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THIS BEGINS THE STORY

James Cunningham is rich and ruthless. He turns down the plea of a girl who has a claim on him and kicks out a man who says Cunningham owes him a share on a business deal. She is the sister of Wild Rose, a riding girl, who tells her sister's trouble to Kirby Lane, an upstanding and chivalrous cowboy. Kirby takes up the matter with Jack and James, his two cousins, favored proteges of James Cunningham, who demand to know the name of the girl. When he goes to his uncle's apartment he finds the man chloroformed, bound and dead. The murder had been committed by a left-handed person. On a table is a glove, one he had seen on Wild Rose. Both Lane and Wild Rose are at the inquest, also a woman whose photograph, signed "Phyllis," was in the dead man's room. Lane is arrested for the murder, but released on bail. Rose reveals she also had been in Cunningham's apartment the night of the murder. Hull, the man thrown out of Cunningham's apartment, Jack and Phyllis, a society girl, to whom Cunningham had been engaged, are also known to have been in the room the night of the murder. Lane and his cowboy chum, Sanborn, discover that Olson, a rancher, had been in a room near the apartment. The Jap valet is discovered dead. Esther, Rose's sister, disappears. Lane thinks the elder Cunningham had married her, and that the two cousins had abducted her in order to have her sign away her rights as an heir. He discovers, too, that the younger James Cunningham had married Phyllis, secretly.

AND HERE IT CONTINUES

CHAPTER XXVIII

The Finger of Suspicion Points

THE words of the preacher's little wife were like a bolt from a sunny heaven. Kirby could not accept them without reiteration. Never in the wildest dreams of the too vivid imagination of which his cousin had accused him had this possibility occurred to him.

"Do you mean that this man—the younger one—is the hubsand of Phyllis Harriman?" His finger touched the reproduction of his cousin's photograph.

"Yes. He's the man my husband married her to on the twenty-first of July."

"You're quite sure of that?"

"I ought to be," she answered rather dryly. "I was a witness."

A younger woman came up the walk from the street. She was a younger and more modern replica of Mrs. Rankin. The older lady introduced her.

"Daughter, this is Mr. Lane, the gentleman who called on futher the other day while we were away. Mr. Lane, my daughter Ellen." Briskly she continued, showing her daughter the picture of James Cunningham, Junior. "Did you ever see this man, dear?"

Ellen took one glance at it. "He's the man father marrred the other day."

"When?" the mother asked.

"It was—let me see—about the last week in July. Why?"

"Married to who?" asked Mrs. Rankin colloquially.

"To that lovely Miss Harriman, of course."

The old lady wheeled on Kirby triumphantly. "Are you satisfied now that I'm in my right mind?" she demanded smilingly.

"Have to ask your pardon if I was rude," he said, meeting her smile. "But the fact is it was such a surprise I couldn't take it in."

"This gentleman is the nephew of the Mr. Cunningham who was killed. He thought it was his uncle who had married Miss Harriman," the mother explained to Ellen.

The girl turned to Kirby. "You know I've wondered about that myself. The society columns of the papers said it was the older Mr. Cunningham that was going to marry her. And I've seen, since your uncle's death, notices in the paper about his engagement to Miss Harriman. But I thought it must have been a mistake, since it was the younger Mr. Cunningham she did marry. Maybe the reporters got the two mixed. They do sometimes get things wrong in the papers, you know."

This explanation was plausible, but Kirby happened to have inside information. He remembered the lovely photograph of the young woman in his uncle's rooms and the "Always, Phyllis" written across the lower part of it. He recalled the evasive comments of both James and his brother whenever any reference had been made to the relation between Miss Harriman and their uncle. No, Phyllis Harriman had been engaged to marry James Cunningham, Senior. He was sure enough of that. In point of fact he had seen at the district attorney's office a letter written by her to the older man, a letter which acknowledged that they were to be married in October. It had been one of a dozen papers turned over to the prosecutor's office for examination. Then she had jilted the land promoter for his nephew.

Did his uncle know of the marriage of his nephew? That was something Kirby meant to find out if he could. The news he had just heard lit up avenues of thought as a searchlight throws a shaft into the darkness. It brought a new factor into the problem at which he was working. Roughly speaking, the cattleman knew his uncle, the habits of mind that guided him, the savage and relentless passions that swayed him. If the old man knew his favorite nephew and his fiancee had made a mock of him, he would move swiftly to a revenge that would hurt. The first impulse of his mind would be to strike James from his will.

And even if his uncle had not yet discovered the secret marriage, he would soon have done so. It could not have been much longer concealed. This thing was as sure as any contingency in human life can be: if Cunningham had lived, his nephew James would never have inherited a cent of his millions. The older man had died in the nick of time for James.

