too grief stricken to think of it in terms of a story, accompanied his friend to their camp.

McCall had returned without news. The group met in stony silence. Professor Brierly was absently fingering an enclosure addressed to him when he uttered an exclamation. He read it and handed it to the person nearest him, McCall. The latter read the communication aloud, all crowding in their eagerness to see it over his shoulder. There was no signature.

The boy is safe. You will hear from us. Do not communicate with the police.

The communication was on an oblong sheet of cheap notepaper, evidently torn from a scratch pad. The message was inscribed in hand printed characters. The features of the group were compounded of relief, deadly anger, hope, fear. Norah

was of a sanguine disposition. She thought of other kidnappings, but she chose to dwell rather on those that ended happily. This note spelled hope. She sobbed in an access of relief, being held close in her brother's arms. Jack was clumsily and tenderly patting her shoulder, making endearing and comforting sounds.

She looked up and dried her eyes, glancing from one to the other of the four capable men in the group. A glow of confidence in their combined ability gave her new hope.

"What shall we do," she asked piteously. "Shall we do what they say or—"

The men exchanged glances. Professor Brierly finished her sentence: "Or notify the authorities?" She nodded mutely.

After a long pause, Matthews answered slowly. "Everything I can do, dear, everything I have is at your disposal and will be used to help find Tommy. But it is for you to say what we do about it."

Professor Brierly said gently:

"John voices my sentiments, Mrs. Van Orden. All I can do, all I have is at your disposal toward finding your boy. The Canadian Police are a very efficient organization. But we take a certain risk in calling in the authorities on this quest. The same, of course, applies to publicity. Mr. Hale, I am sure, will respect that. I realize that it is hard to wait because whatever traces there are may be obscured by the passage of time. On the other hand, calling in the police, with its resultant publicity, may force the kidnappers to the very step we all fear. Therefore, I am afraid that the responsibility for decision must lie with you, my dear."

The men looked in unhappy silence at the struggle the young woman was undergoing. Her features betrayed her hopes and fears. Finally twirling the plain gold band on her finger she said:

"It can do no particular harm to wait a day or two, can it? We must not do anything to—to—anger them must we? Oh, I don't know what to say!"

She turned swiftly and hurried out. The men turned toward one another in mute inquiry. Three of them were startled at what they saw in the features of Professor Brierly. Even Matthews had never seen such profound, unutterable, implacable rage as now possessed the old scientist. They were all accustomed to outbursts of

wrath and impatience at stupidity or stubbornness when he was crossed; these passed quickly. Never had even Matthews, of the three who knew him best, seen the deadly anger that now blazed in the deeply sunken eyes. Professor Brierly was about to speak, but his emotion was too deep for utterance. He stammered, stopped and left the room.

When he returned shortly he said with repressed emotion:

"I can condone all kinds of property crime; they may be caused by need or greed; they may be the result of bad home influence. I can condone crimes of passion; even the laws differentiate between these and deliberate murder. But there is no mitigation or excuse for this kind of deed, a crime that takes an infant from its home and makes others suffer. I shall see to it," his words were carefully spaced and came slowly, "that-the-men-responsible-for-this-are punished." He shook his head violently as if to shake off an unpleasant picture. He held up the envelope and enclosure once more. He looked up when Norah came in dry-eyed. She stood leaning wearily against the table running her hand through her disheveled hair.

"Have you decided?" asked Professor Brierly.

"Yes, Professor, we will wait a day or two. I—I—am afraid."

A day and night spent in an agony of apprehension came to an end the following morning with the receipt of the following message:

Professor Herman Brierly:

Go home to New York, you will hear from us there.

It was printed on the same cheap notepaper. Again, as the first message, it bore the postmark of Magog. It had no signature. McCall pointed to the address on the envelope:

"Is this the way you have all your mail addressed, to the post office at Lentone or —"

"Some of the mail is addressed this way; some of it is addressed directly to me and is left in the mail box nailed up to a tree at the entrance to this trail."

"What will you do about this, Professor?"

"I ought to go, of course, but—"

"To New York?" wondered Jimmy. "You would think the kidnappers, would rather deal with you here. They run much more chance of being caught in New York than up here. It seems—"

He stopped and looked curiously at Matthews. The latter was staring intently out upon the water. Without taking his eyes from the object that engaged his rapt attention, he said tensely:

"Someone give me the binoculars, quick!"

Norah handed him the glasses. He carefully focused them and looked long and earnestly out upon the water. The three men and the young woman followed his gaze and saw only the usual scattered craft on the surface of the lake.

Matthews with a muttered exclamation, put down the glasses, snatched an automatic from a drawer in a table and raced toward the little wharf, throwing over his shoulder:

"Be back soon."

The others followed him to the lake slowly. They saw him get into the sea sled to which the outboard motor was attached, start it and go roaring off in the direction toward which he had had his glasses focused. The anxious groups watched intently.

They saw one of the bobbing craft turn and go racing toward the opposite shore in a north-westerly direction, with Matthews in pursuit.

The watchers stood there with bated breath, being quite certain that this impromptu pursuit had something to do with Tommy's disappearance. Their sea sled was fast and Matthews was adept at handling it. To their dismay they saw the distance between Matthews and the other boat widening. The pace of Matthews' boat slowed; it stopped altogether. They saw Matthews tinkering with the motor. Then they saw him take up the oar and begin paddling back laboriously.

He hailed a passing launch which towed him back to their wharf. Matthews' face was grim drawn as he reached his friends. They looked their mute inquiry.

Matthews unscrewed the motor from its place and carried it up above the water line. Then he turned to face them.

"Somebody was watching us from that boat with a pair of glasses. I caught the flash of the sun on his lenses. There was one man in the boat. I couldn't get a good look at him, he wore a floppy, big-brimmed straw hat well over his face.

"My gas gave out when I went after him. This wasn't an accident or carelessness on my part either. I filled the tank yesterday afternoon. Someone punctured the tank during the night. The puppy barked during the night but he barks a lot at nothing. See!"

He turned the motor over and pointed to a place near the bottom of the tank, where they saw a small hole with the ragged edge of the metal glinting with a freshness that the rest of the metal did not have. He continued:

"It's not a sure thing I could have caught him, if I had gas; that was a pretty fast boat, faster than this I think."

"Will you recognize the boat if you see it again?" asked Jimmy.

Matthews shook his head slowly.

"I'm not sure. There's any number of sea sleds on this lake just like it. That's not the important thing though. I should have taken the glasses along. When my gas gave out I could have had a good look at their motor. There may be a lot of boats like that but not many motors that can develop that speed. It will be a simple thing to attach that motor to another boat."

