# PROMINENT CITIZEN: PRIME SUSPECT

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*A Personal Account of the Dean Murder Mystery, A Tragedy in Which the Author Was Involved*

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by Georgiana Hodgkins

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HEARING BY THE GRAND JURY ON
THE DEATH OF WILLIAM K. DEAN

*Published by*
THE JAFFREY HISTORICAL SOCIETY

Published by The Jaffrey Historical Society
Jaffrey, New Hampshire 03452
First Edition

Printed in the United States of America.

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# *Preface*

When this manscript came to light the Jaffrey Historical Society saw a unique opportunity to publish an account, albeit fictional, that accurately portrays the prejudices, undercurrents, hostitilies and attitudes prevalent in the waning war years and early 1920's.

It is the hope of the Society that this subjective publication will add to the fabric of understandiing how a single event, like the Dean murder, can embroil a town in recrimination, hostility, and dissent — the effects of which lingered for decades to come.

William M. Driscoll, President
Jaffrey Historical Society
May 1996

# *Foreword*

On a hot night in August 1918, at a time when this country was patriotically and emotionally involved in World War I, a respected citizen of Jaffrey, William K. Dean, was brutally murdered on his farm.

There is good reason to believe his murder was directly connected with the war since there were federal agents in the area investigating alleged signal lights and spy activities, and Mr. Dean had told someone he had important information to give them.

The tragedy was compounded in Jaffrey because of spy-novel complications. The victim's brother, Frederick Dean, brought with him from New York State a criminal psychologist, Dr. DeKerlor, a European whose methods fascinated some people and horrified others. Dr. DeKerlor was later repudiated by Frederick Dean, but was retained by the selectmen for his "expenses." This became a bone of contention in Jaffrey. It is almost unbelievable that this kind of fictional character should have played a major role in the case.

Another strange character was a rather mysterious Mr. Colfelt from New York. He and his wife were residents in Jaffrey in 1917 and 1918, not just for the summers, but year-round. It puzzled the natives that someone who was independently wealthy should choose to spend the winter in New Hampshire. It aroused people's indignation and suspicion that he neither worked nor served in the armed forces.

The Colfelts had rented Mr. Dean's large house on the hill, while Mr. and Mrs. Dean, because of finances, moved into the smaller farmhouse. Was Mr. Colfelt a German spy, and did Mr. Dean find out and have to be eliminated?

The most unsettling piece of the mystery came about when a prominent citizen of Jaffrey, Charles Rich, became a suspect. Mr. Rich was cashier of the Monadnock Bank, a district judge, Town Moderator, and choir director at the Universalist Church. An untimely black eye on the morning after the murder led to increasing suspicion that he was somehow involved, although no motive was ever uncovered.

The atmosphere in the town itself was one of tensions — patriotic, economic, and religious, and it wasn't long after the murder before many townspeople began to take sides for or against Mr. Rich. Soon there was almost complete polarization. In April of 1919, eight months later, a grand jury inquest was held in Keene. The testimonies were conflicting and uncertain. The verdict, "murder by person or persons unknown," resolved nothing.

But here we have the account of someone who knew Mr. Dean. At the time of the murder, Georgiana Hodgkins was a high school English teacher in New York City and in August 1918 was making one of her frequent visits to her sister, Lana Rich, in Jaffrey. Mr. Dean, a close friend, visited them the very night he was murdered. Georgiana Hodgkins was one of the last people to see him alive.

Her story — this book — begins with that visit and ends in January 1933 with the death of Mr. Rich.

The manuscript came through Dr. DeForest Sweeney, son of Jaffrey's Dr. Frederick Sweeney. The Hodgkins family has given permission for it to be published.

Georgiana Hodgkins chose to put her story together as a novel, using fictional names, but the events are clear and factual and it is easy to identify most of the people involved. This has been confirmed by newspaper accounts, records, and the grand jury inquest transcript, and by the recollections of a number of responsible people who read her manuscript. It was the decision of the Jaffrey Historical Society to use the authentic names when they were clearly identifiable.

It must be understood that Georgiana Hodgkins was inescapably subjective in the telling of the story. It had been, for her, an intensely personal experience. We recognize that some of her accounts were hearsay (see Chapter 12) although she used the author's prerogative to be omniscient.

It must be understood as well, however, that she has given as factual an account as she could, an account that gives us insight into another very real and tragic consequence of the Dean murder mystery.

Margaret C. Bean

# 1

# *The Deans in Jaffrey*

The thirteenth of August 1918 was hot even in the little New Hampshire village that had climbed part way up the lower slopes of Mt. Monadnock. Jaffrey was a mill village that utilized the power from the headwaters of the Contoocook River and was surrounded by a peaceful farming community.

It had the usual New England equipment of stores, churches, inns (principally for the accommodation of summer visitors), a library, a blacksmith shop, two garages, and a bank. The population was of mixed nationalities, though the French Canadian element was now well on in the third generation of residence and therefore scarcely to be distinguished from native stock.

Business was in the hands of native New Englanders mainly, and was conducted in the leisurely way customary in such towns, and with the usual moderate but assured profits. The town had attested its loyalty to the government and to the traditions of citizenship and honor by sending more than its quota of young manhood to the support of the ideals that were believed to be the basis of the Great War.

It seemed, indeed, as it lay baking in the August sun, the last place in the world to look for the clash of tragic forces. Such were the thoughts that lay in the mind of Georgiana Hodgkins, sitting inert on the porch of her sister's house, which overlooked the village from a slight elevation. Far removed, it seemed, from war and rumor of war! She raised her eyes to the green slopes of the Temple Hills that lay to the

east and congratulated herself that she had escaped from her Long Island home before this heat wave had engulfed it.

Into the hush of the early afternoon broke the insistent voice of the telephone. From the depths of her somnolence she heard her sister's voice in reply and her laugh at some sally from the other end of the wire. She was, therefore, not surprised when her sister came to her with the report, "That was Mr. Dean calling." Georgiana's acquaintance with the townspeople had led her to expect just that. Mr. Dean's communications usually took some quaintly humorous turn that provoked laughter.

Lana Rich went on. "He asked when you were coming and when I admitted that you were already here, he arranged to drop in tonight to see you. I told him you would be home."

"Good! I never feel that I have really arrived here until I have seen the Deans. How are they getting on in this wartime?"

"Why, comfortably, I think. They rented the big house this summer to a family by the name of Colfelt. But the tenants have just moved out. There was some misunderstanding about the use of the barns, I believe. The Deans have been living in the bungalow. You should see it! They made it out of that old barn that stood down near the entrance to their place. You remember? It's a peach! Mrs. Dean is awfully clever at planning houses. The fireplace is made entirely of cobblestones gathered on the place. It's a huge affair. Takes in whole logs."

"Are these Colfelts Germans? In wartime?"

"Mrs. Dean told me that the man was of German descent, far back, but of a cultured family that has lived in Pennsylvania for three generations. Not even German sympathizers, I take it, in the present crisis."

"And Mrs. Dean? How is she?"

"Mr. Dean said Polly will not come tonight. She is not quite up to the mark."

Lana lowered her voice impressively. "I think she is losing ground. She seems capable yet, in many ways. She has worked wonderfully on the bungalow plan and taken lots of interest and pleasure in it. But there are times when her eyes are not right. You know how bright they have always been? Well, there have been times lately when they, well, to tell you the truth, they make me uneasy."

"What does Mr. Dean say?"

"Until recently he has never said anything that might be construed as an admission that anything was wrong with Polly. But the other day he said to Lucia Cutter, 'Miss Lucia, if I should call you suddenly some night, will you arrange to come at once? I may need help.' That looks as if he recognized the condition and that it holds dangerous possibilities."

"Too bad! Such a charming woman!"

Lana dropped her voice to a still lower note. "I have never told you, but Mrs. Dean confided to me once that she feared insanity for herself. She said her mother and her grandmother before her were afflicted with mental trouble. Both of them! That's a terrible heritage."

"Terrible," said her sister. "War is not the only tragedy, though sometimes it seems so. Who could have believed a few years ago that an ideal couple like the Deans could ever find themselves under so black a cloud as this? Ideal, they seemed, in all their relations. Similar tastes, similar backgrounds, complementary temperaments. Nothing more suitable than that marriage could have been imagined."

"But they were cousins, you know. That is why they never had children. And Mrs. Dean was a little older than Mr. Dean. That is disturbing for her. There seems always to lurk in the back of her mind the thought that those few years would eventually make a difference in his feeling for her. Yet he doesn't give her the slightest reason to be jealous, except, of course, that he can't help being charming to every woman he meets. That is his nature. But his real devotion is to his Polly, and always has been. She should recognize it. Everyone else does."

"Has she ever exhibited any signs of jealousy?" Georgiana asked.

"I have thought once or twice, in the case of much younger women, that I have detected a little tendency toward that. But there's safety in numbers. There's a constant procession of visitors through that house. The Deans are so cordial that they attract people in hordes. But she's afraid of losing his love and always has been. She told me that she made him promise when they were married that he would give up the practice of his profession. He was a doctor. But, you see, her father had been a doctor and her mother had made his life unen-

durable. Mrs. Dean dared not trust herself in a similar situation lest she do things that would lose her the thing she valued most. That she might lose Billy's love has been her constant dread and I fear will be her undoing."

"The tyranny of love!" mused Georgiana, as her sister left on some household errand. She pursued the thought indolently, half formlessly. The Deans, such charming people with such possibilities of happiness — such possibilities of tragedy! She knew that the Deans had come to the town twenty years earlier and had established themselves at once as of the socially elect. They had built on a remote but beautiful hilltop, conspicuous from every direction. The land dropped sharply away from the house and the horizon widened out to the blue distance on all sides, except where the bulwark of Monadnock cut it off on the southwest. There was a tradition that on exceptionally clear days the sea itself was visible from the high porch on the east side of the house. True it was that the light from the Deans' reading lamp served as a beacon for miles around. For they were a late-rising and late-retiring couple.

Mr. Dean did a little fancy farming — kept a few choice Jerseys, annually raised a flock of white turkeys of superior breed, always had a pedigreed dog or two. He had formed the habit of milking his few cows and caring for his horses at about midnight. The Deans were both of literary tastes and thus made for themselves much uninterrupted time for the indulgence of such pleasures as centered around the reading lamp. This custom of breaking in upon a long sedentary evening with an hour or two of active outside work brought them back to a fresh interest in their books and prolonged their day far beyond that of their neighbors. It was often two or even three o'clock in the morning before their light was extinguished. In consequence they rose late, breakfasted when others were just thinking of lunch, and had their time free for whatever amusement the day offered.

It was this manner of living, too, that made them such perfect hosts. They seemed always at leisure and always ready to extend hearty hospitality and an unfeigned welcome to the chance guest. It was this, doubtless, that encouraged their friends to make of the Dean home a thoroughfare. Friends for miles around who found time hang-

ing heavy on their hands betook themselves to the Dean place and were received with a flattering warmth. One's idiosyncracies were accepted, one's opinions received with consideration and respect, and whatever the line of interest, one left with a quickened estimate of one's ability and powers.

With the easy-going customs of a New England neighborhood, even strangers often drove into the Dean place to enjoy the far-famed view from the porch. They found themselves heartily greeted, served with a glass of wine and a biscuit, or a taste of Mrs. Dean's famous fudge, and encouraged to express their favorite prejudices in a sympathetic atmosphere. Having been thus made welcome once, they counted themselves, henceforth, familiar friends. The reputation of the Deans was that of unlimited neighborliness.

Georgiana acknowledged this to herself as she lay lazily swinging in the hammock that August afternoon. She delighted in the remembrance of the many proofs she had had of their cordiality in recent years, as she had met them in the intimate association that her sister and brother-in-law enjoyed. She knew, too, that except for his own brother, Charles Rich had never enjoyed any man's comradeship so much as that of Mr. Dean, who had that rare gift of knowing how to bring out the best in those he met. She found herself looking forward to the evening.

# 2

# *A Haunting Conversation*

I'm going down to mail a letter," Georgiana called to her sister after dinner. "If Mr. Dean comes while I'm gone, tell him I'm coming right back."

"All right," replied Lana from the garden where she was cutting sweet peas for the house.

Just then Charles Rich came up with something in his hand. "See what I have."

They gathered around him. "What is it?"

He partially opened his hand. A bundle of feathers was disclosed. "A baby vireo, and I fear with a broken leg. I found him in the grass. He couldn't get away, though his parents warned him that I was his natural enemy. Can you find him a box in which to spend the night?"

While the Riches occupied themselves in the interests of the captive bird, Georgiana departed on her errand. She reflected on the interest which they exhibited over the helpless creature. Little as the vireo was likely to appreciate it, she knew that the lines had fallen unto him in pleasant places.

"Where is there another man who would give so much consideration to an injured bird?" she asked herself. "Surely Charles has the most tender heart in the world."

At the post office she came upon Mr. Dean. After a cordial greeting he said, "I am just going to drive up to the Riches'. Let me take you up."

"It's only a step," she demurred. "I'll meet you there."

"The horse and buggy are in the sheds behind the store. It won't take a minute to get them. You couldn't be so cruel as to waste even a minute of our little visit," he entreated. Laughing, she followed him to where the horse was tied.

As they drove up the hill she noticed that there was a light in the Riches' kitchen. "How quickly," she thought, "the night comes on in August once the sun has set. Even five minutes ago one could see clearly the length of the street, and now the dusk is thick all about us."

In the kitchen, which they entered as the room nearest the hitching post, they found the Riches busy applying cold compresses to Charles Rich's eye.

"A black eye?" asked Mr. Dean. "That will bear investigating. What a find for the local reporter. 'The Riches, a notably affectionate couple, are left ten minutes by themselves and Mr. Rich is discovered by a chance caller with a black eye.' How is that for a headline? But, really, what was it? The proverbial door? Or some domestic weapon in the hands of an irritated wife?"

"Worse than that. It was the act of one in whom I had the utmost confidence."

"Well, I like your inference," said Lana with fine irony.

"It was the horse," continued Charles. "I had given her some hay and started to enter the stall to bring her a pan of pea pods. As she was standing, she barred my way and I slapped her thigh with my hand to make her move over. She was nosing and rustling about in the hay and evidently hadn't heard me coming. So my slap came as a surprise and her reaction was to light out with both heels. The next thing I knew, I was picking myself up from the barn floor."

"But what hit your eye? Not the horse's heel, surely, or matters would have been worse than they are."

"No. The bowl of my pipe struck my cheekbone, I judge, for I found the bowl in the hay while the stem was still between my teeth. Nothing really hit the eye, fortunately. Nevertheless, it's going to be black. We've used alcohol on the compress. What does the medical man suggest?"

"Well, I would advise alcohol, either externally or internally, whichever appeals to you most," laughed Mr. Dean. "You are sure the bone isn't injured?"

"I've been trying to make him call a doctor, to make sure," said Lana.

"No, there's nothing broken but a blood vessel," Charles assured them. "Besides, there's no doctor in town. Dr. Sweeney left this afternoon on his way to France. He enlisted, you know. That leaves us with no doctor within a radius of seven miles. I'm sure I don't need to go all that distance to get an expert opinion tonight. If things don't turn out as I think now, I'll go to Dublin in the morning and consult the doctor there. Isn't that fair enough?"

Mr. Dean considered. "Perhaps, since it's *your* eye. But what knocked you down? Surely not the blow of a pipe bowl against your cheek?"

Charles laughed. "You are too inquisitive by half. To tell the truth, I wasn't registering perfectly at the time, but I judge that a horse's hoof struck me a glancing blow as it flew by. I hate to insinuate anything like that in regard to the horse, for she has always been a loyal friend. And this was not her fault. I should have taken her into my confidence with regard to my intentions, instead of startling her."

After a little further talk, Georgiana and Mr. Dean made their way to the east porch, where, in the warm dusk, they exchanged opinions on many topics, both serious and gay, as was their custom. Lana took an interested but intermittent part in their discussion, dividing her time between the kitchen and the porch, according to the demands upon her as nurse and hostess.

They asked concerning Mrs. Dean's health, which he admitted was very delicate. She was confined almost entirely to the house. Even there, she was limited in her activities, he said. "For two years she has not been upstairs nor so far as the barn. She is very uncertain in her equilibrium and fears falling. She has, in fact, had several serious falls lately. The last time she went upstairs she missed her footing. I then forbade her further excursions in that direction."

"But the work. Who attends to that?"

"Oh, I am getting to be an expert housekeeper, Miss Hodgkins. And cook! You must come up and sample my products. Besides, Polly wants to see you. She sent that word expressly."

"Oh, I shall come. I couldn't fail to come to see the Deans. That is a part, and no small part, of my pleasure in visiting Jaffrey." He waved a hand in recognition of the compliment.

"But tell me, Miss Hodgkins, you who know everything," he paused dramatically for her acknowledgment, "what is to be the spiritual outcome of this war? Seriously."

"Seriously, I believe we shall gain in spirit — we who are left. I don't believe all this sacrifice for an ideal can be of no avail. Not with a God of justice, not with a God that overrules."

"Then you still believe in God?" The tone was half laughing, half earnest.

"Still. Some of us do — even in New York."

He smiled. Then almost immediately leaned toward her with great earnestness. "Then what is to become of all these boys who have been hurried to meet their God without giving them time to prepare? I am old-fashioned, you see. What becomes of them? Are they going to get another chance?"

She hesitated, sensing that her answer was being waited for with more than the usual intentness. Then she answered slowly, feeling her way. "I may not give the right answer to that question, but I don't believe they could do better with another chance than they have done with this one. Who can do more than sacrifice his all for humanity? Wasn't that the standard set for us nineteen hundred years ago? Isn't it the limit of human possibility?"

"Oh, you are a pessimist," he responded, impatiently, she thought, for him.

"How do you mean — pessimist?" she asked.

"I wanted another chance."

She felt that he was for some reason disappointed in her answer, but before she could pursue the topic the Riches joined them, Charles with a bandage over his eye. The conversation then became general. When after a half hour or more the visitor rose to depart, Georgiana

made another attempt to establish anew their usual sympathetic relation. She was still sensitive to his disappointment.

"I didn't mean by what I said that I don't believe in a future life, Mr. Dean," she said half timidly.

"I should hope not. Even though you are from New York," he added slyly. "But, you see, I wanted another chance and you denied it me." He laughed as he said it, but the words haunted her memory, leaving her with a sense of frustration.

As the visitor made his way informally through the kitchen to the place where his horse was tied, he spied on the kitchen table a hat box covered with a veil of screen-cloth.

"What have you here?" he asked. They showed him the injured bird, carefully and tenderly laid on a bed of leaves, and discussed the chances of its recovery.

"Too many accidents in this family for one night," laughed Mr. Dean. "I shall make my escape before it gets to be my turn. But my chief misfortune seems to be that I've got to drive home without a light. That was one of my principal errands in town tonight, to get a battery for my flashlight. Of course, at the store, they were out of the size I wanted. They would be. And now I've got to go home in the dark." He gave the familiar quotation humorous inflection.

"But there's a moon," said Georgiana, pointing to a partly grown one hanging above the western horizon. "At least enough of one to see you home."

"Yes, but it's after I get home that I need it most," he objected.

"Haven't we a lantern that we can lend him?" asked Georgiana of the Riches.

"Yes, I'll see that it is filled," and in spite of protests, Charles returned to the house and filled and lighted a lantern himself.

"Thank you kindly," said Mr. Dean as he took the lantern. "One dare not be unprepared in case he meets the German spies that are said to be signaling from my hill nightly."

They all laughed at his reference. Then Charles asked, "Do you think there's anything in it? Have you seen anything that seemed suspicious?"

"Not a thing. Nor heard anything. But Mrs. Morison of Peterborough, you know, was calling at the house today with a friend and they were both full of the subject. I promised them that I would watch tonight. They assured me that the country was ringing with reports of strange lights sighted on my hilltop. The most extravagant tales are told. Heavy cars run through the town without lights, turning into the square from our direction and disappearing on the road to New York. For a time all suspicions centered in the Colfelts, who own a big car and often drove through to New York at night. But since they have gone, I don't know where suspicion falls. Not on me, I pray. And I can conceive no possible information that could be of use to German interests, either in Boston or New York, that could emanate from my hill. That they are signals concerning military movements seems to be the prevailing idea. By why? And to whom? Some think that a cache is being established in this neighborhood, not too remote from Boston but sufficiently isolated. However, I've notified the Boston Federal authorities of the situation and the suspicion, and asked their assistance in running the rumors down."

"Von Papen is said to be visiting up on Dublin Lake," Charles said. But, as you say, to what end are the signals? War hysteria is at the back of all the talk, it seems to me. Mr. Colfelt himself noticed the animus directed against him. He told me one day in the bank that he had just overheard the French mill hands on the benches in the square at their lunch hour call him, in their own language, a German spy. They didn't know that he understood French. By the way, what of the Colfelts? I found them very approachable."

Mr. Dean shrugged. "Oh, they were impossible! But they weren't spies, of that I am convinced. They hadn't enough subtlety for that. We liked them, too, at first. But we are glad to be rid of them."

"Well," he said, "I must go and begin to carry out my promise to keep a watch. Let the unwary spy beware! By tomorrow all mysteries will be revealed!" He gathered up the reins.

"Oh, wait a minute," cried Lana. "I want to send something to Mrs. Dean." She ran into the house and returned with the bunch of sweet peas that she had gathered before dusk. "Tell her I have nothing else to send but my love." She thrust them into his hand.

"Oh, she will be delighted with these," he said. "Thank you so much. Good night. Wish me luck!"

"We do," they called after him. "Good night."

They watched as with horse, lantern, and buggy, moving cautiously down the curving road, he disappeared into the mystery of the moon-haunted night. They stood awhile in the caressing warmth, listening until the sound of the horse's hoofs on the main road told them that their visitor was safely down the hill.

"It's a lonely road. I'm glad he has the lantern," volunteered Georgiana. "You know, I thought he was more disturbed at being without a light than the situation would seem to warrant. Do you suppose there's anything in these stories, Charles?"

"Not a chance! War psychology! And, as in all such cases, the more people give way to suspicion, the more they see that is suspicious. Every morning some quickened imagination reports another mysterious happening. Imagination, especially among the ignorant, works overtime and without setting bounds for itself. It was just this sort of thing that sponsored the Salem witchcraft tragedies. The very air we breathe here is full of the menace of unreason."

"Just the same," laughed Georgiana, "I am glad I don't have to drive along that road alone, and I am willing to confess it. Why, there aren't half a dozen houses in the whole course of the two miles. And those woods at the end!" She shivered. Still laughing together over her panic, they entered the lighted kitchen and glanced at the clock. Some one of them commented on the time. Strangely, they never after could agree exactly as to what had been said about it.

The chambers were hot and the family went to bed with all doors open into the hall. Georgiana lay for some time awake. She was sensitive to the moods of her friends and she felt disturbed over her final conversation with Mr. Dean. How had she failed him? Had there been anything equivocal in his remark, "I wanted another chance"? Was the situation at home becoming unbearable? Was he finding life too hard? Had he determined to end it somehow? Surely, not that. He was much too well balanced. But she did not succeed in convincing herself. She had sensed something of eager expectancy in the beginning of his visit, as if he had been looking for her to help decide some important

question for him, and she had felt the disappointment that had settled upon him at her answer. Somehow, she believed, she had destroyed his hope. She hated to fail a friend. Yet she had told only the truth. What more could she have done? What had he wanted her to say?

Her mind pursued the topic helplessly and endlessly. From her sister's room came the sound of measured breathing. She turned restlessly, trying to shut out her own useless thought. The clock struck twelve. At last she fell asleep.

Always a light sleeper, she was awakened by something moving cautiously along the hall toward the bathroom. She was startled for a moment. Then Charles cleared his throat. She listened intently, wondering if his eye was becoming painful and if she should get up and treat it again with applications. But in a moment he returned to his room and was asleep and breathing heavily almost directly. She was relieved that he was not suffering. The clock struck two. She slept again and this time did not wake until morning.

# 3

# *"It Was Murder!"*

It was still hot when they rose and the air had the oppressiveness that, in that latitude, prophesies thunderstorms. They spent some time caring for the bird. Before he went to the bank, Charles fixed a sheltered perch on a convenient tree trunk where the parent birds might find and care for the young bird. He was a wise little creature and clung bravely to the perch with his uninjured foot. There was something questioning yet confiding in his bright little beady eyes as they placed him there. Almost before they could retire to watch the outcome, the parents called to him from the neighboring tree.

"There, that relieves us from the responsibility of feeding him," said Lana. "I'm glad of that. It's no light burden to assume the relation of stepparent to a young bird. The feeding problem is a difficult one for the uninspired to solve. Now, if it just doesn't storm, he'll do."

She cast an anxious glance at the thinly overcast sky. "I'm afraid of a storm, though. It looks and feels very suspiciously like it. There's not a bit of life in the air."

They were on the lawn still when, at about eleven o'clock, Charles suddenly returned. The vireo, under the encouragement of its parents, had attempted a short flight that ended disastrously in the grass.

"That's no place for him," Lana said. "It would be fatal to leave him there. His chances of escaping hungry enemies would be as scarce as snowballs at the equator."

She went swiftly to the rescue, followed by Georgiana. They succeeded in capturing the fluttering little thing and were replacing him

on the perch when Charles joined them. Georgiana never forgot the expression in the eyes of the little creature as it clung there — an expression of mingled terror and pride.

"I had no idea that bird's eyes could convey so much," she remarked, and then became conscious of something unusual in Charles's manner.

"What is it?" she asked. "What has happened?"

"We don't know yet. Perhaps nothing," he said, trying not to alarm them. "But Mrs. Dean telephoned that she can't find Mr. Dean. She says he went down to the barn last night and hasn't come back." They looked at each other a moment without speech.

"He has done it," thought Georgiana, and a chill crept into her heart. It had been, then, a premonition.

But Lana, after that first awful moment, took a determinedly hopeful view.

"He probably went down into the pasture and met with some accident. It's a very rocky place. He could easily make a misstep and fall. Have they looked there?"

"They are searching now. I thought, Lana, that you'd better go up to the Deans'. You'd be a support to Mrs. Dean. She must be very much wrought up."

"All right, I'll be ready in five minutes." She hurried away. Georgiana stood still thinking, "He has done it!" She felt guilty that she had not known how to help. Charles roused her.

"Aren't you going?"

"Shall I? Wouldn't I be in the way?"

"On the contrary, I think you'd be a help."

All the way to the Dean place the thought persisted in Georgiana's mind. "He has done it! Life was too hard. He couldn't meet it." Yet she knew he had been no coward. It wasn't like him to take the coward's way.

As they turned into the Dean place, one of the town officers met them. He said, "They have found him."

"Where?"

"In the cistern." He added, "Bound hand and foot."

Georgiana thought, "If he attempted it, he'd make sure that the act was final."

Mrs. Dean was coming up from the barn carrying a large feed pan. There was a kind of elation in her manner, strange in the face of what they knew. She greeted them with excited cordiality.

"I've been down to feed the turkeys," she said, and Georgiana recalled Mr. Dean's remark of the previous night: "Polly hasn't been to the barn for two years." She looked into the brilliant eyes that seemed to hold no appreciation of tragic possibility.

"You know, Billy is dead," she went on in a matter-of-fact tone. "They can't find him." She lowered her voice confidentially. "He's in deep water."

"Yes, Mrs. Dean," said Charles gravely. "He is dead, and as you say, in deep water."

She took no notice of his speech, but continued, "He went out to the barn and he didn't come back. Billy's dead. In deep water." She looked at them challengingly. Lana asked, "What makes you think so, Mrs. Dean? Where is there any deep water?" But Mrs. Dean only waved an indefinite hand. "They won't find him!" she repeated.

To Georgiana there seemed a kind of exaltation in the words and manner of the speaker. Her heart stood still. Could Mrs. Dean have put him there herself? But remembering what Mr. Dean had said about his wife's physical weakness, she dismissed the thought.

Meanwhile, cars came and went. Officers of the law appeared. The sheriff, his deputy, town officials, the attorney general of the state, neighbors eager to help, friends too stunned to talk, curiosity-mongers seeking to gratify their appetites for horror.

Lana went out to meet Charles returning to the house. "Have they removed him?"

He shook his head. "They can't until the coroner comes. He was away from home. They had to send for him."

In the meantime all investigation was at a standstill. The constant coming and going of strangers excited Mrs. Dean. She started from her chair at every fresh arrival, watching with what began to seem to Georgiana to be crafty eyes. "It would be a relief," she thought, "to

know that he didn't do it himself." And then brought herself up sharply at the horror of the other possibility.

Over Mt. Monadnock the storm that had long been brewing began to move up with somber majesty, the blackness increasing with every added moment. Electric flashes wrote themselves in jagged lettering across the leaden surface of the sky. Thunder grumbled threateningly and with increasing nearness. A car drove in hastily. It brought the coroner.

Lana sat talking soothingly with Mrs. Dean about common every day matters connected with village life, until one of the officials came and asked her to discuss some phase of the situation out of Mrs. Dean's hearing. She drove away with him for a short distance and sat in his car while they consulted together. Georgiana was left alone with Mrs. Dean. She took the occasion to persuade her to lie down on the couch. "Lie there and get a little rest. You must have had little during the night. Just close your eyes while I do these dishes." But Mrs. Dean could not rest. Almost immediately she sprang to a sitting posture and began to talk.

"No, I didn't get any sleep last night. Billy came home — from your house, you know — he said he had a lovely visit. He brought me these flowers," and she touched the sweet peas on the stand near her. "He put the horse in the stable and then came back and ate a little supper and read his letters. Right there." She pointed to the table by the window. "Then he took a pail and went down to the barn to milk the cows. He said he'd be back about midnight, but he didn't come back." Her eyes took on a look of terror at the memory of that vigil. "I wish I had gone down at midnight. But I didn't go. I waited and listened. I couldn't sleep. I just sat and watched the clock." She looked over her shoulder fearfully at the corner clock as if reliving the tense moments of the previous night.

She went on, "At four it was still dark. I waited. At five it began to grow light enough for me to see clearly. Then I went down to the barn. Billy wasn't there. I found the pail he had taken, tipped over on its side, but nothing of Billy. I went back to the house and tried to telephone some of the neighbors, but I couldn't get anybody." She looked at Georgiana with piteous eyes. Then almost immediately she leaned

forward and spoke with a profound conviction. "Billy is dead. They won't find him. He is in deep water." She waited impressively for a little, then she laughed.

Georgiana began to be afraid. Her blood curdled. At that moment the storm broke with a crash of thunder, and immediately a deluge of rain blotted out the landscape.

Mrs. Dean sprang to her feet wildly. "I must get the turkeys in. Billy never left them out in the rain." Georgiana laid a restraining hand on her arm. "Oh, don't go out, Mrs. Dean. You'll be drenched! It's a deluge!"

Mrs. Dean flung off her hand. "Don't stop me. I am going." She dashed out into the storm. Georgiana, staggering under the impact of the repulse, recalled what Mr. Dean had said of Polly's weakness. Here was no sign of it. She found herself trembling and wishing that somebody would come.

The violence of the storm soon spent itself, but before it had ceased raining, Mrs. Dean returned, stepping strongly through the wet grass, and almost immediately Lana returned in the car. Mrs. Dean was thoroughly drenched but refused at first to change. Between Lana and Georgiana, they succeeded in overcoming her objection. Georgiana washed the soaking garments and hung them on the line strung across the back porch. It gave her something to occupy herself. While she was thus busied, the attorney general came in. He was a large man of thoughtful manner and steady eyes, a man who established confidence in his reasonableness at first glance.

"Well, Miss Hodgkins," he said, "we have got Mr. Dean out of the cistern."

She lifted questioning eyes. "Was it suicide?" she asked.

"It was murder."

"No," she gasped. "It couldn't be murder. Why, Mr. Dean hadn't an enemy in the world."

"Nevertheless, that's what it was. Murder."

She sank into a chair and sat regarding him with eyes in which horror grew with every moment.

"He couldn't have done it himself?"

"Not possible. He was bound hand and foot. Besides, he had been

killed in three different ways — struck behind the ear with some blunt instrument, choked by a cord drawn around his neck, and drowned. A sack had been drawn over his head and tied to his belt. It looks like the work of a maniac. A sane man would have been satisfied with one killing."

The silence that fell between them was pregnant with speculation. At length she spoke. "Mrs. Dean?"

"That we must find out."

"Any fingerprints?"

"A blurred one on the door handle where a drop of blood had been smeared."

"No," she pondered, "he couldn't have done it."

"Why did you think of that possibility?" He looked at her searchingly.

"He was at our house until late last night and he said something that worried me." She repeated the conversation. "It seemed almost as if he had something like that in mind. I haven't been able to dismiss it from my thought."

He listened to her attentively. "No," he said, "the facts don't bear out your suspicion. Mr. Dean has undoubtedly been murdered. Why, and by whom, remains to be discovered. It should be easy."

He turned back as he was leaving. "I may need your help."

"In any way, at any time, to my uttermost."

As he left, Lana came into the kitchen. A car had just driven up.

