

Carved in Sand

Erle Stanley Gardner

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Carved in Sand

By ERLE STANLEY GARDNER

Author of "Law of the Rope," "The Watchful Eyes of Taiping," etc.

Bob Zane was certain that somewhere the desert held the evidence—carved in sand—to bring a murderer to justice

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CHAPTER I.

TENDERFOOT CONTRAPTION.

When a man lives a great deal in the open, little things sometimes stick in his mind. That was the way with the remark the college professor made to me.

"Everything in nature," he said, "has two points of manifestation."

"Meaning positive and negative?" I asked him, just to let him know that he wasn't going to spring any theory on me that I couldn't, at least, talk about.

"Not exactly that," he said. "It's something a little more subtle."

I swept my hand in a half-circle, including in the gesture the sweep of sun-glittering sand and cacti-studded desert. "What would be the double manifestation of that?" I asked him.

"I don't know," he said. "I'm not enough of a desert man to know its manifestations. But you know it. If you'll only watch it, you'll find that it does have a dual manifestation."

It was only a little thing perhaps, but somehow it stuck in my mind; and it seemed that I'd found the answer in Pete Ayers. Pete was desert born and desert bred, and the shifting

sands had got into his blood. He was as restless as a swirl of loose sand in the embrace of a desert wind. Of course the desert leaves its mark on everybody who lives in it. Most of the men who have lived in the desert have gray eyes, firm lips, a slow, deliberate way of moving about that is deceptive to a man who doesn't know the breed. When occasion requires they are as fast as greased lightning, and as deadly as a cornered lion. Ayers was different. He was just a happy-go-lucky kid who was forever rolling into mischief and stumbling out. He was always in trouble, always getting out of it by some fluke.

Now he lay stretched out beside me on the edge of the rim rock, the hot desert sun beating down on our backs. He handed me the binoculars.

"Brother," he said, "watch where the bullet strikes. I'm betting even money that I don't miss him by more than two inches, and I'll bet on a direct hit for reasonable odds."

That was the way with Pete; always making a bet, always willing to wager his shirt on the outcome of whatever he happened to be doing.

"Wait a minute, Pete," I said as he cocked the rifle. "Let's make certain that it's a coyote. He's acting sort of funny for a coyote."

"He's going to act a lot funnier," said Pete as he nestled his cheek against the stock of the rifle, "in just about one minute."

I focused the binoculars on the slope across the long dry cañon. Ordinarily, I don't go in much for binoculars in the desert, because a desert man cannot afford to be cluttered up with a lot of weight. The tenderfoot always carries a camera, binoculars, hunting knife, and compass. They're things that are all right in their way, but the real desert man starts out with a six-gun, a canteen, a pocket knife, a box of matches and a sack of tobacco. That's about all he needs.

The binoculars were good ones that Pete had won from a tenderfoot in a poker game the night before. They brought up the opposite slope of the cañon with a clearness that made the black shadows transparent.

"Hold everything, Pete!" I said. "It's a police dog!"

I heard Pete's grunt of incredulity, but he lowered the rifle and turned startled blue eyes to me.

"Hell," he said, "you're crazy! There aren't any police dogs out here. Them's tenderfoot binoculars and there's mebbe a sort of tenderfoot influence about 'em."

"Take a look yourself," I said.

Pete put down the rifle and reached for the binoculars. He focused them to his eyes, and then gave a low whistle.

"Hell!" he said. "And I'll bet I'd have hit him!"

I said nothing. We watched the animal for several seconds.

"What the hell's he doing here?" asked Pete.

I didn't know any more than he did—not as much, in fact, so I couldn't say anything. We lay there in silence, with the desert sun beating down on the glittering expanse of waste, making the black rim rock on the other side of the cañon twist and writhe in the heat waves.

After a while Pete passed the binoculars across to me. I found the dog again, steadied my elbows on the hot rock, and watched closely.

"He's running around in little circles, looking for a scent of some kind," I said. "Now it looks as though he's found it. He runs along straight for ten or fifteen yards, then stops and circles, and then starts going straight. Now, he's found what he wants. He's running close to the ground—and making time."

"Hell," said Pete drily, "you don't need to tell me everything he's doin', I got eyes, even if they don't magnify eight diameters."

The police dog fascinated me, I couldn't understand what he was doing out here in the desert. I kept the binoculars on him and watched him as he angled down the slope. He was running rapidly now, wagging his tail as he ran, and apparently following the scent without difficulty. He ran

down around the edge of the slope, rounded an outcropping of rock, crossed the cañon, and vanished behind a ledge of the rim rock on our side of the cañon.

"Well," said Pete, "the show's over."

"No," I told him, "I'm going to find out what that dog's doing out here."

"That's just the way with you," he said. "Filled full of curiosity."

But I could see from the light in his blue eyes that he was curious, and that he also favored giving the dog a break. A police dog can't live long in the desert. A coyote can get by nicely, but not a dog, no matter how big or how strong he is. It's a question of generations of training, and the coyote has something that no dog has; a certain toughness that enables him to get by.

We moved along the rim rock. I was holding the binoculars by the strap when we reached the next little peak from which we could look down in the cañon.

Pete's exclamation at my elbow showed me that he had seen the camp. I raised the binoculars, and through them saw an automobile, rather battered and dilapidated; a white tent; a canteen; a cot; a box of provisions. Then I saw a woman's bare arm reach out around the edge of the tent and pick something from the box.

"Looks like a woman down there," I said.

"What the devil would anybody want to camp in that cañon for?" asked Pete.

"Prospector maybe," I told him.

"A woman prospector?" he asked.

"Maybe. She had a white arm. Looked like she was city-bred."

"Just the arm showed?" asked Pete.

"That was all," I said.

"All right," he said. "Keep the binoculars then."

Suddenly the woman came out from around the edge of the tent. I could see at once that she was city-bred. The cut of her clothes, the delicacy of her complexion, the angry red sunburn on the backs of her forearms, all told the story. But the thing that interested me and held me breathlessly watching was the expression on her face. It was an expression of sheer terror.

