

The mystery was – why was Val Cadogan so confident  
He could get away with open murder?



# DARK ALIBI

*Judge Steele Story*  
By LON WILLIAMS

JUDGE WARDLOW STEELE, urged by uncommon savagery, shoved Flat Creek's court machinery through its preliminaries and in short order got down to what he called nut-cracking. That business was *People versus Val Cadogan*, one of numerous aliases. Charge, first-degree murder. Big Jerd Buckalew, sheriff; skinny Clerk James Skiffington; deputies and Vigies were on hand, ready for eventualities, if needed.

"Claybrook, call fust witness."

Wade Claybrook, prosecuting attorney, stocky and redheaded, got up and nodded at a deputy. "Call Oss Remine."

Sitting at Claybrook's table, Steele observed with satisfaction, were dapper French Demeree and stout Lexicon Hutto, teaming up with law and order for a change.

Opposite them was a newcomer, a big character with dark, swept-back hair and a

high-cheeked, clean-shaved, middle-aged face, who'd given his name as Telfair Brinkerstaff. A new kind of criminal was being tried, too—a darkly-handsome, expensively-dressed baboon, with eyes that suggested unusual craft and viciousness.

Witness Remine came in and took his seat. He was mild-mannered, grave; he glanced nervously at defendant Cadogan.

Claybrook eyed him casually. "You are Oss Remine?"

"Yes."

"A merchant in Flat Creek?"

"Yes."

"Have you recently been called upon by one or more well-dressed strangers who demanded that you pay them money in return for their leaving you and your business unmolested?"

Telfair Brinkerstaff got up. "Sir, this defendant has not been indicted for piracy, extortion or blackmail; that question should not be answered."

"If your honor please," said Claybrook, "those crimes go hand in hand with murder. It has been so since Roman times, perhaps earlier. *Extortionis* comprehensively defined them. Extortionists operate through fear of death, inspired in their victims. That fear is effective because murder is not only a threat, but also a reality; what we would show here is that in Flat Creek there existed a pattern of extortion and crime in conformity with its worst and age-old traditions."

"A fine speech," sneered Brinkerstaff. "But I suggest that if Mr. Claybrook intends to testify, he first be sworn."

"Brink, set down," said Steele.

"I demand to be heard, sir; you've no right to refuse that demand."

At a nod from Steele, three deputies seized Brink and set him down.

"When you're told to do something in this court, Brink, it ain't idle talk," Steele

reminded him. "Proceed, Wade."

"Mr. Remine," Wade asked, "where have you seen Val Cadogan before now?"

Remine said nervously, "This Cadogan came into my store and says to me, 'Remine, I understand you had a visitor last week, a gentleman who mentioned something about—uh—let us say, rent.' I says to him, 'Sir, I own this store. Therefore, I don't have to pay rent.' And he says, 'If your store got burned down, you wouldn't own any store, would you?' And I says, 'If my store is burned down, I'll know who burned it.' And he says, 'If you tell anybody who burned it, assuming you know, you will be killed—you and maybe your family.'"

"Did you pay him this so-called rent?" asked Claybrook.

Remine, ashamed, hung his head. "I did."

"That's all," said Claybrook.

"Brink," said Steele, "want to cross-examine?"

DEFENDANT'S lawyer got up cautiously. "No, but I move that this entire testimony be stricken as wholly irrelevant."

"Overruled. Call next witness, Claybrook."

Claybrook called them, one after another, until a procession of convincing proportions had gone by.

To Claybrook's questions whether they were acquainted with Val Cadogan, all responded affirmatively. They had been threatened by him; they had paid rent; they had been afraid to talk; they were aware that other men had been killed; they lived in fear of their lives.

Witness George Presley, mine superintendent, was asked, "Were you acquainted with Angus Paul?"

Presley, middle-aged, tall, of determined demeanor, replied, "Well

acquainted, sir.”

Claybrook asked, “What basis existed for your acquaintanceship?”

“He was book-keeper at our commissary. I saw him almost daily.”

“Did he ever mention Val Cadogan to you?”

“Object,” shouted Brinkerstaff. “He may not ask leading questions.”

Deputy sheriffs watched for a sign from Steele. Receiving none, they relaxed.

Claybrook said, “I shall ask another question, your honor, instead of that.”

“Don’t let Brink scare you, Wade.”

“He won’t, your honor.” Claybrook faced Presley. “Are you acquainted with Val Cadogan?”

“No.”

“Would you recognize him, if you saw him?”

