

The GARDEN MURDER CASE

by S. S. VAN DINE

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CHAPTER XV—Continued

"The disconnected buzzer wires gave me the answer this morning," explained Vance. "Her scheme was both simple and bold. She knew that, if she followed Swift upstairs before the big race, she would have no difficulty in enticing him into the vault on some pretext or other—especially in view of the fact that he had shown a marked interest in her. Her intention was to shoot him in the vault, just as she did, and then go into the study and shoot you. Swift's body would then have been placed in the study, with the revolver in his hand. It would appear like murder and suicide. As for the possibility of the shot in the study being heard downstairs, I imagine she had tested that out beforehand under the very conditions obtaining yesterday afternoon. Personally, I am of the opinion that a shot in the study could not be heard down here during the noise and excitement of a race broadcast, with the study door and windows shut. For the rest, her original plan would have proceeded just as her revised one did. She would merely have fired two blanks out of the bedroom window instead of one. In the event that you should have guessed her intent when she entered the study, and tried to summon help, she had previously disconnected the wires of the buzzer just behind your chair at the desk."

"But, good Lord!" exclaimed Floyd Garden in an awed tone. "It was she herself who told Sneed about the buzzer being out of order?"

"Precisely. She made it a point to be the one to discover that fact, in order to draw suspicion entirely away from herself." Vance paused. After a moment he went on:

"As I say, her plan had to be revised somewhat because Doctor Garden had not returned. She had chosen the Rivermont Handicap as the background for her maneuvers, for she knew Swift was placing a large bet on the race—and if he lost, it would give credence to the theory of suicide. In a way, Doctor Garden's absence helped her, though it required quick thinking on her part to cover up this unexpected gap in her well-laid plans. Instead of placing Swift in the study, as she originally intended, she placed him in his chair on the roof. She carefully wiped up the blood in the vault so that no trace of it remained on the floor. A nurse with operating-room experience in removing blood from sponges, instruments, operating table and floor, would have known how. Then she came down and fired a blank shell out of the bedroom window just as soon as the outcome of the race had been declared official. Substantiating suicide."

"Of course, one of her chief difficulties was the disposal of the second revolver—the one she fired down here. She was confronted with the necessity either of getting rid of the revolver—which was quite impossible in the circumstances—or of hiding it safely till she could remove it from the apartment; for there was always the danger that it might be discovered and the whole technique of the plot be revealed. Since she was the person apparently least under suspicion, she probably considered that placing it temporarily in the pocket of her own topcoat, would be sufficiently safe. It was not an ideal hiding place; but I have little doubt that she was frustrated in an attempt to hide it somewhere on the roof or on the terrace upstairs, until she could take it away at her convenience without being observed. She had no opportunity to hide the revolver upstairs after we had first gone to the roof and discovered Swift's body. However, I think it was her intention to do just this when Miss Weatherby saw her on the stairs and resentfully called my attention to the fact."

"But why," asked Professor Garden, "didn't she fire the revolver upstairs in the first place—it would certainly have made the shot sound more realistic—and then hide it in the garden before coming down?"

"My dear sir! That would have been impossible, as you can readily see. How would she have got back downstairs? We were ascending the stairs a few seconds after we heard the shot, and would have met her coming down. She could, of course, have come down by the public stairs and re-entered the apartment at the front door without being seen; but in that event she could not have established her presence down here at the time the shot was fired—and this was of utmost importance to her. When we reached the foot of the stairs, she was standing in the doorway of Mrs. Garden's bedroom, and she made it clear that she had heard the shot. It was, of

course, a perfect alibi, provided the technique of the crime had not been revealed by the evidence she left in the vault. . . . No. The shot could not have been fired upstairs. The only place she could have fired it and still have established her alibi, was out of the bedroom window."

He turned to Zalia Graem.

"Now do you see why you felt so definitely that the shot did not sound as if it came from the garden? It was because, being in the den, you were the person nearest to the shot when it was fired and could more or less accurately gauge the direction from which it came. I'm sorry, I could not explain that fact to you when you mentioned it, but Miss Beeton was in the room, and it was not then the time to reveal my knowledge to her."

