

Markham sat glowering into space.

"I don't at all like the Cleaver end of this affair," he said. "There's been something damned wrong about him ever since Monday."

"And I say," put in Vance, "doesn't the gentleman's false alibi take on a certain shady significance now, what? You apprehend, I trust, why I restrained you from questioning him about it at the club yesterday. I rather fancied that if you could get Mannix to pour out his heart to you, you'd be in a stronger position to draw a few admissions from Cleaver. And behold! Again the triumph of intuition! With what you now know about him, you can chivy him most unconscionably—eh, what?"

"And that's precisely what I'm going to do." Markham rang for Swacker. "Get hold of Charles Cleaver," he ordered irritably. "Phone him at the Stuyvesant Club and also his home—he lives round the corner from the club in West 27th Street. And tell him I want him to be here in half an hour, or I'll send a couple of detectives to bring him in handcuffs."

For five minutes Markham stood before the window, smoking agitatedly, while Vance, with a smile of amusement, busied himself with *The Wall Street Journal*. Heath got himself a drink of water, and took a turn up and down the room. Presently Swacker re-entered.

"Sorry, Chief, but there's nothing doing. Cleaver's gone into the country somewhere. Won't be back till late to-night."

"Hell! . . . All right—that'll do. Markham turned to Heath. "You have Cleaver rounded up to-night, Sergeant, and bring him in here to-morrow morning at nine."

"He'll be here, sir!" Heath paused in his pacing and faced Markham. "I've been thinking, sir; and there's one thing that keeps coming up in my mind, so to speak. You remember that black document-box that was laying on the living-room table? It was empty; and what a

woman generally keeps in that kind of a box is letters and things like that. Well, now, here's what's been bothering me: that box wasn't jimmied open—it was unlocked with a key. And, anyway, a professional crook don't take letters and documents. . . . You see what I mean, sir?"

"Sergeant of mine!" exclaimed Vance. "I abase myself before you! I sit at your feet! . . . The document-box—the tidily opened, empty document-box! Of course! Skeel didn't open it—never in this world! That was the other chap's handiwork."

"What was in your mind about that box, Sergeant?" asked Markham.

"Just this, sir. As Mr. Vance has insisted right along, there might've been someone besides Skeel in that apartment during the night. And you told me that Cleaver admitted to you he'd paid Odell a lot of money last June to get back his letters. But suppose he never paid that money; suppose he went there Monday night and took those letters. Wouldn't he have told you just the story he did about buying 'em back? Maybe that's how Mannix happened to see him there."

"That's not unreasonable," Markham acknowledged. "But where does it lead us?"

"Well, sir, if Cleaver did take 'em Monday night, he might've held on to 'em. And if any of those letters were dated later than last June, when he says he bought 'em back, then we'd have the goods on him."

"Well?"

"As I say, sir, I've been thinking. . . . Now, Cleaver is out of town to-day; and if we could get hold of those letters. . . ."

"It might prove helpful, of course," said Markham coolly, looking the Sergeant straight in the eye. "But such a thing is quite out of the question."

"Still and all," mumbled Heath, "Cleaver's been pulling a lot of raw stuff on you, sir."

Chapter XXI

A CONTRADICTION IN DATES

(Saturday, September 15th; 9 a.m.)

THE next morning Markham and Vance and I breakfasted together at the Prince George, and arrived at the District Attorney's office a few minutes past nine. Heath, with Cleaver in tow, was waiting in the reception-room.

To judge by Cleaver's manner as he entered, the Sergeant had been none too considerate of him. He strode belligerently to the District Attorney's desk and fixed a cold, resentful eye on Markham.

"Am I, by any chance, under arrest?" he demanded softly, but it was the rasping, suppressed softness of wrathful indignation.

"Not yet," said Markham curtly. "But if you were, you'd only have yourself to blame.—Sit down."

Cleaver hesitated, and took the nearest chair.

"Why was I routed out of bed at seven-thirty by this detective of yours"—he jerked his thumb toward Heath—"and threatened with patrol-wagons and warrants because I objected to such high-handed and illegal methods?"

"You were merely threatened with legal procedure if you refused to accept my invitation voluntarily. This is my short day at the office; and there was some explaining I wanted from you without delay."

"I'm damned if I'll explain anything to you under these conditions!" For all his nerveless poise, Cleaver was finding it difficult to control himself. "I'm no pickpocket that you

can drag in here when it suits your convenience and put through a third degree."

"That's eminently satisfactory to me." Markham spoke ominously. "But since you refuse to do your explaining as a free citizen, I have no other course than to alter your present status." He turned to Heath. "Sergeant, go across the hall and have Ben swear out a warrant for Charles Cleaver. Then lock this gentleman up."

Cleaver gave a start, and caught his breath sibilantly.

"On what charge?" he demanded.

"The murder of Margaret Odell."

The man sprang to his feet. The colour had gone from his face, and the muscles of his jowls worked spasmodically.

"Wait! You're giving me a raw deal. And you'll lose out, too. You couldn't make that charge stick in a thousand years."

"Maybe not. But if you don't want to talk here, I'll make you talk in court."

"I'll talk here." Cleaver sat down again. "What do you want to know?"

Markham took out a cigar and lit it with deliberation.

"First: why did you tell me you were in Boonton Monday night?"

Cleaver apparently had expected the question.

"When I read of the Canary's death I wanted an alibi; and my brother had just given me the summons he'd been handed in Boonton. It was a ready-made alibi right in my hand. So I used it."

"Why did you need an alibi?"

"I didn't need it; but I thought it might save me trouble. People knew I'd been running round with the Odell girl; and some of them knew she'd been blackmailing me—I'd told 'em, like a damn fool. I told Mannix, for instance. We'd both been stung."

"Is that your only reason for concocting this alibi?" Markham was watching him sharply.

"Wasn't it reason enough? Blackmail would have constituted a motive, wouldn't it?"

"It takes more than a motive to arouse unpleasant suspicion."

"Maybe so. Only I didn't want to be drawn into it.—You can't blame me for trying to keep clear of it."

Markham leaned over with a threatening smile.

"The fact that Miss Odell had blackmailed you wasn't your only reason for lying about the summons. It wasn't even your main reason."

Cleaver's eyes narrowed, but otherwise he was like a graven image.

"You evidently know more about it than I do." He managed to make his words sound casual.

"Not more, Mr. Cleaver," Markham corrected him, "but nearly as much.—Where were you between eleven o'clock and midnight Monday?"

"Perhaps that's one of the things you know."

"You're right.—You were in Miss Odell's apartment."

Cleaver sneered, but he did not succeed in disguising the shock that Markham's accusation caused him.

"If that's what you think, then it happens you don't know, after all. I haven't put foot in her apartment for two weeks."

"I have the testimony of reliable witnesses to the contrary."

"Witnesses!" The word seemed to force itself from Cleaver's compressed lips.

Markham nodded. "You were seen coming out of Miss Odell's apartment and leaving the house by the side door at five minutes to twelve on Monday night."

Cleaver's jaw sagged slightly, and his laboured breathing was quite audible.

"And between half-past eleven and twelve o'clock," pursued Markham's relentless voice, Miss "Odell was strangled and robbed.—What do you say to that?"

For a long time there was tense silence. Then Cleaver spoke.

"I've got to think this thing out."

Markham waited patiently. After several minutes Cleaver drew himself together and squared his shoulders.

"I'm going to tell you what I did that night, and you can take it or leave it." Again he was the cold, self-contained gambler. "I don't care how many witnesses you've got; it's the only story you'll ever get out of me. I should have told you in the first place, but I didn't see any sense of stepping into hot water if I wasn't pushed in. You might have believed me last Tuesday, but now you've got something in your head, and you want to make an arrest to shut up the newspapers——"

"Tell your story," ordered Markham. "If it's straight, you needn't worry about the newspapers."

Cleaver knew in his heart this was true. No one—not even his bitterest political enemies—had ever accused Markham of buying *kudos* with any act of injustice, however small.

"There's not much to tell, as a matter of fact," the man began. "I went to Miss Odell's house a little before midnight, but I didn't enter her apartment; I didn't even ring her bell."

"Is that your customary way of paying visits?"

"Sounds fishy, doesn't it? But it's the truth, nevertheless. I intended to see her—that is, I wanted to—but when I reached her door, something made me change my mind——"

"Just a moment.—How did you enter the house?"

"By the side door—the one off the alleyway. I always used it when it was open. Miss Odell requested me to, so that the telephone operator wouldn't see me coming in so often."

"And the door was unlocked at that time Monday night?"

"How else could I have got in by it? A key wouldn't have done me any good, even if I'd had one, for the door locks by a bolt on the inside. I'll say this, though: that's the first time I ever remember finding the door unlocked at night."

"All right. You went in the side entrance. Then what?"

"I walked down the rear hall and listened at the door of Miss Odell's apartment for a minute. I thought there might be someone else with her, and I didn't want to ring unless she was alone. . . ."

"Pardon my interrupting, Mr. Cleaver," interposed Vance. "But what made you think someone else was there?"

The man hesitated.

"Was it," prompted Vance, "because you had telephoned to Miss Odell a little while before, and had been answered by a man's voice?"

Cleaver nodded slowly. "I can't see any particular point in denying it. . . . Yes, that's the reason."

"What did this man say to you?"

"Damn little. He said 'Hello,' and when I asked to speak to Miss Odell, he informed me she wasn't in, and hung up."

Vance addressed himself to Markham.

"That, I think, explains Jessup's report of the brief phone call to the Odell apartment at twenty minutes to twelve."

"Probably." Markham spoke without interest. He was intent on Cleaver's account of what happened later, and he took up the interrogation at the point where Vance had interrupted.

"You say you listened at the apartment door. What caused you to refrain from ringing?"

"I heard a man's voice inside."

Markham straightened up.

"A man's voice? You're sure?"

"That's what I said." Cleaver was matter of fact about it. "A man's voice. Otherwise I'd have rung the bell."

"Could you identify the voice?"

"Hardly. It was very indistinct; and it sounded a little hoarse. It wasn't anyone's voice I was familiar with; but I'd be inclined to say it was the same one that answered me over the 'phone."

"Could you make out anything that was said?"

Cleaver frowned and looked past Markham through the open window.

"I know what the words sounded like," he said slowly.

"I didn't think anything of them at the time. But after reading the papers the next day, those words came back to me——"

"What were the words?" Markham cut in impatiently.

"Well, as near as I could make out, they were: 'Oh, my God! Oh, my God!'—repeated two or three times."

This statement seemed to bring a sense of horror into the dreary old office—a horror all the more potent because of the casual, phlegmatic way in which Cleaver repeated that cry of anguish. After a brief pause Markham asked:

"When you heard this man's voice, what did you do?"

"I walked softly back down the rear hall and went out again through the side door. Then I went home."

A short silence ensued. Cleaver's testimony had been in the nature of a surprise; but it fitted perfectly with Mannix's statement.

Presently Vance lifted himself out of the depths of his chair.

"I say, Mr. Cleaver, what were you doing between twenty minutes to twelve—when you phoned Miss Odell—and five minutes to twelve—when you entered the side door of her apartment-house?"

"I was riding up-town in the subway from 23rd Street," came the answer after a short pause.

"Strange—very strange." Vance inspected the tip of

his cigarette. "Then you couldn't possibly have phoned to anyone during that fifteen minutes—eh, what?"

I suddenly remembered Alys La Fosse's statement that Cleaver had telephoned to her on Monday night at ten minutes to twelve. Vance, by his question, had, without revealing his own knowledge, created a state of uncertainty in the other's mind. Afraid to commit himself too emphatically, Cleaver resorted to an evasion.

"It's possible, is it not, that I could have phoned someone after leaving the subway at 72nd Street and before I walked the block to Miss Odell's house?"

"Oh, quite," murmured Vance. "Still, looking at it mathematically, if you 'phoned Miss Odell at twenty minutes to twelve, and then entered the subway, rode to 72nd Street, walked a block to 71st, went into the building, listened at her door, and departed at five minutes to twelve—making the total time consumed only fifteen minutes—you'd scarcely have sufficient leeway to stop en route and phone to anyone. However, I shan't press the point. But I'd really like to know what you did between eleven o'clock and twenty minutes to twelve, when you phoned to Miss Odell"

Cleaver studied Vance intently for a moment.

"To tell you the truth, I was upset that night. I knew Miss Odell was out with another man—she'd broken an appointment with me—and I walked the streets for an hour or more, fuming and fretting."

"Walked the streets?" Vance frowned.

"That's what I said." Cleaver spoke with animus. Then, turning, he gave Markham a long calculating look. "You remember I once suggested to you that you might learn something from a Doctor Lindquist. . . . Did you ever get after him?"

Before Markham could answer, Vance broke in.

"Ah! That's it—Doctor Lindquist! Well, well—of course! . . . So, Mr. Cleaver, you were walking the streets?"

The *streets*, mind you! Precisely!—You state the fact, and I echo the word ‘streets.’ And you—apparently out of a clear sky—ask about Doctor Lindquist. Why Doctor Lindquist? No one has mentioned him. But that word ‘streets’—that’s the connection. The streets and Doctor Lindquist are one—same as Paris and springtime are one. Neat, very neat. . . . And now I’ve got another piece to the puzzle.”

Markham and Heath looked at him as if he had suddenly gone mad. He calmly selected a *Régie* from his case and proceeded to light it. Then he smiled beguilingly at Cleaver.

“The time has come, my dear sir, for you to tell us when and where you met Doctor Lindquist while roaming the streets Monday night. If you don’t, ’pon my word, I’ll come pretty close to doing it for you.”

A full minute passed before Cleaver spoke; and during that time his cold staring eyes never moved from the District Attorney’s face.

“I’ve already told most of the story; so here’s the rest.” He gave a soft mirthless laugh. “I went to Miss Odell’s house a little before half-past eleven—thought she might be at home at that time. There I ran into Doctor Lindquist standing in the entrance to the alleyway. He spoke to me, and told me someone was with Miss Odell in her apartment. Then I walked round the corner to the Ansonia Hotel. After ten minutes or so I telephoned Miss Odell, and, as I said, a man answered. I waited another ten minutes and phoned a friend of Miss Odell’s, hoping to arrange a party; but failing, I walked back to the house. The doctor had disappeared, and I went down the alleyway and in the side door. After listening a minute, as I told you, and hearing a man’s voice, I came away and went home. . . . That’s everything.”

At that moment Swacker came in and whispered something to Heath. The Sergeant rose with alacrity and followed the secretary out of the room. Almost at once he returned, bearing a bulging Manila folder. Handing it to

Markham, he said something in a low voice inaudible to the rest of us. Markham appeared both astonished and displeased. Waving the Sergeant back to his seat, he turned to Cleaver.

"I'll have to ask you to wait in the reception-room for a few minutes. Another urgent matter has just arisen."

Cleaver went out without a word, and Markham opened the folder.

"I don't like this sort of thing, Sergeant. I told you so yesterday when you suggested it."

"I understand, sir." Heath, I felt, was not as contrite as his tone indicated. "But if those letters and things are all right, and Cleaver hasn't been lying to us about 'em, I'll have my man put 'em back so's no one'll ever know they were taken. And if they do make Cleaver out a liar, then we've got a good excuse for grabbing 'em."

Markham did not argue the point. With a gesture of distaste he began running through the letters, looking particularly at the dates. Two photographs he put back after a cursory glance; and one piece of paper, which appeared to contain a pen-and-ink sketch of some kind, he tore up with disgust and threw into the waste-basket. Three letters, I noticed, he placed to one side. After five minutes' inspection of the others, he returned them to the folder. Then he nodded to Heath.

"Bring Cleaver back." He rose and, turning, gazed out of the window.

As soon as Cleaver was again seated before the desk Markham said, without looking round:

"You told me it was last June that you bought your letters back from Miss Odell. Do you recall the date?"

"Not exactly," said Cleaver easily. "It was early in the month, though—during the first week, I think."

Markham now spun about and pointed to the three letters he had segregated.

"How, then, do you happen to have in your possession

compromising letters which you wrote to Miss Odell from the Adirondacks late in July?"

Cleaver's self-control was perfect. After a moment's stoical silence, he merely said in a mild, quiet voice:

"You of course came by those letters legally?"

Markham was stung, but he was also exasperated by the other's persistent deceptions.

"I regret to confess," he said, "that they were taken from your apartment—though, I assure you, it was against my instructions. But since they have come unexpectedly into my possession, the wisest thing you can do is to explain them. There was an empty document-box in Miss Odell's apartment the morning her body was found, and, from all appearances, it had been opened Monday night."

"I see." Cleaver laughed harshly. "Very well. The fact is—though I frankly don't expect you to believe me—I didn't pay my blackmail to Miss Odell until the middle of August, about three weeks ago. That's when all my letters were returned. I told you it was June in order to set back the date as far as possible. The older the affair was, I figured, the less likelihood there'd be of your suspecting me."

Markham stood fingering the letters undecidedly. It was Vance who put an end to his irresolution.

"I rather think, don't y' know," he said, "that you'd be safe in accepting Mr. Cleaver's explanation and returning his *billets-doux*."

Markham, after a momentary hesitation, picked up the Manila folder and, replacing the three letters, handed it to Cleaver.

"I wish you to understand that I did not sanction the appropriating of this correspondence. You'd better take it home and destroy it.—I won't detain you any longer now. But please arrange to remain where I can reach you if necessary."

"I'm not going to run away," said Cleaver; and Heath directed him to the elevator.

Chapter XXII

A TELEPHONE CALL

(Saturday, September 15th ; 10 a.m.)

HEATH returned to the office, shaking his head hopelessly. "There must've been a regular wake at Odell's Monday night."

"Quite," agreed Vance. "A midnight conclave of the lady's admirers. Mannix was there, unquestionably; and he saw Cleaver; and Cleaver saw Lindquist; and Lindquist saw Spotswoode——"

"Humph! But nobody saw Skeel."

"The trouble is," said Markham, "we don't know how much of Cleaver's story is true.—And, by the way, Vance, do you believe he really bought his letters back in August?"

"If only we knew! Dashed confusin', ain't it?"

"Anyway," argued Heath, "Cleaver's statement about phoning Odell at twenty minutes to twelve, and a man answering, is verified by Jessup's testimony. And I guess Cleaver saw Lindquist all right that night, for it was him who first tipped us off about the doc. He took a chance doing it, because the doc was liable to tell us he saw Cleaver."

"But if Cleaver had an allurin' alibi," said Vance, "he could simply have said the doctor was lying. However, whether you accept Cleaver's absorbin' legend or not, you can take my word for it there was a visitor, other than Skeel, in the Odell apartment that night."

"That's all right, too," conceded Heath reluctantly.

"But, even so, this other fellow is only valuable to us as a possible source of evidence against Skeel."

"That may be true, Sergeant." Markham frowned perplexedly. "Only, I'd like to know how that side door was unbolted and then rebolted on the inside. We know now that it was open around midnight, and that Mannix and Cleaver both used it."

