

SHERIFF LARRABEE'S PRISONER

MARTIN DEXTER

(FREDERICK FAUST)

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MARTIN DEXTER

**SHERIFF LARRABEE'S
PRISONER**

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Sheriff Larrabee's Prisoner

NOTE: When this short novel first appeared in the December 3, 1921 issue of *Western Story Magazine*, the editor assigned Frederick Faust a new pseudonym for the story, Martin Dexter, but this would be the only time this name would be used as a Faust byline. Faust used other byline names at this time: David Manning, George Owen Baxter, and Max Brand. These multiple identities were intended to make the readers think that each one was a different and distinct author.

I

“NO HANG-OUT”

The rain had been falling steadily, with a northwester to drive it aslant. Now the wind leaped suddenly at Jack Montagne, and, as if its former pace had been maintained only to lure him into a false security, it now drove the rain in level volleys that crashed against his slicker and stung his face. Even his weather-hardened hands resented the fury of the storm. The blast stopped the trot of his pony that remained for the moment leaning into the storm. Presently it again gathered headway, urged on by the tickling spur of the rider. When the anger of the wind and rain had spent itself, Montagne screened his eyes and peered anxiously up the valley.

It was then he made out the two lights—one a mere yellow ray which, passing through the mist of rain, was split into a thousand shivering portions as Montagne squinted at it, and the other merely a dim red blur. They were welcome sights to the rider on this black night, and yet he hesitated before going straight toward them.

Eventually he decided that the news about him could not have preceded him to this desolate valley, and he touched the pony with the spurs again. This time the weary beast broke into a lope, cupping the muddy water on the trail in the hollows of his forehoofs, and sending it up in spurts and showers to drench the rider. But against such physical discomforts Jack Montagne was proof. When the possessions of a man have shrunk to his bridle and saddle and horse and the old gun, sagging at

his hip, when, moreover, fear and dread ride at his side, the elements are negligible factors. In truth, the storm fitted in with the mood of Montagne, and his temper rose in fierce bursts of revolt against the world, just as the wind occasionally struck at him with redoubled force, and like the night his mind was filled with a steady, black gloom.

The red light on his right now grew rapidly. The rain streaked down against it, and above the light he made out the outlines of a tree. Someone was sitting by a campfire to the lee of a tree, and that was his only shelter against this furious storm. There was no other conclusion to come to, and Montagne shook his head in wonder. Perhaps the fellow had not seen that light down the road, that light which evidently came from a house. It was partly with a kindly determination to tell the camper that there was a better shelter in sight, and partly with the hope of learning a little about this valley in which he found himself, that Montagne turned to the right and came squarely upon the fire.

It was a miserable and uncertain blaze, fizzing and hissing constantly, as drops of water filtered down from the boughs of the tree above. And yet the broad trunk made a rather good shelter, for the steady wind kept driving the rain at an angle, and the man, whose back was against the tree, was in no danger of getting wet by the direct fall of water. Only the drops, that trickled through the foliage above, came splashing about him. He had been stirring weakly at the fire, and it was not until the pony came within a yard of the blaze, snorting in disgust as the smoke filled its nostrils, that the camper lifted to the view of Montagne a white, rat-like face, out of which little bright black eyes glittered.

"Get your own fire, bo," said the camper, without waiting to learn definitely the purpose of the new arrival. "I ain't got any more'n enough room for myself, and I ain't going to let you in. Get on your way and hustle your own fire?"

He enforced this suggestion with an ugly lifting of his upper lip, very much after the manner of a terrier guarding a bone. But Jack Montagne did not immediately answer. He waited until his observations had taken in all the details of the battered hat, the coat of nameless age and patches, the shoes through the ends of which the toes were thrusting, and the whole atmosphere of unclean suspicion that dwelt about the tramp like a garment.

"You dirty rat," said Jack Montagne, when he broke silence. "I ought to twist your neck into two pieces!"

"What?" demanded the tramp, starting, as he shaded his eyes with his hands and peered half viciously and half curiously up through the darkness, as if he wished with all his heart to attack the man who had insulted him, but must first make sure that

such an attack would be an expedient proceeding.

That which he saw was apparently extremely discouraging, for he settled back against the tree and changed his open defiance to a sullen scowl.

"But," went on Jack Montagne, smiling in spite of himself at this change of front, "I'm going to do you a good turn, instead of kicking you away from that fire and out into the mud. I'm going to tell you that there is a house down the road about a mile. You don't have to stay here. You can go down there and sleep in the barn, anyway."

"Can I?" asked the tramp. "All right, you go and try it. That's all I got to say . . . you go and try it!" He wrapped his arms about him, shivering, as the wind grew fresher out of the north, and he grinned in mockery at the rider.

"Did you try it?" asked the rider, with a sudden sternness that was not, however, directed at the tramp. "Did you try it and get turned out into a night like this?"

"Maybe," replied the tramp.

The rider set his teeth in one of those convulsions of anger which seemed to be characteristic; and the tramp, peering at him by the dim firelight, shrank from what he saw.

"But are there no other houses around here?" asked Montagne.

"Find out for yourself," said the tramp. He had been emboldened by the generous indignation of the night rider, as if this were proof that the larger man would not take advantage of his superior size, or the revolver that was faintly outlined under the skirt of his slicker. "Find out for yourself . . . that's what I had to do."

Jack Montagne considered that lean, pointed face with a thoughtful contempt.

"No," he decided at length, "I won't look any farther. I'll go to that house yonder, and I'll get supper and a bed there, whether they want to give it to me or not. If they'd turn even a dog out into this sort of weather, they don't deserve no consideration, and I ain't going to give it to 'em. If you want to come along with me, I'll see that they put you up, too."

But the tramp merely laughed. "I ain't a fool," he declared. "I ain't going to walk that far for nothing. Besides, I'm doing fine right here."

"S'long, then," said Montagne.

The tramp returned no answer, but he followed the stranger with a bright glance of his little eyes, as Montagne swerved out into the storm again.

Through the crashing of the rain Jack kept steadily for the house. Presently he saw the light in the window grow brighter, and he made out the shadowy form of a big ranch house, one of those long and ragged roof lines that attest many additions built onto the original and central structure. Turn a stranger away from such a place, where there must be room to put up twenty extra men? His anger grew with every

stride of his pony; when at length he drew rein, his jaw was set.

It was the rear of the house he had approached, and the light came from a projecting wing that was evidently the kitchen. As Montagne swung out of the saddle, he stepped from the blast of the storm into the quiet shelter of the building. Pausing at the door, he heard two voices, both raised—one the harsh voice of a woman, and one a man's voice.

"If he don't get the money out of that chest," said the man, "where does he get it? Anyway, I'm going to find out if . . ."

"Shut up!" exclaimed the woman. "Let me tell you. . . ." Here she lowered her voice until it became unintelligible to Montagne, and he rapped heavily on the door.

The voices ceased, then there was a shuffling of feet, the turning of the doorknob, as someone called out to him: "Who's there?"

It was the same growling voice of the man whom he had heard speaking inside the kitchen.

"A stranger, partner," said Montagne pleasantly, "held up in this rain, and I'd like to get a place to sleep and a bite to eat."

"This ain't no hang-out for bums," answered the other fiercely. "Get out and stay out!"

And the door was slammed in the face of Montagne. But in that moment he flung himself forward, leaning low, his shoulder and its cushion of hardened muscle presented for the shock, after the fashion of a football player. The door had been slammed, but the latch had not yet clicked home, and the lunging body of Montagne knocked the door wide. The burly fellow was sent spinning across the floor of the kitchen and crashed into the wall, and Montagne, crouched low and staggering, entered.

When he straightened himself, he saw the man of the house scrambling to his feet, uttering a profusion of terrific curses. Then the big-shouldered, loose-jointed fellow sprang to the wall and caught a shotgun off the nails where it was supported. He did not, however, level the gun at Montagne. Something in the face of the stranger arrested the motion. His close-set, bulging eyes dwelt in a sort of daze on the newcomer, and Montagne thought he had never seen features so animal-like, save in the woman. She also had reached for the nearest weapon, sweeping up a great butcher knife in her work-reddened hand, but, like her son—the relationship was proclaimed in their faces—her motion to strike was arrested.

For they saw in the newcomer a man well over middle height, so strong and sinewy that even the loose-flapping folds of the slicker could not entirely disguise his power. More than this, he was in a tremendous passion which his silence made more

terrible than a profusion of curses. In relaxation he must have been a handsome man, but now his features expressed nothing but consuming rage. His brows were black above his glaring eyes, his nostrils quivered, his mouth was a straight, white-edged line, and the tendons of his neck stood forth. Moreover, point was given to his anger by the fact that his right hand was under his slicker. Beyond a doubt it was grasping the butt of a revolver.

II

“THE HOSTS OF THE HOUSE”

The son had no cunning with which to adapt himself to this terrible stranger; the woman possessed more adroitness. She cast at her son one flaming glance and shook her head; clearly she admonished him to give over the thought of violent resistance to violence. Then she slipped the knife back onto the table and turned to Montagne, with complaints instead of fury.

“What sort of a business is this?” she demanded. “Busting down doors and breaking in on honest folk? Is that a way to act, I say? Is that a way?” She put a whine into her voice, to be sure, but her eyes were still sparkling with rage, although she told her son, with a curse at his stupidity, to put down the shotgun. “I ain’t going to have no murder on your head,” she declared, “not even if the law wouldn’t lay no hand on you for defending your own house and home! Now, you, what d’you want?”

The anger had been gradually departing from Jack Montagne. Like most men liable to fits of murderous temper, his rage passed away almost as swiftly as it had come over him, but his face was still ominous as he replied to the woman’s demands.

“I’ve heard about you folks,” he said, “turning people out into this sort of a storm, but I didn’t believe it. Now I’m going to talk straight. . . . I ain’t got a cent, but I’m going to get a dry place to sleep, and I’m going to get a place for my hoss and feed for it in the barn. . . . I’m going to get supper for myself. You lay to that. I say I ain’t got a cent on me now, but, when I come back, I’ll pay you every cent it’s worth, and then double. You can trust that. I never been known to break a promise. . . . but, whether you trust me or not, I’m going to get what I said I’d get. Now, listen, I’m going to take my hoss out to the barn, yonder, and find feed for him. Then I’m coming back here, and I expect to find supper started for me. Understand? I’ve fed a hundred gents in my day and never took nothing for it. Now I’m going to get a

little part of it back."

So saying, he stepped backward into the night and slammed the door behind him. No sooner had it closed than the son slipped to it and laid the great bolt softly in place. Then he turned with a grin of triumph to his mother. "We'll lock him out, confound him," he said.

"Think you can hold out one like him?" asked the woman. "Not if you were ten times the man you are, Gus. It would have taken your father, aye, or a better one than your father, to handle this one."

"I dunno," replied Gus. "I can do my share, if I got a chance and ain't took by surprise."

"I know. If you got a chance to sneak up on somebody, and get a gun trained on 'em, you're brave enough. But don't try to sneak up on the gent that just come in here. Know why?"

"Why?" asked her son, blinking.

She slipped a little closer to him and glanced aside at the door through which Montagne had just disappeared, as if fearful that he might return at that instant and overhear.

"Because he's a killer," she whispered. "I know that kind. You see the way he rocked a little from side to side, he was so mad? You seen the way he went white, and the veins sprang out purple on his forehead? You seen the way his eyes went jumping everywhere? That's because he was a killer. He had his hand on his gun, and he wouldn't have thought nothing of blowing off both our heads. Oh, I know the likes of him, and I know 'em well! He's a bad one, Gus, and you can lay to that! Don't try no fancy work on him."

The pale, brutish eyes of Gus opened wide, as he drank in this information. Then the woman went to the door, removed the bolt again, and shook her fist in a consuming burst of rage. "Why should he have come on this night of all nights?" she snarlingly demanded.

"We'll just have to put it off," said the son.

"You fool!" replied his amiable mother. "Why was I cursed by having a coward and an idiot for a son? But you're like your father before you . . . no sense . . . like a swine . . . just made for eating and drinking and sleeping and grunting in your sleep. Bah!"

The son replied to this outburst of affection with a wicked glint of his eyes and a twitching of his loose upper lip, but, apparently, he had had too much experience of the virago's tongue to invite a fresh outburst.