He went on with grim irony: "That's simple enough. If we had ten thousand men we could comb the thirty-odd miles of lake and examine every motor on it, thus narrowing the search down to motors capable of a speed—why are they watching, why—"

"Yes," went on McCall, "why this, and why do they want Professor Brierly to go back to New York? Why in the name of common sense New York? Is it—is it—" his features lit up. "Is it because someone is interested in seeing that Professor Brierly does not interfere in the affairs of Camp Higginbotham in the next few days?"

There was no answer. Professor Brierly's bushy eyebrows were bristling. He was staring at the faces of the group unseeingly.

Jimmy burst out:

"This is more than a mere kidnapping. With the eyes of two countries focused on this section the kidnapping can be predicated on one of two hypotheses. The kidnappers are crazy or they want Professor Brierly in New York. Mac's guess seems a good one. They want Professor Brierly away from here; that's a cinch. They—"

"Jimmy," interrupted Matthews, "are you influenced in what you say by your hope that Professor Brierly will help solve the riddle of the Tontine groups and help your story?"

He obviously was still in the grim mood that was so apparent on his return from the futile chase. Jimmy did not answer the charge. He was looking at Matthews gravely. Jack reddened under the stare.

"I'm sorry, Jim. That was rotten! But thinking of Tommy—" Jimmy nodded:

"All right, old man, forget it, you didn't say anything. But I am wondering about this request to go to New York. I can't help thinking there is something in this request that doesn't appear on the face of it." He turned to Professor Brierly: "What are you going to do, sir?" Professor Brierly looked mutely at Norah. She shook her head helplessly.

For the next twenty-four hours the group suffered that, which is hardest to bear under the circumstances, inactivity. Twenty-four hours after the receipt of the second note there came a third, on the familiar cheap notepaper. This time it was postmarked Lentone, Vermont. It read:

"Professor Brierly was told to go to New York. We will not stand any fooling. Enclosed is a sample of what we will do. If he does not start at once more will follow."

This time the note was addressed to Norah. Wrapped securely there was a small object in the strong envelope. Professor Brierly took the small object from her hand. It was a human tooth, a tooth with dried blood on it. It had the ragged roots characteristic of a baby tooth, when it comes out.

At this moment McCall stepped into the room. Norah turned to him impulsively and told him of the letter and the accompanying tooth.

"How horrible!" exclaimed McCall. "Professor, we must—"

"Yes, pretty bad," commented Professor Brierly, "something must be done, quickly. But, there is, as our friend Hale would say, something wrong with this picture. This tooth did not come from Thomas's mouth. It—"

"Not from Tommy's mouth?" repeated Norah.

"No, Mrs. Van Orden, you may be certain of that. The roots of a child's teeth undergo a certain amount of disintegration before it is ready to give place to the permanent teeth. We will not go into the mechanical and biological reasons for this destruction; it is not important. While this is a deciduous tooth, I mean a baby tooth, it is not Thomas's tooth. How old is Thomas, Mrs. Van Orden?"

"He was just four and half years old yesterday."

Professor Brierly nodded his snow white head.

"Exactly, I thought so. No baby's tooth at that age shows the amount of disintegration that this tooth shows. Depend on it Mrs. Van Orden, this tooth comes from the mouth of a child of not less than nine years of age."

The group was staring in wide-eyed astonishment. Norah asked tremulously.

"You are certain of what you say, Professor, that this is not Tommy's tooth."

"Depend on it, sis," interrupted Matthews. "Professor Brierly could not be mistaken in a thing like that. What I want to know is why—why this?"

There was an air of relief in the old scientist's demeanor. He still looked grim but he had the appearance of a man who has had a load lifted from him.

"I believe I know why. At any rate this solves one thing for us. My advice is that we notify the police of the kidnapping. I do not think we can gain anything now by keeping quiet. I am also reasonably convinced that no harm can come to Thomas unless something unforeseen happens.

"Furthermore, it is safe to say that in a short time we will solve the murders of the Tontine group. You were right, Mr. McCall and you Hale. This kidnapping is intimately bound up with those murders. I am beginning to see light. Let us notify the police," he concluded decisively.

Chapter XVII

Stark fear stalked the camp of Justice Isaac Higginbotham. By the time Professor Brierly had returned from his momentous trip to New York this fear was naked, unashamed. The men now made no attempt to dissemble.

All these men had fought; they had faced death in various forms. They could each be counted on to act like soldiers in the face of ordinary danger. It was the fear of the unknown; the dread that at any moment of the day or night they might become the victims of a deadly attack from an unknown and unexpected source that was visibly having its effect on these octogenarians.

It finally took form in a strange manner. As if by unanimous consent, they each avoided being left alone with one of their comrades. They would gather at meals or on the porch or in the large living-room, but they avoided being left in pairs.

They all took solitary walks. Some of them went out on the lake. Some of them went to Lentone or elsewhere; always alone. Whether this was sheer bravado, or some strange reaction to the psychological elements involved, no observer could determine. They apparently reached an unspoken and unannounced resolution, all of them, to stay at the camp until the murders were cleared up. Some of them went about armed, although that was merely a gesture.

To the four men who had been taken into their confidence fell the task of keeping the strange unhappy group from going mad. Even this solace was denied them during the past two days. The kidnapping of the child now took, in the minds of at least two of the men, a place equal in importance to the murders of their three comrades.

Professor Brierly now spent all of his waking moments between receiving and sending telegrams at the camp of the Tontine group. The men were gathered on the porch. There was talk, jerky sentences. Only a man finely and delicately balanced and organized as was the old scientist could have resisted the pall of gloom and dread that permeated the group.

"Any news of the little boy, Professor?" asked McGuire.

"No, none. The mother is frantic, of course. I myself am not easy in mind about it. I do not believe, however, that harm is intended the boy."

"Why don't you take the police into it, Professor," asked Judge Fletcher. "It can't be worse than it is. The Canadian police are a very efficient organization, almost

as efficient as fiction makes them out to be."

"I have given it to the police this morning. We have decided there is nothing to be gained by further silence. The police now have it in hand."

"You had a note asking you to go to New York and meet the kidnappers and their representatives didn't you?"

"Why didn't you go, Professor?"

The old man, who was glad of this opportunity of taking their minds off their own tragedy even for the moment, answered slowly, his keen eyes darting from one member of the group to the other.

"It seemed to Mr. McCall and Hale, Matthews agreed with this, that the communication addressed to me was designed to take me away from here. It seems very probable that the entire kidnapping plan is closely tied up with your own deplorable affair, gentlemen."

