

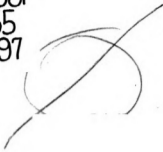


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THE
WHISPERING
MAN

HENRY KITCHELL WEBSTER

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THE WHISPERING MAN



“‘Twenty minutes *after!*’ she whispered.”

The
WHISPERING MAN

BY

HENRY KITCHELL WEBSTER

AUTHOR OF "THE BANKER AND THE BEAR," "ROGER
DRAKE"; JOINT AUTHOR OF "THE SHORT
LINE WAR," "CALUMET 'K,'" ETC.



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CONTENTS

| CHAPTER | PAGE |
|---|------|
| I.—NOT IN THE PAPERS | 1 |
| II.—MADELINE | 18 |
| III.—THE THEORY OF THE POLICE | 37 |
| IV.—CARLTON STANCLIFFE | 53 |
| V.—A QUESTION OF MINUTES | 72 |
| VI.—DR. ARMSTRONG TESTIFIES | 89 |
| VII.—THE BALANCE OF PROBABILITY | 102 |
| VIII.—WHAT JACK MARSHALL KNEW | 118 |
| IX.—THE LAST PATIENT | 133 |
| X.—MR. STANCLIFFE'S TRAP | 160 |
| XI.—TEN MINUTES LEFT | 182 |
| XII.—AN IMPOSSIBLE CERTAINTY | 208 |
| XIII.—JEFFREY SMOKES A PIPE | 237 |
| XIV.—AND TRIES AN EXPERIMENT | 261 |
| XV.—MR. STANCLIFFE BIDS US GOOD EVENING . | 275 |
| XVI.—JEFFREY EXPLAINS | 297 |
| XVII.—THE STORY IS TOLD | 316 |

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THE WHISPERING MAN

CHAPTER I

NOT IN THE PAPERS

IT is strange that we should have been talking about Dr. Marshall that very night, I and my new friend and neighbor, across our little table in the restaurant. Talking about him we were, and at considerable length, too, before I bought the paper that had the news of his death in it. But, after all, it had come about naturally enough.

Jeffrey and I had made friends, I think, for the simple reason that we were about as unlike as any two moderately intelligent and successful young men could be. Well, there is no use stretching my own modesty to cover Jeffrey's position, too. He at least was more than moderately successful in his vocation, which was that of a painter. As to intelligence, it was a discus-

THE WHISPERING MAN

sion of that very subject which had led to the introduction of Dr. Marshall's name.

Arthur Jeffrey was an illustrious monument to the deceitfulness of appearances. He looked like a rising young stock broker. Except among people whom he could really call his friends, he made no impression, and aimed to make none, except that of a brisk, alert, well-mannered, perfectly dressed young man, whose habitat for seven hours of the day was, no doubt, somewhere below Chambers Street. I think it would have been hard to induce the desk clerk at the fashionable apartment building off Madison Square, where we both lived, to believe that Jeffrey, when he emerged from the elevator so promptly at half past eight every morning, went uptown, instead of down, to a big barnlike studio, where he painted pictures whose queerness and daring were making him the talk of New York.

But, if he was all commonplace on the outside, he was pure genius within. I have never known a man who so deliberately and consciously abandoned the faculties of logic and reason,

NOT IN THE PAPERS

which he nevertheless possessed in a high degree, in favor of the more hazardous flight of fancy.

I suppose it was because he discovered no streak at all of genius in me that he took a fancy to me. What reputation I may have attained for myself as a lawyer and as the author of a large calf-bound text-book on evidence, has come to me through the exercise of the very faculty, to which my friend was fond of alluding in terms of such contempt, the faculty of thinking straight and consecutively.

It seems he had heard, possibly from myself, though I am inclined to doubt it, of this text-book of mine on evidence, and some unaccountable freak had induced him to buy and read it.

During the hour we had sat there over our dinner, he had amused himself and me by attacking, with a wealth of audacious paradox, one after another of the principles of evidence which my book contained. They were not, for the most part, principles which I had formulated myself; many of them were as old as the

THE WHISPERING MAN

common law, but the most venerable of them all was none the safer, on that account, from my friend's attack.

"What does the best evidence in the world amount to, anyway, when it comes to that?" he concluded. "It's utterly meaningless, except when it's tied on behind some theory, like the tail on a kite. As for expert testimony, there's only one kind of true expert, and he is just an inspired guesser, no more, no less."

"Come," said I, "take, for instance, Dr. Roscoe Marshall, who is, perhaps, the leading alienist in the United States. He has probably taken the stand as an expert in more insanity cases than any other man. Well, go and buy his book and read it—his book on mental and nervous diseases. You'll find it more interesting than mine. And see how much guesswork you think there is about that— Why, what's the matter with you? What are you chuckling about?" For my friend sat there, enjoying a silent laugh all to himself, as if what I had just said had been something exquisitely amusing.