There was another brief silence in the room.

"But, Mr. Vance," put in Doctor Siefert, frowning, "your theory of the case does not account for the attempt made on her own life."

Vance smiled faintly.

"There was no attempt on her life, Doctor. When Miss Beeton left the study, a minute or so after Miss Graem, to take my message to you, she went instead into the vault, shut the door, making sure this time that the lock snapped, and gave herself a superficial blow on the back of the head. She had reason to believe, of course, that it would be but a short time before we looked for her; and she waited till she heard the key in the lock before she broke the vial of bromin. It is possible that when she went out of the study she had begun to fear that I might have some idea of the truth, and she enacted this little melodrama to throw me off the track."

Siefert had leaned forward and was studying Vance closely.

"As a theory, that may be logical," he said with skeptical gravity. "But, after all, it is only a theory."

Vance shook his head slowly.

"Oh, no, doctor. It's more than a theory. Miss Beeton herself—and in your presence—gave the whole thing away. Not only did she lie to us, but she contradicted herself when you and I were on the roof and she was recovering from the effects of the bromin gas—effects, incidentally, which she was able to exaggerate correctly as the result of her knowledge of medicine."

"But I don't recall—"

Vance checked him. "Surely, doctor, you remember the story she told us. According to her voluntary account of the episode, she was struck on the head and forced into the vault; and she fainted immediately as the result of the bromin gas; then the next thing she knew was that she was lying on the settee in the garden, and you and I were standing over her."

"That is quite correct," Siefert said, frowning at Vance.

"And I am sure you also remember, doctor, that she looked up at me and thanked me for having brought her out into the garden and saved her, and also asked me how I came to find her so soon. If she had been unconscious, as she said, from the time she was forced into the vault to the time she spoke to us in the garden, how could she possibly have known who it was that had found her and rescued her from the vault? And how could she have known that I found her soon after she had entered the vault? . . . You see, doctor, she was never unconscious at all; she was taking no chances whatever of dying of bromin gas."

Siefert relaxed and leaned back in his chair with a faint wry smile.

"You are perfectly right, Mr. Vance."

"But," Vance continued, "even had Miss Beeton not made the mistake of lying to us so obviously, there was other proof that she alone was concerned in that episode. Mr. Hammle here conclusively bore out my opinion. When she told us her

story of being struck on the head and forced into the vault, she did not know that Mr. Hammle had been in the garden observing everyone who came and went in the passageway. And she was alone in the corridor at the time of the supposed attack. Miss Graem, to be sure, had just passed her and gone downstairs; and the nurse counted on that fact to make her story sound plausible, hoping, of course, that it would produce the effect she was striving for—that is, to make it appear that Miss Graem had attacked her."

Vance smoked in silence for a moment.

"As for the radio-active sodium, doctor, Miss Beeton had been administering it to Mrs. Garden, content with having her die slowly of its cumulative effects. But Mrs. Garden's threat to erase her son's name from her will necessitated immediate action, and the resourceful girl decided on an overdose of the barbital last night. She foresaw, of course, that this death could easily be construed as an accident or as another suicide. As it happened, however, things were even more propitious for her, for the events of last night merely cast further suspicion on Miss Graem."

"From the first I realized how difficult, if not impossible, it would be to prove the case against Miss Beeton; and during the entire investigation I was seeking some means of trapping her. With that end in view, I mounted the parapet last night in her presence, hoping that it might suggest to her shrewd and cruel mind a possible means of removing me from her path, if she became convinced that I had guessed too much. My plan to trap her was, after all, a simple one. I asked you all to come here this evening, not as suspects, but to fill the necessary roles in my drama."

Vance sighed deeply before continuing.