They were looking at him with concern. He went on.

"I have had some little part in exposing the role that some person, at present unknown, had in the murders of at least three of your comrades." His keen eyes shaded by their thick lashes and eyebrows were watching intently. "It may be that the man or men we are seeking intend some more mischief, right here. They may wish me out of the way.

"They sent a deciduous tooth, a baby tooth as evidence of the lengths to which they are prepared to go to enforce their demands on me. Sending that tooth was almost ludicrous in its futility. Mrs. Van Orden was distracted, of course, until I informed her that the tooth did not come out of her son's mouth.

"Why should they have selected that boy for kidnapping, if ransom was the object? Mrs. Van Orden is a poor woman. I am comparatively so. John has no money, he is just starting life. Why did they make that futile gesture with the tooth?"

Goldberg, who was sitting near the edge of the porch, said with bitter sarcasm, pointing to the overhanging rock:

"Now there is a fine chance for a man to destroy this group. If that overhanging rock came down here while we're sitting here it would wipe out the survivors of the Tontine agreement like that!" He snapped his fingers.

"There is no danger of that, Sam," reassured Justice Higginbotham. "That has been that way since I came up here; that is about thirty-five years. I and others have expressed uneasiness over the position of that rock, but there is no danger. When—er soon, I shall have it cleared away."

Vasiliewski burst out:

"Professor, we're sitting here talking of everything except that which is uppermost in our minds. We are trying to mask our feelings. You know what we are all thinking of. Is there any hope, Professor."

Professor Brierly answered slowly, gravely.

"I have reason to believe that we will solve this—problem shortly. Habits of a lifetime prevent me from being more specific. I have learned, and paid dearly for learning, that jumping at conclusions may often prove disastrous. That is why I am not given to making guesses, surmises. I wish I could say something more definite."

"My God, Professor, do you mean to say that you suspect—"

Professor Brierly shook his head regretfully and was about to speak when Vasiliewski impulsively interrupted.

"But can't you see, Professor, that this is not a cold scientific problem, that our lives are at stake. This is a human problem, Professor."

"Assuming, Mr. Vasiliewski, that I took your view of it. Persons are prone to regard me as a thinking machine. I am not. Let us assume, I say, that I took your view of it. Just see what might happen. I might accuse the wrong man. We might even convict the wrong man. The guilty man might then go on, doing incalculable evil. Guessing is dangerous and is—fallible. Scientific induction and deductions, conclusions based on irrefutable fact, fact that can be weighed and measured, is infallible."

There was real concern in his eyes as he rose to depart.

"All I can say, gentlemen, is that I shall be able to free you from the terrible thing you fear in a very short time now."

To the scores of press representatives who hounded him for a statement he resolutely turned a deaf ear. He was besieged by a constant horde of visitors. The news hunters realized that where Professor Brierly was, was the real source of news. It had been necessary to divulge the part he had taken in the three murders. He would have denied himself to callers, either personal or to those calling on the telephone, but this was now impossible. He might miss now an important communication bearing on the murders or, what for the time was to him more important, the kidnapping.

The search went on relentlessly, the police of all the near—by cities and states taking part in the search. It soon began to be felt that the kidnapping was closely tied up with the murders of the octogenarians. It was at the request of the survivors of the Tontine group that Justice Higginbotham's camp was not molested. It was readily seen that constant surveillance by the press and police would be a highly undesirable and perhaps a very dangerous thing for the ten aged survivors.

Arrangements were, therefore, set up for periodic statements by a member of the group. The press of the country nevertheless felt free to make its own search and indulge in its own surmises and guesses.

One week after the first murder was announced it became apparent that they were no nearer a solution than they were at the beginning. Moral publications were beginning to clamor for results. The people of New York City were clamoring for results. Editors were profanely wiring their expensive representatives for results. The patience of the police and the reporters was wearing thin. During all this clamor the only thing that came from the camps over the Canadian border, from the hundreds of star reporters was—nothing. Even Jimmy was unmercifully berated for falling down on the job, Jimmy, who one short week before was praised to the skies for springing one of the greater newspaper stories in history.

It was apparent to those who were close to him that Professor Brierly was forging in silence a chain, link by link, that would bridge the gap between doubt and certainty. He was sending and receiving telegrams, without for one moment relaxing his vigilance of the Higginbotham camp and its ten old men. The

evening of the day after the receipt of the last telegram, McCall in the hope of drawing the old man out said:

"My vacation ends next week, Professor. When I get back to New York I may be able to speed up things in the matter of the Schurman murder. You're staying here the rest of the summer aren't you?" he concluded innocently.

"Yes."

"Really, Professor, I know you don't like to make guesses, but this is getting on all our nerves. How near to a solution are you?"

"If I were a lawyer or a newspaper man," the old man said tartly, "I should make a guess and arrest the murderer tomorrow. But lawyers and newspaper men use a weird type of logic. That is why lawyers and newspaper men are as often right as wrong. Legal logic, particularly, is something awful to contemplate."

"Legal logic," began McCall stiffly.

"Is precisely what I said," snapped the old man. "How can you defend the logic of a judge who hands down a decision basing it on the statement that a dining car is not a railroad car. There is also the logic of a judge who handed down a decision basing it on the hypothesis that an overcoat is real estate. That is legal logic, Mr. McCall."

He paused and leaned forward earnestly.

"Truth, Mr. McCall, sometimes hangs on a very thin thread. Snap the thread and—you have something other than truth.

"It is not a mere coincidence that Boyle was arrested, charged with the killing of Miller and 'Fingy' Smith arrested, charged with the killing of Schurman. It was a vital part of the entire devilish pattern. Miller's death was a splendid imitation of suicide. The revolver was placed in his hand before rigor mortis set in leaving his fingerprints on the weapon.

"But the powder marks spoiled the picture of suicide for me. The rest was merely a matter of routine. The same was true of the Schurman affair. It was made to look to the casual observer like suicide. If you did not accept the suicide

theory, you were given an alternative theory, the mode of entrance, the big meal, the eggs, the nail file with positive fingerprints. The one thing that spoiled that was the apple. Remember the apple?

"To satisfy me the murderer would have to be identified with the apple. You see arresting 'Fingy' left the apple unaccounted for. In the Miller case the murderer would have to be identified with a rope that came from a farmyard that contained a boxwood hedge, a sorrel horse, leghorn chickens, a collie dog and some other items. He would also have to be identified with a hat factory."

"What do you mean by saying that these two men were arrested charged with those murders?"

"I mean that it was a foregone conclusion that if the suicide theory was exploded, these men would be charged with the crime?"