"You worry so over trifles," said Vance negligently. "The door problem will solve itself once we discover who was keeping company with Skeel in the Canary's gilded cage."

"I should say it boils down to Mannix, Cleaver, and Lindquist. They were the only three at all likely to be present; and if we accept Cleaver's story in its essentials, each of them had an opportunity of getting into the apartment between half-past eleven and midnight."

"True. But you have only Cleaver's word that Lindquist was in the neighbourhood. And that evidence, uncorroborated, can't be accepted as the lily-white truth."

Heath stirred suddenly and looked at the clock.

"Say, what about that nurse you wanted at eleven o'clock?"

"I've been worrying horribly about her for an hour." Vance appeared actually troubled. "Really, y' know, I haven't the slightest desire to meet the lady. I'm hoping for a revelation, don't y' know. Let's wait for the doctor until half-past ten, Sergeant."

He had scarcely finished speaking when Swacker informed Markham that Doctor Lindquist had arrived on a mission of great urgency. It was an amusing situation. Markham laughed outright, while Heath stared at Vance with uncomprehending astonishment.

"It's not necromancy, Sergeant," smiled Vance. "The doctor realised yesterday that we were about to catch him in a falsehood; so he decided to forestall us by explaining personally. Simple, what?"

"Sure." Heath's look of wonderment disappeared.

As Doctor Lindquist entered the room I noted that his habitual urbanity had deserted him. His air was at once apologetic and apprehensive. That he was labouring under some great strain was evident.

"I've come, sir," he announced, taking the chair Markham indicated, "to tell you the truth about Monday night."

"The truth is always welcome, doctor," said Markham encouragingly.

Doctor Lindquist bowed agreement.

"I deeply regret that I did not follow that course at our first interview. But at that time I had not weighed the matter sufficiently; and, having once committed myself to a false statement, I felt I had no option but to abide by it. However, after more mature consideration, I have come to the conclusion that frankness is the wiser course.—The fact is, sir, I was not with Mrs. Breedon Monday night between the hours I mentioned. I remained at home until about half-past ten. Then I went to Miss Odell's house, arriving a little before eleven. I stood outside in the street until half-past eleven; then I returned home."

"Such a bare statement needs considerable amplification."

"I realise it, sir; and I am prepared to amplify it." Doctor Lindquist hesitated, and a strained look came into his white face. His hands were tightly clinched. "I had learned that Miss Odell was going to dinner and the theatre with a man named Spotswoode; and the thought of it began to prey on my mind. It was Spotswoode to whom I owed the alienation of Miss Odell's affections; and it was his interference that had driven me to my threat against the young woman. As I sat at home that night, letting my mind dwell morbidly on the situation, I was seized by the impulse to carry out that threat. Why not, I asked myself, end the intolerable situation at once? And why not include Spotswoode in the *débâcle*? . . ."

As he talked he became more and more agitated. The nerves about his eyes had begun to twitch, and his shoulders jerked like those of a man attempting vainly to control a chill.

“Remember, sir, I was suffering agonies, and my hatred of Spotswoode seemed to cloud my reason. Scarcely realising what I was doing, and yet operating under an irresistible determination, I put my automatic in my pocket and hurried out of the house. I thought Miss Odell and Spotswoode would be returning from the theatre soon, and I intended to force my way into the apartment and perform the act I had planned. . . . From across the street I saw them enter the house—it was about eleven then—but, when I came face to face with the actuality, I hesitated. I delayed my revenge; I—I played with the idea, getting a kind of insane satisfaction out of it—knowing they were now at my mercy. . . .”

His hands were shaking as with a coarse tremor; and the twitching about his eyes had increased.

“For half-an-hour I waited, gloating. Then, as I was about to go in and have it over with them, a man named Cleaver came along and saw me. He stopped and spoke. I thought he might be going to call on Miss Odell, so I told him she already had a visitor. He then went on toward the Broadway, and while I was waiting for him to turn the corner, Spotswoode came out of the house and jumped into a taxicab that had just driven up. . . . My plan had been thwarted—I had waited too long. Suddenly I seemed to awake as from some terrible nightmare. I was almost in a state of collapse, but I managed to get home. . . . That’s what happened—so help me God!”

He sank back weakly in his chair. The suppressed nervous excitement that had fired him while he spoke had died out, and he appeared listless and indifferent. He sat several minutes breathing stertorously, and twice he passed his hand vaguely across his forehead. He was in no condi-

tion to be questioned, and finally Markham sent for Tracy and gave orders that he was to be taken to his home.

"Temporary exhaustion from hysteria," commented Vance indifferently. "All these paranoia lads are hyper-neurasthenic. He'll be in a psychopathic ward in another year."

"That's as may be, Mr. Vance," said Heath, with an impatience that repudiated all enthusiasm for the subject of abnormal psychology. "What interests me just now is the way all these fellows' stories hang together."

"Yes," nodded Markham. "There is undeniably a groundwork of truth in their statements."

"But please observe," Vance pointed out, "that their stories do not eliminate any one of them as a possible culprit. Their tales, as you say, synchronise perfectly; and yet, despite all that neat co-ordination, any one of the three could have got into the Odell apartment that night. For instance: Mannix could have entered from Apartment 2 before Cleaver came along and listened; and he could have seen Cleaver going away when he himself was leaving the Odell apartment.—Cleaver could have spoken to the doctor at half-past eleven, walked to the Ansonia, returned a little before twelve, gone into the lady's apartment, and come out just as Mannix opened Miss Frisbee's door.—Again, the excitable doctor may have gone in after Spotswoode came out at half-past eleven, stayed twenty minutes or so, and departed before Cleaver returned from the Ansonia. . . . No; the fact that their stories dovetail doesn't in the least tend to exculpate any one of them."

"And," supplemented Markham, "that cry of 'Oh, my God!' might have been made by either Mannix or Lindquist—provided Cleaver really heard it."

"He heard it unquestionably," said Vance. "Someone in the apartment was invoking the Deity around midnight."

Cleaver hasn't sufficient sense of the dramatic to fabricate such a thrillin' *bonne-bouche*."

"But if Cleaver actually heard that voice," protested Markham, "then he is automatically eliminated as a suspect."

"Not at all, old dear. He may have heard it after he had come out of the apartment, and realised then, for the first time, that someone had been hidden in the place during his visit."

"Your man in the clothes-closet, I presume you mean."

"Yes—of course. . . . You know, Markham, it might have been the horrified Skeel, emerging from his hiding-place upon a scene of tragic wreckage, who let out that evangelical invocation."

"Except," commented Markham, with sarcasm, "Skeel doesn't impress me as particularly religious."

"Oh, that?" Vance shrugged. "A point in substantiation. Irreligious persons call on God much more than Christians. The only true and consistent theologians, don't y' know, are the atheists."

Heath, who had been sitting in gloomy meditation, took his cigar from his mouth and heaved a heavy sigh.

"Yes," he rumbled, "I'm willing to admit somebody besides Skeel got into Odell's apartment, and that the Dude hid in the clothes-closet. But, if that's so, then this other fellow didn't see Skeel; and it's not going to do us a whole lot of good even if we identify him."

"Don't fret on that point, Sergeant," Vance counselled him cheerfully. "When you've identified this other mysterious visitor you'll be positively amazed how black care will desert you. You'll rubricate the hour you find him. You'll leap gladsomely in the air. You'll sing a roundelay."

"The hell I will!" said Heath.

Swacker came in with a typewritten memorandum, and put it on the District Attorney's desk.

"The architect just phoned in this report."

Markham glanced it over; it was very brief.

"No help here," he said. "Walls solid. No waste space. No hidden entrances."

"Too bad, Sergeant," sighed Vance. "You'll have to drop the cinema idea. . . . Sad."

Heath grunted and looked disconsolate.

"Even without no other way of getting in or out except that side door," he said to Markham, "couldn't we get an indictment against Skeel, now that we know that the door was unlocked Monday night?"

"We might, Sergeant. But our chief snag would be to show how it was originally unlocked and then rebolted after Skeel left. And Abe Rubin would concentrate on that point.—No, we'd better wait awhile and see what develops."

Something "developed" at once. Swacker entered and informed the Sergeant that Snitkin wanted to see him immediately.

Snitkin came in, visibly agitated, accompanied by a wizened, shabbily dressed little man of about sixty, who appeared awed and terrified. In the detective's hand was a small parcel wrapped in newspaper, which he laid on the District Attorney's desk with an air of triumph.

"The Canary's jewellery," he announced. "I've checked it up from the list the maid gave me, and it's all there."

Heath sprang forward, but Markham was already untying the package with nervous fingers. When the paper had been opened, there lay before us a small heap of dazzling trinkets—several rings of exquisite workmanship, three magnificent bracelets, a sparkling sunburst, and a delicately wrought lorgnette. The stones were all large and of unconventional cut.

Markham looked up from them inquisitively, and Snitkin, not waiting for the inevitable question, explained.

"This man Potts found 'em. He's a street-cleaner, and

he says they were in one of the D. S. C. cans at 23rd Street near the Flatiron Building. He found 'em yesterday afternoon, so he says, and took 'em home. Then he got scared and brought 'em to Police Headquarters this morning."

Mr. Potts, the "white-wing," was trembling visibly.

"Thass right, sir—thass right," he assured Markham, with frightened eagerness. "I allus look into any bundles I find. I didn't mean no harm takin' 'em home, sir. I wasn't gonna keep 'em. I laid awake worryin' all night, an' this mornin', as soon as I got a chance, I took 'em to the p'lice." He shook so violently, I was afraid he was going to break down completely.

"That's all right, Potts," Markham told him in a kindly voice. Then to Snitkin: "Let the man go—only get his full name and address."

Vance had been studying the newspaper in which the jewels had been wrapped.

"I say, my man," he asked, "is this the original paper you found them in?"

"Yes, sir—the same. I ain't touched nothin'."

"Right-o."

Mr. Potts, greatly relieved, shambled out, followed by Snitkin.

"The Flatiron Building is directly across Madison Square from the Stuyvesant Club," observed Markham, frowning.

"So it is." Vance then pointed to the left-hand margin of the newspaper that held the jewels. "And you'll notice that this *Herald* of yesterday has three punctures evidently made by the pins of a wooden holder such as is generally used in a club's reading-room."

"You got a good eye, Mr. Vance," nodded Heath inspecting the newspaper.

"I'll see about this." Markham viciously pressed a button. "They keep their papers on file for a week at the Stuyvesant Club."

When Swacker appeared, he asked that the club's steward be got immediately on the telephone. After a short delay, the connection was made. At the end of five minutes' conversation Markham hung up the receiver and gave Heath a baffled look.

"The club takes two *Heralds*. Both of yesterday's copies are there, on the rack."

"Didn't Cleaver once tell us he read nothing but *The Herald*—that and some racing-sheet at night?" Vance put the question off-handedly.

"I believe he did." Markham considered the suggestion. "Still, both the club *Heralds* are accounted for." He turned to Heath. "When you were checking up on Mannix, did you find out what clubs he belonged to?"

"Sure." The Sergeant took out his note-book and ruffled the pages for a minute or two. "He's a member of the Furriers' and the Cosmopolis."

Markham pushed the telephone toward him.

"See what you can find out."

Heath was fifteen minutes at the task.

"A blank," he announced finally. "The Furriers' don't use holders, and the Cosmopolis don't keep any back numbers."

"What about Mr. Skeel's clubs, Sergeant?" asked Vance, smiling.

"Oh, I know the finding of that jewellery gums up my theory about Skeel," said Heath, with surly ill nature. "But what's the good of rubbing it in? Still, if you think I'm going to give that bird a clean bill of health just because the Odell swag was found in a trash-can, you're mighty mistaken. Don't forget we're watching the Dude pretty close. He may have got leery, and tipped off some pal he'd caught the jewels with."

"I rather fancy the experienced Skeel would have turned his booty over to a professional receiver. But even had he

passed it on to a friend, would this friend have been likely to throw it away because Skeel was worried ? ”

“ Maybe not. But there’s some explanation for those jewels being found, and when we get hold of it, it won’t eliminate Skeel.”

“ No ; the explanation won’t eliminate Skeel,” said Vance ; “ but—my word!—how it’ll change his *locus standi*.”

Heath contemplated him with shrewdly appraising eyes. Something in Vance’s tone had apparently piqued his curiosity and set him to wondering. Vance had too often been right in his diagnoses of persons and things for the Sergeant to ignore his opinions wholly.

But before he could answer, Swacker stepped alertly into the room, his eyes animated.

“ Tony Skeel’s on the wire, Chief, and wants to speak to you.”

Markham, despite his habitual reserve, gave a start.

“ Here, Sergeant,” he said quickly. “ Take that extension phone on the table and listen in.” He nodded curtly to Swacker, who disappeared to make the connection. Then he took up the receiver of his own telephone and spoke to Skeel.

For a minute or so he listened. Then, after a brief argument, he concurred with some suggestion that had evidently been made ; and the conversation ended.

“ Skeel craves an audience, I gather,” said Vance. “ I’ve rather been expecting it, y’ know.”

“ Yes. He’s coming here to-morrow at ten.”

“ And he hinted that he knew who slew the Canary—eh, what ? ”

“ That’s just what he did say. He promised to tell me the whole story to-morrow morning.”

“ He’s the lad that’s in a position to do it,” murmured Vance.

“ But, Mr. Markham,” said Heath, who still sat with

his hand on the telephone, gazing at the instrument with dazed incredulity, "I don't see why you don't have him brought here to-day."

"As you heard, Sergeant, Skeel insisted on to-morrow, and threatened to say nothing if I forced the issue. It's just as well not to antagonise him. We might spoil a good chance of getting some light on this case if I ordered him brought here and used pressure. And to-morrow suits me. It'll be quiet around here then. Moreover, your man's watching Skeel, and he won't get away."

"I guess you're right, sir. The Dude's touchy, and he can give a swell imitation of an oyster when he feels like it." The Sergeant spoke with feeling.

"I'll have Swacker here to-morrow to take down his statement," Markham went on; "and you'd better put one of your men on the elevator,—the regular operator is off Sundays. Also, plant a man in the hall outside, and put another one in Swacker's office."

Vance stretched himself luxuriously and rose.

"Most considerate of the gentleman to call up at this time, don't y' know. I had a longing to see the Monets at Durand-Ruel's this afternoon, and I was afraid I wasn't going to be able to drag myself away from this fascinatin' case. Now that the apocalypse has been definitely scheduled for to-morrow, I'll indulge my taste for Impressionism.

. . . *A demain*, Markham. By-bye, Sergeant."

Chapter XXIII

THE TEN O'CLOCK APPOINTMENT

(Sunday, September 16th; 10 a.m.)

A FINE drizzle was falling the next morning when we rose; and a chill—the first forerunner of winter—was in the air. We had breakfast in the library at half-past eight, and at nine o'clock Vance's car—which had been ordered the night before—called for us. We rode down Fifth Avenue, now almost deserted in its thick blanket of yellow fog, and called for Markham at his apartment in West 12th Street. He was waiting for us in front of the house, and stepped quickly into the car with scarcely a word of greeting. From his anxious, preoccupied look I knew that he was depending a good deal on what Skeel had to tell him.

We had turned into West Broadway beneath the Elevated tracks before any of us spoke. Then Markham voiced a doubt which was plainly an articulation of his troubled ruminations.

"I'm wondering if, after all, this fellow Skeel can have any important information to give us. His phone call was very strange. Yet he spoke confidently enough regarding his knowledge. No dramatics, no request for immunity—just a plain, assured statement that he knew who murdered the Odell girl, and had decided to come clean."

"It's certain he himself did not strangle the lady," pronounced Vance. "My theory, as you know, is that he was hiding in the clothes-press when the shady business was being enacted; and all along I've clung lovingly to the idea that he was *au secret* to the entire proceedings. The keyhole of that closet door is on a direct line with the

end of the davenport where the lady was strangled; and if a rival was operating at the time of his concealment, it's not unreasonable to assume that he peered forth—eh, what? I questioned him on this point, you remember; and he didn't like it a bit."

"But, in that case——"

"Oh, I know. There are all kinds of erudite objections to my wild dream.—Why didn't he give the alarm? Why didn't he tell us about it before? Why this? and why that? . . . I make no claim to omniscience, y' know; I don't even pretend to have a logical explanation for the various *traits d'union* of my vagary. My theory is only sketched in, as it were. But I'm convinced, nevertheless, that the modish Tony knows who killed his *bona roba* and looted her apartment."

"But of the three persons who possibly could have got into the Odell apartment that night—namely, Mannix, Cleaver and Lindquist—Skeel evidently knows only one—Mannix."

"Yes—to be sure. And Mannix, it would seem, is the only one of the trio who knows Skeel. . . . An interestin' point."

Heath met us at the Franklin Street entrance to the Criminal Courts Building. He, too, was anxious and subdued, and he shook hands with us in a detached manner devoid of his usual heartiness.

"I've got Snitkin running the elevator," he said, after the briefest of salutations. "Burke's in the hall upstairs, and Emery is with him, waiting to be let into Swacker's office."

We entered the deserted and almost silent building and rode up to the fourth floor. Markham unlocked his office door and we passed in.

"Guilfoyle, the man who's tailing Skeel," Heath explained, when we were seated, "is to report by phone to the Homicide Bureau as soon as the Dude leaves his rooms."

It was now twenty minutes to ten. Five minutes later Swacker arrived. Taking his stenographic note-book, he stationed himself just inside of the swinging door of Mark-

ham's private sanctum, where he could hear all that was said without being seen. Markham lit a cigar, and Heath followed suit. Vance was already smoking placidly. He was the calmest person in the room, and lay back languorously in one of the great leather chairs as though immune to all cares and vicissitudes. But I could tell by the over-deliberate way he flicked his ashes into the receiver that he, too, was uneasy.

Five or six minutes passed in complete silence. Then the Sergeant gave a grunt of annoyance.

"No, sir," he said, as if completing some unspoken thought, "I can't get a slant on this business. The finding of that jewellery, now, all nicely wrapped up . . . and then the Dude offering to squeal. . . . There's no sense to it."

"It's tryin', I know, Sergeant; but it's not altogether senseless." Vance was gazing lazily at the ceiling. "The chap who confiscated those baubles didn't have any use for them. He didn't want them, in fact—they worried him abominably."

The point was too complex for Heath. The previous day's developments had shaken the foundation of all his arguments; and he lapsed again into brooding silence.

At ten o'clock he rose impatiently and, going to the hall door, looked out. Returning, he compared his watch with the office clock and began pacing restlessly. Markham was attempting to sort some papers on his desk, but presently he pushed them aside with an impatient gesture.

"He ought to be coming along now," he remarked, with an effort at cheerfulness.

"He'll come," growled Heath, "or he'll get a free ride." And he continued his pacing.

A few minutes later he turned abruptly and went out into the hall. We could hear him calling to Snitkin down the elevator shaft, but when he came back into the office his expression told us that as yet there was no news of Skeel.

"I'll call up the Bureau," he decided, "and see what

Guilfoyle had to report. At least we'll know then when the Dude left his house."

