

Be-consarned, fretted Judge Steele, if something wasn't really wrong. Here was French Demeree sitting back and saying nothing to all the kinds of testimony that he'd been objecting to vigorously before. It looked as if the little lawyer had something good up his sleeve, cuss him!



CLUE OF THE DOG CLAW

Judge Steele Story
by Lon Williams

JUDGE WARDLOW STEELE, in vile, cantankerous mood, eased himself, scowling, onto his official bench. Presently he stared at a courtroom packed with Flat Creek's mongrel citizenry, at faces alive with eagerness, with here and there droopy lines of worry and unwonted

concern. He had shaved that morning; his thick, sandy hair bore marks of recent combing. Yet those touches of refinement indicated no relinquishment of his savage and vengeful spirit.

Be-consarned if he'd ever wished to be judge of Flat Creek's clumsy law court; it

was Vigie hang ropes that had taught murderers and cutthroats respect for law and order. But judge he was, by thunder, and so long as there were scoundrels to be hung there'd still be ropes with which to hang 'em.

He gave his straw-colored mustache a couple of quick jerks and nodded at Sheriff Jerd Buckalew. "Call court, Sheriff."

Buckalew, tall, rawboned and pokerfaced, pounded with his forty-five.

"Court's now in session; don't nobody get his head busted trying to prove it ain't."

Several deputies hitched up their sixshooters and nodded grimly. Ex-vigies here and there looked on in silent approval, ready as ever to lend a hand, if needed.

Steele glanced at Clerk James Skiffington. "Skiffy, call fust case."

A long, loose sheaf of rags and bones scarecrowed up. His voice was as loud and harsh as that of an angry jackdaw. "People *versus* Oakley, alias Dog-claw, Mullen. Charge, first degree murder." His emphasis on *murder* had such sharp, bone-chilling qualities that Judge Steele himself felt cold. Skiffy reminded him of a corpse anyhow, and his voice seemed always to have a last-judgment quality.

But Judge Steele tightened his courage and glared down at a puncheon bench reserved for scoundrels unfortunate enough to get caught in their rascalities. There sat an overgrown lamebrain with red, shaggy hair—whose benign expression suggested that he looked upon his impending end not as dreaded and horrifying doom, but as pleasantly-anticipated deliverance and peace. Be-consarned if it wasn't downright infuriating to be cooperated with in such fashion.

"Murder, eh!" Steele stormed. "I reckon you consider murder something to be proud of."

Defendant Mullen continued unperturbed. Well, in his situation, he

probably figured that worrying would neither enlarge nor abbreviate his time upon earth.

Steele growled fiercely, "You got a lawyer?"

A tall, slender, axe-faced gentleman in black suit, white vest and dark four-in-hand necktie got up. His face was smoothly shaved, his black hair meticulously brushed. He arched his eyebrows and said in a calm, though clear, firm voice, "I am his lawyer, your honor. French Demeree."

Taste turned sour on Judge Steele's tongue. Here, in his opinion, was law and order's worst obstacle. "Yeah," he snarled. "Demeree from Tennessee. Well, Demeree, I suppose you brought along your bag of tricks, as usual?"

Demeree retained his calm demeanor. "No, your honor, unless you have reference to my earnest and consistent desire to see justice done. What may appear as tricks to you are to me honorable weapons to be used in defense of innocence."

"Humph! Are you insinuat' that sorrel-top settin' thar is innocent?"

"Insinuating? No, your honor; but I do entertain profound sentiments to that effect."

"Whar's our man?" Steele inquired in disgust.

A stocky redhead arose and directed his noble front toward Judge Steele. "Wade Claybrook, your honor, prosecuting attorney. And if I may express an opinion, this trial should proceed without more expressions of fine sentiment from Mr. Demeree; I suggest defendant be required to plead."

Sarcasm prowled and clamored to be expressed, but Steele subdued it to harmless proportions. "Mr. Claybrook, I'm obliged to you for your timely and commendable suggestion." He beamed blue-eyed savagery at Dog-claw Mullen. "All right, you self-satisfied son of a polecat, what's your plea?"