NOT IN THE PAPERS

"Drew," he said at last, "never argue with a man who always has the luck on his side. You are delivered straight into my hands by your own illustration."

"I don't see how," said I.

"No, but you will. Listen. I painted a portrait of Mrs. Marshall this spring. She's a great beauty, by the way. She must be at least twenty-five years younger than her husband. Did you ever see her?"

"Yes," said I. "I know her rather well. She's his second wife."

"Well, that has nothing to do with the point. Marshall liked the picture a lot, so much that he offered to pay me more than the price I had agreed to paint it for. Of course I wouldn't take that, but I asked him a favor instead. I wanted some casts made of his hands. He has the finest hands I ever saw. He finally assented, and I've got them up at the studio now. I'll show them to you some time. Well, that has nothing to do with the point, either. The advantage of not pretending to be logical is,

THE WHISPERING MAN

that you can wander around as much as you like.

“ Anyway, that’s how it happens that I was talking to this famous expert of yours only this morning.

“ I had happened to tell him once that I believed that I always knew a criminal when I saw one, without knowing how or why—by just looking at him. He didn’t scout that theory as you would if I were to give you the chance. He said he could recognize an insane man in the same way. He said that only the other day a man came into his office to consult him about some little nervous affection he had. The man’s manner was quiet, composed, to the normal eye perfectly normal, but he knew, just by looking at him, that the man was mad—mad as a March hare. In a year, or less, he was willing to stake his professional reputation, that man would turn into an out-and-out lunatic. The queer part of it was, he said, this patient was a doctor himself, and he, obviously, never dreamed of his condition.”

NOT IN THE PAPERS

"That's a rather grisly idea," I commented. "But what's that you say about yourself: that you can spot a criminal in the same way, just by looking at him?"

"Oh, I shan't attempt to make you believe it," said Jeffrey easily; "yet, if it weren't against my principles, I could offer some evidence to prove it."

"Waive the principles without prejudice," said I, "and give me an instance."

"Did you know that I was once a newspaper artist?" he asked me. "Of course I came out strong at murder trials and such places, where the staff photographers couldn't get in. In that famous Marshbank's trial—do you remember it?—I attended every session of court, and I knew who the real criminal was from the first moment. If I had been the judge, instead of bothering to select a jury composed of the twelve stupidest men in the city, I should simply have pointed out the respectable gentleman, who was the star witness for the State, and said, 'Take him out and electrocute him,' and that would

THE WHISPERING MAN

have been the end of it. It wouldn't have taken ten minutes. It came to the same thing in the end, but it took two years to do it, and wrecked an innocent man's life in the bargain."

"And you believed all the while," I repeated incredulously, "that McWilliams was the man?"

"Not believed; knew. Oh, I don't know how. That's the whole point. That's what I've been preaching all the evening. The only certain knowledge is the inspired guess."

There wasn't much room for argument with a man who took that position, and I was glad when the arrival of a small newsboy crying the eight o'clock extras in the street outside afforded an opportunity to change the subject. It was a warm evening, toward the latter part of May, and the doors were open, so I called him in.

"We'll get down to something important," I explained as I did so. "We'll see how the baseball game's come out."

But the black headlines that caught my eye had nothing to do with our great national game.

NOT IN THE PAPERS

I was conscious, while I stared at them, of a queer sensation, that might almost be called a presentiment.

"That's rather curious, considering," said I, handing the paper over to him.

For the item of news I had read there, which tried to make up by the size and blackness of its type for the meagerness of detail which it afforded, was that Dr. Roscoe Marshall, the famous alienist and specialist in nervous diseases, had been found dead in his office chair at half past twelve o'clock that afternoon.

We made some pretense at reading the rest of the news, and talking about indifferent subjects, but neither my mind nor his succeeded in getting very far away from the main theme.

Finally, after a little silence, I remarked: "There is this to be said of him, he was absolutely on the square. Nobody in the world had money enough to get him to cut an opinion to fit the brief. There are precious few experts who won't do that. The State Attorney's office will miss him."

THE WHISPERING MAN

"Well," said Jeffrey, "I am glad I've got those casts of his hands. They are both distinguished, the right and the left one. I never saw such a pair."

It occurred then to both of us, I think, that we were treating the memory of an illustrious citizen rather inadequately.

"Of course," said Jeffrey, "I knew him very little. You knew him rather well, didn't you?"

"On the contrary, not well at all. I know her—knew her, I should say, as I've hardly seen her since she married him. I knew her—rather well."

"In other words," said Jeffrey, "you were once in love with her. Well, that's natural enough."