The police dog had evidently been out with her and had lost her. He had been smelling along the dry sand of the desert, trying to pick up her trail; and now he was trotting along at her side, wagging his tail. Yet the woman's face was twisted and distorted with terror.

She was carrying something in her hand, and she ran twenty or thirty yards back up the slope to the roots of a sage brush and started digging with her left hand. Her right hand

pushed something into the little hole, and then she patted the sand over it, got to her feet, and walked back toward the camp.

I handed the binoculars to Pete, and as my eyes focused on the camp I saw two dots moving from around the slope of the cañon. I saw the police dog grow rigid, and after a few seconds I could hear the sound of his bark.

"Hell," said Pete, "she looks scared."

"She is," I said. "Look at the two dots coming around the slope there, about half a mile down the cañon, Pete."

He raised the glasses and grunted as his eyes took in the two dots. "Two men," he said, "with rifles and six-guns. They've got cartridges in the belts of the six-guns, and they look as though they were getting ready to shoot."

"Are they coming toward the camp?" I asked.

"Toward the camp," he said. "Hell, Bob, after this I think I'm going to carry these tenderfoot contraptions all the time.—In the meantime, I'm going down and cut in on that deal."

"Count me in," I told him.

He snapped the binoculars back into the ease.

"Going back to get the burros?" I asked him.

"They'll wait," he told me. "Let's go."

The rim rock was a good ten feet in a straight drop. Then there was some loose sand, and the sheer slope of the side of the cañon.

Pete went over the rim rock without hesitation, lit in the sand, threw up a flurry of dust, made two jumps, and started sliding down the ridge. I didn't make quite so clean a leap, and I felt the impact as I struck the sand. My feet went out from under me, I rolled over a couple of times, got to my feet, and started sprinting down the slope, digging my heels into the soil, grabbing at the little clumps of sagebrush and taking long jumps to avoid the patches of rock.

Pete kept gaining on me. I don't know why he didn't go down head over heels, but he managed to bound down as lightly as a mountain goat.

CHAPTER II.

MANNERS IN THE DESERT.

Apparently the girl didn't see or hear us. She was looking at two men who were approaching.

The police dog heard us, however, and whirled, starting to bark. With that the woman turned and saw us, of course. She

called the dog back and stood staring at us, and once more I caught the expression of terror on her face.

Pete's bronze hand went to his sombrero, swept it off in a bow, and he said, "Pardon me, ma'am, we just dropped in."

There was a ghost of a smile on her face, but it still held that expression of terror.

"It was almost a drop," she said, looking back up the slope where the dust clouds were still drifting about in the hot sun. "Who are you and what do you want?"

Pete jerked his head toward the direction of the approaching figures. "Just thought," he said, "that we'd see if you needed any assistance."

I saw her mouth tighten. "No," she said, "you can't be of any assistance to me."

I didn't beat about the bush at all. "Do you know the men who are coming?" I asked.

"I think so," she said.

"What do they want?" I asked.

"Me," she said.

I waited for an explanation, but there wasn't any. The dog was growling in his throat, but he was lying on the ground where she had ordered him to stay, his yellow eyes glinting from us to the men who were coming up the dry wash.

The two men came up with the tense, watchful attitude of men who are expecting to engage in gun play at almost any minute. They looked us over and they looked the girl over. One of them stepped off to one side and said to the girl, "You're Margaret Blake?"

She nodded her head.

"You know who we are and why we are here?" he said.

She said nothing.

He looked from her over to us. "Who are these men?" he asked.

"I don't know," she said.

The man shifted his attention to Pete. "What's your connection with this?" he asked.

Pete grinned at him, a cold, frosty grin. "Don't you know who I am?" he asked.

"No," said the other man, his eyes narrowing, "who are you?"

"I'm the guy," said Pete, "who is going to see that the young woman here gets a square deal."

"This woman," said the man, "is under arrest."

"Arrest for what?" asked Pete.

"As an accessory," said the man.

"To what?"

"Murder."

Pete laughed. "She don't look like she'd be good at murder," he said.

"You can't always tell by looks," said one of the men. "Now, you two fellows get started out of here. I don't like the way you horned in on this party."

"Don't you, now?" said Pete.

The other man said in a low voice, "Make them give up their guns, Charlie. We can't let them go out in the desert with their guns. They might ambush us."

"Yes," said Charlie. "You fellows will have to leave your guns here."

"Now *I'll* tell one," I told him.

I saw grinning devils appear at the corners of Pete's mouth, caught the glint of his blue eyes as he reached slowly to his gun, pulled it out of the holster and looked at it almost meditatively.

"You don't want me to give *this* gun up?" he asked.

"That's what we want," said Charlie.

"This gun," said Pete, "is a funny gun. It goes off accidentally, every once in awhile."

"Pete!" I cautioned him.

The warning came too late. There was a spurt of flame from Pete's gun. I heard the impact of the heavy bullet as it struck the stock of the rifle in the hands of the man nearest Pete.

There was nothing to do but back his play, and so I made what speed I could snaking my six-gun from its holster.

The two men were taken completely by surprise. They had thought that their rifles were sufficient to command the situation. As a matter of fact, at close quarters a rifle is very likely to prove a cumbersome weapon, particularly when a man tries to take in too much territory with it.

"Drop it!" I told the man.

His eyes looked into the barrel of my Colt, and there was a minute when I didn't know exactly what was going to happen. Then the gun thudded to the sand. The bullet had jerked the other's gun from his grasp.

"All right, Bob," said Pete, "they'll get their hands in the air, and you can unbuckle the belts and let their six-guns slip off."

"First, let's make sure they've got their hands in the air," I told him.

Two pairs of hands came up slowly.

"You boys are making the mistake of your lives;" said Charlie. "You're going to find yourselves in the pen for this."

"Please don't," the girl pled with us. "I'll go with them. It's inevitable."

"No," said Pete, "I don't like their manners—and I always play my hunches."

I unbuckled the guns, let them drop to the ground.

"We're officers," Charlie started to explain, "and you—"

"Sure," said Pete, "I knew you were officers as soon as I saw you. You've got that look about you—and your manners are so rotten. Now turn around and start walking back the way you came. I suppose you've got an automobile staked out around the edge of the slope, haven't you?"