“No.”

“Do you know whether Angus Paul was acquainted with Cadogan?”

“Angus mentioned his name.”

“On what occasion?”

“Do you mean under what circumstances?”

“Yes.”

Presley organized his thoughts. “You want it briefly, I presume?”

“Right.”

“Angus came to me privately some five or six hours before he was killed. He was considerably upset and scared.”

Brinkerstaff started to get up. Steele lifted his eyebrows at Sheriff Buckalew, who lifted eyebrows at his deputies. Brinkerstaff sat down quickly.

“Proceed,” said Claybrook.

“As I was saying, Angus was perturbed. He said—”

“Object,” Brinkerstaff shouted without rising. “That’s hearsay.”

Claybrook said to Presley, “Do you understand what hearsay evidence means?”

Presley smiled wryly. “I’m afraid I

don’t.”

Claybrook nodded. “Perhaps Mr. Brinkerstaff can explain what it means?”

Brinkerstaff got up warily. “Sir, it is not my duty to educate opposing counsel, but if I must—”

“Brink, set down,” Steele growled. “Claybrook’s only making a monkey of you. Don’t help him.”

Claybrook returned to Presley. “Without quoting Angus Paul, will you explain why you said Angus was upset and scared?”

“May I quote myself?”

“Certainly.”

PRESLEY NODDED appreciatively. “It was apparent to me that Angus had something serious on his mind. I said to him, ‘Angus, you look like you’re in trouble. Are you?’ Angus nodded to indicate that he was. I said, ‘What is it?’ He replied in substance that he had been approached by a sinister character who demanded money—company money. I said, ‘How much did he want?’ Angus explained that he wanted only a percent. I said, ‘Did he explain how you were to manage that percent in his favor?’ Angus explained what system he was expected to follow—a cleverly-designed scheme of embezzlement which included entering of fictitious names on our company payroll. I said, ‘What did you tell him, Angus?’ ”

Brinkerstaff had eased up. “Sir, I object.”

“State your objection,” growled Steele.

“This witness is giving hearsay evidence and calling it something else.”

“What is he calling it, Brink?”

“I don’t know.”

“Then why do you say he’s calling it something else?”

Claybrook intervened. “Mr. Brinkerstaff seems a bit confused, your honor. I suggest that Mr. Presley be

permitted to give direct quotations. It is apparent that his statements as to Angus Paul's responses are couched in more damaging language than Angus likely used."

Steele glared at Brinkerstaff. "Want it as was, Brink?"

"I think it would be preferable, sir," Brinkerstaff replied and sat down.

"Proceed, Mr. Presley," said Claybrook.

Presley resumed, "When I asked Angus what he told this clever sidewinder, he said, 'I told him to get his polecat smell out of my presence and keep it out. This stinker twisted up one side of his lip and said, "All right, smart boy, if that's how you want it, that's how you'll get it. How would you like to have your pretty wife kidnaped and held for a few thousand in gold, or maybe strangled?" When he said that, Mr. Presley, I got different ideas about things; I promised to go along with his idea. This skunk said to me then, "Now you're getting smart, Mister Paul. I'll be seeing you in one week." But I was only stalling, Mr. Presley,' Angus said."

Brinkerstaff got up. "I think he'd better quit these hearsay quotes. This name-calling—"

"You're overruled, Brink," snapped Steele. "Go ahead, Presley."

Presley continued, "I said to Angus, 'You acted wisely, young man. My first thought is, this skunk's got nerve; what's his name?' Angus answered, 'He gave his name as Val Cadogan.' 'Do you know where he can be found?' Angus answered, 'I know what he said. He said he could be found, when at all, at Cooksy Blair's saloon.' 'What else did he tell you?' I asked. That was where Angus looked pale and said, 'This dressed-up snake said he'd kill me if I talked—said he might even kill my wife, too. He said he had confederates who stayed under cover and would kill me,

if he failed to do so himself. He said he preferred doing his own killings, because he liked to watch his victims cringe and beg before he knifed or shot them.' I promised Angus I'd work quietly until Cadogan was in jail. Unfortunately, some spy must have been watching Angus. You know what happened."

"We shall come to that," said Claybrook. "No more questions."

Steele glared at Brinkerstaff. "Cross-examine?"

Brinkerstaff got up. "No."

PRESLEY was replaced by a young woman dressed in black. She was slender, pretty, nervous and pale.

Claybrook began, "Your name, please?"

"Theta Paul."

"Your husband was Angus Paul?"

"Yes."