It was natural enough. I think that all the men who ever enjoyed the privilege of knowing Madeline Cartwright well were more or less in love with her, and I had been no exception to the rule. The rule which I was an exception to was that the men who fell in love with her gen-

NOT IN THE PAPERS

erally got over it when they found that their feelings toward her were not reciprocated.

I was in the habit of assuring myself, with a good deal more confidence than I actually felt, that I had got over it, too; but I had never gone so far as to be able to imagine for one moment that I was in love with anybody else. At all events, I had made small progress toward carrying out her injunctions of a half a dozen years ago, that I go away and forget about her. She had said it in perfectly good faith, but she had said other things on that memorable night that would have made forgetting impossible to any but a man of brass.

“We don’t miss it by so very much, Cliff,” she had said. “I have hoped to come to feel toward you the way you feel toward me. I’d like to if I could, and I have—well, kept you along in the hope that I might; but it’s no use. We don’t miss by so very much, but we do miss somehow. Some day a man may ask me whom there is no question about. I don’t know whether there is such a man in the world

THE WHISPERING MAN

or not, but if there isn't, I shall never marry, Cliff."

Well, I wish to Heaven she had kept to that resolution. After that I had pretended to her, and to myself as well, that my feeling toward her had cooled down into the comfortable sort of affectionate regard which she felt for me. I think my pretense deceived her, though it never was very successful in deceiving myself.

It was about two years ago now that she had confided to me that she thought of marrying Dr. Marshall, and had asked me what I thought of him. Of course I had not committed myself on a dangerous subject like that, but she had no difficulty in seeing, I imagine, that I regarded it as a mistake. So it was altogether natural that, when she went ahead and did it anyway, our relation should have lapsed. Of course I said nothing of all this to Jeffrey, but I did not deny the validity of the guess he had hazarded.

"I would like to know what you thought of him," said I, "or, rather, what you thought of them together."

NOT IN THE PAPERS

He was ready enough to talk, at all events. "Take it altogether, I think she's in luck. They were a queerly matched couple. Oh, disparity of years had nothing to do with it. They fascinated each other about equally, but while he was really in love with her—as well as he knew how to be, and no man could be with her every day and not be that—I think that in the core of her heart she hated him."

"Hated!" I cried in protest. "Come, draw it mild."

"Not a bit of it," he resumed. "Marshall was a queer mixture."

"He was a cold sort of fish," I admitted.

"But not like the other cold fishes. Most people are cold just because they can't understand. Understanding, sympathetic people are nearly always warm-hearted. If you can really stand in another man's shoes and see how the world looks to him, it generally makes you like him. But it didn't have that effect on the doctor. He saw through everybody; knew why they laughed at this and cried at that; knew how the

THE WHISPERING MAN

world must look to them, but that knowledge never warmed him up a bit. Human souls were just so many specimens to him, possessed of more or less scientific interest. His wife's was the most interesting one of his collection, but that's all it came to. Why, of course she hated him."

Somewhere along in this conversation we had left the restaurant and started strolling across the square toward The Atlas, where our apartments were. Its brilliantly lighted entrance was now in plain view. In the full light of one of the great ornamental outside lamps we could see two persons in apparently earnest conversation. One was the hall boy. You could tell him even at this distance by the glitter of his cut-steel buttons. The other figure looked familiar, too, though I probably should not have recognized it had it not been for the present theme of our conversation.

I quickened my pace a little. "Do you know," said I to my companion, "I believe that's his son there now."

"Marshall's? What's he doing here?"

NOT IN THE PAPERS

"I can't imagine, unless he's come to see me. He's been attending a course of evening lectures I give at the law school, and I've come to know him pretty well in the course of the last few months. He'll take this hard, I suspect; harder than anybody else. Come, they'll have told him I'm not there, and I'm afraid he won't wait. Do you mind hurrying a little?" But the figure had disappeared in the dark before we had come near enough to attract his attention.

"Too bad you wasn't a minute sooner, sir," said the hall boy, as we came up. "There was a gentleman here, very anxious to see you. Ah—there he comes back now."

I wheeled around, to confront a white-faced young man, with wildly haggard eyes,

"Mr. Drew!" he cried; "I've found you at last!"

I grasped his hand and his shoulder at the same time, to steady him. "You needn't tell me," said I; "I've seen the papers. Do you want me? I'll do anything I can, of course."

"Yes," he said; "Mrs. Marshall does, and I

THE WHISPERING MAN

do, too. She suggested sending for you. I've an electric cab here waiting. Can you come at once?"

"In two minutes," said I.

I turned to make my excuses to Jeffrey, but found him listening in his turn to the conversation of the hall boy:

"There's a gentleman waiting for you in the reception room, sir; he's been here some time; says you expected him."