"How can we put it off? Ain't we got to have the money by tomorrow?" she

went on as savagely as before. "You think you can put off Cusick? No, not that leech! He'd foreclose in a minute. His mouth is watering at the idea of getting the ranch, anyway. And now this killer comes and. . . ."

"Shut up," muttered the son, as an idea flashed across his brutish face. "Maybe this ain't the worst that could have happened . . . this having the stranger with us tonight. Maybe we could make him. . . ."

His mother checked him with a raised hand, and the next moment the door opened, and Jack Montagne entered the room again. This time he came rather carelessly, even whistling, as if he were now an old acquaintance. He settled himself in a chair, leaned back against the wall, and twitched the holster at his right hip so that the butt of the gun fell into a convenient position. He regarded the pair with quiet interest. They gave him a glance in return and then busied themselves in laying out a supper of cold ham and cold fried potatoes and lukewarm coffee, left over from their own evening meal.

Without a word they served him; without a word he drew up his chair and began to eat. As has been said before, he was a good-looking fellow, except when his face was contorted by rage. He had an ominously sudden way of glancing from side to side, and the muscles of the jaw were strongly developed, as in one who habitually kept his teeth set. In actual years Montagne could not have been more than twenty-seven or eight, but hard experience, of one kind or another, had touched his hair with a streak of gray over the temples. He was a man of many expressions. Looking down, he often seemed middle-aged and weary; looking up, he seemed years younger; when he smiled, he was suddenly a boy, filled with geniality.

"And now," he said, as he approached the conclusion of that cheerless meal, "where do I sleep?"

"In the barn," said the woman savagely. "I guess hay is good enough for you!"

"Sure," agreed Jack Montagne. "Only you were so kind of generous about making me accept things ever since I landed here, that I thought maybe you'd want me to sleep in a nice comfortable bed in the house."

He grinned, as he spoke, but Gus said: "And so we do. There's a spare bed in the room right next to mine, and. . . ."

"D'you think I'll have him in the house?" asked the woman.

But her son winked at her, and, regarding her steadily, he said: "Shut up and let me talk. Ain't I the man about this house? I say he's going to sleep inside!"

He had raised his voice to a shout, and his mother submitted to him with suspicious suddenness. At the same moment a slow, feeble step was heard descending the stairs, a step that hesitated like the movement of extreme old age.

"You've got the old devil up with your yelling," said the woman. "Now he'll make us all dance for it."

The next moment a bent old man came into the doorway. If the woman and her boy were of bearish temper and bearish conformation, the old fellow who now came before the view of Jack Montagne was certainly of the wolf breed. His eagle nose, his grimly compressed lips, his forward-jutting chin, and, above all, the cold, keen eyes, under the bushy, white brows, told of a predatory soul. Years had bowed him, but there was something so significant about him that the hawk-like figure seemed to tower above them all. It was rather as if he had stooped to come through the doorway than as if the weight of time had stooped him. He carried a long cane, gathered up toward his breast, in a hand that was a blue claw, entirely unfleshed.

He stamped this cane upon the floor. Age had stiffened his neck, but his eyes, for that reason, roved the more keenly. "I told you before," he said, "that I ain't going to have noise in the evening . . . evening is my time for reading . . . evening is my time for quiet. I ain't going to have noise. I heard a racket once before tonight, and now you're shouting. It's got to stop. D'you hear? It's got to stop!" He whipped up his cane suddenly and shook it in malevolent rage at Gus. "You lout! You fool!" he exclaimed. "It's you that makes life a torture around here. Now, mind you, no more noise!"

To the surprise of Montagne this fierce reproof was received in a mild silence. Both the woman and her son lowered their eyes to the floor, and then Gus looked up in apology.

"I'm sure sorry," he said. "I got to arguing and . . ."

"That's the trouble with fools," said the terrible old man. "They always talk too much. Who's this?" He picked out Jack Montagne with a gesture of his cane.

"A stranger," said the woman, "that we never seen before. But we can't turn folks away on nights like this. We got to show some sort of kindness, even if we ain't rich folks, and even if we don't get paid."

She said this with a sort of cringing humility, glancing sadly toward the ceiling, as if bewailing the ingratitude of a hard world.

But the old man merely grunted, and then grinned at her. "You'll get a reward in heaven for all your kindness," he told her. "You sure will get a reward there. Who are you?" This last was directed at Montagne.

"I'm Jack," said Montagne.

"Jack, eh?" said the old fellow. "Jack the Baker, Jack the Butcher, Jack the Ropemaker, Jack the Killer . . . which one are you?" And, as he concluded the list of fanciful appellations, his narrow chin thrust out, and his keen eyes probed and

stabbed at the eyes of Jack Montagne.

In spite of himself Montagne felt a chill running through his veins. The old man knew too much about human nature, and all his knowledge seemed to be of evil.

"I don't like him," went on the old man. "Send him away. I'd have nightmares all night, if I knew that man was sleeping here, under the same roof with me. I don't like him . . . he's too hungry. Them that have nothing want everything. And him . . . you ain't got a cent in your pocket!"

As he said this, he advanced a long step, a light and stealthy step, and thrust his cane almost in the face of Jack. The latter half rose from his chair, alarmed and filled with an almost superstitious fear. The old man began to laugh mirthlessly, his eyes snapping. Then he stamped his cane on the floor, as he stepped back.

"I know you," he went on, nodding to himself, "I know you all . . . starvelings, buzzards. Bah! You'll find no meat on my bones to fatten you . . . not you. Out with you, Jack the Beggar, Jack the Knave, Jack the Killer. Out with you and sleep in the barn! I'll not have you under the same roof with me, I say. I prophesy you won't come to no good end!"

Jack Montagne slowly recovered his poise in the face of this malignant attack. He settled back again in his chair and smiled in the wicked face of the old man. "I'll stay here," he said, "old bones . . . I'll stay here and be comfortable. It ain't none too warm outside."

"You won't leave, won't you?" demanded the hostile old ogre. "You can't throw him out, can you?" he asked of Gus. Then he answered his own question: "Nope, it'd take ten like you to handle one like him. But, if I was forty years younger, I'd . . . well, no matter. Forty years are forty years and can't be changed."

"Mister Benton," broke in the woman, "I'm terribly sorry, I sure am. I do what I can to make you comfortable, but, when gents come and force their way in on me . . ."

"I thought you took him in out of kindness?" The irritable old man fairly snapped his question. "Don't talk, Missus Zellar . . . don't talk. I see through you, and I don't see no good!" He turned on Gus. "By the way, seen young Walters lately?"

"Seen him this mornin', Mister Benton."

"You did, eh? And what's he say?"

"He's doing fine. Says he'll have his interest money ready for you next week. He could pay it now."

The old fellow nodded his head slowly back and forth, half closing his eyes. "I knowed Walters would be made by the money I loaned him . . . I knowed that. I always know."

"And right here, Mister Benton," said the woman, "I could have used that money fine. Me and Gus could have improved the ranch no end and give you a better rate of interest than Walters does."

"Don't talk," declared the octogenarian. "Don't talk. I see through you . . . like you had a window over where your heart is."

He turned and stalked toward the door. His back was visibly pinched and withered under his coat. From that rear view he seemed suddenly weak, but, when he turned on them again at the door, all thought of his feebleness left Jack Montagne. The withered lips of Mr. Benton continued to writhe, but he uttered no sound. Presently his halting step went up the stairs again and disappeared through a doorway beyond.

When he was gone, there was a sigh emitted by all three. For a moment, exchanging glances, they seemed to be of one mind. Truly they were all, in differing ways, grim people, but compared with this terrible old man they were weaklings.

"That bed I told you about," said Gus suddenly, "I'll show you where the room is, if you like."

Jack Montagne nodded, rose, and followed his guide up the stairs, noting the empty bareness of the house. Dissolute spending, which had impoverished the ranch, had gutted the house, it seemed. The very hall seemed to beg for new voices and cheerier footfalls—certainly less stealthy ones.

When they came to the room, Gus deposited the lamp on the table beside the bed and left without a word. Jack Montagne sat down and buried his face in his hands. He had come to another halting place in his downward progress through life. Had the old man been right? Was he, indeed, bound for damnation?

He shrugged away that fierce prophecy. In the meantime, the fact was that he needed money, needed it terribly, must have it, and the old fellow, beyond doubt, possessed what he wanted. Had he not heard the two in the kitchen speak of money and a chest? All was as clear as day. The old usurer kept a store of coin in his room and loaned it out about the countryside.

III

"LARRABEE LISTENS"

The sheriff, Henry Larrabee, jerked up his head and listened.

"That phone call is for me," he said instantly, as the first ring ended. Two long

and three short was the sheriff's ring on that country line, and the ring was ground out on a little crank, without summoning the assistance of a central. This first long ring was made in what might have been called a breathless fashion, the crank turning so swiftly in the middle of the motion that it produced only a rattle, not a true ring.

"Not for you! Not on a night like this!" exclaimed his wife, as the good woman lifted her head and listened to the crashing of the rain against the roof.

A second long ring had begun. "It's for me, right enough," said the sheriff, and rose to his feet.

His daughter, Mary, rose, also, staring with excitement. "Oh, Dad, what could be happening?"

"On a night like this . . . anything. There it goes."

The second long ring had ended, and there followed three short rings in swift succession. The sheriff ran to the phone with great strides. "Hello!" he called.

"Sheriff Larrabee," said a woman's voice, "come quick, for there's been a murder here."

"Who are you?"

"Missus Zellar . . . murder . . . ah!"

The last word was a half scream, and there was the sound of the telephone receiver dropping with a jerk.

"You devil!" the sheriff heard a man's voice shouting.

Larrabee smashed up his own receiver. "Jud!" he thundered. "Chris!"

His two sons answered with shouts from the upper part of the house.

"Come down to me, quick! We got riding to do!"

"Henry," breathed his wife, stammering with fear, as she ran to him. "What is it? Where?"

"Nothing," he answered sternly. "Don't hang onto me. I got work . . . that's all. When I'm gone, call the Gloster house and get the Gloster boys to ride toward the Zellar place, as fast as they can saddle and get under way. I'll meet 'em on the road. That's all. Don't ask questions. Just do what I say."

Catching up his hat, he plunged from the house, the front door banging heavily behind him at the same time that the thunder of his sons' feet began on the stairs above. Within five minutes they were in the saddle and racing out onto the muddy road. For they kept their horses in a shed near the house, ready for quick saddling at any hour of the day or night. Going up the first steep hill, they could talk.

"I knew," said Jud, "that they'd be trouble some day in the Zellar house. What's up?"

"I dunno," answered the father. "Just heard a woman talking, and woman talk

don't mean much usually. But it sure sounded like trouble was busted loose. Come on, lads!"

They had reached the crest of the hill, and now they lurched down into the valley at a reckless gallop, the horses sliding and slipping over the mud. Turning down the valley road, they presently came in view of a fire beneath a tree, and the sheriff headed straight for it. He swung out of the saddle in front of the tramp whom Jack Montagne had seen earlier in the night. The tramp straightened up—he had been dozing, with his head almost dropped into the flame of the fire—and blinked at the new arrivals. The stern hand of the sheriff helped him to his feet, and he stifled his yawn.

"Who're you?" asked the sheriff.

"Slim," said the tramp. "Some call me Mississippi Slim."

"What else?"

"Disremember being called any other name."

"You come with me, Mississippi Slim. Jud, take him along and follow me to the Zellar place. This is the kind that know things, this Slim. Chris, come on with me. We got to ride hard."

"What can you get out of Slim?" asked Chris, as the two spurred on through the mud.

"Never can tell. But, if you ever step into my boots, boy, and get my job, you want to pick up them that look like Slim. If there's trouble around, they're 'most always down-wind from it, and they know all about what's going on. They smell it before they see it, and they see it before us ordinary folks dream it."

He concluded with a brief admonition. "If Gus Zellar is mixed up in this killing, or whatever it is, that we're moving toward, and we come across him armed, don't waste no time arguing. If he shows fight, shoot . . . and shoot to kill. Handle him the way you'd handle a dog. He ain't no better, much."

He had no chance to say more, for now they came to the house, where lights were burning in half of the windows. The sheriff's son was for a careful approach. The sheriff, however, scoffed at such an idea, and, advancing to the kitchen door, he cast it open and stepped into the presence of Gus Zellar and his mother.

There was no need to fear Gus Zellar. He was a white-faced, trembling wreck of a man, shrinking against the wall. His mother was ten times more formidable. Her eyes were gleaming, her hands clenched, and her whole attitude that of one ready to fight a great battle.