But when the Sergeant had been connected with Police Headquarters he was informed that Guilfoyle had as yet made no report.

"That's damn funny," he commented, hanging up the receiver.

It was now twenty minutes past ten. Markham was growing restive. The tenacity with which the Canary murder case had resisted all his efforts toward a solution had filled him with discouragement; and he had hoped, almost desperately, that his morning's interview with Skeel would clear up the mystery, or at least supply him with information on which definite action could be taken. Now, with Skeel late for this all-important appointment, the strain was becoming tense.

He pushed back his chair nervously and, going to the window, gazed out into the dark haze of fine rain. When he returned to his desk his face was set.

"I'll give our friend until half-past ten," he said grimly. "If he isn't here then, Sergeant, you'd better call up the local station-house and have them send a patrol-wagon for him."

There was another few minutes of silence. Vance lolled in his chair with half-closed eyes, but I noticed that, though he still held his cigarette, he was not smoking. His forehead was puckered by a frown, and he was very quiet. I knew that some unusual problem was occupying him. His lethargy had in it a quality of intentness and concentration.

As I watched him he suddenly sat up straight, his eyes open and alert. He tossed his dead cigarette into the receiver with a jerky movement that attested to some inner excitation.

"Oh, my word!" he exclaimed. "It really can't be, y' know! And yet"—his face darkened—"and yet, by Jove, that's it! . . . What an ass I've been—what an unutterable ass! . . . Oh!"

He sprang to his feet; then stood looking down at the floor like a man dazed, afraid of his own thoughts.

"Markham, I don't like it—I don't like it at all." He spoke almost as if he were frightened. "I tell you, there's something terrible going on—something uncanny. The thought of it makes my flesh creep. . . . I must be getting old and sentimental," he added, with an effort at lightness; but the look in his eyes belied his tone. "Why didn't I see this thing yesterday? . . . But I let it go on. . . ."

We were all staring at him in amazement. I had never seen him affected in this way before, and the fact that he was habitually so cynical and aloof, so adamant to emotion and impervious to outside influences, gave his words and actions an impelling and impressive quality.

After a moment he shook himself slightly, as if to throw off the pall of horror that had descended upon him, and stepping to Markham's desk, he leaned over, resting on both hands.

"Don't you see?" he asked. "Skeel's not coming. No use to wait—no use of our having come here in the first place. We have to go to him. He's waiting for us. . . . Come! Get your hat."

Markham had risen, and Vance took him firmly by the arm.

"You needn't argue," he persisted. "You'll have to go to him sooner or later. You might as well go now, don't you know.—My word! What a situation!"

He had led Markham, astonished and but mildly protesting, into the middle of the room, and he now beckoned to Heath with his free hand.

"You, too, Sergeant. Sorry you had all this trouble. My fault. I should have foreseen this thing. A devilish shame; but my mind was on Monets all yesterday afternoon. . . . You know where Skeel lives?"

Heath nodded mechanically. He had fallen under the spell of Vance's strange and dynamic importunities.

"Then don't wait.—And, Sergeant! You'd better bring

Burke or Snitkin along. They won't be needed here—nobody'll be needed here any more to-day."

Heath looked inquiringly to Markham for counsel; his bewilderment had thrown him into a state of mute indecision. Markham nodded his approval of Vance's suggestions, and, without a word, slipped into his raincoat. A few minutes later the four of us, accompanied by Snitkin, had entered Vance's car and were lurching up-town. Swacker had been sent home; the office had been locked up; and Burke and Emery had departed for the Homicide Bureau to await further instructions.

Skeel lived in 35th Street, near the East River, in a dingy, but once pretentious, house which formerly had been the residence of some old family of the better class. It now had an air of dilapidation and decay; there was rubbish in the area-way; and a large sign announcing rooms for rent was posted in one of the ground-floor windows.

As we drew up before it Heath sprang to the street and looked sharply about him. Presently he espied an unkempt man slouching in the doorway of a grocery-store diagonally opposite, and beckoned to him. The man shambled over furtively.

"It's all right, Guilfoyle," the Sergeant told him. "We're paying the Dude a social visit.—What's the trouble? Why didn't you report?"

Guilfoyle looked surprised.

"I was told to phone in when he left the house, sir. But he ain't left yet. Mallory tailed him home last night round ten o'clock, and I relieved Mallory at nine this morning. The Dude's still inside."

"Of course he's still inside, Sergeant," said Vance, a bit impatiently.

"Where's his room situated, Guilfoyle?" asked Heath.

"Second floor, at the back."

"Right. We're going in.—Stand by."

"Look out for him," admonished Guilfoyle. "He's got a gat."

Heath took the lead up the worn steps which led from the pavement to the little vestibule. Without ringing, he roughly grasped the door-knob and shook it. The door was unlocked, and we stepped into the stuffy lower hallway.

A bedraggled woman of about forty, in a disreputable dressing-gown, and with hair hanging in strings over her shoulders, emerged suddenly from a rear door and came toward us unsteadily, her bleary eyes focussed on us with menacing resentment.

"Say!" she burst out, in a rasping voice. "What do youse mean by bustin' in like this on a respectable lady?" And she launched forth upon a stream of profane epithets.

Heath, who was nearest her, placed his large hand over her face, and gave her a gentle but firm shove backward.

"You keep out of this, Cleopatra!" he advised her, and began to ascend the stairs.

The second-floor hallway was dimly lighted by a small flickering gas-jet, and at the rear we could distinguish the outlines of a single door set in the middle of the wall.

"That'll be Mr. Skeel's abode," observed Heath.

He walked up to it and, dropping one hand in his right coat-pocket, turned the knob. But the door was locked. He then knocked violently upon it, and placing his ear to the jamb, listened. Snitkin stood directly behind him, his hand also in his pocket. The rest of us remained a little in the rear.

Heath had knocked a second time when Vance's voice spoke up from the semi-darkness.

"I say, Sergeant, you're wasting time with all that formality."

"I guess you're right," came the answer after a moment of what seemed unbearable silence.

Heath bent down and looked at the lock. Then he took some instrument from his pocket and inserted it into the keyhole.

"You're right," he repeated. "The key's gone."

He stepped back and, balancing on his toes like a sprinter,

sent his shoulders crashing against the panel directly over the knob. But the lock held.

"Come on, Snitkin," he ordered.

The two detectives hurled themselves against the door. At the third onslaught there was a splintering of wood and a tearing of the lock's bolt through the moulding. The door swung drunkenly inward.

The room was in almost complete darkness. We all hesitated on the threshold, while Snitkin crossed warily to one of the windows and sent the shade clattering up. The yellow-grey light filtered in, and the objects of the room at once took definable form. A large, old-fashioned bed projected from the wall on the right.

"Look!" cried Snitkin, pointing; and something in his voice sent a shiver over me.

We pressed forward. On the foot of the bed, at the side toward the door, sprawled the crumpled body of Skeel. Like the Canary, he had been strangled. His head hung back over the foot-board, his face a hideous distortion. His arms were outstretched and one leg trailed over the edge of the mattress, resting on the floor.

"Thuggee," murmured Vance. "Lindquist mentioned it.—Curious!"

Heath stood staring fixedly at the body, his shoulders hunched. His normal ruddiness of complexion was gone, and he seemed like a man hypnotised.

"Mother o' God!" he breathed, awe-stricken. And with an involuntary motion, he crossed himself.

Markham was shaken also. He set his jaw rigidly.

"You're right, Vance." His voice was strained and unnatural. "Something sinister and terrible has been going on here. . . . There's a fiend loose in this town—a werewolf."

"I wouldn't say that, old man." Vance regarded the murdered Skeel critically. "No, I wouldn't say that. Not a werewolf. Just a desperate human being. A man of extremes, perhaps—but quite rational, and logical—oh, how deuced logical!"

Chapter XXIV

AN ARREST

(Sunday, p.m., Monday, a.m. ; September 16th-17th)

THE investigation into Skeel's death was pushed with great vigour by the authorities. Doctor Doremus, the Medical Examiner, arrived promptly and declared that the crime had taken place between ten o'clock and midnight. Immediately Vance insisted that all the men who were known to have been intimately acquainted with the Odell girl—Mannix, Lindquist, Cleaver, and Spotswoode—be interviewed at once and made to explain where they were during these two hours. Markham agreed without hesitation, and gave the order to Heath, who at once put four of his men on the task.

Mallory, the detective who had shadowed Skeel the previous night, was questioned regarding possible visitors ; but inasmuch as the house where Skeel lived accommodated over twenty roomers, who were constantly coming and going at all hours, no information could be gained through that channel. All that Mallory could say definitely was that Skeel had returned home at about ten o'clock, and had not come out again. The landlady, sobered and subdued by the tragedy, repudiated all knowledge of the affair. She explained that she had been " ill " in her room from dinner-time until we had disturbed her recuperation the next morning. The front door, it seemed, was never locked, since her tenants objected to such an unnecessary inconvenience. The tenants themselves were questioned, but without result : they were not of a class likely to give information to the police, even had they possessed any.

The finger-print experts made a careful examination of the room, but failed to find any marks except Skeel's own. A thorough search through the murdered man's effects occupied several hours; but nothing was discovered that gave any hint of the murderer's identity. A .38 Colt automatic, fully loaded, was found under one of the pillows on the bed; and eleven hundred dollars, in bills of large denomination, was taken from a hollow brass curtain-rod. Also, under a loose board in the hall, the missing steel chisel, with the fissure in the blade, was found. But these items were of no value in solving the mystery of Skeel's death; and at four o'clock in the afternoon the room was closed with an emergency padlock and put under guard.

Markham and Vance and I had remained several hours after our discovery of the body. Markham had taken immediate charge of the case, and had conducted the interrogation of the tenants. Vance had watched the routine activities of the police with unwonted intentness, and had even taken part in the search. He had seemed particularly interested in Skeel's evening clothes, and had examined them garment by garment. Heath had looked at him from time to time, but there had been neither contempt nor amusement in the Sergeant's glances.

At half-past two Markham departed, after informing Heath that he would be at the Stuyvesant Club during the remainder of the day; and Vance and I went with him. We had a belated luncheon in the empty grill.

"This Skeel episode rather knocks the foundation from under everything," Markham said dispiritedly, as our coffee was served.

"Oh, no—not that," Vance answered. "Rather, let us say that it has added a new column to the edifice of my giddy theory."

"Your theory—yes. It's about all that's left to go on." Markham sighed. "It has certainly received substantiation this morning. . . . Remarkable how you called the turn when Skeel failed to show up."

Again Vance contradicted him.

"You overestimate my little flutter in forensics, Markham dear. You see, I assumed that the lady's strangler knew of Skeel's offer to you. That offer was probably a threat of some kind on Skeel's part; otherwise he wouldn't have set the appointment a day ahead. He no doubt hoped the victim of his threat would become amenable in the meantime. And that money hidden in the curtain-rod leads me to think he was blackmailing the Canary's murderer, and had been refused a further donation just before he phoned you yesterday. That would account, too, for his having kept his guilty knowledge to himself all this time."

"You may be right. But now we're worse off than ever, for we haven't even Skeel to guide us."

"At least we've forced our elusive culprit to commit a second crime to cover up his first, don't y' know. And when we have learned what the Canary's various amorists were doing last night between ten and twelve, we may have something suggestive on which to work.—By the bye, when may we expect this thrillin' information?"

"It depends upon what luck Heath's men have. Tonight some time, if everything goes well."

It was, in fact, about half-past eight when Heath telephoned the reports. But here again Markham seemed to have drawn a blank. A less satisfactory account could scarcely be imagined. Doctor Lindquist had suffered a "nervous stroke" the preceding afternoon, and had been taken to the Episcopal Hospital. He was still there under the care of two eminent physicians whose word it was impossible to doubt; and it would be a week at least before he would be able to resume his work. This report was the only definite one of the four, and it completely exonerated the doctor from any participation in the previous night's crime.

By a curious coincidence neither Mannix, nor Cleaver, nor Spotswoode could furnish a satisfactory alibi. All three of them, according to their statements, had remained at home the night before. The weather had been inclement

and though Mannix and Spotswoode admitted to having been out earlier in the evening, they stated that they had returned home before ten o'clock. Mannix lived in an apartment-hotel, and, as it was Saturday night, the lobby was crowded, so that no one would have been likely to see him come in. Cleaver lived in a small private apartment-house without a door-man or hall-boys to observe his movements. Spotswoode was staying at the Stuyvesant Club, and since his rooms were on the third floor he rarely used the elevator. Moreover, there had been a political reception and dance at the club the previous night, and he might have walked in and out at random a dozen times without being noticed.

"Not what you'd call illuminatin'," said Vance, when Markham had given him this information.

"It eliminates Lindquist, at any rate."

"Quite. And, automatically, it eliminates him as an object of suspicion in the Canary's death also; for these two crimes are part of a whole—integers of the same problem. They complement each other. The latter was conceived in relation to the first—was, in fact, a logical outgrowth of it." Markham nodded.

"That's reasonable enough. Anyway, I've passed the combative stage. I think I'll drift for a while on the stream of your theory and see what happens."

"What irks me is the disquietin' feeling that positively nothing will happen unless we force the issue. The lad who manœuvred those two obits had real bean in him."

As he spoke Spotswoode entered the room and looked about as if searching for someone. Catching sight of Markham he came briskly forward, with a look of inquisitive perplexity.

"Forgive me for intruding, sir," he apologised, nodding pleasantly to Vance and me, "but a police officer was here this afternoon inquiring as to my whereabouts last night. It struck me as strange, but I thought little of it until I happened to see the name of Tony Skeel in the headlines of a 'special' to-night and read he had been strangled. I remember you asked me regarding such a man in connection

with Miss Odell, and I wondered if, by any chance, there could be any connection between the two murders, and if I was, after all, to be drawn into the affair."

"No, I think not," said Markham. "There seemed a possibility that the two crimes were related; and, as a matter of routine, the police questioned all the close friends of Miss Odell in the hope of turning up something suggestive. You may dismiss the matter from your mind. I trust," he added, "the officer was not unpleasantly importunate."

"Not at all." Spotswoode's look of anxiety disappeared. "He was extremely courteous but a bit mysterious.—Who was this man Skeel?"

"A half-world character and ex-burglar. He had some hold on Miss Odell, and, I believe, extorted money from her."

A cloud of angry disgust passed over Spotswoode's face.

"A creature like that deserves the fate that overtook him."

We chatted on various matters until ten o'clock, when Vance rose and gave Markham a reproachful look.

"I'm going to try to recover some lost sleep. I'm temperamentally unfitted for a policeman's life."

Despite this complaint, however, nine o'clock the next morning found him at the District Attorney's office. He had brought several newspapers with him, and was reading, with much amusement, the first complete accounts of Skeel's murder. Monday was generally a busy day for Markham, and he had arrived at the office before half-past eight in an effort to clean up some pressing routine matters before proceeding with his investigation of the Odell case. Heath, I knew, was to come for a conference at ten o'clock. In the meantime there was nothing for Vance to do but read the newspapers; and I occupied myself in like manner.

Punctually at ten Heath arrived, and from his manner it was plain that something had happened to cheer him immeasurably. He was almost jaunty, and his formal, self-satisfied salutation to Vance was like that of a conqueror to a vanquished adversary. He shook hands with Markham with more than his customary punctility.

"Our troubles are over, sir," he said, and paused to light his cigar. "I've arrested Jessup."

It was Vance who broke the dramatic silence following this astounding announcement.

"In the name of Heaven—what for?"

Heath turned deliberately, in no wise abashed by the other's tone.

"For the murder of Margaret Odell and Tony Skeel."

"Oh, my aunt! Oh, my precious aunt!" Vance sat up and stared at him in amazement. "Sweet angels of heaven, come down and solace me!"

Heath's complacency was unshaken.

"You won't need no angels, or aunts either, when you hear what I've found out about this fellow. I've got him tied up in a sack, ready to hand to the jury."

The first wave of Markham's astonishment had subsided.

"Let's have the story, Sergeant."

Heath settled himself in a chair. He took a few moments to arrange his thoughts.

"It's like this, sir. Yesterday afternoon I got to thinking. Here was Skeel murdered, same like Odell, after he'd promised to squeal; and it certainly looked as though the same guy had strangled both of 'em. Therefore, I concluded that there must've been two guys in the apartment Monday night—the Dude and the murderer—just like Mr. Vance has been saying all along. Then I figured that they knew each other pretty well, because not only did the other fellow know where the Dude lived, but he must've been wise to the fact that the Dude was going to squeal yesterday. It looked to me, sir, like they had pulled the Odell job together—which is why the Dude didn't squeal in the first place. But after the other fellow lost his nerve and threw the jewellery away, Skeel thought he'd play safe by turning state's evidence, so he phoned you."

The Sergeant smoked a moment.

"I never put much stock in Mannix and Cleaver and the Doc. They weren't the kind to do a job like that, and they

certainly weren't the kind that would be mixed up with a jailbird like Skeel. So I stood all three of 'em to one side, and began looking round for a bad egg—somebody who'd have been likely to be Skeel's accomplice. But first I tried to figure out what you might call the physical obstacles in the case—that is, the snags we were up against in our reconstruction of the crime."

Again he paused.

"Now, the thing that's been bothering us most is that side door. How did it get unbolted after six o'clock? And who bolted it again after the crime? Skeel must've come in by it before eleven, because he was in the apartment when Spotswoode and Odell returned from the theatre; and he probably went out by it after Cleaver had come to the apartment at about midnight. But that wasn't explaining how it got bolted again on the inside. Well, sir, I studied over this for a long time yesterday, and then I went up to the house and took another look at the door. Young Spively was running the switchboard, and I asked him where Jessup was, for I wanted to ask him some questions. And Spively told me he'd quit his job the day before—Saturday afternoon!"

Heath waited to let this fact sink in.

"I was on my way down-town before the idea came to me. Then it hit me sudden-like; and the whole case broke wide open.—Mr. Markham, nobody but Jessup could've opened that side door and locked it again—nobody. Figure it out for yourself, sir—though I guess you've pretty well done it already. Skeel couldn't've done it. And there wasn't nobody else to do it."

Markham had become interested, and leaned forward.

"After this idea had hit me," Heath continued, "I decided to take a chance; so I got out of the Subway at the Penn Station, and phoned Spively for Jessup's address. Then I got my first good news: Jessup lived on Second Avenue, right around the corner from Skeel! I picked up a couple of men from the local station, and went to his house.

We found him packing up his things, getting ready to go to Detroit. We locked him up, and I took his finger-prints and sent 'em to Dubois. I thought I might get a line on him that way, because crooks don't generally begin with a job as big as the Canary prowl."

Heath permitted himself a grin of satisfaction.