"This is Mrs. Colfelt, Georgiana, who has just driven into the yard. Many are going to suspect her of some knowledge of this affair. I wish you would observe her closely and see what you think. I don't myself believe there's anything in this spy business, but see how she impresses you. I'll go meet her. I know her quite well and have always liked her."

She met her at the door. Mrs. Colfelt was a young woman of manifestly light nature, but cordial and spontaneous in manner.

"Mrs. Rich," she cried at sight of her. "I am so glad you are here with Mrs. Dean. I just heard of this. I was on the Peterborough golf links when the storm came up and drove us to the clubhouse. There I overheard someone talking of this awful tragedy. As soon as the

shower passed I asked my friends to bring me over. I couldn't wait a minute before coming to poor Mrs. Dean. Is there anything at all that I can do?"

"If you can stay a little, I think it would do her good. Can you?"

"Gladly. I'll send my friends off and trust to chance to get down to the village later where they can pick me up." She fluttered out. As she came back, Lana presented Georgiana, who looked into a pair of blue eyes as empty of concealment as a crystal goblet.

"Whoever has knowledge of this crime, this woman is innocent of it," thought Georgiana, and the more she observed her, the more she was confirmed in that opinion. Accustomed as she was in her profession as teacher to read the eye, she knew it to be well nigh impossible to conceal the knowledge of guilt from the trained observer.

Lana found opportunity to ask, "What do you think?"

"She knows nothing of it."

Just then the attorney general beckoned to her from the porch. "Can you get Mrs. Dean to make a knot? I want to compare it with those in the cords that bound Mr. Dean."

"I'll try." And presently she brought to Mrs. Dean a package wrapped as if for mailing. "Will you tie this, Mrs. Dean? You are so much more skillful at doing up packages than I. I've always noticed how expertly those that you have sent me were fastened."

Mrs. Dean laughed. "Billy tied those." But she took the package and tied it neatly with a skilled precision. As Georgiana returned it to the attorney general she asked, "Have they discovered any clues?"

"There seem to be marks as of a heavy car that had stood some time at the side of the road across the pasture from the main house, but the recent shower has too nearly obliterated them to make them of much use in identifying the make of the tires. And there is what seems to be a quite well defined trail leading from the spot, through the pasture to the front of the house, as if it might have been used frequently as a short cut to the main house. It is wholly out of sight and hearing of the bungalow.

"And there's this." He held out to her a hairpin, such as girls were wearing at that period. "You might see if it is either like those Mrs. Dean wears or Mrs. Colfelt. That would help."

She studied it carefully where it lay on his palm. "It was found on the trail?"

"It was found on a bed in one of the chambers of the main house. The bed shows signs of someone's having lain there recently. It may have been left that way, of course, when the Colfelts moved out."

But careful observation of the hair of both ladies showed that the pins they used were of an utterly different make and form.

Sometime late in that afternoon Mrs. Dean suddenly broke out with the remark, "Something is the matter with Muffy." She regarded the aged spaniel, who was curled up near the fireplace, speculatively. He did seem to be in a half-comatose condition.

"He acts doped," said Mrs. Colfelt. "Here, Muffy, come see an old friend!" Muffy raised a slow head and lifted lackluster eyes to the speaker, but immediately dropped his head again upon his outstretched paws.

"I think he is going to die," announced Mrs. Dean, with little apparent concern, strange in one who had always been devoted to animals. "I shouldn't be surprised if he died tonight."

"Is he a good protector?" asked Georgiana.

"He always has been very quick to give warning if strangers were about."

"How was he last night?"

"Last night he was much as he is now. I never saw him like that before when Billy was out. He almost always followed him to the barn."

"Strange!" Georgiana regarded the dog reflectively.

As the day drew to a close, Charles drove up in his car. He had been called back to the bank early in the afternoon and held there by a rush of work.

"What arrangements have been made for Mrs. Dean's protection tonight?" was his first question.

"The town officers have arranged with Elizabeth Bryant to stay with Mrs. Dean, and the deputy chief of police is going to sleep upstairs within call. He will be armed. There's a report that a man has escaped from the institution for the insane in Concord. If this is the

work of a maniac, he may return to the scene of his crime tonight. We want to be prepared, whatever the emergency."

The Riches took Mrs. Colfelt with them as they drove home.

"I rather hate to do it," whispered Lana to Georgiana before they started. "Almost everybody will think the Colfelts are guilty. But there's nothing else to do." And Georgiana noted that Lana skillfully concealed her dislike of the situation. They all showed the guest such hospitality as they could, and almost as soon as they reached home, her friends drove in and took her home with them.

"What became of the crippled bird?" Lana inquired of Charles when they found themselves alone.

"I've seen nothing of him. I'm afraid he succumbed to the storm, or was beaten down from his perch by it and fell prey to some prowling cat."

They searched but found no sign of him. Many times in the months that followed Georgiana recalled with bitter amusement the incident of the injured bird as strikingly significant in view of later developments.

The night came but with it little sleep for the Riches and Georgiana. Their troubled minds traveled the same paths, searched the same facts for some hint that would solve the harrowing riddle, and behind all and through all was the inescapable horror of the thought that Mr. Dean had been murdered!

# 4

# *"The Dog Was Dead!"*

That was a hectic night. Darkness descending found the Dean place practically vacated save for the woman and the man left as guardians for Mrs. Dean.

Elizabeth Bryant was a stout, slow, unimaginative woman, fond of creature comforts, yet trustworthy and skillful in the care of the sick. She often boasted, "I haven't a nerve in my body." But as she watched the last car drive away, a sickening sense of fear took possession of her. "I don't know what to make of it," she confided to Perley Enos, the deputy appointed for the watch with her. "I never felt this way before. I'm all trembly inside." Enos looked at her apprehensively. He had been depending on her phlegmatic self-control for moral support during the carrying out of a not-too-welcome charge.

"Well, it isn't surprising, Mrs. Bryant," he said. "This is outside our experience. But you mustn't get fidgety. They've put the responsibility on us tonight, and we've got to see the thing through."

"I guess I'll make a little tea and set out some supper," she said. "That may put new courage into me." And as she bustled about in familiar occupations, she did gain heart.

It was not until dusk made itself felt and it came time to turn on the lights that panic again seized her. There were no shades to draw — the Deans had always left their windows uncurtained save for a decorative valance that outlined the openings. Under these conditions, Mrs. Bryant, in the full blaze of the electric lights, began to feel herself the object of furtive scrutiny. At every window eyes seemed to be

peering in out of the darkness. Silence dropped around the place like a heavy pall, so thick that the August insects in the grass seemed to trumpet their shrill notes in her ears.

Mrs. Dean sat on the couch, staring through the black aperture of the open door with eyes that took no note of what she saw. The dog stretched at her feet was breathing stentoriously. Mrs. Bryant made sure that the screen door was fast. She shifted the wing chair in which she seated herself so that her person was out of range of the window and waited in a perturbed, listening intensity for Enos's return. He had gone to the barn to look after the stock for the night. She strained her ears for the sound of his approach.

It began to be borne in upon her that a short twenty-four hours earlier a murder had been committed in that very barn. What if the murderer, a possible maniac, should return and repeat the diabolical act? She tried to plan what she would do in case Enos did not return before it became quite dark. But the thought of braving the darkness, of visiting the scene of the murder alone and unprotected, shook her usually stolid soul to its depths.

Was it the wind, or did something move stealthily near the open door? She glanced at Mrs. Dean, but that lady's eyes were still fixed on the black aperture with the same unreasoning, unobservant stare. It gave Mrs. Bryant a creepy feeling to look at them. How did she know that Mrs. Dean herself hadn't committed the deed? How did she know that she might not fall upon her in some temporary insane impulse?

At this moment she heard Enos's undisguised footstep upon the flagging by the door. Her relief almost brought tears to her eyes. He came in, bringing with him a pail of milk and the familiar, homely smell of the barn. His presence unlocked her tense muscles and she hastened to rise and strain the milk and wash the pail and strainer. It was good to feel herself in the presence of normal human society. They talked together on ordinary topics, each eager to keep the conversation on a normal and unemotional plane — the temperature, the possible damage to crops from the violence of the afternoon's storm, the probability of a fair day tomorrow. But at last Enos said with a show of indifference, "I suppose the cellar was thoroughly searched?"

Mrs. Bryant knew. "Yes, that sister of Mrs. Rich's saw to that in the afternoon. She made one of the selectmen go down with her and they looked into everything. Turned every box and barrel so that nothing could shelter a fugitive. And she looked everywhere upstairs, too. She did a good, thorough job."

"Well, I'm glad to know that. I thought if it hadn't been done it was up to me to do it. But since it's been done, I might as well go up and get some sleep while the sleeping is good. We don't know what may come up before morning to keep us awake." He laughed as he made the remark, but it was the laugh of one seeking, with a show of humor, to keep up the appearance of courage.

He found his bed without trouble in the upper room. The chamber was of the kind known as "open." It had been used principally for storing outdated furniture and possessions laid away in trunks and boxes. Clothing was hung along the walls at intervals and covered with curtains to keep off the dust. They held a certain ominous threat in their moving shadows. He took the precaution to assure himself that no one lurked behind them, though he laughed at himself as he did it. Over his pillow hung a cord, arranged so that the occupant of the bed could pull the light on or off without rising. He took the precaution to slip the end of the cord under his pillow ready to his hand, and stretched himself out upon the bed. Through the window he could see the stars hanging low over the quiet hilltop in a sky devoid of clouds. The silence was unbroken save for the shrilling of the insects in the August grass, and once and again the distant roll of an automobile a mile away on the river road. The sound emphasized the remoteness of their situation. He thought that the silence and the dread would hold him awake, but the drowsy influence of the insect chorus and the darkness prevailed over his will to watch, and he slept.

In the meantime, below, Mrs. Bryant made herself and her charge ready for the night. She could not persuade Mrs. Dean to undress and go to bed in the normal way, but she finally prevailed upon her to lie down on the couch by the fireplace and she spread a light covering over her. Mrs. Dean closed her eyes obediently at the suggestion of her attendant, but Mrs. Bryant noticed, as she made ready to lie down on the nearby cot that had been set for herself, that her charge was watch-

ing her out of the darkness with intense and burning eyes. Nevertheless she resolutely put out the light and lay down on the cot. She, too, listened for awhile to the night sounds outside on that remote hilltop, looked at the stars watching her from a close-bending sky, and heard the distant rumble of infrequent automobiles and the clatter of a late train passing through the valley below. Then she, too, slept, and if the truth must be told, announced the fact by a well-defined and unmistakable snore.

As the village clock struck midnight distantly, Enos woke with a start. Something was moving under his bed. He held his breath and listened. It was not the wind stirring the draperies, though a light air had sprung up. No, something living was creeping along the floor beneath him. He made sure of the end of the light cord under his pillow and waited. There was the shifting of the body of some living creature and a deep sigh as it stretched itself along the floor. The dog! He pulled on the light and made sure. Yes! By some unexplained instinct, the dog had sought out that retired place for his passing. Enos, watching its labored breathing, wondered by what power it had dragged itself up the stairs to the shelter of his bed. Relieved at the normal explanation of his disturbance, he put off the light and was soon asleep once more.

Some time later a similar drama was enacted on the floor below. Mrs. Bryant, rousing herself with an unusually loud snort, woke to an uneasy sense that something was wrong. Had she heard something other than her own heavy breathing? She listened. The silence was so profound that it seemed to convey a threat. She strained her eyes through the darkness toward Mrs. Dean's couch but could make out nothing. Neither could she hear the breathing that might indicate the proximity of a human presence. Much as she disliked to do it, she turned on the light and looked again toward the couch. *Mrs. Dean was not there!* As she stood breathlessly peering about the room in an effort to locate the missing woman, a blood-curdling yell sounded from the floor above — Enos's voice in an agony of terror. Mrs. Bryant's stout body shook with apprehension. She stood transfixed.

Above stairs Enos had wakened a second time to a sense of impending calamity. He felt sure that something was moving toward him across the floor. *Creeping* toward him! Cautiously, he lifted his head

from the pillow, the better to locate the sound. That was unmistakably the fall of drapery settling into place again after the movement of the wearer. Then, soundlessly, between him and the window, a dark figure silhouetted itself. As he waited, paralyzed at the sight of the apparition, in doubt whether it was nightmare or reality, the shadow bent above him. He delayed no longer, but emitted a yell that shook the very rafters. At the same time he pulled the cord that snapped on the light. Mrs. Dean stood revealed beside his bed.

"Oh, I am sorry," she said, shrinking from the sudden flood of light. "I missed Muffy and I thought he might have come up here. I'm afraid I frightened you."

"You've guessed right, Ma'am, on both counts," agreed Enos. "You *did* scare me, and the dog *is* here — under the bed."

He pushed the bed aside, revealing Muffy. Together they examined him by the glare of the light. *The dog was dead!*

There was no further attempt at sleep the rest of the night, either for Elizabeth Bryant or for Perley Enos. It is probable that no two people ever watched the dawn as it grew over the hilltops with a greater sense of relief, nor did ever a band of fire-worshipers greet the rising sun with truer devotion. As for Mrs. Dean, it is doubtful whether she had slept at all, or was noting any difference between dark and day. Her eyes alternately glowed with a disconcerting fire as she turned them on her companions, or fixed themselves in an uncomprehending stare at some distant object.

# 5

# *An Untimely Accident*

All that day the little town seethed with excitement. From a quiet, inconspicuous little place, with experiences interesting only to itself, it sprang overnight to the position of headliner in the city papers. Strangers thronged its streets — detectives from reputable agencies, representatives of metropolitan dailies, curiosity-seekers, officials from the state constabulary, people who took interest in solving mysteries as an intellectual pastime, great numbers of the type that swarms about the scene of a crime as if the fact that they have looked with their own eyes on the "spot marked x" added something of distinction to their personal equations.

Business, save for the satisfaction of the most primitive needs, was at a standstill. Little knots gathered at the corners, seeking firsthand information from those who knew even less of the facts than they themselves. The superintendent of the mills had difficulty in keeping the workers at their jobs. Everybody had a suggestion to offer and was unwilling to suffer a moment's delay in the offering of it.

Charles, at the bank, was kept busy not with legitimate bank work but with the business of answering questions about the Dean case. Known to be Mr. Dean's most intimate friend, he was naturally referred to as the one most likely to be accurately informed of all the facts that had been discovered so far.

There were countless rumors. There were dark looks at the mention of the Colfelts. There was a report that on the night of the murder, at about two o'clock in the early morning, a heavy car, running

without lights and at high speed, had passed the chief of police at his post at the crossroads. It had paid no attention to his stop signal, but had turned toward Boston, from which road it could branch off, farther on, toward New York.

A local taxi driver, delayed until a late hour, had met, a little before two o'clock, a car, heavy and running without lights, on the road leading from the Dean place.

The argument that preceded the dismissal of the Colfelts as suspects was developed in detail. It even assumed the character of a hand-to-hand encounter, and the words that were reported to have passed between the parties involved would have astonished and amused the originals. Another rumor gained credence in many minds as a reasonable explanation of the facts — a rumor that a maniac had escaped from the Concord asylum, had made his way by unfrequented roads to the Dean place, and in a fit of mania had done the deed.

It was rumored that strange lights had been seen at midnight on the Dean place by observers whose identity, on inquiry, could not be verified. It was known that Von Papen was spending his summer in a neighboring town and, no doubt, had his emissaries strategically located to give signals from convenient heights. These signals were doubtless interpreted by sympathizers stationed in Boston and relayed to New York.

There was little doubt in the minds of most that Germany had her spies among the townspeople. What was more probable than that Mr. Dean, in carrying out his promise to watch his hilltop that night as a base for enemy operations, had made some discovery that would incriminate those involved and that he had lost his life because he knew too much? This was the favorite explanation even on that first day, and it increased in popularity with the passage of time. It was believed by others that Mrs. Dean, in a fit of temporary insanity, had herself killed Mr. Dean, and this rumor was consequently spread abroad.

Toward noon of that morning, Charles came home accompanied by a young man whom he introduced as one sent by the Pinkerton Detective Agency to investigate the case. He asked searching questions relative to Mr. Dean's visit to the Riches on the night of the murder. His attitude was friendly, his questions pertinent and comprehensive.

The Riches had confidence that with his apparent skill and thoroughgoing methods, he would get at the root of the matter. It was a relief to feel that a trained mind was at last at work upon the mystery.

Toward night the young man appeared again, this time in company with the sheriff. Georgiana overheard them say laughingly to Charles, "We've come to inquire into the 'black eye' episode, Rich. You mustn't think you can get off without explaining that."

Charles went into a detailed explanation, and later the Pinkerton man came into the house to check up on the facts through conference with the two women. He fixed the hour of the accident and some of the details by questioning them and ended by inquiring, "Is there anyone outside the family who could verify the story?"

"Mr. Dean," began Georgiana — and stopped. Mr. Dean could not testify to the truth or falsity of anything now. She cast about in her mind for any other witness. There was no one, she realized. "No, there's nobody but the family who knows anything about it. Charles, contrary to his custom, did not go down street that night after dinner. Nobody saw him that night besides ourselves . . . except Mr. Dean." A chill crept along her spine. "Is it important?" she faltered.

"Only as everything may be important that has any bearing on the case," the young man reassured her.

Lana explained, "We didn't even call a doctor. You see, our own doctor left for the war that very day and it would have meant a seven-mile trip for his substitute. Charles persuaded us to wait until morning before making all that trouble, especially as he was convinced that nothing serious would come of it." The two women fixed apprehensive eyes upon their questioner.

He smiled. "Don't worry. This report should be satisfactory." And soon afterward he took his leave.

"If we had only not listened to Charles that night," moaned Lana after the young man had left. "How could things have happened like that? Listen. The doctor goes that very day. The only witness to the truth about Charles's accident, outside the family, is murdered that night. Charles fails to make his customary visit to the bank after the evening mail comes in. You know, Georgiana, that's the way circumstantial evidence against a man gets built up?"

"I know," said Georgiana soberly. "But we've a long record of truth-telling. That ought to count for something."

"Of course. And nobody could have a suspicion that Charles was involved in any crime. His life has been an open book that all could read. But isn't it incredible that things could happen like that?"

"Well, don't worry. As you say, nobody could harbor suspicion of Charles." But even as she pronounced the reassuring words, Georgiana again felt the chill of foreboding creep along her spine.

# 6

# *Looking for Answers*

Arrangements had been made for Mr. Dean's funeral service without troubling Mrs. Dean with consultations. The service was held on the following day. Georgiana had hoped to show honor to Mr. Dean's memory by attending, but the interest in the occasion was so great among the townspeople that no one else could be found to be company for Mrs. Dean's attendant. It did not seem wise to leave her with only one person to protect her. So Georgiana sacrificed her own wishes and was driven over to the Dean place.

She found Mrs. Dean in a state of high excitement, though without apparent realization of the situation. The procession of strangers passing through her gates, even, indeed, through her house; the conferences held in low voices, conferences that were hurriedly broken off at her approach; the hasty coming and going of vehicles — all affected her unfavorably and served to increase her excitability. She was very talkative and Georgiana, listening, began to wonder if she might not make, through her very garrulity, some revelation regarding the crime.

"Billy's feet were very bad," she announced. "Did he tell you?"

"No, he said nothing of it."

"They were. Often I have seen him go this way." And she gave a very good imitation of a man staggering from one foot to the other. "And then he would fall right over." She moved her arms in a downward sweep to indicate a falling body. "He often did it." She fixed her eyes on Georgiana challengingly.

Georgiana felt her blood curdle in her veins. It was as if Mrs. Dean were visualizing some scene that had been enacted before her eyes. "And now Billy is dead," she continued.

Georgiana glanced at the attendant, but she was reading the morning paper and taking no note of the conversation. She therefore braced herself to probe the subject further.

"What makes you think that he is dead, Mrs. Dean?" she asked, fearing some self-revelation in the woman's answer, yet not able to refrain from pressing the question.

"They cannot find him." Was there a veiled satisfaction in her look and tone? "He is in deep water," the woman announced, as if she were saying it for the first time. To Georgiana, the repetition began to seem sinister, terrifying. She found herself trembling, as if on the verge of some devastating discovery. But before she could pursue her questioning, someone drove into the yard and the opportunity was closed.

"Did she do it, and does she remember it? Is she concealing her knowledge with the sly cleverness of the insane? Did she do it under some unreasoning impulse that leaves her with the memory of the scene, but without the realization of her own connection with it? Or, during the awful night vigil, did she go to the barn and come upon the perpetrators at the moment of the murder and thus carry away on the retina of her mind the harrowing image of her husband's death and subsequent disposal?"

These were the questions that burned themselves into the tissues of Georgiana's brain and from the agonies of which she could not find relief. She could not shake herself free from the idea that Mrs. Dean, in enacting Billy's staggering fall, was visualizing again something she had seen. She kept the conviction to herself, however, until Charles, the following day, said suddenly, "You've been thinking this over, Georgiana, for forty-eight hours. What conclusion have you come to?"

"I keep coming back to the idea that it was the work of Mrs. Dean herself, either consciously or unconsciously." And she recounted her reasons.

That night as she sat on the porch a neighbor came around the corner of the house and with the informality of the country acquaintance seated himself on the steps below her. She knew him for a close stu-

dent of nature, and therefore a close observer, as well as a man of unusually good sense. She was glad to see him and told him so. Naturally the conversation turned to the subject uppermost in all minds. He said, in the course of the talk, "Rich tells me that you have figured out that Mrs. Dean herself may have been responsible for the murder."

Georgiana related the story that served as her basis for such a conclusion. "She was seeing it again," she declared as she finished the account. "Of that I am convinced."

He nodded his head. "It checks with what I have worked out. I went up and looked the place over as soon as I heard that something had happened there. Being trained to look for signs in my study of animals, I thought that I might discover some things that less careful observers might not notice. I found the blood on the knob and took pains to remove it with the bloody mark so as to preserve it intact for future examination by experts. I gave it over to the authorities when they appeared. I was the first to notice the mark of the heavy car in the road across the pasture from the big house, and there were a number of other little things that no one else mentioned.

"For instance, someone had lain in the hayloft that night. The hay showed the marks of a heavy body, or bodies. As I stood in the path near the barn I could recapture the scene of the murder. Mr. Dean went down and did the barn chores. He shook down the feed for the cattle — they hadn't eaten it all by the time I got there the next forenoon — if it had been given them anytime but late the night before they would have eaten it all by the time I got there. After he had finished the chores, ending with the milking, for the milk was spilled when the pail was overturned, I can picture him sitting down on the threshold of the stable and rolling a cigarette for a quiet smoke. He rolled his own, you know, and there was a stub half-smoked near the threshold. I picked it up. It was one of his.

"As I see it, he sat leaning against the doorjamb with the left side of his head exposed. It was that side that was struck. Someone coming around the nearest corner could have struck that blow with a blunt instrument. Mrs. Dean herself, in a frenzy, or someone else, lying in wait. He was helpless under that unexpected attack, whoever did the attacking. After that, everything was easy."

"But who could have removed the body and conveyed it to the cistern?" Georgiana asked.

"It might have been dragged, wrapped as it was, or in case more than one was involved, it might have been carried. Mr. Dean was a light weight. His body was much emaciated. He had been doing the cooking for himself and Mrs. Dean for months."

"If the body had been dragged, wouldn't it have left signs along the way?"

"It is doubtful. The ground was hard and the pasture grass dry and light before that day's rain. A dragged body of that weight would hardly have left any impress. Anyway, I found no marks that were significant. A broken mullein stalk, here and there a low bush stripped of leaves. Nothing incriminating, nothing as definite as the trail an animal might have left."

"And there was nothing about the body to show that it had been dragged?"

"Wrapped as it was, it would not have borne any suspicious bruises that could have been acquired by that means."

"The blanket showed no signs of wear?"

"The blanket showed a tear or two. I couldn't tell how recent they were. The effect of the water concealed their age."

They sat for a time in silence, pondering such facts as had been brought to light. At length Georgiana spoke.

"I'm so glad you made those investigations early. It should help in establishing a theory that can be worked out. It is the strangest thing. This should be a simple problem for an intelligent investigator to solve, but with every move it becomes more complicated, more baffling. I work out a theory and then someone presents one even more probable than my own. I beat the air. I feel suffocated. I am as one drowning."

"Don't despair. There'll be some clue that will prove to be the thread that will unravel the skein. The discovery can't be beyond human ingenuity, of that we may be sure."

They talked long in the gathering dusk until gray changed to black and they were lost to each other's sight. Only their words stabbed the night with incisive sound. When he left she found herself trembling

as if on the verge of a discovery. Yet it was a relief to Georgiana to feel that so accurate an observer and reasoner was at work with her on the perturbing problem and had, in many particulars, arrived at the same conclusion. For the first night since the murder she fell asleep promptly on retiring and didn't wake until morning. It began to seem to her that the mystery was about to be cleared up.

# 7

# *Jaffrey's Night Watchman*

On a day in April in the preceding year, in the local doctor's office, two men met with Dr. Sweeney. One, a Boston specialist called in by him as consultant. The other, a man of muscular build and ponderous size who yet carried the flabby flesh and showed the pasty complexion indicative of disease.

"Well, gentlemen," the patient said, with an attempt at lightness at the end of the examination, "is this all you want of me?"

Dr. Sweeney cast a quick glance at the consultant, who nodded almost imperceptibly. "Yes, Price, that's all for you except, of course, the verdict." The doctor laughed. "I tell you, boy, I thought the best was none too good for us, and Dr. McArthur ranks right there. If it was my own case, I'd take his opinion against that of anybody I know." He crossed the room and laid an encouraging hand on the patient's shoulder. "Buck up, old man, we won't be too hard on you. Isn't that right, Doctor?"

Dr. McArthur smiled. "That's the truth," he agreed.

Price pulled himself out of his chair heavily. "Well, then, I guess I'll be going. Make the sentence as light as you can, Doctor."

"I'll do that thing, Price. You can bet on it."

He accompanied the man to the door and watched as he went clumsily down the steps and made his way to the street. As Dr. Sweeney re-entered the office his face lost its cheer. "It's as I expected? Hopeless?" he inquired.

Dr. McArthur nodded. "Yes, hopeless. It's a bad case of cirrhosis with kidney and heart complications."

"And the treatment?"

"Keep him comfortable. It's all that you can do. I suggest morphia."

"I hate to give it, but I've already been forced to it."

"How much do you give him?"

"A grain once in 24 hours does him now."

"Well, keep it up and increase it as you find it necessary to control pain."

"Poor devil! It doesn't make it any easier that he has brought it on himself."

"These cases usually do bring it on themselves. Has he a family?"

"A wife."

"What's his business?"

"Night patrol for the village. He can keep that up for awhile, I suppose? It would give him courage."

"Yes, let him hold the job as long as he can manage it. But with that load of morphia aboard, he's likely to see more spooks than there really are."

"Yes, I'll bear that in mind when his reports show that he's seeing things."

And so it came about that that spring and summer of 1917, while the tide of suspicion and war mania ran high, the man on whom the peace and safety of the town rested was one in whose mind the line between reality and imagination was blurred. It was unfortunate, but so it was. And as the public knew nothing of the reason to discount Price's reports, what he thought he saw passed for fact.

In the course of the summer strange rumors began to reach the doctor's ears. And as war sentiment grew, the rumors assumed more marvelous characteristics. Flashes of light were reported as seen at midnight above Monadnock, the peak of which was visible from one point on the watchman's beat. Answering lights shone from the Dean place and again from the Temple hills. It was common talk that a series of signals had been arranged that were affording comfort and aid to the enemy by some secret system not easily manifest to the reasoning

mind. The doctor, suspecting the source, took the matter of inquiry into his own hands.

"What's this I hear about midnight signals, Price?" he asked one night as he was administering his daily anodyne. "You haven't seen anything suspicious, have you?"

Price rolled a pregnant eye toward the doctor. "I have that, Doctor," he announced with a show of importance.

"Have you really?" the doctor asked casually as he prepared the needle. "What have you seen?"

The man lowered his voice. "Queer sights, Doctor. Flashes of lights every clear night over Monadnock. Signals, I take it."

"Price, you're seeing things."

"No, Doctor, on my honor."

"But what's the answer?"

"Well, that I haven't figured out yet, but I'll get it. It must mean something. Besides, there's always an answering flash from the Dean place."

"Now I know you're loony. Where can you see the peak and the Dean place at the same time on your beat?"

"Well, not exactly at the same time. But by going just a few rods I can get the Dean place in line."

"But you surely can't suspect a respected citizen like Mr. Dean of acting as an enemy spy."

"Not Dean. But those German tenants of his. I wouldn't put anything past them."

"But they've gone," objected the doctor.

"I calculate that they've established a base of operations on the place and that they come back to it of nights. They've only moved twenty or thirty miles, I hear. That's no distance for an auto."

That was true. The doctor appeared to ponder. "See here, Price, I'll come down at midnight tonight and watch with you. What do you say?"

"Do, Doctor. Then you'll see for yourself."

Promptly at five minutes of the hour set, the doctor joined the man on patrol. The night was clear but moonless. The mountain stood out, a black mass cleanly outlined against the less ponderable background of the sky. The two men stood in silence after the first exchange of greetings, gazing at the distant peak. As their eyes became accustomed to

the dark, stars began to prick through the gloom and establish themselves as individuals or groups on the unrolled canvas of the sky. The town clock struck twelve solemn strokes, shattering the silence, its voice sounding startlingly near.

"There! See it, Doctor? There it is!"

The doctor followed the line of the pointing finger. Sure enough, there crowning the peak was a light. The doctor strained his eyes and watched. Closed them and looked again.

"But, Price, that's a star," he objected.

"Star nothing!" exclaimed the indignant Price. "I can see it move. Somebody is waving it back and forth. And now you step up to the lot opposite the library and you'll see the answer."

The doctor went along without demur. When they reached the place opposite the library they could see on the distant horizon the light from the Dean place. The watchman pointed it out exultantly. "There! See that? What did I tell you?"

They watched the light a short time and then returned to their original outlook. Distinctly above the peak stood a star. The old earth in its turning had already drawn a line of separation between the suspicious light and the mountain summit. Then the doctor spoke, and spoke earnestly. "Price, there's your signal. It is a star, as I suspected all along. You can see it for yourself. There's nothing mysterious about it. It's the same old star that you can pick up any night at this time of year and this hour of the night. The light from the Dean place shines from a reading lamp that has stood in the same place, to my personal knowledge, for the past fifteen years. Set a curb on your imagination, man, or you'll get yourself and a lot of innocent people into trouble. This is no time in the history of our country to be reading mysteries into common everyday occurrences. Those aren't signal lights. One of them is a star and the other is a reading lamp.

"Don't let me hear any more nonsense like this out of you." He laughed as he shook hands and said goodnight.

"There, that ghost is laid," he congratulated himself on the way home. He was reckoning without full appreciation of the average man's unwillingness to be divorced from the sensational. The doctor, however, dismissed it from his thought.

# 8

# *Dr. Sweeney*

On the fifteenth of June of 1918 Dr. Sweeney had an early telephone call. He had spent a restless night because of the physical discomfort of the excessive heat and the mental disturbance of a case that was giving him a good deal of perplexity. It seemed to him that he had hardly lost consciousness when he was roused by the bell. He glanced at his alarm clock. The face was distinguishable even in that gray dawn light. He read 3:35.

It was not necessary to turn on a light to dress by, and he slipped softly downstairs and out to his garage. The light was increasing by the moment, and as he put his hand to the lock he thought that something moved near the rear door of his neighbor's house across the orchard. He paused and peered closer. A man was emerging from the door. There was something so furtive about his movements that the doctor concealed himself behind the syringa bush that grew at the corner of the garage and looked through the branches. Some housebreaker, doubtless. But to his astonishment, when the man, after reconnoitering, stepped clear of the shadow of the door, he proved to be Oscar Dillon. Now Oscar was no thief, in the accepted meaning of the word. He was of respectable lineage and training. What, then, could Oscar be doing at the back door of the Croteau house at half after three in the morning?

In prompt answer to the doctor's mental query, a young woman in a gay kimono appeared in the doorway. The oldest Croteau girl! As

the doctor watched, she flung herself into the arms of the man and clung about his neck in a prolonged and ardent farewell.

The doctor pursed his lips in a soundless whistle. Then he chuckled a little, with a man's easy acceptance of another man's infidelities. He waited until Oscar had moved off down the street toward his own home before rolling back the garage doors and starting his car. As he passed the Dillon place, Oscar was entering his yard. The doctor waved a recognition.

"Out early, aren't you, Oscar?" he called.

"Yes, I've got to make an early start with the bus. Got a party wants to make a long trip today," Oscar explained imperturbably.

The doctor chuckled again as he drove on, but then his face sobered at the thought of Oscar's young wife, Lilly. Nice girl. True, she had been a little wild before her marriage, but she had settled down now, accepted her responsibilities, and was going on as steady as a clock. Too bad about that oldest Croteau girl, too. She was pretty as a picture. And he gave himself up to consideration of the folly of a girl who yielded to a married man's advances. When had good ever come of it for anyone concerned? Not in the history of man. Yet every generation since man was created had taken its toll of virtue and beauty in that selfsame way. Unaccountable?