Demeree had remained erect. "Defendant pleads not guilty, your honor."

"They all do, consarn 'em. Why they put

people to so much trouble is beyond me; panel a jury, Bucky.”

Buckalew nodded over his shoulder. “Call names, Skiffy.”

Clerk Skiffington called twelve names, and twelve citizens scrouged and shoved their way up, swore truly to find and proper verdict to render, and sat down.

DEMEREE was about to challenge some juror, but Steele headed him off. “Witnesses come and be sworn.”

Several grown-ups and one small potato came forward, listened to Skiffy’s rigmarole and were herded to a back room.

Steele puckered his mouth at Wade Claybrook. “Mr. Prosecutor, I trust you are satisfied with progress up to now.”

Claybrook stood flat-footed and four-square. “I am, your honor. But before calling of witnesses to testify, I should like to remind this jury that we’ve had an epidemic of murders in Flat Creek recently, all of one pattern. We have apprehended—”

Demeree rose promptly. “If your honor please, no objection is raised as to mention of an epidemic of murders; but I should like it to be also mentioned that my client is not charged with having spread such epidemic. He is charged with but one murder, and it is not permissible for Mr. Claybrook to commence basing inference upon inference, and misleading this honorable jury into concluding that defendant Mullen has committed a whole passel of murders when it has not yet been proved that he committed even one. Mr. Claybrook, learned lawyer that he is, should know that.”

“Demeree,” responded Steele with drawling satire, “your objection is sustained; no matter how many murders your client has committed, he can only be hung once.” He turned to Claybrook. “Mr. Prosecutor, learned lawyer that you are, you ought to know that. Call your fust witness.”

Anger and hostility leaped into Claybrook’s countenance, but he bridled his tongue and nodded at a deputy sheriff. “Call Deputy Dan Trehwitt.”

Trehwitt, almost seven feet tall and of no less than two hundred-fifty pounds, was shown in. He sat down heavily and fixed cool eyes upon Claybrook. “At your service, Mr. Claybrook.”

Claybrook frowned at him. “Is your name Dan Trehwitt?”

Steele’s impatience outran his discretion. “Now see hyar, Claybrook. Everybody knows he’s Dan Trehwitt, that he is Sheriff Buckalew’s chief deputy, that he lives in Flat Creek, and that he’s acquainted with defendant Dogclaw Mullen. Ask him what he knows about this murder.”

Claybrook put back his broad shoulders in angry rebellion. “If your honor please, as prosecuting attorney, I am within my right in conducting this inquisition in whatever manner that suggests itself as both seemly and proper.”

Demeree, suave and diplomatic, rose to ease insufferable strains. “May it please your honor, without intending disrespect for this honorable court, I beg your tolerance of Mr. Claybrook’s position, with which I, as an attorney, am constrained to express reasonable sympathy. It has been established by time-honored study and experience in judicial procedure that judges, in exercise of sound judicial discretion, ought to, and do, assume and maintain neutral attitudes, leave trial-procedure to attorneys, and let themselves be heard only when inevitable questions of law arise and require their intervention. Mr. Claybrook, though I cannot agree with everything he does and says, is nevertheless concededly and eminently competent to perform his duties as prosecutor; and I hereby tender my cooperation with your honor in allowing him to proceed unmolested, as far as may be, and

except when defense counsel, in justice to his client, must raise timely objections.”

Claybrook nodded with much solemnity. “Mr. Demeree has spoken learnedly and correctly; I am grateful for his honesty and fairness.”

Judge Steele’s pop-off valve was pushing up. “You Blackstonians talk as if you’d been putting your heads together. By thunder, you’ll be thankful if you don’t get ‘em knocked together. If you think this trial can be turned into a dogfight between two book-bound lawyers, you got it all wrong. Whoever thought up lawyers anyhow? Claybrook, question your witness.”