"You sure come slow," she said to Larrabee. "Come upstairs, and you'll find it."

There was something so ominous in that last syllable that even the sheriff, time-

hardened by contact with crime and criminals, was a trifle shocked. As she took up the lamp, he swung in behind her, first ordering Gus Zellar to follow close to his mother. The order threw Gus into a sudden panic.

"But what've I got to do with it?" he asked tremulously. "I didn't do it! I swear I didn't do it, Sheriff!"

"I'm not saying you did," said the sheriff, disgusted by such cringing. "But you step along. I want to keep you under my eye."

Gus skulked into line, glancing fearfully behind, as if anticipating a kick. They hurried up the stairs, the woman exclaiming eagerly: "You got to hurry, Sheriff. He left in a rush, and he'll be riding like a fiend all night. Every minute counts, when you're trailing a gent like him!"

"Like who?" asked the sheriff.

"I'll tell you about him after you see what he's done."

They had hurried up to the floor of the second story of the house, and now they went straight behind Mrs. Zellar into the room, directly opposite the head of the stairs. They passed through a broken door. It had been splintered exactly in the center, and both halves were still attached—the one by its hinges and the other by the lock. Mrs. Zellar placed the lamp on the table near the center of the room.

"There!" she exclaimed dramatically, stepping back. "Nothing ain't been touched. There you are!"

They looked past her and saw, within the bright circle cast by the lamp, the figure of old Mr. Benton, lying on his back. Both hands were caught up to his breast, and he lay in a crimson pool that had run from a great wound in his head.

The sheriff's son gasped, turned sick, and caught at the wall for support. But the sheriff himself showed not the slightest emotion. He merely leaned over the body, saying: "Never knowed he was that tall . . . never saw the old codger straightened out before."

"Now you've seen," said Mrs. Zellar shrilly, "and now go get him!"

"How long ago did he leave?"

"Only forty minutes by the clock. I been watching for you to come and watching the clock and thinking you'd never come. But he can't get far through the mud."

"Forty minutes?" asked the sheriff, and he suddenly lost all eagerness. "Well, let's hear about this. Get over here, will you?"

The last words were a savage roar, and they jerked Gus away from the door, toward which he had been sneaking. He stood back against the wall, shuddering, and his eyes twitched nervously from face to face.

"They ain't no call to talk to Gus like that," said Mrs. Zellar. "He didn't do

nothing."

"Perhaps not," said the sheriff, and, maintaining his aggravating calm, he produced a cut of chewing tobacco and worked off a comfortable bite between his front teeth.

"Say, Dad," broke in his son, "you ain't going to stand around while he gets away?"

"You talk less and listen more," said his father sagely. "And you cotton onto this . . . before you start following a trail, find out where it leads. Now, Missus Zellar, what happened?"

"He came here and made us . . .," began the woman.

"Who's he?"

"Wouldn't give no name . . . that kind never do. Just said he was Jack. But Mister Benton knew right off, the minute he laid eyes on him, that Jack was no good, and he said so right to his face. Well, Jack come and knocked open our kitchen door and asked for a meal and a bed. I didn't like the looks of him, but, when I told him there wasn't nothing for him here, he pulled a gun and started ordering us around. Ain't that right, Gus?"

"Every single word," said the truthful Gus, rolling his eyes.

"Leave Gus out and talk to me."

"Afterward, Mister Benton come down, like he mostly always does, to say a word or two to us before he goes to bed, him knowing that we're about the only friends he has in the world."

The sheriff was now walking around the room, carelessly examining every corner of it. Mrs. Zellar followed him a pace or two in every direction he took, raising her voice, when he was far away, lowering it slightly, when he was close.

"He seen Jack, as I was saying, and Jack seen him. And while Benton was talking, Jack found out that the old man kept a pile of money in his chest in his room."

"You knew that, did you?" asked the sheriff, his back turned.

"Does it mean anything . . . my knowing it?" asked Mrs. Zellar.

"Go on."

"Finally, after Mister Benton left, and Jack got through eating . . . he ate like he hadn't had food for a couple of days . . . Jack went up to bed, and he wouldn't be suited with nothing but Gus's own room, right next to Mister Benton's room.

"Gus come downstairs afterward. 'I don't like the looks of him,' says Gus. 'Nor his ways,' says I.

"'I'm going to sit up a while,' says Gus, 'till Jack turns out his light.'

"So we done it. We turned down the lamp in the kitchen, so it didn't make no light, just a glooming through the room. Then we waited and waited. All at once we heard a scream. Quick as a flash, Gus jumps to his feet.

"I been waiting for just that," he said, and starts running up the stairs, with me after him."

"Are you sure he went first?" asked the sheriff.

"Sure he did. Ain't he the man of the house?"

"Go on," said Larrabee dryly.

"Gus tried the door, and it was locked. He took a run and broke the door open . . . you see . . . and there he found Mister Benton lying, poor soul, with the chest open and the papers and everything all ruffled up, just the way you see. Nothing ain't been touched . . . not a thing is touched, Sheriff, since we first seen it."

The chest in the corner of the room, indeed, was open, and a confusion of papers tumbled in it and on the floor around it.

"And then the door of Jack's room opens, and out he comes, rubbing his eyes like he'd just waked up, as though he could have slept through all that noise.

"What's all the racket about?" he says. Well he knew, the murderer. Look here!"

She led the way to the window. Below it was the roof of the verandah that wound around the side of the house. Opposite was another window.

"That window yonder opens into Jack's room, where he was supposed to sleep . . . the liar. What he done was to slip out of that window of his room and walk right across the roof and open this window and come in. He had first throttled the old man. You see?"

She advanced to the body and, leaning about it, pointed to some discolorations on the throat. There was something hideous in this eagerness, something unnatural for her sex. She was giving the scent of Jack Montagne to the bloodhounds.

"But the old boy died hard," went on Mrs. Zellar, stepping back again. "He wasn't dead, when Jack finished the throttling. He come to life, got his breath, and let out the screech that I heard down below and near stopped my heart beating."

The sheriff, in the meantime, went to the window, leading onto the roof, and tried it. It opened frictionlessly and without sound under the lift of his hand. He turned, nodding, and marked the last of Mrs. Zellar's words with more apparent interest.

"And, when he screeched, Jack, who was getting the money out of the chest, turned around and hit him over the head with a chunk of wood from the fireplace. There it is."

By the open hearth of the fireplace there was a pile of cut wood, each piece well

over two feet in length. But one of these pieces lay in the middle of the floor, an ugly stain splotched about its sharp edge.

"You sure he got the money?" asked the sheriff.

"There ain't a cent in the chest!" she exclaimed. "Look for yourself, the way I done."

"I thought you didn't touch anything?" he asked sharply.

"Are you going to lay the stealing on me?"

"What did Jack do then?" asked the sheriff.

"When he seen the body, he tried to act surprised, but me and Gus drew back and looked at him. He tried to talk the thing off, but we just kept on looking. Pretty soon he run out of the room. Next thing we knew, he was jumping downstairs. He didn't hit more'n twice, all the way to the bottom. Outdoors he went, and the next minute he was tearing down the road on his hoss . . . riding west."

"Thanks," said the sheriff. "What did he look like?"

"Good looking, but mean. About five feet eleven . . . dark, straight-looking eyes, dark hair . . . about thirty years old, or less . . . gray around the temples. Rides a gray hoss. Gus went out and seen it in the barn, after Jack went to bed . . . or after he was in his room. That's all I can think about, except that he looked like a killer. Mister Benton said so, right to his face."

"Hmm," said the sheriff, and raised his eyebrows. "Wait a minute," he added. "Here come the boys."

IV

"LARRABEE WINS HIS BET"

He went to the door and called down. There was a sound of horses snorting in the rainfall outside, and presently a cluster of five men climbed the stairs in answer to the call. The three Gloster boys came first. They had answered with all speed the summons from the house of the sheriff. Behind them came Mississippi Slim with his guard.

The sheriff greeted the Gloster boys with a word of thanks for their promptness. "We got a bad ride ahead of us," he said. "This is the work the gent we're after done." He pointed to the body of Benton. "And the man that done it has taken the west road. We'll start right away. Chris, you stay here and keep everybody out of this room. Wait a minute."

He turned and eyed Mississippi Slim. The latter was moving stealthily about the room, with his head thrust forward and bent low. He was oddly like a sniffing dog.

"Slim," called the sheriff.

Slim whirled, as if at the sound of a shot. He had been leaning over the chest full of papers.

"You had your fire near the road. See anybody passing tonight?"

Slim raised one finger.

"What was he like?"

"Bad looking . . . on a gray hoss."

"Know anything about him?"

"Nope."

"Did he say anything?"

"Nothing much."

"Talk out, Slim. What did he say?"

"Asked me why I didn't come down here and get a hand-out and a bed. I said it couldn't be done, because the lady didn't waste no time on gents that was wandering on the road looking for work."

Here Mrs. Zellar snorted her contempt.

"But this gent on the gray hoss allowed that he'd get a hand-out and a bunk. Said he'd see if he couldn't get treated right."

"Did he come on to this house, then?"

"I dunno."

"You didn't follow him?"

"Follow him? Let my fire go out?" Slim shook his head in wonder at such a thought.

The sheriff turned on Gus. "That door was locked when you came up?"

"Yep, it sure was, and I busted it in," he said defiantly. "Ask Ma if I didn't."

"Where's the key?"

"I dunno. I didn't look for it."

"Look on the floor," said the sheriff, himself joining the search. "Whether that door was locked from the inside or the outside makes a pile of difference."

The floor of the hall and the floor of the room revealed no key. The sheriff desisted from the search and gave his final directions. "You stay here, Chris, and you hold Slim."

"Why?" asked Slim. "What I got to do with all this killing?"

"You're a material witness. You'll get chuck and a free bunk. Ain't that good enough for you? We got good enough bunks to suit anybody in the jail."

"Jail!" Slim exclaimed. His rat eyes jerked from face to face and then became fixed on the floor, while a violent shiver ran through his meager body, but he said no more.

"And get in touch with the coroner . . . tell him to get his men down here, first thing," went on the sheriff to Chris. "We'll hit the trail, boys!"

"Now that he's clean gone," put in Mrs. Zellar malevolently.

The sheriff turned on her with a mild and curious glance, but the effect of it was to make her wince and change color. Then the men passed on out of the room.

The Gloster boys, Pete and Bob and Jerry, were first in the saddle, with Jud Larrabee and his father following after, but, as the former started down the road to the west, the sheriff called him back.

"Where you going?" he asked.

"Why, follow the trail, I guess."

"You think he went that way?"

"Why not?"

"If he's got any sense at all, he knows that Missus Zellar seen the way he started, and the first thing he'll do'll be to switch off."

"Which way, then?"

"What d'you see?" asked the sheriff. "Look around through the rain. What d'you see?"

The storm had fallen away to a faint misting, but still it blanketed the landscape. Indeed, nothing could have been visible, had it not been for the high-riding moon that was itself unseen, but served to outline the rain clouds in varying shades of deep gray and black.

"Don't see nothing," said the sheriff's son, "except the mountains, yonder. I can just make them out."

"Then," said the sheriff complacently, "that's where he's gone, and we'll go the same way, Chris!"

His other son came a pace closer.

"Start using that telephone," said his father. "Get Boonetown and tell the central there to spread the description of Jack around. Get old Miller in Boonetown, too, and tell him to get to work, talking. That's the best thing he does, anyway! Good bye, boy!"

Once under way he made up for his seeming inactivity in the house of the Zellars. He was a heavier weight than the younger men, and his horse, an old buckskin campaigner, was inferior in speed to the mounts of the rest, and yet, before they had gone half a mile, the sheriff was in the lead, pushing his horse along with such skill

that it seemed he could sense through the dark the obstacles that came in his way. Where the others floundered six times, the wise-footed buckskin slipped once.

The first excitement wore off with the posse, too, but the sheriff seemed to be spurred on by a steady and unflagging interest that kept his head high and his eyes straining on through the dark. The gray of dawn, which found them in the foothills, following trails that began to wind with the contours of the land, discovered the sheriff as agile of eye as ever and cheerfully examining the hills and the trees as they passed along.

The others awakened, also, as the day began. A freshening north wind chopped the sheeted storm clouds into thin drifts that served to shut the sun out, but allowed most of its light to sift through. In this invigorating air the sleepless quintet kept on until presently the sheriff raised his hand.