His meditations ended with his arrival at the hilltop farm to which he had been summoned. Here the case called for all his attention, and when the emergency had been met and the sufferer relieved, he found the thread of his speculations broken and his interest centered on a new subject. But the memory of that secret upon which he had come by accident remained in the depth of his consciousness.

That summer his practice pressed upon his time and attention, and as the war sentiment grew, another subject forced itself upon him with recurring assertiveness. He began to see it as a duty to offer his skilled service to his country. The fact that he had a wife and five children dependent upon him didn't appear to weigh against what began, in the endless arguments that he held with himself, to seem increasingly the higher demand. Personal considerations, personal responsibilities even, became of less and less importance before the ideal of sacrifice to the need of his country.

Those boys, scarcely older than his own, who had, because they had attained the required age, been snatched from the protection of their homes and thrust into the holocaust of war — they, more even than his own, seemed to cry out for his healing skill and sympathy. Good sense and the ideal found themselves, as so frequently they do in all our lives, at war with each other in his soul. The needs of his wife and children set over against the needs of those strangers — impossible that a man should hesitate a second between them! But when he decided in favor of his normal responsibilities the decision didn't stay decided. It rose and faced him again and yet again. This conflict between the high and the higher waged within him all that spring — and then one day he wrote to Washington and volunteered.

That settled it so far as action was concerned. He was held to his choice by a stronger power, now, than his own will. There was no longer the possibility of wavering. His path led straight ahead. Nevertheless, settled as the matter was, there were hours when he couldn't even think of his wife and children, helpless as they were before the economic problems that would confront them in his absence, without recognizing in himself a slacker. On the other hand, when he had considered putting them first, he had also felt himself a slacker. Between the two had he not chosen the more costly sacrifice? Would it not have been infinitely easier to accept his responsibility as the head of a family and remain at home with them and with his practice? Well, then! Surely he had chosen rightly for himself. He had heard and answered the higher call — an answer that his own soul demanded of him. But then, what about his helpless little ones? Had he any right to answer a call to his own higher self when it involved the denial to them of ease and comfort, perhaps even of opportunity to fit them for a worthy life? However, it was a relief to have it settled, right or wrong. But was it settled? So his mind turned the question over and over, getting nowhere, like a squirrel in a cage.

Shamefacedly, he took a friend or two into his confidence. To his surprise he found that they did not condemn his action. Sacrifice was in the air. Each man recognized the other's right to decide for himself what path it was necessary for him to take to gain his own soul's approval. At last, hesitatingly, he told his wife.

She, courageous woman that she was, after the first bewildered, stricken moment, braced herself to meet the unexpected that his secret decision had forced upon her. In the process of bearing and rearing five children, she had learned that sacrifice was the law of a mother's life and she spent no time in recriminations or complaints. All women were making sacrifices. She must not look to escape the common lot. She accepted the inevitable. She, too, recognized a man's right to make the big decisions of life for himself. From time immemorial it had been woman's part to accept life, not direct it. Sometimes, as the doctor regarded the high resolve in his wife's mild blue eyes, he felt a lump in his throat, and worse than that, a doubt in his heart. But the die was cast. His situation was that of thousands of others. He must face the music. So, through that summer the moment that had hinged on his own choice, the moment of separation, moved steadily nearer.

His call came the last of July. It brought with it his appointment to a captaincy, his uniform and other equipment, his insignia. The following days were full of excitement and of foreboding. The hours were not long enough to carry out all his plans for departure; to arrange for the taking over of his practice by the doctor from a neighboring town; to make provision for the family exchequer; to make secret provision for the hovering possibility, failure to return. There were farewells to be taken, too poignant to be spoken. There were trying last calls upon his sick. There were the awful clamor and innocent prattle of his children and the heartbreaking fortitude of his wife. But at last it all came to an end, and on the fateful thirteenth of August of that year 1918 the doctor set out from his hometown for the war. It was this that brought about the failure of the Riches to consult a physician that fatal night when Charles was injured.

Afterward, in the little town, the days went by, crowded with excitement, with rumors, with investigations, but without clues that led to reasonable solution of the mystery. Then life began to press its claims with its customary insistence. Georgiana's two weeks of vacation ended and she took herself back to her Long Island home and presently to her schoolwork in New York. Whenever she thought of the Deans, or got a letter from her sister, the old baffled feeling returned,

the painful mental perplexity, the ineffectual effort to settle upon a motive for the murder. For the most part, though, she pushed thought of the tragedy resolutely from her mind. The strain was too great for one who had other exacting work to do.

Sometimes she thought she detected a note of growing anxiety in her sister's reports, but it was well on in the fall before the real blow fell. Then, in the middle of a letter from her sister, she came upon these disturbing words:

> I feel that I must tell you that they seem to be trying to connect Charles with the Dean murder. Charles doesn't want me to trouble you with it. He has said all along that if they were given every chance to investigate, their suspicions would finally die out for lack of substantiation. He says we must go on in our usual way, that it will soon blow over. I don't feel as sure as he does. There's a lot of war feeling and a lot of unreason.
>
> Moreover, there's a detective here from New York, of German descent judging from his speech, who seems to be particularly active in directing the feeling against Charles. He apparently has been fed on mystery stories and feels that because a man has a reputation for unquestioned integrity, has been a pillar in the church and superintendent of the Sunday school, he must necessarily have been using these activities to cover up criminal impulses, or acts, or both, on the principle that the one least open to suspicion is by that token the one most to be suspected. It is a crazy kind of logic but seems to be working satisfactorily to himself.
>
> And, of course, there is that black eye to account for, with no witness outside the family to account for it. If only the doctor hadn't gone away just that very day!
>
> I can't help feeling worried. I know that I am under nightly observation, but we have always left the shades up at night and Charles won't let me change my habits in any particular. He says we have nothing to fear and we mustn't show fear. He is always so reasonable. But it sometimes does

try my nerve to sit under the lamp and read when I am certain that there are watchers in the neighboring field noting every move I make.

There's something that I can't explain to myself. This detective is making his home with Father Hennon. What connection there is between them I can't figure out. Charles has always been on the best of terms with the father. In fact, Charles has always shown the least religious prejudice of anyone I ever knew, and he has been particularly considerate of the Catholic element in this town ever since he came here. What possible motive the father could have to direct suspicion against him is a problem that it is futile for me to try to solve.

So many baffling things! So many fearful possibilities! It is grotesque. I cry out sometimes in despair, "Why should this come on us?"

There is talk of a grand jury investigation. In that case we shall have to call on you."

Georgiana wrote in reply: "I shall hold myself in readiness to come to you whenever you call for me. But I can't really feel fear of the outcome. Surely, they can't prove something that isn't so."

# 9

# *The Grand Jury Inquest*

As Georgiana entered the room where the grand jury was to hold its hearing, she felt suddenly oppressed with a weight of fear. What impression would her testimony have on these serious-faced men?

The call for the inquest had come to her in the late winter, and she had hastened to arrange for absence from her schoolwork and hurried to the support of Charles and Lana. She knew her presence would be a comfort to them, and her knowledge of the facts must have some effect in destroying the web of suspicion that had been woven about them. After the first shock of dismay that followed the receipt of the summons, she resolutely dismissed doubt from her mind. "Truth will prevail," she repeated to herself, until at last it routed her unreasoning fear and became a conviction. All the way up on the train she faced the future with a light heart and the determination to let nothing persuade her to doubt the outcome. The influence of her buoyancy did have its effect upon the others, and the time they spent together in the outer room on the day of the inquiry, waiting their summons to testify, was marked by a cheerful optimism.

To her surprise, when she heard her name called by the clerk and rose to respond, she found her knees trembling under her in a fantastic independence of her will. However, the sight of the state's attorney general, who met her with courteous recognition and led her to her seat facing the jury, steadied her and gave her confidence. She raised her eyes and regarded the double row of faces opposite her with

an impersonal interest, and was glad to distinguish a certain friendliness in their attitude toward her. She realized then that she had feared to meet open antagonism. But these men were unprejudiced. They were seeking truth. Well, all that she had to offer them was truth.

The attorney general put the preliminary questions: her age, her business, the names of her forebears, her birthplace and theirs, familiar things, and by the time he was through with these, she was in complete command of herself.

"Now, Miss Hodgkins," he said, "tell these gentlemen what occurred the night of August thirteenth, the year 1918, as you recall it."

For a moment she was nonplussed. "As a story? Without questions?" she asked.

"Yes, just as a story."

She looked at the jurors with a dubious little smile. "I had not expected this," she said, "and I have not arranged the details in order so I may not make it connected or clear. Let me know if you do not understand me."

Then, after a moment of thought, she began with the telephone call from the Deans the afternoon of the thirteenth. "Mr. Dean asked when I was coming and when Mrs. Rich said that I was already there, he said he had errands to do in the village and was coming down that evening and would stop in to call if we were going to be home."

"Did you answer the telephone?" interrupted the attorney general.

"No, Mrs. Rich did."

"Then you did not hear him say this?"

"No, it was repeated to me by my sister."

"I must ask you not to repeat hearsay. Tell only what you know for yourself."

"But I do know it. My sister told me. I have no reason to doubt the truth of anything she told me, and that's where the story begins."

He waved his hand. "All right. Go on in your own way but you must distinguish between direct testimony and indirect."

"I'll do my best," she said humbly, "but I have never done anything like this before." She continued her narrative, telling of her meeting with Mr. Dean on the village street and of his suggestion that she

ride up to the house with him as soon as his errands and hers were done. At that point the attorney general interrupted with a question.

"What kind of conveyance had he?"

She hesitated. "I didn't notice particularly. But I should say that it was a light wagon."

"Light colored?"

"I meant light in structure. I remember that he put some packages that he brought from the store in at the back. So it must have been one of those light box buggies. But, yes, I think it was light in color, too."

"And the horse? Tell the jury the color of the horse."

She hesitated again. "I'm sorry that I am so unobservant of *things*." She emphasized the word slightly and set herself to call up the image of that horse. Then she said slowly, as if reading from an unfamiliar page, "It was a small horse, and neither black nor white, for I should have noticed anything so marked in color as that. So it must have been of just an ordinary brownish color. I wish I could be more definite," she apologized, fearing that her lack of certainty about such homely details must weigh against her with men to whom such observations were second nature.

But after that she was allowed to proceed without interruption until she repeated the conversation between Mr. and Mrs. Dean preliminary to his going down to the barn after his return from town.

"He started down to do the chores about midnight," she quoted Mrs. Dean as having said.

"What's that?" interrupted the attorney general sharply. "Are you sure those were her words?" He referred to a paper in his hand.

She pondered. "It's the way I recall it now," she stated at the conclusion of her effort at recollection.

"Go on."

So she went on in a painstaking effort to reproduce the happenings of the night of the thirteenth, and the following days. Under question of the jurors and the attorney general she brought out the degree of intimacy between the families, the popularity of the Deans, their culture, their religious background as coming from a missionary family, the fact that Mrs. Dean's mother and maternal grandmother had, on Mrs. Dean's own report, been possessed of homicidal mania before

their deaths and her admitted fear that she might suffer the same fate. She spoke of Mrs. Dean's decreasing mental powers in the last two years and Mr. Dean's heroic efforts to save her from the suspicion of such infirmity, even to the extent of ignoring the situation himself until that last night at the Riches, when she had heard him refer to it as something that was past concealing.

When she came to her experience with Mrs. Dean on the day of the funeral they listened with marked intensity. She quoted Mrs. Dean,: "Billy had a lot of trouble with his feet. Did he tell you?"

"I said, 'No, he said nothing of it to me.'

"'Well, he did have and often he went like this,' and she simulated a swaying from one foot to the other, 'and then fell right over,' and she swept her hands and arms down to indicate a fall to one side.

"Gentlemen, as she enacted that scene it seemed to me that she was visualizing something she had seen. I had a feeling that I was on the verge of a discovery. And," she lowered her voice, "I was afraid to pursue the matter."

"But didn't you want to clear up the mystery?" someone asked.

"Yes, I wanted it cleared up. Yet I was afraid of what she might divulge. I can't explain it."

"It is your idea that Mrs. Dean committed the murder herself?"

"The facts, as I know them, seem to point to that probability."

"Do you think that in the weak condition that has been described she could have overcome Mr. Dean?" asked a juror.

"Mrs. Dean was much larger than Mr. Dean, who was by nature of slight build. Moreover, he was more than usually frail that summer and under medical treatment. In fact, he went that night to get medicine that the doctor had left for him in his office. That was one of his errands in town. He laid stress that night on the fact that Mrs. Dean had not been either to the barn or upstairs for two years. Nevertheless, on the following day, by her own account, she went to the barn to look for him in the early morning, and to my certain knowledge she went twice more during the day, once during a violent storm. And on the testimony of those who guarded her that first night, she went upstairs with no apparent trouble. She seemed to be laboring under an emotional stimulus that gave her abnormal strength, as a sick man, in

delirium, is capable of putting forth a strength that it takes two or three strong men to overpower."

"And you think she would be mentally capable of concealing her part in the affair?"

"I know nothing of mental disorders, but as I observed Mrs. Dean, it seemed to me that if she did it, she had no recollection of the act. That she did not connect herself with it as instrument. She seemed to have a mental picture of the result only. But I can't forget that from the moment we met her on the day following the murder she was under the profound conviction of Mr. Dean's death. She said to us repeatedly, 'Billy is dead and in deep water.' If she had not seen him thus, I ask myself, why should she have been so positive in her conviction? She accepted no other suggestion that attempted to explain his failure to return."

"Do you know whether Mrs. Dean was subject to fits of uncontrollable mania? Had she had such attacks before?"

"No, it is wholly a matter of supposition with me. As I have said, Mr. Dean never even hinted in my presence, until that last night, that there was anything abnormal in her mental condition."

A silence fell on the courtroom. She turned to the attorney general.

"I want to change my report of what Mrs. Dean said in regard to Mr. Dean's starting for the barn. May I?"

"Yes."

"These were her words: 'Billy told me he would be back about midnight.' Then her eyes changed to the nearest approach to reason that I had seen in them and she said sadly, 'I wish I had gone down to the barn at midnight when he didn't come back!'"

"Does this change help to establish some theory of yours as to the identity of the criminal?"

"No, rather the contrary. But it corrects an error in my testimony."

"Were you in a position to know whether the Riches, one or both, rose after they retired the night of the thirteenth?"

"Yes. The night was hot and all chamber doors were left open into the hall. The door of their chamber and that of mine were close together and at right angles to each other."

"You are sure you would have known if anyone passed through the hall?"

"Yes. I am a very light sleeper."

"*Did* anyone pass through the hall?"

"Yes."

"Who was it? Could you tell?"

"Yes. Mr. Rich did."

"What makes you sure that it was Mr. Rich?"

"I knew it was he because he cleared his throat as he went along the hall."

"Did he go downstairs?"

"No, he went to the bathroom."

"How long was he there?"

"About a minute. Possibly two."

"How are you so sure of the exact length of time after so long a period?"

"Because when I heard him I feared that his eye was paining him and I listened to discover whether I should not get up and prepare applications to ease it. But he returned to his room almost at once and I did not disturb myself further."

"There was nothing said by either of you?"

"Nothing."

"What if your brother-in-law did not remember the incident?"

"He would not be likely to. The matter was of so little consequence that it would not have impressed itself on his memory. It would not have impressed itself on mine except for the effort to discover whether I might be needed."

The attorney general turned to the jurors. "Is there any other question you would like to ask, gentlemen?"

No one spoke. "Then," he said, "I think we may excuse you now, Miss Hodgkins. We wish to thank you for your help."

She looked about. "Is this all? Can I do nothing more?" She waited, anxious lest some important fact had been overlooked. But no one volunteered a detaining word.

"That is all," said the attorney general, "and we ask you not to discuss the inquiry with anyone until the other members of your fam-

ily have been questioned." He escorted her to the door. "Thank you again, Miss Hodgkins."

As she left the room she found herself still a little unsteady on her feet. Charles and Lana welcomed her with outstretched hands. "How was it?"

"It wasn't so bad," she assured them.

"You were there so long. I thought you would be dead of weariness," said Lana.

"I feel a little shaky now. But it wasn't bad in there."

"Mrs. Rich," called the sergeant at arms.

Lana braced herself for the interview. At the door she looked back with a wave of her hand, a mute little gesture of appeal.

Georgiana settled back in her seat and closed her eyes. So it was over! For better or worse she had testified to what she remembered of that awful night and the following days. Suppose her memory had slipped on some points! Suppose her testimony contradicted Lana's! The events had seemed so unimportant at the time. If only one could know as one was experiencing them which ones were to assume importance later! How should one remember the hour and minute that an insignificant thing occurred? One just took it in stride, without a thought, and then on one's memory of it, behold, the solution of a crime might depend! It was inconceivable that things could work out like that. It had been such a relief to them that the injury to Charles's eye had proved to be of so little consequence, yet on that very fact hung their inability to provide a witness to the hour that he received it. It had seemed that night of no consequence that he broke the habit of a lifetime and did not go down street after dinner, yet on that fact hung his inability to offer a witness outside his family to the fact that he had been injured early in the evening. It had seemed of no special consequence that the doctor left town the afternoon of the thirteenth rather than the morning of the fourteenth, yet on that slight difference in the time of his departure hung Charles's inability to furnish disinterested proof of his claim as to when, where, and how he had suffered the injury.

It was incredible that circumstances could play such tricks! She moved uneasily as if she could thus escape the sense of being bound

by fettering cords and rendered powerless. She opened her eyes to find Charles regarding her anxiously. She achieved a reassuring smile. "Don't worry," she said. "Truth will prevail."

He returned the smile. "We have the testimony of the ages to that effect," he said, "and we won't inquire too closely concerning those occasions when it has failed to live up to the advertised standard." His face settled into haggard lines.

Her heart felt a sharp pang of resentment that Charles, who had from childhood been the soul of truth and honor, should be having to defend himself against accusations attacking both truth and honor. It gave her a sudden overwhelming sense of an unjust and blind fate ruling the lives of men. How else should Charles suffer thus? Then she caught herself up sharply. "Shame on you! Is this the way to meet the demands that life makes on your faith and courage?"

It was more than an hour before Lana was released. As the sisters sat in the outer room conversing in low voices and comparing notes, a man entered and looked about.

"Mr. Colfelt," whispered Lana. He made his way to where they were seated and addressed Lana with a distinguished grace.

"I hope there is no impropriety in an exchange of courtesies," he said.

Lana made the customary presentations.

"Have you, too, been sufferers under the inquisition?" he asked.

As she admitted it, he smiled whimsically. "And we used to sing hymns together at the Deans," he reflected. "I should like to talk things over with you, but the etiquette of the occasion may not permit any confidences between us. The sergeant already looks uneasy." And, raising his hat, he moved away.

"He has not the bearing of a guilty person," said Georgiana. "How grotesque to be caught in a chain of circumstances like this!"

An hour later Charles returned, looking pale and exhausted. "Well," he said to Lana, "that is over and the result is in the lap of the gods."

As he finished speaking the call came: "Mr. Colfelt!"

# 10

# *The Criminal Psychologist*

Harvey Foster sat on a bench in the shelter of the bandstand and watched the world go by from that vantage point. The bench commanded a view of the square and of Main Street and the lake road that met it at right angles and passed the mill. Harvey liked to sit where he could hear the clack of the looms. He had worked in that mill all the working years of his life, and his day didn't seem complete now unless he could connect it at some hour with the mill, even if it was only to sit in the shadow of it, or listen to its busy machines. The mill seemed, in a way, to belong to him.

Everybody who went to the bank, which stood on the square, came under the notice of Harvey, as did all who entered the post office, the corner drugstore, the general store up the street, the church edifice just beyond. His days of labor were over, but he comforted himself with chewing tobacco, amused himself by watching his neighbors, and picked up all the gossip that was floating about town. During the day all of the idle, and many of the busy ones of the town, stopped to pass the time of day with him. He watched idly now as Charles Rich crossed the sunlit square on his way from the bank to the post office. A French mill hand, a little early for the second shift, joined Harvey on the bench and eyed Charles sullenly.

"Canaille," he said, and spat.

"Who you talking about?" inquired Harvey.

"Him. Bank man. Spy. Murderer."

"Go slow," said Harvey. "What do you know about it?"

"I? Nothin'. Not me. Father Hennon say that man know more about murder of Meester Dean than he tell."

"Father Hennon, eh?" Harvey chewed the cud of reflection along with his fine cut. Rich a party to the murder? The last one in the world he would have thought of. The idea took hold on his imagination. Father Hennon was no favorite of Harvey's. Still, Father Hennon would hardly risk a remark like that if he hadn't a pretty good basis for making it. "Of course," he thought, "the Canuck might have misunderstood the father. But that would bear considering. That idea would."

He put out a feeler as the next man stopped at his bench. It happened to be Peter Hogan, one of the selectmen. The hour had struck and the Frenchman had gone into the mill with his shift. There was no one else within hearing. The time seemed opportune for making his inquiry. Warily he advanced his query, much as an insect extends its antennae toward a doubtful or distrusted object. Charles Rich was passing through the square again on his return with the bank mail.

"It doesn't seem as if they're getting on very fast in clearing up the Dean case, considering all the help they've got on the job," he volunteered.

"They don't need to look far, in my opinion," said Sam confidently.

"Who do you suspicion?"

"That German, Colfelt. Plain as the nose on your face. Spy, he was. Running back and forth between here and New York, and always in the night, too, they say. Then again, tell me what he was up there on the hill for? Away back in the country! Because that was the sightliest place for miles around. Nothing in the way to prevent his signals from carrying. No, sir, if you ask me, Colfelt is your man. Why, he couldn't make me believe he wasn't in it even if he could prove an alibi."

Harvey pondered this expression of judicial opinion. "He wouldn't stand much chance in court with you on the jury, would he, Sam?"

"Not a teetotal chance," Sam affirmed.

"How do you figure he carried on? Must have had somebody to signal *to*. Fixed on anybody to help him?"

"Not to say *fixed*," Sam grunted. "There've been several mentioned. None of them very likely, according to my idea."

"Heard somebody mention Rich today," ventured Harvey. "About the last man I'd think of. You heard anybody name him?"

"Well, yes. And that would explain a lot of things that don't make good sense now. This detective that's staying around here seems to favor that idea. Doesn't seem very likely to me. But somebody must have done it. Stranger things than that come out in the course of an investigation — or so this detective says."

"Who is this fellow — this detective? Where did he come from?"

"Some sort of foreigner. Speaks with an accent. Comes from New York, they say. Appears to be mighty smart."

"I haven't seen anything of him. Where's he putting up?"

"Well, I guess just now he's at the priest's house. He has lived around some in different places. He's been around here quite awhile, looking into things. He rose, "Well, I must be going along. The old lady will be waiting dinner for me."

As Sam moved off, Harvey saw a couple of young men come out of the drugstore and stand on the corner, talking together. One of them he knew, the Pringle boy. The other was a dapper, foreign-looking young fellow whom Harvey had never seen before. He was talking rapidly, with much gesticulation and many shrugs. There was an air of mystery about him. Their words, though subdued to a tone that suggested secrecy, carried clearly enough to Harvey.

"But he's the heaviest subscriber in the church," objected the Pringle boy. "Why, he's been superintendent of the Sunday school ever since I was a little boy."

"If you had made a study of criminology as I have, you'd know that those points you have made are the very ones that would be most significant to a detective. The very things that would seem to be in his favor are the things that make me the most suspicious!" He swaggered a little. Then, leaning toward his companion confidentially, he pronounced the next words with ponderous emphasis. "How do you account for the nightly signals that pass between his house and the Dean place? *Nightly!*"

Still waving his hands, he moved out of Harvey's hearing, continuing with arguments his attack against the barrier of his companion's prejudice. Harvey, sitting in the shade, tried to adjust what he

knew of Charles Rich to this strange idea. For forty years Rich's life had been spread out openly before the townspeople. There was scarcely a person — man, woman, or child — who had not been at some time his beneficiary. He had been a strong moral force of the simple well-known type, faithful in religious observance, reverent in worship, generous in support of every activity that he thought of benefit to the community. He was a man whose opinion was consulted on every public question and whose judgment was awaited before action was taken on any town matter. He was better educated than most of his neighbors and had held all the high political offices in the community. He had been for years moderator of the town meetings, a man of dignity and worth. Harvey was reviewing all these facts in his inarticulate way when Bill Conant sauntered up. He sat down on the bench alongside Harvey and began to whittle capably, but he made no comment of any kind.

Harvey opened the topic uppermost in his mind. "I've been sitting here figuring on these hints that are flying around connecting up Charles Rich with the Dean case," he said. "I can't seem to make them jibe with what I know of the man. What do you think about it?"

Bill clasped shut the blade of his jackknife and returned it to his pocket before answering.

"Well, there's things to be explained that reach way back to the early part of the summer. Price says there were goings-on while he was still on his job. Signals flashing every night from the mountaintop to the Dean place and then passed on to some place in town. And Rich's place is right in line. The Riches were up at all hours, too. Charles often stayed at the bank until midnight."

"Well, government bond sales made a lot of extra work for the bank. He was one not to let that work interfere with the regular bank work. I've heard him say it meant hours overtime. Besides, if he was in the bank, that's wholly out of range with signals from anyplace. That doesn't get you anywhere."

"Well, all I know is what I hear. Price seems to have seen a lot of things that need explaining."

"How is Price these days?"

"Pretty bad, from what I hear. Most of the time now, under the influence of drugs."

What neither of the men knew was the relation that that fact might have to the strange sights that Price credited himself with having seen. Neither did they realize what satisfaction Price got from the importance that the marvels he related gave him with the public.

In the meantime, around the corner the detective was continuing his bombardment of young Pringle's opposition. "Meester Rich," he was gesticulating, "he is a sly and clever man. No one can catch him, he thinks. He's very smart, but we watch!" He lowered his voice. "I have helpers. Every night. We change about. Some in the field near the house. Some on the roof of the porch of a house across the river. It overlooks the Rich house. Every night somebody is there, girls and women as well as men. We watch long enough, we get something on him!"

"If I were you," said the Pringle boy, "it seems to me I'd watch some more likely customer. If you turned an eye on somebody nearer home you would be more likely to find what you are looking for." His voice took on a sinister tone. "You'll not get anywhere the way you are doing, I'm telling you!" He spoke belligerently.

"We watch long enough, we get him," said the detective positively. "He's never explained that black eye yet."

At the bridge they parted company. Before they were out of sight Zed Albee, the superintendent of the mill, joined Harvey on his bench. Harvey approached him with some hesitancy. Zed was one of the most reasonable men in town, of recognized sound judgment. He was a director of the bank and one whose friendship for Charles Rich was known to be close and of long standing. They had been intimately associated for years in every enterprise that looked toward the good of the town.

"I've just been hearing some of this talk that links Charles Rich up with the Dean case. You heard anything of it, Zed?"

"Yes, I've heard some things that this fellow who claims to be a detective has spread around."

"What do you think, Zed?"

"Forget it, Harvey. If they could put a thing like that over on Charles, what could they do with the rest of us? Why should we credit

this foreigner's hints against the word of a man like Rich whom we have known and respected for years? There's something fishy about a man who claims to be looking for German spies and speaks with a German accent himself. Nobody who *is* anybody takes any stock in him."

"Didn't I hear that young Douglas was hand-in-glove with him?"

"Politics. Playing for the Catholic vote. He wants to represent the town this fall. He's swung over, you know, to the other party, after running and losing out with the old party."

"No, I hadn't heard."

"Yes, and he's bound to discredit anybody in the old party who might be suitable material for the opposition ticket. Anything he says against Rich you can take for propaganda."

"Queer for him to go against his father's principles. I always thought his father was a sound man."

"But on his mother's side, you know, there always was a yellow streak that cropped out in the most unexpected places. Looks as if his characteristics came from the wrong side of the house. Don't take the talk seriously, Harvey. Most of it comes from things Price thinks he has seen, coupled with what this fellow, who is thought to be a detective, imagines. He'll have to prove to me that he is what he says he is before I'll believe him. He may be a federal agent as he gives out, and then again he may be doing the signaling himself, which seems to me more likely. Besides, what I want to know is why the government would trust this to an enemy alien. Tell me that," challenged Zed. And Harvey, speculating on the problem, found no answer.

Nevertheless, it was in such ways as these that the seeds were spread through the town. It was a time of suspicion that was fanned into flame during the most innocent discussions. The murder mystery might have been solved at any other time in the history of the town according to reason and cool judgment. But now sides were taken, and doubt fostered with a virulence unbelievable and previously unknown in the spirit of the friendly little town. That one of their citizens could be a potential murderer laid all of the innocent open to that suspicion. It was wartime! Humanity was at a low ebb.

There was another thing that complicated the situation. There is that in the human mind that finds a reflected importance in having

some connection, however obscure, with anything that has attracted the public interest. Numbers of people heretofore of relative insignificance in the community found a momentary but gratifying eminence through furnishing manufactured experiences. The sifting of truth from imagination would be a giant task for judgment and experience, more than the town had to offer. Hysterical women sprang into prominence overnight by relating impossible happenings they had witnessed on impossible occasions, and having enjoyed a short-lived notoriety, found themselves plucked down from their giddy height by the envious and unscrupulous hands of those who sought that place for themselves and hoped to attain it by similar means.

In the meantime there were few who escaped suspicion. That poisonous serpent lurked beside every path and raised its threatening head in the most unexpected places.

# 11

# *Rumors*

Mrs. Means was one of those imaginative ladies who find a personal aggrandizement in making themselves a focus for the public interest. She was a comparatively recent comer to the town and had spent a good deal of time and thought since arriving to what she called "getting in right." She had no more than a bowing acquaintance with Lana but she had, from the first, taken a lively interest in that lady's activities and frequently reported to her nextdoor neighbor interesting things that she had observed about Lana's movements, often giving a hint of intimacy to her narration.

As a matter of fact, their social spheres touched very rarely, for even in so small a place as this, there were distinct social circles, and Lana's and Mrs. Means's just didn't coincide. Perhaps the feeling of frustration rising out of her failure to attain to Lana's class influenced Mrs. Means in the exceptional enterprise she displayed as soon as gossip began to link the Riches with the Dean case. Being a recent comer, she had not known the degree of congeniality and affection that had characterized the relations between the Riches and the Deans. She was the more excusable for that reason in taking a morbid delight in each new "clue" as it presented itself, and in passing it on with an avidity that allowed it to lose nothing in the passage. Scarcely a morning dawned that did not find her equipped with fresh proof of moral obliquity on the part of the Riches. As in all such cases, it would be difficult to determine at just what moment in the mounting tide of her

sensationalism she began to draw upon her own imagination to piece out a bit of news to a satisfactory degree of the marvelous.

Mrs. Dallas, her next-door neighbor, was an unsympathetic recipient of Mrs. Means's daily reports. Mr. Dallas had been brought up in the town and had had business and neighborhood dealings with Charles Rich too long to be influenced against him by any so-called "clues," however astonishing. But Mrs. Dallas could not always avoid Mrs. Means's insistent and indefatigable confidences without a show of rudeness.

"Have you heard the latest on the Riches?" inquired Mrs. Means one morning as she passed some freshly cut gladioli over the fence to Mrs. Dallas.

"No, Mrs. Means. You know that I take no interest in this effort that some are making to prove criminal intent or action on the part of the Riches. Nobody could convince me that they would do anything that was not honorable or aboveboard. I have known them too long to believe any such thing. I would rather not listen to it. Thank you so much for these flowers, Mrs. Means. I don't know how you succeed in getting such perfect growth and unusual colors."

"They are pretty, aren't they?" agreed Mrs. Means. "I sent to a special bulb house for these." She regarded them with a momentary interest and pride. "But about this matter of the Riches. I suppose you wouldn't credit anything against them even if you saw it with your own eyes."

"No, to be frank, I shouldn't. I should think that I had put a wrong interpretation upon any action that appeared to show guilt. I'd give them a chance to explain."

"Well, I have seen something with my own eyes that would take a deal of explaining to satisfy me. You know Mrs. Rich and that sister of hers were always taking walks last summer?"

"I know it is a custom with them."

"Well, they often came past our house. I used to see them looking out past our place at the dump. You know the town is dumping refuse in that marshy place behind our lot? Mrs. Rich and her sister seemed to take an unusual interest in that dump. They never passed without casting a glance at it, kind of sly, you know, and acting as if

they were talking something over. Well, one night about twelve o'clock they went there. I saw them when they passed the house."

"*Saw* them — at midnight?"

"There was a bright moon. It struck right on their faces."

"How did you happen to be up at that hour?"

"It was so hot that I had got up and was sitting at the window."

"Well, what did that prove, even supposing you did see them?"

"What were they there for, at that time of night, if they weren't concealing something? *I* think they were putting something there that they wanted to get rid of."