"Well, sir, Dubois nailed him up! His name ain't Jessup at all. The William part is all right, but his real moniker is Benton. He was convicted of assault and battery in Oakland in 1909, and served a year in San Quentin when Skeel was a prisoner there. He was also grabbed as a lookout in a bank robbery in Brooklyn in 1914, but didn't come to trial—that's how we happen to have his finger-prints at Headquarters. When we put him on the grill last night, he said he changed his name after the Brooklyn racket, and enlisted in the army. That's all we could get out of him; but we didn't need any more.—Now, here are the facts: Jessup has served time for assault and battery. He was mixed up in a bank robbery. Skeel was a fellow prisoner of his. He's got no alibi for Saturday night when Skeel was killed, and he lives round the corner. He quit his job suddenly Saturday afternoon. He's husky and strong and could easily have done the business. He was planning his getaway when we nabbed him. *And*—he's the only person who could've unbolted and rebolted that side door Monday night. . . . Is that a case, or ain't it, Mr. Markham?"

Markham sat several minutes in thought.

"It's a good case as far as it goes," he said slowly. "But what was his motive in strangling the girl?"

"That's easy. Mr. Vance here suggested it the first day. You remember he asked Jessup about his feelings for Odell, and Jessup turned red and got nervous."

"Oh, Lord!" exclaimed Vance. "Am I to be made responsible for any part of this priceless lunacy? . . . True, I pried into the chap's emotions toward the lady; but that was before anything had come to light. I was bein' careful—tryin' to test each possibility as it arose."

“ Well, that was a lucky question of yours, just the same.” Heath turned back to Markham. “ As I see it : Jessup was stuck on Odell, and she told him to trot along and sell his papers. He got all worked up over it, sitting there night after night, seeing these other guys calling on her. Then Skeel comes along, and recognising him, suggests burglarising Odell’s apartment. Skeel can’t do the job without help, for he has to pass the ’phone operator coming and going ; and as he’s been there before, he’d be recognised. Jessup sees a chance of getting even with Odell and putting the blame on someone else ; so the two of ’em cook up the job for Monday night. When Odell goes out Jessup unlocks the side door, and the Dude lets himself into the apartment with his own key. Then Odell and Spotswoode arrive unexpectedly. Skeel hides in the closet, and after Spotswoode has gone, he accidentally makes a noise, and Odell screams. He steps out, and when she sees who he is, she tells Spotswoode it’s a mistake. Jessup now knows Skeel has been discovered, and decides to make use of the fact. Soon after Spotswoode has gone, he enters the apartment with a pass-key. Skeel, thinking it’s somebody else, hides again in the closet ; and then Jessup grabs the girl and strangles her, intending to let Skeel get the credit for it. But Skeel comes out of hiding and they talk it over. Finally they come to an agreement, and proceed with their original plan to loot the place. Jessup tries to open the jewel-case with the poker, and Skeel finishes the job with his chisel. They then go out. Skeel leaves by the side door, and Jessup rebolts it. The next day Skeel hands the swag to Jessup to keep till things blow over ; and Jessup gets scared and throws it away. Then they have a row. Skeel decides to tell everything, so he can get out from under ; and Jessup, suspecting he’s going to do it, goes round to his house Saturday night and strangles him like he did Odell.”

Heath made a gesture of finality and sank back in his chair. “ Clever—deuced clever,” murmured Vance. “ Sergeant, I apologise for my little outburst a moment ago. Your logic is irreproachable. You’ve reconstructed the crime beauti-

fully. You've solved the case. . . . It's wonderful—simply wonderful. But it's wrong."

"It's right enough to send Mr. Jessup to the chair."

"That's the terrible thing about logic," said Vance. "It so often leads one irresistibly to a false conclusion."

He stood up and walked across the room and back, his hands in his coat-pockets. When he came abreast of Heath he halted.

"I say, Sergeant; if somebody else could have unlocked that side door and then rebolted it again after the crime, you'd be willing to admit that it would weaken your case against Jessup—eh, what?" Heath was in a generous mood.

"Sure. Show me someone else who could've done that, and I'll admit that maybe I'm wrong."

"Skeel could have done it, Sergeant. And he did do it—without anyone knowing it."

"Skeel!—This ain't the age of miracles, Mr. Vance."

Vance swung about and faced Markham.

"Listen! I'm telling you Jessup's innocent." He spoke with a fervour that amazed me. "And I'm going to prove it to you—some way. My theory is pretty complete; it's deficient only in one or two small points; and, I'll confess, I haven't yet been able to put a name to the culprit. But it's the right theory, Markham, and it's diametrically opposed to the Sergeant's. Therefore, you've got to give me an opportunity to demonstrate it before you proceed against Jessup. Now, I can't demonstrate it here; so you and Heath must come with me to the Odell house. It won't take over an hour. But if it took a week, you'd have to come just the same." He stepped nearer to the desk.

"I know that it was Skeel, and not Jessup, who unbolted that door before the crime, and rebolted it afterward."

Markham was impressed.

"You know this—you know it for a fact?"

"Yes! And I know how he did it!"

Chapter XXV

VANCE DEMONSTRATES

(Monday, September 17th ; 11.30 a.m.)

HALF an hour later we entered the little apartment-house in 71st Street. Despite the plausibility of Heath's case against Jessup, Markham was not entirely satisfied with the arrest; and Vance's attitude had sown further seeds of doubt in his mind. The strongest point against Jessup was that relating to the bolting and unbolting of the side door; and when Vance had asserted that he was able to demonstrate how Skeel could have manipulated his own entrance and exit, Markham, though only partly convinced, had agreed to accompany him. Heath, too, was interested, and, though supercilious, had expressed a willingness to go along.

Spively, scintillant in his chocolate-coloured suit, was at the switchboard, and stared at us apprehensively. But when Vance suggested pleasantly that he take a ten-minute walk round the block, he appeared greatly relieved, and lost no time in complying.

The officer on guard outside of the Odell apartment came forward and saluted.

"How goes it?" asked Heath. "Any visitors?"

"Only one—a toff who said he'd known the Canary and wanted to see the apartment. I told him to get an order from you or the District Attorney."

"That was correct, officer," said Markham; then, turning to Vance: "Probably Spotswoode—poor devil."

"Quite," murmured Vance. "So persistent! Rosemary and all that. . . . Touchin'."

Heath told the officer to go for a half-hour's stroll; and we were left alone.

"And now, Sergeant," said Vance cheerfully, "I'm sure you know how to operate a switchboard. Be so kind as to act as Spively's understudy for a few minutes—there's a good fellow. . . . But, first, please bolt the side door—and be sure that you bolt it securely, just as it was on the fatal night."

Heath grinned good-naturedly.

"Sure thing." He put his forefinger to his lips mysteriously, and, crouching, tiptoed down the hall like a burlesque detective in a farce. After a few moments he came tiptoeing back to the switchboard, his finger still on his lips. Then, glancing surreptitiously about him with globular ears, he put his mouth to Vance's ear.

"His-s-s-t!" he whispered. "The door's bolted. G-r-r-r . . ." He sat down at the switchboard. "When does the curtain go up, Mr. Vance?"

"It's up, Sergeant." Vance fell in with Heath's jocular mood. "Behold! The hour is half-past nine on Monday night. You are Spively—not nearly so elegant; and you forgot the moustache—but still Spively. And I am the bedizened Skeel. For the sake of realism, please try to imagine me in chamois gloves and a pleated silk shirt. Mr. Markham and Mr. Van Dine here represent 'the many-headed monster of the pit.'—And, by the by, Sergeant, let me have the key to the Odell apartment: Skeel had one, don't y' know."

Heath produced the key, and handed it over still grinning.

"A word of stage-direction," Vance continued. "When I have departed by the front door, you are to wait exactly three minutes, and then knock at the late Canary's apartment."

He sauntered to the front door and, turning, walked back toward the switchboard. Markham and I stood behind Heath in the little alcove, facing the front of the building.

"Enter Mr. Skeel!" announced Vance. "Remember, it's half-past nine." Then, as he came abreast of the switchboard: "Dash it all! You forgot your lines,

Sergeant. You should have told me that Miss Odell was out. But it doesn't matter. . . . Mr. Skeel continues to the lady's door . . . thus."

He walked past us, and we heard him ring the apartment bell. After a brief pause, he knocked on the door. Then he came back down the hall.

"I guess you were right," he said, quoting the words of Skeel as reported by Spively; and went on to the front door. Stepping out into the street, he turned toward Broadway.

For exactly three minutes we waited. None of us spoke. Heath had become serious, and his accelerated puffing on his cigar bore evidence of his state of expectancy. Markham was frowning stoically. At the end of the three minutes Heath rose and hurried up the hall, with Markham and me at his heels. In answer to his knock, the apartment door was opened from the inside. Vance was standing in the little foyer.

"The end of the first act," he greeted us airily. "Thus did Mr. Skeel enter the lady's boudoir Monday night after the side door had been bolted, without the operator's seeing him."

Heath narrowed his eyes, but said nothing. Then he suddenly swung round and looked down the rear passageway to the oak door at the end. The handle of the bolt was in a vertical position, showing that the catch had been turned and that the door was unbolted. Heath regarded it for several moments; then he turned his eyes toward the switchboard. Presently he let out a gleeful whoop.

"Very good, Mr. Vance—very good!" he proclaimed, nodding his head knowingly. "That was easy, though. And it don't take psychology to explain it.—After you rang the apartment bell, you ran down this rear hallway and unbolted the door. Then you ran back and knocked. After that you went out the front entrance, turned toward Broadway, swung round across the street, came in the alley, walked in the side door, and quietly let yourself into the apartment behind our backs."

"Simple, wasn't it?" agreed Vance.

"Sure." The Sergeant was almost contemptuous. "But that don't get you nowhere. Anybody could've figured it out if that had been the only problem connected with Monday night's operations. But it's the rebolting of that side door, after Skeel had gone, that's been occupying my mind. Skeel might've—*might've*, mind you—got in the way you did. But he couldn't have got out that way, because the door was bolted the next morning. And if there was someone here to bolt the door after him, then that same person could've unbolted the door for him earlier, without his doing the ten-foot dash down the rear hall to unbolt the door himself at half-past nine. So I don't see that your interesting little drama helps Jessup out any."

"Oh, but the drama isn't over," Vance replied. "The curtain is about to go up on the next act."

Heath lifted his eyes sharply.

"Yeah?" His tone was one of almost jeering incredulity, but his expression was searching and dubious. "And you're going to show us how Skeel got out and bolted the door on the inside without Jessup's help?"

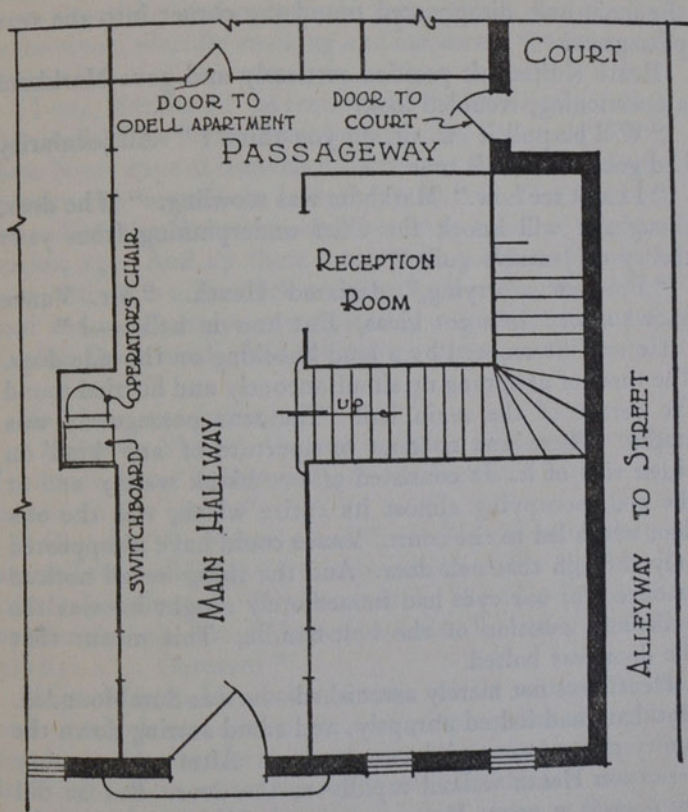
"That is precisely what I intend to do, my Sergeant."

Heath opened his mouth to speak, but thought better of it. Instead, he merely shrugged his shoulders and gave Markham a sly look.

"Let us repair to the public atrium," proceeded Vance; and he led us into the little reception-room diagonally opposite to the switchboard. This room, as I have explained, was just beyond the staircase, and along its rear wall ran the little passageway to the side door. (A glance at the accompanying diagram will clarify the arrangement.)

Vance shepherded us ceremoniously to chairs, and cocked his eye at the Sergeant.

"You will be so good as to rest here until you hear me knock at the side door. Then come and open it for me." He went toward the archway. "Once more I personate the departed Mr. Skeel; so picture me again *en grande*



WEST SEVENTY-FIRST STREET

tenuè—sartorially radiant. . . . The curtain ascends."

He bowed and, stepping from the reception-room into the main hall, disappeared round the corner into the rear passageway.

Heath shifted his position restlessly and gave Markham a questioning, troubled look.

"Will he pull it off, sir, do you think?" All jocularity had gone out of his tone.

"I can't see how." Markham was scowling. "If he does, though, it will knock the chief underpinning from your theory of Jessup's guilt."

"I'm not worrying," declared Heath. "Mr. Vance knows a lot; he's got ideas. But how in hell——?"

He was interrupted by a loud knocking on the side door. The three of us sprang up simultaneously and hurried round the corner of the main hall. The rear passageway was empty. There was no door or aperture of any kind on either side of it. It consisted of two blank walls; and at the end, occupying almost its entire width, was the oak door which led to the court. Vance could have disappeared only through that oak door. And the thing we all noticed at once—for our eyes had immediately sought it—was the horizontal position of the bolt-handle. This meant that the door was bolted.

Heath was not merely astonished—he was dumbfounded. Markham had halted abruptly, and stood staring down the empty passageway as if he saw a ghost. After a momentary hesitation Heath walked rapidly to the door. But he did not open it at once. He went down on his knees before the lock and scrutinised the bolt carefully. Then he took out his pocket-knife and inserted the blade into the crack between the door and the casing. The point halted against the inner moulding, and the edge of the blade scraped upon the circular bolt. There was no question that the heavy oak casings and mouldings of the door were solid and well fitted, and that the bolt had been securely thrown from the inside. Heath, however, was still suspicious, and,

grasping the door-knob, he tugged at it violently. But the door held firmly. At length he threw the bolt-handle to a vertical position and opened the door. Vance was standing in the court, placidly smoking and inspecting the brickwork of the alley wall.

"I say, Markham," he remarked, "here's a curious thing. This wall, d' ye know, must be very old. It wasn't built in these latter days of breathless efficiency. The beauty-loving mason who erected it laid the bricks in Flemish bond instead of the Running—or Stretcher—bond of our own restless age. And up there a bit"—he pointed toward the rear yard—"is a Rowlock and Checkerboard pattern. Very neat and very pretty—more pleasing even than the popular English Cross bond. And the mortar joints are all V-tooled. . . . Fancy!"

Markham was fuming.

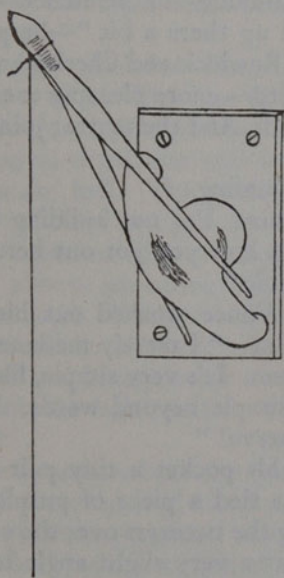
"Damn it, Vance! I'm not building brick walls. What I want to know is how you got out here and left the door bolted on the inside."

"Oh, that!" Vance crushed out his cigarette and re-entered the building. "I merely made use of a bit of clever criminal mechanism. It's very simple, like all truly effective appliances—oh, simple beyond words. I blush at its simplicity. . . . Observe!"

He took from his pocket a tiny pair of tweezers to the end of which was tied a piece of purple twine about four feet long. Placing the tweezers over the vertical bolt-handle, he turned them at a very slight angle to the left and then ran the twine under the door so that about a foot of it projected over the sill. Stepping into the court, he closed the door. The tweezers still held the bolt-handle as in a vice, and the string extended straight to the floor and disappeared under the door into the court. The three of us stood watching the bolt with fascinated attention. Slowly the string became taut, as Vance gently pulled upon the loose end outside, and then the downward tug began slowly but surely to turn the bolt-handle. When

the bolt had been thrown and the handle was in a horizontal position, there came a slight jerk on the string. The tweezers were disengaged from the bolt-handle, and fell noiselessly to the carpeted floor. Then as the string was pulled from without, the tweezers disappeared under the crack between the bottom of the door and the sill.

"Childish, what?" commented Vance, when Heath had let him in. "Silly, too, isn't it? And yet, Sergeant dear, that's how the deceased Tony left these premises last



Monday night. . . . But let's go into the lady's apartment, and I'll tell you a story. I see that Mr. Spively has returned from his promenade; so he can resume his telephonic duties and leave us free for a *causerie*."

"When did you think up that hocus-pocus with the tweezers and string?" demanded Markham irritably, when we were seated in the Odell living-room.

"I didn't think it up at all, don't y' know," Vance told

him carelessly, selecting a cigarette with annoying deliberation. "It was Mr. Skeel's idea. Ingenious lad—eh, what?"

"Come, come!" Markham's equanimity was at last shaken. "How can you possibly know that Skeel used this means of locking himself out?"

"I found the little apparatus in his evening clothes yesterday morning."

"What!" cried Heath belligerently. "You took that out of Skeel's room yesterday during the search, without saying anything about it?"

"Oh, only after your ferrets had passed it by. In fact, I didn't even look at the gentleman's clothes until your experienced searchers had inspected them and relocked the wardrobe door. Y' see, Sergeant, this little thingumbob was stuffed away in one of the pockets of Skeel's dress waistcoat, under the silver cigarette-case. I'll admit I went over his evening suit rather lovin'ly. He wore it, y' know, on the night the lady departed this life, and I hoped to find some slight indication of his collaboration in the event. When I found this little eyebrow-plucker, I hadn't the slightest inkling of its significance. And the purple twine attached to it bothered me frightfully, don't y' know. I could see that Mr. Skeel didn't pluck his eyebrows; and even if he had been addicted to the practice, why the twine? The tweezers are a delicate little gold affair—just what the ravishin' Margaret might have used; and last Tuesday morning I noticed a small lacquer tray containing similar toilet accessories on her dressing-table near the jewel-case.—But that wasn't all."

He pointed to the little vellum waste-basket beside the escritoire, in which lay a large crumpled mass of heavy paper.

"I also noticed that piece of discarded wrapping-paper stamped with the name of a well-known Fifth Avenue novelty shop; and this morning, on my way down-town, I dropped in at the shop and learned that they make a practice of tying up their bundles with purple twine."