"Now," he said, "I figure it's about time for us to look about."

His followers had been very prone to beat up every thicket along the way, and they were quite disgusted by the careless methods of their guide and leader. To their minds a thousand men might have hidden along the way and laughed as the posse went by on a wild-goose chase. The sheriff had chosen to stop on the top of a bare hill, with a bare country all around him. Why waste time here?

They conveyed their ideas bluntly and immodestly. The more so since the sheriff scratched the stubble on his chin, a far-away look in his eyes, while they talked and seemed to be almost persuaded at every other word. What he said at length was: "Are you hungry, boys?"

"Sure," was the chorus.

"So's Jack," said the sheriff.

His followers glanced at one another in disgust, and Jud Larrabee flushed with shame. Certainly the old man was growing old and simple. He glared defiantly at the Gloster boys. But it certainly was a very foolish remark—this reference to the appetite of Jack. What had that to do with a manhunt—the appetite of the hunted?

"He's hungry," said the leader, "and most like he's smelled the bacon going up in smoke, yonder." There were three or four streaks of smoke in view, very dimly perceptible against the gray of the sky. "Nothing like the sight of smoke to make a gent uncommon hungry," went on the sheriff.

"Let's start on," urged his son uncomfortably. "We can talk on the way."

"On the way to what?" asked his father gently. "Let's make that out, first."

"That's what I'd like to know," burst out Jud. "Looks to me like we're all wrong. Who'd ride this way . . . clean out into the open . . . if he was hunting shelter?"

"Maybe he wouldn't," said the sheriff. "It's just my guess. But, if you don't do no guessing, you don't catch no men at the end of the trail. I figure Jack pictures us riding hard along the west trail. He's come up here to the hills. He's got a lot of hours ahead of us, he's thinking. So he comes over the hill, here, with a raging, tearing hunger, and he can't help stopping to eat. Now, first thing is . . . where'd he go to eat?"

"There's the biggest smoke, yonder," said Jud, very miserable, but striving to seem as if he took his father seriously. All the time he was wretchedly conscious of the smiles of the Gloster boys.

"That's the biggest smoke," admitted the sheriff, "and that's the one he wouldn't go to. That little house over the hill would be the place that a gent would run for, unless he was professional and had done murders before."

"Ain't that just what he is?" asked Pete Gloster. "Ain't that what Benton called him at sight?"

"A murderer? Nope, he called Jack a killer. They's a pile of difference. Jack's an amateur."

"What?"

"Sure. He turned his trick before he made sure the other folks was in bed. He took a room in the house, when he could have pretended he had to keep on his way, and so he could have ridden off and come back and done the job with nobody knowing. Nope, Jack's an amateur. Killers don't pick out old men. Jack needed money and needed it bad. He started to get it. He choked the old man, not with no pleasure, but because it had to be done. And then, when the old boy screeched, he picked up a piece of wood and batted him over the head. That was plain clumsy."

"Why?"

"A professional wouldn't have trusted to choking. He'd have used a touch of the knife. Nothing like a knife for neat, silent work, and dead men don't come back to life and start hollering. So I think Jack's an amateur . . . for that and other reasons. And, being an amateur, I'll just lay you boys even that he's in that little old house over the hills yonder . . . or has been there."

"I'll take you for twenty," said Jerry Gloster instantly.

"And me," chimed in Pete and Bob. Then the cavalcade started forward at a gallop toward the house.

They dipped over the hill and came upon a wretched little cottage leaning up the slope. A woman came to the door at their call, wiping her hands on her apron.

"Morning!" called the sheriff. "We're trying to catch up with our pal. That gent on the gray hoss that was here a while back. Which way did he go?"

"Right on over the hill, there," she answered, pointing. "Funny he didn't say nothing about the rest of you coming along, though."

"We got a surprise party for him, in a way of speaking," said the sheriff. "How long ago did he start?"

"About half an hour."

"Thanks."

With a glance the sheriff gathered up his posse, and they started on. The silence behind Henry Larrabee was a tremendous thing. It set him smiling, as he rode to the top of that hill to which the woman had pointed. There he drew rein again. Below, lower hills tumbled this way and that, but the landscape was empty of all signs of a rider.

"By the way," said the sheriff, "that bet we made a while back . . . I forgot that I don't bet that way."

"I sure ain't going to be let off that easy," said Pete Gloster generously. "I was getting to think that I knowed more'n you, Sheriff, and I'm getting off cheap at twenty dollars' worth. Besides, why won't you bet?"

"It don't pay, somehow," said the sheriff, "to win money out of the life of another man, even if he's a murderer."

V

"LEFT IN THE RAIN"

There was no chance for further argument or comment on the sheriffs ideas. Not half a mile away, climbing out of a hollow and slowly mounting the hillside beyond, they saw a rider passing on a gray horse. Without a word, even of exultation, the posse lurched down the hillside. It was like the sudden breaking of a storm, this coming on the trail of the fugitive, after the meeting with the woman in the house. To his young companions the quiet-mannered sheriff seemed suddenly a prophet, a man of mysterious foreknowledge.

It was unquestionably the man they wanted. No sooner had he sighted the riders on the far slope than he leaned far forward over the saddle and urged his weary horse to fresh efforts, scurrying rapidly up the hill.

Tired his horse must be, but he had come the distance from the Zellar house at a far slower gait than the sheriff, and, accordingly, his mount had greater reserves of energy. He shot out of sight over the crest, and, when the sheriff and his men

reached the same point, they saw Jack Montagne halfway up the farther slope. In spite of their frantic spurring he had gained on them, and he was still gaining.

"He'll run us into the ground," said the sheriff. "I'll see if I can't tag him." Then he whipped the long rifle out of its case, tucked the butt into the hollow of his shoulder, and fired. The fugitive and his horse were flattened to the slope beyond, as if a great weight, falling from above, had crushed them. While the sheriff calmly tucked his gun back into the case, his posse rushed forward with a yell. They had their man.

Still, it seemed that Jack Montagne would flee blindly, pitting his speed of foot against the speed of galloping horses. Yet there was nothing to which he could flee. The hills were pitilessly bare, and there was not a tree—only scatterings of rocks, here and there. Yet he raced to the top of the hill and disappeared beyond it. A moment later the object of his flight appeared. He had run for the rocks of the summit in order to use them as a fort, and now he opened fire with the rifle which he had taken from the saddle when his horse fell.

Suddenly the sheriff drew rein with an oath, and the oath caused his companions to pull up their own mounts, for the sheriff was not a profane man. "Look!" said the sheriff, as the echo of the first shot died away. "He's put his hoss out of misery, instead of trying to pot us."

The gray horse had straightened out on the slope and now no longer struggled. While the horsemen stared, the rifle spoke again, three times. Not three yards away from the sheriff's horse the bullets thudded into the mud, and all three landed within the compass of a man's arm.

"He's warning us back," said the sheriff with another oath. "I told you he was an amateur murderer. If he can shoot like that, them three shots might have knocked three of us off our hosses. But he ain't going to shoot to kill unless he has to. That's his way of saying it." Such seemed to be the only explanation. "That's what I call politeness," went on the sheriff, "but the law don't make no allowances for such things. That gent yonder has done a murder, and he's got to hang for it. Jud, skirt around to the right and get behind him. Pete, you go to the left. Bob and Jerry, ride back to the top of the hill and get down behind them rocks. I'm going to try a little politeness of my own."

His directions were swiftly followed. Jud Larrabee and Pete Gloster, riding left and right, scurried off for the positions that had been assigned them, thereby placing Jack Montagne in the center of a circle of foes. Three or four times, as they rode, the fugitive fired, but each time the bullet struck a few feet in front of the running horse.

The sheriff turned straight to the right, disappeared for ten minutes, and came in view again at the top of a tall, steep-sided hill which overlooked the fortress of Montagne. Here the sheriff dismounted, ensconced himself on the crest, and placed himself flat on his stomach, with his rifle ready, his slicker keeping him out of the mud. From his position, only exposing the top of his head to the fugitive, he could look down on Jack and hold the latter at his mercy. And mercy the sheriff intended to show, if he could.

He saw Jack Montagne in the center of a number of low-lying rocks, among which he stirred about, keeping a strict lookout on all sides. The sheriff drew out his glass and focused it carefully, until he could see the face of the man distinctly. What he saw was of sufficient interest to keep him motionless for some time. But he knew that appearances are not half the story. The man had committed murder, he kept telling himself over and over, and yet, in spite of himself, the sheriffs heart was weakening. The generosity which had induced the fellow to end the suffering of his wounded horse with his first shot, instead of directing that bullet against the charging posse, and the manner in which his rifle had been used merely to warn the sheriff and his men away, these things struck directly to the heart of Henry Larrabee. He had had many a gruesome experience with outlaws and killers, but never before had he trailed a murderer who would not shoot to kill. Moreover, the consummate marksmanship of the man appealed to him. It was hard to believe that such an artist could have been guilty of the foul crime in the Zellar house.

But facts were facts. The sheriff, warned by the stinging impact of a drop of rain that he had not much time in which to work, gathered the butt of his gun closer and prepared to fire. Montagne was surrounded by rocks which would serve admirably to protect him from direct fire on the level, but there was none of sufficient height to protect him the angling fire of the sheriff in his commanding position. Moreover, Jack Montagne was hopelessly surrounded. Pete Gloster to the northeast, Bob and Jerry to the south—they lay in a loose circle around the central position. Sooner or later the fugitive would be starved into submission. There was only one chance for his escape, and that was in a driving rainstorm which might blot him out of sight and give him freedom to slip through. But the sheriff had a way of forestalling the storm that was now blowing again out of the north.

He took careful aim and, with exquisite nicety that would have done justice to Montagne's own skill with a gun, planted a shot on the rock just beyond the fugitive. That warning ought to be sufficient to make the fellow see that his position was commanded, and that he would have to come out and surrender, unless he wished to be shot as he lay there. Larrabee laid aside his rifle and took up the glass minutely to

observe the results of the shot.

He saw that Montagne had sprung up and was busying himself in a strange fashion, tugging at another deep-buried rock just before him. The sheriff gazed and wondered what this might mean until, with a supreme wrench, he saw the stone torn from its bed. Then he understood. With a shout of vexation he dropped the glass and snatched up the rifle again. But it was too late. Before he could draw the bead the second rock had been placed on the first—a Herculean feat of strength—and now the two stones made a perfectly safe shelter against the bullets of the sheriff, even in his commanding position.

Larrabee ground his teeth. After all, he had been a fool not to kill this man on the first sight. Now he looked anxiously to the north, but what he saw was greatly reassuring. The storm clouds were piling high, but along the horizon a rift had appeared. Rain was falling steadily, and heavier rain was coming, but it was obviously only a clearing-off shower, and the heart of it would pass over in a few moments.

Nearer and nearer came the sheet of rain, blotting out the whole north and consuming hill after hill in obscurity, as it swept along. Now he could no longer see the hill where Jud lay, and suddenly the storm struck his own position. In thirty seconds he could not see ten yards before him or behind, so terrific was the downpour.

Unquestionably Jack would attempt to break through the circle, but, before he traveled a quarter of a mile, the storm would have passed, and he would be in clear view and rifle range, point-blank.

Sweeping his slicker about him and sheltering the rifle under it, the sheriff waited, probing the heart of the downpour, in case the fellow should attempt to slip past, close beside him. But that was not likely. He would run down through one of the hollows between the hills and never risk meeting with the members of the posse.

Still the rain continued, unabating. In the sheriff's anxiety it seemed to him impossible that so much water could ever have been drawn up into the atmosphere. But still it poured down, moment after precious moment, although at last he saw a gradual brightening to the north, and the hill where Jud lay came into view again like a ghost.

It was at this moment that his horse snorted, and the sheriff turned with an appeasing word to see the figure of a man rushing straight on him from behind. There was no time to handle a rifle. As the man drew out of the dense rain, a set, savage face came into view. Larrabee went for his revolver.

It stuck in the holster. The rain had got into the leather, so that it was glued for a

moment to the gun, and, when the weapon came into his hand, the other was upon him. The sheriff dodged and fired, but, as his finger curled around the trigger, a long arm darted forth, a fist gleamed before him, and the blow landed flush on the point of his jaw. It did not knock him down, but it paralyzed both brain and body. As he staggered back, the revolver fell from his nerveless hand, and the next instant he was swept to the muddy ground in the embrace of bear-like arms.