Already Kirby had heard a hint to this effect. It had been at a restaurant much affected by the business men of the city during the lunch hour. Two men had been passing his table on their way out. One, lowering his voice, had said to the other: "James Cunningham ought to give a medal to the fellow that shot his uncle. Didn't come a day too soon for him. Between you and me, J. C. has been speculating heavy and has been hit hard. He was about due to throw up the sponge. Lucky for him, I'll say."

It was on the way back from Golden, while he was being rushed through the golden fields of summer, that suspicion of his cousin hit Kirby like a blow in the face. Facts began to marshal themselves in his mind, an irresistible phalanx of them. James was the only man, except his brother, who benefited greatly by the death of his uncle. Not only was this true; the land promoter had to die soon to help James, just how soon, Kirby meant to find out.

Phyllis and a companion had been in the victim's apartment either at the time of his death or immediately afterward. That companion might have been James and not Jack. James had lost the sheets with the writing left by the Japanese valet Horikawa. The rage he had vented on his clerk might easily have been a blind. When James knew he was going to Golden to look up the marriage register, he had at once tried to forestall him by destroying the information.

Kirby tried to fight off his suspicions. He wanted to believe in his cousin. In his own way he had been kind to him. He had gone on his bond to keep him out of prison after he had tried to conceal the fact of his existence at the Coroner's inquest. But doubts began to gnaw at the Wyoming man's confidence in him. Had James befriended him merely to be in a position to keep closer tab on anything he discovered? Had he wanted to be close enough to throw him off the track with the wrong suggestions?

If uncle hadn't died that night your brother would have been a beggar. Now he is a millionaire

The young cattleman was ashamed of himself for his doubts. But he could not down them. His discovery of the marriage changed the situation. It put his cousin James definitely into the list of the suspects.

As soon as he reached town he called at the law offices of Irwin, Foster and Warren. The member of the firm he wanted to see was in.

"I've been to Golden, Mr. Foster," he said, when he was alone with that gentleman. "Now I want to ask you a question."

The lawyer looked at him, smiling warily. Both of the James Cunninghams had been clients of his.

"I make my living giving legal advice," he said.

"I don't want legal advice just now." Kirby answered. "I want to ask you if you know whether my uncle knew that James and Miss Harriman were married."

Foster looked out of the window and drummed with his fingertips on the desk. "Yes," he said at last.

"He knew?"

"Yes."

"Do you know when he found out?"

"I can answer that, too. He found out on the evening of the twenty-first—two days before his death. I told him—after dinner at the City Club."

"You had just found it out yourself?"

"That afternoon."

"How did you decide that the James Cunningham mentioned in the license you saw was the younger one?"

"By the age given."

"How did my uncle take the news when you told him?"

"He took it standing," the lawyer said. "Didn't make any fuss, but looked like the Day of Judgment for the man who had betrayed him."

"What did he do?"

"Wrote a note and called for a messenger to deliver it."

"Who to?" Kirby asked colloquially.

"I don't know. Probably the company has a record of all calls. If so, you can find the boy who delivered the message."

"I'll get busy right away."

Foster hesitated, then volunteered another piece of information. "I don't suppose you know that your uncle sent for me next day and told me to draft a new will for him and get it ready for his signature."

"Did you do it?"

"Yes. I handed it to him the afternoon of the day he was killed. It was found unsigned among his papers after his death. The old will still stands."

"Leaving the property to James and Jack?"

"Yes."

"And the new will?"

"Except for some bequests and ten thousand for a fountain at the city park, the whole fortune was to go to Jack."

"So that if he had lived twenty-four hours longer James would have been disinherited."

Foster looked at him out of eyes that told nothing of what he was thinking. "That's the situation exactly."

Kirby made no further comment, nor did the lawyer.

Within two hours the man from Twin Buttes had talked with the messenger boy, refreshed his memory with a tip, and learned that the message Cunningham had sent from the City Club had been addressed to his nephew Jack.

CHAPTER XXIX

"Come Clean, Jack"

Jack Cunningham, co-heir with James of his uncle's estate, was busy in the office he had inherited settling up one of the hundred details that had been left at loose ends by the promoter's sudden death. He looked up at the entrance of Lane.

"What do you want?" he asked sharply.

"Want a talk with you."

"Well, I don't care to talk with you. What are you doing here anyhow. I told the boy to tell you I was too busy to see you."

"That's what he said." Kirby opened his slow, whimsical smile on Jack. "But I'm right busy, too. So I brushed him aside an' walked in."

In dealing with this forceful cousin of his Jack had long since lost his indolent insolence of manner. "You can walk out again, then. I'll not talk," he snapped.

Kirby drew up a chair and seated himself. "When Uncle James sent a messenger for you to come to his rooms at once on the evening of the twenty-first, what did he want to tell you?" The steady eyes of the cattleman bored straight into those of Cunningham.

"Who said he sent a messenger for me?"

"It doesn't matter who just now. There are two witnesses. What did he want?"