Therefore, I concluded that Skeel had taken the tweezers and the twine from this apartment during his visit here that eventful night. . . . Now, the question was: Why should he have spent his time tying strings to eyebrow-pluckers? I confess, with maidenly modesty, that I couldn't find an answer. But this morning when you told of arresting Jessup, and emphasised the rebolting of the side door after Skeel's departure, the fog lifted, the sun shone, the birds began to sing. I became suddenly mediumistic: I had a psychic seizure. The whole *modus operandi* came to me—as they say—in a flash. . . . I told you, Markham old thing, it would take spiritualism to solve this case."

Chapter XXVI

RECONSTRUCTING THE CRIME

(Monday, September 17th ; noon)

WHEN Vance finished speaking, there was several minutes' silence. Markham sat deep in his chair glaring into space. Heath, however, was watching Vance with a kind of grudging admiration. The corner-stone in the foundation of his case against Jessup had been knocked out, and the structure he had built was tottering precariously. Markham realised this, and the fact played havoc with his hopes.

"I wish your inspirations were more helpful," he grumbled, turning his gaze upon Vance. "This latest revelation of yours puts us back almost to where we started from."

"Oh, don't be pessimistic. Let us face the future with a bright eye. . . . Want to hear my theory?—it's fairly bulging with possibilities." He arranged himself comfortably in his chair. "Skeel needed money—no doubt his silk shirts were running low—and after his unsuccessful attempt to extort it from the lady a week before her demise, he came here last Monday night. He had learned she would be out, and he intended to wait for her; for she had probably refused to receive him in the custom'ry social way. He knew the side door was bolted at night, and, as he didn't want to be seen entering the apartment, he devised the little scheme of unbolting the door for himself under cover of a futile call at half-past nine. The unbolting accomplished, he returned *via* the alleyway, and let himself into the apartment at some time before eleven. When the lady returned with an escort, he quickly hid in the clothes-closet, and re-

mained there until the escort had departed. Then he came forth, and the lady, startled by his sudden appearance, screamed. But, on recognising him, she told Spotswoode, who was now hammering at the door, that it was all a mistake. So Spotswoode ran along and played poker. A financial discussion between Skeel and the lady—probably a highly acrimonious tiff—ensued. In the midst of it the telephone rang, and Skeel snatched off the receiver and said the Canary was out. The tiff was resumed; but presently another suitor appeared on the scene. Whether he rang the bell or let himself in with a key I can't say—probably the latter, for the phone operator was unaware of his visit. Skeel hid himself a second time in the closet, and luckily took the precaution of locking himself in. Also, he quite naturally put his eye to the keyhole to see who the second intruder was."

Vance pointed to the closet door.

"The keyhole, you will observe, is on a line with the davenport; and as Skeel peered out into the room he saw a sight that froze his blood. The new arrival—in the midst perhaps of some endearing sentence—seized the lady by the throat and proceeded to throttle her. . . . Imagine Skeel's emotions, my dear Markham. There he was, crouching in a dark closet, and a few feet from him stood a murderer in the act of strangling a lady! *Pauvre Antoine!* I don't wonder he was petrified and speechless. He saw what he imagined to be maniacal fury in the strangler's eyes; and the strangler must have been a fairly powerful creature, whereas Skeel was slender and almost undersized. . . . No, *merci*. Skeel wasn't having any. He lay doggo. And I can't say that I blame the beggar, what?"

He made a gesture of interrogation.

"What did the strangler do next? Well, well; we'll probably never know, now that Skeel, the horrified witness, has gone to his Maker. But I rather imagine he got out that black document-box, opened it with a key he had taken from the lady's hand-bag, and extracted a goodly number

of incriminating documents. Then, I fancy, the fireworks began. The gentleman proceeded to wreck the apartment in order to give the effect of a professional burglary. He tore the lace on the lady's gown and severed the shoulder-strap ; snatched her orchid corsage and threw it in her lap ; stripped off her rings and bracelets ; and tore the pendant from its chain. After that he upset the lamp, rifled the escritoire, ransacked the Boule cabinet, broke the mirror, overturned the chairs, tore the draperies. . . . And all the time Skeel kept his eye glued to the keyhole with fascinated horror, afraid to move, terrified lest he be discovered and sent to join his erstwhile *inamorata*, for by now he was no doubt thoroughly convinced that the man outside was a raving lunatic.—I can't say that I envy Skeel his predicament : it was ticklish, y' know. Rather!—And the devastation went on. He could hear it even when the operations had passed from out his radius of vision. And he himself was caught like a rat in a trap, with no means of escape. A harrowin' situation—my word! ”

Vance smoked a moment, and then shifted his position slightly.

“ Y' know, Markham, I imagine that the worst moment in the whole of Skeel's checkered career came when that mysterious wrecker tried to open the closet door behind which he was crouching. Fancy! There he was cornered, and not two inches from him stood, apparently, a homicidal maniac trying to get to him, rattling that thin barricade of white pine. . . . Can you picture the blighter's relief when the murderer finally released the knob and turned away ? It's a wonder he didn't collapse from the reaction. But he didn't. He listened and watched in a sort of hypnotic panic, until he heard the invader leave the apartment. Then, weak-kneed and in a cold sweat, he came forth and surveyed the battlefield. ”

Vance glanced about him.

“ Not a pretty sight—eh, what ? And there on the davenport reclined the lady's strangled body. That corpse was

Skeel's dominant horror. He staggered to the table to look at it, and steadied himself with his right hand—that's how you got your finger-prints, Sergeant. Then the realisation of his own position suddenly smote him. Here he was alone with a murdered person. He was known to have been intimate with the lady; and he was a burglar with a record. Who would believe that he was innocent? And though he had probably recognised the man who had negotiated the business, he was in no position to tell his story. Everything was against him—his sneaking in, his presence in the house at half-past nine, his relations with the girl, his profession, his reputation. He hadn't a chance in the world. . . . I say, Markham, would *you* have credited his tale?"

"Never mind that," retorted Markham. "Go on with your theory." He and Heath had been listening with rapt interest.

"My theory from this point on," resumed Vance, "is what you might term self-developing. It proceeds on its own inertia, so to speak.—Skeel was confronted by the urgent problem of getting away and covering up his tracks. His mind in this emergency became keen and highly active: his life was forfeit if he didn't succeed. He began to think furiously. He could have left by the side door at once without being seen; but then, the door would have been found unbolted. And this fact, taken in connection with his earlier visit that night, would have suggested his manner of unbolting the door. . . . No, that method of escape wouldn't do—decidedly it wouldn't do. He knew he was likely, in any event, to be suspected of the murder, in view of his shady association with the lady and his general character. Motive, place, opportunity, time, means, conduct, and his own record—all were against him. Either he must cover up his tracks, don't y' know, or else his career as a Lothario was at an end. A sweet dilemma! He realised, of course, that if he could get out and leave that side door bolted on the inside, he'd be comparatively safe. No one could then explain how he had come in or gone out. It would establish

his only possible alibi—a negative one, to be sure; but, with a good lawyer, he could probably make it hold. Doubtless he searched for other means of escape, but found himself confronted with obstacles on every hand. The side door was his only hope. How could it be worked?”

Vance rose and yawned.

“That’s my caressin’ theory. Skeel was caught in a trap, and with his shrewd, tricky brain he figured his way out. He may have roamed up and down these two rooms for hours before he hit on his plan; and it’s not unlikely that he appealed to the Deity with an occasional ‘Oh, my God!’ As for his using the tweezers, I’m inclined to think the mechanism of the idea came to him almost immediately.—Y’ know, Sergeant, this locking of a door on the inside is an old trick. There are any number of recorded cases of it in the criminal literature of Europe. Indeed, in Professor Hans Gross’s handbook of criminology there’s a whole chapter on the devices used by burglars for illegal entries and exits.¹ But all such devices have had to do with the locking—not the bolting of doors. The principle, of course, is the same, but the technic is different. To lock a door on the inside, a needle, or strong slender pin, is inserted through the bow of the key, and pulled downward with a string. But on the side door of this house there is no lock and key; nor is there a bow in the bolt-handle.—Now, the resourceful Skeel, while pacing nervously about, looking for something that might offer a suggestion, probably espied the tweezers on the lady’s dressing-table—no lady nowadays is without these little eyebrow-pluckers, don’t y’ know—and immediately his problem was solved. It remained only to test the device. Before departing, however, he chiselled open the jewel-case which the other chap had merely dented, and found the solitaire diamond ring that he later attempted to pawn. Then he erased, as he thought, all his finger-prints, forgetting to wipe off the inside door-

¹ The treatise referred to by Vance was *Handbuch für Untersuchungsrichter als System der Kriminalistik*.

knob of the closet, and overlooking the hand-mark on the table. After that, he let himself out quietly and re-bolted the side door the same as I did, stuffing the tweezers in his waistcoat pocket and forgetting them."

Heath nodded his head oracularly.

"A crook, no matter how clever he is, always overlooks something."

"Why single out crooks for your criticism, Sergeant?" asked Vance lazily. "Do you know of anybody in this imperfect world who doesn't always overlook something?" He gave Heath a benignant smile. "Even the police, don't y' know, overlooked the tweezers."

Heath grunted. His cigar had gone out, and he relighted it slowly and thoroughly.

"What do you think, Mr. Markham?"

"The situation doesn't become much clearer," was Markham's gloomy comment.

"My theory isn't exactly a blindin' illumination," said Vance. "Yet I wouldn't say that it left things in pristine darkness. There are certain inferences to be drawn from my vagaries. To wit: Skeel either knew or recognised the murderer; and once he had made good his escape from the apartment and had regained a modicum of self-confidence, he undoubtedly blackmailed his homicidal confrère. His death was merely another manifestation of our *inconnu's* bent for ridding himself of persons who annoyed him. Furthermore, my theory accounts for the chiselled jewel-case, the finger-prints, the unmolested closet, the finding of the gems in the refuse-tin—the person who took them really didn't want them, y' know—and Skeel's silence. It also explains the unbolting and bolting of the side door."

"Yes," sighed Markham. "It seems to clarify everything but the one all-important point—the identity of the murderer."

"Exactly," said Vance. "Let's go to lunch."

Heath, morose and confused, departed for Police Headquarters; and Markham, Vance, and I rode to Delmonico's,

where we chose the main dining-room in preference to the grill.

"The case now would seem to centre in Cleaver and Mannix," said Markham, when we had finished our luncheon. "If your theory that the same man killed both Skeel and the Canary is correct, then Lindquist is out of it, for he certainly was in the Episcopal Hospital Saturday night."

"Quite," agreed Vance. "The doctor is unquestionably eliminated. . . . Yes; Cleaver and Mannix—they're the allurin' twins. Don't see any way to go beyond them." He frowned and sipped his coffee. "My original quartet is dwindling, and I don't like it. It narrows the thing down too much—there's no scope for the mind, as it were, in only two choices. What if we should succeed in eliminating Cleaver and Mannix? Where would we be—eh, what? Nowhere,—simply nowhere. And yet, one of the quartet is guilty; let's cling to that consolin' fact. It can't be Spotswoode and it can't be Lindquist. Cleaver and Mannix remain: two from four leaves two. Simple arithmetic, what? The only trouble is, this case isn't simple. Lord, no!—I say, how would the equation work out if we used algebra, or spherical trigonometry, or differential calculus? Let's cast it in the fourth dimension—or the fifth, or the sixth. . . ." He held his temples in both hands. "Oh, promise, Markham—promise me that you'll hire a kind, gentle keeper for me."

"I know how you feel. I've been in the same mental state for a week."

"It's the quartet idea that's driving me mad," moaned Vance. "It wrings me to have my tetrad lopped off in such brutal fashion. I'd set my young trustin' heart on that quartet, and now it's only a pair. My sense of order and proportion has been outraged. . . . I want my quartet."

"I'm afraid you'll have to be satisfied with two of them," Markham returned wearily. "One of them can't qualify, and one is in bed. You might send some flowers to the hospital, if it would cheer you any."

"One is in bed—one is in bed," repeated Vance. "Well, well—to be sure! And one from four leaves three. More arithmetic. Three! . . . On the other hand, there is no such thing as a straight line. All lines are curved; they transcribe circles in space. They look straight, but they're not. Appearances, y' know,—so deceptive! . . . Let's enter the silence, and substitute mentation for sight."

He gazed up out of the great windows into Fifth Avenue. For several moments he sat smoking thoughtfully. When he spoke again, it was in an even, deliberate voice.

"Markham, would it be difficult for you to invite Mannix and Cleaver and Spotswoode to spend an evening—this evening, let us say—in your apartment?"

Markham set down his cup with a clatter, and regarded Vance narrowly.

"What new harlequinade is this?"

"Fie on you! Answer my question."

"Well—of course—I might arrange it," replied Markham hesitatingly. "They're all more or less under my jurisdiction at present."

"So that such an invitation would be rather in line with the situation—eh, what? And they wouldn't be likely to refuse you, old dear—would they?"

"No; I hardly think so. . . ."

"And if, when they had assembled in your quarters, you should propose a few hands of poker, they'd probably accept, without thinking the suggestion strange?"

"Probably," said Markham, nonplussed at Vance's amazing request. "Cleaver and Spotswoode both play, I know; and Mannix doubtless knows the game. But why poker? Are you serious, or has your threatened dementia already overtaken you?"

"Oh, I'm deuced serious." Vance's tone left no doubt as to the fact. "The game of poker, d' ye see, is the crux of the matter. I knew Cleaver was an old hand at the game; and Spotswoode, of course, played with Judge Redfern last

Monday night. So that gave me a basis for my plan. Manix, we'll assume, also plays."

He leaned forward, speaking earnestly.

"Nine-tenths of poker, Markham, is psychology; and if one understands the game, one can learn more of a man's inner nature at a poker table in an hour than during a year's casual association with him. You rallied me once when I said I could lead you to the perpetrator of any crime by examining the factors of the crime itself. But naturally I must know the man to whom I am to lead you; otherwise I cannot relate the psychological indications of the crime to the culprit's nature. In the present case, I know the kind of man who committed the crime; but I am not sufficiently acquainted with the suspects to point out the guilty one. However, after our game of poker, I hope to be able to tell you who planned and carried out the Canary's murder."¹

Markham gazed at him in blank astonishment. He knew that Vance played poker with amazing skill, and that he possessed an uncanny knowledge of the psychological elements involved in the game; but he was unprepared for the latter's statement that he might be able to solve the Odell murder by means of it. Yet Vance had spoken with such undoubted earnestness that Markham was impressed. I knew what was passing in his mind almost as well as if he had voiced his thoughts. He was recalling the way in which Vance had, in a former murder case, put his finger un-

¹ Recently I ran across an article by Doctor George A. Dorsey, professor of anthropology at the University of Chicago, and author of "Why We Act Like Human Beings," which bore intimate testimony to the scientific accuracy of Vance's theory. In it Doctor Dorsey said: "Poker is a cross-section of life. The way a man behaves in a poker game is the way he behaves in life. . . . His success or failure lies in the way his physical organism responds to the stimuli supplied by the game. . . . I have studied humanity all my life from the anthropologic and psychological view-point. And I have yet to find a better laboratory exercise than to observe the manners of men as they see my raise and come back at me. . . . The psychologist's verbalised, visceral, and manual behaviours are functioning at their highest in a poker game. . . . I can truthfully say that I learned about men from poker."

erringly on the guilty man by a similar process of psychological deduction. And he was also telling himself that, however incomprehensible and seemingly extravagant Vance's requests were, there was always a fundamentally sound reason behind them.

"Damn it!" he muttered at last. The whole scheme seems idiotic. . . . And yet, if you really want a game of poker with these men, I've no special objection. It'll get you nowhere—I'll tell you that beforehand. It's stark nonsense to suppose that you can find the guilty man by such fantastic means."

"Ah, well," sighed Vance, "a little futile recreation will do us no harm."

"But why do you include Spotswoode?"

"Really, y' know, I haven't the slightest notion—except of course, that he's one of my quartet. And we'll need an extra hand."

"Well, don't tell me afterwards that I'm to lock him up for murder. I'd have to draw the line. Strange as it may seem to your layman's mind, I wouldn't care to prosecute a man, knowing that it was physically impossible for him to have committed the crime."

"As to that," drawled Vance, "the only obstacles that stand in the way of physical impossibilities are material facts. And material facts are notoriously deceivin'. Really, y' know, you lawyers would do better if you ignored them entirely."

Markham did not deign to answer such heresy, but the look he gave Vance was most expressive.

Chapter XXVII

A GAME OF POKER

(Monday, September 17th ; 9 p.m.)

VANCE and I went home after lunch, and at about four o'clock Markham telephoned to say that he had made the necessary arrangements for the evening with Spotswoode, Mannix, and Cleaver. Immediately following this confirmation Vance left the house, and did not return until nearly eight o'clock. Though I was filled with curiosity at so unusual a proceeding, he refused to enlighten me. But when, at a quarter to nine, we went downstairs to the waiting car, there was a man I did not know in the tonneau ; and I at once connected him with Vance's mysterious absence.

"I've asked Mr. Allen to join us to-night," Vance vouchsafed, when he had introduced us. "You don't play poker, and we really need another hand to make the game interesting, y' know. Mr. Allen, by the bye, is an old antagonist of mine."

The fact that Vance would, apparently without permission, bring an uninvited guest to Markham's apartment amazed me but little more than the appearance of the man himself. He was rather short, with sharp, shrewd features ; and what I saw of his hair beneath his jauntily tipped hat was black and sleek, like the painted hair on Japanese dolls. I noted, too, that his evening tie was enlivened by a design of tiny white forget-me-nots, and that his shirt-front was adorned with diamond studs.

The contrast between him and the immaculately stylish and meticulously correct Vance was aggressively evident.

I wondered what could be the relationship between them. Obviously it was neither social nor intellectual.

Cleaver and Mannix were already on hand when we were ushered into Markham's drawing-room, and a few minutes later Spotswoode arrived. The amenities of introduction over, we were soon seated comfortably about the open log fire, smoking, and sipping very excellent Scotch high-balls. Markham had, of course, accepted the unexpected Mr. Allen cordially, but his occasional glances in the latter's direction told me he was having some difficulty in reconciling the man's appearance with Vance's sponsorship.

A tense atmosphere lay beneath the spurious and affected affability of the little gathering. Indeed, the situation was scarcely conducive to spontaneity. Here were three men each of whom was known to the others to have been interested in the same woman; and the reason for their having been brought together was the fact that this woman had been murdered. Markham, however, handled the situation with such tact that he largely succeeded in giving each one the feeling of being a disinterested spectator summoned to discuss an abstract problem. He explained at the outset that the "conference" had been actuated by his failure to find any approach to the problem of the murder. He hoped, he said, by a purely informal discussion, divested of all officialism and coercion, to turn up some suggestion that might lead to a fruitful line of inquiry. His manner was one of friendly appeal, and when he finished speaking the general tension had been noticeably relaxed.

