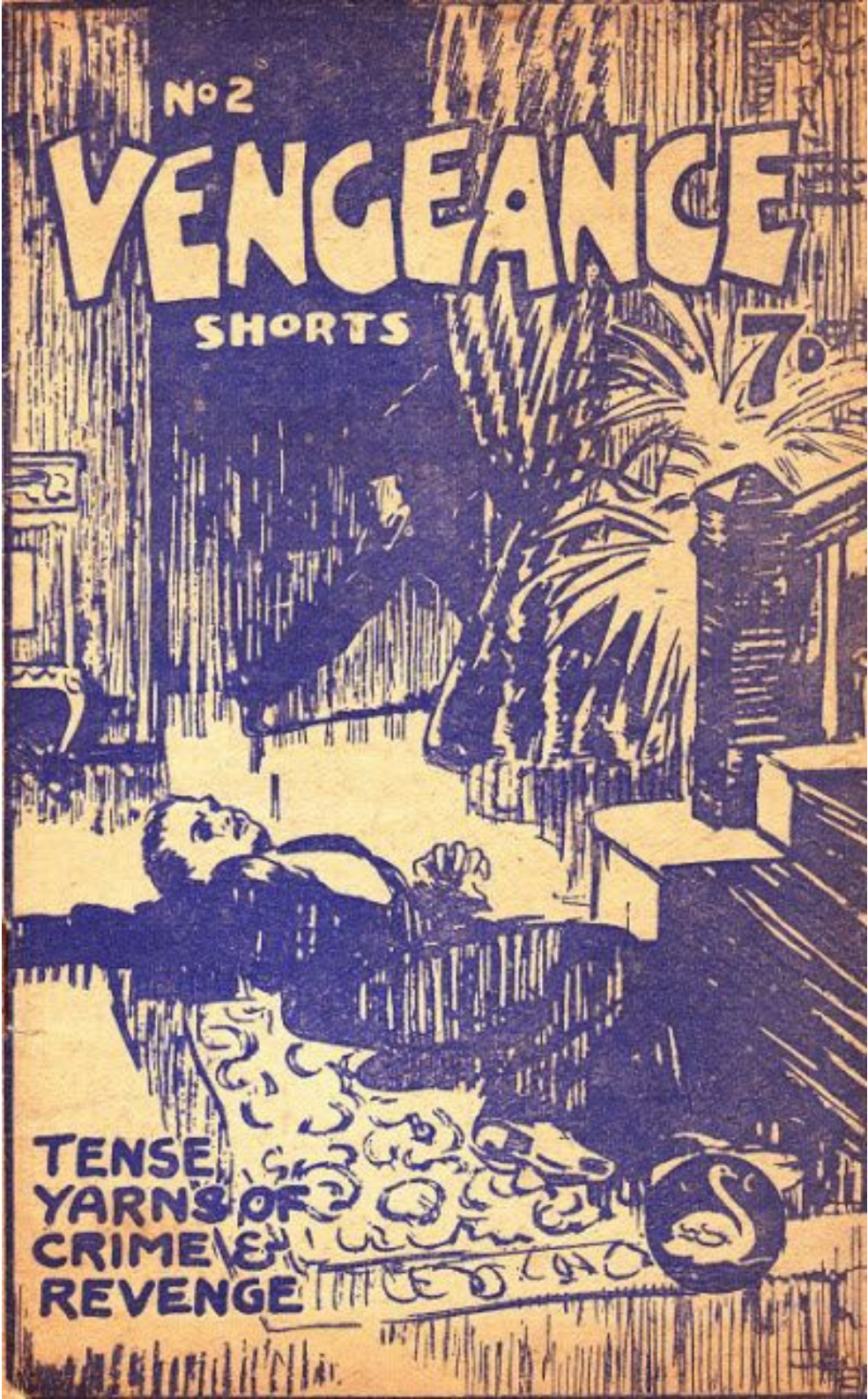


No 2

# VENGEANCE

SHORTS

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TENSE  
YARNS OF  
CRIME &  
REVENGE



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# FOOLPROOF

By  
John Russell Fearn

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This ebook transcribed from *Death Asks the Question*, published by the Linford Mystery Library.

Judge Rufus Langton sat alone in the library of his small hunting lodge at Railsby Bend. The heavy law book in his hands, the soft cone of light from the desk-lamp, the dark walnut of the shadowed room, were things apart from the raging fury of the winter storm outside.

