THE CENTRE REPORTER, CENTRE HALL, PA.

THE GARDEN MURDER CASE

SYNOPSIS

Philo Vance, famous detective, and John F. X. Markham, district attorney for New F. X. Markham, district attorney for New York county are dining in Vance's apart-ment when Vance receives an anonymous telephone message informing him of a "dis-turbing psychological tension at Professor Ephriam Garden's apartment" advising that he read up on radio-active sodium, consult a passage in the Aeneid and coun-cling that the "Engineering is growing". seling that "Equanimity is essential." Pro-fessor Garden is famous in chemical research. The message, decoded by Vance, reminds him that Professor Garden's son Floyd and his puny cousin, Woode Swift, are addicted to horse-racing. Vance says that "Equanimity" is a horse running next day in the Rivermont handicap. Vance is convinced that the message was sent by Dr. Siefert, the Gardens' family physician. He arranges to have lunch next day at the Gardens' penthouse. Vance is greeted by Floyd Garden and meets Lowe Hammle, an elderly follower of horse racing. Floyd ex-presses concern over Swift's queer actions. Mrs. Garden, supposedly ill, comes down-stairs and places a \$100 bet on a horge. Gathered around an elaborate loud speaker service, listening to the racing are Cecil Kroon, Madge Weatherby and Zalia Graem, who bet varying armounts on the race. There is tension under the surface galety. Zalia and Swift are not on speaking terms Kroon leaves to keep an appointment be-fore the race starts. Miss Beeton, a nurse, and Vance bet on "Azure Star." Swift recklessly bets \$10,000 on "Equanimity" and goes to the roof garden to hear the results. Floyd follows Swift, remaining away sev-eral minutes. Zalia Graem answers a phone call in the den. Soon after the an-nouncement that "Azure Star" wins, the guests hear a shot. Vance finds Swift dead, shot through the head with a revolver nearby. He says Swift has been murdered. After calling the police, he finds the door of a vault ajar. Kroon returns and is sharply a valit ajar. Kroon returns and is sharply questioned by Vance, who finds he had not left the building. Vance orders Miss Bee-ton to guard the stairway and prevent Mrs. Garden and Zalia from viewing Swift's body. Floyd Garden admits the revolver belongs to his father. Further questioning by Vance reveals that the revolver had been found recently by Zalia in the presence of the other guests. Floyd hints that Swift bet so recklessly because of Zalia. Markham, Sergeant Health and two detectives arrive. Markham and Sergeant Heath scorn the murder theory.

CHAPTER VI-Continued

Markham meditated on this for several moments.

'Still, Vance," he said at length, "reasonable objections could be raised to all the points you have brought up. They are based almost entirely on theory and not on demonstrable facts."

"From a legal point of view, you're right," Vance conceded. 'And if these had been my only reasons for believing that a crime had been committed, I wouldn't have summoned you and the doughty sergeant. But, even so, Markham, I can assure you the few drops of blood you see on the chappie's temple could not have thickened to the extent they had when I first saw the body-they must have been exposed to the air for several minutes. And, as I say, I

by S. S. VAN DINE Copyright S. S. Van Dine

WNU Service

"Yes-oh, yes." Vance nodded. "That's why I urged you to come here. That piece of glass is at present in my waistcoat pocket." Markham showed a new interest.

"Where did you find it?" he de-

manded brusquely. "I found it," Vance told him, "on the tiled floor in the vault across the hall. And it was near some scattered papers which could easily have been knocked to the floor by some one falling against them.'

Markham's eyes opened incredulously.

"I'm beginning to see why you wanted me and the sergeant here," he said slowly. "But what I don't understand, Vance, is that second shot that you heard. How do you account for it?"

Vance drew deeply on his cigarette.

"Markham," he answered, with quiet seriousness; "when we know how and by whom that second shot -which was obviously intended for us to hear-was fired, we will know who murdered Swift . . .'

At this moment the nurse appeared in the doorway leading to the roof. With her was Doctor Doremus, and behind the medical examiner were Captain Dubois and Detective Bellamy, the finger-print men, and Peter Quackenbush, the official police photographer.

Miss Beeton indicated our presence on the roof and made her way back downstairs.

Doremus acknowledged our joint greetings with a breezy wave of the hand.