During the discussion that followed I was interested in the various attitudes of the men concerned. Cleaver spoke bitterly of his part in the affair, and was more self-condemnatory than suggestive. Mannix was voluble and pretentiously candid, but beneath his comments ran a strain of apologetic wariness. Spotswoode, unlike Mannix, seemed loath to discuss the matter, and maintained a consistently reticent attitude. He responded politely to Markham's questions, but he did not succeed entirely in hiding his

resentment at thus being dragged into a general discussion. Vance had little to say, limiting himself to occasional remarks directed always to Markham. Allen did not once speak, but sat contemplating the others with a sort of canny amusement.

The entire conversation struck me as utterly futile. Had Markham really hoped to garner information from it, he would have been woefully disappointed. I realised, though, that he was merely endeavouring to justify himself for having taken so unusual a step, and to pave the way for the game of poker which Vance had requested. When the time came to broach the subject, however, there was no difficulty about it.

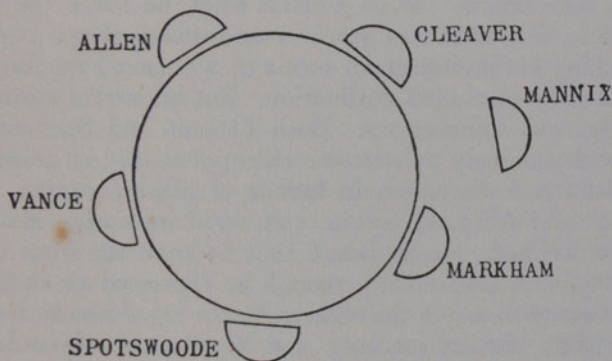
It was exactly eleven o'clock when he made the suggestion. His tone was gracious and unassuming; but by couching his invitation in terms of a personal request, he practically precluded declination. But his verbal strategy, I felt, was unnecessary. Both Cleaver and Spotswoode seemed genuinely to welcome the opportunity of dropping a distasteful discussion in favour of playing cards; and Vance and Allen, of course, concurred instantly. Mannix alone declined. He explained that he knew the game only slightly, and disliked it; though he expressed an enthusiastic desire to watch the others. Vance urged him to reconsider, but without success; and Markham finally ordered his man to arrange the table for five.

I noticed that Vance waited until Allen had taken his place, and then dropped into the chair at his right. Cleaver took the seat at Allen's left. Spotswoode sat at Vance's right; and then came Markham. Mannix drew up his chair midway behind Markham and Cleaver. [See next page]

Cleaver first named a rather moderate limit, but Spotswoode at once suggested much larger stakes. Then Vance went still higher, and as both Markham and Allen signified their agreement, his figure was accepted. The prices placed on the chips somewhat took my breath away, and even Mannix whistled softly.

That all five men at the table were excellent players became obvious before the game had progressed ten minutes. For the first time that night Vance's friend Allen seemed to have found his *milieu* and to be wholly at ease.

Allen won the first two hands, and Vance the third and fourth. Spotswoode then had a short run of good luck, and a little later Markham took a large jack-pot which put him slightly in the lead. Cleaver was the only loser thus far; but in another half-hour he had succeeded in recovering a large portion of his losses. After that Vance forged steadily ahead, only to relinquish his winning streak to Allen. Then for a while the fortunes of the game were



rather evenly distributed. But later on both Cleaver and Spotswoode began to lose heavily. By half-past twelve a grim atmosphere had settled over the party; for so high were the stakes, and so rapidly did the betting pyramid, that even for men of means—such as all these players undoubtedly were—the amounts which continually changed hands represented very considerable items.

Just before one o'clock, when the fever of the game had reached a high point, I saw Vance glance quickly at Allen and pass his handkerchief across his forehead. To a stranger the gesture would have been perfectly natural; but, so

familiar was I with Vance's mannerisms, I immediately recognised its artificiality. And simultaneously I noticed that it was Allen who was shuffling the cards preparatory to dealing. Some smoke from his cigar evidently went into his eye at this moment, for he blinked, and one of the cards fell to the floor. Quickly retrieving it, he reshuffled the deck and placed it before Vance to cut.

The hand was a jack-pot, and there was a small fortune in chips already on the table. Cleaver, Markham and Spotswoode passed. The decision thus reached Vance, and he opened for an unusually large amount. Allen at once laid down his hand, but Cleaver stayed. Then Markham and Spotswoode both dropped out, leaving the entire play between Vance and Cleaver. Cleaver drew one card, and Vance, who had opened, drew two. Vance made a nominal wager, and Cleaver raised it substantially. Vance in turn raised Cleaver, but only for a small amount; and Cleaver again raised Vance—this time for an even larger sum than before. Vance hesitated, and called him. Cleaver exposed his hand triumphantly.

“Straight flush—jack high,” he announced. “Can you beat that?”

“Not on a two-card draw,” said Vance ruefully. He put his cards down to show his openers. He had four kings.

About half an hour later Vance again took out his handkerchief and passed it across his forehead. As before, I noted that it was Allen's deal, and also that the hand was a jack-pot which had been twice sweetened. Allen paused to take a drink of his high-ball and to light his cigar. Then, after Vance had cut the cards, he dealt them.

Cleaver, Markham and Spotswoode passed, and again Vance opened, for the full amount of the pot. No one stayed except Spotswoode; and this time it was a struggle solely between him and Vance. Spotswoode asked for one card; and Vance stood pat. Then there followed a moment of almost breathless silence. The atmosphere seemed to me to be electrically charged, and I think the others sensed

it too, for they were watching the play with a curiously strained intentness. Vance and Spotswoode, however, appeared frozen in attitudes of superlative calm. I watched them closely, but neither revealed the slightest indication of any emotion.

It was Vance's first bet. Without speaking he moved a stack of yellow chips to the centre of the table—it was by far the largest wager that had been made during the game. But immediately Spotswoode measured another stack alongside of it. Then he coolly and deftly counted the remainder of his chips, and pushed them all forward with the palm of his hand, saying quietly :

“The limit.”

Vance shrugged almost imperceptibly.

“The pot, sir, is yours.” He smiled pleasantly at Spotswoode, and put down his hand face up, to establish his openers. He had held four aces!

“Gad! That's poker!” exclaimed Allen, chuckling.

“Poker?” echoed Markham. “To lay down four aces with all that money at stake?”

Cleaver also grunted his astonishment, and Mannix pursed his lips disgustedly.

“I don't mean any offence, y' understand, Mr. Vance,” he said. “But looking at that play from a strictly business standpoint, I'd say you quit too soon.”

Spotswoode glanced up.

“You gentlemen wrong Mr. Vance,” he said. “He played his hand perfectly. His withdrawal, even with four aces, was scientifically correct.”

“Sure it was,” agreed Allen. “Oh, boy! What a battle that was!”

Spotswoode nodded and, turning to Vance, said :

“Since the exact situation is never likely to occur again, the least I can do, by way of showing my appreciation of your remarkable perception, is to gratify your curiosity.—I held nothing.”

Spotswoode put down his hand and extended his fingers

gracefully towards the upturned cards. There were revealed a five, six, seven, and eight of clubs, and a knave of hearts.

"I can't say that I follow your reasoning, Mr. Spotswoode," Markham confessed. "Mr. Vance had you beaten—and he quit."

"Consider the situation," Spotswoode replied, in a suave, even voice. "I most certainly would have opened so rich a pot, had I been able to, after Mr. Cleaver and you had passed. But since I nevertheless stayed after Mr. Vance had opened for so large an amount, it goes without saying that I must have had either a four-straight, a four-flush, or a four-straight-flush. I believe I may state without immodesty that I am too good a player to have stayed otherwise. . . ."

"And I assure you, Markham," interrupted Vance, "that Mr. Spotswoode is too good a player to have stayed unless he had actually had a four-straight-flush. That is the only hand he would have been justified in backing at the betting odds of two to one.—You see, I had opened for the amount in the pot, and Mr. Spotswoode had to put up half the amount of the money on the table in order to stay—making it a two-to-one bet.—Now, these odds are not high, and any non-opening hand smaller than a four-straight-flush would not have warranted the risk. As it was, he had, with a one-card draw, two chances in forty-seven of making a straight-flush, nine chances in forty-seven of making a flush, and eight chances in forty-seven of making a straight; so that he had nineteen chances in forty-seven—or more than one chance in three—of strengthening his hand into either a straight-flush, a flush, or a straight."

"Exactly," assented Spotswoode. "However, after I had drawn my one card, the only possible question in Mr. Vance's mind was whether or not I had made my straight-flush. If I had not made it—or had merely drawn a straight or a flush—Mr. Vance figured, and figured rightly, that I would not have seen his large bet and also

have raised it the limit. To have done so, in those circumstances, would have been irrational poker. Not one player in a thousand would have taken such a risk on a mere bluff. Therefore, had Mr. Vance not laid down his four aces when I raised him, he would have been foolhardy in the extreme. It turned out, of course, that I was actually bluffing; but that does not alter the fact that the correct and logical thing was for Mr. Vance to quit."

"Quite true," Vance agreed. "As Mr. Spotswoode says, not one player in a thousand would have wagered the limit without having filled his straight-flush, knowing I had a pat hand. Indeed, one might almost say that Mr. Spotswoode, by doing so, has added another decimal point to the psychological subtleties of the game; for, as you see, he analysed my reasoning, and carried his own reasoning a step farther."

Spotswoode acknowledged the compliment with a slight bow; and Cleaver reached for the cards and began to shuffle them. But the tension had been broken, and the game was not resumed.

Something, however, seemed to have gone wrong with Vance. For a long while he sat frowning at his cigarette and sipping his high-ball in troubled abstraction. At last he rose and walked to the mantel, where he stood studying a Cézanne water-colour he had given Markham years before. His action was a typical indication of his inner puzzlement.

Presently, when there came a lull in the conversation, he turned sharply and looked at Mannix.

"I say, Mr. Mannix,"—he spoke with only casual curiosity—"how does it happen you've never acquired a taste for poker? All good business men are gamblers at heart."

"Sure they are," Mannix replied, with pensive deliberation. "But poker, now, isn't my idea of gambling—positively not. It's got too much science. And it ain't quick enough for me—it hasn't got the kick in it, if you know what I mean. Roulette's my speed. When I was in Monte

Carlo last summer I dropped more money in ten minutes than you gentlemen lost here this whole evening. But I got action for my money."

"I take it, then, you don't care for cards at all."

"Not to play games with." Mannix had become expansive. "I don't mind betting money on the draw of a card, for instance. But no two out of three, y' understand. I want my pleasures to come rapid." And he snapped his thick fingers several times in quick succession to demonstrate the rapidity with which he desired to have his pleasures come.

Vance sauntered to the table and carelessly picked up a deck of cards.

"What do you say to cutting once for a thousand dollars?"

Mannix rose instantly.

"You're on!"

Vance handed the cards over, and Mannix shuffled them. Then he put them down and cut. He turned up a ten. Vance cut, and showed a king.

"A thousand I owe you," said Mannix, with no more concern than if it had been ten cents.

Vance waited without speaking, and Mannix eyed him craftily.

"I'll cut with you again—two thousand this time. Yes?"

Vance raised his eyebrows. "Double? . . . By all means." He shuffled the cards, and cut a seven.

Mannix's hand swooped down and turned a five.

"Well, that's three thousand I owe you," he said. His little eyes had now narrowed into slits, and he held his cigar clamped tightly between his teeth.

"Like to double it again—eh, what?" Vance asked. "Four thousand this time?"

Markham looked at Vance in amazement, and over Allen's face there came an expression of almost ludicrous consternation. Everyone present, I believe, was astonished

at the offer, for obviously Vance knew that he was giving Mannix tremendous odds by permitting successive doubling. In the end he was sure to lose. I believe Markham would have protested if at that moment Mannix had not snatched the cards from the table and begun to shuffle them.

"Four thousand it is!" he announced, putting down the deck and cutting. He turned up the queen of diamonds. "You can't beat that lady—positively not!" He was suddenly jovial.

"I fancy you're right," murmured Vance, and he cut a trey.

"Want some more?" asked Mannix, with good-natured aggressiveness.

"That's enough." Vance seemed bored. "Far too excitin'. I haven't your rugged constitution, don't y' know."

He went to the desk and made out a cheque to Mannix for a thousand dollars. Then he turned to Markham and held out his hand.

"Had a jolly evening and all that sort of thing. . . . And, don't forget: we lunch together to-morrow. One o'clock at the club, what?"

Markham hesitated. "If nothing interferes."

"But really, y' know, it mustn't," insisted Vance. "You've no idea how eager you are to see me."

He was unusually silent and thoughtful during the ride home. Not one explanatory word could I get out of him. But when he bade me good-night he said: "There's a vital part of the puzzle still missing, and until it's found none of it has any meaning."

Chapter XXVIII

THE GUILTY MAN

(Tuesday, September 18th; 1 p.m.)

VANCE slept late the following morning, and spent the hour or so before lunch checking a catalogue of ceramics which were to be auctioned next day at the Anderson Galleries. At one o'clock we entered the Stuyvesant Club and joined Markham in the grill.

"The lunch is on you, old thing," said Vance. "But I'll make it easy. All I want is a rasher of English bacon, a cup of coffee, and a *croissant*."

Markham gave him a mocking smile.

"I don't wonder your economising after your bad luck of last night."

Vance's eyebrows went up.

"I rather fancied my luck was most extr'ordin'ry."

"You held four of a kind twice, and lost both hands."

"But, y' see," blandly confessed Vance, "I happened to know both times exactly what cards my opponents held."

Markham stared at him in amazement.

"Quite so," Vance assured him. "I had arranged before the game, d' ye see, to have those particular hands dealt." He smiled benignly. "I can't tell you, old chap, how I admire your delicacy in not referring to my rather unique guest, Mr. Allen, whom I had the bad taste to introduce so unceremoniously into your party. I owe you an explanation and an apology. Mr. Allen is not what one would call a charming companion. He is deficient in the patrician elegancies, and his display of jewellery was a bit vulgar—though I infinitely preferred his diamond studs to his piebald tie. But Mr. Allen has his points—decidedly he has his points. He ranks with Andy Blakely, Canfield, and

Honest John Kelly as an indoor soldier of fortune. In fact, our Mr. Allen is none other than Doc Wiley Allen, of fragrant memory."

"Doc Allen! Not the notorious old crook who ran the Eldorado Club?"

"The same. And, incidentally, one of the cleverest card manipulators in a once lucrative but shady profession."

"You mean this fellow Allen stacked the cards last night?" Markham was indignant.

"Only for the two hands you mentioned. Allen, if you happen to remember, was the dealer both times. I, who purposely sat on his right, was careful to cut the cards in accordance with his instructions. And you really must admit that no stricture can possibly attach to my deception, inasmuch as the only beneficiaries of Allen's manipulations were Cleaver and Spotswoode. Although Allen did deal me four of a kind on each occasion, I lost heavily both times."

Markham regarded Vance for a moment in puzzled silence, and then laughed good-naturedly.

"You appear to have been in a philanthropic mood last night. You practically gave Mannix a thousand dollars by permitting him to double the stakes on each draw. A rather quixotic procedure, I should say."

"It all depends on one's point of view, don't y' know. Despite my financial losses—which, by the bye, I have every intention of charging up to your office budget—the game was most successful. . . . Y' see, I attained the main object of my evening's entertainment."

"Oh, I remember!" said Markham vaguely, as if the matter, being of slight importance, had for the moment eluded his memory. "I believe you were going to ascertain who murdered the Odell girl."

"Amazin' memory! . . . Yes, I let fall the hint that I might be able to clarify the situation to-day."

"And whom am I to arrest?"

Vance took a drink of coffee and slowly lit a cigarette.

"I'm quite convinced, y' know, that you won't believe

me," he returned, in an even, matter-of-fact voice. "But it was Spotswoode who killed the girl."

"You don't tell me!" Markham spoke with undisguised irony. "So it was Spotswoode! My dear Vance, you positively bowl me over. I would telephone Heath at once to polish up his handcuffs, but, unfortunately, miracles—such as strangling persons from across town—are not recognised possibilities in this day and age. . . . Do let me order you another *croissant*."

Vance extended his hands in a theatrical gesture of exasperated despair.

"For an educated, civilised man, Markham, there's something downright primitive about the way you cling to optical illusions. I say, y' know, you're exactly like an infant who really believes that the magician generates a rabbit in a silk hat, simply because he sees it done."

"Now you're becoming insulting."

"Rather!" Vance pleasantly agreed. "But something drastic must be done to disentangle you from the Lorelei of legal facts. You're so deficient in imagination, old thing."

"I take it that you would have me close my eyes and picture Spotswoode sitting upstairs here in the Stuyvesant Club and extending his arms to 71st Street. But I simply couldn't do it. I'm a commonplace chap. Such a vision would strike me as ludicrous; it would smack of a hasheesh dream. . . . You yourself don't use *Cannabis indica*, do you?"

"Put that way, the idea does sound a bit supernatural. And yet: *Certum est quia impossibile est*. I rather like that maxim, don't y' know; for, in the present case, the impossible is true. Oh, Spotswoode's guilty—no doubt about it. And I'm going to cling tenaciously to that apparent hallucination. Moreover, I'm going to try to lure you into its toils; for your own—as we absurdly say—good name is at stake. As it happens, Markham, you are at this moment shielding the real murderer from publicity."

Vance had spoken with the easy assurance that precludes argument; and from the altered expression on Markham's face I could see he was moved.

"Tell me," he said, "how you arrived at your fantastic belief in Spotswoode's guilt."

Vance crushed out his cigarette and folded his arms on the table.

"We begin with my quartet of possibilities—Mannix, Cleaver, Lindquist, and Spotswoode. Realising, as I did, that the crime was carefully planned with the sole object of murder, I knew that only some one hopelessly ensnared in the lady's net could have done it. And no suitor outside of my quartet could have been thus enmeshed, or we would have learned of him. Therefore, one of the four was guilty. Now, Lindquist was eliminated when we found out that he was bed-ridden in a hospital at the time of Skeel's murder; for obviously the same person committed both crimes——"

"But," interrupted Markham, "Spotswoode had an equally good alibi for the night of the Canary's murder. Why eliminate one and not the other?"

"Sorry, but I can't agree with you. Being prostrated at a known place surrounded by incorruptible and disinterested witnesses, both preceding and during an event, is one thing; but being actually on the ground, as Spotswoode was that fatal evening, within a few minutes of the time the lady was murdered, and then being alone in a taxicab for fifteen minutes or so following the event—that is another thing. No one, as far as we know, actually saw the lady alive after Spotswoode took his departure."

"But the proof of her having been alive and spoken to him is incontestable."

"Granted. I admit that a dead woman doesn't scream and call for help, and then converse with her murderer."

"I see." Markham spoke with sarcasm. "You think it was Skeel, disguising his voice."

"Lord, no! What a priceless notion! Skeel didn't want anyone to know he was there. Why should he have staged such a masterpiece of idiocy? That certainly isn't the explanation. When we find the answer it will be reasonable and simple."

"That's encouraging," smiled Markham. "But proceed with your reasons for Spotswoode's guilt."