What followed was done with lightning speed and precision. In the space of half a dozen breaths the sheriff found himself trussed securely, hand and foot, gagged and lying on his back, with the merciless rain whipping down into his face. The fugitive gave him hardly a glance, but caught up the fallen sombrero, flung it over the face of his victim to shelter him from the torrent, and, with this final and almost insulting act of grace, he was gone.

The splashing of the departing hoofs came back to Larrabee. His destined victim was galloping off on his own horse! That tale would be caught up and told and retold by a hundred tongues. In his anguish Sheriff Larrabee wished that he had died before this day ever came to him. Death was the final meed of every man, but shame should come to cowards only.

The rain diminished now, as if, like a traitor, it only wished to endure until Jack Montagne had used its shelter to escape. A moment later the brightness of the sun was about him. But when would they find him and set him free? How long before they rode again on the trail of that hard-fisted, slippery devil? How long?

VI

“ALL ABOARD!”

Two days later the joyless eyes of Jack Montagne looked down from the side of a foothill upon a streak of black, hurrying across the valley, with a trailing cloud of white drawn out above it. Montagne drew a great breath of relief. He looked back instinctively toward the mountains, rolling huge and sullen above him, as if he expected them to put forth an arm and catch him back.

After all the perils, he had escaped and come to easy-striking distance of the railroad, and the railroad meant freedom. In a few days it could carry him away to the ends of the country, where the names of Zellar and Benton were never dreamed of. He visualized himself in a far-off city, reading an obscure notice in an obscure paper about the futile hunt for Jack Montagne, wanted for murder. For by this time

they had surely hunted back to the town of his origin, and there they had learned that other and shameful story, and his name with it.

He bowed his head at the thought of it. Then he shrugged back his shoulders and started his pony down the mountainside and toward the rambling collection of houses in the distance.

Two miles from the outskirts he came to a pleasant meadow, where a brook tumbled brightly in the sunshine. Here he dismounted, took off the saddle and bridle, and waved the horse away to freedom. The invitation was accepted with a snort and a flirt of the heels. For a moment, Montagne watched with a sigh, and then turned back to take up his trail.

He so timed his approach that he reached the vicinity of the town at dusk and then skirted about it to the railroad. Of course, it would not do to linger near the station, but that would not be necessary. Hardly a mile away the tracks started a stiff grade, where a freight train would have to labor slowly—so slowly that a man, agile of foot and sure of hand, could certainly take it with ease.

To this point he went, and, selecting a shelter between two bushes that would shelter him from the too-active eye of some brakie, as the train approached, he sat down to wait. The moon rose during his vigil, before he heard a far-off humming on the tracks, and then made out a train stopping at the town and starting again. That it was a freight train he had not the slightest doubt, as soon as he heard the redoubled labor of the engine as it reached the grade. Montagne rose, stretched himself, and, finding all his muscles playing smoothly in spite of the long period of inactivity, crouched again between the bushes and watched the train roar nearer.

The sound grew louder. The humming of the rails was now a heavy vibration. The rush of the exhaust was like the deafening noise of a great waterfall. With his brain reeling from the uproar, the blow fell that had been so long avoided. There was a sharp command from behind, and he wheeled to look into the muzzles of three revolvers held by grim-faced men.

It is said that remembered dreams are those which occur during the very act of waking. The mind, unencumbered by the slow processes of the senses that burden it during waking moments, plunges through enough events to fill a lifetime, all crammed into a second or two of actual time. So it was with Jack Montagne, as he faced the leveled guns and calculated the chances. There was not a line on a single face that he overlooked. Had there been a single symptom of weakness in a single face he would have taken the suicidal chance rather than submit. But there was no weakness. Every eye told him the same story: a readiness to kill on the slightest provocation on his part. So he pushed his hands above his head. To those who held him up it seemed

that the gesture of surrender was made instantly!

"Suffering cows!" exclaimed Jack Montagne to the sheriff, recognizing his antagonist whom he had met during the rainstorm. "Is it possible that you've trailed me here?"

"Trailed?" asked the sheriff gently. "Not a bit. I just did a little guessing that you'd come over the mountains in this direction, and, if you did, you'd be sure to head for this town, and, if you headed for this town, you'd be sure to strike for this grade to nab a freight. All simple as daylight. Go through him, Jud."

The last was addressed to his son, who now adroitly went through the pockets of Jack. The revolver, the pocketknife, tobacco and brown papers, and a square of sulphur matches was the total of the effects of Jack Montagne.

"He's cached the money, somewhere," said Jud. "Ain't any sign of it."

"Sure he's cached it," said the sheriff. "Any fool would do that, considering how much there is of it. Where'd you put it, Jack?" He added casually: "Of course, anything you say to us may be used against you."

"I know," said Montagne, "so I won't say anything about the money." And he smiled at the sheriff with what might have been resignation or mockery.

Larrabee considered that smile with the most intimate attention. "Bring down your hands," he said, "but bring 'em down behind you, then keep moving slow."

"Afraid I got another gun tucked up my sleeve?" asked Montagne.

"I'm afraid of you every minute," replied the sheriff with astounding frankness. "I might as well tell you, so's you'll know that I'm on the watch for you, every minute. Come to think of it, we'll handcuff your hands in front of you. Here you go."

As Montagne obediently offered his wrists, the manacles were snapped over them. "A nice, new pair," observed Montagne calmly, looking down at them.

His quiet manner shocked the younger men of the posse, but the sheriff seemed more and more interested in his victim.

"What'd you do with my hoss?" he asked. "I suppose you knew we'd sent descriptions of the hoss all over, together with descriptions of you. Did you drill her through the head and let her tumble down a ravine, some place?"

"I let the hoss run loose," said Montagne, "just above town, yonder."

"I take that kind of you," said the sheriff gently. "I take that mighty kind. All right, boys, jump on your hosses, and we'll start. Climb on this one, Jack."

Montagne hesitated. "You going to walk, Sheriff?"

"I can do it better'n you. Ain't handy to walk when you can't swing your hands."

It was strange to hear these politely diplomatic moves between the two.

Presently Montagne was seated on the horse, and they started back for the town, with the sheriff walking a little behind the captive. Suddenly he drew up beside his prisoner.

"Jack," he said, in a purely conversational tone, "why did you do it?"

"Do what?" asked Montagne out of a dream.

"The old boy . . . old Benton . . . ? Why did you finish him?"

"You're a pretty good guesser," answered Montagne without emotion. "Suppose you try to figure this puzzle out."

So the matter was allowed to rest. They took a midnight train out, and in the dawn they arrived at the sheriff's county seat, where Montagne was escorted to the jail. He preserved his careless demeanor throughout, even when the front door of the jail slammed heavily behind him.

When they reached the door of the cell designated for Jack, the sheriff drew forth his bunch of keys. "Just hold onto your patience for a while," he said to Jack. "Take me a while to find the right key."

"You don't need one," answered Montagne. "Here you are." And, folding his hands small, he slipped them deftly out of the handcuffs. The sheriff watched with intense interest.

"You could have done that any time and made a play to get loose," he observed. "Why didn't you, Jack? I know you got plenty of nerve for a break."

"Because I've made my play and finished it. I'm beat, Sheriff, and that's all there is to it." Then he walked calmly into the barred enclosure.

VII

"PUBLIC OPINION"

Boonetown, the county seat, was so small that the uninitiated were apt to call it a village, but it was not too small to be without that mysterious and uncontrollable voice, usually called public opinion. Public opinion on this occasion was wakening from a long, long sleep.

For some years public opinion had expressed itself only at elections and similar unimportant and formal functions. But, when the news arrived that the murderer of old Benton was in town and in jail, the man whom the district attorney had arraigned beforehand with terrible eloquence in the little Boonetown newspaper, public opinion wakened with a start, yawned forth a growl from some four hundred throats, and

stretched its thousand arms to find something on which to vent its rage.

For public opinion is a blind beast, even when it wakens. The maladministration of officials, the legal cruelties of business oppression, and business betrayals are very apt never to reach the sleepy ear of the creature. But it may suddenly start up to yell itself hoarse with applause, because a politician gives birth to a neat phrase. Then it falls asleep with a grunt and a smile, when the lucky fellow bows his thanks and dips his fingers in the public purse.

This great, stupid beast, public opinion, having long slumbered in Boonetown, now roused itself with a roar and called for a victim. And on this occasion there was some justification for noise. The district attorney had called attention to the brutality of the crime—to the youth of the murderer—to the white-haired feebleness of the murdered man. Finally, the district attorney had declared his intention of suppressing such crimes, of ending the reign of violence in that violent county, of bringing in a golden age of peace, by hanging this red-handed devil, called Jack, from the highest gallows. A good beginning, he pointed out, was nine-tenths of a good ending; and a good example was the better part of a good beginning. The broken neck of Jack was to furnish the good example that would, thereafter, make crime hang its head and slink away from the precincts favored by the presence of the district attorney.

It may be gathered that he was a very young man to hold such a very old office. Fitzpatrick Lavigne was one of those who love the practice of criminal law; and he loved the prosecuting end of it, because, he said, that end was morally cleaner. In reality his love for the attorney's office was like the love of the barbarian for the sword—Fitzpatrick Lavigne liked to kill. His summing up to a jury was delivered with both violence and relish; he expanded his naturally meager inches; he became huge and dominated a courtroom, while he was whipping a victim toward death. He never recommended mercy to a judge on any occasion.

In appearance he was small, rather plump, with clear, red cheeks, a childishly smooth brow, and eyes of sparkling brightness. He was a favorite among ladies, young and old; among men he was highly prized for his contagious good cheer and his thrilling anecdotes, generally about his own experiences—because, as he was fond of saying, a man generally talks best about himself. He was about twenty-seven years old, but he seemed five full years short of that age, and his youthful appearance was a tremendous advantage to him. When, with fiery indignation, he assailed a criminal in the court, the jury felt that so young a man, with so smooth a brow, must be filled with legal inspiration to use such violent words. He spoke with a sort of indignant virtue that was wholly convincing. He could make twelve honest men sway and stiffen with him. And, when he turned and shook his extended forefinger at the

accused, twelve pairs of eyes would generally turn and glare in the same direction. No one would understand, no one could be expected to understand that this Apollo-faced man was consumed with a fanatical zeal to sacrifice a fellow creature on the altar of justice.

Fitzpatrick Lavigne knelt at only one shrine—this was his percentage of convictions. He worshipped that god, and he prayed to it. He dreamed of a time when his picture would appear in some metropolitan newspaper, setting forth the record of that brilliant young lawyer, Fitzpatrick Lavigne.

But Boonetown did not act, as Lavigne's legal experience in other parts of the country had led him to suppose it would act. No, it rose up and seized guns and rushed to the jail and demanded that the murderer of old men should straightway be handed over to it, to be torn limb from limb.

From a window of the hotel the young district attorney stared thoughtfully down upon this troubled sea before the jail. What oil could he throw upon the waters? Not that he cared for the life of Jack Montagne, but Jack represented a sure conviction. If the mob rent him limb from limb, a scalp, that should hang at Fitzpatrick's belt, would be gone. He went down and waded through the mob to the jail.

Cries accompanied him: "Give the skunk to us, Fitz! We'll teach him manners! Feed him out the window to us, Fitz. We'll teach him!"

Fitzpatrick Lavigne reached the door of the jail. Two pale-faced men, with double-barreled shotguns, guarded the prison, but they were not the force which held the mob at bay. That force the district attorney found in the office, a large quid of tobacco bulging his cheek, his heels cocked up on the desk. The sheriff rolled dull, contented eyes toward his visitor.

"Hello, Lavigne," he said. "Kind of noisy, ain't they?"

Lavigne despised the sheriff, and the sheriff knew it. The sheriff despised Lavigne, and Lavigne knew it. Consequently they were extremely amiable on all occasions.

"But," said Lavigne, consternation in his face, "aren't you going to do anything?"

"About what?"

Fitzpatrick saw visions of the murderer torn from the jail, a conviction hopelessly lost. It was like a conspiracy, and the sheriff would not raise a hand.

"About the mob," declared Fitzpatrick. "Are you going to let them take him?"

"Take nothing," replied the sheriff. "They know me, son. If you don't like the noise, go out and quiet 'em. You started all this with your talk in the paper about 'white-haired innocence' and 'youthful brutality.'"