"I arranged with Sergeant Heath to equip the post at the far end of the garden with a strong steel wire such as is used in theaters for flying and levitation acts. This wire was to be just long enough to reach as far as the height of the balcony on this floor. And to it was attached the usual spring catch which fastens to the leather equipment worn by the performer. This equipment consists of a heavy cowhide vest resembling in shape and cut the old Ferris waist worn by young girls in pre-Victorian days, and even later. This afternoon Sergeant Heath brought such a leather vest—or what is technically known in theatrical circles as a 'flying corset'—to my apartment, and I put it on before I came here."

"This waistcoat, or corset," he said, "is worn under the actor's costume; and in my case I put on a loose tweed suit today so that the slightly protruding rings in front would not be noticeable."

"When I took Miss Beeton upstairs with me, I led her out into the garden and confronted her with her guilt. While she was protesting, I mounted the parapet, standing there with my back to her, ostensibly looking out over the city, as I had done last evening. In the semi-darkness I snapped the wire to the rings on the front of my leather vest without her seeing me do so. She came very close to me as she talked, but for a minute or so I was afraid she would not take advantage of the situation. Then, in the middle of one of her sentences, she lurched toward me with both hands outstretched, and the impact sent me over the parapet. It was a simple matter to swing myself over the balcony railing. I had arranged for the drawing-room door to be unlatched, and I rarely disconnected the suspension wire, walked in, and appeared in the hallway. When Miss Beeton learned that I had witnessed to her act, as well as a photograph of it, she realized that the game was up."

THE END

In our next issue!

CATTLE KINGDOM

by Alan Le May

A new story of the West . . . cattle ranges . . . adventure . . . romance—and murder! It was murder that struck once, twice, three times . . . a series of puzzling crimes that made detectives out of cow punchers, that left the finger of suspicion pointed at innocent men. Here's an unusual drama that adds real mystery to the ever-thrilling story of outdoor life in the Rockies. You'll enjoy "Cattle Kingdom," a truly great story by a popular Western author—Alan Le May.

Read Every Installment!

Washington Digest

National Topics Interpreted
by William Bruckart
National Press Building Washington, D. C.

Wants Crop Control Back

Washington.—President Roosevelt stated to the newspaper correspondents in his press conference the other day that crop control must be brought back. He said it with some emphasis. Within a few days before that, he had given his approval to a bill placing a minimum on wages and a maximum on hours in which labor could work in industries whose productions enter into interstate commerce.

The President was not specific as to details of the legislation in either case but it is important to note that he has reaffirmed his position on these two principles for it is to be remembered that both the NRA and the AAA were thrown out by the Supreme court a long time ago, and the President seeks now to restore them in another form.

This circumstance would seem to confirm assertions that have been made in various quarters lately that the President wants to maintain a "planned economy" for this country. It would seem that he is determined to go ahead along those lines and that his program for reorganizing the Supreme court was a part and parcel of the scheme. In other words, the President's new declaration about crop control and wages and hours and his support of the Wagner housing bill represent a return to the original theories which he held for "remaking" our nation.

Another Phase

After discussing these circumstances pro and con with proponents as well as opponents in the congress, the conclusion is inescapable that Mr. Roosevelt and his advisers are headed into new ground. They desire evidently to make the federal government the most important factor in our national life and to set aside little by little the functions of state and local governments by their course of action.

Undoubtedly there is strong argument for the policies they have adopted; certainly, there are many functions which the national government can perform more effectively and more efficiently than they can be performed by state governments, and equally, it is true that some phases of our national life should not be subjected to the influence of state lines. On the other hand, there surely is valid reason why Washington bureaucrats should not be allowed to interfere in the daily practices and convictions of individuals.

The reason I believe all of this is so important now is that always there has been a tendency of federal functions to expand. To say this in another way: Federal officials from the lowest to the highest seem to be equipped with a particular faculty for delegating to themselves additional authority as soon as they are accorded power. What the country should fear then, it seems to me, is the steady encroachment upon the rights of states and thereafter the rights of individuals. Perhaps I should have reversed the order and should have said, first, encroachment upon the rights of individuals and, second, thereafter encroachment upon the rights of states.