Only rarely did he glance up. The book was good reading. But he had to keep his eye on the clock. His son and daughter-in-law were due any time, roads permitting.

The whining of the wind, the slashing cut of the rain down the long window panes, effectually muffled from him the slight sound of the nearest window catch being lifted with a knife blade. He only became aware of his seclusion being disturbed when the black velvet curtains suddenly billowed inwards and a blast of icy wind surged into the warmth of the room.

Instantly he was on his feet, bewildered, his first thought being that the gale had snapped the window catch. He soon saw how wrong he was as he beheld a figure standing in the opening, a figure in dripping mackintosh and sodden felt hat. An automatic was gripped tightly in his hand.

‘Make no moves, Judge Langton! Sit down!’

Langton’s legal brain registered the situation instantly. He tightened his lips, dropped into a chair with hands upraised. The intruder reached rearwards, shut the window, then came forward slowly. He stopped when the desk-light glinted somberly on the gun.

‘You don’t know me, do you?’ His voice was low-pitched, merciless.

Judge Langton shook his iron-grey head. He was trying to place the lean, rigidly set face, the resolute jaw, the darkly smoldering eyes, the whipcord body.

‘No, I don’t know you,’ he muttered, his voice calm. ‘And I wish you’d come in by the door instead of upsetting me like this. You can put that gun away, too. I am alone, and quite unarmed.’

‘You think I don’t know that?’ his visitor asked laconically. ‘I have kept a tally on your movements for months, Langton—and now you are going to get what’s owing to you. Understand?’

Langton’s powerful face set into grim lines. He peered again into the shadows.

‘Who the devil are you, anyway?’

The man sat down in the chair opposite and held his gun steady on the desk edge. ‘My name’s Joseph Gell,’ he replied slowly. ‘Does that stir anything in your memory?’

‘Gell? Gell?’ Langton frowned reflectively, slanted his eyes to the desk drawer containing his own revolver, then shook his head. ‘I guess it doesn’t. I don’t seem to—Wait a minute!’ he broke off. ‘Gell! Somebody of that name was condemned to death a couple of years ago. Peter Rayburn Gell. Convicted of murder in the first degree.’

The visitor nodded slowly, and raindrops splattered on the blotter from his sodden hat.

'Right!' he acknowledged grimly. 'Your memory isn't so bad, at that. Peter Gell was my son. He took the rap because the high-ups responsible for the mess wouldn't come into the open. They left him holding the bag—and you condemned him. Remember?'

'He was convicted of murder,' Langton retorted. 'Foul murder, Gell. He killed a woman and a man in cold blood. He openly admitted it; and he got the full penalty.'

'He died,' Gell said slowly, 'because he followed orders and wouldn't squeal, a fact which you and that damned jury didn't—or else wouldn't—take into account.'

'You guys on the side of justice, so called, have a law that says 'a life for a life.' You might as well know that we fellers on the other side have a law that works out the same way—only sometimes we're a bit longer enforcing it! I say you killed my boy just as if you'd murdered him. You knew the real culprits, but you wouldn't stir yourself to bring them into court.'

Langton smiled frozenly. 'Whatever they did, whoever they were, your son had to answer for his individual crimes! He confessed to murder, and was executed . . . You're not the first one, by any means, who has tried to get at me for the sentences I've given out—'

'Shut up!' Gell ordered. 'You're doing the listening, not me! I vowed when you sent my boy up that I'd get you. Work kept me busy for a time—forging, if you'd like to know. Doesn't that make your hair curl? As soon as I'd cleaned up enough dough, I stepped out and got on your track. I fixed myself at a small place outside this village. I made myself nice and popular with all and sundry—including Sheriff Ingleby. I took the name of Grant and everybody thinks I'm a retired businessman. All so I could be near you. Swell set-up, eh?'

'So *you* are Amos Grant,' Langton breathed. 'I've heard of you.'

'I've waited my chance,' Gell went on. 'I studied your place here. I figured the best way to get in, the shape of the windows, everything. I knew when you'd be here. I knew even when you'd be alone . . .' He stopped for a moment and smiled crookedly. 'I'm going to kill you, Langton,' he said gently.

'And go straight to executioner?' Langton parried, fighting for time. He was in a tight spot and knew it.

'No, not the executioner. This job is foolproof. See?'

Langton's eyes strayed back to his revolver drawer, but Gell's automatic still pointed unwaveringly. Langton forced an apparent calm.