Claybrook’s natural pinkness had intensified. He glared at Deputy Trehwitt. “Mr. Trehwitt, have you recently had occasion to investigate a series of strange murders in Flat Creek?”

DEMEREEREE was up again. “If your honor please, defendant does not object to his mention of this series of strange murders. It is important, however, that our jury keep in mind one significant fact—namely, that my client is charged with having committed only one murder. Defendant also concedes, though not as against himself, that all of those murders regarded by Mr. Claybrook as murders in series were rather strange, rather heinous—diabolical, indeed, if that is material.”

Claybrook eschewed his former appreciation and gratitude toward Demeree. “If your honor please, when I need Mr. Demeree’s help I shall ask for it. Incidentally, it may be observed that he never misses an opportunity to make some subtle remark aimed at jury consumption.”

Demeree was not disturbed. “Your honor, Mr. Claybrook has certainly heard of relevancy as required in evidence. When he speaks of a series of strange murders, he is introducing matter that is not relevant. To convict my client of murder, it is neither fair

nor necessary to make him out an inhuman monster, a weird prowler who perpetrates strange murders upon sleeping, hence unwary citizens. If given free rein, next thing you know he will be speaking of ogres who move silently through barred windows and locked doors to stab and murder their lonely victims.”

“Your honor,” said Claybrook indignantly, “I must object to this exhibition of ghostly oratory; moreover, I move that Mr. Demeree’s remarks be stricken.”

Judge Steele roped and hog-tied his temper. He turned to Deputy Trehwitt. “Dan, what do you know about this murder?”

Trehwitt twisted round. “Judge, I shore don’t know much. There’s been four of these queer murders hereabouts, and in every case, from tracks scattered about, it looks like murder’s been done by some barefooted baboon with a dog-claw on his left little toe. All done by a back-stab, too, and with a long, keen instrument. Every man was struck right in his ticker.”

“That long, keen stabber been found?” Steele asked.

“No, Judge, it shore ain’t; what’s more, nobody’s seen anybody with anything like it.”

“Why did you arrest Oakley Mullen?”

“Had a warrant for him, Judge; Mr. Claybrook gimme it.”

“Ever see Dog-claw barefooted?”

“Shore have, Judge. Dog-claw used to go barefooted right regular.”

“Has his left foot got a dog claw?”

“Shore don’t know, Judge. I never was one to go around inspecting men’s toes; only thing I can say about that is, he’s called Dog-claw Mullen. Been called that ever since I first knowed him.”

Claybrook had eased down. He got up, square and determined. “Now, your honor, discovery of that matter need not be left to question and answers. I suggest defendant be required to come round and take off his

shoes.”

Demeree rose, poised and assured of his position. “Your honor, we’ve had that question up before; no man may be required to give evidence against himself.”

“Very well,” said Claybrook confidently. “If he refuses to comply, and so clear up that vital question, it is permissible to assume that evidence so elicited would have been disastrously unfavorable to defendant. In other words, there *is* a dog claw on his left foot.”

Demeree shook his head slowly. “There is much between presumptions and statements of fact. Mr. Claybrook has no right, merely from permissible presumption, to state factually that defendant has a dog claw on his left foot. If our jurors wish to presume, *they* may do so. Mr. Claybrook has no right either to presume or to conclude in their behalf.”

JUDGE STEELE tugged slowly at his mustache and returned his attention to Deputy Trehwitt. “Dan, did you examine them tracks you saw?”

“Shore did, Judge, and there shore was dog-claw marks on them little-toe prints. Another queer thing about ‘em: Them footprints didn’t sink in much deep, but I’m tellin’ you they was big enough. It would’ve took number twelve shoes to house them feet.”

“Whar did you see them tracks?”

Claybrook intervened wrathfully. “Now, your honor, I think I should question this witness. A man on trial for his life has a right to observance of rules of law and evidence, and it is not fair to him for your honor to take such a hand in convicting him.”