"A foregone conclusion in whose mind, Professor?"

"In the mind of the—murderer, Mr. McCall. You see, don't you, the thin line of demarcation that lies between truth and falsehood? When the difference between the two may mean the difference between life and death it behooves me to be extremely careful. I am not holding a brief for the defendant or the state, Mr. District Attorney, I am seeking the truth."

Chapter XVIII

Jimmy had not been sleeping well nights. On this night he dreamed that he was alone in the city room of the Eagle doing the dog watch. He was reading a history of the Civil War in which was stressed the reconstruction period with its harrowing details, a period under which serious dismemberment of the country was threatened. While he was reading this, the telegraph instrument in the telegraph room kept up its intermittent tapping.

He awoke with the tapping still in his ears, as though in continuation of his dream. He lay still thinking of the eccentricities of dreams in general when the tapping of which he had been conscious in his dreams was repeated at his window. This time it did not sound like a telegraph instrument. It seemed that a

number of pebbles had struck the upper window panes, the lower being open. He distinctly heard some of the pebbles strike the floor. He lay still when he was aware of a repetition of the sound.

He got out of bed and went to the window. Standing in the graying dawn was his youthful pilot, Harry Stoy. The youth was beckoning earnestly for Jimmy to come down stairs. Slipping on some clothes and a pair of soft soled moccasins Jimmy stole out of the house being careful not to awaken any of its inmates.

Harry held his finger to his mouth as a signal for silence and led the way down to the water front. Here he whispered excitedly:

"Say, Mr. Hale, I think I know where the kid is?"

Jimmy stared at the youth who was shivering with excitement.

"You mean Tommy, Harry?"

"Yeah, Tommy. Let's row out a little bit in the boat then start it where your folks can't hear the motor. Come on, Mr. Hale. Are you game?"

Jimmy grinned and tingled. His first thought was that he ought to call Jack; he decided against it. There was the danger of awakening Professor Brierly and Norah. He did not want to arouse any false hopes, the kid might be mistaken. He also did not want to lose face in the eyes of this youngster. The question of whether he was game decided him. He stole back into the house where he took from the drawer of the living-room table a loaded revolver; he decided against a shotgun or rifle.

When they got out far enough to start the motor without fear of waking up those in the house, Harry spoke. He was panting with excitement.

"This place we're goin' to Mr. Hale is about five miles up the lake, and about two miles in on the other side. There's a sort of farm up there. A guy by the name of Brown lives up there alone. He's got a small airplane there too.

"He's a nice sort of guy but he's funny, kind of, like a man who has a secret, if you know what I mean. When I heard Mr. Matthews tell what a fast motor the man had who got away from him, I kinda thought it might be this Brown, 'cause he's got a fast motor, one of the fastest on the lake.

"So I been watchin', Mr. Hale. When I seen him up in the plane, I went over there. He's got a collie dog, but no dog ever bites me, Mr. Hale, they all make friends with me and I like 'em too. I went up there late this evenin' meanin' last night, when you told me you wouldn't need me any more.

"The plane was gone and the collie was in the yard. But I made friends with the dog. The house was locked up. I clumb up the porch and there in an upstairs room I seen Tommy asleep. I was gonna take him and bring him home, but just then I heard the plane, or I thought I did.

"I hid in the woods and it wasn't the plane at all, I was mistaken. Gee, just think of it, Mr. Hale, I coulda got the kid all by myself, then I thought I better come for you. Mebbe while I was takin' the kid, this Brown might come and what could I do alone. And the kid might be hurt, see?"

A lump rose in Jimmy's throat. He was rather unnerved from the recent ordeal. He noticed that Harry did not once mention the possible danger to himself. The phrase rang in his mind: "And the kid might be hurt, see?"

Harry ran the small boat into a tiny cove where it might be hidden, both from the water and from the shore. For several hundred feet from the shore there was a clear, well-defined path running nearly straight westward through the woods.

After a short distance Harry swung off from this path; then he took several turns. He seemed to know the way. At the end of a half hour's walk, Jimmy judged they had gone about two miles. Harry put his hand on Hale's arm as a signal for caution.

Ahead of Jimmy lay a large, well-tilled and well-cared for farm. There was the loud, ringing, penetrating bark of a collie, then all was silence. Harry uttered an exclamation of disappointment. He pointed and Jimmy understood. About two hundred yards away at one end of a large level field a small plane was plainly visible in its hangar. Brown, the owner of the farm, was evidently home.

Jimmy debated swiftly and fiercely with himself on his course of action. Tommy was there; a false step and Tommy might be hurt. He might even be killed. No consideration of personal safety would have prevented Jimmy from taking immediate action. But—looming large in his mind—was a picture of the little boy and his grieving mother on the other side of the lake.

To Harry's vast disappointment, his hero, James Hale, the star reporter, turned and retraced his steps, Harry perforce following him. Harry had looked up at his hero doubtfully. He had been certain in his mind that they would return home triumphant, bearing the kidnapped boy. Gee, he could have done it himself, almost. But his hero turned tail. Feet of clay! Harry did not know the phrase, but all his thoughts expressed it very well.

The trip back was made in silence. The sun, a red, brilliant ball of fire was in their eyes as they retraced their steps through the woods. Still in silence, Harry started the boat, and pushed to its capacity of speed, the fast sea sled made short work of the five miles separating them from their camp.

Here Jimmy found that there was no need for silence. All the household was awake. Indeed, Norah, in her anxiety had not slept at all, and she said that she had heard Jimmy leave with the boy.

Matthews was restlessly pacing the short stretch of beach when the boat tied up to the wharf. Norah and Professor Brierly joined Matthews as Jimmy and Harry Stoy got out of their boat.

Harry burst out:

"Gee, Mr. Matthews, we found Tommy. We would have brought him home but Mr. Hale thought—he thought we'd better come back for help."

Three wide-eyed persons, each reflecting his emotions in his own way stared at the youth; from the youth to Jimmy. Jimmy with tight lips, explained.

"Oh, Jack, Jack, Professor," panted Norah. "Let us go, let us—" Jack did not hear. He was racing toward the shack. He returned ready for the trip, a rifle in his hand.

Professor Brierly suggested:

"The mounted police—"

"No!" Matthews shook his head emphatically. "We won't need the mounted police or any help. There's only one man."

"I shall go with you," announced Professor Brierly.

"No, Professor. We must make speed. We'll take both sea sleds, but then there's a long tramp."

"But you do not understand, John. This man's name is Brown. It is Amos Brown, the man we are looking for. I traced him up to Canada. It was only a question of a day or two before I should have found him. I must be there, John."