'Gell, you're a damned fool! My son and his wife are coming here later on this evening from Chicago. If you kill me, they'll find my body before you have a chance to—'

'They are, eh?' Gell's eyes gleamed briefly. 'Good. Fits in nicely with my plan—'

He broke off as with a sudden lightning movement, Langton's right hand whipped up the heavy law book he'd been reading. In one hurtling movement he flung it unerringly at Gell's hand, spinning the automatic out of his clutch.

Langton dived, snatched at the desk drawer and tore it open. He was too vigorous—the draw came right out and flung its contents across the carpet. Before he could leap Gell had recovered his automatic and stood poised and ready.

'Better take it easy,' he advised coolly. 'Thanks for doing that. Your own gun will make it simpler . . .'

He picked it up warily in his handkerchief, jerked it open and glanced at the loaded chambers. He put his own gun away, slipped on a glove, held Langton's revolver steadily.

'Wait a minute—!' Langton shouted hoarsely, but at that identical moment, Gell fired.

The bullet struck clean into Langton's forehead, left a powder mark from the nearness of the fire. A welling trickle of blood went down his ashy, startled face. For a split second he remained standing there motionless—then he dropped heavily to the carpet.

Abruptly Gell was transformed into a man of action. Tearing off his wet hat and mackintosh, he hung them on the fireplace so they dripped to the warm hearth. Then he removed his solitary glove and substituted rubber gloves on both hands, flexed his fingers for a moment.

Working at top speed he commenced a systematic search of the desk, using Langton's own keys. At last he found the material he needed—a bundle of old letters and notes in Langton's own handwriting, together with a fountain pen. To Gell, a man whose very existence depended on his brilliancy as a forger, the next part of the scheme was comparatively simple.

Snatching notepaper he made several scrawls, then began a complete letter. In it he stated briefly that responsibilities, known and unknown, had driven Langton to suicide. The letter was skillfully signed, '*Rufus Langton*'.

Gell read it through, nodded, sealed it in an envelope and penned the superscription—'To Whom It May Concern.' He left it conspicuously on the desk.

Then he put the keys back in Langton's pocket, hauled him into the chair by the desk, slumped him in the correct position. The revolver he put on the desk close to the outflung right hand. No slip-ups there, either: Langton had been right-handed all right.

Gell surveyed the result, then looked closely at the carpet for some sign of bloodstain. There was none; he had moved Langton in time . . . He turned to the fountain pen, but in his urgency to fix it in Langton's fingers, he nearly overlooked the contradictory aspect.

'Can't be,' he muttered. 'He wouldn't shoot, and *then* write . . .'

He whipped the pen away, cursed as it fell out of his hand. He turned, looking for it on the floor, trod on it. When he raised it, the nib was cross-legged.

For a moment he was nonplussed. No other pen on the desk: no nibs either, far as he could see. Then his eye caught the glint of a gold clasp on Langton's breast pocket. In an instant he had whipped out a fountain pen and unscrewed the cap. Nib was fairly similar: he could take that chance. He laid it down carefully, suggestively. Not likely this would be a murder problem anyway. He had laid his plan too well for that.

He made a final search, bundled the specimen forgery notes he had made into his pocket, along with the broken pen. The rest was a simple job. He removed all traces of wet from the polished woodwork near the window with his handkerchief, took his nearly dried coat and hat and donned them again, holding up the hems of the mackintosh so no stray drops could sprinkle. Then he retreated backwards out of the room, using the door this time. As he went, he removed all traces of mud he might have left behind.

The front door automatically latched itself behind him as he passed outside.

Immediately the full tearing fury of the wind and rain smote him. Long before he had completed the short journey along the rough shale pathway to his coupe, concealed in the main village road just outside the gates, he was struggling for breath and soddened with the downpour. All to the good, anyway, this weather; wash away all possible signs of footprints.

The moment he had slipped in the driving seat he slammed in the first gear; soon he was streaking hell for leather down the road. Rain swilled in cascades down the windshield, blurring the vision of half-flooded road ahead. Wind twisted the steering wheel like a live thing in his fingers. He went on at desperate speed, following the only road into Railsby Bend village itself, a distance of perhaps five miles from the Judge's lodge.

The village loomed up at last, sepulchrally dark and gale-swept. Gell's car swished through the puddles of the empty high street, with its dim wavering lamps and rain-glistened houses, lights shining dully behind window shades.