"Send him up to my apartments," said Jeffrey; "I know who he is." And without turning in our direction, he walked straight to the elevator.

Young Marshall and I made no attempt to talk until we were rolling along uptown in the late physician's electric brougham. The relation between Marshall and me was hardly that of pupil and professor. That is a relation I like to avoid, and in this young man's case I had succeeded. We were almost like older and younger brother.

I laid my hand on his shoulder. "I know

NOT IN THE PAPERS

there is nothing I can say that will make it any easier——”

He gave a sort of dry sob at that, and my grip on his shoulder tightened. He was shuddering all over. The impression I got was one of horror rather than of grief, somehow.

“You don't know,” he said, when he had commanded his voice. “It isn't in the papers; not the worst of it.” And then he turned and looked me full in the face, and the wildness of his eyes startled me. “It isn't in the papers yet,” he repeated, “but it will be—I think—oh, more than that—I know. My father was murdered!”

CHAPTER II

MADELINE

ALL I could do at first was to repeat the word after him, in an accent of horror as profound as his own, "Murder!"

He sank back limply against the luxurious leather cushions, and turned his face away. "Yes," he whispered.

My mind, which had simply stopped running at the shock of the word, swiftly recovered itself and went to work again. "But how?" I asked. "What was the weapon, and who could have been the murderer? Who in the world had a motive for wanting to murder him?"

"There was no weapon," he said.

"No weapon? Then how was the murder committed?"

"I don't know." His voice was quite lifeless. Evidently it was with the greatest diffi-

MADELINE

culty that he forced himself to talk at all. But I wanted to know more than he had told me, as I did not care to face Madeline until I did.

"If there was no weapon," said I, "and you don't know——"

"Oh," he interrupted, with a trace of impatience; "I don't know, really. Dr. Armstrong, when he first saw him sitting there over his desk, thought it was heart failure. But it wasn't that. Even I could see it wasn't that from the look in the eyes. There was the wildest, most horrible glare. And then they called down Adams, whose office is on the floor above, and he disposed of the heart-failure theory at a glance."

"What did he say it was?" I asked.

It seemed as if the young man beside me would never be able to frame the single word needed to answer my question. He struggled with it, but for a long time it would not come. When it did, it was only in a whisper. The word was "poison."

Now, the idea of sudden death by poisoning

THE WHISPERING MAN

has a peculiar atrocity about it such as no other death-dealing device contains, for poison as a means of murder spells treachery in burning letters that even a child could read. It is a means of murder no avowed enemy can use. A man may be stabbed or shot in a heat of passion, or even in self-defense, and by an enemy who has taken a brave man's chance of meeting the same fate himself in place of his intended victim. But poison can only be administered by a false friend. So I did not wonder that the word was a long time coming from my young friend's lips.

Presently, however, I thought of something; hesitated a while whether to speak of it or not, but finally decided in the affirmative. "I suppose," said I, "that it's an idea that would be hard for you to entertain, but if he died by poison, isn't it altogether probable that he administered it himself? To speak plainly, don't you think that he committed suicide?"

"Hard for me?" he echoed, with a half-hysterical laugh. "Good God! if I only could believe it! But it's perfectly impossible. My

MADELINE

father was one of the happiest as well as one of the sanest of men. His nervous balance was never disturbed, and had, indeed, very little to disturb it. His whole life was an open book, and there's nothing in it we don't know. He was rich; he was famous; he was altogether happy in his work. He was looking forward with special interest to some cases that were coming up within the next two or three days."

"Did you see him this morning?" I asked.

"At breakfast, yes, as usual," he answered.

"And was there anything unusual or abnormal about his manner?"

He hesitated an appreciable space of time before he answered. "Nothing abnormal—no!"

I noticed by the slight, unconscious emphasis that he put on the word that he avoided denying that there was anything unusual. But he was obviously in no condition to be catechised, so I let that point go.

"He went to his office at his usual time?" I asked.

"Yes," said he, "and found the reception

THE WHISPERING MAN

room full of patients waiting for him, just as he always did. He saw them in rotation up to half past eleven. At half past twelve they found him—dead.”

“Then,” said I, “the patient who went into his office at half past eleven was the last person known to have seen him alive?” But before the question had fairly passed my lips, I realized that it was little better than wanton cruelty to ply him with questions and compel him to make answers in his present condition.

He made no attempt to answer this last question at all, but buried his face in his hands and let the shuddering sobs, that all along had been threatening his voice, have uncontrolled sway. He made a brave effort to regain his self-control, and presently succeeded far enough to be able to stammer out an apology to me for the exhibition he had been making of himself. Before our swiftly moving vehicle had reached his father's door, he seemed to be somewhere near himself again.