"Nonsense, Mrs. Means! You are letting your imagination run away with your judgment. Do you think the Riches would be so silly as to use the public dump to get rid of evidence? There isn't a bit of sense in your whole story. It *sounds* made up. If you hadn't been so generous with your flowers, I tell you plainly, I wouldn't have listened to you. Put it out of your mind. The Riches are the nicest people in town. You can't afford to credit such stuff against them."

But although Mrs. Dallas proved obdurate to such insinuations, Mrs. Means found others who would listen to her fabrications and were more than ready to believe them.

# 12

# *Spies in Our Midst*

Two men standing on the corner by the drugstore were talking in low tones when young Pringle passed. One of them turned quickly, psssted to call attention, and reached out to touch his elbow. It was the detective known as DeKerlor.

"What do you want?" demanded the Pringle boy sharply.

"You who are so slow to be convinced, come with us. We have something to show you tonight. Maybe you see for yourself — you think with us."

Young Pringle hesitated. He hated to be mixed up with that group in any way. He peered through the dusk at the detective's companion. It was Oscar Dillon. As the corner light struck across Dillon's face, Pringle was conscious of a strange expression upon it. Furtive, it seemed to him.

"What are you going to do?" he inquired, to get more time for determining his course of action.

"We're going up on the roof of Elliotts' porch. Agnes will let us in and show us the way and there'll be one or two other girls, just to keep things interesting. This is a night when we expect signals. A suspected ship is due to dock in Boston harbor about sundown, we are told. Signals ought to be visible as soon as the bulk of the town has gone to bed. We are going to be on watch all night, in details. You come along and you can check up on us." It was a challenge! Pringle felt he must meet it.

"All right," he said. "When shall I appear at Elliotts'?"

"Oh, eleven o'clock, perhaps. Better go home and get a nap before starting on an all-night watch meeting. There'll be somebody on hand to let you in, whenever you come. Some of us are going up right away. We take no chances on missing any early signals. When you come, tap three times with a pencil on the window nearest the door."

Promptly at 10:30 young Pringle stole up to the Elliotts' front porch and gave the appointed signal. The door swung open and he found himself drawn in as some unseen person seized his hand.

"Wait until you get accustomed to the dark," someone whispered, "and then I'll take you up to the roof. Let me know when you can see well enough to follow." After a few minutes he indicated that he was ready. The whispers and secrecy gave him an uneasy feeling of guilt. He followed the stealthy figure up the stairs, along invisible halls and through a musty attic, warned here of an unexpected step — there of a low-hung beam. Now and then a flashlight gleamed momentarily on some obstruction in his path. He felt cobwebs clinging to his face and hair and attempted impotently to brush them away. At last they came to a small window that led out to the porch roof. Outlined in heavier black against the dusk of the sky, he could make out the bulk of several figures, but there was no immediate way of recognizing them.

Young Pringle was of a large frame with broad shoulders, and he found considerable difficulty in worming his way through the narrow aperture, but at last he found himself on the roof. Someone drew him to a cushion. He guessed it was Agnes Elliott from the subdued giggle. The company talked in excited whispers and with much laughter of a hushed sort. It was more like a group seeking some unusual form of excitement than one making serious investigation of crime. When young Pringle reflected that whatever they might discover, or thought they had discovered, it would be used to establish the guilt of worthy neighbors, and when he realized the spirit in which it was being undertaken, he grew sick at heart.

"There!" someone clutched his hand. "What's that?"

"Where?"

"Over the rim of the mountain. See? At the right of that tall chimney."

As they strained their eyes and watched, it proved to be a star. Again, a gasping. "There! What's that?"

"Where?"

"On Temple Mountain. A flash! See it?"

Yes, it was plain enough. Automobile lights topping the farthest rise. He said so, only to be met with ridicule. No solution as simple as that would satisfy their appetites for the sensational. Then suddenly, as they waited for an answering signal, a light appeared in the hall of the Rich house. Almost immediately it was turned off and a light glowed in the upstairs hall, then one flashed on in the many-windowed corner room, unmistakably the master bedroom. It was obvious to the watcher that Mrs. Rich was on her way to bed. The lights flashed on and off, as she proceeded in her preparations for the night, passing from one room to another. At length the house became dark except for a dim light in the living room, evidently left for Charles Rich's return from late work at the bank.

Excited whispers pursued the trail of the lights, reading into the most innocent change something sinister and guilt asserting. Young Pringle was roused to revolt at their interpretation of those lights, which to him were evidently serving a purely domestic purpose. But no one else in the group supported him in his interpretation, and seeing how prejudiced they were against all normal explanations of these manifestations, he gave up any hope he might have had that he could convince some of them who might be more open to reason than the others.

Nevertheless, having begun an experiment, he determined to see it through, and in spite of the discomfort of the position he was forced to hold and the increasing chill of the night as the hours advanced, he stuck it manfully out until the gray of the dawn rendered any further watch futile.

Nothing happened, however, until the flitting of lights in the Rich house began again at a late hour, indicating to him Charles Rich's return and slow progress to bed in exact imitation of the previous procedure that they had recently watched. At length darkness settled on the entire house.

Young Pringle rose from his cramped position with the coming of the dim dawn, shook himself like a muscular young dog, and made

his way from the observation post to the street. There had been shifting groups, a going-and-coming all through the night, and those who were now there were an almost wholly different set from those he had distinguished at first. The detective had stayed throughout the night.

As young Pringle looked about, the faces that he could distinguish were haggard and drawn from the vigil, but an intensity of purpose burned in the excitement of their eyes. "Like a pack of hounds on a fresh trail," he thought with disgust, which changed to a cold fear as he realized all that that might portend. As he made his way toward home, a figure detached itself from the shadows that still lurked under the trees along the street. It was Oscar Dillon. He was leaving the Croteau place. Young Pringle smiled grimly. He reflected that he had noted the Croteau girl among the early watchers on the roof. A surge of hopelessness swept over him. Impossible to expect anything reasonable from people of that type! Dillon was stepping out jauntily. His air did not accord with the expression that his observer had surprised on his face the night before. A question took shape in young Pringle's mind. Had Dillon, perhaps, something to conceal? He struggled vaguely in an effort to think the thing out, but the chain of circumstances that might have led to any solution lacked too many connecting links. However, the seed of suspicion that had obtained entrance into his mind was already sprouting there.

Later in the day he came upon the Croteau girl in the drugstore. She was eating ice cream in company with young Harold Griffin and the friend who was spending his summer at the rectory. Harold's mother was the housekeeper there. Harold himself seemed to Pringle not much worse than a weakling. To be sure there had been talk of light fingers in connection with funds not his own, but otherwise weakness seemed his chief fault. The friend, however, had something sinister about him. A thief or worse, young Pringle sized him up. What was the connection there? The Croteau girl, Oscar Dillon, their intimacy with Harold and his friend, the detective also an inmate of the rectory! But his thoughts traveled in a circle. Nothing definite emerged from the tangled skein of the conjecture. He laid the problem away in his mind. It would bear looking into.

So, in the heretofore sober little New England village, one group after another became the object of suspicion. The wheel continued to turn, bringing with each revolution new objects of distrust into view. And in the lineup for or against a person or theory, friend turned against friend, brother against brother. A man's foes were those of his own household.

To Charles Rich, whose standards of neighborhood relations were those of brotherly kindness and service, this growth of a tendency to vindictive and unreasoning persecution, one of another, was the worst feature of the whole affair. The supplanting of confidence with doubt, of kindness with cruelty, of tolerant affection and helpfulness with hatred . . . this was worse and more far-reaching in evil consequence than the original crime, terrible as that was. He deplored it long before he came to recognize himself as an object of attack.

One night late in the fall that recognition came on him like a blow. He had come home late as usual because of the extra work at the bank entailed by the sale of liberty bonds. It had been well on toward one o'clock before he got to bed, but he had not fallen asleep at once. Now with every sense preternaturally alert, his thought leaped at once to some unpleasant incidents of the day. Usually his relations were so friendly with all his customers that when anything came up that was not normally agreeable, he made a special effort to get at the reason for it. His was a nature to regulate action by the standard of reason, and if he found himself at fault, he was ready to meet the other man more than halfway in an effort to make amends. If, on the contrary, the other man encroached too far in his antagonism, he was likely to hear the exact truth in plain terms.

The day was Monday and the Sunday collection from the Catholic church had been deposited as usual in the bank. And, as usual, Charles had counted it. He found it short of the reported amount by nearly three dollars. He credited the amount on deposit and gave the messenger a receipt to return to Father Hennon, at the same time calling his attention to the discrepancy in the totals. Later in the day Father Hennon had himself appeared at the bank.

"I wish to enter a complaint," he announced haughtily. "I counted yesterday's collection and sent it here this morning by a messenger,

one of my own household. The receipt returned was for exactly $2.67 less than I sent in."

"Less than you *reported,* Father Hennon. It is best in business matters to be careful in selecting words for stating a case like this."

"Less than I *made* it," corrected the father. "I counted it *myself,* you know," he added stiffly.

"And I counted it *myself.* I took that precaution," announced Charles significantly. "You may have noted, Father, that the same, shall we say accident, has occurred several times of late?"

"Three times in the last two months, to be exact," insinuated the priest.

"But never when you have been the bearer yourself, you may have observed," said Charles, still making an effort to keep within the bounds of courtesy.

"I had observed that," said the father with a sting in his voice.

Charles let the insult pass. "I advise you to take the trouble to make the delivery in person hereafter, Father Hennon, as a precaution against further accidents of the sort."

"Your words, Mr. Rich, reflect on the character of a member of my own household," flared the priest.

"On young Harold. It is to be regretted that it is so." Charles's tone was tart.

"And I may as well say that if I am not to be permitted to choose my own messengers for making deposits, I find myself justified in choosing the bank in which to deposit the church funds." The priest shook himself free of amenities.

"That," said Charles dryly, "is your privilege."

So the passage at arms ended, but at two o'clock in the morning the memory of it, and the offensive bearing of Father Hennon, stirred a strange uneasiness in Charles's heart. He knew the priest to be hot tempered, a man to be handled with care, but to have managed to convey such an effect of deliberate personal insult on this occasion was more than Charles could account for. It seemed premeditated as he reviewed it.

During the course of the day a man who had bought insurance from Charles, a summer resident, had come in and canceled his pol-

icy. He had offered none of the excuses common on such occasions, merely stated that he was transferring to another company. But to Charles, reviewing this incident in connection with the other, there came a sense of something insolent about the man, a scarcely veiled contempt. Why? He cast about in his mind for an explanation. Both men had acted as if they held him in little repute. *The Dean case!* It came to him like a lightning stroke. They were connecting him with that! A cold sweat broke out upon him, an agony of horror at the recognition of such a possibility.

Probably the hardest thing for an innocent man to believe is that there can be anybody in the world who doubts his innocence. That anybody could believe him capable of the hideous crime of murdering his best friend — that is indeed unthinkable for a man who knows himself blameless. For Charles, sleep was banished for the time. He lay for awhile tense with the shock, the unnamed dread, and the shame. He was being condemned without a chance to retrieve himself, his reputation undermined, his business integrity questioned. What was the source of the enmity? What was the cause? Was somebody deliberately using him for a shield to cover the guilt of another? It was impossible that anybody who had lived in the town with him and done business with him all these years, these neighbors whom he had served untiringly, and many of whom owed him for special personal favors, could harbor belief in his guilt.

But there was the expression on the faces of the two men with whom he had had unpleasant encounters that very day to account for. Nobody had ever looked at him like that before.

Fearful lest his very rigidity and wakefulness should disturb Lana, he stole from his bed, caught up his robe, and made his way to the bathroom. He closed the door, turned on the light and, drawing up the bath stool, faced the situation. Maybe the turning on of the light would dispel the blackness of this mingled dread and fear, would give him release from the awful nightmare that possessed him. It was a nightmare! Surely he would wake up presently and discover it for what it was!

But, pursue whatever line of comforting speculation he might, the clutch of that new terror closed with its cold pressure on his heart. His

body began to shake as with an ague. He, giving up to a case of nerves! He gritted his teeth and clenched his hands in an effort to steady himself. But the chill persisted and his reason refused to function. A nameless, awful power had him in its clutch.

And then, in the midst of the wintry loneliness that closed upon him, Lana appeared. She regarded him with quick apprehension, his body huddled in its robe, his face, as he raised it to her view, white and drawn. She cried out in dismay.

"Charles! You are sick! What is it?"

He made an effort to steady himself so that he might not alarm her. "No, I'm not sick, Lana. I couldn't sleep, and fearing to disturb you, came in here to wait until I might compose myself sufficiently to come back and keep still."

"Something has happened?" she asked.

"Nothing important. I got a bit perturbed over an encounter today, nothing that I would ordinarily give special thought to. But my nerves must be getting jumpy. The more I thought about it, the wider awake I became. I saw that there was nothing to do but get up and let my nerves quiet down. I'm sorry I disturbed you."

She did not question him, but took his explanation without comment. "You are working too hard," she said after a moment. "I shall be glad when this extra demand of liberty loan sales lets up." She took his hand. "You are cold. Come back to bed and I'll get you a warm drink. Nobody can sleep when he is as cold as this. I'll be back in a minute." And in a short time she was back with the hot drink. He took it with pathetic willingness.

"There now, come back to bed. I have brought a hot-water bottle. Just hug that in your arms and you'll be comfortable and asleep before you know it."

He followed her with a childlike nonresistance that went to her heart. "You're just all worn out," she said in a soothing, maternal tone. Between the comfort of warmth and the comfort of her sympathy, he did fall asleep almost at once. With the morning came renewed courage. He took himself to task for having yielded to a fear that he named cowardly.

"This is no time to get into a panic over imagined dangers," he schooled himself. "There is enough to worry about that already is, with-

out adding the fear of something that is not." He did not even allow himself to be disturbed when Father Hennon came in and transferred the church account to the bank in a neighboring town. After all, the account had never been anything more than an extra care. The benefits of the arrangement had all been in favor of the church. If they preferred to inconvenience themselves to gratify a spite, that was up to them. So he argued with himself in an attempt to cover the sensitive spot within him that resented the wholly uncalled-for act.

# 13

# *Prominent Citizen Suspect*

Charles opened his paper at the breakfast table one morning soon after his night's experience. He was late and Lana, having brought in his hot muffins and coffee with a plate of bacon, had left immediately to attend to some household demand. He unfolded the paper and propped it up against a carafe in order to glean the most important items of news while he ate, a custom that had become a habit with him. As he did so, a lurid headline caught his eye:

SUSPICION CONNECTS PROMINENT CITIZEN
WITH DEAN MURDER

He felt the blood recede from his heart, but before he permitted himself to read further, he laid hold of himself with a firm grip and steadied himself by the use of the familiar and the normal. He buttered his muffin deliberately and took a sip of his coffee. Then he let his eyes trace out the explanatory text. Incredible as it seemed, he could not deny that the innuendo appeared to be directed at him. Some influence inimical to him had begun a publicity campaign. He doubted whether he should leave the paper for Lana to discover by herself. In the end, he folded it up and thrust it into a pocket. But not until he had forced himself to eat his usual breakfast and had attended to the wants and comfort of his horse, who greeted him affectionately from the barn.

As he passed along the street on his way to the bank, he saw groups of men intent upon the paper and caught many a curious

glance directed toward him. He gave his usual greeting, a wave of the hand, a word of recognition, but he became conscious of a difference in its reception. A withdrawal as it were of frank confidence, an estimating quality in the eyes that met his, or a quick shifting of the glance. Certain stinging phrases from that front-page article burned in his memory. The hope that others would not connect them with him died. They had already done so. And they were holding judgment in abeyance. He realized that his years of integrity were to weigh little against prejudice and that it was a throw of the dice as to which way popular prejudice would fall.

Mob psychology! He was up against that! And whether he was to be condemned or exonerated by the mob all depended on how cleverly his unknown enemies conducted this campaign they had begun . He, who fell back on reason by nature and training to decide the most ordinary questions of daily life, found himself in a position to be judged by those who never had recourse to reason to decide any topic but took their decisions ready-made from what they accepted as authority, or from the clamor of tongues.

Still, the consciousness of his own integrity — and the belief that truth must prevail in the end if one showed no signs of guilt — helped him to conduct business in the usual way.

The morning's paper did not fall into the hands of Lana. It was a busy day for her, with many interruptions, and she did not miss the customary glance at the news. It was not until toward the end of the afternoon that one of her friends ran in with a perturbed air and reported the covert attack upon Charles. Lana listened and then laughed.

"They certainly must be at a loss for clues if they try to fasten a thing like that on Charles, of all the men in the world," she scoffed. "Surely," she appealed to her friend, "nobody in town would credit that story."

"You don't know what they'll credit," said the friend. "The most insane suggestions find a following. You know how ready the rank and file are at any time to believe the worst against those who stand high in a community. It seems to lessen their own sense of inferiority. But it's even worse than usual now. It's the war!"

The two women regarded each other with solemn intentness. Then Lana laughed again. "I can't take it seriously," she declared. "It's too absurd! Charles, who never did an unconsidered act in his life, who never failed a friend nor injured an enemy, if he ever had one, which I doubt. No, I can't take it seriously. It will blow over if we don't notice it. It must!"

It was in that spirit that she broached the subject to Charles on his return. He was relieved to find her so confident, for he had shrunk from the possibilities that might lie in her reaction to such a charge against him. They sat down together and considered the situation in as cool and detached a way as they were able to achieve.

"There is nothing to do," declared Charles at last, "but to go on in the usual way. Do just as we have always done. Change no habit, show no fear even if we feel it. Think of it as little as is unavoidable, and wait. We'll hope for some new evidence that will exonerate us. Are you up to it, old girl?"

Lana threw up her head. "I can do what I have to. But, of course, I shall never have anything but contempt for the type of person who has so little sense as to credit this fabrication in the face of your history. Who do you think is at the bottom of it?"

Charles shook his head. "It looks as if somebody is trying to use me as a screen to protect the guilty one. I haven't figured it out. It may be merely mob psychology. It may be merely the egotism of this foreigner who professes to be a detective. He seems to see himself in the guise of the master sleuth as he appears in cheap detective literature. I doubt very much whether he has any standing or training. But he has a smooth facility of expression that seems to have some effect on the hysterical. For some reason or other, Lana, we are up against it. Some influence is working that I cannot discover. Some motive I cannot trace. It is grotesque, but it is a situation that challenges, and we've got to meet it! As to this newspaper propaganda — it looks to me as if the best thing for us to do is to disregard it altogether. It may be just a passing phase, and if no notice is taken of it, it will probably soon die out. The best way to keep it alive is doubtless to make some reply. If we lie low and give the instigator plenty of rope, he'll probably hang himself."

# 14

# *Town Gossip*

To Harvey Foster, sitting long hours on the bench by the bandstand in the village square, drifted many crosscurrents of gossip and opinion. The old man had gained much of his reputation for sound judgment and good sense by keeping his mouth shut. It was largely his ability to do just that that had commended him to the mill owners and brought him advancement to the position of foreman of the mill.

But though his mouth was shut, his ears were open, and he listened, measured, weighed, and formed conclusions. He didn't take the public into his confidence about those conclusions. He took few into his confidence and those only after long testing. But he was a master of subtlety, though he would have had difficulty defining the word. He could ask leading questions without revealing anything but the most casual interest in the topic. He made it appear to be the mere matter of keeping up his end of a conversation into which he had been drawn quite by chance.

Yet there was little that went on in town into the knowledge of which he was not initiated. There were few opinions held that were a secret to him. And he saw the growth of suspicion and enmity among his neighbors with ever-increasing perturbation. Moreover, the situation became more baffling with each day's contribution. What was the motive behind all this effort to involve Charles Rich? Harvey suspected that much of the activity in that direction was centered in the foreign detective. Why?

Harvey had never regarded him with favor. He doubted the detective's ability and training. Undoubtedly he was stirring up the community by secret and hidden means. Under the guise of authority, by virtue of his avowed profession, he spent many hours interviewing Charles in the name of friendly interest. But Harvey knew that he reported to those who would listen to him what purported to be reliable reproductions of these confidential interviews. And since they were granted in confidence, his own interpretations of them could be poured into ears that were willing to listen. Strange slants were given to Charles's most innocent statements. Strangely perverted accounts of them began to appear in the metropolitan dailies. Harvey pondered these things in his heart. What malice or fear prompted such excessive activity on the part of a stranger? What local stimulus lay behind it?

As if in response to his bewildered speculations that fifteenth of June, 1919, Father Hennon, turning onto Main Street at the bank corner, waited the approach of one coming along the street that crossed Main at right angles. It was young Griffin. Harvey's eyes followed the pair idly as they walked up the street together on their way to the parish house. Suddenly he leaned forward and looked after them intently, and a strange expression came into his face. He pursed up his mouth in a tuneless whistle. His eyes narrowed with a hard suspicion. The gait, the carriage of head and shoulders — both were identical in the two men. Harvey tried to fit that crooked block into the puzzle on which he was occupied. Much of the animus against Charles emanated, he reflected, from members of Father Hennon's flock, or those subject to his influence for one reason or another. Why? As he speculated upon the possible bearing his recent observations might have if they were substantiated by fact, Zed Albee ambled by.

"What do you know about young Griffin?" Harvey asked as Zed paused by the bench.

"Nothing good. I know he never pays anything he owes, and that he owes everybody who has any traffic with him. They say at the drugstore that he lets the priest pay even for his cigarettes. I know he doesn't do a stroke of work to earn anything and I hear that he runs around nights with Oscar Dillon's gang. It's common report that they've taken to visiting vacant houses at night, along with a bunch

of girls, the Croteau girl for one, and others of her cut. I don't know who pays for those affairs. I'll warrant it isn't Harold. I sometimes wonder why decent fellows get caught in the war net while worthless truck like this Dillon gang are left to exercise their criminal instincts on a long-suffering public. There isn't a respectable hair on the head of any one of a dozen fellows I could name in that gang who are exempted from government service for one reason or another, while all our young men who would be an honor to the community have been sent overseas to fatten foreign crows."

"So they're running around of nights?" pursued Harvey thoughtfully. "Any proof that they are making use of vacant houses?"

"That's leakage. I don't know what proof there is. By the way, Price reports that the Colfelt car went through last night again. And he claims he saw flashes from the Dean place to the Temple Hills."

"Is he still on patrol? I thought he had to have a substitute."

"He does have to, but he still keeps up his interest in the German spy theory. I suspect what he sees may be all in his mind. But it keeps him interested. At any other time nobody would pay attention to it, but it fits right in to the wartime spirit now. The public is ready to credit anything that links them up with the great world drama."

"How long since the Colfelts vacated the Dean place?" asked Harvey casually. Even to Zed he did not disclose the track his mind was following.

"A couple of weeks maybe."

Harvey's eyes followed up the straight street to where, a quarter of a mile away, two strikingly similar figures were turning into the parish house gateway.

"Well, so long," said Zed, moving on.

"So long." Harvey waved a friendly farewell. He had gathered food for thought during the interview. "It would explain a number of things," he said aloud to himself after some cogitation. "I'd better not lose sight of it. There might be something in it." An eager light glowed in his shrewd old eyes. Webster, the town's chief businessman, joined him a moment later. He stopped casually by the bench, but there was purpose in his air.

"You know what, Harvey?" he asked in a lowered voice.

"No, what?"

"There's an election coming along this fall."

"Yeah. Well?"

"We've got our work cut out for us."

"What's up?"

"It has come to me by a subterranean route that the same board of selectmen are going to run again."

"Well?"

"No, not well, Harvey," he said meaningfully. "We can't have those men again. They're ruining the town. You've no idea how trade is falling off here, Harvey. Our board of selectmen is not a board. They're nothing but tools in the hands of William Orcutt and Father Hennon. They take all orders from those two. Their reelection would be disastrous. Nothing less. The town would blow up, politically and financially. I wonder if you realize what they've spent on the Dean case, in an absolutely prejudiced attack on the character of the best man among us? There isn't one of them using the reason he was born with. There isn't one of them who will listen for a minute to any interpretation other than that which leads to the establishment of Charles Rich's guilt. They are using public money to that end, pouring it out like water. They're keeping that foreign detective, Kent, or whatever he calls himself, after they promised a committee of representative businessmen that they would get rid of him and get reliable investigators in his place. Believe me, there's more here than meets the eye. If they were really making an unbiased attempt to solve the mystery, nobody would support them quicker than I would. But they are putty in the hands of two men, and I have named them. They don't make a move until they have a sign from one or the other of those men. It may just be politics, of course, but it looks as if somebody was trying to protect the guilty one at Rich's expense. The kindest thing you can say about the whole business is that they know Rich's character to be impregnable and that since he can't be proven guilty, he will make a good screen without involving him to the point of making him pay the full price for murder."

He went on, "The meanest thing you can say is that this is just William Orcutt's underhanded way of playing politics. But what of Father Hennon? He doesn't quite fit into that picture. Of course, he can

swing a lot of votes. He might serve Orcutt's turn very well. But then, too, he is in a position to have come by way of the confessional upon some secret he feels bound to respect. I don't know. But I do know that the selectmen have gone directly against the expressed wish of the voters in respect to this man, Kent, and they have disregarded their own word. They have kept him secretly employed and always with that one object, seemingly, to spy upon and discredit Rich. And they have paid for it out of town taxes. It's time that the better element in the community took some stand."

"What are you going to do?"

"For one thing we are going to get out a ticket of our own, and we're going to put on it the most responsible and most representative businessmen in the town."

"Well, that ought to help some. Got your men picked out?"

"Yes. Jim Fitzgerald. Albert Annett. Jason Sawyer.* And we're going out after the voter and appeal to him for a clean slate and fair play."

At that moment Father Hennon drove by and waved a recognition. There were two men with him, strangers to Harvey.

"Who's he got with him there?"

"Two new investigators from New York. I met them yesterday."

"How do they happen to be with him?"

"They told me that Father Hennon had invited them to make their home at the parish house. He felt that it would considerably decrease the expense to the town and he might be able to help them in regard to local questions that might come up. They felt that it was a distinctly friendly gesture that they could not well refuse, that they were glad, indeed, to accept. They said they were being wonderfully entertained there."

Harvey's only response was a noncommittal "Hmmm."

"I don't really see any objection. Do you?" asked Webster doubtfully.

"Crimps their style a little, doesn't it? The dog isn't apt to bite the hand that feeds him."

Webster moved uneasily. "I thought of that," he admitted. But Harvey made no further comment.

*See page 174.

# 15

# *Dr. Sweeney's Homecoming*

It was a strange homecoming for the doctor. His profession had brought him into intimate, even sympathetic, relations with wholly divergent classes and groups. Little more than a year earlier he had left a community bound together in patriotic brotherly zeal, a community caught in the toils of an unlooked-for war, a unit in effort and impulse to meet all demands, of either humanity or government.

He came back to a town seething with suspicion and hatred, a town where all great problems were lost sight of while a conflict raged around strictly local affairs. Reason had no part in that conflict. Credulity was the rule. People whom he had counted equally his friends were at each other's throats. To take sides was to jeopardize his practice, which had already suffered by his absence. But to a man of his temperament there was but one course. In support of a friend like Rich, he had to roll up his sleeves and jump in.

Yet he had the judgment, even at that moment, to weigh the cost to himself and his family. Under a patriotic urge he had recently risked life itself, as well as the opportunities of his children still dependent on his effort, and the happiness and comfort of his wife. Must he return them all to the hardships from which they had just escaped by reason of his return? Or, indeed, plunge them into even greater ones while he became involved in this new problem?

He called his eldest son and his wife into council. The boy would enter college in another year if all went well. He was an earnest boy.

The doctor studied his face intently for a long minute, then he stated his case plainly.

"My boy, I want to take a hand in this Dean case affair. It looks like duty to me. But if I follow my impulse, it may cost you your college course. It is bound to reduce my income — to what extent I cannot foretell — for if I go in I shall make enemies of some of those who are now my past clients. It is a matter of conscience with me, but it will affect you more than it will anyone else. What shall I do? I put it up to you."

Dr. Sweeney liked the way the boy lifted his head and looked straight back at him, his mild blue eyes, eyes like those of his mother, turning suddenly to steel. "Dad, you follow your conscience. You made *your* way. I can make *mine.* There's nobody that I admire more than I do Mr. Rich. I've known and valued him ever since I can remember. There's nothing I wouldn't do to help him clear this thing up. If setting you free from anxiety on my account will help him most, and I believe it will, Dad, you go ahead! I'll get along. You'll see!"

"And you, Eva? You have your right to say."

His wife's eyes were full of tears. She dreaded conflict. But she smiled. "I'll get along," she said simply. "I did while you were away."

With such backing, the doctor set his mind to work. Sitting on his porch he could command the village square, and the main thoroughfare ran past his house. Consequently, whatever happened on that stage happened for him. It was as if a map of the community were spread out before him. In long conversations with his wife, as he waited for calls during those first days after his return, he learned that William Orcutt had approached her, staunch friend of Charles's as she was known to be.

He had called her out one night to show her lights from the Dean hill. He had called her attention to the fact that they were in a direct line with Riches' house, which was in sight of her own. Why had they been so anxious to convince her of the possibility of communication between the two places? Moreover, Father Hennon had himself visited and catechized her concerning what she knew of the customary movements of the Riches. He had dropped hints that had disturbed

her. The doctor listened to her report and weighed the possibilities of the motive that might have animated these activities.

Strange things began to crowd themselves on the doctor's attention. Once aroused, little could escape it. Bill Gallagher, noted liar that he was, did something that surprised the doctor by its duplicity, accustomed though he was to Bill's shortcomings. Bill had called the doctor to attend him when he broke his leg.

"I don't know how I'll pay you, Doc," he said, though from past experience with Bill the doctor hadn't looked for pay. He soon discovered Bill's reason for mentioning it. "I applied to Rich for a loan of twenty dollars from the bank to tide me over this spell while I was out of work." Now the doctor knew that Bill was often out of work, so he waited for his next revelation with amused interest.

"And what do you think? The scoundrel wouldn't give it to me! Said as excuse that the bank directors felt that they had lent to the limit on such security as I could offer. Damned hypocrite! Kick a man when he's down!"

Now the doctor, being a kindly man, had stopped and got Bill's mail as he came past the post office on the way to make his call. And being an observant as well as a kindly man, he had noticed that the letter he brought was addressed in Rich's handwriting. He had also noticed that a $20 bill had dropped out of it as Bill opened it and that Bill had hastily concealed it.

"Who was that money from that he sent you today?" he asked maliciously. With a swift movement he caught the letter, slapped it open, and read aloud with relish:

"Dear Bill,

The bank directors owe to their depositors all possible insurance of safety and have to be especially careful about their loans, even in small amounts. I reported to you their decision in regard to your request of today. The bank can't grant it. But I am glad to furnish you with a personal loan for the amount you named, which I enclose. Pay it at your convenience. It is darned hard luck you're having, Bill.

Yours with all sympathy, Charles Rich"

"Doesn't sound so very hypocritical to me. Looks as if you were hypercritical, Bill." The doctor laughed at his own pun, and possibly a little at Bill's shamefaced look. "Anybody who wants to kick me that way when I'm down, I'll call by a different name from the one you mentioned."

But on the way home the doctor puzzled over the incident. Why had Bill tried to conceal the proof of Charles Rich's kindness from him? It didn't tally with what he knew of the easy-going, irresponsible fellow. What was behind it? And then he changed the form of his question to, "*Who* was behind it?"

A few days later as he sat on his porch observing the passers and mulling over the mystery that occupied so much of his spare time, Father Hennon passed. He bowed distantly in response to the doctor's friendly wave of the hand. The doctor compared the cold salutation with the warmly friendly farewell the father had given him on his departure for France. What had produced the change in attitude? Surely nothing he had done. Now that he thought it over, the father had failed to see his extended hand on their first meeting after his return. What could have brought about the change? A few steps farther up the street the father met William Orcutt. They stopped and held a low-voiced conference.

"There's your man," the doctor said aloud.

His wife looked up, startled. "What are you talking about?" she asked.

"The man who is leading the attack on Charles. There's the brains of the outfit. The followers don't need any. All they have to do is to tag along. The fewer brains they have, the better. Now the thing is to find out *why!*"

"But why do you think that he is at the bottom of it?" asked his wife. "He has always seemed most friendly, even to those who are not his parishioners. He was noticeably considerate of me and the children all the time you were gone. I can't think so meanly of him. I can't believe all this plotting and counter-plotting is the result of religious prejudice."

"Worse than this has resulted from religious prejudice, if I read my history right. But neither do I believe it to be that in this case. What I

know is that there is a mind behind this activity, that there is a leading influence. I know that the chief weight of the animus against Charles comes from the group who accept that man as dictator. I can't discover that his activity is directed toward finding the murderer of Mr. Dean, but rather toward concealing, maybe protecting, that criminal!"

"But you surely don't think he did it?"

"Most certainly not. But who is there who would be in as likely a position to discover the one who did? And if that one should, by any chance, be one of his own flock, or his own family — what more natural than an effort to divert the current of suspicion into another channel?"

"But — a minister of the gospel?"