"Well," said Lavigne, "I only told the truth!"

“Did you? Ever know Benton?”

“Not exactly.”

“Well, sir, he was exactly a devil. He didn’t have one corner of a good deed tucked away in his make-up. You can lay to that! But there’s your mob, Lavigne. What are you going to do with it?”

“You’re not afraid they’ll get him, then?” asked Lavigne, immensely relieved.

The sheriff laughed softly. “Sooner than see them get him, I’d arm the prisoner, son.”

“But what could you two . . . ?”

“Wait till you see him, Lavigne. He’s a man. With him at my back . . . well, there ain’t any use talking about it, because the crowd ain’t going to bust any doors down. They’ll just holler out there and have a good time. If I get an earache, I’ll just go out and clear the street. Otherwise, it don’t amount to nothing.”

Lavigne walked to one side, pondering. As the sheriff had said, he had raised the crowd. What should he now do with it? An idea leaped into that young and surprisingly fertile brain. First he seized two officers of the law, such as he usually liked to have with him on similar occasions. They were both broad and correspondingly small of forehead and brain. With them he went to the cell of the prisoner. He waited outside, until his two worthies had secured the arms of the prisoner with handcuffs. Then the district attorney led the way to a back room of the jail, a small room fenced in with almost soundproof walls. Here Jack Montagne was seated near the wall, with an officer on either side.

“You heard that racket outside?” asked the district attorney, taking his stand with spread feet before the prisoner. “And you know what it means?”

“They want me?” asked the prisoner, and yawned.

The yawn startled Lavigne. “And,” he said ferociously, “they’ll probably get you, and you know what that means?”

“Tolerable well.”

“There’s no use in talking,” said Lavigne. “We can’t afford to have the jail attacked and risk the lives of law-abiding citizens to protect a worthless dog like you. There’s only one thing that’ll quiet that mob, and that’s to know that the law is going to finish you up in its own way and its own time. There’s only one way that the law can be absolutely sure of you, and that’s through a confession. You understand?”

Montagne nodded.

“Now,” said Lavigne, “I don’t mind telling you that you haven’t a chance, and you’re going to hang. Everything is against you. I could hang ten men on what I have against you. It’s only a matter of time and legal formalities which have to be gone

through. So the best thing for you, all around, is to let me have a full confession. I can make things pretty miserable for you, my friend, if you hold out. But, if you talk out and tell the whole story, I'll see that you live on the fat of the land . . . up to the last day." He smiled generously on his prisoner and went on: "Besides, there's no sense in this fool silence of yours. You won't tell your name, except to call yourself Jack . . . you won't give the name of the town you come from . . . and all this is really evidence against you. A man who is afraid to have the law know his past is a man the law handles without gloves. Will you talk, Jack?"

"I'll talk," said Jack Montagne.

The district attorney sighed with relief. In another minute he had spread out a pad on his knee, for shorthand was included in his accomplishments.

"Start in," he said, "where your story begins to be different from what Slim and the Zellars have sworn to."

On a previous occasion he had listed all the sworn facts to Jack in a vain effort to elicit a confession.

VIII

"LAVIGNE LEARNS A LESSON"

"Well," said Jack Montagne, "that makes me begin at the beginning, or pretty close to that. Mind you, I don't expect you to believe me, but I'm going to talk so's you'll stop bothering me."

"Start with when I got to the Zellar house . . . and make it brief. It runs like this . . . I didn't have a cent. I had to get a place to sleep, and I wanted chuck and wanted it bad. Besides, I hated skunks that would have turned a gent out into a storm like that. So I made the Zellars give me chuck. While I was eating, the old man came in and called me a crook, or words to that effect, and right after that young Zellar took me up and showed me into a room.

"I was so sleepy I didn't take off my clothes. I hit that bed and was off in a flash. A scream woke me up. I jumped out of my room and found a light shining under the door of Benton's room. I smashed that door, when I found it was locked, because, inside that room, I heard a scampering of feet. When I ran in, there was nobody there, but old Benton was lying dead. The chest was open, and the papers were ruffled a good deal.

"I went downstairs and called Missus Zellar and her kid. They came up and

looked. Then, while I was talking to the kid, Missus Zellar sneaked out. I went after her in a minute, and I heard her telephoning the sheriff, so I knew her plan was to send Larrabee after me.

"I was alone. I knew that both the woman and Gus would swear their lives away to stick me for the murder, because that was their only way of taking suspicion off their own shoulders, where it belongs. What was my word against both of theirs? I didn't wait . . . I grabbed my hoss and started. The sheriff followed. You know the rest."

As he concluded, Fitzpatrick Lavigne smashed the pad to the floor. "That's your confession, is it?"

"Yes."

"By heaven, I've a mind to let that mob in! Listen to 'em."

Outside, the crowd set up a fresh clamor, surging toward the jail. For half an hour the good men of Boonetown had been shouting to keep their anger alive, shouting to find a leader.

"I hear 'em," said the prisoner, "and I'd a pile rather face them than face you and your crowd in the courtroom."

The lip of the district attorney curled. He cast one glance at his henchmen, and they rose instantly to the occasion.

"You skunk," said the red-headed man at Jack's right. "Take this to teach you manners!" And he smashed his fist into Montagne's face. The impact toppled man and chair. He was jerked to his feet, and the district attorney, first making sure that the prisoner was securely pinioned on both sides, stepped close and shook his fist under the nose of Montagne.

"There's more of the same stuff coming for you," he said, "unless you stop lying and tell the truth. Are you ready to talk?"

It was only the beginning of the third degree; it was only the beginning of that process which Fitzpatrick Lavigne loved above all else. In the meantime, he watched, fascinated, the progress of a crimson stain rolling down from the mouth of Jack Montagne.

The stain was doubly red, because Montagne had suddenly become deathly white. At sight of that badge of fear, the heart of the district attorney leaped with pleasure.

"I've told you the truth," he said, "and I ain't going to lie even to give you the pleasure of hanging me. But . . . don't have one of these gents hit me again."

In reply Fitzpatrick Lavigne smiled slowly, as a connoisseur smiles when he inhales the bouquet of a favorite vintage. He raised one finger, and this time the

black-haired man, at Montagne's left, acted. His burly fist drove home with a sickening impact. Jack went down, his head striking the wall. He rolled forward on the floor and lay quiet.

"Pick him up," said Fitzpatrick Lavigne. "I'll teach the dog to threaten me. You heard him threaten me, Dick?"

Dick grinned and, reaching down, jerked Montagne up with one exertion of his burly arms. But it was like lifting a wildcat. Montagne came to his feet, the handcuffs dangling from one wrist. The sheriff very foolishly had neglected to warn his assistants about the great flexibility of those slender hands of Jack, and now his hands were free.

He swung the manacles into the face of Dick, and the black-haired man dropped without a cry. Then Jack spun on his heel and smashed his right hand into the face of the redhead and sent that worthy crashing back against the wall.

The district attorney leaped for the door, but, between glancing over his shoulder in terror to see how long it might be before the danger assailed him from the rear and the shaking of his hand, he could not fit the key into the lock of the door.

The redhead was battling with noble vigor and calling wildly on Dick to come to his aid, but his voice was choked and stifled in a rain of blows. He got to his revolver only to have it kicked out of his hand.

It exploded, as it fell on the far side of the room, and the explosion drew a fresh shriek of amazing power from the district attorney. At the same instant the red-headed fellow was backed to the wall, and the whipping fists of Jack Montagne, driven with uncanny speed and terrible power, smashed his face until he cringed down, moaning for quarter.

Then Jack Montagne turned on the district attorney. The latter, with one last, despairing effort, strove to get the key from the lock. The key merely stuttered against the door, and Fitzpatrick Lavigne fled to a corner. Here he crouched, shielding his face with both arms. "No, no!" he exclaimed. "Don't! I'll see that you go free. I'll get you out. You . . . you . . . but don't come near me!"

At that moment a hand turned the knob of the door from without, and the prisoner worked his free hand deftly into the manacle, the palm doubling to half its ordinary compass. The sheriff opened the door to find Jack Montagne leaning carelessly against the wall on the far side of the room, his hands in irons. Dick lay with his face down, unstirring, and the red-headed man was just beginning to straighten up, while the district attorney peered in terror between his arms, as if through the bars of a cage.

"Kill him! Kill the devil!" Fitzpatrick Lavigne yelled. "He's tried to murder me!"

He's tried to murder us! He got those handcuffs off and. . . ."

"What," demanded the sheriff sternly, "have you been doing with him in here?"

"What my office compels me to do. . . . trying to get a confession out of him. And the devil. . . ."

"How," said the sheriff, "did he get his lip cut?"

"He attacked us," began Lavigne.

"He attacked the three of you. . . . two of you with guns. . . . and him with none? He started this game, did he?"

The sneer of the sheriff suddenly made it impossible for the glib tongue of the district attorney to wind itself around a plausible lie. He could only moan: "I'll make him suffer for this. . . . I'll make him sorry for the day he was born!"

"Look here," said the sheriff, staring mildly at the district attorney, "I guess I didn't see you kneeling over there in the corner and begging Jack not to hit you? I guess I didn't see nothing like that. If I did, I'd try to forget it, but listen to me, Mister Hang-'em-quick Lavigne. . . . if you lay a hand on him again, I'll have to do a pile of remembering. What's more, I'll have you and your two thugs laughed out of town for yaller-livered skunks. . . . which you are. District attorney? Bah! You ain't worthy of licking the boots of Jack. Maybe he's done a killing, here and there, but he's been a man, according to my lights. That's more'n you and the two of 'em there can say. Now get out, and don't come sneaking back to raise trouble here. I'm running this jail, and I'll keep on running it!"

The two slipped without a word through the door. Dick was jerked to his feet, kicked into semi-consciousness, and pushed after them. Then the sheriff, turning his back on the terrible man-killer, asked him to follow. And Jack did follow very meekly back to his cell, where the manacles were gravely unlocked and removed. There the sheriff spoke to him for the first time.

"I'm sure sorry," he said, "that you got your lip all cut up."

He proceeded to the front door of the jail, took from one of the white-faced guards a double-barreled shotgun and, with this terrible weapon under his arm, stepped out in full view of the milling crowd. He waited until the hoarse roar subsided. In that roar they were demanding Jack, the murderer of old men.

"Gents," said the sheriff, "I'm plumb tired out today, and I'm trying to get a nap. You folks bother me a lot. Matter of fact, I got to have sleep, and you're disturbing the peace. So. . . . get off this street. . . . *pronto!*"

Up went the shotgun, and the sheriff looked about him. It seemed to every man in the mob that Larrabee's keen eyes were glaring at him, as at a ringleader, and then the gaping mouth of the gun pointed down at him. The crowd wavered, split in the

center, rolled away on both sides, and vanished. The sheriff spat upon the steps and reentered the jail.

IX

“UNFORESEEN SUCCOR”

The late October day dawned with a warm, steady breeze out of the south. The air was soft as the air of latter May, and the sun as kindly warm and bright. Mary Larrabee, in honor of the tender, blue sky above her, put on a dress so white that it dazzled, so crisp that it rustled with every step like an autumn wind among the gay leaves. And, while she smiled at her pretty face in the mirror, she knotted at her breast a red ribbon to match the red feather that flowed along the side of her white hat. Then she went forth like some ancient warrior to battle, conscious of invincible armor.

Her own neat little buggy, with her own span of bright-eyed bays dancing before it, waited in front of the house; they whirled her off down the road so fast that the heart of her mother came into her throat. She would have called a warning after her girl, but in her heart was a sublime conviction that no living creature could possibly have the will or the power to injure Mary Larrabee.

As for Mary herself, in those rounded young arms of hers there was ample power to keep the bays in hand, or, if they wished to dash off at too reckless and bounding a trot, she could soothe and control them with her voice. For she had owned them since the day they were foaled, and she had raised them to know and to love her whistle, her voice, and her hand. She could have brought them back to a more sedate gait, but there was no love of sedateness in Mary Larrabee. That clear tan on her face and on her small, strong hands told of many a wild drive and many a wilder gallop through all weathers and over all manner of roads. And across the bridge of her tip-tilted nose there was still a suggestion of the mottling of freckles that had been so prominent during her girlhood.

