

OUT OF THE NIGHT

BY MARION WHITE

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CAST OF CHARACTERS
 PRISCILLA PIERCE—Heronine, young woman attorney.
 AMY KERR—Cilly's roommate and murderer's victim.
 JIM KERRIGAN—Cilly's fiancee.
 HARRY HUTCHINS—Amy's strange visitor.
 SERGT. DOLAN—Officer assigned to solve the murder of Amy Kerr.

Yesterday: Harry Hutchins calls on Priscilla and is rebuffed when he intimates Kerrigan was behind the murder. Then, as he leaves, Cilly turns suddenly to her bedroom, begins running through her lower bureau drawer.

CHAPTER TWENTY-FIVE

THIS is a surprise," Cilly said to the stalwart figure in the doorway. "I didn't expect to see you again today."

Sergt. Dolan peeled himself out of his dripping raincoat and hung it over the kitchen door.

"I didn't expect to be here," he commented. "Enjoy the picture?"

"Very much, thank you. Except that it misses some visitors by being on this occasion."

Dolly looked at her shrewdly. "So they muffed it, eh? Well, I might have known . . ."

He walked into the living room, looked around.

Cilly went about lighting the table lamps. It was growing dark quickly.

"So your afternoon was wasted?" she asked.

"Far as your apartment is concerned, I guess. But we had much better luck in other quarters."

"Where?"

"At the Ralston."

Cilly started. The Ralston Hotel was where Jim lived.

"Did Jim leave a forwarding address at the Ralston?"

"No. He wasn't quite so considerate."

Cilly straightened a chair, sat down, a little fearful. "What did you discover then?" she inquired hesitantly.

DOLAN leaned forward. "Remember what I told you about the bonds stolen by Kerr's father from the Bluefields National Bank? That they were still missing? Well, we got a thousand dollars' worth of them this afternoon in young Kerr's room at the Ralston. Funny thing about it—Martin searched that room thoroughly on Monday afternoon, but you know the old saying: If you want to hide something thoroughly, stick it right out where anybody can see it. That's what Kerr did. Bonds were on a table, carelessly slipped into a magazine. Martin looked through every crack and crevice of that room, into bureaus, drawers and between the sheets. But he never thought of going through the magazine; that was too obvious."

"A little too obvious, it seems to me," Cilly retorted. "I'll be someone put them there."

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"Ninety per cent of it does. Kerr's been traveling outside the law these past several months. Naturally, he didn't want you to know that, so to bargain with the girl not to tell, he asked her to meet him upon the roof, where he probably hoped, if she didn't come to terms, that she'd accidentally fall off."

"You told me she was strangled first . . ."

DUKE was not fool enough to believe that he could get away for too long with his practice without tripping himself up at some point. But the alibi was his compensation for that. For months now he had been practicing Clayton Barnes' signature.

Casual reference to Clayton Barnes had identified him insistently with the tycoon of the industrial world. When the time came he would be all set to pass a forged check at the hotel and make a hasty getaway without suspicion. He was anxious at the recollection of the bungling he had done in the past. Only a smart guy could plan a job, be patient and miss no detail!

For two entire days after he had prepared the check Duke carefully and painstakingly inspected his work. Under the high power microscope he had rented, the faked

Dolan was still speaking; she heard his voice, relentlessly pursuing: "... found it in the pocket of one of his jackets . . . probably wore it here. We have the dress down at headquarters. You remember the girl was holding it in her hand." Jim's voice again. "I just got in from Newark Airport. I'm at the Pennsylvania. I'll come right over."

Instantly, Cilly found her voice. "Hello! Cilly, what's the matter? Can't you hear me?" "Hello." She said it a third time, stupidly, tonelessly. Dolan would think it was a wrong number. If only her knees wouldn't shake so!

"Cilly!" Jim's voice again. "I just got in from Newark Airport. I'm at the Pennsylvania. I'll come right over."

Jim paid no attention to his words. Let him arrest her. What did it matter? If only Jim would understand and keep away . . .

(To Be Continued)

Daily Short Story

ALIBI—By Glenn Reilly

WITH an ironic gesture Duke

Janvers tore off the used sheet from the calendar, crumpled it in his left hand and threw it into the wastebasket. He smiled at the simple act, not because of the fact that it marked the passing of six months since he had put his plan into operation, but because of the increasingly instinctive facility with which he had left hand.

Even now when he was alone, they dangled at the end of his straight-hanging right arm, he full confidence in his lifeless digits. He flexed the long fingers, grinning. It wouldn't do to unconsciously convince himself that his right arm was hopelessly paralyzed!

A man who had made his living by boasting and forging checks had need of usable, clever fingers.

WHEN he saw Murphy, the ace detective from the "con" detail a few nights later at the Alamo, he was somewhat surprised, but did not betray it. Murphy stood at the doorway watching him as he handed his coat to the hat check girl.

Murphy had waited a long time to pick him up on suspicion since he had gotten out of prison. But what did he care? He had an airtight alibi, and besides, all he would have to do when confronted with Clayton Barnes was to brazen it out and claim that the check had been given to him. A perfect, undetectable signature on Barnes' own check would bear him out!

"The boor behind me is Detective Murphy," he said laughingly to the girl. "He will go through the pockets of my coat after you've hung it up."

As a gesture of complete indifference he lifted his finger from the overcoat buttonhole and transferred it to his suit lapel, the while holding a cigarette in his left hand.

THERE was a trial, of course. The hotel made no charges because they were not sure of what portion of the story was true. Duke charged Duke with forgery and used the hotel's check for his case. Duke took things easily and assumed the air of a man whose good intentions had been maliciously maligned. He intimated that he would bring a counter suit for slander and defamation of character. The jury was visibly impressed.

Murphy sat in one of the front rooms of the courtroom during the trial, puzzled. He was normally certain, Duke knew, that somebody was trying to run a game. But Murphy was helpless in the face of the truth.

Duke relaxed on the day the verdict was to be brought in. A final summation had been made by defense and prosecution. It looked inevitable that an acquittal was in view. And then, he would be exactly \$10,000, minus lawyer's fees and incidental expenses, richer for six months' work and the ability to overlook no small detail. It paid to be a lawyer!

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