They didn't say anything.

Pete shook his head. "Rotten manners," he said. "You don't answer courteous questions."

"Please!" said the girl. "Don't do this for me. He's right in what he says. You're going to get into serious trouble."

"Miss," said Pete, "getting into serious trouble is something that I'm accustomed to. I get into a new kind of trouble every day. Come on you two, let's march."

We turned them around, but it took a prod with the muzzle of my six-gun to get Charlie started. After they had started they moved along doggedly and steadily.

We rounded the slope and found their car parked in a little draw. Pete's gun pointed the road to town.

"I'm going to be standing here," he said, "until that car is just a little black spot in the middle of a dust cloud, 'way over on the desert there. And if you should hesitate or turn around and start back, something tells me that you'll have tire trouble right away."

The men didn't say a word. They climbed into the automobile. The starting motor whirred, the engine responded, and the car crept along the sandy wash, struck the harder road, and rattled into speed. Pete and I stood there until the machine had vanished in the distance, leaving behind it nothing but a wisp of dust.

Pete looked at me and grinned. "Sore, Bob?" he asked.

"No," I told him. "I had to back your play, but I wish you'd use a little discretion sometimes."

"Discretion, hell!" he said. "There's no fun in discretion. Let's go back and talk with the woman. You can figure it out for yourself, Bob. She's okay. Those men were on the wrong track, that's all."

I wasn't so certain, but I holstered my weapon. We started trudging back through the sand. When we rounded the edge of the slope and could look up the cañon, I could see dust settling in the afternoon sunlight.

"Two dust clouds," I told him grimly.

Sure enough, the camp was still there; but the automobile, the young woman, and the police dog had gone.

Pete looked at me, and his face was ludicrous in its crestfallen surprise. "Hell!" he said.

"It's going to take them about two hours to get to town," I said. "Then they'll get some more guns, a couple of others to help them, and start back. The next question is, where can we be in two hours?"

Pete's eyes started to twinkle once more. "I know a swell bunch of country where's there's an old cabin," he said, "and I don't think the burros would leave much of a trail getting up there."

"How far can we be on that trail in two hours?" I wanted to know.

"We can be pretty near there."

"Okay," I told him. "Let's go."

We climbed back up to the burros, got the string lined up, and started plodding up the slope toward the old cabin that Pete knew about.

After about an hour the country changed, and we began to run into stunted cedar, glimpsing pines up on the high slopes of the mountain country beyond. Another half-hour, and we were well up in the mountains, from where we could look back over the desert.

I paused and pointed back toward the place where I knew the little desert town was situated. "Pete," I said, "you've got those binoculars. Take a look and see if you can see anything that looks like pursuit."

He was focusing the binoculars on the road when I heard a peculiar throbbing sound which grew in volume. I raised my eyes and picked out a little speck against the blue sky—a speck that might have been a buzzard, except that it was moving forward across the sky with steady purpose.

I tapped Pete on the shoulder and pointed with my finger. He raised the binoculars, looked for a minute, and then twisted his face into a grimace.

"They'll pick her up with that," I said, "before she's gone thirty miles."

"There's lots of places she could go inside of thirty miles," Pete said.

"Not with that automobile," I told him, "and not in this country."

Pete shrugged his shoulders. "How the hell did we know they were going to get an airplane to chase her with?"

"How the hell did I know that you were going to start gun play?" I told him, with some irritation in my voice.

"You should have been able to tell that," said Pete, "by looking at the woman. She was too pretty."

I sighed. "Well," I told him, "I always wanted to know what it felt like to be a fugitive from justice."

"Hell!" said Pete from the depths of his experience. "There ain't no novelty to it—not after the first time or two. It feels just like anything else."

I didn't say anything more. I merely watched the airplane as it diminished in the distance. I was still looking at it when I saw two other planes coming from the west. The plane I had seen first tilted from side to side, making signalling motions, and the other two planes swung in behind it. I focused the binoculars on them and saw them fly in formation, until suddenly they started down toward the desert.

The sun was just setting. The valley was filled with deep purple shadows. In the high places was the hush of coming

twilight.

"What did you see?" asked Pete.

"Two more planes," I told him, snapping the binoculars into the leather case.

Pete grinned at me. "That," he said, "isn't going to keep us from eating, is it?"

"Not this meal," I told him, "but I don't know about the next."

CHAPTER III.

ACCESSORIES TO THE CRIME.

Pete had his blankets spread out on the other side of a little ridge. I was careful not to disturb him as I got up and sat there in the moonlight, looking down on the dark mystery of the shadow-filled valleys below. It was cold up here, but I had a blanket wrapped around me, Indian fashion.

Down below, as far as the eye could reach, stretched the desert; a great waste of level spaces, broken by jagged mountain spurs—mountains that were still a part of the desert, dry, arid, covered with juniper, stunted cedar, and an occasional pine. There were no tumbling streams, no dense

underbrush—just barren rock and dry trees that rustled in the wind which was blowing from the desert.

Looking down into the black splotches of darkness in the valleys, I knew what was going on in the desert. The wind was stirring the sand into soft whispers, typifying the restlessness of the desert. For the desert is ever restless, ever changing. Its moods change as frequently as the appearance of the desert mountains is changed by sunlight and shadow.

Even up here in this cold, high place the desert seemed to be whispering its mysterious messages; the noise made by drifting sand as it scours against the soft desert rocks, carving them into weird structures, polishing, cutting, drifting, changing, ever changing.

I sat there for three or four hours, watching the moon climb over the eastern rim of the mountains, watching the black pools of mysterious shadow in the cañons gradually recede until the golden surface of the desert glinted up at me from below. Several times I listened to hear Pete's snores, but no sound came from his direction.

After awhile I felt somewhat relaxed, and rolled back into my blankets, where it was warmer. In fifteen or twenty minutes I began to feel drowsy, and drifted off to sleep. After all, as Pete had remarked, being a fugitive from justice didn't feel particularly unique, once one had become accustomed to it.