"Are you acquainted with Val Cadogan?"

"I have seen him."

"Do you see him now?"

She nodded toward defendant Cadogan. "He is sitting there."

"Where else have you seen him?"

"At our home—our cottage, where Angus and I lived."

"Now," said Claybrook firmly, "will you start there and relate what took place at your home—everything that was said and done."

Here was something to Judge Steele's notion. He believed in allowing a witness to talk, especially one who was on his side.

Theta held a handkerchief. She twisted nervously. "He said he would have me killed if I accused him."

"Who said that?"

"Val Cadogan."

Steele leaned toward her. "Lady, that baboon is going to be a corpse before this day's over; tell what you know."

Theta sighed. "If I can."

"This court needs your help," said Steele. "We've got to keep up appearances around hyar."

She showed that she had courage. "Angus and I were at home. It was Thursday night. I was sewing. Angus was reading a book, studying to be a mining engineer. There was a knock at our door. A voice that sounded friendly said, 'Angus, you there?' Angus thought he recognized it as a call from Mr. Presley. Unsuspecting, he answered, 'Just a moment, Mr. Presley.'

"But Angus was wrong. Val Cadogan stepped in. He had changed his voice. 'Cadogan!' my husband gasped. 'Val Cadogan!' 'Sure,' Cadogan snarled at one end of his lips. 'Sure, I'm Cadogan. You had a talk with Presley, didn't you?'

"Angus was scared, but he stood up to him. 'Yes,' he said, 'I talked to Mr. Presley. I told him about your visit and scheme to extort money. If you care anything about your life, you'll leave town and do it right away.' Cadogan sneered, 'No, it's you who's leaving.' Suddenly he had a gun in his hand. 'It don't pay to disobey Val Cadogan. That goes for your pretty wife, too. If she informs against me, I'll kill her. It won't be quick and easy with her, like it's going to be with you.'

"I tried to scream for help, but I couldn't. I couldn't say a word. But I saw Angus—saw him tense for a rush at Cadogan. But Cadogan saw him, too, and guessed his intentions. He—"

A sob choked her.

"What did Cadogan do?" Steele asked gruffly.

His stout voice gave her needed strength. "He shot Angus—shot him twice."

That was as far as she could go.

Claybrook sat down. "No more questions."

BRINKERSTAFF got up. "I'd like to cross-examine this witness."

"I reckon that's part of it, by thunder."

"It certainly is, sir." Brinkerstaff stayed at his table. "Young woman, at what time of night did that visitor appear at your home?"

Theta hesitated, appeared to sense that her answer might be of tremendous importance. She said slowly, "By our clock, it was twenty minutes after eight."

"You are sure of that?"

"Yes."

"What fixed it so definitely in your mind?"

"He did. Cadogan glanced at our clock when he came in. I looked, too, and— Well, that clock formed a picture in my mind. Twenty minutes after eight. I can't forget it. Twenty minutes after eight. Twenty minutes— It haunts me, stares at me. Twenty minutes—"

"That is all," said Brinkerstaff. He sat down quite pleased.

A deputy gave Theta his arm and escorted her back out of sight.

Claybrook said, "That is presently our case, your honor, though we may have rebuttal evidence, if needed."

"It certainly will be needed," sneered Brinkerstaff.

Steele turned angry eyes upon defense counsel. "You got witnesses?"

Brinkerstaff replied arrogantly, "Indeed, sir. Call Mr. Tobin."

A stout, round-headed man of about forty was brought in and seated. He was bald, except for one hair that stuck almost straight up.

"Your name?" asked Brinkerstaff.

"Tobin."

"Your business?"

"Bartender at Cooksy Blair's saloon."

"Acquainted with defendant Val Cadogan?"

"I am, sir."

"Have you an independent recollection of whether or not he was at Cooksy Blair's saloon on Thursday evening of last week?"

"He was there."

"Between what hours?"

"From around seven o'clock until shortly after nine. In fact, he was there until a deputy sheriff came in and arrested him."

"Did you hear why he was being arrested?"

"On accusation of murdering Angus Paul."

"That's all." Brinkerstaff sat down.

Claybrook got up. "Your honor, at this point Mr. Demeree will take charge as assisting prosecutor. This shift is made because it has been Mr. Demeree who worked out our procedure as to cross-examination and what we hope will be exposure of a vicious conspiracy against honest citizens."

"Call your next witness," Steele snapped at Brinkerstaff.

"Manny Hozmann," said Brinkerstaff.