“If I may humbly say so, your honor,” said Demeree, “Mr. Claybrook is entirely correct; though I should add that your honor has been doing an excellent job.”

Steele leaned back and folded his arms across his chest. “All right, Claybrook,

Trehwitt is your man.”

Victory spread her radiant wings across Claybrook’s countenance. After suspenseful moments Claybrook glared through his eyebrows at Deputy Trehwitt. “You say your name is Dan Trehwitt?”

“Shore is.”

“And you live in Flat Creek?”

“Shore do.”

“Were you acquainted with deceased, Lippy Luckner?”

“Shore was; knowed him well. Mighty good old soul, as kind-hearted as any man that ever walked. Lived by hisself out there in Hard Scrabble Gulch, about a stone’s-throw from where Dog-claw Mullen lived. Lip was hard-workin’, too, and he’d made plenty of gold from his diggin’s. I reckon—”

“Just answer my questions; please,” snapped Claybrook.

“Ask ‘em,” said Trehwitt.

“What sort of residential accommodations did Lippy Luckner have?”

“Do you mean where did he live at?”

“Yes.”

“Why, he lived in a hogan out there in Hard Scrabble. In case you don’t know, a hogan is a stick-and-mud hut, like Injuns sometimes live in. Wintertime, it’s heaps warmer than these flimsy wickies some miners live in. Lip Luckner had both chimney and fireplace, which made his hogan real comfortable. Maybe that’s why he slept so sound and didn’t hear his murderer creepin’ up on him. Anyhow, there’s where we found him, layin’ there—”

“Mr. Trehwitt,” said Claybrook harshly, “will you please remember to just answer my question.”

“Ask ‘em.”

Claybrook glared. “Did you go to Lippy Luckner’s in performance of your official duties?”

Trehwitt studied briefly. “I ain’t so positive about that, but I shore went out there. A couple of gold-diggers come in

from Hard Scrabble when I was about to get on my horse to ride after a wanted catamount who'd beat up Josh Abercrombie's woman on account of a board bill, and these gold-diggers said to me, 'Trehwitt,' they said, 'there's been another of them spooky murders.'

"Demeree was up, objecting. "He may refer to murders as 'spooky', if he so desires; but I would like to have it understood that my client is not charged with having done anything spooky."

"They shore was spooky, all right," declared Trehwitt.

Judge Steele remained impartially neutral. Be-consarned if he wasn't enjoying himself right sharply.

CLAYBROOK glared at Trehwitt. "Will you be so kind as to just answer my questions."

"Ask 'em."

Claybrook planted himself solidly. "Mr. Trehwitt, you were not supposed to tell what those gold-diggers said."

"Shore busted my sack of beans there, didn't I?"

"You may tell what they did, and what you did, but not what anybody said."

"Shore," said Trehwitt. "That ought to be easy. Well, sir, considerin' what remarks them gold-diggers made to me, I figured I'd better ride to Hard Scrabble Gulch and see if I could figure out who'd murdered pore old Lip Luckner."

Demeree got up. "Your honor, witnesses are not permitted to draw conclusions. But as Mr. Trehwitt did not speak of this as a ghostly or weird murder, defendant will concede that poor old Mr. Luckner had been murdered. Defendant denies, however, that he murdered this kind-hearted old man, or ever entertained a wish to do him harm."

Claybrook was furious. "If your honor please!"

Steele puckered his lips at Claybrook. "I

don't please, Mr. Claybrook. You go on and handle your lawsuit in whatever manner suggests itself as seemly and proper."

Claybrook sulked fleetingly then glared at Trehwitt. "You are not permitted to say that Luckner had been murdered, but you may tell what you did and what you saw."

Trehwitt scratched his forehead. "Then let me tell what I saw. I rode up to that hogan with deputies Nugent and Rosser. Lip Luckner was dead, all right, he was lying on his pallet, which was one wool blanket spread on dirt. There was that stabbed place in his back, pointing straight to his heart. Blood had poured out and spattered right generally. From how things looked, I'd say Lip had kicked and rolled after he was stuck."