The house was an ordinary four-story brown-

MADELINE

stone affair, furnished with exquisite taste, and in no way suggesting the profession of the man who had owned it. Dr. Marshall's offices were a good deal farther downtown, in the Grosvenor Building, and, to a far greater extent than most physicians find it practicable to do, he had made a practice of locking his work up inside his office every night.

There was a large living room, half library, half den, in the rear of the second story, and it was hither that young Marshall led me. Two or three young men, whom I took to be reporters, were waiting in the front drawing-room, and their curious glances were fixed on me as I passed the door on my way up the stairs.

The upper hallway was dark, so I could not see who it was who addressed my guide from the head of the stairs, but I did not need to see; I should have known that voice anywhere.

"Did you find him, Jack?" she asked. But she did not wait for his answer, for the next moment she caught sight of me.

THE WHISPERING MAN

"It was good of you to come, Clifford Drew," she said. That was an old characteristic of hers I well remembered, calling me by both names, and she offered me both hands when I had gained the last of the stairs and stood beside her. "I thought you would not fail us," she added. "Come in."

She led the way into the dimly lighted library, her stepson standing aside to let me go in first. She did not seat herself until she had crossed over to the wall switch and flooded the room with light. That action was characteristic, too, and, in a way, symbolic. She had never courted twilights or concealments. If she had anything to conceal now, the thing it would hide behind would be a mask of absolute candor.

I was glad to have a good look at her now, after those two years. She was all my memory had painted her; just as beautiful as ever—more, I think I may say, for her beauty had only come to its full, matured perfection. She was a large woman; magnificent, calm, stately.

MADELINE

Her head was crowned with a glory of chestnut-brown hair, shot through with metallic lights, and her eyes matched it. They were brown, but quite without that velvety dullness which detracts from the beauty of so many pairs of brown eyes. Hers were extraordinarily bright and singularly expressive. The impression of intensity that one got from her came, I think, almost exclusively from her eyes.

Her manner certainly was repose itself. She was still dressed in the simple lavender-colored house frock she had on when they brought her the news of the tragedy. It would have been hard to imagine a manner more exactly opposite to that her stepson had exhibited, than hers was when I stood looking at her across the library. Her eyes showed no trace of tears, nor were they stony, fixed, paralyzed with grief or horror, as many tearless eyes are. Her hand, as she withdrew it from the wall switch, was as steady—I had started to say as mine; it was a good deal steadier.

But for just one instant I saw a look of ap-

THE WHISPERING MAN

prehension come across her face. That was when she glanced toward the doorway, where her stepson was still standing.

"I suppose you know the story," she began. "Jack has told you, hasn't he?"

"I couldn't tell him much," said he, from his position in the doorway. He seemed not to mean to enter the room, but her attitude invited him. "I tried to tell him, but I gave it up."

"Well, don't worry any more, Jack," she said. "There's nothing you have to do now. Can't you read, or do something to get a little quiet, and then go to bed? Clifford will attend to everything."

"Exactly," said I; "that's what I'm here for. I'll see everybody who is to be seen, and answer questions as well as I can."

Of course I meant what I said, but I was a little surprised and rather unpleasantly affected by the eagerness with which the young man accepted my offer. He muttered a barely audible "Thank you," turned, and went straight up the

MADELINE

stairs to the floor above, where his own room was. A moment later I heard his door close behind him with a bang.

"Of course," said I, "it must be a fearful blow to him." She made no answer, but then my comment called for none. "And, after all," I continued, "I think he has told me nearly everything. He said that Dr. Marshall went to his office this morning, as usual, and saw an unbroken succession of patients, until within an hour of the time they found him dead. There are only two or three other questions that I should have asked him had he been in condition to give me all the information I wanted. One is, who was the last person known to have seen him alive? The patient who went in, I believe, at half past eleven?"

"I don't know much about her," said Madeline. "She called up the house on the telephone only about an hour ago, having just learned that Dr. Marshall was dead. She said she would be glad to tell us anything she could about him. She is a Miss Gwendolen Carr. She gave me

THE WHISPERING MAN

her address, and I've written it down. I don't suppose she will be able to tell us anything. She had a nice voice."

The thing I was wondering about all the while was, what her own explanation of the tragedy could be, and it seemed impossible, seeing her sitting there so tranquilly, that she could believe the terrible theory I had just heard advanced by the dead man's son—murder by poison. I hesitated even to suggest it to her in so many words.

"I understand," said I, "there is some disagreement between the two doctors who saw him as to what had been the cause of death; that one of them called it poison, and the other attributed it to heart failure."

"I don't think there can be much real doubt about it; in fact, Dr. Armstrong has practically admitted that he was mistaken."