"Three of my quartet, then, were potential murderers," Vance resumed. "Accordingly, I requested an evening of social relaxation, that I might put them under the psychological microscope, as it were. Although Spotswoode's ancestry was wholly consistent with his having been the guilty one, nevertheless I confess I thought that Cleaver or Mannix had committed the crime; for, by their own statements, either of them could have done it without contradicting any of the known circumstances of the situation. Therefore, when Mannix declined your invitation to play poker last night, I put Cleaver to the first test. I wig-wagged to Mr. Allen, and he straightway proceeded to perform his first feat of prestidigitation."

Vance paused and looked up.

"You perhaps recall the circumstances? It was a jackpot. Allen dealt Cleaver a four-straight-flush and gave me three kings. The other hands were so poor that everyone else was compelled to drop out. I opened; and Cleaver stayed. On the draw, Allen gave me another king, and gave Cleaver the card he needed to complete his straight-flush. Twice I bet a small amount, and each time Cleaver raised me. Finally, I called him and of course, he won. He couldn't help but win, d'you see. He was betting on a sure thing. Since I opened the pot and drew two cards, the highest hand I could possibly have held would have been four of a kind. Cleaver knew this, and having a straight-flush, he also knew before he raised my bet, that he had me beaten. At once I realised that he was not the man I was after."

"By what reasoning?"

"A poker-player, Markham, who would bet on a sure-thing is one who lacks the egotistical self-confidence of the highly subtle and supremely capable gambler. He is not a man who will take hazardous chances and tremendous risks, for he possesses, to some degree, what the psychoanalysts call an inferiority complex, and instinctively he grasps at

every possible opportunity of protecting and bettering himself. In short, he is not the ultimate, unadulterated gambler. And the man who killed the Odell girl was a supreme gambler who would stake everything on a single turn of the wheel, for, in killing her, that is exactly what he did. And only a gambler whose paramount self-confidence would make him scorn, through sheer egotism, to bet on a sure thing, could have committed such a crime.—Therefore Cleaver was eliminated as a suspect."

Markham was now listening intently.

"The test to which I put Spotswoode a little later," Vance went on, "had originally been intended for Mannix, but he was out of the game. That didn't matter, however, for, had I been able to eliminate both Cleaver and Spotswoode, then Mannix would undoubtedly have been the guilty man. Of course I would have planned something else to substantiate the fact; but, as it was, that wasn't necess'ry. . . . The test I applied to Spotswoode was pretty well explained by the gentlemen himself. As he said, not one player in a thousand would have wagered the limit against a pat hand, when he himself held nothing. It was tremendous—superb! It was probably the most remarkable bluff ever made in a game of poker. I couldn't help admiring him when he calmly shoved forward all his chips, knowing, as I did, that he held nothing. He staked everything, d'ye see, wholly on his conviction that he could follow my reasoning step by step and, in the last analysis, outwit me. It took courage and daring to do that. And it also took a degree of self-confidence which would never have permitted him to bet on a sure thing. The psychological principles involved in that hand were identical with those of the Odell crime. I threatened Spotswoode with a powerful hand—a pat hand—just as the girl, no doubt, threatened him; and instead of compromising—instead of calling me or laying down—he outreached me; he resorted to one supreme *coup*, though it meant risking everything. . . . My word, Markham! Can't you see how the man's charac-

ter, as revealed in that amazing gesture, dovetails with the psychology of the crime?"

Markham was silent for a while; he appeared to be pondering the matter.

"But you yourself, Vance, were not satisfied at the time," he submitted at length. "In fact, you looked doubtful and worried."

"True, old dear. I was no end worried. The psychological proof of Spotswoode's guilt came so dashed unexpectedly—I wasn't looking for it, don't y' know. After eliminating Cleaver I had a *parti pris*, so to speak, in regard to Mannix; for all the material evidence in favour of Spotswoode's innocence—that is, the seeming physical impossibility of his having strangled the lady—had, I admit, impressed me. I'm not perfect, don't y' know. Being unfortunately human, I'm still susceptible to the malicious animal magnetism about facts and appearances, which you lawyer chaps are continuously exuding over the earth like some vast asphyxiating effluvium. And even when I found that Spotswoode's psychological nature fitted perfectly with all the factors of the crime, I still harboured a doubt in regard to Mannix. It was barely possible that he would have played the hand just as Spotswoode played it. That is why, after the game was over, I tackled him on the subject of gambling. I wanted to check his psychological reactions."

"Still, he staked everything on one turn of the wheel, as you put it."

"Ah! But not in the same sense that Spotswoode did. Mannix is a cautious and timid gambler as compared with Spotswoode. To begin with, he had an equal chance and an even bet, whereas Spotswoode had no chance at all—his hand was worthless. And yet Spotswoode wagered the limit on a pure bit of mental calculation. That was gambling in the higher ether. On the other hand, Mannix was merely tossing a coin, with an even chance of winning. Furthermore, no calculation of any kind entered into it; there was no planning, no figuring, no daring. And, as I have told you

from the start, the Odell murder was premeditated and carefully worked out with shrewd calculation and supreme daring. . . . And what true gambler would ask an adversary to double a bet on the second flip of the coin, and then accept an offer to redouble on the third flip? I purposely tested Mannix in that way, so as to preclude any possibility of error. Thus I not only eliminated him—I expunged him, eradicated him, wiped him out utterly. It cost me a thousand dollars, but it purged my mind of any lingering doubt. I then knew, despite all the contr'ry material indications, that Spotswoode had done away with the lady."

"You make your case theoretically plausible. But, practically, I'm afraid I can't accept it." Markham was more impressed, I felt, than he cared to admit. "Damn it, man!" he exploded after a moment. "Your conclusion demolishes all the established landmarks of rationality and sane credibility.—Just consider the facts." He had now reached the argumentative stage of his doubt. "You say Spotswoode is guilty. Yet we know, on irrefutable evidence, that five minutes after he came out of the apartment the girl screamed and called for help. He was standing by the switchboard, and, accompanied by Jessup, he went to the door and carried on a brief conversation with her. She was certainly alive then. Then he went out the front door, entered a taxicab, and drove away. Fifteen minutes later he was joined by Judge Redfern as he alighted from the taxicab in front of the club here—nearly forty blocks away from the apartment-house! It would have been impossible for him to have made the trip in less time; and, moreover, we have the chauffeur's record. Spotswoode simply did not have either the opportunity or the time to commit the murder between half-past eleven and ten minutes to twelve when Judge Redfern met him. And, remember, he played poker in the club here until three in the morning—hours after the murder took place."

Markham shook his head with emphasis.

"Vance, there's no human way to get round those facts."

They're firmly established ; and they preclude Spotswoode's guilt as effectively and finally as though he had been at the North Pole that night."

Vance was unmoved.

"I admit everything you say," he rejoined. "But as I have stated before, when material facts and psychological facts conflict, the material facts are wrong. In this case, they may not actually be wrong, but they're deceptive."

"Very well, *magnus Apollo!*" The situation was too much for Markham's exacerbad nerves. "Show me how Spotswoode could have strangled the girl and ransacked the apartment, and I'll order Heath to arrest him."

"'Pon my word, I can't do it," expostulated Vance. "Omniscience was denied me. But—deuce take it!—I think I've done rather well in pointing out the culprit. I never agreed to expound his technic, don't y' know."

"So! Your vaunted penetration amounts only to that, does it? Well, well! Here and now I become a professor of the higher mental sciences, and I pronounce solemnly that Doctor Crippen murdered the Odell girl. To be sure, Crippen's dead ; but that fact doesn't interfere with my newly adopted psychological means of deduction. Crippen's nature, you see, fits perfectly with all the esoteric and recondite indications of the crime. To-morrow I'll apply for an order of exhumation."

Vance looked at him with waggish reproachfulness, and sighed.

"Recognition of my transcendent genius, I see, is destined to be posthumous. *Omnia post obitum fingit majora vetustas.* In the meantime I bear the taunts and jeers of the multitude with a stout heart. My head is bloody, but unbowed."

He looked at his watch, and then seemed to become absorbed with some line of thought.

"Markham," he said, after several minutes, "I've a concert at three o'clock, but there's an hour to spare. I want to take another look at that apartment and its various approaches. Spotswoode's trick—and I'm convinced it was

nothing more than a trick—was enacted there; and if we are ever to find the explanation, we shall have to look for it on the scene."

I had got the impression that Markham, despite his emphatic denial of the possibility of Spotwoode's guilt was not entirely unconvinced. Therefore, I was not surprised when, with only a half-hearted protest, he assented to Vance's proposal to revisit the Odell apartment.

Chapter XXIX

BEETHOVEN'S "ANDANTE"

(Tuesday, September 16th; 2 p.m.)

LESS than half an hour later we again entered the main hall of the little apartment building in 71st Street. Spively, as usual, was on duty at the switchboard. Just inside the public reception room the officer on guard reclined in an easy chair, a cigar in his mouth. On seeing the District Attorney, he rose with forced alacrity.

"When are you going to open things up, Mr. Markham?" he asked. "This rest-cure is ruinin' my health."

"Very soon I hope, officer," Markham told him. "Any more visitors?"

"Nobody, sir." The man stifled a yawn.

"Let's have your key to the apartment.—Have you been inside?"

"No, sir. Orders were to stay out here."

We passed into the dead girl's living room. The shades were still up, and the sunlight of midday was pouring in. Nothing apparently had been touched: not even the overturned chairs had been righted. Markham went to the window and stood, his hands behind him, surveying the scene despondently. He was labouring under a growing uncertainty, and he watched Vance with a cynical amusement which was far from spontaneous.

Vance, after lighting a cigarette, proceeded to inspect the two rooms, letting his eyes rest searchingly on the various disordered objects. Presently he went into the bathroom and remained several minutes. When he came out he carried a towel with several dark smudges on it.

"This is what Skeel used to erase his finger-prints," he said, tossing the towel on the bed.

"Marvellous!" Markham rallied him. "That, of course, convicts Spotswoode."

"Tut, tut! But it helps substantiate my theory of the crime." He walked to the dressing table and sniffed at a tiny silver atomiser. "The lady used Coty's *Chypre*," he murmured. "Why *will* they all do it?"

"And just what does that help substantiate?"

"Markham, dear, I'm absorbing atmosphere. I'm attuning my soul to the apartment's vibrations. Do let me attune in peace. I may have a visitation at any moment—a revelation from Sinai, as it were."

He continued his round of investigation, and at last passed out into the main hall, where he stood, one foot holding open the door, looking about him with curious intentness. When he returned to the living-room, he sat down on the edge of the rosewood table, and surrendered himself to gloomy contemplation. After several minutes he gave Markham a sardonic grin.

"I say! This *is* a problem. Dash it all, it's uncanny!"

"I had an idea," scoffed Markham, "that sooner or later you'd revise your deductions in regard to Spotswoode."

Vance stared idly at the ceiling.

"You're devilish stubborn, don't y' know. Here I am trying to extricate you from a deuced unpleasant predicament, and all you do is to indulge in caustic observations calculated to damp my youthful ardour."

Markham left the window and seated himself on the arm of the davenport facing Vance. His eyes held a worried look.

"Vance, don't get me wrong. Spotswoode means nothing in my life. If he did this thing, I'd like to know it. Unless this case is cleared up, I'm in for an ungodly wallop by the newspapers. It's not to my interests to discourage any possibility of a solution. But your conclusion about Spotswoode is impossible. There are too many contradictory facts."

"That's just it, don't y' know. The contradict'ry indications are far too perfect. They fit together too beautifully; They're almost as fine as the forms in a Michelangelo statue. They're too carefully co-ordinated, d' ye see, to have been merely a haphazard concatenation of circumstances. They signify conscious design."

Markham rose and, slowly returning to the window, stood looking out into the little rear yard.

"If I could grant your premise that Spotswoode killed the girl," he said, "I could follow your syllogism. But I can't very well convict a man on the grounds that his defence is too perfect."

"What we need, Markham, is inspiration. The mere contortions of the sibyl are not enough," Vance took a turn up and down the room. "What really infuriates me is that I've been outwitted. And by a manufacturer of automobile accessories! . . . It's most humiliatin'."

He sat down at the piano and played the opening bars of Brahms's *Capriccio* No. 1.

"Needs tuning," he muttered; and, sauntering to the Boule cabinet, he ran his finger over the marquetry. "Pretty and all that," he said, "but a bit fussy. Good example, though. The deceased's aunt from Seattle should get a very fair price for it." He regarded a pendant girandole at the side of the cabinet. "Rather nice, that, if the original candles hadn't been supplanted with modern frosted bulbs." He paused before the little china clock on the mantel. "Gingerbread. I'm sure it kept atrocious time." Passing on to the *escritoire*, he examined it critically. "Imitation French Renaissance. But rather dainty, what?" Then his eye fell on the waste-paper basket, and he picked it up. "Silly idea," he commented, "—making a basket out of vellum. The artistic triumph of some lady interior decorator, I'll wager. Enough vellum here to bind a set of Epictetus. But why ruin the effect with hand-painted garlands? The æsthetic instinct has not as yet invaded these fair States—decidedly not."

Setting the basket down, he studied it meditatively for a moment. Then he leaned over and took from it the piece of crumpled wrapping-paper to which he had referred the previous day.

"This doubtless contained the lady's last purchase on earth," he mused. "Very touchin'. Are you sentimental about such trifles, Markham? Anyway, the purple string round it was a godsend to Skeel. . . . What knickknack, do you suppose, paved the way for the frantic Tony's escape?"

He opened the paper, revealing a broken piece of corrugated cardboard and a large square dark-brown envelope.

"Ah, to be sure! Phonograph records." He glanced about the apartment. "But, I say, where did the lady keep the bally machine?"

"You'll find it in the foyer," said Markham wearily, without turning. He knew that Vance's chatter was only the outward manifestation of serious and perplexed thinking; and he was waiting with what patience he could muster.

Vance sauntered idly through the glass doors into the little reception-hall, and stood gazing abstractedly at a console phonograph of Chinese Chippendale design which stood against the wall at one end. The squat cabinet was partly covered with a prayer-rug, and upon it sat a polished bronze flower-bowl.

"At any rate, it doesn't look phonographic," he remarked. "But why the prayer-rug?" He examined it casually. "Anatolian—probably called a Cæsarian for sale purposes. Not very valuable—too much on the Oushak type. . . . wonder what the lady's taste in music was. Victor Herbert, doubtless." He turned back the rug and lifted the lid of the cabinet. There was a record already on the machine, and he leaned over and looked at it.

"My word! The *Andante* from Beethoven's C Minor Symphony!" he exclaimed cheerfully. "You know the movement, of course, Markham. The most perfect *Andante*

ever written." He wound up the machine. "I think a little good music might clear the atmosphere and volatilise our perturbation, what?"

Markham paid no attention to his banter; he was still gazing dejectedly out of the window.

Vance started the motor, and placing the needle on the record, returned to the living-room. He stood staring at the davenport, concentrating on the problem in hand. I sat in the wicker chair by the door waiting for the music. The situation was getting on my nerves, and I began to feel fidgety. A minute or two passed, but the only sound which came from the phonograph was a faint scratching. Vance looked up with mild curiosity, and walked back to the machine. Inspecting it cursorily, he once more set it in operation. But though he waited several minutes, no music came forth.

"I say! That's deuced queer, y' know," he grumbled, as he changed the needle and rewound the motor.

Markham had now left the window, and stood watching him with good-natured tolerance. The turn-table of the phonograph was spinning, and the needle was tracing its concentric revolutions; but still the instrument refused to play. Vance, with both hands on the cabinet, was leaning forward, his eyes fixed on the silently revolving record with an expression of amused bewilderment.

"The sound-box is probably broken," he said. "Silly machines, anyway."

"The difficulty is, I imagine," Markham chided him, "lies in your patrician ignorance of so vulgar and democratic a mechanism.—Permit me to assist you."

He moved to Vance's side, and I stood looking curiously over his shoulder. Everything appeared to be in order, and the needle had now almost reached the end of the record. But only a faint scratching was audible.

Markham stretched forth his hand to lift the sound-box. But his movement was never completed.

At that moment the little apartment was filled with

several terrifying treble screams, followed by two shrill calls for help. A cold chill swept my body, and there was a tingling at the roots of my hair.

After a short silence, during which the three of us remained speechless, the same feminine voice said in a loud, distinct tone: "*No; nothing is the matter. I'm sorry. . . . Everything is all right. . . . Please go home, and don't worry.*"

The needle had come to the end of the record. There was a slight click, and the automatic device shut off the motor. The almost terrifying silence that followed was broken by a sardonic chuckle from Vance.

"Well, old dear," he remarked languidly, as he strolled back into the living-room, "so much for your irrefutable facts!"

There came a loud knocking on the door, and the officer on duty outside looked in with a startled face.

"It's all right," Markham informed him in a husky voice. "I'll call you when I want you."

Vance lay down on the davenport and took out another cigarette. Having lighted it, he stretched his arms far over his head and extended his legs, like a man in whom a powerful physical tension had suddenly relaxed.

"'Pon my soul, Markham, we've all been babes in the woods," he drawled. "An incontrovertible alibi—my word! If the law supposes that, as Mr. Bumble said, the law is a ass, an idiot.—Oh, Sammy, Sammy, vy worn't there a alleybi! . . . Markham, I blush to admit it, but it's you and I who've been the unutterable asses."

Markham had been standing by the instrument like a man dazed, his eyes riveted hypnotically on the telltale record. Slowly he came into the room and threw himself wearily into a chair.

"Those precious facts of yours!" continued Vance. "Stripped of their carefully disguised appearance, what are they?—Spotswoode prepared a phonograph record—a simple enough task. Everyone makes 'em nowadays—"

"Yes. He told me he had a workshop at his home on Long Island where he tinkered a bit."

"He really didn't need it, y' know. But it facilitated things, no doubt. The voice on the record is merely his own in falsetto—better for the purpose than a woman's, for it's stronger and more penetrating. As for the label, he simply soaked it off of an ordin'ry record, and pasted it on his own. He brought the lady several new records that night, and concealed this one among them. After the theatre he enacted his gruesome little drama and then carefully set the stage so that the police would think it was a typical burglar's performance. When this had been done, he placed the record on the machine, set it going, and calmly walked out. He had placed the prayer-rug and bronze bowl on the cabinet of the machine to give the impression that the phonograph was rarely used. And the precaution worked, for no one thought of looking into it. Why should they? . . . Then he asked Jessup to call a taxicab—everything quite natural, y' see. While he was waiting for the car the needle reached the recorded screams. They were heard plainly: it was night, and the sounds carried distinctly. Moreover, being filtered through a wooden door, their phonographic *timbre* was well disguised. And, if you'll note, the enclosed horn is directed toward the door, not three feet away."

"But the synchronisation of his questions and the answers on the record . . .?"