"He is more than a minister. He is a priest. And as such the recipient of more secrets than even a doctor — and that's a-plenty. But he's on the way to wreck the town. It can't be permitted. Anyway, I'm on to him now. It's one or the other of us. If he gets away with anything, he's going to be smart. The war is on!"

Mrs. Sweeney said nothing, but she clasped and unclasped her hands anxiously. War means such different things to men and to women. A challenge to one. Disaster to the other.

Two days later the doctor was called professionally to attend upon, of all people in the town, the Croteau girl. He was shocked at her appearance. In place of the saucy, provocative, irresponsible girl occupied chiefly with attention to methods of accentuating her own allure, he found a subdued young woman, haggard, with lines of dread about her mouth, and fear looking out of her eyes. She was wan in spite of rouge and lipstick, for the Croteau girl used rouge and lipstick when they were the insignia of the wanton only. Contrary to his wont, the doctor exclaimed at the change.

"What have you been doing to yourself?" he asked as he began his preliminary examination. "You've always been a jolly, laughing girl. Have you been sick this entire year?"

Tears flooded the girl's eyes at his fatherly tone. She said impulsively, "There are things worse than sickness, Doctor. Things that you can't get rid of by taking medicine. Oh, Doctor, it has been an awful year!"

He had the feeling that she was on the brink of spilling her secret, but she hesitated there, and as he made it a rule never to force the confidence of his patients, he got no further.

"Well," he said, dealing out some medicine, "this will fix you up. We'll have you out in a week, looking like the girl you were when I left for the war." But as he drove away, his mind dwelt upon her changed look and manner. "I wonder if she's still running with Oscar Dillon?" he thought. "That girl knows something that is harrowing her feelings, or I'll miss my guess. And it isn't remorse over her own loose life, either. For she has always rather plumed herself on that. I'll bet my bottom dollar that Father Hennon could throw light on that question." And he filed the incident away in the secret archives of his mind, along with the other significant items that he had begun to note with a purpose. These items piled up rather fast. Two of these were also in connection with the Croteau girl. When he made his last professional call, she asked for his bill.

"Don't worry about that," he said, thinking that the interruption of her work in the local hotel where she was employed might well leave her short of money. "Take your time. Pay me whenever it is convenient."

"Oh, I have plenty of money! Father Hennon said I was not to worry, he would furnish me with what I needed and I was to pay my doctor's bill promptly."

A few weeks later as he was driving along an unfrequented road he came upon a little group who had stopped their cars and were conferring together amicably. Their laughter reached him while he was yet some distance away. In the car facing he recognized Father Hennon and young Harold. He had the impulse to make sure of the occupants of the other car as he passed. They were Oscar Dillon and the Croteau girl. She seemed to have recovered something of her old sparkle. The doctor recalled Father Hennon's previous disapproval of the intimacy between the Croteau girl and Oscar Dillon. What had brought about this sudden change of front? What was that hint that Harvey Foster had thrown out the other day? That the young people of the wilder set all that summer had been visiting vacant houses in the vicinity for purposes of their own. That being so, these young peo-

ple might have happened upon some evidence on the night of the Dean murder that they were guiltily concealing lest their own social obliquities be exposed. He could fancy a thing like that might prey upon the mind of a superstitious girl until she was driven to confession. He must run down the question of her whereabouts the night of the murder. It might not be too late to do that. It seemed rather common knowledge that that particular group had indulged in midnight orgies of a kind they would be unwilling to admit. He believed from what he had seen of this girl that under the right pressure she could be made to tell what she knew.

But even so, it remained to account for Father Hennon's personal interest. Could young Harold have been one of the crowd on that fatal night? Nothing more likely, but still to be proven. And to prove anything to the minute, a year after the fact, was going to present difficulties. Still, he had made considerable headway even in the few days in which he had been at work.

Soon after this the town woke one morning to read a startling headline in the *Boston American:*

BRUTAL ATTACK ON YOUNG WOMAN!

The accompanying story gave young Harold Griffin's name and address as that of the guilty party. It appeared that in some drunken altercation with a young woman whom he had been visiting in company with another man, he had struck her behind the ear with a blunt instrument and had left her unconscious and bound. The marvel was that she had not been killed. On her return to consciousness, however, she had named her attacker and been able to give a fairly clear account of the affair before she lapsed again into an unconscious state from which she had not yet rallied. The authorities who were conducting the investigation found it significant that so many of the details were similar to those that had brought about the death of Mr. Dean. The blow was struck by the same, or a similar instrument, and was in the same location. The cord, too, that bound the young woman's hands behind her back had been tied by an expert. Griffin's companion, who had been visiting him for some weeks, was a sailor. Griffin was being held pend-

ing the outcome. Inquiry at the parish house brought out the fact that neither the priest nor his housekeeper was at home.

Dr. Sweeney could have told, had he been asked, that in the small hours of the night he had met the father's car on the Boston Post Road headed for Boston and moving fast. The doctor was returning at the time from a late call. He was not especially surprised at the incident. The priest and the housekeeper were evidently responding with commendable haste to a call for help from a friend. He would have been more surprised had they delayed under such circumstances.

What intrigued him most about the whole business was that the two crimes had so many details in common. It seemed to point to the same hand. But the growth of his suspicion and the strengthening of his convictions can best be brought out in the doctor's own story.

# 16

# *The Doctor's Story*

The doctor settled himself back in his office chair and fixed his visitor with an alert glance. "I want you to know I've figured out a pretty fair case against Charles Rich's accusers. In the first place, I doubt if they are trying to down Charles so much as to save their own skins. I doubt if they are enemies, unfriendly as they seem, so much as they are cowards. They are afraid of something for themselves. I've seen a lot of human nature in my time. It isn't all bad. Even the worst type of cattle have surprises for you if you expect them to live up or down consistently to their lowest. There'll be a streak of nobility that will crop out of the hardest nature — like gold in quartz — but the gold streak won't show much if a man is the victim of fear for his own hide.

"Have you time to listen while I spin you my thread? It takes some telling."

The visitor, a close friend of Rich's, had just returned from a two-year business trip abroad. He leaned forward eagerly.

"You can't spill it any too soon for me. If there's any plausible explanation of this state of affairs, I want to hear it."

Well, to begin with, you wouldn't have believed that even war itself could have brought about the change in the town that I found when, after a lot of delay and red tape, I was at last discharged. Perhaps I made a mistake in going at all. A man with five children probably had no business getting mixed up in the affair. But it seemed to me that I could do something to alleviate suffering among those youngsters called to the colors, and that they had a right to the best that any

of us could give them. There were plenty, I know, who criticized me for going, who ascribed my action to the lowest of motives, to some cheap personal desire to win glory for myself. But my family didn't taunt me with having such motives. I shall never forget how my wife braced herself to the task that I left her, and gave recognition to the primacy of that call that makes a man sacrifice not only himself, but those he loves, to what he feels is the higher duty — loyalty to an idea.

Well, that is neither here nor there. I went and I came back. And it was to an utterly different world from that which I left that I returned. The whole atmosphere of the town was changed. I felt it before I swung off the train into the welcoming arms of my family. I felt it as I walked up the street to the familiar home setting and looked into familiar faces and took outstretched hands. There was something as palpable as a presence that stood behind every greeting and made it somehow different.

Don't tell me that there is nothing tangible in an idea. It was an idea that took me away from home to the war. It was an idea that was at work in my community when I returned. Or maybe it was a war of ideas. Perhaps I never should have gone. I know this. If I had been at home the night of the Dean murder, Charles Rich would never have been mixed up with it in the minds of the townspeople, for I should have been called in to attend him and thus have established an indisputable alibi for him. On so slight a turn of circumstance fate often hinges.

I felt this atmosphere that I have mentioned — whatever it was — when I met Father Hennon on the way home that first night. He saluted and gave me some word of welcome, but apparently did not see my outstretched hand, for he ignored it. I was too happy that night to pay much attention to anybody's form of greeting. It was, "Hi, Doc, how are you, old man?" all the way up the street. It was not until later that I fell to comparing the father's welcome with his farewell and found the difference significant.

It did not take long for me to sense the fact that he felt his interests and Rich's to be antagonistic. And recognizing that, I began to interpret the bits of information that came to me about Father Hennon in that light. For instance, there was what the local news reporter told me. She was a woman of high standards and intelligent observation.

It seems that he came to her privately to inquire what clues, if any, she had come upon, and declaring his sympathy with her efforts to establish the truth, suggested that they could be of assistance to each other by revealing the discoveries each made to the other. He said to her, "Of course, it will be in strictest confidence, but I have some means of getting inside information that are not open to you, and in your position of trusted public informant, you must have some that are closed to me. An exchange would be to the benefit of both. You must see that."

She neither confirmed his assertion nor denied it. She was a clever woman and managed not to seem to evade it. After a moment he went on, "You were an intimate of the Alexanders, weren't you?" Mr. Alexander had been connected with our schools in a supervisory position at the time of the murder.

"Yes, I knew them well," she admitted. "I have missed them greatly since they left town."

"Didn't I understand that they returned for a visit here and in the neighboring town the day of the murder?" he asked her.

"It was certainly about that time. I couldn't be sure whether they were here or at New Ipswich that day. That could only be found out by inquiring of them."

"I was thinking that if they happened to go between the towns by the back road that night, they might have seen something that, put with such facts as we have already in our possession, might establish a clue. I believe it would be worth a trip to find out. What do you think?" He tried to make the question sound casual, but to her astute ear he did not quite succeed.

She did succeed in making hers sound so, meeting his suggestion with an appearance of enthusiasm: "I should think that would be a very good idea."

When she reported the conversation to me, she asked, "Wouldn't it pay to put the Alexanders wise to the possibility that they are to be interrogated? They should have time to get their dates definitely fixed. He is a wily one and will make it seem that his questioning is purely disinterested and they might not be sufficiently on their guard. He has some reason of his own for wanting to know whether they were on that back road that night. I thought I'd let you know about his plan."

She looked at me with an exaggerated innocence, and something in my brain clicked. I laughed. "You're right," I said.

That very afternoon I set off for Hartford, Connecticut, where the Alexanders were now living. I had told my wife that I had to go as far as Springfield on a business call and might be delayed. My Buick ate up the distance in a way to satisfy even me, whose middle name is Speed. I interviewed the surprised Alexanders briefly, having taken the precaution to park my car in a neighboring street, and started back soon after dark. As I struck into the main thoroughfare between Hartford and Springfield, I met a familiar car. It carried Father Hennon's number plate. The Alexanders reported to me later that he came within fifteen minutes of my departure, and that my surmise regarding the points he wished to establish was correct. He must have felt it very important to his own interests to take all that trouble. And I felt it important to mine that I had found out exactly what they had to tell, before his report of the interview should seep out. I felt that his report might need a little editing.

There was another significant thing. It came to me through the district attorney, who didn't know he was furnishing me links in a chain I was forging. He said that Father Hennon had asked permission to interview Mrs. Dean alone, to see if he could discover whether she had seen or suspected anyone. He gave as a reason for making the request that he had more experience in winning confidences than men in other professions. He felt he might more quickly get at the truth of the mystery and so help in its solution. The district attorney did not feel himself authorized to grant the request. But it was evident that the priest had some powerful interest in discovering whether Mrs. Dean's mind had retained any clear vision of an assailant, or held the memory of a suspicion Mr. Dean might have harbored and revealed to her. Putting this with that, it seemed to me sufficient to establish the fact that Father Hennon had something of value at stake, that he was willing to pay a rather high price to insure his peace of mind and to assure himself that some secret knowledge of which he was possessed was as yet undiscovered and unguessed by the public.

The first thing that occurred to me to do was to account for the whereabouts of the Croteau girl, young Griffin and his guest, and oth-

ers of that group, on the night of the murder, August 13th, 1918. In pursuit of that information I called on the proprietor of the hotel where the Croteau girl and a boon companion had been employed at that time, to check on their movements. The proprietor didn't know. He called his wife. "Before I put my question," I said, "I want it distinctly understood that I wish the utmost secrecy to be observed regarding the fact that I have made any inquiries." She assented to that. "Then, do you know, or can you find out for me, whether these girls were at home or away from home the night of the 13th of August, 1918?"

She was a woman of intelligence and character and at once comprehended the importance of the question. "It might throw a good deal of light on the murk of this situation if we can get a correct answer to that question," I said.

"I see that, but at the moment I cannot tell. It may very well have been that they were away. Those girls were out almost every night that summer. But since they were capable waitresses and always on hand at the appointed hour, I did not interfere in their use of their free time. They were both of age and gave me no reason to find fault with the work for which I had engaged them, or for their conduct in the hotel. Something may come to me, now that you have called my attention to it, to clear up that question — some little detail that will fix the fact for me but that doesn't occur to me now."

"Well," I said, "whatever you do, don't let out the fact that I am making inquiries or have any interest in the matter. But *if* you find out anything, let me know." That she agreed to do.

She called me a little later. "I do recall now something of that matter of which you spoke. They *were* out that night. The morning that the news of Mr. Dean's death came to us, the Croteau girl volunteered the statement, 'I'm glad we were in Fitchburg last night.' The fact that she made haste to establish an alibi had entirely escaped my memory until I began to live over the events connected with that time."

So that was that, and so far as it went, it helped to bear out my theory. At least it contradicted nothing. There was another thing to be accounted for. From the start the priest had taken a position antagonistic to Charles Rich. Why? He employed every means at his disposal to cast doubt on Charles's word and action. It showed in the attitude

of those who were under his influence. It showed in the fact that he got the ear of everyone who, to his knowledge, came to town as investigator. It happened that there were some agencies at work that were unknown to him. But in the dearth of Americans on whom the government could depend for secret service, most of the federal agents sent to study the field were foreigners who spoke an imperfect English. These the priest took into his family and confidence, and without exception they showed their opinions colored by his.

If you ask why the town authorities permitted such intimacy between investigators and a citizen known to be prejudiced, it seems plain enough to me. Two of them were of the same religious persuasion. The other possessed the stamina of a weathercock.

The only thing that he ever showed stability in was holding to a wrong opinion. One of those wrong-thinking, pin-headed duffers you can find in almost any community. This one was elected to the position he was holding because he knew something about road building and that was the special program for the selectmen that year. Moreover, there were some old political debts that could be paid off by his election and it had seemed to the voters that this was a perfectly safe berth for a man of his type. He could do as little harm there as anywhere. Who could have guessed that raising this man to such a position at that particular time would give into his hands greater power over life and death than the town had ever given to anyone before, and make him responsible for the solution of the most important problem that the town had ever faced?

We had put a premium on incompetency. A little political jugglery had sold us into the hands of our enemies. For the town had its enemies. It had become involved in controversy that set it on the road to ruin, as direct a road as ever was surveyed and laid out to conduct the traveler to the nether regions.

Apropos of the family relation established between the secret service men and the priest, an amusing incident came to my attention. A woman working in her garden, which was adjacent to that of the priest's, overheard two of the federal agents talking together in French. It so happened that she herself was of French descent and thus came into possession of the fact that the father had asked them to "pick" her

and find out if anybody else was suspected, aside from Charles. Forewarned was forearmed. Conscious of her innocence of any knowledge that would help solve the problem, with a woman's intuition that all was not as it seemed, she determined on a plan for mystifying her interrogators and she carried it out successfully when the time came. They got nothing for their pains. She was poor picking. This came to me in a roundabout way, but supported, as far as it went, the evidence that was building itself up in my mind.

Ahead of us in this fog of unrest and suspicion, which threatened not only the peace of the town but the business life itself, loomed the fall elections. Heretofore, politics had entered into our town elections only enough to furnish a normal interest and excitement. The interests of the town were not divided. Usually both parties named unimpeachable candidates, men who would secure what they believed to be the good of the town according to traditional party standards. Men who, as far as their backers knew, were without personal prejudice or animus against any group or individual.

Not so this year. Lines were not party lines. The voters were divided according to their attitudes on the Dean case. Charles's friends or his calumniators. For or against. That was what lay behind the choices. Father Hennon, William Orcutt, and their following supported Peter Hogan for reelection. This meant, as I looked at it, that they recognized him as a handy tool. I was the more convinced that I was right in my surmise by a report that came to me by way of Harvey Foster. When the town treasurer was checking up on the bill sent in by Kent, the detective, the following conversation ensued:

TREASURER: Who hired you?
DEKERLOR: Father Hennon.
TREASURER: Who arranged the compensation?
DEKERLOR: Father Hennon.
TREASURER: You have brought in a bill for three days' labor here when we can prove that you were not in the town at all.
DEKERLOR: Father Hennon told me to go to Boston and start a publicity campaign. He told me to arrange with the

*Times,* if possible. If not, with the *Boston American.*

TREASURER: Did you consider the Rev. Hennon one of the selectmen and so authorized to give you orders?

DEKERLOR: No, but he said the selectmen would do as he told them.

That furnished me with enough reason for opposing Hogan's reelection with all the power I had, reinforced by any influence I could exert. I determined then and there not to stand by helplessly and watch the Rev. Hennon lead my town to the slaughter of public opinion — not like the shepherds of old with a crook in his hand, but with one on either side, before and behind him.

The following week it came to my knowledge that a circular, addressed to the voters in our district and signed by the selectmen, was being distributed to every voter in the district. It was an attack upon the good faith and honor of the Republican candidate for state senator. It accused him of opposing the prosecution of the Dean case and of attempting to obstruct justice. It was written in support of Peter Hogan as an independent candidate, and was signed by him as one of the selectmen. All statements made against Wilbur Webster were false, but it would take time to prove that, and in the meantime much harm might be done to both his cause and his character. It was time for action. I took upon myself the responsibility of going to the principal businessmen of the town — bankers, mill owners, merchants, and professional men — and stirring them up to call a mass meeting for the open discussion of the situation. It was time to step out in the open, cease to shut our eyes to the flagrant enmity that was being fostered against Rich, face it, and fight it. These reliable men were without exception on Rich's side. We got Rich out of town that night on a business errand, that our hands be not tied.

I'll tell you, that was a hot meeting! There were bitter attack and counterattack. The guns were trained on every avenue. If old animosities crept out of their coverts and bared their teeth, we took it all as a necessary accompaniment of a thorough showdown. As I held the floor in an appeal for fair play, I noticed Oscar Dillon watching me with a sneer on his face. At the sight, a half-forgotten incident flamed up in

my memory as clearly as if it had happened but the day before. I made immediate use of it in establishing my point. "We all need," I said, "one time or another, to have a generous interpretation put upon our acts. It is not many years ago that I had occasion to use compassion, a mistaken one perhaps, in the case of a boy of high school age who had disregarded the law in respect to breaking and entering and damaging property. He had broken into one of the summer camps and done some injury to the furniture that had been stored there. I remember that his case came up in the local police court and he was about to be sentenced to a term in the reform school. I had known him from childhood. I knew that a session in the reformatory often proved to be less a help toward reform than a hindrance. So I begged the judge to give him another chance, to regard his law-breaking in the light of a boyish prank rather than as a deliberate crime. I offered to stand sponsor for him and the judge gave him the chance. The boy was saved the disgrace of a term in the house of correction because of my putting a generous interpretation upon his act. It may not have been a wise move. I do not find that that boy profited much from my consideration. In point of fact, I find him taking an ungenerous attitude toward a fellow townsman tonight and giving credit to false statements concerning an honest man's character."

I turned and fixed my eyes on Oscar Dillon. Then I was seized with an inspiration and moved deliberately toward him. "Yet if that same boy, now grown to manhood, should tell all he knows about what happened at the Dean place on the night of the thirteenth of August, 1918, there might not be any mystery about the Dean case."

The color all drained out of his face and he raised his hand as if to ward off a blow. I could see him tremble like a leaf. A hush fell upon the meeting and prolonged itself. Then someone rose to speak and the attention of the company was drawn away from him. But under cover of the new interest, I saw Oscar Dillon, leaning on two companions, taken from the room. I watched. He did not come back.

That chance reference to a well-known incident did not account for his agitation — not to me. What did he know that he was concealing? If I ever saw abject fear depicted on a man's face, it is on Oscar

Dillon's whenever he meets me. He never speaks if he can avoid it. What is he afraid of?

The week following the mass meeting, Wilbur Webster came out in an announcement regarding the circular so inimical to his candidacy, which had been distributed throughout the district by the selectmen. "I deplore more than I can say this attempt to inject a purely local issue into politics," he began, and then and there denied and substantiated the denial of every charge made against him. The next week's issue of the local paper carried an appeal from the president of the Republican Club to the voters of the town. It ran in part like this:

> Voters: Your position is a difficult one. You, too, are vitally interested in the great national problems, but closer to you, a part of your everyday life and fairly gripping your hearts are the interests of your town, and because you love your town, because your town comes first, many of you will this year subordinate national issues. It is not with you a question of tariff, the income tax, the peace treaty, or the freedom of Ireland. You have an issue of your own. It has been forced upon you. It must and will be met. Camouflaged as an independent candidate or as a Women Voter's Committee, the issue remains the same.
>
> Your issue is the Freedom of your Town.
>
> If you desire a continuation of the campaign of bluff, falsehood, vilification, and abuse that has dragged the fair name of your town into the mire and made her the laughingstock of other communities, you will vote the Democratic ticket.
>
> If, on the other hand, you want your town returned to sanity, if you want to put your financial and administrative affairs in the hands of men who are big enough to handle them without instructions from a "throne room" — you will vote the straight Republican ticket.
>
> The choice is yours!
>
> I am, however, supremely confident that on the 2nd of next November you are going to roll up the biggest straight

Republican vote that ever has been, or ever will be during our generation, cast in the town.

It was signed by the president of the Republican Club.

I took occasion to talk with Kent, the imported detective, whenever opportunity offered. He was a boastful creature and, if permitted, would go on for hours telling of marvelous revelations that had resulted from his psychic activities. To specify, he ascribed to himself the major position in the solution of the recently solved Kruger tragedy, the brutal murder of a New York schoolgirl by an Italian repair-shop proprietor. He asserted confidently that neither Miss Humiston, who was credited with having solved the case, nor District Attorney Swan, who had prosecuted it, had taken a single important step without consulting him because of his peculiar psychic gifts, which amounted to intuition.

He claimed that it was at his suggestion that Miss Humiston, in company with Mr. Krone, an office assistant, had dug the body of the Kruger girl out of the cellar of the bicycle repair shop, where it had been concealed by the proprietor of the shop. He dwelt with such particularity of detail on his part in that famous case that it pricked me on to put his story to the proof. I accordingly appealed to an old friend, now established in New York, and asked him, under oath of secrecy, to make inquiries at the offices of Miss Humiston and the district attorney, to discover what they knew of this man, Kent, and his astounding powers and to what extent they had made use of them. An authentic report came back to me that no such person was known at either place. It was as I expected. But whether a case of exaggerated superiority complex, or of simple lying, I could not be sure.

He had, however, with his elaborate stories, put something over on the town officials, for they were still employing him secretly and in flagrant opposition to the orders they had received from protesting citizens at the vote of the last town meeting. I carefully laid away the answers to my questions among my archives and bided my time.

Although I took pains not to advertise my sympathies, it is so contrary to my nature to conceal my sentiments on any subject that my position soon brought me into bad odor with the officials and those

in sympathy with them. Presently I found my practice falling off. Families that had for years depended on what I had of skill in treatment and diagnosis began to call in my competitor. I saw his car parked at their gates. In this way they set themselves at defiance of me and my opinions. My income decreased with my clientele. I could see that my wife was worried over the situation, and I could not blame her. The end of the year found me more than a thousand dollars in the hole. If it had not happened that a friend who was connected with a magazine offered me just then a medical column in his periodical, it would have gone hard with us. But faced with the alternatives that confronted me, I could only cry with Martin Luther at a time of stress, "God help me, I can do no other."

Feeling ran so high at that time that it wasn't loss of business alone that threatened me. I knew myself watched. I began to admit the possibility of personal attack. I applied for a permit to carry a revolver. Moreover, I began to give special attention to the voices of those who called me on the telephone, especially if the order was for a night call, or one in a remote district reached by back roads little used.

Then one day Charlie Howard came to me with a request. I had had the good fortune to do Charlie a favor in his boyhood and, again, since my return. He was one of those rare people who recognize an obligation and do not seek a way to shirk it. He was a fine, broad-shouldered, handsome young man. I had always liked Charlie and I received him warmly when he called. He seemed a little embarrassed, I thought, as if he hesitated to introduce the subject that had brought him to me. So after a bit, I helped him out. "Well, my boy, what did you come to see me about? Some professional advice?"

His face lighted up with something akin to relief. "Yes, Doc, in a way. Anyhow, it has to do with your profession. I want you to promise me something. If you get a night call, I want you to promise to take me along. Ring me up. I'll come at any hour of the night. I want to do it."

I studied him before I replied. His face was earnest, almost beseeching. "I don't see how I can do that, Charlie. That's asking too much of any man. It looks to me like taking advantage of your friendly feeling for me. And I want you to know that just now that friendly feel-

ing means more to me than even the friendly act would. I am in need of all the friends I have. They are running fairly low at present."

"I know, Doc," he said soberly. "I hear a lot of loose talk around the mill." He was a foreman there, a good worker with a clear eye and a well-governed tongue. "I hear more than you do and I know what I am talking about when I ask you to do me this favor."

I could see that he meant it. "All right, Charlie," I said, "I'll take you on. And remember, boy, it is something I'll never forget." I held out my hand. He gripped it with relief in his look.

"And there's another thing. I want you to get a permit to go armed all the time — day and night."

I laughed. "I've already seen to that," I said. "Anything more?"

"Yes. Don't go into a dark garage. Turn on the light before you enter."

I laughed again. "I do that, too. I had a little start one night that suggested possibilities to me. It was a time when I didn't keep the door locked, so as to save time if I had a hurry call. As I rolled back the door I was conscious, in that unexplainable way that we all know, that someone was there besides me. At the same time I realized that as I stood in the starlit doorway I must be outlined distinctly against the black interior. I stepped back hastily into the shadow of the car, and as I turned on the headlights I caught a glimpse of a shadow moving out of the radius of their light and melting into the deep shade of the shrubbery. Since that time I've turned on the outside light before the inside one, and have kept in the protection of the door as I have rolled it back. Does that satisfy you?"

"It relieves me," he said frankly. "I've known you a number of years, you know, Doctor."

So it was arranged between us, and all the rest of that year Charlie Howard rode with me as I responded to night calls.

Another thing that happened brought home to me the certainty that my movements were watched. I had occasion to go to Maine to consult my friend, the editor, with regard to my column in his periodical. As I changed trains at Gardner, I noticed a rather insignificant little man swinging off, too. I thought nothing of it except that it crossed my mind to wonder what business a man who looked so in-

adequate could be fitted for. I should never have thought of him again, but for the fact that as I came back from the smoking car I found that he was occupying the seat behind mine. I gave him a second glance, to assure myself of his identity, and dismissed him from my mind.

At the Boston station, as I bought my ticket for Portland, I noticed that he was next in line behind me and it occurred to me that the propinquity might not be accidental. When I found him on the same train out of Boston for Portland, and in the same car, I was sure of it. It struck me that I might get some amusement in giving him a run for his money. Accordingly, I picked up my belongings at the next station and changed to the car forward. In a few minutes I discovered him in a seat across the aisle and two seats back. That settled it as far as I was concerned. I *was* under observation, for some reason unknown to me.

I met my friend, Otis, at the appointed place and held the conference we had planned. It was satisfactory to both of us and did not take long. As we came out of his office to take a taxi for a little sightseeing, I saw my friend of the observant eye waiting in the entrance to a store across the street. I pointed him out: "There's somebody who is shadowing me. I wish you would keep a casual eye upon him."

As we hailed a taxi, he signaled another and toured the place, following our route at a discreet distance but never losing sight of us. When we finally brought up at the railway station in good time for the train that would take me back to Boston, Otis reported him just behind.

"He doesn't look dangerous," Otis said, "but you'd better watch out. You never can tell what motive actuates a man like that. There's evidently something up. You are of more interest to him than the situation seems to warrant."

I never could take personal danger seriously. At the thought of the possibilities that were involved, a spirit of impish bravado took me. I laid my coat carefully folded on the seat that I had selected and then gave a searching glance at my trailer, who was two seats behind. I walked deliberately toward him. There's nothing like taking the bull by the horns. He turned pale as I stopped in the aisle beside him. Count one for me.

"Haven't I seen you somewhere before?" I asked, taking the vacant seat at his side. "You have a very familiar look." And I let my eyes

wander rather searchingly over him. He was manifestly disconcerted as he attempted a stammering rejoinder. I went on with some relish. "My name is Sweeney, Dr. Sweeney." And I gave him the name of my hometown. "Maybe I've met you professionally? No?" as he made denial. "Disclaim the honor, do you?" I remarked jovially. "Well, I know I have seen you before. I am rather remarkable that way. I never forget a face I have once seen." His face wore a startled look as I stole a glance at him. "There was one occasion when I was instrumental in bringing a criminal to justice by reason of this faculty," and I launched into an imaginary report of a marvelous exhibition of my powers, ending in a dramatic courtroom scene. His discomfiture gave the needed stimulus to my imagination and I rounded out a very creditable piece of fiction. "Well, I won't keep you from your paper," I said at the end of my story, and I returned to my seat with the satisfaction of one who has sowed a good crop of lively seed capable of producing a bountiful harvest.

I guessed he wouldn't bring himself under my observation again voluntarily. And he didn't. On the contrary, on the few occasions that led him across my path later, he took great pains to avoid recognition. However, my claim of ability to remember faces I had once seen was no mere idle boast. It would have to be a pretty effectual disguise that could escape my powers of retention. Little oddities of manner, peculiarities of outline or of expression, seem to make a permanent record on my mental retina. However, while I admit this interview with my shadow was a species of braggadocio, it nevertheless tickled my sense of humor to have made the attack myself instead of having waited for it to be made upon me. Over an inferior mind, such as I believed a man in that profession to possess, I felt that I had gained a signal advantage. It gave me a buoyancy of spirit that helped me over some hard places later.

And there is no use in denying that there were some pretty rocky places in my road during that period of our town history. My sympathies were too much involved to permit me to take a neutral attitude. I could not turn my mind from the pursuit of proofs that would substantiate my suspicions. All my working hours outside the demands of professional duty were spent in feverish speculation. And I bor-

rowed of the night hours in which I should have been asleep to construct my theories. Exhaustion alone put an end to my activities in that line. Friends urged me to discontinue the search for a solution that seemed so impossible, and that was only leading me deeper and deeper into the quagmire of personal enmity.

"It gets you nowhere," Wilbur Webster warned me. "And I warn you, if you have a skeleton in your closet, it will be dragged to light."

I said, "I've not only no skeleton in my closet, Webster. I've not even a closet."

"That's no proof that they won't build you one," he said. "See what they've put on Rich!" And I did see, but there was something within me that refused to be bought off, even at the price of my own safety and my personal success.

One of the difficulties in my course was created by Rich himself — I could not talk to him freely about the problem. About everything else, I found him meeting me in the old freedom of discussion. But this thing that hung over him and threatened his very life — this he ignored completely. It was as if he felt by ignoring it he could succeed in destroying it, rendering it null. I often sought him out in the bank, where he remained late and conspicuously within range of the observation of his townsmen, but he never once referred to the subject that must have been uppermost in the minds of both. And I could not break through the covering of reserve with which he wrapped himself, for I could understand his feeling and respect it. It made my problem just that much more difficult, however. I did warn him now and again against remaining alone at the bank so late at night, but he merely made light of my fears.

So things went on through a great part of that second summer without much change, but there came a time at length when it seemed that something drastic must be done. In making a call on one of my patients I came upon a disconcerting bit of information. My patient, who had been spending the season at one of the inns, had taken a great deal of interest in the Dean case through hearing me discuss it. As I rose to go one night after having made my professional call, she signaled me to stay while she made an excuse to get the nurse out of the room.

She then hurriedly whispered to me, "I wanted to tell you that there is to be a concerted movement of the enemies of your friend tonight. I overheard the maids discussing it as they were putting the room next mine in order. They did not know that my door was ajar sufficiently for me to get the drift of their remarks. I felt you should know. Something might be done to forestall the mad action of a mob."

I thanked her and tried to allay her nervous tension by seeming to belittle the danger. "Don't you worry," I said. "It's largely talk. They are of the type who talk big and act little, if at all."

But she wasn't easily appeased. "Their plan is laid — and for tonight. You know what a mob is like. You can't reason with a mob."

I said soothingly, "You just trust it to me. I'll see that nothing comes of it."

But I spoke with more confidence than I felt. Tonight! That gave me little time — especially as I had had a surprising number of pressing calls that day. It almost seemed that there was a conspiracy to keep me too busy to act.

But in the intervals between professional visits and office appointments I figured out that my best move was to consult with the county officials, and accordingly, after supper, I started for the county seat. I took the road over the mountain. The sky was threatening when I started and on the mountain I met such a deluge as even our unaccountable weatherman rarely furnishes. The rain fell in torrents, and to cap the climax, my battery began to show signs of refusing to function on the steep grade. I was beaten and knew it. Unwillingly, I turned my car toward home, hoping that the battery would hold out on the downgrade and praying that I might avoid the necessity of having, by some turn of adverse fate, to start the engine again.