"Please, Professor, don't insist. This job is not for you. Tell us what to do and Jimmy and I can do what needs be done. The first thing is to get Tommy, then there will be time—"

"But there may not be time, John. Men's lives may depend on—oh, well have it your way. Hale, if you and John are insistent on acting like impulsive fools and not taking along qualified officers, see to it that you get whatever papers you can at this man's house. And for God's sake, boys, be careful. This is a dangerous man. He will be on his own ground."

The three were on their way. As the two sea sleds put off sputtering to a crescendo roar as they made a wide curving wake on the still water, McCall disturbed by the noise came to the door.

After they beached their boats in the tiny cove, Jimmy and Matthews, following Harry, alternately running and jogging, hurried along the dim trail. When Jimmy judged they had covered three-quarters of the distance they heard a ringing bark followed by a faint crack of a firearm. This was shortly followed by another. The three stood stock still for a moment and then put on an additional burst of speed. Before they came into the clearing of the farm, they heard the sound of a motor car, fading into the distance.

As the three panting figures came into the clearing they saw the tawny figure of a collie racing frantically back and forth about a dark mass lying near the house. The collie was whimpering and whining. The collie looked at the three approaching figures expectantly; it stopped its whining, leading the way directly to the thing lying near the rear door of the small farm house.

A tall figure lay there with its sightless eyes staring into the sun. A dark, red stain was widening on its shirt front.

At this moment a shrill treble yell was heard from the house.

Matthews raced through the open door and bounded up the steps. Finding the door locked, from behind which the crying was coming, he stepped back. He called out:

"Stand away from the door Tommy, Uncle Jack's going to break it open."

The door flew open under the impetus of a large foot planted near the lock. A small figure rushed into his arms hugging him tightly.

"Uncle Jack! Uncle Jack! Where's Mummie? Where's Pop?"

Matthews held the small figure off and looked at him anxiously. Except that his clothes were in a state that would have sent his finicky mother frantic, the youngster did not seem the worse for wear.

"Did the man hurt you, Tommy?"

"Oh, no, Uncle Jack. He is a good man, nice man. He gimme candy, he gimme pie." The voice went prattling on as Jack carried him downstairs.

Harry Stoy with youthful enthusiasm and the morbidity often observed in the young wanted to examine the thing that lay on the ground. Jimmy, with full knowledge of police regulations and requirements, objected. He went into the house and made a careful search, taking such papers as he thought might be of use to Professor Brierly, the scientist, and to Jimmy, the newspaper man.

When Jack came with the boy, Jimmy called the telephone operator and after identifying himself he told her where he was and asked that the nearest police authorities be notified. Then the group started back for the lake.

Professor Brierly and Norah were pacing the lake front in an agony of impatience, each for a different reason. Norah ran into the shallow water several steps, the sooner to have the child in her hungry arms. Professor Brierly's eyes were burning as he waved a telegram.

As the happy group stepped ashore, Professor Brierly said:

"It was Amos Brown, of course. This wire tells me. I should have known but perhaps this is best. Tell me, was there a boxwood hedge, a collie, running water, a sorrel horse, a pear tree?"

Jimmy and Matthews looked at one another sheepishly. They had been too much absorbed in their errand to see. They both wrinkled their brows in an effort to visualize the farmyard where that thing lay, when Professor Brierly exploded into wrath.

"Oh, you futile, inane, incompetent creatures. You, John, with all your scientific training. I cannot expect anything else from Hale. A newspaper man lives on emotional sensations. They form his stock in trade, but you—" Harry Stoy interrupted:

"Professor, if you're askin' about Mr. Brown's farm all them things you mentioned are there and there's some leghorn chickens and some—"

Professor Brierly's eyes glowed approvingly. "Good boy, Harry, you not only have eyes, but you can see." He looked down and a smile broke over his tired features. Tommy had been tugging his coat demanding attention. Professor Brierly took the child in his arms and hugged him tight.

After the excitement was over he bent eagerly over the papers that Jimmy brought from Brown's farm. He was thus engaged and the others were making a fuss over Tommy when the telephone bell rang.

"For you, Professor," called Martha.

The voice that came to Professor Brierly over the wire had a break in it. In the voice it was difficult to recognize the finely modulated diction of Justice Isaac Higginbotham.

"For God's sake, Professor, come at once. Two of us were killed. Come—" The voice ended in a croak and there was no more.

When it became apparent that the other had dropped his receiver, Professor Brierly turned the crank until he got the attention of the operator. It took a long time to be connected with the nearest police officer.

Professor Brierly identified himself and said:

"Two men were killed in Justice Higginbotham's camp. You know where that is?"

"Yes, sir."

"How soon can you have a man or two down there?"

"Hold the wire a moment, sir. I'll tell you." After a brief interval the voice asked:
"Are you there, sir?"

"Yes."

"We can have one man, perhaps two there in half an hour, sir."

"Very well. I was going down there. Will your man stop here for me on the way down?"

"Yes, sir. This is at Mr. McCall's camp, is it not?"

"Yes."

"Good-by."

Professor Brierly now called up the Higginbotham camp for additional details. The overhanging rock had fallen, carrying with it the porch. The house was not much damaged. Professor Brierly surmised that the one thing that saved the house was the weakness with which the porch had been attached to the main building.

Chapter XIX

The swift boat bearing two police officers picked up Professor Brierly and Matthews. McCall and Jimmy left immediately. The avid horde of newspaper men had swooped down on the Higginbotham camp. Only the fact that they had two red-coated men in the boat enabled the old scientist and his assistant to get near the house. A path was cleared and the four men went into the living-room where the eight survivors, Jimmy Hale, McCall and as many newspaper men and women as could find standing room were crowded.

The two officers with the help of two others who had arrived cleared the room after considerable difficulty. The porch had been shorn off the building as though

it were done with tools. The huge rock was nestling at the edge of the water.

Jimmy was surprised at the demeanor of the eight survivors. The reaction had set in. Now that the worst had come, come right before their eyes they took it with a sang-froid that was surprising under the circumstances. Pride of race, the knowledge that a great many persons had their eyes upon them, the knowledge that the entire world had their eyes on them through their representatives of the press had its influence.

Samuel Goldberg and Lorenzo Tonti, the man who had influenced the framing of the Tontine insurance agreement, were killed outright by the falling of the rock. Two of the others suffered minor injuries. While they were calm the eight survivors were grim. They looked toward Professor Brierly.

"How did it happen?" he asked quietly.

Mr. Marshall answered.