Now, there are those persons in considerable number who believe sincerely that the federal government is the agency through which all public functions should operate. I cannot agree. Rather, long experience in Washington convinces me that the old, old argument for state rights—so long one of the tenets of the Democratic party—has too much merit to be overthrown without consideration for the effects of the new theories. It may be that human nature has changed enough to accept new theories and live happily thereunder but I am quite convinced that human nature does not change so fast.

Wages and Hours Bill

That measure shows how this encroachment takes place and gives a rather clear picture of the expansive nature of federal policies.

The wages and hours bill first creates a labor standards board. It is circumscribed by certain limitations which say that it cannot fix wages above forty cents per hour nor can it reduce the number of working hours per week below forty. Further, a great number of lines of work are exempted from jurisdiction of the board—work of a seasonal character, farm labor, labor in certain specified industries which obviously cannot be subject to regulation without destruction of the business itself. Besides these restrictions, there is an implied warning in the bill against sudden or abrupt changes in business practices that would dislocate industrial operation or curtail employment.

These delimitations would seem to leave the board without a great deal of authority. Such, however, is not the case. Among those industries remaining under jurisdiction of the board, there is yet as much power as obtained under NRA and its

codes which were so hidebound and so inelastic that thousands of firms were in open rebellion against the restrictions unless they were able to pass on the higher costs resulting from these restrictions, to the public. That is, unless they could make the consumer pay the added cost, they faced eventual bankruptcy.

I do not say that the labor standards board as now conceived will go as far as the NRA codes but experience with the present national labor relations board indicates that the public should expect the maximum exercise of power instead of any middle of the road policies. The labor relations board has become a festering sore on private initiative. Business interests everywhere, while being pounded on the back by the administration to employ more workers, are kept in a constant state of confusion by the bias of the board. This is the board which was designed by Senator Wagner, of New York, to maintain peace between labor and employers. If the labor standards board can use discretionary powers accorded it and can proceed in correcting abuses of labor as rapidly as is "economically feasible," it may be able to develop better conditions in industry. But such language as the words "economically feasible" are subject to all kinds of interpretation and if the membership of the labor standards board happens to include some radical labor leader, most anything will be economically feasible.

It is from such quirks of law that bureaucrats expand their powers.

But there is yet another phase of this policy that demands consideration. While the United States is one unit under the federal government, it is made up of a number of sectional units and each sectional unit comprises a number of states and even each state in some cases embraces subdivisions where practices in business and living traditions are as different as day and night. A regulation as to the fairness of hours or wages in New England may be, and probably would be, wholly inapplicable in Alabama or Georgia. A regulation that would operate satisfactorily in Pennsylvania may be, and probably would be, completely sour in the Pacific coast states. Yet this board cannot administer its regulations on a piece-meal basis; they must apply to the whole country and it is only fair to assume from the existing facts that whereas rulings may be advantageous to some sections of labor, they might completely destroy other sections of labor. The same results can be expected from the effects of these rulings on the employers, except that where the effect is adverse on employers businesses can be driven into bankruptcy—and the jobs they provided disappear.

I think there can be no denying that no law will be successful unless it has the co-operation, the active support, of a very large majority of the people. If proof be needed, it is only necessary to recall how the prohibition laws were not enforced in those areas where public sympathy with them was lacking. It does not require very much time to determine whether a law is popular. During the life of the NRA, those who opposed such impossible regulations as General Hugh Johnson dictated were branded by President Roosevelt at first as "chiselers." It was a biting criticism. Yet, within a few months there were more chiselers than there were those who believed that the law could possibly be made to work. I am very much afraid that there will be more chiselers under the wages and hours law than there are those who believe in its efficacy.

Both Sides Will Buck

The initial operations of the board and the law probably will not create a great deal of dissension. But there will be disgruntled groups of workers and there will be dissatisfied employers who will seek exemption or changes or special consideration by regulation. In some cases, obviously, the board will issue new rules. As likely as not those new rules will upset some other group or region or section and they will demand consideration.