He made a cursory examination of the limp figure, scrutinized the bullet hole, tested the arms and legs for rigor mortis, and then swung about to face the rest of us.

"Well, what about it?" he asked, in his easy cynical manner. "He's dead; shot in the head with a smallcaliber bullet; and the lead's probably lodged in the brain. No exit hole. Looks as if he'd decided to shoot himself. There's nothing here to contradict the assumption. The bullet went into the temple, and is at the correct angle. Furthermore,



Captain, give your special attention to the head-phone, the revolver, and the glasses. Also the doorknob of the vault across the hall inside."

Quackenbush, his camera having been set up, took his pictures and then waited by the passageway door for further instructions from the finger-print officers.

When the three men had gone inside, Doremus, drew in an exaggerated sigh and spoke to Heath impatiently.

"How about getting your corpus delicti over on the settee? Easier to examine him there." "O. K., Doc."

Two detectives lifted Swift's limp

body and placed it on the same wicker divan where Zalia Graem had lain when she collapsed at the sight of the dead man.

Doremus went to work in his usual swift and efficient fashion. When he had finished the task, he threw a steamer rug over the dead man. and made a brief report to Vance and Markham.

"There's nothing to indicate a violent struggle, if that's what you're hoping for. But there's a slight abrasion on the bridge of the nose, as if his glasses had been jerked off; and there's a slight bump on the left side of his head, over the ear, which may have been caused by a blow of some kind, though the skin hasn't been broken."

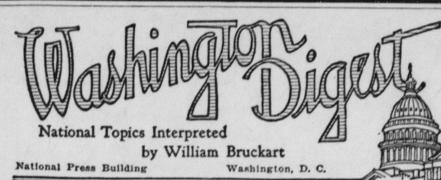
"How, doctor," asked Vance, "would the following theory square with your findings-that the man had been shot elsewhere, had fallen to a tiled floor, striking his head against it sharply, that his glasses had been torn off when the left lens came in contact with the floor, and that he was carried out here to the chair, and the glasses replaced on his nose?"

Doremus pursed his lips and inclined his head thoughtfully.

"That would be a very reasonable explanation of the lump on his head and the abrasion on the bridge of his nose . . . So this is another of your cock-eyed murders, is it? Well, it's all right with me. But I'll tell you right now, you won't get an autopsy report tonight. I'm bored and need excitement; and I'm going to Madison Square Garden."

He made out an order for the removal of the body, readjusted his hat, waved a friendly good-by which included all of us, and disappeared swiftly through the door into the passageway.

Vance led the way into the study, and the rest of us followed him. We were barely seated when Captain Dubois came in and reported that there were no finger-prints on any of



ades of service to his government.

I happened to have had the privi-

lege of close contact with Mr. Bald-

Mr. Baldwin told the house of

commons that: "You will find in our

modern civilization, that just as

war has changed from being a

struggle between professional

armies with civilians comparatively

uninterested in it, so the weapons

of industrial warfare have changed

from arms that affected compara-

tively small localized business into

weapons that affected directly those

who have no concern whatever with

the issue except perhaps natural

The British prime minister added

that, under such circumstances,

"the one thing we must pray for,

not only in our statesmen, but also

in trade union leaders and masters.

is wisdom." It seems to me that

. . .

Since there are ominous signs in

has been promoted

in this country, it

seems to me the

attention of the

a class struggle that unfortunately

people ought to be directed some-

what more to conditions in congress.

spoken.

Nothing

Doing

sympathy with their own class."

Washington .- The nation is continuing to witness labor disturbances of an exceedingly More Labor

serious character. win when he headed his country's Troubles Many persons debt refunding commission to the thought when the United States more than fifteen big sit-down strikes in the automoyears ago. From that association I

bile industry were settled without serious bloodshed that we were on learned to respect his mental capacity and his ability to foresee comthe way out of labor trouble in this ing events. When he says, therefore, country. The feeling in this regard that labor and capital must be honhad some confirmation when the est with each other, I cannot help great United States Steel corporafeeling that Mr. Baldwin foresees tion reached an agreement by which the possibility of bloody clashes and John L. Lewis and his faction of unsound results in the offing, conorganized labor was recognized as ditions that will flow from the abuse the sole bargaining agency on wages of power.