I woke early in the morning and watched the east taking on a brassy hue. It was still and cold. There was not a sound, not a breath. The stars, which had blazed steadily during the night, had now receded to mere needle points of light; and soon they became invisible.

I kicked back the blankets, put on my boots and leather jacket, stamped my feet to get the circulation in them, and walked around the little ledge, to the place where Pete had spread his blankets. The blankets were there, but Pete wasn't.

I looked over the ground, and felt of the blankets. There was frost on the inside of them, where they had been turned back when Pete slipped out. I studied the tracks as well as I could, and then I knew that Pete had slipped one over on me. He had pulled out long before I had got up to watch the moonlight.

Fifty yards from camp I found a piece of paper stuck on a bush. When he had to be, Pete was glib with his tongue, and glib with a pencil if he couldn't talk. He was one of those fellows who expressed himself well.

I unfolded the note and read:

Dear Bob:

I got you into this, and there's no reason why I shouldn't take the blame. You didn't do anything except follow my lead. I don't know how serious it is, but I'm going to find out. You sit tight until I come back.

(Signed) Pete.

I should have known that Pete would have done something like that, and I felt irritated that I hadn't guessed it in advance and guarded against it.

It was all right for Pete to claim that I had been blameless and that he was going to take the responsibility. I probably wouldn't have started things if Pete hadn't been there—and then again I might have. But I didn't need a nurse or a guardian, and when I pulled a gun on an officer it was my own free and voluntary act. I didn't like the way Pete was trying to shield me, as though I were a child, instead of a man ten years his senior.

I got some fire wood together, got the coffee to boiling, and sat crouched by the fire, warming my hands and waiting for a while before I drank the coffee, hoping that Pete would show up. When he didn't show up, I drank a couple of cups of coffee, but kept the pot hot so that he could have some when he came in.

The sun climbed slowly up the blue-black of the desert sky, and there was still no sign of Pete. I went out on a projecting rock where I could look down into the valley, and kept watch on what was going on. Toward ten o'clock I heard the sound of automobiles, and I could make them out through the glasses, two carloads of men jolting their way along the floor of the valley.

An hour later, I heard them coming back; and the glasses showed me that which I had dreaded to see, yet expected. In the rear seat of the first automobile was a man and a woman. At that distance I couldn't make out their features, but I didn't have much doubt who they were.

I waited until the machines had gone the length of the valley and turned through the pass into the level desert, then I threw packs on the burros and started back down the mountain. Pete knew exactly where I had been camped, and he also knew that I had the binoculars. I figured that he probably would have a chance to use his pencil once more.

I hit the trail of the automobiles and started following along, keeping my eyes pretty much on the ground. Within half a mile I found what I was looking for, a folded piece of paper lying by the side of the road, catching the glint of the hot desert sun. I unfolded the paper. It was a note from Pete, all right. He hadn't put any heading on it at all, so that if the officers discovered it, it wouldn't give them any clew which would lead to me. The note read simply:

They caught me. I put up a fight, but they got me, and I guess they got me dead to rights. The woman is the daughter of Sam Blake. Blake killed a prospector named Skinner who had a cabin over in Sidewinder Cañon. They jailed him, and the woman helped him escape. They caught him again and

are holding her as an accessory. I don't know what they're going to put against me. I told them you didn't know anything about it and had backed my play with an empty gun. I don't think they're going to look for you.

I knew Bob Skinner, and I also knew the place over in Sidewinder Cañon. It was fifteen or twenty miles over the mountains.

There was nothing much to be done except trail along behind the automobiles, so I plugged along doggedly through the desert sunshine. All the time, I kept thinking about the stuff the woman had buried at the foot of the sagebrush when she saw the two men coming from the direction of the road. When I got near that first camp of hers, I made a detour and went into it. The officers had been all through it, probably looking for evidence.

I climbed back into the shade cast by a spur of rock, and got out the tenderfoot's binoculars again. When I was sure that I had the desert all to myself, I went over to the clump of sagebrush and dug in the sand.

I found a package done up in a newspaper. The package had hacksaw blades and a gun. The hacksaw blades had been used, and I figured that was how Sam Blake had managed to slip out of jail. As far as I could tell, the gun hadn't been fired.

It was a .45 single action Colt, and it had been carried around quite a bit in a holster.

I looked at the newspaper. It was an extra edition, hurriedly thrown together; one of those little hand-printed efforts put out in small desert towns, usually once a week or once every two weeks.

Ordinarily they contained nothing more exciting than a chronicle of the comings and goings of people who live in a small community.

But this paper was different. Across the top, in big blotchy headlines, black type announced:

BLAKE BREAKS JAIL

Down below:

OFFICERS SUSPECT WOMAN ACCOMPLICE

I sat down on my heels in the sand, and read everything that the paper contained. It was an account of the jail break, which didn't interest me particularly, and an account of the crime, which interested me more.

Sam Blake charged that Bob Skinner had jumped a claim which Blake had staked, stripping the claim of the valuable

gold that was in a pocket and then skipping out.

I knew Skinner. He was the sort of customer who would be likely to do that very thing. Blake asserted that Skinner had picked up more than five thousand dollars in gold from the pocket, and so Blake had taken his gun and gone down into Sidewinder Cañon.

A lunger by the name of Ernest Peterman had seen him going down toward Skinner's cabin. Peterman had a little cabin up on the summit of a ridge on the east side of Sidewinder Cañon. He'd seen Blake coming along the trail which led to the cañon, and had recognized him. He'd watched him go down to Skinner's cabin. It had been about two-thirty in the afternoon, and Peterman said he knew that Skinner was alive at the time because there was a lot of smoke coming out of the chimney of Skinner's shack. He hadn't paid any particular attention to it, however; he'd just given the scene a casual glance and then gone out to take his afternoon sun bath.

It happened that a ranger had dropped in to see Skinner some time the next day. He'd found Skinner dead, with a bullet hole in his forehead and a knife wound in his heart. He'd found horse tracks in the trail, and had been able to mark them because of a broken shoe on the right hind foot. He'd trailed the horse into the little settlement, had found it, identified it as belonging to Blake, and had finally forced Blake to admit that he'd been to the cabin.