"Six or seven of us were on the porch, the rest of us were inside, finishing breakfast. McGuire was just coming up from the lake, he had been out. The rock, without any warning, came down. Poor Sam. He always sat where he could see the rock. It had a fascination for him. He always alluded to the possibility of its coming down."

Charles Rochambeau leaned forward in his chair tensely.

"Well, Professor, you could not save us from this could you?" He sprang up and threw his hands up with true Gallic violence. "My God, when will this end?"

There was pain, grief in the deep-set eyes that looked at the excitable old man. Professor Brierly said slowly:

"It will end right now, Mr. Rochambeau. It has ended." He turned to the two officers who had come with him, saying:

"A man by the name of Amos Brown, who lives about six miles up the lake was shot to death this morning."

Bruce Thomas started forward, crying hoarsely:

"No, no. Amos Brown died thirty years ago."

Professor Brierly, ignoring the interruption, pointed at former Police Commissioner McGuire. "This man, officer, probably is armed. You will find that the bullet that killed Amos Brown came from his weapon."

One of the officers took a step toward the ruddy octogenarian. Jimmy stared, startled. Something was coming off that he did not understand. Three of the men sprang to their feet glaring at the principal actors to this strange scene. McGuire stood up, the blood gradually draining from his face. One of the police officers asked quietly, holding out his hand:

"Are you armed, sir?" As McGuire's hand slowly went toward his side pocket, the officer said:

"Give me the weapon, please."

McGuire stared a long time at Professor Brierly, at his comrades, at the officers. He said:

"Yes, I killed Brown. I killed him in self-defense." He drew out the weapon, slowly.

Professor Brierly's voice, in the strained silence that had fallen on the group, sounded like a death knell.

"You did not kill Goldberg and Tonti in self-defense. You did not engineer the killing of Schurman, Miller and Flynn in self-defense. You—*John!*" Professor Brierly's voice suddenly rose to a hoarse shout. The weapon in the hand of the stout, erect, pale man was slowly turning. Matthews sprang forward, but the officer reached McGuire first. There was a brief struggle for the weapon. Two officers led the man away.

There was pain in Professor Brierly's eyes, and not the exhilaration to be found at the successful conclusion of an experiment in science; or the completed solution of a crime. He sat down and appeared reluctant to furnish the explanation that was expected of him. Suddenly Justice Higginbotham burst out:

"But this is unthinkable, Professor. He was a comrade of ours. He was here with us all the time. He—you must be mistaken." He stopped and then continued

more slowly, gravely:

"Professor Brierly, you will have to give a very good reason for your astounding charge. You will have to remove every reasonable doubt. I am not talking in the legal sense now. This man was our comrade. I should as soon believe that I did this impossible, this terrible thing myself."

A swift glance about the circle of faces showed Jimmy that they were all of the same mind. Professor Brierly said:

"I understand. That is why I was reluctant to make the charge sooner, when we discussed it the other day. Some of you urged me, remember, to make a guess, which I could have done then. This terrible thing that happened this morning is something I could hardly foresee." He paused and went on.

"Your number '14' Amos Brown died twenty-eight years ago, being survived by a son and grandson. The son died a short time later. Amos Brown the third, had no kin. But he was a self-sufficient youngster who managed pretty well. He entered the flying service in the World War and returned a bitter, disillusioned man.

"He became a hatter and worked in Danbury, Connecticut, for a time, in a department called the 'pouncing' department. In such a department, they shave off the rough fur of felt hats after they have been dyed. In a 'pouncing' room, although there are blowers to take up the fine fur, there is nevertheless a good deal of it flying about in the air. I am thus dwelling on this seemingly trivial point because it formed an important clue in my investigation.

"Several years ago, young Amos Brown was approached by a man who was alleged to have been a comrade of his grandfather in the Civil War. Amos Brown was persuaded that your Tontine group had treated his grandfather very badly. He was shown that by working with this old veteran he could not only revenge his grandfather's wrongs, but also obtain a false justice for himself.

"This kind benefactor, as an evidence of goodwill, bought Amos Brown a farm in Canada; he bought him a plane. He then convinced him that by helping kill off the Tontine group the two of them would share their huge fund.

"Preparations were carefully made. Amos Brown was a strong, active man. The veteran had access to files where the peculiarities of a great many criminals, in

and out of prison, were carefully recorded. It was recorded for example that one man had the habit of getting into places by using climbing irons. Another had a different method but he had a weakness for large quantities of food when he committed a robbery, his special weakness being for eggs. It was comparatively easy for a former police commissioner to get all this information you see, a police commissioner who kept in touch with his old department.

"But first of all the murders had to be so committed that they would look like suicide. The former man hunter knew enough to make them look like suicides to the casual examiner. But suppose a careful examination were made of a particular death, and it was discovered to be murder. Then what?

"Then you see, the peculiarities of a certain criminal would appear so prominently that the police would pick this man up and pin the crime on him. But suppose again this innocent criminal happened to have an unshakable alibi? That could be arranged for too. The alibi could be made to look 'fishy', as my friend Hale would put it.

"Former Police Commissioner McGuire knew that 'Chicago' Boyle, alias 'Lefty' Harris was in this neighborhood. 'Lefty' had been convicted of entering a house with rope, climbing irons, and so forth. So first of all, Miller was killed in a manner that would look to the casual examiner like suicide. When I pointed out that it was not suicide and further pointed out how the murderer entered, it was a foregone conclusion that Boyle would be picked up.

"Boyle had a story, but what policeman or jury would believe it? The stranger who met him in a speakeasy and drugged his drink took good care that he would not have a convincing one to tell.

"The one flaw in the reckoning of the murderer was that the rope, with which entry was made, was found. It showed me as definitely as though I had seen it, the farmyard where Amos Brown lived. The twine also showed me that it had been in a 'pouncing' room in a hat factory for a long time.

"Boyle's watch which had not been cleaned for a long time and which we placed was in his possession about three years ago did not show that it had ever been in a 'pouncing' room. And you can depend on it, that one could not keep a watch for a single day in such a room without the fur getting inside the case, to say nothing of keeping it there for months or years.

"In the Schurman case, in New York, there was the fortuitous incident of the apple. Amos Brown was not a trained criminal, you see. He did not think, when he bit into the apple that he was leaving what the police call a 'calling card'. It will be found on investigation that Amos Brown's teeth fit into the 'mouflage' of the apple.

"In addition to that, unfortunately for the murderer, 'Fingy' had a splendid alibi, an alibi that the killer could not foresee."