My hope was well grounded. My battery did hold out until I reached home, and the storm increasing to a tempest, I reasoned that any hotheads among us would be cooled in that downpour and that the mob would wait for a more suitable night to carry out its purpose against a man who had no thought of taking flight. I was right. The night passed without incident. Perhaps the hotheads had been proportionately too few to stampede the crowd into action on the following night — for that night, too, failed to see the disturbance that had threatened.

In the meantime, I had got busy. I called the town leaders and laid the situation before them. I said, "Something has got to be done. We can't wait for another demonstration to be attempted against our foremost citizen. What do you suggest, gentlemen? The first thing we know, a crime will have been committed that will stain with innocent blood half the inhabitants of this town. There is underhanded scheming going on among us. Plotting! There's no telling where the lightning will strike next. What are we going to do about it?"

"We've got to stir Rich to action," said Webster. "He has been going on the supposition that innocence needs no defense, but that principle isn't working here. He'll have to bring the war into the enemy's country."

"There's something here, all right," agreed Zed Albee. "Somebody is interested in throwing out a smokescreen and behind it working to establish someone else's guilt. I propose that we wait upon Rich in a body — we whom he will recognize as friends, those who have his interest at heart — and put the matter up to him."

So it was brought about. Attending that meeting was the hardest thing I ever did. To hammer home the insult of his townsmen's suspicion on a man who had been doing everything in his power to disbelieve it. To tear away from him the shield of self-respect that remained to him in the fact that that suspicion had not been definitely formulated in words. To deny him the protection that his refusal to credit the truth offered him. But there seemed nothing else to do.

I shall never forget Rich's expression when he faced us. It was as if his soul had been stripped naked and defenseless and left to shiver in the cold blasts of the truth that he had been refusing to admit.

We told him, "The thing has got to be faced, Charles. It can't be ignored. A desperate attempt is being made to put you up as a shield for the real criminal."

"Boys," he said, "I can't make myself believe that anybody could take me for a man who would conceal knowledge that would bring to justice the murderer of his best friend. Surely, there isn't anybody in the world who could think so poorly of me as that?"

"Whatever they think, that is what they're trying to put across. Did you read the *Boston American* yesterday?"

He shook his head. "I have stopped reading what the papers have printed on the case. I couldn't read that and keep on with my work."

"But you see, others read it, and if some public denial doesn't meet the charge, the reading public is going to credit it."

He turned a haggard face to us. "You don't mean, boys, that there are people who believe — really believe — in their souls that I could do this thing?"

I spoke out. "We don't, Charles. We know you. But only three days ago some of your townsmen had a plan all cooked up to mob you! It's an awful thing to have to tell you, but it's the truth. Only accident prevented them from carrying out the plan. If you are not afraid for your skin, and I believe you are not, you can't be a party to a crime like that. You don't want to saddle the consciences of a lot of your neighbors with the weight of an act such as they had planned."

I had touched the right chord to get prompt reaction. I never knew a man so considerate of his neighbors, however unworthy they might be. "No, boys, I can't risk that," he said slowly. "What do you suggest that I do? I thought if I went on ignoring their innuendoes, the thing would die out. I have been brought up to believe that the best way to meet a lie was to live it down."

Zed Albee spoke. "Charles, you've tried that as long as it is safe. You've got to strike back. They are getting bolder and bolder in their attacks. They're even using the metropolitan dailies to further their ends. I suggest that you bring a libel suit against the *Boston American.* They've laid themselves open to it."

"You realize that I'm not a rich man — that it will mean stripping me of my life's savings to fight a metropolitan daily? You realize what resources they have to fall back upon?"

"We'll stand behind you. We're ready to assume the burden of this case for the good of the town. It would be cheap at that."

"I should never accept that of you. But I can't begin to tell you what it means to me that you can take that attitude in the face of these adverse circumstances."

"There isn't a responsible man in town who isn't back of this," we assured him. "It is the irresponsible ones we fear."

As a result of that meeting, the flag of defiance was flung out! The very next morning's paper furnished us our cue. A lurid headline flashed before its readers the words "New Hampshire's Disgrace," and there followed an arraignment of "corporate negligence and official remissness." There followed also an attack upon all officials, beginning with the governor and the attorney general and ending with the chief citizens of the town where the Dean murder had been committed. A declaration of their cowardice and procrastination was made, condemning their delay in bringing to justice the guilty ones, and basing their condemnation on the fact that with "such incriminating circumstances and developments as have from time to time been published," the state had not done something decisive.

There were references to Charles Rich and Mr. Colfelt so plain that there was no possible chance of misunderstanding them. The governor himself was so openly attacked that he was stirred, the day following the editorial outburst, to make public defense of his own position, using moderate terms but presenting facts in opposition to the workings of the imagination. Against the charge of failure to investigate, he presented this very restrained statement in a letter to the editor:

> Perhaps you did not mean by your editorial that there had been no investigation, but it reads that way. The fact is, that there was held, by the state authorities, a very exhaustive investigation of every detail of the case, and that, by the only means known to our law, and under our constitution, a grand jury investigation. It was a matter wholly for the courts, the attorney general and county solicitor. I did make extensive personal inquiry to see if there was any chance that any public official had been unfaithful to his trust. I found nothing of the sort. The grand jury were the only body to pass upon the case, and they had more knowledge of the case than any who are passing judgment now. I could find no evidence that sinister influences were at work among the officials, nor any neglect of duty. The court saw none, or it would have acted.

But temperate expressions of truth, or arguments against hysterical mania, were of slight avail. There was nothing to do but to wheel our guns into position and train them against the enemy. And there was the hope that that might have the effect of opening their eyes to the fact that all the weapons they had to use against us were void of ammunition. If they could once be made to realize that, order might be brought out of the present chaos and peace descend upon the town.

But even with this start made, the fall elections failed to dislodge our most unreasoning official. It was a manufacturing town and many of the voters were of the type to believe the worst of anyone who had position and supposed wealth. There is probably a psychological explanation for all such civic decisions. It may mean that they interpret the actions of those in high places by what they know they would do themselves in such places. That's the only way I can account for what happened at that election. There were too many that preferred to believe evil of a foremost citizen, when coached by a leader who ranked in intelligence along with them.

As with all mob reasoning, the more improbable the conclusion, the more likely it was to be accepted. If I should go into the details of that fight, you wouldn't believe it, but it ended, as we had planned, in Rich's bringing action against the *Boston American,* which had been the newspaper most arrogant in attack. That was the goal we had set ourselves. We felt sure that if we could expose to the light of publicity the arguments and reasoning that had brought adverse judgment on Rich, the public must necessarily see on how slight evidence it was based.

In the meantime I primed my own weapons. While I realized that what I surmised lacked the essential of proof, it still, as so often happens with circumstantial evidence, had in it every element of probability. I felt that if my guess could be formulated properly and put into the right hands, there was enough vital truth in it to support my faith.

Some intuitions come nearer the truth than cold facts themselves. We have all had experience with such phenomena. Acting on this urge, I went to work and outlined my reasons for thinking as I did. There was a quite formidable list when I set them down and numbered them. I thus made certain that I should be prepared to name and back

them when the time came to produce them, and having prepared myself for the emergency I expected, I bided my time.

But while I waited for the opportunity to present my twenty-eight points, the trial against the *Boston American* was called for the spring term of court.

# 17

# *The Reporter and the Libel Suit*

I was particularly annoyed that spring of 1919 to get the assignment that the paper handed me. I had just moved to a suburb the fall before and the bulbs, which I had set out on taking possession of the property, were beginning to prick through the dark soil in green, purple, and yellowish spires, according to their several natures. I had promised myself the pleasure of watching their growth from the intimacy of daily companionship. The evils of commuting I had also promised myself were to be greatly extenuated if I might at odd hours indulge in the passionate pastime of gardening.

So that pleasant March morning, when the managing editor called me into his office and assigned me duty in the remote vastness of the Monadnock region, I was anything but pleased. Moreover, there was Betty to be thought of. How would she relish being left with no company but that of Junior both night and day? To be sure, she had got over her first fear of a detached house, but until now she had had me as a protector of nights. The possibility of real danger to which she might be exposed, as well as to those fears and unnamed terrors that are likely to fasten on women when they face the nights alone, made me uneasy.

I said as much to Wes Butler that night on the 5:20 as I dropped into the seat beside him. He also was a newspaper man, and being near neighbors we had formed the habit of discussing our affairs and exchanging opinions on the way out from town. He, too, seemed steeped in gloom that night but brightened up when I mentioned my problem.

"Did they assign you to that case, too?" he inquired.

"Are you in on that?" I came back. And then I remembered that it was the *Boston American* with which he was connected. "Why, it's your paper that is involved, isn't it? Doesn't that beat the Dutch."

"Yes, the old man put it over on me, as a sort of test of my loyalty. What bait did they use to catch you?"

"The same or similar. They made me feel that I owed it to the paper to stifle my personal predilections as a householder and prospective gardener in the interests of the sheet. The more that our 'esteemed contemporary' was going to figure in the case and might get a blow on the off side."

"Well," said Wes gloomily, "we can at least support each other in this deadly climate to which we are relegated. Winter'll be only about half over. Up there, the worst half still to go. Perhaps we can share a room and save expense."

"With the understanding that we are enemies, sworn to take opposing views of every feature of the case, agreed! I can't imagine anything more futile than a libel case, or one that would offer less interest."

"You forget that it involves certain phases of the famous Dean case," suggested Wes.

"Oh, it does? I hadn't realized that. And that mystery has never been solved, has it?"

"No. And we propose to suggest a solution before the thing is over, or so I gathered from what the old man let fall."

Spring had begun but only halfheartedly in the Keene valley when we reached it. The sun struck into the worn courtroom with a sharp slant that penetrated and disclosed all its defects, but lighted the dusty panes with a yellow promise of warmth to which the mountain winds outside the courtroom gave the lie. We shivered in our spring overcoats that the date on the calendar had encouraged us to take.

The old hostelry in which we were registered was well and favorably known. It was comfortable in housing and famous for its cooking. In addition, it was but a few steps across the square from the courthouse. But the large foyer was dimly lighted and furnished with an economy of comfort, which its stout, hard-seated wooden chairs, set in rows along the wall, perfectly typified. Its ceiled walls left an im-

pression of bareness that was somewhat modified by the painstaking cabinet finish and the carving on the desk and on the heavy staircase that mounted uncompromisingly to the second floor.

A hint of tobacco smoke hung permanently about the ceiling and the corners of the room, for this was the general gathering place for guests, transients, and townsmen who hoped to gather information on topics of prevailing interest.

As we stood about the morning after our arrival, waiting our chance at the news counter, the bootblack, or the telephone booths, I noticed a group of three people coming down the stairs. The women were modest in their demeanor but not timid. They bore a striking family resemblance to each other and carried themselves with an air that at the same time lacked self-consciousness yet conveyed the sense of self-respect. The man was the type often seen in country towns. He had the look of one who was accustomed to carrying heavy responsibility, was possessed of sound judgment, and had a conscientious regard for duty. His face was that of a trained and independent thinker. He recognized several of the crowd in the foyer in a friendly, unembarrassed way. I was favorably impressed by the appearance of the group, and not a little surprised to find when we reached the courthouse that these were the principals in the suit against the *Boston American*. I pointed them out to Wes with some malevolence.

"If they have brought action against your paper, I'll lay you a bet that they've got the goods on it. If you are going to inoculate me with the idea that these people would either commit murder or conceal it, you'll have to use a more effective virus than I think you've furnished yourself."

Wes glanced around the courtroom. "Which are the ones who are bringing suit? You mean that group over there?" He regarded them fixedly a moment and then glanced back at me with a humorous admission in his eye, which his words belied: "Oh, you're all off! Your psychology is out of gear. We'll make that bunch look like two cents before we are through with them."

"What odds will you put up?" I asked as we sat down at the allotted desk and laid out note pads and pencils. I began to feel an interest in the case and looked over the jury in an effort to estimate their

capacity to weigh and consider evidence. They appeared to be a representative body of the average man. I reflected that the strength of the system of trial by jury lay in the emphasis put upon the judgment of the average man. I wondered if it were possible to select twelve men in a community as intimate as a country community must necessarily be, without including some who might not be impartial. And there crossed my mind the famous dictum of Abraham Lincoln: "God alone can tell what a jury will decide."

As I speculated on the possibilities of the outcome, the judge entered. The sergeant at arms went perfunctorily through his formula. The audience hastily rose, then stood until the judge had seated himself. The court was called.

Almost from the first I became aware of a tendency on the part of the defense to evade the point at issue and to carry the war over into the enemy's country. It conveyed by implication through the turn of the questions that theirs was the side making the attack. The lawyers were either more astute or more unprincipled, for the witnesses who were called showed the effect of careful coaching. The truth of my conjecture in this regard was evident even to the man in the street. This was made clear by the words of a cobbler into whose shop I chanced to go at the end of the second day of the trial. He recognized me as a stranger and with the interest of the native countryman, which never quite seems impertinence but merely friendly curiosity, asked if I were in town for the trial. When I admitted it, he said shrewdly, "They are supposed to be trying a libel suit up there at the courthouse, but from what I can gather they seem to be trying a murder case. That man Rich is well known in these parts. He's served the county in politics, served a term as state senator, and has been on the governor's council. I've voted for him more than once. He's always had a reputation for honesty and good judgment. A sound man. I'd hate to see a lawyer get him in wrong, just by outsmarting the other side."

With that disinterested witness to the local point of view in mind, I returned to the courtroom and gave myself up to an intent observation of the proceedings. The usual preliminaries consequent upon the opening of the court followed. Mr. Upton, the lawyer for the plaintiff stated his case. He was a young man with a friendly and seemingly

casual manner to which an alert eye gave the lie. He had a humorous mouth and a careless air, and slouched with his elbow on the desk behind him as he took the jury into his confidence in an easy, conversational voice. I had heard of him as one who had the reputation of being a wizard with a jury, and I saw a pleased response on the faces of most of his auditors as he rose.

He said, in part: "My client has waited two years before bringing this suit in order to give the selectmen of his town any opportunity that they might want to prefer charges. Charges have not been preferred, but misrepresentations have been published by word of mouth and in the press. These my client is no longer willing to overlook. He brings suit therefore. He comes in to you," here the speaker withdrew his hand from his pocket and waved it toward the jurors, "and asks damages for the publication of these misrepresentations. The issue involves not merely money damages, but the vindication of his reputation in the community where he lives." He nodded toward the jury box and retired unexpectedly. I thought, "Brief and to the point. No pyrotechnics." And I began to understand his power over a jury.

Mr. MacFarland, the lawyer for the defense, was the exact opposite in manner and appearance. He was large, handsome, well groomed, and of a formality quite distinguished. He looked like a man who represented big interest — as he did. He said that through him, the defendant denied having made any charges of crime, but admitted that statements had been made and published charging the plaintiff with having undisclosed information about the Dean murder. He pleaded that they were true and made without malice and without naming anyone. There was in his method more of the oratorical than in that of the other, and he ended with something of a flourish.

I wondered what the effect of the rugged versus the polished might have upon these local jurors — whether they would be led away by his confidence, or antagonized by a type foreign to their own standards and experience.

Then I turned my attention to the judge as the rulings were read. He was a man of New England habit, tempered by some strain of Irish ancestry. I found myself listening to the words of the ruling with interest:

"It often happens in the trial of a lawsuit that testimony is offered for a certain purpose, bearing on a certain issue, where it is not proper to consider it in connection with other issues.

"In this case, there is the question of the defendant's good or bad faith, of his good will or malice toward the plaintiff — and there is also the question of damages, which depends in some measure on the question of malice. The defendant does not claim either that Mr. Rich murdered Mr. Dean, or that he was an accessory before the fact, or an accessory after the fact. The claim is that he had certain knowledge in connection with it that he has not disclosed. This testimony, which you are about to receive, is not to be considered at all as showing any connection on the plaintiff's part with the murder in any way, directly or indirectly, in whatever direction the questioning may indicate. It is merely to be considered in its bearing on the defendant's malice, or otherwise, or the question of damages."

The voice, calm and deliberate, ceased. The battle had been set in array!

There was from the outset something tense in the atmosphere of the courtroom, as if there were lurking there something more than met eye or ear. I watched the faces of the principals as the witnesses were called, one by one, and found myself judging these witnesses according to the emotion registered on the faces of those intent listeners. Each witness was subjected to a scrutiny so sharply keen that to meet it must have been an ordeal. One witness in particular reacted under that test most alarmingly. He was a man of florid complexion and shifty eye. He took the stand hesitatingly and faced the lawyer as one facing an inquisition.

"Your name?"

"Edward Boynton."

"You are a resident of the town of Jaffrey?"

"I am."

"You are a member of the board of selectmen in that town?"

"I am."

"For how long have you held this position?"

"For three years."

"And during this time you have caused various letters and statements to be issued to the public press?"

"A number."

"I call your attention to an interview or statement and ask if such an interview or statement was given by the board of selectmen?"

He passed a clipping to the witness, who spent some time studying it doubtfully.

"Well?" The voice was crisp and curt.

"I can't remember definitely about that — but we signed it so it must be."

"It was issued by the *Boston American*?"

"Yes, sir."

"And it appeared in their number of January 30, 1919?"

"I remember something about it."

"I ask to have it marked." He turned to the clerk.

"The *Boston American* is a newspaper having a circulation in New Hampshire?"

"Yes."

"And you and Mr. Hogan took it regularly?"

"I didn't. I never have."

"Mr. Hogan did?"

"I don't know."

"Don't you know he read it?"

"I know he did part of the time."

"Referring to plaintiff's Exhibit 1, how was it given to the *Boston American*? Sent by messenger, or mailed, or in what way?"

"I think we mailed it."

"It was sent to Boston, Massachusetts?"

"Yes."

"Signed by you and Mr. Hogan and the other board member?"

"Yes."

He turned to the court. "I ask that Exhibit 2 be formally received at this time." The questioning continued.

"Who actually did the typing of the paper sent to the *Boston American*?"

"I did."

"Did you keep a carbon copy?"

"I did not."

"I hand you these two exhibits, 1 and 2. Are they alike?"

The hand that took the papers from the questioner shook. He studied the two nervously.

"This one is longer than the other," he said at last, indicating one of them. "We never wrote one as long as this one."

"Did you tell us that you prepared the paper sent to the *Boston American*?"

"Yes."

"Are they alike?"

"These two read a good deal alike."

"How about the third paragraph?"

"It stops right there."

"Now in that third paragraph, Exhibit 1, we find these words: 'We wish to state that the *Boston American* has done a distinct public service in this matter.' Do you admit those words are your own as indicated by the signatures of the selectmen?"

The face of the witness turned a dark crimson as he strove to answer. No word came. He swallowed apprehensively and tried again to speak.

"What is the matter, Mr. Boynton?"

The witness put his hand to his throat. The faces in the courtroom took on a look of horror. Was he going to collapse? No. After a momentary struggle, he found his voice:

"We didn't mention any names."

"Did you not expect the readers of the paper to recognize whom you were referring to?"

He choked again.

"Yes or no?" The voice was inexorably cold and firm.

"We thought it possible."

"And did they recognize that?"

"We don't know."

"No one ever spoke to you about the article and commented on it?"

"I don't remember."

"What led you to question the loyalty of a man of Mr. Rich's recognized standing?"

"Well, he said of Colfelt that he was doubtless as good an American as I was."

"Did you have any proof to the contrary?"

"I knew what everybody said about him, except Rich."

"And this rumor was the only reason you had for judging a neighbor adversely?"

"Well, there was another thing that I never heard explained."

"And that was?"

"How Rich's lantern happened to be up at the Dean place the night of August thirteenth."

"And you have knowledge that it was?"

"Yes."

"Hearsay, or personally?"

"I rode down from the Dean place with Mrs. Rich and her sister on the following afternoon and I heard Mr. Rich say that she must get their lantern, they might have need of it, and she went back into the house and brought it out. I have wondered, since, how it came to be there."

"And you never heard the explanation?"

"Not that I remember."

But Boynton's failure to remember anything definitely did not clear his testimony of doubt. The courtroom was of one opinion, so far as I could gather, concerning the reason for his spasm of choking. I heard the lawyer for the plaintiff express what seemed the logical explanation. "What did you think was the matter with Boynton?" he asked one of the attendants at the lunch hour.

The man laughed. "I thought he was going to choke over his own lie. What did you think?"

"I thought so, too."

# 18

# *Testimony of Peter Hogan and Others*

The first witness in the afternoon session was Peter Hogan.

"What is your business, Mr. Hogan?"

"Town business has taken up most of my time for the last two years."

"You have charge of the water works?"

"Yes."

"You are on the board of selectmen?"

"I am."

"At what time did you receive notice that anything out of the ordinary had happened at the Dean place on August 13, 1918?"

"It was somewhere between 2 and 2:30 in the afternoon."

"From whom did you hear it?"

"From Mr. Boynton."

"Did you go to the Dean farm?"

"I did."

"Was that the first time you had been there that day?"

"Yes."

"Were you there when the body was taken from the cistern?"

"Yes."

"Where was it laid?"

"On the ground just north of the cistern."

"Were you present on the occasion when the detective, Kent, placed a paper on Mr. Rich's head and made some comment?"

"I was."

"Tell the jury what you know about that incident."

"Why, there was a company of us who were searching the premises for clues to the murderer. Kent was along and had a paper, a kind of map, in his hand. He told of having placed it on a stone and on the steps of the barn, and then he turned and slapped it on Rich's head and said, 'And strange to say, it fits the wounds on your face, Mr. Rich. How did you come by that black eye?'"

"Did you hear Mr. Rich's reply?"

"Yes. He said, 'I don't know that I wish to tell, in this company, but I can tell in the proper time and place. I can tell under oath.'"

"Did you see the marks on his face?"

"No."

"Have you ever borne him any ill will?"

"On the contrary, I have always liked him."

"You have done business with him?"

"Yes, many years."

"Now, tell the jury when it was first called to your attention that there were signal lights being shown in the town."

"I first heard of it along in May."

"Did you yourself look for lights?"

"Not at first. Not until the chief of police asked the board of selectmen to do something about it. He asked us to issue permits for two federal officers to carry firearms."

"Was it called to your attention after Mr. Dean's death that there were lights?"

"Yes."

"Did you go anywhere to observe the lights?"

"I did."

"Where did you go?

"I went on several hills. My own home has a very good view. I went on the roof of my house and on Elliott's roof."

"How many nights did you go to the Elliotts'?"

"Maybe a half dozen."

"What sort of lights did you see?"

"They were different in different places. Some places there were

single lights, some three in a row, and I saw different colored lights from Temple Mountain and searchlights from Monadnock."

"Did you see lights in Mr. Rich's house from the Elliott roof?"

"Yes, I saw lights that appeared as if somebody snapped an electric light on and off."

Mrs. Rich exchanged a wearily significant glance with her sister.

"Did you ever see a return flash?"

"No, I wasn't quick enough to catch an answer from any of the hills."

"You have read the twenty-odd counts in the indictment?"

"I have."

"Did you ever say to Mr. Orcutt, pointing to Mr. Rich, 'That son of a _____ knows more about the Dean murder than he is willing to tell'?"

"No."

"Did you ever say to Mr. Orcutt, 'If that man over there in the bank would tell what he knows, the Dean mystery would be cleared up'?"

"No."

"Did you ever tell Mr. Webster that possibly Rich was connected with some of these suspected spies, in money matters, and got so tangled up that it was impossible to extricate himself?"

"No."

"Did you ever say 'A man can sit in a chair and be tried for murder but once and we don't want to lose him'?"

"No."

"Did you ever say that he was backed up by the Masons of the county so that a fair trial would be impossible to get?"

"No."

"What, at any time, have you said?"

"I have said," he hesitated and felt his way carefully, as one recalls a memorized lesson, "that perhaps he knew more about the case than he was willing to tell."

After which general denial of all incriminating expressions, the witness was turned over to the opposing lawyer for cross-examination.

"Will you repeat, Mr. Hogan, the remark that you admit having made about Mr. Rich?"

Again the witness recalled hesitatingly the sentence and repeated it as a child repeats a memorized lesson.

"You have talked over this subject many times with various of your townsmen?"

"I have."

"And you have always used these exact words that you have repeated here before the court?"

"I have," he said belligerently.

"You are sure you have never varied them in the slightest?"

"Yes, I am sure."

"You are well acquainted with this gentleman in the third seat from your left in the front row?"

The witness glanced around. "Yes."

"Will you tell the court his name?"

"Wilbur Webster."

"And the gentleman at his left?"

"Yes. William Orcutt."

"You would take the word of either under oath?"

"Yes."

"You have sometimes talked with them on this subject?"

"I may have."

"You mean you don't remember?"

There was a stir in the courtroom. The witness glanced about rather wildly. Then he said hastily, "I do remember. I have talked with them."

"That is all. I beg permission of the court to call Mr. Wilbur Webster to the witness stand."

"Permission granted."

Duly identified and sworn, Mr. Webster was asked: "What, at any time, have you heard Mr. Hogan say concerning Mr. Rich's connection with the Dean case?"

"On one occasion I heard him say, 'A man can sit in a chair and be tried but once. We don't want to lose Rich!'"

"To whom did he say this?"

"He said it to me, personally."

"On what occasion?"

"On the eighteenth of September 1919."

"What makes you so sure of the date?"

"There was a town celebration of Old Home Day on that date and we met on the corner by the bank and held a brief conversation."

"You have a witness to that remark?"

"I have."

"Will you tell the court who it is?"

"It is William Orcutt."

"I ask that William Orcutt be called to the stand."

Mr. Orcutt, having been identified and sworn, was asked:

"What, at any time, have you heard Mr. Hogan say relative to Mr. Rich's connection with the Dean case?"

"I heard him say, 'A man can sit in a chair and be tried for murder but once. We don't want to lose Rich.'"

"On what occasion did you hear this?"

"On the street corner by the bank, September 18, 1919."

"In whose company were you at the time?"

"Besides Mr. Hogan's I was in Mr. Wilbur Webster's company."

"Have you frequently talked with Mr. Hogan on this topic?"

"Yes."

"Did you ever hear Mr. Hogan say —" he consulted his papers — 'Perhaps Rich knows more about the Dean case than he is willing to tell'?"

"I have not. I never heard him say anything so moderate as that."

"Will you repeat to the jury anything else that you remember to have heard him say?"

"I heard him say at one time, 'Rich has got himself tangled up so tight with Colfelt in some sort of money deal that he can't get himself loose.'"

"You took it for an assertion of something he had cognizance of?"

"I took it for a guess." The auditors laughed.

"The witness is yours." The lawyer turned to his opponent.

The attorney for the defense shook his head. "Cross-examination waived," he said.

"I call Mr. Eldredge to the stand."

The witness was identified and took the oath.

"Have you ever read this article before?" He was handed a clipping.

"Yes."

"You recognize it as taken from what issue?"

"The *Boston American* issue of August 10, 1919. I, myself, cut out the clipping and entered the date on the margin."

"You recognize this writing as your own?"

"I do."

"Will you tell the court what led you to cut out this clipping?"

"I was shocked at the suggestion I found in it and saved it to show to a friend and see if he got the same impression."

"Will you read the words that roused your suspicion?"

"The selectmen of Jaffrey are now in a position to point out the principal in the Dean murder case. It is not surprising that no action should have been taken as yet against a man so high in office and in business connection, one who is known to have been so intimate with the Deans, and who had had high positions in both church and state. But the net closes around him. There can be no reasonable doubt of his guilt, even though a certain influential group of partisan politicians are shielding him. Among them we name Governor Bartlett. We charge the state authorities with a lackadaisical attitude in this investigation. It is a lasting disgrace to the state and the town."

"You read this on the day on which it appeared?"

"I did."

"You had no difficulty in identifying the man who was the object of the libel, even through the thin veil of disguise that the withholding of the name afforded?"

"Not the slightest. I said to my wife when I read it, 'Why, they are trying to make out that Charles Rich is a party to this murder!'"

"That was your first reaction?"

"It was."

"Do you know whether others were similarly affected?"

"Everyone to whom I showed the clipping agreed with me. I showed it to several."

"Did the public press take any notice of this article?"

"The following day a letter, signed by Governor Bartlett, appeared on the editorial page of a competitive paper. He quoted the passage

which I have read here and then made these statements: 'Immediately following the crime there was held by the state authorities an exhaustive investigation into every detail. There were different theories of the murder. The grand jury held one. If there is disgrace in not getting a different verdict from the grand jury, that may be a matter of opinion. It can't be that, as the *Boston American* suggests, we are all corrupt, can it?' "

In cross-examination it was brought out that Mr. Eldredge had been out of town when the murder was committed and had no conversation on the subject until after he saw the editorial under discussion.

"On what did you base your own judgment of the case? You had an opinion, I suppose, along with every other citizen?"

"I based my opinion on what I knew of the parties under discussion."

"You held with the grand jury?"

"I did."

"Will you tell the court your reason for so doing?"

"I knew that the grand jury had all of the known facts presented to them and that they had formed their decision on facts — not on guesses or theories."

"I understand that you belong to the Masonic order?"

"I do."

A world of innuendo was conveyed in the next question: "Mr. Rich is a brother Mason?"

"He is."

"And there were several Masons among the grand jurors?" A sneer curled the lip of the questioner.

"So I understand."

"That is all."

The lawyer glanced significantly at the jury and permitted a slight smile to cross his face. It was a good piece of acting. Without a direct word he had made his implication plain. I felt the blood surge into my own head as he dismissed the witness with no opportunity for a comeback.

In the pause that followed the dismissal and the shifting of positions, a man walked into the courtroom with the air of one glad to be there. Nodding right and left, he made his way to the Riches and

shook them cordially by the hand. Their faces lighted with pleasure, and a kind of confidence, as if he carried a solution for every problem with him.

"What a distinguished-looking man," said a woman's voice behind me. "Who is he?"

He was distinguished in look and bearing. His dark hair was plentifully besprinkled with gray and was brushed back from a face lined, to be sure, with the play of quick emotions, but vital and sparkling with humor and sympathy. I was not surprised when, at the call for Dr. Sweeney, this man responded by throwing off his topcoat and hat and advancing to the witness stand with a sure step. Only one profession, perhaps, can develop that sensitiveness to human personality and alert observation of it. His manner as he was sworn in was collected, perhaps even a bit eager. I was glad I didn't have him to cross-examine. He was too ready.

"How long have you known the plaintiff?"

"A matter of thirty-five years, or thereabouts. Ever since I came to town."

"In what capacity have you known him?"

"Almost every one possible. I am his family doctor. He has been my banker, my adviser, my near neighbor, and my close friend."

"You feel that you have had opportunity to estimate his character?"

"I do."

"What would you say of his truthfulness?"

"As compared with that of his opponents?" A ripple of merriment stirred the silence of the courtroom.

"No, in the abstract."

"I would take his word on any subject that he professed to know anything about."

"You mean by that . . . ?"

"I mean I have never known him to make a profession of knowledge that the facts did not substantiate."

"What do you know about the so-called signal lights that were reported as having been seen frequently during the summer and fall of 1918?"

"Nothing, except by hearsay."

"You never saw lights being flashed from high points about the neighborhood?"

"I never saw any lights that I could not account for by natural explanations."

"Did anyone ever call your attention to such signals?"

"Yes. Price, the night patrol. He sent for me one night to observe these mysterious lights with him."

"What did you see?"

"I saw a star rise above Monadnock. I saw an auto searchlight flash and disappear and flash again in making a turn on Temple Mountain."

"What did you say to Price?"

"I told him to forget the stories he had been hearing about German spies, that the signal lights he was pointing out had their source in natural conditions, except for his imagination. I distrusted his judgment."

"Tell the court why you did not trust his judgment."

"Price was, at the time, suffering from an incurable disease and was under my care. With the advice of a consulting specialist, I was administering a grain of morphia daily."

"What would be the effect of this quantity of the drug?"

"The effect, as I have observed it in practice, aside from its therapeutic value, is to cloud the patient's judgment and quicken his imagination."

"Why did you not try to verify the reports of spy signals when they became common talk?"

"I was not here."

"Where were you?"

"I was in France, or on the way."

"Did any member of your family see them?"

"My wife reports having seen lights one night near the Dean hill."

"What did they look like to her?"

"Like the headlights of an automobile pointed in her direction from near the big house on the Dean place."

"Who called her attention to them?"

"Father Hennon. He came in on the way home from the post office, she said, and told her of them. He seemed anxious to have her verify his observation. This is, of course, hearsay."

"Had you any knowledge of your own that seemed to prove Father Hennon's personal interest in the case?"

"Yes, several incidents that pointed to the fact that he was taking more than a normal interest made me suspicious."

"Mention some of them."

"He visited the Alexanders in Connecticut, taking that long ride at night, merely to find out whether they were in Jaffrey on August 13, 1918, and if so, whether they went home by the old road that passes the Dean place.