At first Blake denied it. Later on, he admitted that he'd gone down to have a settlement with Skinner, but he claimed

that Skinner was dead when he got there. Things looked black for him because he hadn't reported the murder, and because at first he'd denied that he'd gone down to see Skinner at all. But the thing that clinched the case against him was the testimony of the lunger. If smoke had been coming out of the chimney at the time Blake hit the shack, it was a cinch Skinner had been alive then. Nobody doubted the good faith of the lunger.

I read the paper and frowned. I could see that Pete Ayers had acted on impulse, and the impulse had led him into trouble. We were going to be booked as accessories, along with the girl. The authorities didn't like the idea of Blake sawing the bars of the jail window and slipping out into the night.

I led the burros over to a nearby spring, saw that they had water, and then started on the long journey over the mountains to Sidewinder Cañon. I didn't dare to strike the main trails. On the other hand, with burros I could keep moving over the desert mountains, particularly after the moon came up.

CHAPTER IV.

THE DESERT WHISPERS.

It was well past daylight when I came out of the jagged mountain formation on the west and into Sidewinder Cañon. I could look down the twisting cañon and see the roof of the prospector's shack. I staked out the burros, and went down on foot.

I could see where the officers and the curious ones had been tramping around the shack. It sat out on a little sandy plateau, and there had been a desert wind in the night which had wiped out most of the tracks; yet they showed as confused indentations in the sand.

It looked as though at least ten or a dozen people had milled around the shack, tracking down the ground.

I went into the cabin. The door was open, of course, as is customary in mountain or desert cabins. There was the damp, musty smell of places which are shaded from the purifying effect of direct sunlight. There was also another musty smell which was more ominous and unforgettable; the smell of death.

I found the bed where Skinner had been sleeping. I found red stains, dry and crusted, on the blankets; stains also on the floor. Lazy flies buzzed in circles over the red stains. It was not a pleasant place to be.

I made but a casual inspection. I knew that others had been there before, and that every inch of the cabin had been searched. Doubtless some of the searchers had been desert men.

I walked out into the sunlight and took a great breath of fresh air, looking up into the clear blue of the cloudless sky, then over at the glittering expanse of jagged, barren ranges which hemmed in the cañon. Everything was still and silent.

Far up in the heavens a black dot marked a circling buzzard.

I started to look around.

It was ten minutes later that I saw something I couldn't explain. That was a fresh break in the little corral back of the house. It was a crazy structure of weatherbeaten lumber, held together by rusted nails and supported by posts set into the soft sand at various angles. It was the place where Bob Skinner had kept his prospecting burros; and I could see that a horse had been in the corral recently, and it looked to me as though the break in the corral had been done recently. In one place a board had been splintered, and the splinters hadn't as yet become dulled by the desert sunlight. The clean board showed out from beneath its weatherbeaten veneer.

I looked over the stretch of sand around the corral. Useless to look for tracks there. The wind had leveled the sand out and made it into miniature drifts. It was right in line with the opening of a little cañon, down which the night wind would sweep with concentrated force.

I rolled a cigarette and sat looking at that break in the corral fence. After awhile I started up the cañon. By the time I had gone a hundred yards I came to a little sheltered place, where there was some soft sand that hadn't been blown by the wind. I saw the tracks of a horse, and to one side the print of a booted foot.

The sun was climbing higher now, and the walls of the little cañon began to radiate heat. I plugged my way along over the rocks, searching for the faintest sign of tracks. A little later on I found more tracks. Then I struck a little trail that ran along the side of the cañon, and in this trail it was easy to follow the tracks. They were the tracks of a horse, and behind the horse, the tracks of a man.

I worked along the little dry cañon, and struck a level place. The horse was running here, and the tracks of the man were heavy on the toes and lighter on the heels.

After awhile I got into country that didn't have much sand, but I could follow the tracks better because there hadn't been anything to drift with the desert night wind. I saw the tracks of the horse climb up a ridge, and I followed them.

Near the top of the ridge I struck horse tracks again, and farther on I struck horse tracks and no man tracks. I followed the horse tracks off and on for three or four hundred yards, looking for man tracks. There weren't any.

I went back and tried to pick up the man tracks. I couldn't find them again. They had gone to the top of the ridge and then vanished.

I sat down on my heels, rolled another cigarette, and thought for awhile.

There was a spring down the ridge, and three or four miles over toward the head of Sidewinder Cañon. It wasn't a particularly good spring—just a trickle of brackish water, thick with alkali—but it was a spring just the same. I started working down toward that spring.

I didn't see any man tracks until I was within fifty yards of the spring; then I picked up the tracks of booted feet again. As nearly as I could tell, they were the same tracks that I had seen following along behind the horse tracks.

I searched around the spring, and found horse tracks. These didn't look like the same horse tracks that I had seen earlier in the day. They were the tracks of a bigger horse, and they seemed to be fresher. I went over to the trail which led into the spring, and I could see where the horse had come in along this trail and gone out along it.

I kept poking along, looking in the sagebrush, and finally I found a hole dug in the side of the mountain. It was about a foot deep by two feet long. I poked around in the hole. It wasn't a hole that had been dug with a shovel, but something that had been scooped in the side of the mountain, and half-filled in with slag from the side of the bank above. There wasn't anything in the hole.

I went down and followed the tracks of the horse. They went down the trail, evenly spaced and at regular intervals.

I turned back from that trail and went back up the ridges the way I had come into the spring. It was hot now, and the sun was beating down with steady, eye-dazzling fury.

I managed to get back up to the last place where I had found the horse tracks, and started tracking the horse. That was comparatively easy. The horse had worked over toward the west and north, following down a ridge which wasn't quite so rocky, and on which there was a more dusty soil to hold the tracks.

I knew that my burros were trained in the ways of the desert and could shift for themselves until I got back; but I was in need of food, and the inside of my mouth felt raw from drinking the alkali water at the little spring. Nevertheless I kept pushing on; working against time, and at length I found where the horse had started wandering back and forth from a direct line, as though looking for something to graze on.