"Your honor," said Demeree, rising slowly, "defendant will not object to that conclusion just drawn, provided it is understood that poor old Luckner kicked and rolled only in his death-struggle, and not in a fight preceding his stabbing."

"That's how it was, Mr. Demeree, same as them other murders. They just kicked and rolled, like a stuck hog dies."

"I object," stormed Claybrook. "This is not cross-examination; this witness should answer my questions, not comment on what Mr. Demeree says."

Judge Steele had taken all he could stand. He leaned forward. "Be-consarned, if whoever invented lawyers should walk into this court room, I'd help hang him. What we want hyar is facts, and we're aimin' to have 'em, by thunder. If a few unexpected ones get throwed in, we won't bust a blood vessel over that. Now, Mr. Claybrook, question this witness further, if you want to."

Claybrook tossed his eyebrows, up and sat down. His tone was spiteful. "No more questions."

Demeree reflected briefly, nodded to himself. "If your honor please, I'd like to cross-examine Mr. Trehwitt."

"Go right ahead, Mr. Demeree."

Demeree, at his table, assumed a casual attitude. "Mr. Trehwitt—and you are Mr. Dan Trehwitt, aren't you?"

Trehwitt grinned. "Shore am, Mr. Demeree."

Demeree continued soberly, "I'm glad that's settled. Now, Mr. Trehwitt, you mentioned you had seen defendant Mullen going barefooted."

"Shore did."

"Have you seen any other man going barefooted in Flat Creek?"

"Shore haven't; if there's any other clodfoot in Flat Creek, I've never heard of him."

Judge Steele's lips crimped. His nostrils dilated. "Consarn you, Demeree, you've got some sneakin' trick up your sleeve, or you wouldn't've let that damaging evidence get in hyar."

Demeree arched but one eyebrow. "Your honor, neither defendant nor his attorney has anything to hide." He considered further, then added, "I'm through with Mr. Trehwitt, except to say he impresses me as being an honorable and upstanding gentleman."

Steele swung his head. "Dan, excuse yourself before Demeree tries to kiss you." He looked down at Wade Claybrook, who had assumed an air of disinterest. "Mr. Prosecutor, call your next witness."

CLAYBROOK called other witnesses, who testified that defendant Mullen had a dog claw. They could not say, however, whether it was on his right foot or on his left; if there was any other clod foot in Flat Creek, they'd never heard of him.

There was one other witness who had acquired information in his official capacity.

"Call Boaz Welfare, alias General," said Claybrook.

Welfare took his seat and squared himself importantly. He was stout, round-faced, sandy-haired, and about thirty. Pomp

of power had obviously inflated him, but he was more than ready to do his part.

Claybrook observed him respectfully. "Your name is Boaz Welfare?"

"It is, yes, sir."

Claybrook glanced at Judge Steele and gave up further tediousness. "Did you, Mr. Welfare, go out to Lippy Luckner's hut shortly after his body was discovered?"

"I certainly did."

"Why did you go?"

"Because I am Flat Creek's coroner. I went to all of those murder scenes, and I certainly took a good look around at everything—doors, pallets, windows, if any; dead bodies, blankets, clothes, blood-stains; signs of struggle, if any; indications of robbery, if any. Every last one of those victims was murdered exactly alike, by some sharp instrument planted in one identical spot in each man's back and driven straight to his heart. In sandy spots near each man's dwelling were those barefooted tracks, each left-footed track showing its owner's little toe was a dog claw. No fiendish murderer ever left a plainer or more damning clue behind him. And that fiend could have been nobody but Oakley Mullen, for everybody knows he goes barefooted, and everybody knows he's got a dog claw. Besides, he's a queer one. And, what is more, he's been right free with his spending money since those murders were committed. If there was ever a man who ought to be hung."

Judge Steele whammed with his gavel. His voice was a growl. "Just a minute, General." He gave French Demeree a ferocious stare. "Demeree, Why in tarnation don't you object? Any other time, you'd be howlin'."