He went on until he came to Sheriff Ingleby's office: then he jammed the brakes and came to a skidding standstill. Leaping from the car he dived for the warm, lighted interior of the place.

Sheriff Ingleby, thin and angular, with a bald head fringed with white fluff, was sitting reading beside the glowing iron stove, pipe in mouth, glasses on nose. He looked up in surprise over his lenses at Gell's sudden wet and spattering entry.

'Why, Mr. Grant! I sure didn't expect to see anybody around here tonight—certainly not you. Anythin' I can do?'

Gell smiled cordially enough under his dripping hat. So far, his plan was working perfectly. Five miles in seven minutes wasn't bad going on such a night. Then his eyes moved from the Sheriff's clock.

'Guess you wouldn't be seeing me now, Sheriff, only I'm nearly out of gas another seven miles to cover to get home. The filling station's too far off, even if it's open—which I doubt. I've just come from Chicago, and believe me it's been one lousy trip!'

'Yeah, I can imagine,' Ingleby sympathized. He rose stiffly to his feet, and slipped into huge oilskins.

'If I remember right, I've a gallon of gas over in the garage I can let you have. Be right back.'

Gell nodded and moved to the warmth of the stove. As he stood there, his mind clarified the last details. The Chicago alibi was foolproof, too: Jed Gunther, big businessman on the surface, racketeer deep down, had promised to provide the necessary verification that Gell had been in Chicago. Of course, a little forging job would be required as payment, but then—

Suddenly Ingleby was back with a can of gasoline in his hand.

'I reckon there's only half a gallon, but you can have it,' was his comment. 'I guess you —' He glanced round in irritated surprise as the telephone bell sharply interrupted him. Grumbling he moved across to the instrument. 'Hope no guy has gotten himself into a mess on a night like this . . .'

Gell took the can and moved to the doorway. As he stood re-buttoning his mackintosh, Ingleby's words floated to him in snatches—

'Can't get through you say . . . ? Huh? Yeah, sure I understand . . . Okay, I'll see he gets to know, but I wished you'd picked a better night . . . What? Sure, I'll do it right now.'

Gell waited for no more. He was down the steps, fiddling with his tank, bracing himself against the lashing wind and rain. By the time he had added the spirit to the already half-full tank he was aware that Sheriff Ingleby was near him, pulling back the doors of his garage.

'Nice dam' job to send a man out on!' he complained, as Gell casually inquired the trouble. 'Serves me right for being generous. No need to do it—but I likes to give service . . .'

'Of course,' Gell said, handing over the empty tin and the money.

'Message to deliver—Judge Langton's place,' Ingleby growled. 'A good five miles from here, I guess.'

He turned away with that, climbed into his own car. Gell hesitated over asking more, then he decided otherwise. The nature of the message did not matter: what *did* matter was that luck was favouring him. Beyond doubt, Ingleby would find the suicide, and the short lapse of time would serve to strengthen the alibi.

Grinning to himself, Gell climbed back into his coupe, started off again into the raging storm.

Fifteen minutes later, Gell was home. His first action was to practically empty the car gas tank in case of a possible investigation, then the legitimacy of his call on the Sheriff could be proved. Oil he also drained plentifully. Generally he left the earmarks of a car that had covered a good distance and consumed plenty of fuel.

Then he went into the house, washed, changed into dry clothes, concealed his automatic, and afterwards repaired to the cosy warmth of his study dining room to eat a much-needed meal, and reflect on his scheme.

As he ate, the storm, if anything, seemed to increase in fury. The rain beat and splashed against the windows; the wind screamed in every nook and cranny. Momentary thoughts of flood from the River Kilvon, twenty miles distant, assailed his mind. If that happened, he might possibly be washed out by morning. It had happened once: it could happen again.

Then as he considered this unpleasant prospect he was abruptly startled by a hammering on the outer front door. A faint smile touched his hard lips. So Sheriff Ingleby was on a trail of inquiry already, eh? Good!

He opened the door and registered mild astonishment as the dripping form of Ingleby trooped in. He pulled off his oilskins in a flurry of raindrops, then went across to the crackling fire.

‘Well, I’m darned glad to be outa that stuff for a few minutes,’ he declared with feeling. ‘Never saw a night like it in years.’

Gell quietly agreed with him, proffered a drink that Ingleby consumed with slow satisfaction. Then he said:

‘I’m here to bring a bit of a shock, Mr. Grant. You know Judge Langton, of course? Well, he’s—committed suicide.’