I followed the tracks until it got dark, and then I built a little fire and huddled over it, keeping warm until the moon came up. Then I began my tracking once more. It was slow work, but I took no chances of getting off the trail. I just worked slowly along the trail, following it along the sides of the ridges; and finally I came to something black lying on the ground.

I saw that it was a saddle, and feeling the tie in the latigo, I could tell that the saddle had been bucked off. The horn was smashed, and there were places where the iron hoofs had cut the leather of the saddle. The horse had evidently bucked and twisted, and had walked out from under the saddle. The blankets were off to one side. Rocks were pushed loose from the indentations in the earth which had held them, as though the horse had been standing on his head and striking out with all four feet.

I marked the place where the saddle was, and kept on working down the slope.

It was still dark when I heard a horse whinny.

I called to him. Then I heard his shod feet ringing on the rocks as he came up to me. He was glad to see me. Right then, a man represented food and water to him, and he was eager for human companionship. There wasn't any rope around his neck, but I didn't need any. I twisted my fingers in his mane, and he followed along with me like a dog. When I came back to the place where the saddle lay, I got it back on him, and climbed into it.

He had lost his bridle, but I cut off the strings from the saddle, roped them together and made a rough hackamore.

The horse was weak, thirsty and tired; but he was glad to yield to human direction once more, and he carried me back

over the ridges.

It was two hours past daylight when I came to the spring, where the horse drank greedily. I let him rest for half or three-quarters of an hour, and gave him a chance to browse on some of the greenery which grew around the edges of the water. Then I sent him down the trail and found my burros, standing with full stomachs and closed eyes, their long ears drooping forward.

I got a rope from my pack, slipped it around the neck of the horse, and started along the trail which led up the east slope of the mountains on the side of the cañon. When I got to the top I poked around, looking for a camp, and after a while I saw the glint of the sun on something white. A man rolled over in the sunlight, pulled a blanket around his nude figure, and got to his feet. He stood grinning at me sheepishly.

I rode over to him. "You're Ernest Peterman?" I asked.

He nodded. He was getting back his health there in the high places of the desert, I knew. That much could be seen in the bronzed skin, the clear eye, and the poise of his head.

Man has devised many different methods for combating various ills, but he has never yet devised anything which is superior to the healing hand of nature in the desert. Let a man get into the high places of the dry desert atmosphere, where the sun beats down from a cloudless sky; let him live a simple life, bathing in sunshine, and resting with the cold

night air fresh in his nostrils, and there is nothing which is incurable.

"I wanted you to take a little ride with me," I told him.

"How far?" he asked.

"Just up to the top of the ridge."

"All right. In an hour or so?"

"No," I told him. "Now. I want to get there about a certain time in the afternoon."

"What time?" he asked.

"The same time that you saw Sam Blake go down into Sidewinder Cañon," I told him.

He shrugged his shoulders and shook his head, as though trying to shake loose some disagreeable memory.

"I didn't want to do it," he said.

"Do what?" I asked.

"Testify," he told me.

"I didn't say you did."

"I know," he said. "It isn't that. It's just the thoughts that have been worrying me lately. Have you seen his daughter?"

I nodded.

"A wonderful girl," he said. "I don't think her father could be a murderer."

"He went down there with a gun, didn't he?" I asked.

"Yes."

"You don't suppose he just went down there to pay a social call, do you?"

"I don't know. He'd been robbed. Everybody seems to think that Skinner really robbed him."

"Did you know Skinner at all well?" I asked.

He shook his head.

"Ever get up to the top of the ridge much?"

"I've been up there once or twice in the morning."

"How did you happen to be up there on that particular afternoon?"

"I don't know. I was restless, and I just started walking up there. It was a hot day. I took it easy."

"And the shadows were just beginning to form on the western rim of the mountains?" I asked.

He nodded.

"And you could look down on Skinner's little shack?"

He nodded again.

"All right," I said, "I'd like to have you take a ride up there with me."

I let him ride the horse, and he seemed to feel a lot easier when I had a rope around the horse's neck, leading him. I took it that Peterman was pretty much of a tenderfoot in the desert.

"How did you happen to come to the desert country?" I asked him.

"I've tried everything else."

"Are you afraid of it?"

"Yes," he said, "I was dreadfully afraid at first. And then I got so I wasn't afraid."

"How did that happen?" I wanted to know. "Usually when a man sees the desert he either loves it or he hates it. If he hates it his hatred is founded on fear."

"I know," he said. "I hated it at first, and I hated it because I was afraid of it. I'm willing to admit it."

"What changed you?"

"You'd laugh if I told you," he said.

I looked at him, at the bronzed skin, the clear eye, the steady poise of the head, and I smiled. "Perhaps," I said, "I wouldn't laugh."

"It was the whispers," he said. "The whispers at night."

"You mean the sand whispers?" I asked.

He nodded. "There was something reassuring about them," he said. "At first they frightened me. It seemed as though voices were whispering at me; and then, gradually, I began to see that this was the desert, trying to talk; that it was whispering words of reassurance."

I nodded, and we didn't say anything more until we got to the summit of the ridge. I looked over the ridge, and checked Peterman as he started to look over.

"Not yet," I said. "Wait about fifteen minutes."

He sat and looked at me as though he thought I might be a little bit off in my upper storey. But already the desert had begun to put its mark upon him; and so he didn't say anything, merely watched me as I smoked a cigarette.

When I had finished two cigarettes, I nodded my head.

"All right," I said. "Now look over."

He got up and looked over the top of the ridge. He looked around for a moment and said, "I don't see anything."

"Look down at Skinner's cabin."

He looked down, and all of a sudden I heard him give an exclamation, his eyes widening in surprise.

I unstrapped the binoculars and handed them to him. "All right," I said, "take another look."

CHAPTER V.

MAKE WAY FOR A WITNESS.

Sun beat down upon the little desert town with its dusty main street and its unpainted board structures squatting in the gray desert which lined either side of the road. A big pile of tin cans marked the two ends of the main street, and these piled up tin cans were bordered by a nondescript collection of junk which spread out over the desert, interspersed with clumps of sagebrush.