Demeree got up. "If your honor please, good lawyers know, also, when not to object. But if Mr. Claybrook is cross-examine with questions, I'd like to cross-examine this distinguished gentleman."

"I'm through," said Claybrook curtly.

Demeree remained at his customary place. "Mr. Welfare, at those huts and shacks where men were murdered, in each case there was a broken door or window, was there not?"

"Oh, no. No break-ins. These Flat Creek gold-diggers don't ever lock their doors at night."

"You sure of that?"

"Certainly. Ask any gold-digger you meet."

Demeree hummed softly and fingered his chin. "Your honor, this is most unusual, I realize, but would you mind asking for a show of hands by this crowd before you?"

Claybrook sprang up. "I object to such outrageous proceeding. These people have not been sworn, and how do you know they wouldn't lie?"

Steele's gold-digger blood got hot. "Claybrook, by thunder, gold-diggers are honest men." He shifted his attention. "You mangy gravel-scratchers back thar, you that lock your doors at night hold up your right hands."

Every right hand in sight went up.

Demeree sat down. "No more questions, your honor."

Steele swung toward Boaz Welfare. There was unnatural softness in his voice. "General, you're excused."

Claybrook leaned forward, forearms on his table. He twinkled with anticipated triumph. "Call Vineyard Valentine."

A DEPUTY went out and returned with a diminutive one. Valentine was ushered in gently and seated tenderly. He was small, his movements suggested delicacy. His attire consisted of black shoes, blue britches, and flowered white shirt with ruffled front and collar. His blond hair, inclined to thinness, was parted and brushed toward his right ear with exquisite exactness. His eyes were blue, trustful and appealing.

Claybrook, possessor now of a star

witness, rose confidently, and with noticeable vanity. He spoke kindly.

"Are you Vinnie Valentine?"

Vinnie responded in a voice that was child-like and sweet, "Yes, sir."

"How old are you, Vinnie?"

"I'm seven years old, sir."

Demeree had eased up. His voice sounded mean and harsh. "Your honor, I object, that snotty-nosed brat's not old enough to be a witness."

Vinnie Valentine's gentle eyes went hard, but Claybrook hastened to Vinnie's defense. "Your honor, Mr. Demeree's unseemly remark was both unjustified and brutal. This child is of extraordinary intelligence and quite competent as a witness."

Judge Steele took matters in hand. "Look hyar, you young jaybird, do you know what will happen to you if you swear a lie?"

Vinnie was demure and spotless. "I'll be a naughty boy, and, besides, I might go to a bad place."

Claybrook interposed quickly, "That is sufficient, your honor. He understands what an oath signifies; that is all that is required of any witness."

Demeree came round from his table. "Your honor, there is another test. A child-witness must also demonstrate sufficient mentality to understand questions and answer them intelligently. If your honor please, I'd like to ask this fugitive from a pig-sty a few questions, by way of testing his intelligence."

"All right, Demeree."

Demeree confronted Vinnie and spoke sternly. "If you swear a lie, do you believe that will make your granny's cow give bloody milk?"

Vinnie's lips curled in scorn. "Of course not; nobody believes that anymore."

Demeree looked startled. "And don't you believe that if you swear a lie there'll grow a wart on your nose as big as a goose egg?"

"Certainly not; what a lot of rot!"

Demeree looked whipped. He backed off, returned to his place beside Dog-claw Mullen and sat down. "Smarter than I thought, your honor."

Judge Steele was of similar opinion. Here was a pretty keen jaybird.

"Go ahead, Claybrook."

Claybrook took up his task considerably. "Now, Vinnie, I want you to tell his honor and these jurors whether you are acquainted with Oakley Mullen; if so, how you became acquainted with him; also, such behavior on his part as caused you to come to me with information that it was he who killed Lippy Luckner."

Steele stared at Demeree, astonished at his silence. "Demeree, are you asleep?" "No, your honor; I've merely learned when to keep my mouth shut."