"The Flynn murder was easy. The man who made the telephone call need not have known what he was doing. But it is safe to say that it was Brown. Mr. McGuire would trust as few persons as possible in this. The call that killed Flynn might just as well have been made from Canada."

"But, Professor, you accused him of murdering Goldberg and Tonti," protested Judge Fletcher.

"Yes. Justice Higginbotham was going to make a spectacle of his mastery of a hobby. He had everything arranged. He was going to—"

"I had the wires disconnected, Professor, interrupted Judge Higginbotham."

"Connecting the wires would be just about a minute's work."

"But McGuire was down near the water. How could he throw a beam of light at that tube in the daylight."

"That's right, Judge. McGuire was facing the east. The sun was just right to reflect a powerful beam of sunlight into the door to the photo-electric cell with a piece of mirror. If you will look, Judge, you will find that door open.

"The act before that was the kidnapping of Matthews' nephew. Brown, inherently a decent chap, balked at that but he was too involved by then. When they could not make me go to New York, Brown was told to send us a tooth as evidence of what they were prepared to do to the little boy. Brown balked at that too. He obtained some older boy's tooth, probably from a dentist."

He was now speaking more slowly.

"Obviously an octogenarian could not commit these murders himself, but being a former police commissioner, he could easily hire someone to do it for him; he knew the ropes. He could not trust the ordinary killer; he would have placed himself in such a man's power.

"What better instrument than Amos Brown? Amos Brown could be made to believe that he was performing an act of justice by killing the men who had mistreated his grandfather. Such a man is much more dangerous than the professional killer. He was a flyer and a good one. He had a powerful, fast plane, small enough not to attract too much attention. He could kill Schurman in the evening and Miller, four hundred miles away early the following morning.

"Without Brown's knowledge 'Fingy' was watched. If he had not found it necessary to rob the delicatessen store, he might have met a stranger, as did Boyle, who would provide him with an alibi that no one would believe. The work of providing a bad alibi might have been done and probably was done by a person who knew nothing and had no interest in the members of the Tontine group. Such a man as McGuire could easily have arranged that.

"A police commissioner who was wiped out in the stock market crash; a man who was accustomed to the good things in life in a material sense. A man' who was forced to consort with criminals professionally. He was cleaned out in the crash, and never recovered.

"There is a record of a case similar to that of the Miller case. Schurman was killed in the way that Emmeline Reynolds was killed in 1898. In her case a bludgeon was used. In Schurman's case Brown probably used his fist. The similarity in particular originality displayed, the details were masterpieces of subtlety.

"We can picture what happened at Brown's farm this morning. Brown refused to go any further with the plan. We have an indication of Brown's character by the fact that he refused to extract a boy's tooth. Oh, no. It is not at all inconsistent. A man like Brown might commit murder to satisfy his false sense of justice, and yet be tenderhearted enough to refuse to inflict pain on a little boy.

"But the old police commissioner had gone too far. There were words. Brown would be of no further use to him. McGuire had the small mirror in his pocket. He calculated that he would find everyone on the pond. If I did not have a

complete case against him, what a perfect case the police commissioner would have had, assuming that he was caught coming from Brown's farm. He could have said that he had revenged the death of his comrades.

"He made two grave errors. The sun's rays which he used with such murderous effect were in his eyes facing the east. The porch being in semi-gloom, he thought perhaps that you were all there. His second error was in overestimating the strength with which the porch was fastened to the main building.

"The documentary proof of what I say is all there, gentlemen, every step of it. The living proof is present, to say nothing of the dead proof. Small things in themselves; powder marks; fresh putty; the absence of hat fur in a watch case; an apple which was too green, or too sour or too bitter. Small things but what an unbreakable chain."

Epilogue

The world was good to James Hale three days later. He stayed in bed until the sun was high in the sky. Nothing to do for nearly a week.

As he went to the bathroom his whistling and vocal efforts vied with the feathered songsters outside the window. As he passed through the living-room on his way to the dining room he picked up a letter addressed to him. The upper left hand corner of the letter told him that it was from the Eagle. He stuffed it carelessly into his pocket. It was probably from one or more members of the gang at the office asking him to smuggle in some Scotch when he came back. It could not be from Hite. Hite never wrote letters. He spoke to his men and women verbally, by telephone or by wire. He even did his firing that way.

He ate his breakfast alone. Matthews and Professor Brierly had gone off somewhere. Norah was in the kitchen singing. Tommy, in the costume with which he had been born, was outside fishing.

Jimmy pushed out the canoe onto the lake and sat there watching Tommy. Tommy never caught anything fishing, but that never disturbs a devotee of the Waltonian art. Tommy had his own methods for the sport. He fished without line, hook or bait. He used neither guile, nor any of the lures employed by fishermen. Tommy stood there in two feet of water staring intently at the denizens of the water darting back and forth. They could plainly be seen, the water was clear. When one of the finny tribe hesitated near the surface of the water Tommy

would grab—a fist full of water.

Jimmy tried his blandishments and charm on Tommy without success. Tommy had his own ideas about Jimmy.

Now Pop was a superior sort of person. Pop paid one the compliment of serious consideration. Also, Professor Brierly having taken a course in tricks of magic in his youth, Pop could do the most wonderful things with his hands and with things. He could and did explain everything. But Jimmy was another, but quite different friend.

Uncle Jack could also do fascinating things with his hands. Besides, Uncle Jack was quite the strongest and swiftest person in the world. Tommy like Jack, that was a little too much to expect.

Mummie had a place all her own. She was only a woman, of course, but she was the most beautiful woman in the world, one loved her a lot. She could and did make the most delicious things to eat, she tucked one in bed and other things.

Jimmy now, it was hard to classify Jimmy. In the first place he was so frivolous. He received one's most serious statements with a grin. And it was remarkable that Pop and Uncle Jack would often join Jimmy in discussing the most frivolous topics, topics that one could not understand. Maybe they were doing it to be polite. He had been told about that—about being polite and listening respectfully to strangers. Decidedly Jimmy did not make a hit with Tommy. He was tolerated, but that's all. Right now he was grinning at Tommy's serious efforts to catch fish.

Jimmy's attention wandered. This was swell. A perfect day, nothing to do for nearly a week. He would not even look at his portable during this time. His hand went to his pocket for cigarettes and encountered the letter. He lazily tore open the flap.

He sat up and glowed with pleasure. It was from the publisher of his paper. The publisher wrote of "loyalty to the newspaper ideal," "unstinting, unremitting effort." The letter spoke effusively about Jimmy's recent achievement on the murder story. The letter concluded with the statement that in view of the fact that that splendid story encroached on his vacation, his vacation would be extended with pay for one week.