Hozmann was brought in. He was tall, blond and hard looking.

"Your name?" asked Brinkerstaff.

"Manfried Hozmann."

"Are you acquainted with Val Cadogan?"

"Sure."

"Where were you last Thursday evening from about seven o'clock until around nine o'clock?"

"I was having a card game at Cooksy Blair's saloon."

"Was Val Cadogan there?"

"Sure he was—all evening, until a deputy picked him up."

"By *all evening*, you have reference to what hours?"

"From around seven until shortly after nine."

"Was he out of your sight at any time between those hours?"

"Maybe for half a minute or so."

Hozmann shrugged. "You know how that is; a man has to step out for a minute once in a while."

"That's all."

STEELE had begun to worry. Here was a varmint who was going to get away, unless something desperate was done. He turned hopeful eyes upon French Demeree. "Consarn you, Demeree, when you're defending cutthroats and robbers, you're mighty clever and quick to object. Now that you're on our side, don't think you can let down and take things easy. Skin 'em alive."

Demeree had got up. He responded with quiet dignity. "If your honor please, I never take things easy, no matter whose side I'm on. As for this occasion, I deem it a privilege to devote such talents as I have to ridding society of a nest of snakes."

"Demeree, by thunder, it does me good to hear you talk that way. Go to it."

Demeree stepped forward and confronted Manny Hozmann. "You said you were acquainted with Val Cadogan, I believe?"

"Sure, I said it."

"Are you also acquainted with Cadogan's lawyer, who calls himself Telfair Brinkerstaff?"

Brinkerstaff roared up. "That's a nefarious insinuation. I call myself by my true name, and I demand to be properly respected as an attorney at this bar."

"Proper respect," said Demeree, "is relative and a term of elastic meaning. Proper respect for a scoundrel may shape itself into a hangrope."

Steele was elated. Privately it was his own opinion that Brink was a low-type rascal. "Set down thar, Brinker, and keep quiet. Go ahead, Demeree."

Demeree arched his eyebrows at Hozmann. "Are you acquainted with one Gus Giddings, who calls himself Telfair

Brinkerstaff?"

"I know Telfair Brinkerstaff."

"How long have you been acquainted with him?"

Brinkerstaff started to get up, but panic struck him.

Hozmann hesitated. "I don't know."

"See hyar," growled Steele. "You give a right answer when you're asked a question."

"Answer," said Demeree.

"About five years."

"Where did you first meet him?"

"Where?"

"Yes, where?"

Hozmann looked at Brinkerstaff, then at Steele. "I first met him in Illinois state prison; we was jailbirds together."

"And he's also known as Gus Giddings?"

"Sure."

"Where did you first meet this thug who calls himself Val Cadogan?"

"Same place."

Demeree backed away and stood at his table. "Your honor, if I may do so without appearing presumptuous, I suggest that this witness be taken into custody as an accomplice in murder."

Brinkerstaff sprang up. "I object. This man is a witness. You can't arrest a witness; he's privileged while attending court in such capacity."

Steele nodded at Sheriff Buckalew. "Take Hozmann to jail."

Buckalew nodded to a couple of deputies. They handcuffed Hozmann and took him out.

Steele glared at Brinkerstaff. "Next witness, Brink."

"I don't have any more."

Demeree arose. "He has two other witnesses, your honor, ex-convicts who call themselves Trigger Wingo and Caleb Battle."

Brinkerstaff looked for an avenue of

escape. He said nervously, "Defendant can decline to call as many witnesses as he pleases."

"Very well," said Demeree, "but Wingo and Battle should also be arrested as accomplices in murder."

"Arrest 'em, Bucky."

Buckalew gave an appropriate nod.

"Now," said Demeree, "we have a rebuttal witness." He nodded at a deputy. "Tell Dan Trewhitt to bring in his man."

THERE WAS a rustle. Necks twisted. Through a door behind Buckalew a deputy entered. He was almost seven feet tall and weighed two hundred fifty pounds. He had in his custody a prisoner whose hands were fettered behind his back. When he had his man in full view of judge, jurors and spectators, he turned him toward Demeree.

"Here he is, Mr. Demeree."

"Your honor," said Demeree, "we invite court and jurors to look at this man." He waited until surprise had settled into something more solid, then said, "Have him sworn as a witness, Dan."

Trewhitt faced him toward Clerk Skiffington. "Sorry he can't hold up his right hand, Mr. Skiffington, but I've got his thumb stuck up."