Claybrook nodded at his star witness. "Go ahead, Vinnie."

IN SWEETLY childlike accents, Vinnie began his story. "I guess I'm not like most other little boys, who have papas and mammas. I have no papa and mamma, so I stay with people who are kind enough to take me in. Usually I play by myself. Often I go out to Hard Scrabble Gulch where there are sandy places. Children like to play in sand, you know. Well, one day not long ago I was playing there when this Oakley Mullen came along and watched me play. I was making pictures and mountains and gullies in sand. He wanted to play with me, and that suited me, because nobody else ever played with me."

"When we had played together a while, he showed me a lot of gold money he had been keeping in his pocket, and he said to me, 'I know ways to get gold without digging for it; how would you like to know?'"

"I said, 'I don't believe there is any way to get gold without digging for it.'"

"And he said, 'Oh, yes, there is. What's

wrong with letting somebody else dig for it?' Then he winked at me.

" 'Who?' I said.

" 'Why not old Lip Luckner?' said he. And he winked at me again. " 'No,' I said. 'That would be wicked.'"

" 'Humph!' said he. 'Everything is wicked.'"

Then next day after poor Mr. Luckner was murdered, he showed me some more gold—just a lot of it.

" 'Didn't I tell you?' he said. 'Why should anybody waste time digging for gold, when there's other ways much easier?' That scared me, and I ran away. When I heard that poor Mr. Luckner had been murdered, I knew then who had done it, and who had murdered all those poor gold-diggers, too."

"Vinnie," said Claybrook, "was Mullen barefooted?"

"Yes, he was, sir."

"Did you notice whether he had a dog claw on one of his toes?"

"He did not, sir, but he had a dog claw which he carried in his pocket. He would put his foot down in sand and make a track. Then he would take this dog claw out of his pocket and press it down where his little toe had been. That made his toe track look funny, and he always laughed. 'Funny, ain't it?' he'd say. I didn't think it was so funny, but he thought it was funny."

Claybrook glanced at Judge Steele and smiled. "No more questions, your honor."

Steele turned to Demeree. He was resentful of Claybrook's smile; it had not been pleasant, but spiteful. Nor was he pleased with Demeree, who had let in all sorts of hearsay evidence. "I'm surprised you haven't been objecting, Demeree; looks like your client's goose is cooked. Think there's any use to cross-examine?"

Demeree got up slowly. "Your honor, as brave Romans used to say—at least in substance—one should not despair so long as there are fighting men in Rome. I do have

a few questions I'd like to ask that clever little monkey."

"It's your privilege, Demeree."

Demeree came round and confronted Vineyard Valentine. "Where are you living now?"

Vinnie quailed slightly before Demeree's cold, pulsating eyes. "I live with two good people in Flat Creek. They are Mr. and Mrs. Portlington."

Demeree glanced at Jerd Buckalew. "Better make a note of that, Sheriff." He turned to Vinnie, eyed him closely, then backed a step. "You're no child," he said angrily. "You're as shriveled as a last-year's potato; and you're so old, you stink."

Vinnie Valentine sprang up, eyes ablaze with anger, voice mature and raucous. "Thassa lie! I don't stink. Anybody who says I stink is a dirty, lying, foul-tongued, flea-bitten dog."

"Set down thar!" Judge Steele raged. "You, I mean," he stormed at Vinnie. "One more show like that, and I'll have you ducked in a horse-trough."

Vinnie sat down, but he was a small container full of hot fury.

Steele nodded. "Proceed, Mr. Demeree."

Demeree returned to his bench and table. "Your honor, I have no wish to encroach upon Mr. Claybrook's domain, nor upon that of Sheriff Buckalew and his deputies. Nevertheless, because my client's interest requires it and security of human life in Flat Creek demands it, I should like to detail before you as diabolical a series of crimes as were ever perpetrated."

Claybrook got up. "Now, your honor, I object. Demeree will have his opportunity to make a jury speech."