"By the way," I asked, "who is Dr. Armstrong? How did he happen to be there?"

"Why, didn't you know he was Roscoe's assistant? He has had that position for nearly a

MADELINE

year. He was right in the adjoining room all the while."

I looked at her in wonder, for she stated this momentous fact quite as if she saw no exceptional significance in it. Yet if murder had been done, as my young friend believed, and murder by poison, who could more easily have accomplished this fiendish act than the trusted young assistant with an office in the next room? Could he have any motive for such an act? I would make further inquiry about him presently.

For the moment, however, the alternate theory, suicide, presented itself very strongly to my mind. I asked Madeline the same thing I had asked of Jack in the cab, "Did you see anything unusual or abnormal about him this morning at breakfast?" But this time I got an answer; it was unequivocal.

"Nothing abnormal, but unusual, yes, decidedly."

"Jack hinted as much to me," said I, "but seemed not to want to talk about it. Do you mind if I ask you more particularly?"

THE WHISPERING MAN '

"Jack hinted at it?" she repeated. "How could he have known anything about it? Why, no, I don't mind telling. He and I—Dr. Marshall, I mean, and I—had been having a somewhat sharp difference of opinion for a day or two past, and it came rather to a climax this morning."

"Was your quarrel serious enough," I asked, feeling my way with a good deal of hesitation—"serious enough to have afforded a possible motive for—" I hesitated over the word, but she manifested no such squeamishness:

"Suicide?"

"Yes."

"No," she answered quietly, "not by any possibility. I don't think it would have amounted to anything that could have been called a quarrel, if he hadn't been tortured with indigestion at the time. I didn't know that till I saw on my dressing table the capsules he always takes. Anyway, if it had been my own quarrel I shouldn't have pressed matters. As it was, I had to, for I was trying to dissuade

MADELINE

him from doing a great wrong to some one else."

I could not help it. It was not a suspicion of her; it was a wholly involuntary perception that the story she was telling me was forming itself into a pattern.

I couldn't get my own voice to come very clearly when I asked her the question that was on my tongue. "Who was it," I asked, "against whom he meditated this wrong? If there has been murder, there must have been a motive for it."

She paled a little, but she answered the question steadily: "It was Dr. Armstrong."

Do you know what I thought of then? I wished my friend Jeffrey might have had the opportunity for the long, straight look she allowed me right into her brown eyes. Was it a face of the most courageous innocence, or of the most cynical guilt? Would Jeffrey know, I wondered. Evidently she saw that I did not, for as she read what was in my face, I saw come into hers the same expression of quick apprehen-

THE WHISPERING MAN

sion I had seen there when she was looking at her stepson. But she came a little closer to me, and held out her hands with a quick, appealing gesture.

"Cliff, do I have to pretend with you? Can't I let my looks and my inflections, and all the ghastly perverse inferences that could be drawn from the things I have been telling you take care of themselves? Does it matter to you that I haven't been crying, or do you think that I ought to have pretended not to be able to talk about it calmly, even if I was?"

"No," said I. "I am glad you are not pretending at any rate."

"I didn't poison my husband," she said quietly, "and I don't believe Dr. Armstrong did. You were right, dreadfully right, when you advised me not to marry him. I never was in love with him; I often hated him, or thought I did. But I shall miss him dreadfully. Can't you understand that? And yet I am not altogether sorry that he died to-day. He's had a good life, a full life. It has brought him every-

MADELINE

thing he wanted—wealth and fame, and all the rest of it. In going out now, he's prevented from doing a man a serious wrong, a young man for whom life otherwise seemed to have as much in store as it had for him. I had tried to get him not to do it. I urged him to show a little plain, unmixed, undeserved mercy, but he wouldn't listen. That quality wasn't in him. He had done once before, years and years ago, before I knew him, the very thing I was trying to prevent. He had pushed a brilliant young man off the edge of things; a young man who only needed a steady touch of the shoulder to set him right. Instead of that, he was sent slipping down, down, down, quite off the curve of the world—our world, and in what miserable slough he perished, I don't know. I ventured to remind Dr. Marshall of that young man this morning. That was why he went away in anger."

After she finished speaking, she made a listless gesture with her hands, as if it didn't much matter after all, and went back to her seat.

THE WHISPERING MAN

"But, as you perceive," she continued, a hard, lifeless tone of satire in her voice—"as you perceive, the pattern is quite complete. Walter Armstrong has been making love to me—I am just telling you how it looks—and the doctor and I have quarreled about him; and the doctor went down to his office and died of poison, with Dr. Armstrong in the next room, and with a little box in his pocket containing the capsules which he had forgotten and I had handed to him, in the presence of the butler, before he started out. That's reasonably complete, isn't it?"