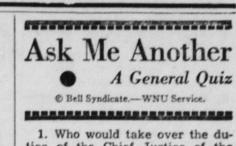
for the greatest single unit of steel. Unhappily, those circumstances were not indicative of an end. They did not presage peace between labor and employers. The conflict is continuing and, I believe, holds the elements of much more danger than we have yet experienced. Because of the conditions that are now apparent and those which happen to lie ahead, the recent speech by Edward McGrady, Assistant Secretary of Labor, becomes both interesting and significant. Mr. McGrady, it will be remembered, made a speech at Atlantic City, New Jersey, in which he said boldly to the members of the garment workers union that if labor and capital both are to survive, there must be a sincere effort on the part of each group to understand the problems of the other. He

Mr. Baldwin's admonition can be uttered from high places in our Amerireduced the differences between can government with a value just as employer and employee to the simimportant as he gave to his words. ple formula, namely, that represent-The fact that Assistant Secretary atives of each side, if they expect to McGrady has been the only public do justice by their own people, official to speak so frankly and so must sit down at a table and talk honestly is comforting, but it is to things over honestly. be deplored that he alone has

terest in labor cannot be questioned. He is a former official of organized labor. During his term as Assistant Secretary he has been exceedingly active and earnest in his attempts to solve labor problems and bring about industrial peace. His efforts at conciliation cover the range from the bitter maritime strike on the

Some months ago I wrote in these have been justified to the fullest.

Mr. McGrady believes that the therefore, it has been in session five irresponsible practices which lead months. Its record of accomplishemployers to treat labor representa- ments includes passage of four aptives as agitators are due to ignorance. On the other hand, you cannot help reading between the ments; the Guffey-Vinson little NRA lines of his recent speech an inference at least that he regards some labor representatives as quite as irresponsible as some employers. His view in this regard is indicated by the stress, the emphasis, which he laid upon the importance of discipline among union members together with his assertion that labor must recognize the sanctity of its contract with the employers just as much as the employers must recognize the validity of their contract with labor. Mr. McGrady pointed out what losses result from shut downs or strikes and declared that the efficiency in production, whch the country has a right to expect from industry, cannot be achieved unless labor and capital work together. Further, the Assistant Secretary observed that "responsible labor leadership" must place efficiency and elimination of waste and loss among its objectives if organized labor is to achieve a worthwhile goal. . . .



ties of the Chief Justice of the United States if his office were to become vacant?

2. When did Magellan circumnavigate the globe and how long did it take him?

3. Was Washington our first **President?**

4. What is the average visibility from a ship at sea?

5. How much silver has been mined in the world since the discovery of America?

6. What is a lee tide?

7. When the Supreme court was organized what was the average age of the justices?

8. How old is the Pasteur treatment for rabies?

Answers

1. In case of a vacancy in the office of Chief Justice or of his inability to perform the duties and powers of his office, they shall devolve upon the associate justice. who is first in precedence, until such disability is removed or another Chief Justice is appointed or duly qualified.

2. He started in 1519 and it took him 1,093 days.

3. Washington is called our first President because he was the first President elected under the Constitution of 1787: the Presidents who preceded him were simply presiding officers over the Continental congress.

4. About ten miles.

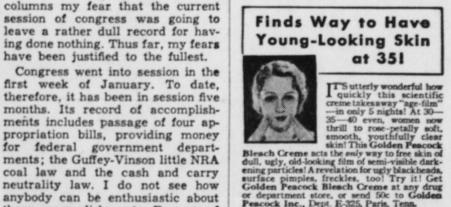
5. Only enough to make a solid cube 115 feet square.

6. A tide which runs with the wind.

7. Just under fifty years. 8. Half a century old.

Early Sheffield Plate

Early Sheffield is most valuable for reasons other than its age. The silver coating is much thicker and its style simpler, though occasionally a little clumsy. So lavish were the smiths with their silver in the early period that, more than a century and a half later. hardly any copper can be seen at all in the old pieces, while in those made later it sometimes is more evident than the remaining silver.



west coast to the more or less inconsequential sit-down strike of a hundred employees in a hotel here in Washington. So, it seems thoroughly fair to assume that any advice given by Mr. McGrady must include absolute

justice for the workers.

Now, the Assistant Secretary's in-

was up here approximately thirty seconds after we heard the shot."

"But that being the case," returned Markham in astonishment, "how can you possibly explain the fact?"