Steele's anger was a flash of fire. "Set down, Claybrook!" His voice was a thunderclap.

Claybrook sat down.

"What I shall say," Demeree resumed, "is amply corroborated by testimony which

you have heard, but which I can prove more convincingly in due time, if required to. Here in Flat Creek—"Demeree clipped at a deputy sheriff, "Don't let that brat get away."

VINNIE was promptly fenced in by deputies.

"Here in Flat Creek," said Demeree, "has been residing a—a harpy, a viper, a diminutive jackal, who has posed as a child. He has gone at night, when no citizen would likely see him, knocked on an unsuspecting miner's door, called and begged to be let in for reasons of professed hunger or loneliness. It is common knowledge that many gold-diggers live alone. They, too, are lonely. Moreover, they have that gentle instinct which all normal men have for children. This harpy has been taken in not once, but four times recently. He has been fed, entertained and bedded down in what appeared to be an atmosphere of mutual trust and happiness. Then, while our unsuspecting miner slept, his vicious-minded little guest crept upon him, planted a stiletto, and drove it into his heart. No doors or windows were broken, because none needed to be."

Demeree paused, looked down at his client. "Oakley, hold up your left hand." Mullen obeyed, thereby revealed a thumb with a nail like a dog claw. "When a small boy," Demeree continued, "This defendant sustained a crushed thumb. As a result, his thumb-nail was deformed, giving it a dog-claw appearance. That is why, and for no other reason, he has been called Dog-claw Mullen. Yon small viper obviously has made a careful study of this innocent man, whom he had expected to destroy by his villainous perjury."

Demeree paused again, lifted his briefcase, which bulged abnormally. He opened it, lifted out two objects and held them up. Steele felt his eyes bugging. Becomerned if this wasn't something!

"False feet," said Demeree. "Put them on

that little harpy over there and you'll find them a perfect fit. If a bit of unconstitutional search may be forgiven, I got them in his room. They are man-size outside, but child-size inside. That pint-size scoundrel is a circus midget, and no doubt wore those big bare feet as part of his clown act. As you observe there is a dog claw on this left little toe." Demeree tossed them to a deputy sheriff. "Another thing," he said, glancing at Vinnie Valentine, "if you will search that ravenous monster, I think you will find his murder instrument."

Vinnie did not wait to be searched. He leaped down from his seat. "Let me outta here; nobody's gonna search me."

He made for an aisle but ran into a solid wall of massed gold-diggers. They caught him by legs and arms and held him up, kicking and squirming. A stiletto glittered in his right hand.

"Want us to hang him, Judge?" asked a big, bearded miner.

"Turn him over to Bucky." Steele swung round. "You jurors fetch in a verdict." While they were filing out, he said quietly, "We'll hang that weasel soon enough."

A verdict was not long in coming. A big gold-digger was standing. "Dog-claw ain't guilty, Judge."

Deputies had gone out with Vinnie Valentine; his screams could no longer be heard. Silence inspired by awe from unexpected events lay heavy upon Steele's

court room. Steele himself was stunned, momentarily uncertain what should be said or done.

In that uncertain moment, Dog-claw Mullen awoke as from a trance. "Well, I'll be damned!"

Judge Steele experienced an emergence too. His jaws knotted. He fixed his eyes savagely upon Oakley Mullen. "Consarn you, Dog-claw. After such unseemly remark as that, I ought to fine you for contempt of court. And I would, by thunder, except I was thinking that very same thing. Case dismissed. Court stands recessed."

He got up, muttering to himself, and shouldered himself out a back way. Be-consarned if this wasn't one time he'd let Axe-face Demeree give him a sure-enough good whuppin'. But then he remembered, that justice had been served, the innocent spared, and the guilty condemned. The thought struck that had he been handling Vigies, poor Dog-Claw might have been hanged in pretty short order, and this Vinnie would have been free to continue his killings.

Yes, Judge Steele decided, maybe French Demeree had his place after all; but be-consarned if he was going to take any nonsense from the man!