Sedate? She only waited until she had turned the corner of the hill, and then she let her dainty-footed mares go. And they went like the wind, while she laughed them on to greater efforts. She darted around sharp curves on two wheels, and with a shout she roared across shaking bridges. She flashed through Boonetown, joyously conscious of drawing eyes after her on either side of the one real street. When she stopped before the jail, the bays were dripping and entirely willing to pause, but still,

as she tied the hitching strap to the rack, they pricked their ears and tried to reach her hands with their foamy muzzles.

She ran lightly up the steps of the jail and whisked through the dark hall and carried into her father's office a rustle like the wind of the honest outdoors, a brightness like the kind sunshine.

Sheriff Larrabee, as usual, had his heels perched on top of his spur-scarred desk, and he turned his slow-moving eye upon her. Since she had grown up to pretty, young womanhood he had made a point of making no fuss over her, as a sort of antidote to the atmosphere of admiration through which she moved. But today she bore such a radiance about her that a very Diogenes might have dropped his lantern and his cynicism into his tub and stood forth to answer her smile.

So the sheriff asked: "How come? Going to get married?"

She merely laughed at him, as he ran his eye over the whiteness of the frock. He worshipped every turn of her head, every rise and fall of her voice; all the profound kindness of his heart poured forth around her—in silence. Mary understood.

"I've come to see the insides of this old jail," she declared.

"I'll call Bud," said the sheriff, yawning. "He'll show you around the place. How come? Want to take up my business after I quit?"

"I might," she answered. "I hit nine out of ten with my twenty-two, yesterday. I beat Jud, and he hasn't hardly spoken to me since."

"Hmm," said the sheriff. "I'll call Bud."

"But I don't want you to call Bud."

"All right, go around by yourself."

"You know what I really want. I want to see this terrible man . . . Jack?"

"You do?"

"Of course."

"Want to see what a real, honest-to-goodness murderer looks like, eh? Well, I guess Jack will be glad to see you and have you stand around and look him over like a wolf in a cage. That'll be a pretty fine party for Jack, right enough."

She sat forward in her chair, regarding his grave face intently. "Isn't he worse than a wolf, a man that's done a murder?" she asked. "Does he deserve to be treated kindly?"

"How d'you know he killed Benton?"

"Why, everybody knows it!"

"Then everybody knows more'n I do! And I'll tell you this . . . he's going to be treated like a white man, right up to the time that twelve men say he's done a murder. After that, while he's waiting to be hung, he's going to be treated like a white man

again. If a girl or a boy of mine. . . ." He broke off in his tirade, staring ominously at her.

Mary Larrabee sat back in her chair, nodding. "You like him, don't you?" she asked. "Why?"

"He's a man," said the sheriff. "He had your brothers and me under his gun once, and he didn't shoot to kill, but just to warn off. Keep that idea in your head, Mary."

She grew pale at the thought.

"You still want to see him?"

"I want to see him and thank him," she said eagerly. "Why, Dad, how could such a man be a murderer?" She did not quail before the grim accusation which the world had placed against Montagne. Suddenly she was asking: "Has he a ghost of a chance of proving himself innocent?"

"I dunno," replied the sheriff, "but he don't seem to care. He's stopped hoping, what with the crowd yowling to get at him, and that little sneak, Lavigne, badgering him. Jack don't seem to care whether he lives or dies. When a gent stops being interested in life, he's about through."

She bowed her head. In the Boonetown paper she had read every word of the damning evidence against Montagne. Now she ran over it, bit by bit. Truly it seemed a perfect case against the stranger, unless her father's prejudice in favor of Jack might be based on good grounds.

"Will you introduce me to him?" she asked gently.

"Sure," said the sheriff. "If you're going to meet him like that, I'll take you in."

He led the way to the rear of the jail, to the cell of Montagne, where the latter was rolling a cigarette with careless skill.

"This is my daughter, Mary," said the sheriff. "I've been telling her how you played white, when we were giving you a run, and she thinks she's got something to thank you about. I'm going back in front, Mary."

As the sheriff sauntered away, he saw Jack Montagne rise and nod to the girl. He heard him say: "No call for thanking me . . . matter of fact, I took the sheriff quite a bit out of his way." And he grinned as he spoke.

"There's nerve," muttered the sheriff. "Enough for ten ordinary men."

But Mary Larrabee was unable to answer that careless speech for a moment. She stared steadily into the lean, brown face of the man, the straight-looking eyes, remembering what her father had said: *He's a man*. That, after all, summed it up. And, when the prisoner merely nodded to her, she suddenly stepped close to the bars and stretched her hand through them.

"I do want to thank you," said Mary Larrabee, "and I want to say how sorry I am that you're in trouble."

His carelessness disappeared. He straightened, flushing to the roots of his hair, and, advancing slowly, took her hand. "Mighty good of you to come in to say that," he said huskily.

She waved that idea away. "First of all," she said, still probing him and finding nothing sneaking or elusive about his return glance, "I want to know what you're doing to protect yourself?"

"Nothing," he answered, "because nothing can be done."

"Because you have no money?"

"That's partly it."

"Dad would help you, I know," said the girl, "but, as the sheriff, he can't very well do that. However, I can, and I have money. I know the lawyers in town, too . . . and I can get one to work for you."

He shook his head. "I've always been dead set against taking charity," he replied.

"Will you tell me only one thing?" she pleaded. "Will you simply tell me that you didn't do this horrible, impossible thing?"

He watched her for a moment, with a singular hunger, but at length he shook his head with decision. "It's no use," he said, "because there's nothing that can help me, and I've made up my mind not to speak again."

"That's a final decision?"

"Absolutely."

"Then," she answered, "I'll tell you that I'm perfectly convinced that you didn't do it. I know you didn't do it, and . . . and I'm going to prove to the world that you didn't."

The flush grew darker and darker on his face, as his eyes expanded. "It's plumb easy to see," said Jack Montagne, "that you're your father's daughter. He's the squarest shooter I ever met, and you sure take after him. Why, if you were a man. . . ."

He paused, but she urged him on with: "Well?"

"You'd be the sort I'd tie to, the sort I'd want to have around in a pinch. But the way it stands . . . well, there's just one good thing you can do, and that's to forget all about me."

He was so calm about it that the tears rushed to her eyes. To hide them she turned abruptly away, waved her hand to him, and ran out to find her father. The latter was walking up and down outside the jail, scuffing up the sand and studying it

absent-mindedly.

"I've made up my mind to fight for him," said the girl, on fire with enthusiasm.
"There must be some way."

"Most like," said her father carelessly. "Most like there is. Never can tell when something will turn up."

Up and down they walked, past the side of the long, low building. She knocked her shoe against a bright bit of metal and stooped and picked up an old house key. She pocketed it automatically, as some people do in such cases.

"How," asked the girl, summing up the case with energy, "can twelve men with good sense look at Jack and think he could commit a crime?"

"Hmm," replied her father. "It's pretty rare to get twelve men together and get good sense out of 'em . . . and it ain't hard for that little snake, Lavigne, to hypnotize an average jury. No, Mary, you sure got no hope . . . not against Lavigne. He's a man-killer, but he uses the law to do his killing."

She stamped in her anger. "How many other men is he going to hang?" she asked furiously. "How many other men are in the jail there, waiting until that little rat has time to come out and worry the lives out of them?"

Her father smiled a little at this vigorous denunciation. "We're having dull times," he said. "Only one other gent in the jail, and that's the hobo, Mississippi Slim."

At this the girl stopped short. "Where's Mississippi?"

"In the jail."

"I know . . . I know, but what cell?"

"Got an idea?"

"I don't know, but, for heaven's sake, tell me. What's his cell?"

"Right yonder." He pointed to a grating a few paces away. "He may be hearing us now."

"Oh," exclaimed Mary Larrabee, "it's turning my brain upside down. Is there a chance?"

"Of what?"

"Nothing," said Mary, and she bolted for her buggy in front of the jail, running with the speed and the grace of a boy.

She whisked out of Boonetown, as she had whisked into it, the bays sweeping the light rig along at a terrific clip. Presently she turned onto a dim country road, made by the wear of travel, but never graded. Straight out of it she drove until she came to a sight of the house of the Zellars. She drew back her horses to a slower gait and finally pulled up behind the house. Instantly her eye met a reminder of the crime—two parts of a door, split cleanly down the center, were leaning against the wall near the kitchen window. This was the door that both young Zellar and Jack Montagne claimed to have broken through, in an effort to get at the room of the dead man.

She tied off her horses and, turning away, found Mrs. Zellar, in the act of wiping a milk tin, standing at the door of the house.

The big, ugly face of the woman stirred a reluctant smile of welcome. "Mary Larrabee!" she exclaimed. "How long since you come this way? Pretty nigh onto three years, I guess."

"I've heard so much about this murder," said Mary, as she shook hands, "that I wanted to see the place. May I, Missus Zellar?"

"A terrible thing," replied Mrs. Zellar. "The shock it give me . . . I ain't over yet. Gus was hit pretty hard, too. You want to see the room?"

"If you please."

"Come right up," she started to lead the way. "A terrible thing," she repeated. "And me and Gus sure was fond of old Mister Benton. I know some folks didn't like him much. He had his ways, but all old folks do. We were used to him and knew how to make allowances. Yes, we were fond of old Benton. They's an empty feeling around the house, now he's gone."

Mary Larrabee shivered with disgust. One glimpse of Benton's face would be sure warrant that no human being could ever find a spark of affection to waste on the old fellow. They stood at the door of the room.

"There's the place," said the woman. "There's where he laid, with his head turned a little to one side. Do you see the mark? Soap and hot water . . . nothing does any good to take that stain out. I've worked till my arms ached, and still it won't come out. Poor Mister Benton. I hope they hang that Jack as high as the moon!"

"You really think he did it?"

"Think? Child alive, don't I know? Didn't I hear him talk? Didn't I see the way he looked, when he heard that the poor old man had money in his room? Right then I says to Gus . . . 'There's no good in this man, Gus, there's no good in him.' And it sure turned out that there wasn't any."

"Well," replied Mary Larrabee solemnly, "may the guilty man hang."

She turned away, sick from what she had seen, and went slowly down the stairs. Down those stairs Jack had fled, according to his story. Up those stairs old Benton had dragged himself for the last time, on that terrible night. Every detail of that night of storm and horror came back to her.

In the open air she drew a great breath of relief, and, approaching the broken door, she drew out the key, that she had picked up beside the jail, and tried it hastily. The lock turned smoothly under the pressure and turned back again. Mary Larrabee drew it forth and dropped the key back into her pocket, her heart racing with excitement.

"How come?" asked Mrs. Zellar, following with aggressive curiosity.

"I forgot to say," said the girl glibly enough, "that my father asked me to bring back the lock of the door to Benton's room. Will you let me saw it out?"

Mrs. Zellar fixed her big, startling eyes upon the face of Mary Larrabee, frowning. Evidently she was not at all pleased.

"It don't sound like your father, sending you around on jobs like this," she declared. "It don't sound the least bit like him."

"He knew I was coming out here, anyway," explained Mary.

"Hmm," said Mrs. Zellar gloomily. "You want the lock, but why d'you want it?"

"I never could make any sense out of these legal matters," said Mary, managing to smile in the face of that dark suspicion, "but that's what Dad asked me to bring. Of course, if you don't want to part with it, I'll simply go back and have him . . ."

"It ain't that," protested Mrs. Zellar, "but it'd be more regular, if the sheriff was to send out a written order for it, or a request for it, being that he wants it for evidence."

"I suppose it would," said the girl, "but I've already done what he told me to, by asking you for it."

She made as if to turn away, but Mrs. Zellar, in a quandary, called her back. "I don't want to hinder the law none," she said. "If this'll help to hang Jack, why, take it and welcome to it. I'm sure I ain't got any purpose in keeping things back. I ain't got anything to hide from your father . . . or any other sheriff."

"Of course not," said Mary. "Then I'll take the lock back, if you'll let me have a saw."

Mrs. Zellar was gone a long time in the house, apparently hunting for the saw, but Mary heard the voice of mother and son in heated argument. At length, Mrs. Zellar came out with the saw and, gloomier than ever, proceeded to cut out the lock and hand it to Mary. "I hope it brings bad luck to Jack Whatever's-his-name. I hope this lock is the thing that hangs him," she said savagely.

Mary untethered the horse and climbed back into her buggy. "Why do you hate Jack so much?" she asked, when she had turned the buggy around.