"The simplest part of it. You remember Jessup told us that Spotswoode was standing with one arm on the switch board when the screams were heard. He merely had his eye on his wrist-watch. The moment he heard the cry, he calculated the intermission on the record, and put his question to the imagin'ry lady at just the right moment to receive the record's response. It was all carefully figured out beforehand; he no doubt rehearsed it in his laboratr'y. It was deuced simple, and practically proof against failure. The record is a large one—twelve-inch diameter, I should

say—and it requires above five minutes for the needle to traverse it. By putting the screams at the end, he allowed himself ample time to get out and order a taxicab. When the car at last came, he rode direct to the Stuyvesant Club, where he met Judge Redfern and played poker till three. If he hadn't met the Judge, rest assured he would have impressed his presence on someone else so as to have established an alibi."

Markham shook his head gravely.

"Good God! No wonder he importuned me on every possible occasion to let him visit this apartment again. Such a damning piece of evidence as that record must have kept him awake at night."

"Still, I rather fancy that if I hadn't discovered it, he would have succeeded in getting possession of it as soon as your *sergent-de-ville* was removed. It was annoyin' to be unexpectedly barred from the apartment, but I doubt if it worried him much. He would have been on hand when the Canary's aunt took possession, and the retrieving of the record would have been comparatively easy. Of course the record constituted a hazard, but Spotswoode isn't the type who'd shy at a low bunker of that kind. No; the thing was planned scientifically enough. He was defeated by sheer accident."

"And Skeel?"

"He was another unfortunate circumstance. He was hiding in the closet there when Spotswoode and the lady came in at eleven. It was Spotswoode whom he saw strangle his erstwhile *amoureuse* and rifle the apartment. Then, when Spotswoode went out, he came forth from hiding. He was probably looking down at the girl when the phonograph emitted its blood-chilling wails. . . . My word! Fancy being in a cold funk, gazing at a murdered woman, and then hearing piercing screams behind you! It was a bit too much even for the hardened Tony. I don't wonder he forgot all caution and put his hand on the table to steady himself. . . . And then came Spotswoode's voice through the door, and

the record's answer. This must have puzzled Skeel. I imagine he thought for a moment he'd lost his reason. But pretty soon the significance of it dawned on him ; and I can see him grinning to himself. Obviously he knew who the murderer was—it would not have been in keeping with his character had he failed to learn the identities of the Canary's admirers. And now there had fallen into his lap, like manna from heaven, the most perfect opportunity for blackmail that any such charmin' young gentleman could desire. He doubtless indulged himself with roseate visions of a life of opulence and ease at Spotswoode's expense. When Cleaver phoned a few minutes later, he merely said the lady was out, and then set to work planning his own departure."

"But I don't see why he didn't take the record with him."

"And remove from the scene of the crime the one piece of unanswerable evidence? . . . Bad strategy, Markham. If he himself had produced the record later, Spotswoode would simply have denied all knowledge of it, and accused the blackmailer of a plot. Oh, no ; Skeel's only course was to leave it, and apply for an enormous settlement from Spotswoode at once. And I imagine that's what he did. Spotswoode no doubt gave him something on account and promised him the rest anon, hoping in the meantime to retrieve the record. When he failed to pay, Skeel phoned you and threatened to tell everything, thinking to spur Spotswoode to action. . . . Well, he spurred him—but not to the action desired. Spotswoode probably met him by appointment last Saturday night, ostensibly to hand over the money, but, instead, throttled the chap. Quite in keeping with his nature, don't y' know. . . . Stout fella, Spotswoode."

"The whole thing . . . it's amazing."

"I shouldn't say that, now. Spotswoode had an unpleasant task to perform, and he set about it in a cool, logical, forthright, business-like manner. He had decided that his little Canary must die for his peace of mind : she'd probably made herself most annoyin'. So he arranged the

date—like any judge passing sentence on a prisoner at the bar—and then proceeded to fabricate an alibi. Being something of a mechanic, he arranged a mechanical alibi. The device he chose was simple and obvious enough—no tortuosities or complications. And it would have succeeded but for what the insurance companies piously call an act of God. No one can foresee accidents, Markham: they wouldn't be accidental if one could. But Spotswoode certainly took every precaution that was humanly possible. It never occurred to him that you would thwart his every effort to return here and confiscate the record; and he couldn't anticipate my taste in music, nor know that I would seek solace in the tonal art. Furthermore, when one calls on a lady, one doesn't expect that another suitor is going to hide himself in the clothes-press. It isn't done, don't y' know. . . . All in all, the poor johnny was beaten by a run of abominable luck."

"You overlook the fiendishness of the crime," Markham reproached him tartly.

"Don't be so confoundedly moral, old thing. Everyone's a murderer at heart. The person who has never felt a passionate hankering to kill someone is without emotions. And do you think it's ethics or theology that stays the average person from homicide? Dear no! It's lack of courage—the fear of being found out, or haunted, or cursed with remorse. Observe with what delight the people *en masse*—to wit, the state—put men to death, and then gloat over it in the newspapers. Nations declare war against one another on the slightest provocation, so they can, with immunity, vent their lust for slaughter. Spotswoode, I'd say, is merely a rational animal with the courage of his convictions."

"Society unfortunately isn't ready for your nihilistic philosophy just yet," said Markham. "And during the intervening transition human life must be protected."

He rose resolutely, and going to the telephone, called up Heath.

"Sergeant," he ordered, "get a John-Doe warrant and

meet me immediately at the Stuyvesant Club. Bring a man with you—there's an arrest to be made."

"At last the law has evidence after its own heart," chirped Vance, as he lazily donned his top-coat and picked up his hat and stick. "What a grotesque affair your legal procedure is, Markham! Scientific knowledge—the facts of psychology—mean nothing to you learned Solons. But a phonograph record—ah! There, now, is something convincing, irrefragable, final, what?"

On our way out Markham beckoned to the officer on guard.

"Under no conditions," he said, "is anyone to enter this apartment until I return—not even with a signed permit."

When we had entered the taxicab, he directed the chauffeur to the club.

"So the newspapers want action, do they? Well, they're going to get it. . . . You've helped me out of a nasty hole, old man."

As he spoke, his eyes turned to Vance. And that look conveyed a profounder gratitude than any words could have expressed.

Chapter XXX

THE END

(Tuesday, September 18th; 3.30 p.m.)

It was exactly half-past three when we entered the rotunda of the Stuyvesant Club. Markham at once sent for the manager, and held a few words of private conversation with him. The manager then hastened away, and was gone about five minutes.

"Mr. Spotswoode is in his rooms," he informed Markham, on returning. "I sent the electrician up to test the light bulbs. He reports that the gentleman is alone, writing at his desk."

"And the room number?"

"Three forty-one." The manager appeared perturbed. "There won't be any fuss, will there, Mr. Markham?"

"I don't look for any." Markham's tone was chilly. "However, the present matter is considerably more important than your club."

"What an exaggerated point of view!" sighed Vance when the manager had left us. "The arrest of Spotswoode, I'd say, was the acme of futility. The man isn't a criminal, don't y' know; he has nothing in common with Lombroso's *Uomo Delinquente*. He's what one might term a philosophic behaviourist."

Markham grunted but did not answer. He began pacing up and down agitatedly, keeping his eyes expectantly on the main entrance. Vance sought a comfortable chair, and settled himself in it with placid unconcern.

Ten minutes later Heath and Snitkin arrived. Markham

at once led them into an alcove and briefly explained his reason for summoning them.

"Spotswoode's upstairs now," he said. "I want the arrest made as quietly as possible."

"Spotswoode!" Heath repeated the name in astonishment. "I don't see——"

"You don't have to see—yet," Markham cut in sharply. "I'm taking all the responsibility for the arrest. And you're getting the credit—if you want it. That suit you?"

Heath shrugged his shoulders.

"It's all right with me . . . anything you say, sir." He shook his head uncomprehendingly. "But what about Jessup?"

"We'll keep him locked up. Material witness."

We ascended in the elevator and emerged at the third floor. Spotswoode's rooms were at the end of the hall, facing the Square. Markham, his face set grimly, led the way.

In answer to his knock Spotswoode opened the door and, greeting us pleasantly, stepped aside for us to enter.

"Any news yet?" he asked, moving a chair forward.

At this moment he got a clear view of Markham's face in the light, and at once he sensed the minatory nature of our visit. Though his expression did not alter, I saw his body suddenly go taut. His cold, indecipherable eyes moved slowly from Markham's face to Heath and Snitkin. Then his gaze fell on Vance and me, who were standing a little behind the others, and he nodded stiffly.

No one spoke; yet I felt that an entire tragedy was somehow being enacted, and that each actor heard and understood every word.

Markham remained standing, as if reluctant to proceed. Of all the duties of his office, I knew that the arrest of malefactors was the most distasteful to him. He was a worldly man, with the worldly man's tolerance for the misfortunes of evil. Heath and Snitkin had stepped forward and now waited with passive alertness for the District Attorney's order to serve the warrant.

Spotswoode's eyes were again on Markham.

"What can I do for you sir?" His voice was calm and without the faintest quaver.

"You can accompany these officers, Mr. Spotswoode," Markham told him quietly, with a slight inclination of his head toward the two imperturbable figures at his side. "I arrest you for the murder of Margaret Odell."

"Ah!" Spotswoode's eyebrows lifted mildly. "Then you have—discovered something?"

"The Beethoven *Andante*."

Not a muscle of Spotswoode's face moved; but after a short pause he made a barely perceptible gesture of resignation.

"I can't say that it was wholly unexpected," he said evenly, with the tragic suggestion of a smile; "especially as you thwarted every effort of mine to secure the record. But then . . . the fortunes of the game are always uncertain." His smile faded, and his manner became grave. "You have acted generously toward me, Mr. Markham, in shielding me from the *canaille*; and because I appreciate that courtesy I should like you to know that the game I played was one in which I had no alternative."

"Your motive, however powerful," said Markham, "cannot extenuate your crime."

"Do you think I seek extenuation?" Spotswoode dismissed the imputation with a contemptuous gesture. "I'm not a schoolboy. I calculated the consequences of my course of action, and after weighing the various factors involved, decided to risk it. It was a gamble, to be sure; but it's not my habit to complain about the misfortunes of a deliberately planned risk. Furthermore, the choice was practically forced upon me. Had I not gambled in this instance, I stood to lose heavily nevertheless."

His face grew bitter.

"This woman, Mr. Markham, had demanded the impossible of me. Not content with bleeding me financially, she demanded legal protection, position, social prestige—such

things as only my name could give her. She informed me I must divorce my wife and marry her. I wonder if you apprehend the enormity of that demand? . . . You see, Mr. Markham, I love my wife, and I have children whom I love. I will not insult your intelligence by explaining how, despite my conduct, such a thing is entirely possible. . . . And yet, this woman commanded me to wreck my life and crush utterly those I held dear, solely to gratify her petty, ridiculous ambition! When I refused, she threatened to expose our relations to my wife, to send her copies of the letters I had written, to sue me publicly—in fine, to create such a scandal that, in any event, my life would be ruined, my family disgraced, my home destroyed.”

He paused and drew a deep inspiration.

“I have never been partial to half-way measures,” he continued impassively. “I have no talent for compromise. Perhaps I am a victim of my heritage. But my instinct is to play out a hand to the last chip—to force whatever danger threatens. And for just five minutes, a week ago, I understood how the fanatics of old could, with a calm mind and a sense of righteousness, torture their enemies who threatened them with spiritual destruction. . . . I chose the only course which might save those I love from disgrace and suffering. It meant taking a desperate risk. But the blood within me was such that I did not hesitate, and I was fired by the agony of a tremendous hate. I staked my life against a living death, on the remote chance of attaining peace. And I lost.”

Again he smiled faintly.

“Yes—the fortunes of the game. . . . But don't think for a minute that I am complaining or seeking sympathy. I have lied to others perhaps, but not to myself. I detest a whiner—a self-excuser. I want you to understand that.”

He reached to the table at his side and took up a small limp-leather volume.

“Only last night I was reading Wilde's ‘De Profundis.’ Had I been gifted with words, I might have made a similar

confession. Let me show you what I mean so that, at least, you won't attribute to me the final infamy of cravenness."

He opened the book, and began reading in a voice whose very fervour held us all silent :

"I brought about my own downfall. No one, be he high or low, need be ruined by any other hand than his own. Readily as I confess this, there are many who will, at this time at least, receive the confession sceptically. And although I thus mercilessly accuse myself, bear in mind that I do so without offering any excuse. Terrible as is the punishment inflicted upon me by the world, more terrible is the ruin I have brought upon myself. . . . In the dawn of manhood I recognised my position. . . . I enjoyed an honoured name, an eminent social position. . . . Then came the turning-point. I had become tired of dwelling on the heights—and descended by my own will into the depths. . . . I satisfied my desires wherever it suited me, and passed on. I forgot that every act, even the most insignificant act, of daily life, in some degree, makes or unmakes the character; and every occurrence which transpires in the seclusion of the chamber will some day be proclaimed from the housetops. I lost control of myself. I was no longer at the helm, and knew it not. I had become a slave to pleasure. . . . One thing only is left to me—complete humility.' "

He tossed the book aside.

"You understand now, Mr. Markham ? "

Markham did not speak for several moments.

"Do you care to tell me about Skeel ? " he at length asked.

"That swine!" Spotswoode sneered his disgust. "I could murder such creatures every day and regard myself as a benefactor of society. . . . Yes, I strangled him, and I would have done it before, only the opportunity did not offer. . . . It was Skeel who was hiding in the closet when I returned to the apartment after the theatre, and he must have seen me kill the woman. Had I known he was behind that locked closet door, I would have broken it down and

wiped him out then. But how was I to know? It seemed natural that the closet might have been kept locked—I didn't give it a second thought. . . . And the next night he telephoned me to the club here. He had first called my home on Long Island, and learned that I was staying here. I had never seen him before—didn't know of his existence. But, it seems, he had equipped himself with a knowledge of my identity—probably some of the money I gave to the woman went to him. What a muck-heap I had fallen into! . . . When he phoned, he mentioned the phonograph, and I knew he had found out something. I met him in the Waldorf lobby, and he told me the truth: there was no doubting his word. When he saw I was convinced, he demanded so enormous a sum that I was staggered."

Spotswoode lit a cigarette with steady fingers.

"Mr. Markham, I am no longer a rich man. The truth is, I am on the verge of bankruptcy. The business my father left me has been in a receiver's hands for nearly a year. The Long Island estate on which I live belongs to my wife. Few people know these things, but unfortunately they are true. It would have been utterly impossible for me to raise the amount Skeel demanded, even had I been inclined to play the coward. I did, however, give him a small sum to keep him quiet for a few days, promising him all he asked as soon as I could convert some of my holdings. I hoped in the interim to get possession of the record and thus spike his guns. But in that I failed; and so, when he threatened to tell you everything, I agreed to bring the money to his home late last Saturday night. I kept the appointment, with the full intention of killing him. I was careful about entering, but he had helped me by explaining when and how I could get in without being seen. Once there, I wasted no time. The first moment he was off his guard I seized him—and gloried in the act. Then, locking the door and taking the key, I walked out of the house quite openly, and returned here to the club.—That's all, I think."

Vance was watching him musingly.

"So when you raised my bet last night," he said, "the amount represented a highly important item in your exchequer."

Spotswoode smiled faintly.

"It represented practically every cent I had in the world."

"Astonishin'! . . . And would you mind if I asked you why you selected the label of Beethoven's *Andante* for your record?"

"Another miscalculation," the man said wearily. "It occurred to me that if anyone should, by any chance, open the phonograph before I could return and destroy the record, he wouldn't be as likely to want to hear the classics as he would a more popular selection."

"And one who detests popular music had to find it! I fear, Mr. Spotswoode, that an unkind fate sat in at your game."

"Yes. . . . If I were religiously inclined, I might talk poppycock about retribution and divine punishment."

"I'd like to ask you about the jewellery," said Markham. "It's not sportsmanlike to do it, and I wouldn't suggest it, except that you've already confessed voluntarily to the main points at issue."

"I shall take no offence at any question you desire to ask, sir," Spotswoode answered. "After I had recovered my letters from the document-box, I turned the rooms upside-down to give the impression of a burglary—being careful to use gloves, of course. And I took the woman's jewellery for the same reason. Parenthetically, I had paid for most of it. I offered it as a sop to Skeel, but he was afraid to accept it; and finally I decided to rid myself of it. I wrapped it in one of the club newspapers and threw it in a waste-bin near the Flatiron Building."

"You wrapped it in the morning *Herald*," put in Heath. "Did you know that Pop Cleaver reads nothing but the *Herald*?"

"Sergeant!" Vance's voice was a cutting reprimand.

“Certainly Mr. Spotswoode was not aware of that fact—else he would not have selected the *Herald*.”

Spotswoode smiled at Heath with pitying contempt. Then, with an appreciative glance at Vance, he turned back to Markham.

“An hour or so after I had disposed of the jewels I was assailed by the fear that the package might be found and the paper traced. So I bought another *Herald* and put it on the rack.” He paused. “Is that all?”

Markham nodded.

“Thank you—that’s all; except that I must now ask you to go with these officers.”

“In that case,” said Spotswoode quietly, “there’s a small favour I have to ask of you, Mr. Markham. Now that the blow has fallen, I wish to write a certain note—to my wife. But I want to be alone when I write it. Surely you understand that desire. It will take but a few moments. Your men may stand at the door—I can’t very well escape. . . . The victor can afford to be generous to that extent.”

Before Markham had time to reply, Vance stepped forward and touched his arm.

“I trust,” he interposed, “that you won’t deem it necess’ry to refuse Mr. Spotswoode’s request.”

Markham looked at him hesitatingly.

“I guess you’ve pretty well earned the right to dictate, Vance,” he acquiesced.

Then he ordered Heath and Snitkin to wait outside in the hall, and he and Vance and I went into the adjoining room. Markham stood, as if on guard, near the door; but Vance, with an ironical smile, sauntered to the window and gazed out into Madison Square.

“My word, Markham!” he declared. “There’s something rather colossal about that chap. Y’ know, one can’t help admiring him. He’s so eminently sane and logical.”

Markham made no response. The drone of the city’s mid-afternoon noises, muffled by the closed windows,

seemed to intensify the ominous silence of the little bed-chamber where we waited.

Then came a sharp report from the other room.

Markham flung open the door. Heath and Snitkin were already rushing toward Spotswoode's prostrate body, and were bending over it when Markham entered. Immediately he wheeled about and glared at Vance, who now appeared in the doorway.

"He's shot himself!"

"Fancy that," said Vance.

"You—you knew he was going to do that?" Markham spluttered.

"It was rather obvious, don't y' know."

Markham's eyes flashed angrily.

"And you deliberately interceded for him—to give him the opportunity?"

"Tut, tut, my dear fellow!" Vance reproached him. "Pray don't give way to conventional moral indignation. However unethical—theoretically—it may be to take another's life, a man's own life is certainly his to do with as he chooses. Suicide is his inalienable right. And under the paternal tyranny of our modern democracy, I'm rather inclined to think it's about the only right he has left, what?"

He glanced at his watch and frowned.

"D' ye know, I've missed my concert, bothering with your beastly affairs," he complained amiably, giving Markham an engaging smile; "and now you're actually scolding me. 'Pon my word, old fellow, you're deuced ungrateful!"