"He made a request of the attorney that he be permitted to interview Mrs. Dean alone, to discover whether she had seen or suspected anyone.

"He took a sudden change in attitude toward the Croteau-Dillon intimacy after the murder. Previous to that his manner had been condemnatory. Afterward, his attitude became conciliatory.

"Another thing that made me suspicious was his attempt from the start to point the finger of suspicion at Charles Rich.

"Then there is the fact that by subterranean methods it got about that during that summer and fall certain of the young people were using vacant houses at night for immoral purposes. Members of Father Hennon's family were reported as being of the number."

"What bearing would this have on the murder case?"

"The Deans' big house had been recently vacated. The fact that it might have been occupied that night illicitly would furnish a reasonable basis for involving some of those young people as material witnesses."

The cross-examination consisted of but few questions.

"You had no personal knowledge of the activities of these suspected young people?"

The innuendo was conveyed entirely by the tone. The doctor's eyes flickered dangerously before he replied with careful deliberation:

"No."

"It was a rumor?"

"Yes."

"Not a basis for proof?"

"It was the same basis that the theory of German spy signals rested on. Rumor. A basis merely for investigation of a possible clue."

A ripple again ran around the courtroom. The judge rapped his gavel. "Order in the court!"

"You say you are the Riches' family doctor. What do you know about the injury to Mr. Rich's eye on August 13, 1918?"

"Nothing from personal observation."

"You were not called to attend him on that occasion?"

"No."

"How do you account for that oversight on Mr. Rich's part?"

"Mr. Rich knew that I was not in town."

"Where were you on that date?"

"It was on that date that I began my overseas service."

"One more question. You are a member of the Masonic order, Dr. Sweeney?"

The doctor turned and looked his interrogator in the eye for an appreciable moment before he replied:

"I have that honor."

"That is all."

The doctor stepped down, but he had succeeded in planting some lively seeds in the minds of his auditors.

A smartly dressed woman was called as the next witness.

She was identified as Mrs. Frazer Morison and shown to have been one of the last visitors to the Deans preceding the murder.

"Did you know Mr. Dean?"

"Yes."

"And Mrs. Dean?"

"I knew them both."

"At what time did you last visit them?"

"On the day of Mr. Dean's murder."

"At what hour?"

"Between eleven and twelve o'clock in the forenoon."

"Did you speak of signal lights?"

"We did."

"What was the first thing that Mr. Dean said with reference to them?"

"He said, 'Mrs. Morison, I understand you have seen lights here at night?'"

"And you replied?"

"Yes, Mr. Dean, I have."

"He asked you when you last saw the lights?"

"Yes, and I told him the night before."

"Do you have reference to having seen them at the Dean place?"

"No, not at all."

"Where were you when you last saw the lights?"

"At my own home in Peterborough."

"Did he ask you at what time you saw the lights?"

"He did, and I said generally between twelve midnight and two in the morning."

"Did you point out to him the place or direction from which the lights came?"

"I told him I could do that and we went into the field and lined it up with the Temple Mountain."

"What did he do to identify the spot?"

"He picked up a few stones and said he was going to mark the place."

"What further took place?"

"We moved a little farther in the field to the right, where we had an uninterrupted view of both ranges, and he marked that place, too."

"What, if any, conversation followed regarding his getting help?"

"Mr. Dean asked me if I could get into communication with the authorities. I said, 'Yes, Mr. Dean, I can.' He authorized me to get in touch with them and get them to send up one of their best men at once."

"What did you say to that?"

"I said, 'I will telephone as soon as I get back to the house.'"

"And he replied?"

"'Don't use the telephone.' I said, 'If necessary, I will go to Boston in the morning and get you someone.'"

"What arrangement did you make?"

"Mr. Dean said, 'I will call about the turkeys I am going to bring you tomorrow. I will call at midnight.' We arranged that he would say, 'I won't be able to get over until afternoon with those turkeys.'"

"Did you stay awake?"

"I had company and stayed up until one o'clock."

"Did Mr. Dean call you?"

"He did not."

"Would it have been possible for someone behind the wall to have overheard your conversation?"

"It would have been possible."

"Did you subsequently prove it to your satisfaction?"

"I did."

"Did you name any federal official during the conversation?"

"No. I said, 'the chief in Boston.'"

"Did you give a report to the federal official?"

"Yes, I gave a full report."

"How soon after Mr. Dean was murdered?"

"Before I heard that he had been murdered."

"When did you learn of the murder?"

"Not until the next night."

"How do you account for the lapse of time?"

"I went to Boston at 7:00 the next morning and was at the chief's office at 12:45."

"With regard to the lights you saw, what color were they?"

"White, green, and red."

"Did they change while you were looking?"

"Yes."

"Were they all visible at the same time?"

"They followed each other almost instantaneously."

"In lining up the direction from which those lights came, do you know whether a highway passes near the place?"

"Yes, one does."

"Is it a curving road?"

"Yes."

"Have you any knowledge of Mr. Dean's habits, as to whether it was his custom to keep late hours?"

"I have not."

"It did not occur to you that the moving lights that you admit having seen near his place might have been his own as he passed between the barn and house?"

"It did not."

"Should you say that was impossible?"

"I should think it was highly improbable."

"In spite of all your care to preserve secrecy in making arrangements to communicate with Mr. Dean, you feel that someone must have overheard your plan?"

"I think it significant that the very day on which he was arranging for federal help, he should be murdered."

"Witness excused."

* * *

## CHARLES RICH TESTIFIES

A sensation followed the calling of Mr. Rich to the stand. Those who were there as observers stretched their necks to get a good view of him. Reporters shifted their positions and held pencils poised for action. A little buzz attended him as he proceeded to the stand.

He was pale and held himself at rigid attention. The faces of his two companions were set but composed. They lifted steady eyes to his face. It was brought home to me in that moment, as never before, what an ordeal these proceedings must be for a sensitive and high-spirited nature.

After the preliminaries, the questions ran like this:

"How long have you lived in Jaffrey?"

"Thirty-six years."

"You are a graduate of M.I.T.?"

"I am."

"When did you enter the bank as an employee?"

"In 1883."

"In what capacity?"

"As clerk. They called it teller at that time."

"When did you become cashier?

"Three years later."

"You have been cashier ever since?"

"I have."

"Have you held public office?"

"I have been a member of the school board and water commission."

"Any other public office?"

"Chief of police and chief of fire department."

"You have been a member of the legislature?"

"Yes."

"As representative?"

"As representative in 1907. As senator in 1911."

"You are justice of the local municipal court?"

"Yes."

"When were you chosen moderator of the town meeting?"

"In 1884."

"And you have held that office ever since?"

"I have."

"Have you ever had any connection with the National Guard?"

"I was a member about twenty-one years."

"What rank did you hold?"

"Private up to first lieutenant."

"You knew Mr. Dean intimately?"

"I did."

"You frequently visited at his place?"

"Yes."

"How often would you say?"

"Sometimes as often as two or three times a week. Sometimes not more than once a week, depending on the amount of night work I had in connection with the bank. Mr. Dean had a pool table that made an excuse for our getting together as frequently as we were both at liberty."

"It was your custom to make an appointment with him before starting on your visit to him?"

"Yes, I usually telephoned and specified the hour that we expected to be there."

"What habit of Mr. Dean made that seem necessary among intimates?"

"Mr. Dean did not keep the usual hours. He rose late in the morning and did his barn chores late at night."

"Was this habit of his generally known?"

"All of his intimates knew of it. I don't know about the general public. He took no pains to conceal it. Anyone who took the trouble

to watch his lights must have known that they were rarely out before one or two o'clock in the morning."

"On the night of August 13, 1918, where were you when Mr. Dean came to your house?"

"I was in the kitchen of my house."

"What were you doing?"

"I was applying hot cloths to my eye."

"You had been kicked at that time?"

"Yes."

"Who was with you?"

"Mrs. Rich."

"Did anyone come with Mr. Dean?"

"Yes, Miss Hodgkins, Mrs. Rich's sister, drove up in his carriage."

"Where did the Deans live?"

"At the top of a hill, two or more miles from town."

"Is their place visible from town?"

"The main house is."

"Explain, please."

"The Deans built the large house and lived in it some years. Then they remodeled a barn that was on the premises in the rear of the house. After that they lived in the bungalow and rented the main house whenever they could do so."

"When did you first know that Mr. Hogan was connecting you with the murder?"

"It was a short time after the detective Kent was employed. Two or three weeks, perhaps, after Mr. Dean met his death."

"Since you first knew about these stories of Mr. Austin's have you noticed any change in the attitude of your townsmen?"

There was a pause as the witness made a manifest effort to control his expression. Then he answered in a low voice:

"Yes."

"Will you tell the jury what you have observed?"

Again, the witness made a distinct effort to control face and voice.

"I have noticed that the children shrink from me as I meet them on the street." His voice shook as he added in a low tone, "That hurts the worst."

The questioner went on:

"Anything else?"

"The mill workers regard me curiously, and I am conscious that I am being pointed out and discussed when I pass groups of men on the street."

"Aside from this effect upon your personal feelings, have you noticed any loss in a monetary way?"

"The insurance business with which I have been connected has shown loss. Several have withdrawn their accounts."

"Have they stated the reason?"

"No, but all losses have come since that date."

"When you found there was a movement against you, what steps did you take to correct the impression?"

"None whatever."

"Why not?"

"I felt that investigators should have a perfectly free hand in running down clues. I knew that I had nothing to hide and I was convinced that the quickest way to establish the truth would be that of nonresistance on my part. I believed that honest effort to arrive at the truth should not be hindered, and that lies would reveal themselves without controversy."

"Has your faith been justified?"

"Not yet."

He shook his head sadly, and the two women associated with him so closely turned their eyes away. As they did so I saw a glint of tears resolutely held back.

"It has been reported by Mr. Willett that between 8:30 and 9:00 on the morning of August 14, 1918, you told him that Mrs. Dean had been telephoning that Mr. Dean was dead. Is that true to the best of your remembrance?"

"It is not."

"How do you know that?"

"It would have been impossible. No such report had reached me at that time."

"When did you first hear of it?"

"About eleven o'clock that morning."

"And what did you do on hearing it?"

"I at once made arrangements to go to the Dean farm."

"Whom did you take with you?"

"Mrs. Rich and her sister Miss Hodgkins."

"As having a bearing on the case, Mr. Willett reports that you told him of a talk you had with Mr. Colfelt. Did you have any talk with him that Saturday previous to Mr. Dean's death?"

"I did not have any, beyond the business of cashing a check."

"Do you know anything about a telegram he had from Mr. Dean?"

"I was told that he had one."

"Who told you?"

"Mrs. Rich."

"She had been shown the telegram?"

"She told me so."

"So you know the substance of the telegram?"

"Only by report."

"Do you know where that telegram is?"

"I do not."

"Do you know where Mr. Colfelt is at present?"

"I do not."

"Where was he the last you heard of him?"

"It was reported to me that he was in New Jersey."

"How long ago was that?"

"Six months. Possibly a year."

"Now then, as bearing on the matter, what were you informed with reference to this telegram?"

"I was told that it was from Mr. Dean and the words were, 'Why don't you pay that bill you owe me?"

"Mr. Boynton has taken exception on the stand to a remark that you made that Colfelt was as good an American as you or he. Do you remember talking with him on this matter?'"

"I do."

"What was the remark?"

"It was in relation to Mr. Colfelt. I had taken pains to inquire concerning his family when the gossip linking him with German spy signals got to be common. I found that his father was one of the most

prominent Presbyterian ministers in Philadelphia, and that although his name is German in origin, the Colfelts have been, in the last three generations, American citizens and loyal ones.

"Knowing this, I told Mr. Boynton, who was making charges of disloyalty against Mr. Colfelt, that I didn't see why he wasn't as good an American citizen as I, or he."

"Did you inform him that you had found out that Colfelt was of good old Presbyterian stock?"

"I don't recall that I went into detail with him regarding the question."

"By the way, did you take steps to ascertain where Mr. Colfelt was on the night of August 13, 1918?

"I did."

"What steps did you take?"

"Knowing the Reverend Mr. Blair was at work in the Portsmouth Navy Yard, I communicated with him at once."

"Was Mr. Colfelt working there also?"

"He was."

"What report did you get?"

"Mr. Blair replied immediately that Mr. Colfelt had been on duty that night."

Mr. Rich's attorney paused and lowered his voice before he asked:

"What, if anything, do you know about Mr. Dean's murder — other than you have told in answer to questions on the stand?"

"I have no knowledge other than I have told."

The lawyer turned to the cross-examiner. "Take the witness," he said.

"You had no suspicion of Mr. Colfelt as having criminal connection with the murder of Mr. Dean?"

"No, sir."

"What led you, then, to check up so promptly on his whereabouts the night of the murder?"

"There had been so many rumors about his secret activities during the summer that I took no chances. I realized that I might be mistaken in my judgment of the man, and for my own satisfaction I wanted to establish the truth."

"You have declared in open court that you have no arrangements for signaling from your house, barn, or field behind the house. Would it be possible to signal to the neighboring hilltops from any of those places?"

"I don't know. I have never attempted to do so."

"What is your opinion?"

"I was warned by the court to tell only what I know at first hand."

There was delay while objections were made and appealed. At the decision finally expressed — "Witness may follow his own inclination about replying" — the witness went on calmly: "I do not know, but I should think it would be difficult."

"Did you go downtown after you were injured on the night of the thirteenth of August, 1918?"

"No."

"So no one knew of the injury that night except your family and Mr. Dean?"

"That is right."

During recess I commented again to the counsel for the plaintiff on the fact that the questioning seemed to be so wide of the mark. "It sounds rather as if the plaintiff were put constantly on the defensive," I complained. "Isn't that going to confuse the issue? I'm finding it difficult to keep to the question myself. What about the jurors? Won't they find difficulty in coming to a decision?"

The lawyer shrugged. "It is our policy to rule nothing out that we can by any possibility admit. The town of Jaffrey is seething with partisan feeling. The decision of the grand jury in secret session has been questioned but by law must remain secret. The man on the street is trying the case daily. Rumors are rife and falsehoods exaggerated with every repetition. It is Charles Rich's own wish that this trial shall bring out all questioned points, let the public in on the facts, and so help the town to settle down to legitimate business once more. I think that is the chief motive that influenced him to undertake this case. He meant us to take up all possible charges and clear them up. Show the truth."

I objected, "But in so many instances it is one man's word against that of another."

"Yes, that is the worst thing about these neighborhood feuds. Somebody will perjure himself to make his point, and unless he crosses himself too blatantly, his lie may get by. We have to take that chance. Clear up the rumors and put a stop to them, whatever the suit brings in the way of damages."

"But the shame of it is that an innocent man must go to all this expense and worry to clear himself of a stigma he hasn't deserved."

"That is the impression that you — a stranger — have got through listening to testimony?"

"Yes."

"Then why shouldn't the jurors get it, too?"

I laughed, "Perhaps I was giving myself credit for more discrimination than they have."

"It isn't safe to do that," he returned. "They are unpredictable."

In the afternoon session the defense called a young woman to the witness stand as if in elucidation of that very point.

"You are a near neighbor of the Riches?"

"I am."

"Did you see Mr. Rich pass your house on the night of the thirteenth of August, 1918?"

"Yes."

"At about what hour?"

"At about nine o'clock."

"Was it still light enough for you to see at that hour?"

"Yes."

"And you saw him pass your house on the way to Main Street?"

"Yes."

"There was no indication at that time that he had been injured?"

"None whatever."

"Tell the court what fixed the date in your mind."

"My sister, who lives in Worcester, was on the porch with me. She had driven up that night."

"And she supports you in your impression?"

"Yes, she does."

The witness tossed her head and set her lips in a firm line as she

made the positive statement. I saw Mrs. Rich and her sister exchange glances. A sensation ran through the court.

"Take the witness."

"At what hour did your sister arrive from Worcester?"

The witness hesitated. "I can't name the hour exactly."

"Did she spend the night?"

"No."

"At what hour did she leave?"

Again the witness hesitated.

"You are under oath. Can you swear to the hour?"

"Noooo. Not exactly."

"And yet you are ready to swear to the moment when you saw Mr. Rich pass on his way to Main Street?"

"Yes."

"With whom have you talked this over?"

"With my family."

"With the lawyer for the defense?"

"Yes."

"With anyone else?"

The witness stole a glance at the remote corner of the courtroom.

"Face the jurors, please. Did you by any chance talk it over with Father Hennon?"

Again the witness hesitated before replying in a low voice, quite at variance with her first answers, "I may have."

"Your very excellent memory fails you at this point?"

*"Object!"* The defense lawyer's voice rang out defiantly. But the point had been made. I glanced over at Wes, sitting with his pencil poised above his notebook. But he did not meet my eye. The frightened witness was dismissed without further questioning.

Miss Georgiana Hodgkins was called next. She went to the witness box with a composed air, but her face was pale and serious.

"You are a relative of Mrs. Rich's?"

"I am her sister."

"What is your occupation?"

"I am a teacher."

"Where are you employed?"

"In a New York City high school."

"How long have you been employed there?"

"Since the spring of 1903."

"What has been your attitude toward Germany during the war?"

"It has been one of hearty disapproval."

"You have not been engaged in any plot with German sympathizers?"

"I have not." She lowered her tone in dramatic emphasis. It reached every listener in its depth and intensity.

"You are not, then, a German sympathizer?"

"I am so far from being a German sympathizer that I haven't even been neutral in my attitude since the Germans started across Luxembourg."

"Do you know whether signals have been exchanged by the Riches with any person or persons situated on high points around the town?"

"I know nothing of any signals."

"You swear that you have brought no messages from New York to German sympathizers in New Hampshire?"

"I do."

"Now, with reference to the night of August 13, 1918, what do you know about Mr. Rich's movements after dinner? Did he go downtown as usual?"

"He did not."

"How do you know that with such positiveness?"

"Because I asked him on the following day if he did and he said that, contrary to his custom, he had, unfortunately, not gone."

"Why *unfortunately*?"

"Because if he had followed his custom, he would have had witnesses to the hour at which he was injured."

"You were down street yourself?"

"Yes, I went to the post office."

"Where was Mr. Rich at the time?"

"In the garden, pulling weeds out of the corn."

"And when you returned?"

"He was in the kitchen, applying hot water to his eye."

"He had already been injured, then?"

"Yes."

"Who accompanied you on your return?"

"Mr. Dean, whom I met at the post office. He suggested that I ride up with him."

"Will you tell the jury at what hour you came home?"

"I can't, exactly. I noticed as we rode up the hill that the electric lights had been turned on in the kitchen, though it was not quite dark out of doors."

"Thank you, Miss Hodgkins. That is all."

"Any cross-examination?"

The lawyer for the defense rose deliberately.

"Just a moment, Miss Hodgkins. You know the Deans?"

"Very well."

"You would say intimately?"

"I think that word might be used in describing our relationship."

"Tell the jury what degree of intimacy there was between you."

"Well, we exchanged greetings at the great church festivals, and gifts at Christmastime."

"You heard from each other as often as once a week?"

"Oh, no. Not oftener than three or four times a year."

"How do you account for the fact that Mr. Dean did not discuss with you his plan for appealing for federal aid?"

"Mr. Dean was a fastidious gentleman in all social connections. He would not be likely to intrude his perplexities or anxieties into a purely social interview, I think. He had already made his plans, which were of a secret nature we have just heard from one of your witnesses. He had not come to us for advice, but relaxation."

"What led you to ask Mr. Rich if he had gone down to the office the night of August 13, 1918, after his injury?"

"It occurred to me after the murder had been discovered, as I went over the details of the evening, that no one knew of the injury except Mr. Dean and the members of Mr. Rich's own family."

"And you were worried about that?"

"I thought it might put Charles in a false position."

"You have been engaged in teaching in New York for some time?"

"For about twenty years."

The lawyer raised his eyebrows.

"Be careful, Miss Hodgkins, in your statements."

"I am speaking approximately. I gave the jury the exact date of my entrance into the school system."

"How are you occupied in the schools?"

"I teach English. I may say that I have been occupied in making American citizens out of foreign material." She lifted her head defiantly and compressed her lips.

"You consider training in citizenship incidental to your work in your special subject?"

"I consider training in loyal citizenship the *chief* object of education in a public school system." She made the announcement with slow emphasis.

"You say you have not any knowledge of German activities in connection with signals from the Rich place?"

"I have no such knowledge."

"Now, Miss Hodgkins, if you had observed anything of the kind, with your ideal of citizenship you would have reported it to the authorities at once, I take it?" The voice was insultingly insinuating.

The witness observed a prolonged silence.

"You do not answer my question?"

She turned dramatically, first to the judge, then to the jury. "Your Honor, and gentlemen of the jury, I understand that I am under oath to tell what I know of facts — not to consider hypothetical questions that may be proposed. Am I right?"

"Quite true," ruled the judge, leaning down from his desk. The lawyer, in some apparent discomfiture, shrugged his shoulders.

"One more question, Miss Hodgkins. During the progress of Mr. Hogan's testimony he referred to the lantern your sister brought home from the Dean place the day after the murder. Have you any recollection of this incident?"

"I have."

"Will you explain to the jury how it came to be in Mr. Dean's possession?"

"Mr. Dean was unable to get a battery for his flashlight the night of the twelfth of August and I thought he seemed uneasy at the

prospect of going home without a light. At my suggestion, Mr. Rich put his lantern in order, filled it, trimmed the wick, and lent it to Mr. Dean."

"That will be all."

Miss Hodgkins remained seated, looking about as if expecting further questioning.

"The witness will please step down," said her lawyer. She looked at the judge and at the jury before obeying, as if she could not credit her ears, as if there were much more that she could say. A little buzz followed her return to her seat.

The clerk called: "Mrs. Rich."

There was no doubt of a respectful and sympathetic attention centering on the witness who now made her way to the witness box. Pale but valiant, she faced the courtroom.

"Some reference has been made to Mr. Colfelt. Did you meet him on the Saturday preceding the murder?"

"I did."

"You met without appointment?"

"Quite so."

"Where was that meeting?"

"At the bank. He was there to get a check cashed. I was there to make a deposit. It chanced that we met."

"Did he say anything about receiving a letter or communication from Mr. Dean?"

"He did."

"Did he show it to you?"

"He showed me a copy."

"Was it a letter?"

"It was a telegram."

"Did Mr. Colfelt seem irritated by the communication?"

"He seemed rather amused than irritated, though I thought I could detect some irritation in his manner."

"Is Mr. Colfelt in the state at present?"

"I do not know."

"Do you know that he isn't?"

"I know nothing about his movements."

"Where was he when you last had news of him?"

"He was reported to be in New York or New Jersey."

"Do you know where the telegram was sent from?"

"I didn't notice. I believed it to have been sent from Jaffrey. He was not living in Jaffrey at the time."

"You did have some talk with him?"

"Yes."

"How much acquaintance did you have with the Colfelts?"

"Not an intimate acquaintance."

"When and where did you meet them?"

"I met them at a musicale held at Professor Robinson's home. Mr. Dean brought them and Mrs. Dean introduced me to them at that time."

"How soon was that after they came to town?"

"I couldn't say with any degree of certainty."

"Was it before they moved to the Dean place?"

"It was."

"Did Mr. Colfelt keep a deposit at the bank?"

"So I understand."

"What was the extent of your acquaintance with them?"

"We met them now and then when we were visiting the Deans. In fact, we often sang hymns together on Sunday afternoons." A little smile touched her lips at the mention of the gatherings.

"Mr. Colfelt came to the bank in a business way?"

"Yes."

"That is all."

Under cross-examination she was asked:

"You saw Mrs. Dean the day after the murder. What should you say about Mrs. Dean's physical condition on that day?"

"She seemed very strong and as if she were laboring under excitement."

"You noticed at the time that she seemed strong?"

"Yes. And in view of what Mr. Dean had said the previous night about her increasing weakness, I was surprised."

"You talked about it, perhaps?"

"I remember mentioning it to my sister."

"To anyone else?"

"I may have."

"You suggested to others that Mrs. Dean might have been the means of bringing her husband to his death?"

"Doubtless, I did."

"Will you tell the jury why you took pains to spread that report?"

A look of resentment crossed her face at the implied insult. But she quickly recovered her poise and turned frankly to the jurors.

"Everybody on that day following the murder was talking about it and offering some solution that might occur as a possible one. The thing that seemed most reasonable to me was to assume the murder was committed by someone irresponsible mentally. Mrs. Dean answered to that description. She was known to be of unsound mind. It seemed to me that Mrs. Dean might, under a sudden attack of mania, have brought about her husband's death. But it also seemed to me, as I observed her, that she had no recollection of accomplishing the act herself. I think I said that to a good many, in the course of my conversations. I still think it a reasonable explanation."

She faced her inquisitor.

"How do you explain the fact that, supposing her the murderer, this delicate woman succeeded in placing her husband's body in the cistern? Didn't that occur to you as an insuperable objection to your theory?"

She shook her head. "No, it didn't seem insuperable."

"You surely don't think she could have carried it there and deposited it?"

A look of solemnity settled on the face of the witness.

"No, I shouldn't think that. But trussed up as the body was reported to me to have been, I don't see why she couldn't have rolled it there."

There was a sensation in the court at this reply.

Heads were turned, speculative eyes looked questioningly into each other. *Why not?*

"Did you ever say that, on the whole, it would be better if somebody mentally deranged should be proven to be the one who committed the crime?"

"I may have said it. I think it. And I will say it now. I think it would seem far less horrible to find that an insane person had committed that crime rather than one deliberately planning it in a sane mind."

"Did you ever see any evidence of violence on Mrs. Dean's part?"

"No, I never did."

"Did you talk with your husband about your theory regarding the disposal of the body?"

"Yes, and I may say my husband didn't agree with me."

"But your sister did?"

"Yes."

"By the way, Mrs. Rich, what were you disposing of at the public dump on the night of August 20, 1918, near the residence of Mr. Means?"

"I have never disposed of anything at or near the public dump, either on the night of August 20, 1918, or any other night. I have never visited the public dump in my life."

I was satisfied that Mrs. Rich was telling the truth. Over in the far corner of the room, at the rear, Father Hennon was rapidly telling his beads. His housekeeper, the mother of young Harold, sat beside him, her eyes swollen with weeping. Why? I had noticed that Mrs. Rich's eyes had been frequently turned to that corner as she testified. The questioner's voice broke in on my speculations.

"Have you indulged any other theory, Mrs. Rich?"

"I have considered another."

"Would you be willing to state it?"

"I have not sufficient proof as yet to warrant a public statement."

Then she added, as if impelled by some uncontrollable impulse: "I know all too well what injustice can be wrought by such testimony."

She waited for further questioning.

"That is all, Mrs. Rich. You may step down."

The courtroom was silent as she returned to her seat.

I turned to Wes. "They make a good impression, those women?" He admitted it with a lift of an unwilling eye.

# 19

# *Settled Out of Court*

During the progress of the case, Mr. Willett, an employee in a dry-goods store, testified to the fact that Mr. Rich had informed him of Mr. Dean's death as early as 9:00 of the morning of August 14, 1918. Mr. Willett was afflicted with cataract, a fact that led to extreme solicitation on the part of those who helped him to the witness stand. There was an evident effort to rouse sympathy for him in the hearts of the observers. Almost too evident, to the disinterested observer.

In the course of Mr. Willett's testimony he was asked:

"You say that you heard of Mr. Dean's murder from Mr. Rich on the morning of August 14, 1918? At what hour?"

"About 9:00."

"Have you any data by which to fix the hour?"

"I was on the steps of the store adjusting the awnings."

"It was your custom to adjust them at the same hour every day?"

"Yes."

"And Mr. Rich passed while you were thus occupied?"

"Yes."

"I observe that you are afflicted with some trouble with your sight, Mr. Willett. Could you see a person on the sidewalk distinctly enough at that distance to be certain of his identity?"

The witness hesitated before answering, "Yes."

"You feel sure that you could not mistake a neighbor for someone else under the excitement of the moment?"

"I feel quite sure. Besides, I recognized his voice."

"Yet it was brought out in Mr. Rich's testimony, under oath, that he did not know of Mr. Dean's death until nearly eleven o'clock, and that he held conversation with you on the morning of the fourteenth of August on his return trip to the bank from his home, to which he had gone to report the news to his family. Would you feel like changing your testimony as to the hour that you talked with Mr. Rich, under the conflicting depositions?"

"No, I should not."

"You have known Mr. Rich for some . . . ?"

"For twenty years."

"Have you ever had reason to doubt his word?"

"No, I can't say that I have, until that morning."

"Will you specify?"

"While I was talking with him a passing neighbor hailed him and said, referring to Mr. Rich's black eye, 'Who got the worst of it, Rich?' And Mr. Rich answered, 'You should see the other fellow.'

"Then in a few minutes another man asked, 'What struck you, Rich? That eye will need some explaining.' And Mr. Rich answered, 'A man needs to be careful about getting into a fracas with his wife.'"

The lawyer permitted himself a smile before saying:

"And you considered those conflicting statements as proof that Mr. Rich was falsifying?"

"I did."

"And you would use it as a basis for holding to your own recollection of the situation where it differed from Mr. Rich's?"

"I certainly should."

The courtroom was moved as with the rustling of a wind. Probably not a man in the room had not made a similar reply to a like question at some time in his life.

Having heard every word of the testimony, I was the more surprised at the verdict of the jury. It was in favor of the defense. Even Wes lifted an astonished face as it was brought in, and the lawyer for the defense, who had been sitting in silence with a depressed air, looked startled. The judge indulged in a species of mild sarcasm as he received the verdict, but the decision had been made according to established custom in cases at law.

I mingled with the crowd leaving the court to overhear, if possible, some hint as to the reason for such a surprising decision. Little groups of sympathizers for one side or the other gathered on the staircase, or in the corridors, and I caught, here and there, a word that showed the direction of the wind.

"The foreman was a friend of Willett's," said a voice. "He was primed, all right."

"Sure of that?"

"Sure. A cousin or something. I've often seen him at Willett's. I live next door, you know. I nailed him when the jury first filed in."

"Seems to me that ought to have been looked into."

"Oh, well. Something always gets by."

"They'll appeal, won't they?"

"Surest thing in the world."

There was great jubilation in the room where the defense forgathered. One would have thought that they had made some discovery of great benefit to the race, instead of having blocked a townsman's effort to clear himself of suspicion. In the midst of the clamor, as they planned some sort of celebration of their victory, it was reported that their own lawyer hurled a bomb: "You go home and keep your damned mouths shut! Let me tell you, you are a lucky bunch. If it comes to an appeal, as it is bound to, you're lost!"

They stared at him aghast, and breaking up into small groups, stole from the room in a subdued spirit.

His prophecy was fulfilled to the letter. At the next term of court the appeal was entered, but the case never came to trial. The *Boston American* settled the matter out of court. Wes brought in a modest notice of the action and laid it on my desk. "So ends this chapter," he said. I read it through.

"So you admit having been in the wrong?"

He grinned. "We don't pay out good money unless we have to. It takes a strong arm to haul money out of the old sheet. We don't part with it that easy."

As I reflected on the case, I saw again the faces of the principals in the complaint and wondered how far this action would go toward setting them right. But of this I was sure, nothing could daunt them.

The following November, as I glanced at the morning paper, preliminary to the daily grind, I came upon an item that made me pause. It was listed under the heading "Concord, New Hampshire," and read, "The libel case of Rich vs. the *Boston American,* appealed, was settled out of court here today by the granting of the judgment of $5,000 on the part of the *Boston American.*" That night on the train I took occasion to show Wes the clipping. I passed it over to him without comment. He nodded. "I saw that," he said.

"Who slipped?"

"Well, according to the evidence presented at the spring term of court, the jury did. But who slipped on the *Boston American* staff has not been divulged."

"The forfeit isn't very great when you consider what those Riches were made to endure of public obloquy."

"It wouldn't even pay the costs, but you forget that the case was brought before a country committee of award. Five thousand dollars looks bigger to small-town men than to a city man. Money couldn't pay those people for what they went through, but the decision would certainly act as a salve to their wounds. I overheard Guilford of the *Times* talking with Miss Hodgkins one day during the trial. He said, 'Well, Miss Hodgkins, as I listen to this testimony I am convinced that this is a tempest in a teapot.'

"She turned on him with a white, set face. 'And what would seem a big thing to you? Suppose you had spent fifty years building up a reputation for honor and integrity, only to have it snatched away from you in a moment, by those very people whom you had counted your friends and who had accepted countless favors of you. Would that seem a small thing to you?'

"'Well, I didn't mean quite that,'" he said. "'I meant that there seemed no basis for the attack.'

"'But of course not. That is what makes it so hard to parry and so hard to endure. There *is* no basis. Why, then, the animus?'

"'Malice,'" he ventured. "'Jealousy, perhaps. Ignorance? Folly? Maybe just plain human cussedness.'

"She smiled suddenly and held out her hand. 'Thank you,' she said. 'I hope and trust that there are more like you.'