Just here, it might be recalled how under the AAA crop control law, wheat, cotton and corn were originally considered but tobacco had to have protection and rice and potatoes and peanuts, and every other farm product had its champions battling for consideration before the Supreme court held that the law with its processing taxes was an invalid delegation of power by congress. Therefore, while I may be "seeing things" concerning the labor standards board and the new proposal for crop control, the records surely support my statement that anytime the federal government starts a new policy it begins at the same time to enable expansion of federal power far beyond the original concept of a program.

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what Irvin S. Cobb thinks about:

Advertising's Value.

VERNALIS, CALIF.—On the train a charming young woman said: "I always read the advertisements whether I want to buy anything or not. Do you think I'm crazy?"

I told her she was the smartest young woman I knew. If I were asked to describe the race in any bygone period since printer's ink came into common use, I'd turn to the advertising in the papers and periodicals of that particular age. For then I'd know what people wore and what they ate and what their sports were and their follies and their tastes and their habits; know what they did when they were healthy and what they took when they were sick and of what they died and how they were buried and where they expected to go after they left here—in short, I'd get a picture of humanity as it was and not as some prejudiced historian, writing then or later, would have me believe it conceivably might have been.

I'd rather be able to decipher the want ad on the back side of a Chaldean brick than the king's edict on the front—that is, if I craved to get an authentic glimpse at ancient Chaldea.



Irvin S. Cobb

Running a Hotel.

I'VE just been a guest at one of the best small-town hotels in America. I should know about good hotels because, in bygone days, I stopped at all the bad ones.

The worst was one back East—built over a jungle of side tracks. I wrote a piece about that hotel. It had hot and cold running cockroaches on every floor and all-night switch-engine service; the room towels only needed buttons on them to be peekaboo waists, but the roller towel in the public washroom had, through the years, so solidified that if the house burned down it surely would have been left standing. The cook labored under the delusion that a fly was something to cook with.

Everybody who'd ever registered there recognized the establishment. So the citizens raised funds and tore down their old hotel, thereby making homeless wanderers of half a million resident bedbugs; and they put up a fine new hotel which paid a profit, whereas the old one had been losing money ever since the fall of Richmond.

A good hotel is the best advertisement any town can have, but a bad one is just the same as an extra pesthouse where the patients have to pay.

Poor Lo's Knowledge.

SOMETIMES I wonder whether we, the perfected flower of civilization—and if you don't believe we are, just ask us—can really be as smart as we let on.

Lately, out on the high seas, I met an educated Hopi, who said to me: "White people get wrong and stay wrong when right before their eyes is proof to show how wrong they are. For instance, take your delusion that there are only four directions, points—an error which you've persisted in ever since you invented the compass, a thing our people never needed. Every Indian knows better than that."

"Well then," I said, "how many are there, since you know so much?"

"Seven," he said, "seven in all." "Name 'em," I demanded.

"With pleasure," he said. "Here they are: north, east, south, west, up, down and here."

Of course, there's a catch in it somewhere, but, to date, I haven't figured it out.

The Russian Puzzle.

UNDER the present beneficent regime, no prominent figure in Russia's government, whether military or civil, is pestered by the cankering fear which besets an official in some less favored land, namely, that he'll wear out in harness and wither in obscurity.

All General So-and-Soski or Commissar Whatyoumaycallovitch has to do is let suspicion get about that he's not in entire accord with administration policies and promptly he commits suicide—by request; or is invited out to be shot at sunrise.

To be sure, the notion isn't new. The late Emperor Nero had numerous well-wishers, including family relatives, that he felt he could spare and he just up and spared them. And, in our own time, Al Capone built quite an organization for taking care of such associates as seemed lacking in the faith. 'Twas a great boon to the floral design business, too, while it lasted.

But in Russia where they really do things—there no job-holder need ever worry about old age. Brer Stalin's boys will attend to all necessary details, except the one, formerly so popular in Chicago, of sending flowers to the funerals.

IRVIN S. COBB.
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