‘No!’ Gell’s exclamation came in a half whisper of amazed horror: it was just the right inflection. He gave a little puzzled shake of his head. ‘Well, this is bad news, Sheriff! But—but when did it happen?’ he asked curiously. ‘I was talking to him only two days ago. I suppose it must have been recently, and you found it out tonight?’

Ingleby stood with his back to the fire, shook his head moodily.

‘Y’see, I had a message for him: his telephone was out of order with the storm so the message was put through to me. You remember I started off for his place? When I arrived there, there was no answer. I waited a while, knowing he ought to be there somewhere, then as nothing happened, I became worried, and forced a way in. I found him dead at his desk with a suicide confession right in front of him. Shot himself in the head at close range. I left a man down there in charge and went in search of Doc Morgan. He figured Langton shot himself around eight-thirty tonight.’

‘Poor old Langton,’ Gell sighed regretfully.

‘Naturally I’ve to make a few inquiries as to his reasons for suicide. He just said ‘responsibilities, known and unknown,’ but that conveys nothin’ . . . You say you talked to him two days ago?’

Gell nodded. ‘I seem to remember he said something about feeling depressed, now I think of it. Tough work, being a Judge.’

‘Yeah . . .’ Ingleby looked thoughtful. ‘Did he make any particular statement that might hint at suicide?’

'Not that I recall.' Gell was frowning a little now, but still at his ease. What the devil was the old fool getting at, anyway?

Ingleby looked up suddenly from studying the rug. His lean face was grim.

'No, I'm danged sure you don't recall! Langton didn't commit suicide. He was murdered!'

'What!' Gell exclaimed, starting. 'But Sheriff, who on earth—'

'Keep right where you are, Grant—if that's your right name.' Ingleby's hand was closed now in his right pocket. There was a significant bulge there. 'I'm not joking,' he added, drawing the revolver to light. 'You're under arrest on suspicion of the murder of Langton.'

Gell could not help his gasp of surprise. 'Why—you're crazy! What the hell right have you to come in here and make an assertion like that? Why, I was with you at the approximate time of this—this murder! You must remember!'

'I remember,' Ingleby said curtly. 'But that don't make no difference to me. I'm going to book you! You figgered on a perfect alibi, knowing that it wouldn't be possible to reckon to a few minutes just when Langton died. But you tripped up on one or two things, Grant! You placed a fountain pen in Langton's hand with which he supposedly wrote his suicide confession . . .

'What happened to the original pen that wrote the note doesn't make much odds: what *does* make odds is the fact that the fountain pen had no ink in it! The barrel was dry as a bone and the rubber tube had a hole in it. Langton musta worn it for an ornament.'

The sudden flaw took Gell off his guard. He began to bluster, but Ingleby cut him short.

'An' there were other things! Scratches on the window-catch, a spot or two of mud from outside, on the carpet, one or two raindrops still slightly wet on the blotting pad . . .'

Gell flamed, 'Damn you, man, flimsy evidence like this isn't going to get you any place! Where's the motive? Anybody might have done it. I couldn't have done it, I tell you! I was driving from Chicago all this evening until I got to your office. Ring up, and find out!'

'I reckon I don't need to do that,' Ingleby replied grimly. 'You say you didn't stop until you got to my place?'

'Right!'

Ingleby seemed to reflect for a moment. 'S'pose you know Langton was expecting his son and daughter-in-law tonight, from Chicago?'

'How should I know?' Gell snarled.

'I just thought you might. It was the son who telephoned me at my office—he and his wife are stranded outside Railsby Bend. They wanted me to tell the Judge they couldn't make it.'

'So what?' Gell snapped.

'So this! You say you didn't stop any place. What time did you cross the Kilvon River Bridge?'

Gell gestured impatiently. 'How should I know exactly? About half an hour before I reached your place, I suppose. Couldn't have been more.'

'That's what I reckoned,' Ingleby said, smiling bleakly. 'A distance of fifteen miles. But the point is that Langton's son also told me that the bridge had been washed away two hours before you got to my place! Yet you didn't stop anywhere! By no possible means could a car have gotten across the river into Railsby Bend tonight! It only struck me later when I remembered you saying you'd come from Chicago.' The Sheriff stopped, his lips taut.

'Better get your things, Grant. You've some explaining to do! And hurry up!'



[The end of *Foolproof* by John Russell Fearn]