"I should have been glad to second him, but it wouldn't have done, in view of my relation to the case. No, it wouldn't have done. This matter of loyalty leads us into strange inconsistencies. A man pays us for our time and we find ourselves bound to accept his opinions, or at least to publish them, while our own thinking grows rusty from disuse."

With the settling of the case out of court, life in Jaffrey fell back into something of its old routine. Neighbors made an effort to adjust themselves to each other and to withhold adverse judgment because of a mere difference of opinion. The war came to an end, and under the detritus accumulated in connection with its conclusion were buried many of the occasions for indulgence in animosity. Sometimes in the privacy of a gathering known to be sympathetic, old rumors were reviewed and old suspicions aired. Guesses were hazarded, reports compared. But corner caucuses were no longer encouraged. The better element in the town clamped down on casual attempts at reviving inflammatory topics, and with the passage of time old wounds were healed — partially, at least. Old sores lost their sensitiveness, and old memories ceased to present themselves with keenly cut outlines. Their colors became less vivid, their outlines blurred. And the years flew by with the Dean case still unsolved.

# 20

# *January 1933*

Sixteen years later, on a wintry day in January, the friends of Charles Rich met to pay tribute to his memory. The church was filled with friends and townsmen. But the thing that he had hoped for daily during all those years had failed to materialize. Though he had been set free from the judgment of the law sixteen years earlier, he had pinned his faith to the belief that a moment would come when the mystery should be lifted that otherwise must lie forever like a cloud around his life.

But it had not come about. This day that dawned upon the observance of his last rites found the inscrutable still hanging like a veil over him. Nevertheless, his brothers of the Masonic order, pausing to make their impressive gesture of farewell above him, felt each a shock of surprise as they looked upon a face from which all lines drawn by those last painful years had fallen away. Somewhere between yesterday and today the unbelievable burden had dropped off, and he was going on into the unknown as he had been the day that cruel blow, directed by the hand of fate, fell upon him.

As the slow-moving funeral car made its way down through the street, two men paused and looked after it. "There goes," said one, "the best friend I ever had."

"The best friend any man ever had," agreed the other. "That's what makes it so hard to accept the fact of his death. I have always held on to the hope that the Dean mystery might be cleared up before he went. I couldn't help feeling that life owed him that. But he must have lived

that old story down in these years and that, they say, is the best way to root a falsehood."

"Oh, there are always some who hold on to evil reports with what seems a death grip. Perhaps it feeds their own vanity to believe ill of a neighbor. It was to still those wagging tongues forever that I hoped that the truth would come out."

"The old proverb, *murder will out*, didn't hold good, did it, in this case?"

The other glanced at the speaker quickly. "You didn't know, then, that it was a case of international interest?"

"No. I've been away. Out of the country, in fact."

"Sure. Scotland Yard and the prefecture of police from France both sent investigators to satisfy their own curiosity regarding a case so mysterious."

"And they found nothing that would throw light upon the problem? They came to no decision?"

"I wouldn't say that, exactly. In fact, they came to perfectly characteristic decisions. Scotland Yard found support for the theory of German spy activity. France found reasons for thinking that there was a woman in the case. But neither of them found anything definite that would provide a solution. And now, whatever comes to light, it cannot be of help to the one most closely affected by the whole awful affair. He has passed beyond help or hurt."

In the distance a bugle sounded taps. The men raised their hats and waited with bent heads until the sound died away. Then, in utter silence, they turned and each pursued his separate way.

On that very day Georgiana wrote an intimate friend the following account of the event:

> Charles and Lana took up their burden without complaint. They rarely referred to it even in the privacy of their own home, each hoping that the other might achieve some ease of tension. They adjusted themselves to the situation characteristically — Lana with a lifted chin, a deliberate and conspicuous recognition of those whom she knew to have been most inimical to Charles, whenever and wherever she

met them. There was a smile on her lips and contempt in her eye, and in her heart a feeling that matched her eye.

Charles, as deliberately, set aside all apparent memory of enmity. "It is over," he said, "with the war. When that spirit of hatred is laid, the suspicions born of that spirit will die out. These neighbors of mine will return to reason. They will realize that I could not have killed my best friend, or have been a party to his murder. In the long run, character will tell.

"Then, too, eventually the guilty one will be discovered. The saying *murder will out* has a basis in the experience of man. Something overlooked by the guilty man will give a clue from which a solution will be worked out. I am sure that these townsmen of mine have been misled by their own uncontrolled emotions. They haven't realized what they were doing. I am in business in the town. I can't afford to antagonize those who are making a living in the same town. If I show them that I have forgotten and make it easy for them, they, too, will forget."

So he spoke, in his modesty not realizing how forgiving was his attitude. I own that for many years I shared Charles's faith. I reassured myself with comforting words. Someday the truth must come to light. Through some seeming accident, some stroke of chance, the criminal will be discovered.

In the first few years, I held the hope as an expectation. Any day now the secret will be manifest. With each morning, as I said my prayers, the hope sprang up afresh. Perhaps today it will all come out. As the years went by and no solution presented itself, the probability grew increasingly remote. Still I bolstered my courage with old sayings, born of the experience of men, and with faith in the justice of God. "The Lord is mindful of His own. In His own time, in His own way, He will justify a servant as faithful as Charles by exposing the criminal."

That is what I said, that is what we all fed our hope on.

Today we laid Charles away. It was a gray January day. Patches of snow alternated with the black of frozen ground.

Uncompromising cold settled down around us as we took our way to church. The service was conducted acccording to the beautiful and solemn rites of the Masonic order. The members of the order had, almost without exception, stood by their comrade. As I watched those faithful friends file past the bier, I felt that each in his heart was conscious of the same emotion as that which was weighing mine down.

How was it possible that a loving God could deny the repeated request that a guiltless soul be absolved from a charge of crime here, before passing into the unknown? And to me came anew the horror of the realization that overnight circumstances could so array themselves against a man that he could never rid himself of the consequences of a baseless charge but must go down to his death with that burden on his heart, his hope set at naught, the confidence of his friends unjustified. The beat of the drums, as the procession marched along the familiar street to the place of burial, fell on my heart like the frozen clods upon a coffin.

I have now, somehow, to adjust my philosophy to fit a reconstructed world. Charles has gone on without having had the satisfaction of knowing that his good name has been restored to him in the eyes of the whole world, as he knew it.

# 21

# *Afterthoughts*

Edward Boynton shifted his weight to the other foot as he sought to find a place in the Masonic line of march on the day of Charles Rich's funeral. But wherever he had attempted to enter into the formation, he had found himself prevented by some seemingly careless shifting of the personnel. It at last began to dawn upon him that there was something deliberate and intentional in the movement to keep him out of the line. Especially did it emphasize itself when Dr. Sweeney and Wilbur Webster squared themselves before a vacancy at the end of the double file. It was not until the march began and the Masons started into the church in pairs that he found a place at the very end, which left him without a partner and relegated him to a seat by himself.

Angry and humiliated, he sank into the seat, conspicuously alone. "After all," he thought, "what did I ever do so much worse than others that they should treat me like this? As if I were the only one in town who had suspected Charles Rich. There were plenty of others and they all know it. Even now, the mystery is just as far from solution as it ever was. If he had been innocent, they seem to think, he wouldn't have been allowed to die without the thing's being cleared up. Charles couldn't have felt so innocent himself, or why did he never seem to lay anything up against me himself? And if *he* didn't, why should *they*?" Across his memory flashed a scene in a crowded courtroom with himself struggling for breath, and the recollection of a brotherhood vow disregarded. But he shut his mind to both.

* * *

The measured beat of the drum told the village that the funeral procession was starting from the church. Mrs. Griffin, concealed behind the curtain in Father Hennon's study window, peered out with clouded eyes. Her fingers were occupied with her rosary, but her mind turned in upon a scene from the past: a dusty courtroom, a white-faced woman in the witness chair whose eye sought hers with stern accusal. A shudder passed through her body. She turned resolutely away from the window and sought the seclusion of her own room and the protecting influence of the shrine on the wall.

* * *

Oscar Dillon stood among the townsmen who thronged the street before the church watching the mourners as they passed between the reverent rows of the silent brotherhood to their waiting cars. His wife stood beside him, but he was conscious that farther down the line the Croteau woman had taken up a position where she could watch him with bold, possessive eyes. It irked him that she should, in this open way, flaunt their intimacy, especially on solemn moments like this when he was observing the proprieties of the occasion in company with Lilly, his wife. Lilly so rarely appeared with him in public nowadays.

Then his thought was interrupted, for as Lana's sister came down the walk he realized that she was looking at him with a stern regard. It was but a momentary glance, but what did it not convey? Suspicion that he was capable of almost any enormity! Accusation! Contempt! His own gaze wavered under the stab of that glance. Then he braced himself against it with the thought, "She knows nothing against me. She has nothing on me. If she had had one least clue she would have used it. Why should I cower under her challenge? What does she mean by that? What does she gain by looking at me that way? I'll show her that I'm not afraid to meet her look!" But when he returned to the attack he met only the regardless profile, white and set. He was, nevertheless, conscious of having cringed before a charge, and in a way made needless confession. As he withdrew his glance, out from the crowd of spectators, the Croteau woman threw him a knowing look.

* * *

Dr. Sweeney and Wilbur Webster paused a moment at the end of the commitment service, following with their eyes the movement of

Edward Boynton as he made his way from the cemetery. Then their eyes met significantly. "He even walks like a sneak," commented the doctor. "Did you see him trying to edge his way into the line? Blasted hypocrite! Pretending he was a mourner and a brother!"

"Well, he got the cold shoulder from us," said Webster. "That ought to teach him something."

"Yes, if he is capable of recognizing it."

"Oh, he got it all right. His face turned almost as red as it did that time he came so near choking to death on the witness stand. Remember?"

"That's something I can never forget. Nor shall I forgive it. To take an attitude like that toward a man of Rich's character and to do his best to prove it on him, perjuring his own soul! I've always wondered what he got out of that. Anyway, he's got to look elsewhere for forgiveness — not to me."

"Well, Rich forgave him. He was the only one I know who did. That is another proof of the bigness of the man we have just laid away. I can truly say that I have seen one man who was governed by reason, not by prejudice. We shall wait a long time before we get another man like him."

* * *

Bill Gallagher, standing at the corner of River and Main, watched the procession go past. As it turned down River Street he addressed Harvey Foster, who stood at his side. "Well," he said, "there goes the last chance of clearing up the Dean mystery." He spoke secretively, out of the corner of his mouth, and without moving his lips.

"What do you mean by that?" demanded Foster, wheeling on him with a challenge in his gray eyes.

"Why, I always looked to have Charles Rich come out in the open and tell what he knew about Mr. Dean's murder before he died."

Harvey Foster looked at him with frank scorn. "You blasted idiot!" was all he said.

The reporter who had been assigned to the libel suit walked into the press room of the *Boston American* and sought out Wes Butler's desk. Wes looked up with a cordial greeting, "How are you, old man? What brings you within range of the enemy guns?"

"I came upon this notice in the *Keene Sentinel,*" he said and laid a clipping on his friend's desk. Wes read it thoughtfully. "So," he said, "that story is ended. And they never found who did it?"

"No. The mystery remains a mystery."

"I always felt that they sort of muffed that job. It seemed to me that there were clues that weren't followed up."

"I think the town was too anxious to get back to the normal. I know there were some hints that came to light after the case against the *Boston American* was settled out of court. They looked like good leads. But they were all founded on circumstantial evidence, and the authorities felt that to reopen the case then, just as the town had settled back into its old stride, would destroy the morale. Enmities were buried. Business was being revived on the old basis, and order was being established. So the clues were not followed up."

"And so a good man goes to his death, still carrying the burden of an unsolved crime to save the morale of the community. Pretty tough!"

"They depended too much upon a justice meted out by the hand of a kind fate. And this was the time when such faith wasn't justified."

* * *

Mr. Colfelt picked up his morning paper and turned it leisurely as he sat at his breakfast, dividing his indolent attention about equally between reading and eating. Suddenly his eye was arrested by a familiar address in New Hampshire. It was the heading of a brief notice of Charles Rich's passing. The reader's eyes fixed themselves on vacancy as he reviewed the past. Then, dropping his napkin, he rose and went to the window, pushing aside the obstructing draperies. It was not the familiar street, nor the walls and roofs of a populous city, that he was seeing as he stood there, but Monadnock, standing in the haze of an August day. *"And we sang hymns together," he said at last, turning back into the room.*

* * *

Elizabeth Bryant stopped her work at the kitchen table as the bell began to toll on the day of Charles Rich's burial. She moved toward the window, from which point she could get a glimpse of the procession as it passed the corner of Main and River. Her mind recalled with

a heavy persistence the happenings of the thirteenth of August, fifteen years earlier, when she and Enos had stayed the night with Mrs. Dean. She re-visited the incidents in an effort to read their significance, ending with a shake of the head as she dismissed them, one after the other. "But who poisoned the dog?" she asked herself as she went back to her work. "I always come back to that."

* * *

*And here, Reader, the story stops. It does not end.*
*Who killed Mr. Dean and why?*
*The question is still unanswered.*
*It remains one of the great unsolved mysteries in the history of crime.*

– Georgiana Hodgkins

# *Historical Perspective*

This is not fiction. A tragic murder did take place in Jaffrey. Can we set the scene? Let's go back to 1918 and see what this small New Hampshire town was like at that time.

The population was about 2,000. There were more horses and wagons on the roads than automobiles. Even those who had automobiles had horses and wagons as well. There weren't any sidewalks. Roads were sometimes sprinkled to hold down the dust.

Heavy snow was rolled in the winter, packing it down so horses could pull sleds over it. When there was a lot of snow, automoibles were put up on blocks for the winter. In their free time youngsters enjoyed skiing, but their skis were improvised and they had to trudge back up the hills on foot; ski lifts hadn't been invented.

Children walked to school; there was no school bus. Students with perfect attendance had their names listed in the annual town report.

Women were busy in their homes, preparing big meals, sewing, cleaning, doing laundry; there were no washing machines or dryers. There were no vacuum cleaners. Rugs were swept and occasionally beaten. Refrigerators were literally ice boxes, and ice was delivered by horse and wagon.

There wasn't any television. There wasn't any radio. There were only a few telephones in town and they were all party lines. One switchboard operator handled all the calls.

In the summertime the population swelled as summer homes and camps were opened. Country inns were the height of fashion. Shattuck Inn and The Ark had thriving businesses. To escape the heat of the city, guests would arrive early in the season with their trunks and stay for the summer. Among such guests was Willa Cather, the noted American author.

What did Jaffrey look like in those days? In the center of town were the public library (also used for selectmen's meetings, since there was no town office), the Monadnock Bank, a livery stable, and the bandstand on the common. In back of the bank was Goodnow's Department Store where townspeople shopped for groceries, drygoods, and hardware.

There were four Protestant churches in town: the First Congregational in Jaffrey Center, the East Congregational Church on Main Street, the Universalist Church across from the library, and the Baptist Church on Charity Square. St. Patrick Roman Catholic Church was brand new, having been dedicated in 1917.

Three buildings made up the local school system in 1918. Two housed the grade school. The third, a new building constructed only the year before, served as the public high school.

Jaffrey Center had been the core of the original settlement and its buildings were more historic. The Meeting House dated back to 1775; Melville Academy, around the corner, had been built in 1833 as a private school for higher education. The second principal, Roswell D. Hitchcock, went on to become president of Union Theological Seminary in New York. Many of these key landmarks are still here, important links to the character of our past.

And what of Jaffrey citizens? They included a few exceptional women: Hannah Davis made bandboxes from wood and wallpaper which she sold to the factory girls in New England mills. The bandboxes are now prized by museums and collectors. Another was Alice Pettee Adams, the dedicated teacher/missionary, whose work in Japan was of such high order that she was honored by that country.

But in 1918 most women were housewives and most men were breadwinners. In Jaffrey men could find employment at a wide variety of businesses. The Annett Box Company manufactured wood items

such as baskets, boxes, clothespins, and more. Cotton and wool textiles were manufactured in the big red brick mill on Main Street and in a second mill on Cheshire Pond. Another factory in town made tacks for shoes, carpets, and other uses. Bean & Symonds Co. manufactured box shooks and also provided ash wood blocks to Diamond Match Co.

Smaller businesses were present, too. There was the bank and Goodnow's Department Store and Mr. Elie Belletete's general store on North Street. There was a fruit store, a butcher shop, and a bakery. Mrs. LaBonte's millinery store was a popular place, as was Duncan's Drugstore. The Sawyer family was here, farming and running the horse ranch. Alfred, the patriarch, was then 87 years old and president of the bank. He retired in his 99th year.

Civic and social organizations were very important for diversion and recreation. The Grange, famous for its chicken suppers and social gatherings, brought together people with a common interest in farming. In those days almost everyone did a little farming and had a horse and a cow, so this was a particularly active group.

Though the Grange had the largest membership, there were also the Odd Fellows and the Rebekahs. And the women provided fellowship with a reading group that met once a week. It later became the Jaffrey Woman's Club. The churches, too, had their Ladies' Aid Societies and young people's groups.

But of all the groups in town, the Masonic Lodge was perhaps the most elite. Its members were business and professional men, and all were Protestant, because at that time the Catholic Church didn't allow its members to join secret societies. The Masons met upstairs in the bank building.

In Jaffrey Center the newly organized Village Improvement Society was actively restoring Melville Academy and the Meeting House. Mrs. B. L. Robinson, the first president, was a summer resident whose husband was a professor at Harvard College. The Robinsons were good friends of Dr. and Mrs. Dean.

Jaffrey citizens also came together at church suppers and amateur performances by the school children. In the summer the East Jaffrey Band provided family entertainment with concerts at the bandstand. Traveling Chatauqua groups brought lectures, concerts, recitals and

shows that were much anticipated in small towns. And silent movies, which by 1918 had become a big attraction, were shown on Saturday afternoons upstairs in Coolidge Hall, a building on Main Street that is no longer standing.

Jaffrey was not isolated from the rest of the world. The railroad had arrived in 1870 and opened the way to faraway places like Worcester and Boston, or even New York and beyond.

In the larger world, Woodrow Wilson was president of the United States. He had been elected in 1912 and had been in office less than two years when, in August of 1914, the outbreak of war in Europe alarmed everyone. Americans wanted no part of foreign entanglements and Wilson warned, "We must be neutral in thought as well as in action."

Then on May 7, 1915, a German submarine sank a British passenger liner, the *Lusitania*, killing 128 Americans. There was deep concern, but Wilson remained calm. In 1916 Wilson was re-elected. His platform? He would keep America out of the war. But in February 1917 the Germans began unlimited submarine warfare against all merchant shipping, including American ships. The American people were outraged.

Our town history reports that at the annual Town Meeting in March 1917 the citizens of Jaffrey adopted a resolution that said: "The citizens of Jaffrey . . . declare their approval of the president in all his efforts to prevent the United States being involved in war and their hope is that such efforts may continue to be successful . . . but in unwarranted aggression they pledge the chief executive and Congress their hearty support."

In April President Wilson decided the United States could no longer be neutral. He spoke before a joint session of Congress, his face tense, his voice heavy with feeling. He said that actions by Germany were "in fact nothing less than war against the government and people of the United States." He asked Congress to declare war against Germany, and added that "the world must be made safe for democracy." Congress gave unanimous support. And so began World War I — the war to end war.

More than 120 of Jaffrey's young men enlisted. Twenty-five served overseas. Young John Humiston was killed; Humiston Park has been

named for him. Charlonne Street, Ellison Street, and Stratton Road were named for other Jaffrey soldiers who died while in the service of their country.

Two Jaffrey physicians, Dr. Sweeney and Dr. Hatch, both went to France to serve in the Medical Corps. It was the diary that Dr. Sweeney kept on a troop ship going to France that Willa Cather used in her Pulitzer Prize winning book, "One of Ours."

Jaffrey industry was involved in the war effort. The tack factory made hobnails for soldiers' shoes. White Bros. Mill made denim for soldiers' uniforms. Bean & Symonds made wooden cases for shipping war material.

Meanwhile the women prepared bandages and knitted sweaters, socks, and mittens for the troops. Citizens bought Liberty Bonds. Anything German was despised. Even little Dachshund dogs were sometimes kicked because their breed had been developed in Germany. Anyone with a German name was looked on with suspicion; it was wartime.

Feelings were intensified by complex antagonisms that sometimes had nothing to do with the war. Industrial expansion had brought many French Canadians to the United States and to Jaffrey to work in the mills. They were bright, energetic, ambitious people, but with a language barrier to be overcome. Largely identified by both their language and their Roman Catholic faith, they were faced with a wall of prejudice against both. In a small town, even children were caught up in the prejudice.

There were economic tensions, too. Mr. Rich, cashier of the bank, and others who seemed to have economic security, could very well have been resented by those who were struggling to make ends meet.

These divisions seemed to be epitomized by the Masons, who were perceived as an elite group, exclusively Protestant, and generally financially comfortable. The Masons became a source of resentment for many. And the international situation, while bringing people together to support the war effort, also intensified feelings of anxiety and distrust. Families were disrupted while young men served their country. Would their soldiers come back crippled or blinded? Would they come back at all?

There was talk of spies and signal lights. Mt. Monadnock, the argument went, would be an ideal spot from which to signal. It was visible from great distances. It was said to be the first high point of land that could be seen by a ship entering Boston harbor. If that was true, what about German submarines receiving or sending signals? Others noted that any signals sent from Monadnock could surely be received by and transmitted from other nearby mountain ranges.

What information would the spies be relaying with these lights? Fort Devens was not far away. Perhaps the lights reported troop movements associated with the Fort.

Germans, after all, were not strangers to the Monadnock region. Everyone knew that before the war Count Johann Heinrich von Bernsdorff, the German ambassador, and Captain Franz von Papen, military attaché at the embassy, had been houseguests in neighboring towns.

And just who was this Mr. Colfelt who had come to Jaffrey in 1917 with his wife and daughter and rented the Baldwin place, a big house not too far from the Dean farm? He didn't work so he must have had money. But he didn't mix in the town really, just knew the people who did things for them, townspeople like Stratton at the livery stable.

The Colfelts went away, but then they came back, arriving in October and staying through the winter. That was strange. Lots of people came in the summer, but who would come for a New Hampshire winter?

Nobody knew much about them, really. Mr. Colfelt was rather a dashing figure, riding his horse around town. And he drove a big car, too — a Marmon, a battleship gray Marmon. The Colfelts' only friends were the Deans, who were neighbors, and through them Mr. and Mrs. Rich, who were close friends of the Deans.

When they came back, the Colfelts rented Dr. Dean's house on the hill. The Deans, for financial reasons, had decided to rent the big house and live in the smaller house on their property. The big house had a spectacular view of the mountains. It would be a good place to send signals from, some decided. And so the gossip continued. What had been in the big box in the Colfelt cellar? Had it really carried a phonograph, or had it contained wireless apparatus instead? People even

asked Dr. Dean if he thought Colfelt was a German spy, but Dean said of course not.

Still, when the Colfelts left the Dean house so suddenly in June 1918 and moved to Temple, New Hampshire, there were rumors that Dr. Dean had given them 24 hours' notice to get out. Had Dr. Dean learned something?

The Deans had come to Jaffrey in 1889. Everybody liked Dr. Dean. His father, the Rev. William Dean, had been one of the first American missionaries to China. In 1860 he had moved to Siam with his family and had become acquainted with the king of Siam. His son, Jaffrey's William Dean, had become a playmate of the prince of Siam.

As a young man William Dean had come back to the United States, living here with his uncle, Dr. Henry Dean of Rochester, New York. He went to Hamilton College, then studied medicine under his uncle. He and his cousin Mary fell in love and were married. William Dean did well in medicine, but because of his health, he and Mrs. Dean decided to move to New Hampshire and live in the country. The couple had no children.

The Deans bought the Elijah Smith farm in Jaffrey, quite far out on the Old Peterborough Road. And then, after a few years, they built a big house on the hilltop of their land and lived there. They had many friends, among both the local residents and the summer people. Mr. Rich and Dr. Dean were the best of friends and used to play golf and billiards together. Mr. Colfelt used to play with them sometimes.

Mr. Rich was one of Jaffrey's most influential citizens. He served as town moderator and school moderator. He was a judge, and had been a state legislator, serving both as representative and senator. He was an active member and the choir director of the Universalist Church. For 20 years he had served as an officer in the New Hampshire National Guard.

Charles Rich had been born in Calais, Vermont, and was a graduate of M.I.T. He had married a Vermont girl, Lana Hodgkins, and taught school for a while in Peterborough, New Hampshire. In 1883 he came to Jaffrey to take the place in the Monadnock National Bank of his brother, Harvie, who had accepted a position in an investment house in North Dakota.

Charles Rich became the cashier of the bank in 1886, and in 1892 he built his house on a hill just across from Goodnow's and the bank, making it possible to walk to work and be home for all his meals.

Another good friend of the Deans was Miss Mary Ware from Rindge. A very wealthy woman, Miss Ware had a beautiful home (which is still there) and a big farm run by a foreman, William Cleaves of Rindge, who was a graduate of Harvard College. He and Franklin D. Roosevelt were both members of the class of 1903.

Miss Ware and her mother gave the famous glass flowers to Harvard College as a memorial to Dr. Charles Eliot Ware, class of 1834, who was Miss Ware's father.

Miss Ware, a "gentlelady" farmer, would talk farm talk with Dr. Dean. Dr. Dean was always friendly and pleasant, with a scholarly interest in many things. He enjoyed the company of women.

In the summer of 1918 war tensions were at their height. Even Miss Ware was sure she saw signal lights. When Federal agents came up to investigate there was talk they were investigating Mr. Colfelt as well. Some people thought they saw lights coming from the Dean farm when Colfelt was there. But often when they were investigated the "signals" were found to be car lights or to have some other reasonable cause. Nevertheless, there were responsible people who felt there was spy signalling going on in the area. And there were responsible people who felt "war hysteria" was the real culprit.

The war cast a shadow over people's lives. They wanted things to get back to normal. They were tired of anxiety. They were tired of the war. They were tired of heatless Mondays, sugarless coffee, and dark-colored bread.

And that sets the background for the tragic murder.

It was a hot day, that fateful Tuesday, August 13, 1918. In the late afternoon Dr. Dean had jogged to town in his horse and cart to do a little marketing. Witnesses later confirmed that he was seen at Duncan's Drugstore and that he met Georgiana Hodgkins there. Miss Hodgkins, who was on from New York to visit her sister, Lana Rich, testified that Dr. Dean went back to the Rich home with her for a little visit.

Nobody knows for sure if Dr. Dean did visit with the Riches, or just when he arrived back at his own home. Ordinarily Mrs. Dean could

have given this information, but her memory had been failing the last few years and she could not be a reliable witness.

Dr. Dean did get home at some point, and after a bite to eat (this showed up in forensic tests) he went out to milk his cow. He was a gentleman farmer who milked late at night so he could sleep in the morning. Mrs. Dean waited up for him, but he never came back to the house. Finally, at daylight, she went out to look for him. When she couldn't find him, she telephoned for help. Witnesses later reported that she said, "Billy is in deep water."

Men came, and after hours of searching, they found him in the cistern. He had been hit and strangled; the rope was still around his neck. His hands were tied behind his back. His feet were tied. Over his head was a burlap bag with a heavy stone in it, and under that a blanket pushed against his head to soak up the blood. There was no question he was a victim of brutal cold-blooded murder.

Everyone was horrified. Who could have done it?

The following morning, Wednesday, August 14th, Mr. Rich appeared downtown with a black eye. He said his horse had kicked him when he went in to feed her and had knocked his pipe into his face.

Unbelievably, Mr. Rich became a prime suspect. It was ironic that, even with his incriminating black eye, he would have been cleared completely if someone could have testified that he'd gotten the bruise early in the evening. But only his wife and his sister-in-law, and Dr. Dean, would have known that his eye had been injured before Dr. Dean's visit. His wife and sister-in-law, presumed to be loyal to him, had no credibility. And Dr. Dean was dead. There was no one else to testify, no one to say for sure that when Dr. Dean had stopped at Rich's house, he had seen him bathing his injured eye.

Was it an untimely accident? Or had Mr. Rich been involved in some kind of midnight death struggle?

The *Boston American* newspaper sent reporters to cover the case. Incredibly, this little New Hampshire town was involved in a violent murder mystery. And now the town, already divided by language, religion, and economics, polarized over the question of Mr. Rich's guilt or innocence.

Of course, there were other theories:

1. Some felt that Mrs. Dean had committed the murder in an irrational rage of jealousy. Why, they reasoned, had she said Billy was in deep water?

2. Others theorized that hoodlums, caught in the barn by Dr. Dean, had accidentally killed him, then panicked, tied him up, and thrown him in the cistern.

3. Still others were sure that Mr. Colfelt was a German spy who arranged for Dr. Dean's murder when Dean learned the truth and was about to expose him.

It was an unhappy time in Jaffrey. The divisiveness within the town continued. In September of 1918 the devastating flu epidemic claimed twenty-six lives in twenty-seven days. And over all hung the mystery of the Dean murder, a mystery that remains unresolved to this day.

Margaret C. Bean

# *Appendix*

*From Keene court House file:*
*The case of Boynton vs. Rich, Dated 5/2/21*

**VOTERS OF JAFFREY**

Take your head out of the clouds — plant your feet firmly on the ground and do some hard , straight, clear thinking.

What will you do with Jaffrey?

Your valuation on April 1, 1921 was $372,000.00 greater than on April 1, 1917, but in spite of this, your tax rate has increased from $24.00 to $33.00 per thousand, and your bills are not yet paid.

In view of this, do you imagine that there will be any marked increase in building operations? Do you believe that any new industry can be induced to locate here? Are you even sure that, if the present antagonistic attitude is continued, you can retain the industries you now have? Larger Plants than any in Jaffrey have been discarded over night.

Do you believe that you are not affected by a high tax rate? If so, stop fooling yourself. You are the consumer and the consumer always pays. It matters not whether you own your home, rent your home, or board, a part of every dollar you spend here goes for taxes.

Do you know the financial condition of your Town? Do you know that before the money raised by taxation becomes available, it is cus-

tomary to borrow on notes at the prevailing interest rate? Do you know your condition in this respect? Here it is:

LONG AND SHORT TERM NOTES (NOT BONDS PAYABLE)

| | |
|---|---|
| January 31,1918 | $ 9,000.00 |
| January 31,1919 | $ 6,500.00 |
| January 31,1920 | $18,000.00 |
| January 31, 1921 | $33,000.00 |

Your present financial condition may be the result of excessive expenditures for schools, roads, or the Dean Case — it may be the result of inefficient administration. In any event, the first two factors are always with you but the last two can be eliminated at your pleasure.

In making the above statement, we want it clearly understood that we stand and always have stood for a full and free investigation and prosecution of the Dean Case. We have, however, no reason to believe that the Dean Case i s now being prosecuted, while we have every reason to believe that one of our citizens is being persecuted.

How much has already been spent by the Town on the so-called investigation of the Dean Case, we do not know, nor we believe does anyone. From figures available, however, it is pretty safe to say that on March 1, 1921 the total of Dean Case expenses — paid and unpaid — reported and concealed — is approximately $10,000.00.

In support of this statement, we can merely say that since February 1, 1921 one firm of lawyers received $1,430.00 of your money. Is it unreasonable to suppose that there are other unpaid bills?

Do you suppose any part of the payment in February covered the legal expenses of a Selectman, who is now defendant in a civil suit brought against him as a private citizen?

Do you know that the present Board of Selectmen plan to continue operations along this line for ten years? Do you imagine that the cost will become less as litigation develops?

About 104 times in the past two years you have heard, "There's going to be an arrest in about two weeks." Has there been one? Do you believe a Board of Selectmen who have publicly claimed, "That they know who killed Mr. Dean and that they have sufficient evidence to convict," are justified in allowing the murderer at large?

What do you propose to do about it? You alone have the remedy and you alone can effect the cure.

If you feel as we do about it, you will work for, vote for and elect on March 8,1921 a Board of Selectmen who are pledged to no man or group of men — who will be dictated to and dominated by no man or group of men — who will handle the Dean Case or any other case solely on its merits — who will ever have in mind the best interests of your Town and who will, in support of their own good judgment, ACT INSTEAD OF TALK.

We are confident that the following candidates fully measure up to these specifications and we ask your aid in their election:

For one year

JAMES H. FITZGERALD — AN UP-TO-DATE, progressive, successful, efficient businessman.

For two years

ALBERT ANNETT — FORMER REPRESENTATIVE, State Senator and Councilor — originator of the idea of a Water System for Jaffrey and Chairman of Committee installing same — a retired businessman of sound and seasoned judgment.

For three years

JASON C. SAWYER — a young farmer of the modern school — graduate of New Hampshire State College — bright, clean-cut, capable and aggressive.

Their election means an Efficient Administration.

Yours for the good of Jaffrey

DELCIE D. BEAN
MERRILL G. SYMONDS
WILBUR E. WEBSTER
HOMER S. WHITE

EAST JAFFREY, N.H. MARCH 4, 1921