

THE "CANARY" MURDER CASE

by S. S. VAN DINE AUTHOR OF THE BENSON MURDER CASE © Charles Scribner's Sons

THE STORY THUS FAR

Skeel's finger prints were found in the apartment of the murdered Margaret Odell, but Vance does not believe in the theory that she was killed by her lover, Skeel. It is proved later that Mannix, Cleaver and Dr. Lindquist all had been lying about their whereabouts on the night of the murder. The truth comes out that Mannix had been calling on the Miss Frisbee in an apartment adjoining the "Canary's"; that Cleaver had been in the building around midnight and that Dr. Lindquist, knowing that Spotswoode was calling on Margaret Odell, had planned in a jealous fit to kill him and had been waiting in the alley outside.

CHAPTER XXXVIII

As Lindquist talked he became more and more agitated. The nerves about his eyes had begun to twitch, and his shoulders jerked like those of a man attempting vainly to control a chill.

"Remember, sir, I was suffering agonies, and my hatred of Spotswoode seemed to cloud my reason. Scarcely realizing what I was doing and yet operating under an irresistible determination, I put my automatic in my pocket and hurried out of the house."

"I thought Miss Odell and Spotswoode would be returning from the theater soon, and I intended to force my way into the apartment and perform the act I had planned."

"From across the street I saw them enter the house—it was about eleven then—but, when I came face to face with the actuality, I hesitated."

"I delayed my revenge; I—I played with the idea, getting a kind of insane satisfaction out of it—knowing they were now at my mercy."

His hands were shaking as with a coarse tremor, and the twitching about his eyes had increased.

"For half an hour I waited, gloating. Then, as I was about to go in and have it over with, a man named Cleaver came along and saw me. He stopped and spoke."

"I thought he might be going to call on Miss Odell, so I told him she already had a visitor. He then went on toward Broadway, and

while I was waiting for him to turn the corner, Spotswoode came out of the house and jumped into a taxicab that had just driven up. . . .

"My plan had been thwarted—I had waited too long. Suddenly I seemed to awake as from some terrible nightmare. I was almost in a state of collapse, but I managed to get home. . . . That's what happened—so help me God!"

He sank back weakly in his chair. The suppressed nervous excitement that had fired him while he spoke had died out, and he appeared listless and indifferent.

He sat several minutes breathing stertorously, and twice he passed his hand vaguely across his forehead.

He was in no condition to be questioned, and finally Markham sent for Tracy and gave orders that he was to be taken to his home.

"Temporary exhaustion from hysteria," commented Vance indifferently. "All these paranoiacs are hyperneurosthenic. He'll be in a psychopathic ward in another year."

"That's as may be, Mr. Vance," said Heath, with an impatience that repudiated all enthusiasm for the subject of abnormal psychology.

"What interests me just now is the way all these fellows' stories hang together."

"Yes," nodded Markham. "There is undeniably a groundwork of truth in their statements."

"But please observe," Vance pointed out, "that their stories do not eliminate any one of them as a possible culprit."

"Their tales, as you say, synchronize perfectly; and yet, despite all that neat co-ordination, any one of the three could have got into the Odell apartment that night."

"For instance: Mannix could have entered from Apartment 2 before Cleaver came along and listened; and he could have seen Cleaver going away when he himself was leaving the Odell apartment."

"Cleaver could have spoken to the doctor at half past eleven, walked to the Ansonia, returned a little before twelve, gone into the lady's apartment, and come out just as Mannix opened Miss Frisbee's door."

"Again, the excitable doctor may have gone in after Spotswoode came out at half past eleven, stayed twenty minutes or so, and departed before Cleaver returned from the Ansonia."

"No; the fact that their stories dovetail doesn't in the least tend to exculpate any one of them."

"And," supplemented Markham, "that cry of 'Oh, my God!' might have been made by either Mannix or Lindquist—provided Cleaver really heard it."

"He heard it unquestionably," said Vance. "Some one in the apartment was invoking the Deity around midnight. Cleaver hasn't sufficient sense of the dramatic to fabricate such a 'divine' tale."

"But if Cleaver actually heard that voice," protested Markham, "then he is automatically eliminated as a suspect."

"Not at all, old dear. He may have heard it after he had come out of the apartment, and realized then, for the first time, that some one had been hidden in the place during his visit."

"Your man in the clothes closet. I presume you mean."

"Yes—of course. . . . You know, Markham, it might have been the horrified Skeel, emerging from his hiding place upon a scene of tragic wreckage, who let out that evangelized invocation."

"Except," commented Markham, with sarcasm, "Skeel doesn't impress me as particularly religious."

"Oh, that?" Vance shrugged. "A point in substantiation. Irreligious persons call on God much more than Christians. The only true and consistent theologians, don't you know, are the atheists."

Heath, who had been sitting in gloomy meditation, took his cigar from his mouth and heaved a heavy sigh.

"Yes," he rumbled, "I'm willing to admit somebody besides Skeel got into Odell's apartment, and that the Dude hid in the clothes closet."

"But, if that's so, then this other fellow didn't see Skeel; and it's not going to do us a whole lot of good even if we identify him."

"Don't fret on that point, Sergeant," Vance counseled him cheerfully.

"When you've identified this other mysterious visitor you'll be positively amazed how black care will desert you. You'll rubricate the hour you find him. You'll leap gladly into the air. You'll sing a roundelay."

"The hell I will!" said Heath. Swacker came in with a type-written memorandum, and put it on the district attorney's desk.

"The architect just phoned in this report," Markham glanced it over: it was very brief.

"No help here," he said. "Walls solid. No waste space. No hidden entrances."

"Too bad, Sergeant," sighed Vance. "You'll have to drop the cinema idea. . . . Sad."

Heath grunted and looked disconsolate.

"Even without no other way of getting in or out except that side door," he said to Markham, "couldn't we get an indictment against Skeel, now that we know the door was unlocked Monday night?"

"We might, Sergeant. But our chief snag would be to show how it was originally unlocked and then rebolted after Skeel left."

"And Abe Rubin would concentrate on that point—No, we'd better wait a while and see what develops."

Something "developed" at once, Swacker entered and informed the Sergeant that Snitkin wanted to see him immediately.

Snitkin came in, visibly agitated, accompanied by a wizened, shabbily dressed little man of about 60, who appeared awed and terrified.

In the detective's hand was a small parcel wrapped in newspaper, which he laid on the district attorney's desk with an air of triumph.

"The Canary's jewelry," he announced.

Vance had been studying the newspaper in which the jewels had been wrapped.

"I say, my man," he asked, "is this the original paper you found them in?"

"Yes, sir—the same. I ain't touched nothin'."

"Right-o." Mr. Potts, greatly relieved, shambled out, followed by Snitkin.

"The Flatiron building is directly across Madison Square from the Stuyvesant Club," observed Markham, frowning.

"So it is," Vance then pointed to the left hand margin of the newspaper that held the jewels.

"And you'll notice that this Herald of yesterday has three punctures evidently made by the pins of a wooden holder such as is generally used in a club's reading room."

"You got a good eye, Mr. Vance," nodded Heath, inspecting the newspaper.

"I'll see about this," Markham viciously pressed a button.

"They keep their papers on file for a week at the Stuyvesant Club." (To Be Continued)

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