Whatever had been in her voice and in her face before, there was nothing there now but hard defiance. "Do you advise me to lie," she concluded, "or dare I tell the truth?"

The sharp jangle of the telephone bell broke the long, tense silence which had ensued upon her last bitter question, for I had not been able to make an answer to it.

I went to the 'phone. "Is this Dr. Mar-

MADELINE

shall's residence?" asked a voice. "Well, this is Police Headquarters. Can we talk with Mrs. Marshall?"

"No," said I. "I am representing the family. My name is Clifford Drew. I'll take your message."

"Well, we've got the man," said the voice at the other end of the 'phone. "I don't think there can be any doubt about it. He's Pat Pomeroy. He's one of the highest class crooks in the country. He was in the doctor's office this morning pretending to be a patient. We arrested him about an hour ago on suspicion, and found a large unset ruby in his pocket. We think it's the Marshall ruby, and we want some member of the family to come down and identify it."

I said that we would come, and hung up the receiver. Then I turned to Madeline. "Thank God!" I cried, and I gave her the message. I felt somehow that I could breathe again; that the heavy black pall which had hung over my spirit since young Jack Marshall had inarticu-

THE WHISPERING MAN

lately uttered the word "poison" was suddenly torn away.

It was wonderful that the police explanation had occurred to none of us. Dr. Marshall had been a connoisseur of precious stones. He was known to have a hobby for them, based upon the reactions they produced on certain classes of patients. He frequently exhibited them to the mentally disordered persons who came to consult him, and the fact was more or less generally known.

But Madeline's face showed hardly the relief I expected to find there.

"It's all right," I went on, trying to reassure her. "The pattern that we fancied we saw forming itself about you is knocked to pieces. The only possible doubt of Pomeroy's guilt will be settled when we identify that ruby in his pocket as Dr. Marshall's."

"Well," she said, "perhaps you are right."

CHAPTER III

THE THEORY OF THE POLICE

I DECIDED that Jack would be the best person to take with me to identify the ruby, and leaving Madeline in the library, went upstairs to his room. Also, I was anxious to relieve his mind of the horrible idea which I supposed he had shared with me, and which I took to account for his distracted conduct in the cab.

I knocked briskly on the door, and entered the room without waiting for his invitation to come in. He was still fully dressed. "Well, it's all right," said I. "They've got the murderer. I guess there's no doubt about it."

His face, which had been pale before, went white as chalk. "Who? Where?" he asked. "What makes them think so?"

"It's all right," I repeated. "Sit down and listen. There is nothing more to worry about."

THE WHISPERING MAN

The man who did it is safe under lock and key in the police station."

I thought I heard him say "the man!" after me, in a whisper. When I turned quickly upon him to verify my guess, however, his flushed face and bright eyes seemed to be trying vainly to conceal the relief he was ashamed to show.

"It's queer," said I, sitting down on the edge of the bed, "that none of us ever thought of robbery as a motive. But while we were sitting here, torturing ourselves with all sorts of weird and ghastly suspicions, the police were quietly at work rounding up the professional criminal, who, beyond any doubt, will prove to be the guilty man. You can identify your father's great ruby, can't you?"

"Yes," he said, "of course I can." He got up at once, set his somewhat disordered clothing a little to rights before the mirror, and started for the door.

"Stop in the library on the way down," I suggested, "and speak to Madeline. It would please her, I think, and certainly she deserves it."

THE THEORY OF THE POLICE

"What do you mean?" he asked, turning to face me at the door.

"Why," said I, not knowing just how to put it, "of course she saw what both of us were thinking of; she knew that we couldn't help being aware how the circumstances pointed at her."

"At her?" he repeated. "Who are you talking about? What do you mean?"

"I mean Madeline, of course," said I a little impatiently. "Both of us made fools of ourselves. I've acknowledged it. I was suggesting that you do the same thing."

He looked at me for a moment with a perfectly blank stare, made as if to speak, and checked himself. Then, without a word, he opened the door and walked ahead of me downstairs. He did go into the library and speak to Madeline.

"I am glad it's all right, stepmother," he said. It seemed that this half-humorous fashion of address was one he always used.

"You are a dear boy," she answered, laying

THE WHISPERING MAN

one arm across his shoulder. "You couldn't help it any more than Cliff. By the way, there's another telephone message come for you. You are to go to the office in the Grosvenor instead of to Police Headquarters. They've taken the prisoner up there."

The Grosvenor is a modern office building running up to a moderate height of fifteen or eighteen stories, and is situated just off the Avenue in one of the cross-town Thirties. It is luxurious to the last degree in all its appointments; and its tenants were the residuum of so keenly discriminating a selective process that the roll of them was altogether imposing. That the respectability of the Grosvenor should be presented to the public eye in the yellow press, in the same black headlines with the words Murder and Mystery, struck me as one of those ironical little jokes that Fate is so fond of playing.