There were occasional automobiles on the street; automobiles, for the most part, of an ancient vintage, innocent of finish and as weatherbeaten and dust-covered as

the board structures themselves. There were also horses tied to the hitching rack in front of the general merchandise store, and a couple of sleepy burros rested on three legs at a time, casting black shadows on a dusty street.

We rode toward the building where the preliminary hearing was being held. A crowd of people were jammed into the little structure, despite the intense sunlight which beat down upon the roof. Other people crowded around the outside of the building, blocking the windows, craning their necks to listen. Out in the street little groups, recognizing the futility of trying to hear what was going on inside, formed gabbing centers of gossip to discuss the case.

I climbed from the saddle burro and dropped the rope reins over his head. "Make way for a witness," I said.

Men looked around at men. "Hell! It's Bob Zane," someone said. "Make way, you fellows, here comes Bob Zane."

I pushed my way into the court room. The tenderfoot clung to my blue shirt. He was sort of frightened and subdued. The atmosphere of the place reeked with the odor of packed bodies and many breaths. People stared at us with cold, curious eyes.

Abruptly, the little space around the judge's desk opened ahead of us, and the two officers stared with startled eyes into my face. One of them went for his gun.

"There he is now!" shouted Charlie, the deputy.

"Order in the courtroom!" yelled a wizened justice of the peace, whose white goatee quavered with indignation.

The officer pulled out the gun and swung it in my direction. "The man who was the accomplice of Pete Ayers, one of the defendants in this case," he shouted.

The judge banged on the desk. "Order in the court! Order in the court! Order in the court!" he screamed in a high piping voice.

I squared myself and planted my feet, conscious of the business end of the gun that was trained at my middle.

"Just a minute," I said. "I came to surrender myself and demand an immediate hearing. I'm charged with being an accessory in a murder case. I can't be an accessory unless there's been a murder, and unless the person I aided is guilty. I've got a witness with me who wants to change his testimony."

I half turned, and pushed forward the tenderfoot.

Peterman looked about him, gulped and nodded.

"You can't interrupt proceedings this way!" piped the judge.

"Don't you want to hear the evidence?" I asked.

"Of course," he said, "but you aren't a witness."

I held up my right hand and moved a step forward, holding him with my eyes. "All right," I said, "swear me in."

He hesitated a moment, then his head nodded approvingly as his shrill, falsetto voice intoned the formal oath of a witness.

I moved abruptly toward the witness chair. One of the officers started toward me with handcuffs, but I turned to face the judge. I began to speak rapidly, without waiting to be questioned by anybody.

"The man who killed Bob Skinner," I said, "put a horse in Skinner's corral. When he had finished killing Skinner, there was blood on his hands, and when he tried to catch the horse, the horse smelled the blood, and lunged away from him. The man chased after the horse in a frenzy of haste, and the horse broke through the corral fence and started up the cañon, back of the house. The man followed along behind him, trying to catch the horse.

"A wind storm obliterated the tracks in the sand in front of the corral and around the house, so that the tracks couldn't have been seen unless the officers had appreciated the significance of that break in the corral fence and had gone on up the cañon looking for tracks. I took the course that a horse would naturally have taken, and I picked up the tracks again, up the cañon. And also, the tracks of the man who was following."

Having gone that far, I could see that I wasn't going to be interrupted. I looked out over the courtroom and saw eyes that were trained upon me, sparkling with curiosity. I saw that the judge was leaning forward on the edge of his chair. The two officers had ceased their advance and were standing rooted to the spot.

Pete Ayers, who had stared at me with consternation when I pushed my way into the courtroom, was now grinning happily. Damn him! I don't suppose he ever knows what it is to worry over anything. He is as happy-go-lucky as a cloud of drifting sand in the desert. The girl was staring at me with a white face and bloodless lips. She didn't yet appreciate what my coming meant; but Pete knew me, and his face was twisted into that gleeful grin which characterizes him when he is getting out of a tight place.

"All right," snapped the judge in that high, piping voice of his, "go on. What did you find?"

"I followed the horse tracks to the top of the ridge," I said, "and I found where the man had quit chasing the horse. Then I followed the man tracks a way, and lost them. But I figured what a man would do who was out in the desert and hot from chasing a horse he couldn't catch. So I worked on down the ridge to a spring, and once more found the tracks, this time at the spring. I looked around and found where the man had dug a hole and had buried something near the spring. Then I found where he had walked out, secured another horse, ridden back to the spring, pulled whatever had been in the

hole out of its place of concealment, and ridden away. He hadn't bothered to look after the horse that had been left in the mountains, figuring that it would die in the desert from lack of water and food.

"I then went back to the place where I had left the horse tracks, and started following the horse. Eventually I found the saddle, and then I found the horse."

There was a commotion in the courtroom. The officers conferred together in whispers, and one of them started toward the door. I quit talking for a little while and watched the officer who was pushing his way through the swirling group of men.

Outside the building a horse whinnied, and the whinny sounded remarkably significant, upon the hot, still air and the sudden silence of that room—a silence broken only by the irregular breathing of men who are packed into the narrow quarters, and who must breathe through their mouths.

"Well?" rasped the judge. "Go on. What happened?"

"I found the saddle," I said, "and I found the horse. I brought the horse back and I brought the saddle back."

"What does all that prove?" asked the judge, curiously.

"It proves," I said, "that the murderer of Bob Skinner wasn't Sam Blake. It proves that Sam Blake came down to call for a show-down with Bob Skinner, but Skinner was dead when he got there. Somebody had murdered Skinner in order to take the gold from his cabin, and the horse had

balked at the odor of blood. The murderer had chased the horse for a while, but he couldn't continue to chase him, because he was carrying enough gold to make it difficult for him to keep going after the horse. So he went down to the spring and cached the gold; then he went out to get another horse, and later came back after the gold."

The judge's glittering eyes swung as unerringly as those of a vulture spotting a dead rabbit to the bronzed face of Ernest Peterman, the tenderfoot.

"That man," he said, "swears that he saw smoke coming out of Bob Skinner's cabin just before Sam Blake went in there."

"He thought he saw smoke, your honor," I said. "He's a tenderfoot, and new to the desert. He didn't go up on the ridge very often, and he wasn't familiar with Bob Skinner's cabin. Particularly when the afternoon sunlight throws a black shadow from the western ridge."