Skiffington went through his rigmarole, and Trewhitt seated his man as a witness.

Demeree eyed him coolly for a moment then asked with fierce scorn, "Who are you?"

There was silence, then a surly response. "I'm Val Cadogan."

Defendant Cadogan sprang up. "That's a lie. I'm Val Cadogan."

Steele tugged slowly at his mustache. He'd heard it said there were no two people alike, no two leaves or blades of grass alike. He'd never believed such talk. Now he was convinced of its substantial fallacy, for here were two men so alike that he

could not have told one from another.

Witness Cadogan said, "I'm Val Cadogan, and I can prove it."

"I can prove he's a liar," screamed Defendant Cadogan. "He's worse than a liar; he's a rotten double-crosser, and if I ever get a chance I'll kill him."

Witness Cadogan said, "I am Val Cadogan; he is only my double."

"Where did you two get acquainted with each other?" asked Demeree.

"In Illinois state prison."

"And in this criminal scheme you were carrying on in Flat Creek, one of you stayed at Cooksy Blair's saloon to establish an alibi for his double, while his double committed murders. "Right?"

"I stayed at Cooksy's."

"That's a lie," shouted Defendant Cadogan. "*I* stayed at Cooksy's, while *he* done those murders."

"That's enough," growled Steele; "we'll hang 'em both. But take 'em out and hold 'em till called for. We're going to find out which is which."

Deputies took both of them out.

Demeree said, "Your honor, I think Mrs. Paul can identify her husband's murderer. Not that it is of vital importance, however. Defendant Cadogan is charged in two counts, one with murder, one with being an accessory to murder; he will hang in any event. But it is important to keep a correct record. For convenience we shall refer to these doubles as Defendant Cadogan and Witness Cadogan."

"Fetch Mrs. Paul," said Steele.

She was brought back and seated again as a witness.

**D**EMEREE explained their problem. "It appears, Mrs. Paul, that there are two Val Cadogans, surprisingly alike. In order to keep this proceeding regular, we need an identification of your husband's murderer. Do you have any suggestion as to how that

can be done?"

She thought for a moment. "Yes, Mr. Demeree. If you will have each one separately come in and stand in front of me and answer your questions, I think I can tell which one did it. If you will ask questions that have something to do with time, that might help. Our clock said twenty minutes after eight—twenty minutes after eight." Theta Paul paled until there was no color in her face. She put a hand over her eyes. "Oh, that old clock! It's like a vulture, its two wings drooping. Twenty minutes—" She choked and sobbed.

Demeree observed her with a touch of admiration, then nodded to his left.

"Tell Dan Trehwitt to bring in his prisoner."

Presently Theta was staring at Witness Cadogan.

"What's all this got to do with me?" he demanded surlily.

Steele gave him a look of savage ferocity. "It means you're about to be hung, by thunder. Proper answers to questions might earn you a few days of grace, but lying will put a rope around your neck pronto."

Demeree nodded at Trehwitt. "See that he faces Mrs. Paul while he talks." When Trehwitt had Witness Cadogan in correct position, Demeree stood beside Theta. "Sir, it has been testified here that Val Cadogan was at Cooksy Blair's saloon all last Thursday evening. Were you at Cooksy Blair's all that evening?"

"Sure I was."

Demeree faced Judge Steele. "Your honor, this humble servant recognizes that lawyers do not stand too well with this court, but you have just witnessed a splendid gesture of magnanimity on Mr. Claybrook's part. It occurred when he turned matters over to me for further handling. I would be no less magnanimous than he. Accordingly, at this point I should

like for Mrs. Paul to take charge of further prosecution. It is she, not I, who deserves most credit for unmasking these scoundrels."

Steele fumed with hot anger, "Consarn you lawyers, you're always dealing in mysteries. What in tarnation are you up to now?"

"If your honor is pleased to be indulgent, events will justify themselves."

"Demeree, you stay right thar. If she needs help, give it."

Demeree nodded. "Yes, your honor. I shall render all necessary assistance." He nodded at Theta. "Proceed, Mrs. Paul."

Theta looked intently at this hard-faced mug who claimed he had been at Cooksy Blair's when her husband was murdered. This was her moment for retribution and revenge. She said with a voice full of hatred, "Are you Cadogan?"

His upper lip rose noticeably higher on its left than on its right. "Sure, I'm Cadogan."

Suddenly Theta's countenance filled with vengeful fire. When restored composure permitted her to continue, she said, "You were at Cooksy Blair's all evening last Thursday?"