Now that was something like it. That was appreciation for you. Hite would never

—Martha's voice broke in on his rumination. There was a telephone call. He lazily got out of his canoe.

The first voice was Ann's, the second Hite's.

"Say, Jimmy, I got an idea. You know there's bootlegging in Canada. Fact is where sale of liquor is permitted up to certain hours, there are birds who sell it after hours and are subject to fine and imprisonment mebbe. In view of the to do about prohibition and bootlegging in this country, it would be swell to have a feature story about bootlegging in Canada. Run up to Quebec and Montreal and stop at places between and give us a story will you. That Tontine story was a nice story, Jimmy, g'by."

Hite had talked fast in jerky sentences. All Jimmy had said was, "Hello." The wire was dead. Jimmy, with a stony face got out the map of Canada. It showed him what a trip to Quebec and Montreal with stops between would involve. He mumbled: "Quebec-Montreal-stops between-feature story-extend my vacation."

End of the Project Gutenberg EBook of Death Points a Finger, by Will Levinrew

*** END OF THIS PROJECT GUTENBERG EBOOK DEATH POINTS A
FINGER ***

***** This file should be named 30187-8.txt or 30187-8.zip ***** This and all
associated files of various formats will be found in:
<http://www.gutenberg.org/3/0/1/8/30187/>

Produced by Robert Cody

Updated editions will replace the previous one—the old editions will be
renamed.

Creating the works from public domain print editions means that no one owns a

United States copyright in these works, so the Foundation (and you!) can copy and distribute it in the United States without permission and without paying copyright royalties. Special rules, set forth in the General Terms of Use part of this license, apply to copying and distributing Project Gutenberg-tm electronic works to protect the PROJECT GUTENBERG-tm concept and trademark. Project Gutenberg is a registered trademark, and may not be used if you charge for the eBooks, unless you receive specific permission. If you do not charge anything for copies of this eBook, complying with the rules is very easy. You may use this eBook for nearly any purpose such as creation of derivative works, reports, performances and research. They may be modified and printed and given away—you may do practically ANYTHING with public domain eBooks. Redistribution is subject to the trademark license, especially commercial redistribution.

***** START: FULL LICENSE *****

THE FULL PROJECT GUTENBERG LICENSE PLEASE READ THIS BEFORE YOU DISTRIBUTE OR USE THIS WORK

To protect the Project Gutenberg-tm mission of promoting the free distribution of electronic works, by using or distributing this work (or any other work associated in any way with the phrase "Project Gutenberg"), you agree to comply with all the terms of the Full Project Gutenberg-tm License (available with this file or online at <http://gutenberg.net/license>).

Section 1. General Terms of Use and Redistributing Project Gutenberg-tm electronic works

1.A. By reading or using any part of this Project Gutenberg-tm electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg-tm electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg-tm electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you

paid the fee as set forth in paragraph 1.E.8.

1.B. "Project Gutenberg" is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg-tm electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg-tm electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg-tm electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation ("the Foundation" or PGLAF), owns a compilation copyright in the collection of Project Gutenberg-tm electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is in the public domain in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg-tm mission of promoting free access to electronic works by freely sharing Project Gutenberg-tm works in compliance with the terms of this agreement for keeping the Project Gutenberg-tm name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg-tm License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg-tm work. The Foundation makes no representations concerning the copyright status of any work in any country outside the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg-tm License must appear prominently whenever any

copy of a Project Gutenberg-tm work (any work on which the phrase "Project Gutenberg" appears, or with which the phrase "Project Gutenberg" is associated) is accessed, displayed, performed, viewed, copied or distributed:

This eBook is for the use of anyone anywhere at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.net

1.E.2. If an individual Project Gutenberg-tm electronic work is derived from the public domain (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase "Project Gutenberg" associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg-tm trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg-tm electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg-tm License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg-tm License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg-tm.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg-tm License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg-tm work in a format other than "Plain Vanilla ASCII" or other

format used in the official version posted on the official Project Gutenberg-tm web site (www.gutenberg.net), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original "Plain Vanilla ASCII" or other form. Any alternate format must include the full Project Gutenberg-tm License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg-tm works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg-tm electronic works provided that

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg-tm works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg-tm trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, "Information about donations to the Project Gutenberg Literary Archive Foundation."

- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg-tm License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg-tm works.

- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.

- You comply with all other terms of this agreement for free distribution of Project Gutenberg-tm works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg-tm electronic

work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from both the Project Gutenberg Literary Archive Foundation and Michael Hart, the owner of the Project Gutenberg-tm trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread public domain works in creating the Project Gutenberg-tm collection. Despite these efforts, Project Gutenberg-tm electronic works, and the medium on which they may be stored, may contain "Defects," such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the "Right of Replacement or Refund" described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg-tm trademark, and any other party distributing a Project Gutenberg-tm electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH F3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also

defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS' WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg-tm electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg-tm electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg-tm work, (b) alteration, modification, or additions or deletions to any Project Gutenberg-tm work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg-tm

Project Gutenberg-tm is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg-tm's goals and ensuring that the Project Gutenberg-tm collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created

to provide a secure and permanent future for Project Gutenberg-tm and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation web page at <http://www.pgla.org>.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Its 501(c)(3) letter is posted at <http://pgla.org/fundraising>. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's principal office is located at 4557 Melan Dr. S. Fairbanks, AK, 99712., but its volunteers and employees are scattered throughout numerous locations. Its business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887, email business@pgla.org. Email contact links and up to date contact information can be found at the Foundation's web site and official page at <http://pgla.org>

For additional contact information:

Dr. Gregory B. Newby
Chief Executive and Director
gbnewby@pglaf.org

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg-tm depends upon and cannot survive without wide spread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine readable form accessible by the widest array of equipment including outdated equipment. Many small donations (\$1 to \$5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit <http://pglaf.org>

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg Web pages for current donation methods and addresses. Donations are accepted in a number of other ways including including checks, online payments and credit card donations. To donate, please visit: <http://pglaf.org/donate>

Section 5. General Information About Project Gutenberg-tm electronic works.

Professor Michael S. Hart is the originator of the Project Gutenberg-tm concept of a library of electronic works that could be freely shared with anyone. For thirty years, he produced and distributed Project Gutenberg-tm eBooks with only a loose network of volunteer support.

Project Gutenberg-tm eBooks are often created from several printed editions, all of which are confirmed as Public Domain in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our Web site which has the main PG search facility:

<http://www.gutenberg.net>

This Web site includes information about Project Gutenberg-tm, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.