Vance straightened a little and looked at the district attorney with unwonted gravity.

"Swift," he said, "was not killed by the shot we heard."

'That don't make sense to me. Mr. Vance," Heath interposed, scowling.

"Just a moment, Sergeant." Vance nodded to him in friendly fashion. "When I realized that the shot that wiped out this johnnie's existence was not the shot that we had heard, I tried to figure out where the fatal shot could have been fired without our hearing it below. And I've found the place. It was in a vault-like store-room-practically sound-proof, I should sayon the other side of the passageway that leads to the study. I found the door unlocked and looked for evidence of some activity there . Markham had risen and taken a

few nervous steps around the pool in the center of the roof.

"Did you find any evidence," he asked. "to corroborate your theory?'

"Yes - unmistakable evidence." Vance walked over to the still figure in the chair and pointed to the thick-lensed glasses tipped forward on the nose. "To begin with, Markham, you will notice that Swift's glasses are in a position far from normal, indicatin' that they were put on hurriedly and inaccurately by someone else-just as was the head-phone."

Markham and Heath leaned over and peered at the glasses.

"Well, Mr. Vance," agreed the sergeant, "they certainly don't look as if he had put 'em on himself."

Markham straightened up, compressed his lips, and nodded slowly. "All right," he said; "what else?"

"Perpend, Markham." Vance pointed with his cigarette. "The left lens of the glasses-the one furthest from the punctured temple -is cracked at the corner, and there's a very small V-shaped piece missing where the crack beginsan indication that the glasses have been dropped and nicked. I can assure you that the lens was neither cracked nor nicked when I last saw Swift alive."

"Couldn't he have dropped his glasses on the roof here?" asked Heath.

"Possible of course, Sergeant," Vance returned. "But he didn't. I carefully looked over the tiles round the chair, and the missin' bit of glass was not there.' Markham looked at Vance

sh ewdly. "And perhaps you know where it

He Made a Cursory Examination of the Limp Figure.

there are powder marks, showing that the gun was held at very close range-almost a contact wound, I should say. There's an indication of singeing around the orifice." Vance took the cigarette from his

mouth and addressed Doremus. "I say doctor; speakin' of the

blood on the johnnie's temple, what would you say about the amount?"

"Two damned little, I'd say," Doremus returned promptly. "But bullet wounds have a queer way of acting sometimes. Anyway, there ought to be a lot more gore."

"Precisely," Vance nodded. "My theory is that he was shot elsewhere and brought to this chair." Doremus made a wry face.

"Was shot? Then you don't think it was suicide?" He pondered a moment. "It could be, of course," he decided finally. "Find the rest of the blood and you'll probably know where his death occurred."

"Thanks awfully, doctor." Vance "That did flash smiled faintly. "That did flash through my mind, don't y' know; but I believe the blood v as wiped up. I was merely hopin' that your findings would substantiate my theory that he did not shoot himself while sitting in that chair, without any one else around.'

Doremus shrugged indifferently.

"That's reasonable enough as-sumption," he said. "There really ought to be more blood. He died instantly."

"Have you any other sugges-tions?" asked Vance.

"I may have when I've gone over the body more carefully after these babies"-he waved his hand toward the photographer and the fingerprint men-"finish their hocus-pocus.'

Captain Dubois and Detective Bellamy had already begun their rou-tine, with the telephone table as the starting-point; and Quackenbush was adjusting his metal tripod. Vance turned to Dubois. "I say,

objects vance had enumerated "Handled with gloves," he finished laconically, "or wiped clean."

Vance thanked him. "I'm not in the least surprised," he added. Dubois rejoined Bellamy and Quackenbush in the hall, and the three made their way down the

stairs. "Well, Vance, are you satisfied?" Markham asked.

Vance nodded. "I hadn't expected any fingerprints. Cleverly thought-out crime. And what Doremus found fills some vacant spots in my own theory. Stout fella, Doremus, understands his business. He knows what is wanted and looks for it. There can be no question that Swift was in the vault when he was shot; that he fell to the floor, brushing down some of the papers; that he struck his head on the tiled floor, and broke the left lens of his glasses -you noted, of course, that the lump on his head is also on the left sideand that he was dragged into the garden and placed in the chair. Swift was a small, slender man; probably didn't weigh over a hundred and twenty pounds; and it would have been no great feat of strength for someone to have thus transported him after death . . .