"That's my business."

"So you say. I'm beginnin' to wonder if it isn't the business of the State of Colorado, too."

"What do you mean?"

"I mean that uncle sent for you because he had just found out your brother and Miss Harriman were married."

Jack flashed a startled look at him. It seemed to him his cousin showed an uncanny knowledge at times. "You think so."

"He wanted to tell you that he was goin' to cut your brother out of his will an' leave you sole heir. An' he wanted you to let James know it right away."

Kirby was guessing, but he judged he had scored. Jack got up and began to pace the room. He was plainly agitated.

"Look here. Why don't you go back to Wyoming and mind your own business? You're not in this. It's none of your affair. What are you staying here for hounding the life out of James and me?"

"None of my business! That's good, Jack. An' me out on bond charged with the murder of Uncle James. I'd say it was quite some of my business. I'm gonna stick to the job. Make up your mind to that."

"Then leave us alone," retorted Jack irritably. "You act as though you thought we were a pair of murderers."

"If you have nothin' to conceal, why do you block my way? Why aren't you frank an' open? Why did you steal that record at Golden? Why did James lose the Jap's confession—if it was a confession? Why did he get Miss McLean to disappear? Answer those questions to my satisfaction before you talk about me buttin' in with suspicions against you."

Jack slammed a fist down on the corner of the desk. "I'm not going to answer any questions! I'll say you've got a nerve! You're the man charged with this crime—the man that's liable to be tried for it. You've got a rope round your neck right this minute—and you go around high and mighty trying to throw suspicion on men that there's no evidence against."

"You said you had a quarrel with your uncle that night—no, I believe you called it a difference of opinion, at the inquest. What was that disagreement about?"

"Find out! I'll never tell you."

"Was it because you tried to defend James to him—tried to get him to forgive the treachery of his fiancee and his nephew?"

Again Jack shot at him a look of perplexed and baffled wonder. That brown, indomitable face, back of which was so much strength of purpose and so much keenness of apprehension, began to fill him with alarm. This man let no obstacles stop him. He would go on till he had uncovered the whole tangle they were trying to keep hidden.

"For God's sake, man, stop this snooping around! You'll get off. We'll back you. There's nowhere nearly enough evidence to convict you. Let it go at that," implored Jack.

"I can't do that. I've got to clear my name. Do you think I'm willin' to go back to my friends with a Scotch verdict hangin' over me? 'He did it, but we haven't evidence enough to prove it.' Come clean, Jack! Are you and James in this thing? Is that why you want me to drop my investigations?"

"No, of course we're not! But—damn it, do you think we want the name of my brother's wife dragged through the mud?"

"Why should it be dragged through the mud—if you're all innocent?"

"Because gossips cackle—and people never forget. If there was some evidence against her and against James—no matter how little—twenty years from now people would still whisper that they had killed his uncle for the fortune, though it couldn't be proved. You know that."

"Just as they're goin' to whisper about Rose McLean if I don't clear things up. No, Jack. You've got the wrong idea.

"What we want to do is for us all to jump in an' find the man who did it. Then all gossip against us stops."

"That's easy to say. How're you going to find the guilty man?" asked Jack sulkily.

"If you'd tell what you know we'd find him fast enough. How can I get to the bottom of the thing when you an' James won't give me the facts?"

Jack looked across at him doggedly. "I've told all I'm going to tell."

The long, lithe body of the man from the Wyoming hills leaned forward ever so slightly. "Don't you think it! Don't you think it for a minute! You'll come clean whether you want to or not—or I'll put that rope you mentioned round your brother's throat."

Jack looked at this man with the nerves of chilled steel and shivered. What could he do against a single-track mind with such driving force back of it? Had Kirby got anything of importance on James? Or was he bluffing?

"Talk's cheap," he sneered uneasily.

"You'll find how cheap it is. James had been speculatin'. He was down and out. Another week, an' he'd have been bankrupt. Uncle discovers how he's been tricked by him an' Miss Harriman. He serves notice that he's cuttin' James out of his will an' he sends for a lawyer to draw up a new one. James an' his wife go to the old man's rooms to beg off. There's a quarrel, maybe. Anyhow, this point sticks up like a sore thumb: If uncle hadn't died that night your brother would 'a' been a beggar. Now he's a millionaire. And James was in his room the very hour in which he was killed."

"You can't prove that!" Jack cried, his voice low and hoarse. "How do you know he was there? What evidence have you?"

Kirby smiled, easily and confidently. "The evidence will be produced at the right time." He rose and turned to go.

Jack also got up, white to the lips. "Hold on! Don't—don't do anything in a hurry! I'll—talk with you tomorrow—here—in the forenoon. Or say in a day or two. I'll let you know then."

The hard look passed from his eyes as he reached the corridor. "Had to throw a scare into him to make him come through," he murmured in apology to himself.

To be continued tomorrow

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