Cadogan turned a searching look toward where Brinkerstaff had been. "Where's my lawyer?"

"Your lawyer?" said Steele.

"I mean *his* lawyer."

"Your lawyer has slipped out," Steele told him coldly. "He's probably hung by now."

Cadogan showed panic. "I don't have to answer this woman's questions. I got a right to have a lawyer."

Steele glanced at Sheriff Buckalew. "Get a rope ready, Bucky."

"Got it right here, Judge."

Cadogan looked scared. "What was that question?"

Theta said, "Were you at Cooksy

Blair's saloon all of last Thursday evening?"

"Sure, I was."

"Then how did it happen that another Val Cadogan was arrested, instead of you?"

That jarred him, but he recovered quickly. "I reckon you can't trip me on that. There was two Val Cadogans."

THETA LOWERED her face slightly and stared at him coldly. "But one of those Val Cadogans was out committing a murder. I can tell you what actually happened. This Cadogan at Cooksy's stayed until he got a signal that his double had killed Angus Paul. Then he slipped out and stayed long enough for them to have swapped places. Did they swap?"

Witness Cadogan's countenance brightened. "Sure, they did. When it comes to having sense, you're a smart girl."

Theta looked her scorn. "When you and my husband's murderer swapped places outside Cooksy Blair's, did he tell you at exactly what time he killed Angus Paul?"

"Sure."

"At what time was it?"

"Twenty minutes after eight."

"By whose time?"

"Yours. By that clock on your mantel."

Theta's expression changed from scorn to mockery. "How could that be when it was at exactly eight-twenty that you and your double swapped places?"

His upper lip raised again irregularly. "I thought you was a smart woman, but I change my mind."

Steele's impatience flared. "By thunder, Demeree, why don't you say something?"

"Your honor," Demeree replied quietly, "Dan Trewhitt has been working on this matter of time ever since Angus Paul was murdered. He has a witness who knows that one of those so-called Cadogans slipped out of Cooksy's at exactly eight-twenty, and that he or another

came back inside two minutes later. You see, Sheriff Buckalew's office has not been asleep."

"That's right, Judge," said Dan. "We've got these extortioning monkeys sewed up in a sack."

Demeree nodded at Theta. "Proceed, Mrs. Paul."

Her expression shaded into contempt as she eyed Witness Cadogan. "You and your double swapped places at eight-twenty, and your double was arrested at five minutes after nine."

A sneer of triumph spread over Cadogan's mouth. "Sure, babe, you got it right now. When officers arrested my double, they got Angus Paul's killer. Lady, you fixed my alibi perfect."

"Except for two things," said Theta. "There's a picture in my mind I can never forget. When my husband's murderer came into our home and Angus exclaimed, 'Cadogan!', an upper lip rose in a sneer on its left side and a sneering voice replied, 'Sure, I'm Cadogan.'" Theta paused. There was an audience hush that gave Flat Creek's court room an empty, haunted air. Theta then glanced up. "Judge, if it's all right, I'd like for Mr. Demeree to explain from here."

**F**OR ONCE in his judicial career, Steele felt that it was a pleasure to be a judge. Now he had everything on his side, including French Demeree. "All right, Demeree, start explaining."

"Mrs. Paul," Demeree asked, "at what time was your husband killed?"

"At fifteen minutes before nine, by correct time."

Demeree stepped down and faced Steele. "Your honor, Witness Cadogan is in a most extraordinary dilemma. He could not have been at Cooksy Blair's saloon all evening, otherwise it would have been he who was arrested. It can be proved that one Cadogan was at Cooksy's until eight-twenty. At that time a swap could have occurred. This ape, Witness Cadogan, says there was a swap. If so, Witness Cadogan murdered Angus Paul, for Angus was not murdered until fifteen minutes before nine. Witness Cadogan is caught on one prong or another of his dilemma. Paul's murderer could have been no one but him."

"Demeree," said Steele, "you still leave me curious. What did that clock have to do with anything?"

"That old clock, your honor, was just an heirloom. It hadn't tick-tocked once in years. Cadogan saw its hands, drooping, as Mrs. Paul has so aptly said, like a vulture's wings at eight-twenty. For Cadogan, they drooped not in time, but in prophecy."

Judge Steele saw at last what a splendid job had been accomplished. In one way he felt cheated—he couldn't hang Witness Cadogan along with Defendant Cadogan; having a court meant that hangings had to be done legal. But another day would come. And when it did, by thunder, Buckalew would have to increase his supply of ropes.