"What's the shadow got to do with it?" asked the judge.

"It furnishes a black background for the tree that's growing just back of the house, right in line with the chimney on Skinner's cabin."

"A tree?" piped the judge. "What's a tree got to do with it?"

"The tree," I said slowly, "is a blue Palo Verde tree."

"What's a blue Palo Verde tree?" the judge inquired petulantly.

"One that you've seen many times, your honor," I said, "in certain sections of the desert. It only grows in a very few places in the desert. It requires a certain type of soil and a certain type of climate. It isn't referred to as a Palo Verde tree in these parts. Your honor has probably heard it called a smoke tree."

I sat back and let that shot crash home.

The blue Palo Verde grows in the desert. The Indians called it the smoke tree because it sends up long, lacy branches that are of a blueish-green; and when the sun is just right, seen against a black shadow, the smoke tree looks for all the world like a cloud of smoke rising up out of the desert.

Peterman was a tenderfoot, and he'd climbed up on the ridge just when the western shadows had furnished a black background for the smoke tree behind Skinner's cabin. He had taken a look at the scene and decided that smoke was coming out of the chimney. No one had ever thought to have him go back and take a look at the cabin under similar circumstances. They had been so certain that Sam Blake was guilty of the murder that they hadn't bothered to check the evidence closely.

The judge was staring at me as though I had destroyed some pet hobby of his. "Do you mean to say that a man mistook a smoke tree for smoke coming from a chimney?" he asked.

I nodded. "Keener eyes than his have made the same mistake, your honor," I said, "which is the reason the Indians called the tree the smoke tree."

"Then who owned the horse?" asked the judge. "Who was it that went in there before Sam Blake called at the cabin?"

I pointed my finger dramatically at the place where the officers had been standing.

"I had hoped," I said, "that the guilty man would betray himself by his actions. I notice that one of the men has left the courtroom hurriedly."

As I spoke, there was the sound of a terrific commotion from outside. A shot was fired, a man screamed, a horse gave a shrill squeal of agony; then there was the sound of a heavy, thudding impact, and the stamping of many feet.

Men turned and started pushing toward the narrow exit which led from the place where the hearing was being conducted. They were men who were accustomed to the freedom of the outdoors. When they started to go through a door, they all started at once.

It was a struggling rush of bodies that pulled and jostled. Some men made for the windows, some climbed on the shoulders and heads of others and fought their way over the

struggling mass of humanity. Futilely, the judge pounded his gavel again and again. Margaret Blake screamed, and I saw Pete Ayers slip a circling arm around her shoulder and draw her close to him.

I thought it was a good time to explain to the judge.

"That horse I found, your honor," I said, pushing close to him so that I could make my voice heard above the bedlam of sound, "was a nervous bronco. He made up to me all right because he was thirsty and hungry, but he was a high strung, high spirited horse. I left him tied to the rack out in front. I thought perhaps the owner of the horse might try to climb on his back and escape, hoping to take that bit of four-legged evidence with him. But horses have long memories. The last time the horse had seen that man, he had smelled the odor of human blood and had gone crazy with fright."

The crowd thinned out of the courtroom. Here and there a man who had been pushed against a wall or trampled underfoot, cursed and ran, doubled over with pain, or limping upon a bad leg; but the courtroom had emptied with startling speed.

I crossed to the window as the judge laid down his gavel. Impelled by curiosity, he crowded to my side. Outside, we saw, the men were circling about a huddled figure on the sidewalk. The horse, his ears laid back, his nostrils showing red, his eyes rolled in his head until the whites were visible,

was tugging and pulling against the rope that held him to the hitching rack. I noticed that there were red stains on one fore hoof, and a bullet wound in his side.

Lying on the sidewalk, a rude affair of worn boards, was the crumpled body of the deputy who had helped to make the arrest of Margaret Blake that first time we had seen her. The whole top of his head seemed to have been beaten in by an iron hoof.

The judge looked and gasped. He started for the door, then caught himself with an appreciation of the dignity which he, as a magistrate, owed to himself. He walked gravely back to the raised desk which sat on the wooden platform, raised the gavel and banged it down hard on the desk.

"Court," he said, "is adjourned!"

It wasn't until after Pete Ayers and Margaret Blake had started out in the desert on their honeymoon that I got to thinking of the words of the college professor.

The desert is a funny place. It's hard to know it long without thinking that there's something alive about it. You get to thinking those sand whispers are not just a hissing of dry sand particles against rock or sagebrush, but real whispers from the heart of the desert.

The desert shows itself in two ways. There's the grim cruelty which is really a kindness, because it trains men to

rely upon themselves and never to make mistakes. Then there's the other side of the desert, the care-free dust clouds that drift here and there. They're as free as the air itself.

Pete Ayers was a part of the desert. The desert had branded him with the brand of care-free sunlight and the scurrying dust cloud.

The desert had recorded the tell-tale tracks that had led to the discovery of the real murderer. Every man is entitled to his own thoughts. Mine are that it's all just two sides of the desert, the grim side that holds justice for murderers, and the happy side that leaves its stamp on men like Pete Ayers.

Pete Ayers clapped me on the back. His bride stared at me with starry eyes.

"We owe it all to you, Bob Zane!" she said, her lips quivering.

But I looked out at the desert. The white heat of an afternoon sun had started the horizons to dancing in the heat waves. Mirages glinted in the distance. A gust of wind whipped up a little desert dust-spout, and it scurried along, the sagebrush bending its head as the dust-spout danced over it.

"No," I told her, "you owe it to the desert. The desert is kind to those who love it. She held the evidence, carved in sand, for the righting of a wrong and the betrayal of a real culprit to justice."

Pete Ayers grinned at me and said, "You're getting so you talk just like that swivel-eyed college professor you guided around last month."

But his smiling eyes shifted over my shoulder and caught sight of the swirling dust cloud scampering merrily over the desert. I watched his expression soften as his eyes followed the swirling sand. And then I knew that college professor was right.

THE END.

[The end of *Carved in Sand* by Erle Stanley Gardner]