"Why? Because he's a crook," said Mrs. Zellar fiercely. "And because he done a murder under my roof and robbed me!"

"Robbed you?" asked Mary Larrabee.

"Sure he did. Wouldn't Mister Benton, if he'd died natural, have left me something in his will? Of course, he would have. Who robbed me of it, then? Why, this Jack, this devil did! Ain't that clear as day?"

Mary shook her head. "I don't know," she said, "but, if Jack is a murderer, I don't know where we can find men we can trust."

"Wait a minute," said Mrs. Zellar suddenly, starting for the heads of the horses. "Wait a minute! Hold on, Mary Larrabee! I've changed my mind about . . ."

But a sharp cut of the buggy whip sent the bays sprinting away. "I can't wait," called Mary in explanation. "I have to hurry back!"

Then she dashed past the big woman and out onto the road. Mrs. Zellar followed a step or two, then paused with her arms akimbo, and stared after the flying little equipage. At length, she turned sullenly back toward the house.

"There's a devil in these young girls," she confided to her son a little later. "And I'd give a lot to know what she's up to, the little vixen."

The first thing that Mary did could have been seen from the house. She halted her team beside the tree, where the tramp was known to have kept his fire on that night of nights. The site of the fire she examined carefully and then swung the team back onto the road. The bays were in a foam, when she brought them back into Boonetown and drew up before the carpenter shop. She found the proprietor in the very act of starting for the country.

"Old Missus Purvis just phoned in," he said. "If your dad has some business for me, Mary, I guess it'll have to wait. Missus Purvis is plumb rushed. That's the way it goes with old folks. They want everything done so fast you'd think they was afraid death would come along before it was done."

"But Mister Hands," said the girl, "this is a matter of life and death."

"Hmm," said the carpenter, and pulled his glasses down on his nose, so that he could peer at her over them. "Life and death?"

She placed the lock on the workbench. "Is that a common lock, Mister Hands?"

He examined it, took up a bundle of keys, and tried some, one by one. Presently the lock was turned under his manipulation. "Common enough lock, all right," he said. "I got twenty old keys, right here, that could turn it."

Mary Larrabee uttered an exclamation of despair. "But," she protested, "I want to prove that this key belongs to that lock. And now you've spoiled everything for me!"

She drew forth the key and handed it to him. "Lemme see," muttered the carpenter, who was locksmith as well. "Lemme see, now. Maybe it does belong, but what difference does that make? I can fix you up with other keys for it."

"Other keys? No, no! Mister Hands, you must prove that this key belongs to this lock."

"Well, maybe I could. You see where the bit of this key is worn off a little? That comes from being used in a lock that has a rough place in it. I can find out in a minute."

He set to work with a screw driver, taking the lock apart, examined it carefully, and then straightened with a grunt of satisfaction. "Look for yourself," he said. "Don't need no microscope for this. See this place, sticking out in the lock? That's what's worn away the key. Must have took a tolerable lot of use to do it, but there ain't any doubt. See how it fits into the worn place?"

"Mister Hands," asked the girl, "how can I thank you for showing me? You've saved him!"

"Saved who?"

But lock and key were snatched from the carpenter's hand, and she was gone, whirling through the door.

XI

"THE WHOLE STORY"

At the jail she swept her father into the storm of her enthusiasm. Key and lock were placed in his great brown hands.

"You see," she explained, "that key has to belong to the lock!"

"Well, Mary," he admitted, "it sure looks like it. And what d'you make of it?"

"It must have been brought from the Zellar house?"

"That's nacheral . . . no doubt about that."

"And who could have brought it?"

"Jack, I suppose."

"Oh, Dad, don't you see that his cell is on the other side of the jail? How could he have thrown it there?"

"Eh?"

"It's the tramp, Dad. He's the one who threw it out the window to get rid of the only clue that connected him with the murder. Isn't that clear?"

Her father shook his head, frowning. "Don't sound like a strong argument, girl."

"But how could that key have come there?"

"I don't know."

"Did you search Slim when you picked him up?"

"Why should I search him? He wasn't near the house."

"Then he might have had the key on him, when he was brought to the jail?"

"I suppose so."

"How long would it take to walk from the tree where he had his fire to the house? Not more than ten minutes, do you think?"

"Not more'n that, I guess, if a gent stepped out lively."

"Dad, he's the murderer!"

"But, if he got rid of the key by throwing it out the window, he didn't get rid of the money that was taken from Benton's chest."

She pondered a moment. "Will you take a drive with me out to Slim's fire?"

He nodded, and a moment later they were spinning down the road toward the Zellar place, once more.

"He might have cached the money any place around this tree," said the girl enthusiastically, as she dismounted from the buggy at the site of the fire.

"That's true," said the sheriff, and he began an ardent search. But there was nothing to be found. In half a dozen places, where boughs joined the trunk, at a steep angle, he looked, but there was no sign of the money.

"Or he might have dug a hole," suggested the girl at length.

They examined the ground around the tree, within a radius of a hundred feet, but there was no sign of earth having been broken.

"Still," said the girl, "it must be here. He wouldn't wait to hide it any other place, because he'd be in such a hurry to get back to his fire. Isn't that logical? Before the murder he was seen drowsing by the fire . . . after the murder he was back at his fire again. That is his alibi."

"You got all the terms down pat," said her father. "And it sounds reasonable, too. But what next?"

"What about the fire itself?"

"Buried paper money in a fire?" Larrabee was chuckling.

"See where he scraped that fire to one side. He first had the fire going on the left, then he moved it to the right, where it is now . . . scraping the whole bed of

coals. Well, is it reasonable that a man would move his fire, once it's going? Isn't the hot bed of coals the most important part of a campfire, Dad?"

"That's gospel, Mary."

"Then, perhaps, he moved that fire to cover something."

The sheriff said not a word, but simply kicked away the ashes and the charred remains of the fire. He thrust his hand down into the half-baked earth below it, tearing it away in clods, until at last he uttered a cry, worked a moment longer, and then stood up, holding a handful of dirty greenbacks!

But Mary Larrabee, staring, saw two visions pass before her eyes—and money had no part to play in either. She saw Mississippi Slim, hanging with a rope knotted around his neck, and she saw Jack walking out of the jail, a free man. There in the hand of her father was the evidence that would accomplish both purposes.

"The money and the key," the sheriff was saying. "Well, it sounds pretty good, but we can't be sure. The thing to do, Mary, is to get a confession out of Slim, if we can. That's the way to clear Jack. Otherwise, even if he gets off, his name won't be plumb cleared. Once a gent is accused of a bad crime, his name is black the rest of his life. I'll have to call in the snake, Lavigne, to help. My, won't he grind his teeth when he finds out what I've learned?"

On the way back to Boonetown he detailed briefly the scene between Jack and the district attorney, which he had interrupted, and the mad fervor of the attorney's desire to hang the prisoner. She had the pleasure, an hour later, of seeing the district attorney swallow the bitter pill and admit that he had been wrong. But in five minutes he had regained some of his happiness. One trail was lost, but another had been opened. No matter what man died, a death was a death. Indeed, with marvelous elasticity of spirits, he was rubbing his hands and walking up and down his office in a fine heat of inspiration, rehearsing the evidence bit by bit. At length he said: "It's clear as day! He did it, but a good lawyer could get him off, probably. Somebody else might have buried that money under the tree . . . somebody else might have tossed the key into the sand. The confession is what we need, and the confession is what I'm going to get. Come along!"

Never in her life could the girl forget the scene that followed. She and her father accompanied the district attorney back to the jail and into the cell of Mississippi Slim, where the latter was walking busily up and down, "getting my exercise for the road," he told them.

The attorney took out his pad at once. "Now, Slim," he said, "I want to go over one part of your evidence."

"Many times as you want, chief," said Mississippi glibly.

"It was about what time when you first saw Jack?"

"I dunno. Ten or after, maybe."

"He disappeared down the road toward the house?"

"Yes."

"Good! Now, when you asked for food at the Zellar place earlier in the evening, what did you do when you were turned from the door?"

"Went up the road."

"You didn't stay about for a while?"

"No."

"Didn't try to get into the house, maybe, and walk off with something to get even with them for turning you out?"

The district attorney chuckled, and Slim laughed loudly.

"I wish I had," he said.

"Did you ever see this?" asked Lavigne, with a sudden and harsh change of voice, and he produced the key in the flat of his hand.

There was an even more startling change in the rat-sharp face of Slim, as he settled back on his bunk and sneered at them. "Playing tricks, eh?" he asked. "I'll do no more talking . . . not until I got a lawyer here."

"All right," said the district attorney, "but I suppose you're willing to hear a little story?"

"Talk your head off," said Slim fiercely, "but don't ask me no questions."

"It begins," said Lavigne, "with the moment Jack rode on toward the house. You looked after him . . . you began to wonder if he might not have better luck than you did. Particularly, you wondered what would happen when that big fellow tried to force the Zellars to give him a hand out. Eh?"

"Well, you got so curious that after a time you decided it was worth getting a soaking to see the party. So you got up and followed . . . you came to the kitchen door and saw him go inside . . . you listened for a while outside the window until you were sure that he was being fed.

"And, the moment you knew that, you were wild with anger! You wanted to do something to injure those people. So you sneaked around the house, looking for a place to get in, eh?"

The face of Slim was grave with boredom. There was no other expression in it.

"Finally," went on the district attorney, "you found you could shinny up one of the verandah posts and get onto the roof. By the time you got up there, the old man, Benton, was just coming back into the room, and he settled down in a chair near the window. Only for a moment, though. After a time he went over to his chest and

opened it. You saw him take out some money and make sure of it . . . you saw him lock the chest and saw the pocket into which he dropped the key. Is that right?"

Slim merely yawned.

"Then," said Lavigne, "the old man came back to his chair and sat down to read. A minute later you began to work . . . you tried the window behind his chair. It came up without making a sound. Inch by inch you lifted it, pressing very softly for fear of a squeak. And all the time the old man kept right on reading, eh?"

"This is sure a fool story," declared Slim. "Maybe you think anybody would believe it?"

"You got the window up, at last," insisted Lavigne, "and then you slipped your hands in and settled them around the throat of Benton. He hardly made a struggle. At least, whatever struggle he made was not loud enough to be heard above the roar of the rain on the roof. So you slipped in, when Benton stopped wiggling, and you gave him a look.

"His face was purple . . . he wasn't breathing. His eyes were popping out of his head, and he looked dead as a door-nail. You locked the door. Then you fished out the key from his pocket and took out that money.

"But, while you were stuffing it into a pocket, you heard a shriek behind you . . . the old fellow was only partly stifled. You saw him getting up out of the chair and staggering toward you to fight for his money. You had to act quick. You had to get rid of him and get back to your fire. You caught up a piece of firewood, hit him over the head, and, without waiting to see how it ended, you jumped through the window, ran over the verandah roof, jumped off, and made it back to your fire, and. . . ."

There was a sound of gasping breath. Slim had risen from his bunk with staring eyes. "Where were you hid in that room?" he asked. "Say, how did you see it?"

The Boonetown paper gave much credit to the district attorney for the cleverness with which he had fastened the meshes upon the real criminal and freed an innocent man. It gave a long write-up to Fitzpatrick Lavigne, while the part which Mary Larrabee had played disappeared in a single paragraph. Lavigne, as usual, took all the credit to himself.

But Mary Larrabee cared not a whit about reporters and papers. She was too preoccupied that evening in hearing from Jack his name and the history of his past. She was interested to the point of tears, while he told of his life before that wild night of storm and murder; how he had lived with his sister and brother-in-law, how, to

raise much-needed money, his brother-in-law had made a practice of changing brands on the cattle that he caught off the range; how exposure had threatened; and how he, the man without a family, had taken the blame on his own wide shoulders and slipped away out of the country, penniless and despairing, but determined to give his sister's family a fighting chance to live in honor.

For the first time and the last she heard all this with misty eyes, and it was never again referred to. Nor were any of the events of the Benton murder ever mentioned in the house. But, when she was Mrs. Jack Montagne, Mary kept in a secret place, to be looked at on holy days, the little worn key that had saved the life of one man and sent another to his death.

THE END

TRANSCRIBER NOTES

Misspelled words and printer errors have been corrected. Where multiple spellings occur, majority use has been employed.

Punctuation has been maintained except where obvious printer errors occur.

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[The end of *Sheriff Larrabee's Prisoner* by Frederick Schiller Faust (as Martin Dexter)]