There were footsteps in the corridor and, as our eyes involuntarily turned toward the door, we saw the dignified elderly figure of Professor Ephraim Garden. I recognized him immediately from pictures I had seen.

He was a tall man, despite his stooped shoulders; and, though he was very thin, he possessed a firmness of bearing which made one feel that he had retained a great measure of the physical power that had obviously been his in youth. There was benevolence in the somewhat haggard face, but there was also shrewdness in his gaze; and the contour of his mouth indicated a latent hardness.

He bowed to us with an old-fashioned graciousness and took a few steps into the study.

"My son has just informed me." he said in a slightly querulous voice. "of the tragedy that has occurred here this afternoon. I'm sorry that I did not return home earlier, as is my wont on Saturdays, for in that event the tragedy might have been averted. I myself would have been in the study here and would probably have kept an eye on my nephew. In any event, no one could then have

"I am not at all sure, Doctor Garden," Vance returned grimly, "that your presence here this afternoon would have averted the tragedy. It is not nearly so simple a matter as it appears at first glance.'

Professor Garden sat down in a chair of antique workmanship near the door and, clasping his hands tightly, leaned forward.

(TO BE CONTINUED)

Mr. McGrady's exposition of his conception of relations between em-

ployer and em-See Ray ployee comes as of Hope something of a ray of hope to the

great masses of American citizens who are neither employers of labor nor members of labor unions. I have said in these columns before and I repeat that the tragedy of conflict between employer and employee, organized capital versus organized labor, lies in the fact that | tors as a body and now that some there are millions of people in the role of innocent bystanders. They are the individuals who suffer most. It is inevitable that they must suffer because in a nation whose commerce and industry is as complex as ours, every time capital or labor abuses the powers entrusted into its

hands, those who are not members of either group pay a penalty which is not possible of measurement. This characteristic of life obtains

not alone in the United States. It exists in every civilized country to the extent that that country is industrialized.

There is no better evidence of the truth of the statements I have just made than an incident which occurred a few days ago in the house of commons in London. Stanley Baldwin, prime minister of England, and one of the most powerful men among foreign statesmen today, called attention to "a dark cloud" which he saw on the economic horizon of time.

Mr. Baldwin was speaking to his colleagues in the house of commons something in the nature of a valedictory because he is soon to retire from public office after three dec-

first week of January. To date, propriation bills, providing money for federal government departcoal law and the cash and carry neutrality law. I do not see how anybody can be enthusiastic about those accomplishments. Passage of appropriation bills is mere routine usually because in most cases they involve no controversial question at all. Passage of the neutrality act likewise was an action about which there could be little dispute even though there may have been plenty of grounds for disagreement over the type of law enacted. That leaves, therefore, only the Guffey-Vinson coal bill over which there could have been much delay in house or senate debate. All of this makes the picture look even worse for congressional leadership.

There is talk already about adjournment of congress as soon as hot weather strikes Washingtonand the temperatures can get very high and unpleasant. While this undercurrent of talk is not yet in an important volume, it emphasizes the fact that there is a growing body of legislators who see no possibility of accomplishing anything worthwhile in the current session.

But what are the reasons? Having gone rather thoroughly into this situation, I think there are two factors to be considered. One is the lack of capacity of the leadership among both Democrats and Republicans and the other is traceable to the White House, President Roosevelt for four years has told congress what to do and to that extent has destroyed the initiative of the legislamembers want to reassert the power of congress, the President's organized spokesmen appear not to know what to do. . . .

It may be said that the immediate cause of the failure of congressional leadership to get

Leadership much of the legislative program Fails out of the way in

five months is the controversy resulting from Mr. Roosevelt's proposal to add six justices of his own choosing to the United States Supreme court. That statement, in my opinion, is only partially true. There are many senators and representatives, otherwise loyal to the President, who now feel that the court re-organization plan cannot be put through. But those spokesmen thus far have not advised the President frankly of their views and in consequence the court bill is still in the way. To that extent, then, the legislative leadership has lacked courage and Mr. Roosevelt has remained adamant, which possibly charges him with some responsibility in the legislative stalemate.

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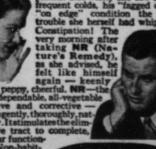
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