I thought of something else, too, as young Marshall and I were taking our places in one of the battery of quick-firing elevators with which the building was provided, and this was

THE THEORY OF THE POLICE

a theme I had heard Arthur Jeffrey dilating upon only the other day—the modern office building as the theater of Romance.

“No writer of modern fiction,” Jeffrey had said, “need ever go to the deserted moor, or the forsaken farmhouse, or the abandoned mine working for solitude or for mystery. The modern office building can beat them all at that. One can come and go in them unseen, unremarked, by the other hundreds who are coming and going also, each bent on his own private, peculiar concerns. If you want to commit a crime, do it in an office building. You are as good as a thousand miles away from the scene of it once you have closed the corridor door on the room where it happened. If you want to meet a long-lost brother, here is the place to do it; he may have had an office on the floor above for the last five years. Its resources in the way of surprise, terror, mystery, and, yes, picturesqueness, too, are absolutely unrivaled.”

Making due allowance for my friend's fondness for paradox and exaggeration, there was

THE WHISPERING MAN

still something in what he had said, I thought. In this case, however, the murderer had evidently found himself at the end of a short tether. If he had acted on Jeffrey's advice, he had profited ill.

By the time I had reached that conclusion, we were out of the elevator and had opened the door into the reception room where Dr. Marshall's patients had sat waiting that morning, and where they would wait no more.

The doctor's suite of offices was L shaped, occupying, as it did, the most desirable and expensive corner of the most expensive floor of that most expensive building. Dr. Marshall's own quarters, subdivided into an office, an examination room, and a dressing room, occupied the corner itself, flanked to the south by the large reception room we had just entered, and to the west by the smaller office of his assistant. The reception room and the two offices each had an independent door opening into the corridor, and both the reception room and the office of the assistant communicated directly with the doc-

THE THEORY OF THE POLICE

tor's. So much I had been able to observe, or had already been told, on crossing the corridor and entering the reception room. I was to learn more about it presently.

The reception room was furnished with a magnificent Oriental rug, a large mahogany center table, littered with magazines and books, and a number of easy chairs. Also a telephone desk, where the attendant sat taking messages, making appointments, and sending into the inner office the patient next in line, when the sound of the doctor's buzzer announced that he had just dismissed the preceding patient into the corridor. There were two telephone sockets in the desk, one for connecting the wire into Dr. Marshall's office and the other for the assistant's.

A man in a police sergeant's uniform, a burly man with a big mustache, was sitting at the telephone desk when we entered the room. There were some other people sitting about in the various easy chairs, but I had no leisure to examine them particularly just then.

THE WHISPERING MAN

"My name is Drew," said I, addressing the sergeant, "and this is Mr. Marshall, who will be able to identify the ruby, in case it proves to be the one that belonged to the doctor."

"The lieutenant will be out in a minute," said the sergeant. "He's in there." He nodded as he spoke toward the door to the inner office. "I'll let him know you're here."

He suited the action to the word, but said, after a moment of cryptic conversation into the transmitter, that we were to wait. "There's plenty of comfortable chairs and there's no hurry," he added philosophically. He seemed rather bored himself, however, for he yawned portentously when he spoke.

"What's the lieutenant doing in there?" I asked.

"Sweating Pomeroy," he answered laconically, apparently surprised at so unnecessary a question. "Trying to get a squeal out of him." I took it that he used the word "squeal" in the highly technical sense of confession, rather than in its looser literary sense.

THE THEORY OF THE POLICE

"Is all you've got against Pomeroy," I asked, "that you found a ruby on him? Supposing that it is the ruby, what made you think he had it?"

He hesitated about answering me, seeming to think that discretion required a discouraging amount of reserve on his part. But he really wanted to talk, and he really was proud of the way the police had caught up and run down their clew.

It seemed that O'Malley, of the traffic regulation squad, had seen Pomeroy at the corner and recognized him, and after walking half a block toward the Grosvenor entrance, had seen him turn in there. He had reported this occurrence to the roundsman, with the result that as soon as it became known that Dr. Marshall's death was a coroner's case, probably of murder, two and two were put together and Pomeroy was arrested in a resort he was known to frequent. He was searched, and what appeared to be Dr. Marshall's great ruby was found on his person. His description also tallied closely with

THE WHISPERING MAN

that furnished by the reception-room attendant of an alleged patient who had come in and waited for some time for his turn to see the doctor, and then gone away, apparently without accomplishing his purpose.

"She's sitting over there now," said the sergeant, lowering his voice, "and we are going to give her a chance to identify him presently, as soon as the lieutenant gets through with him."

"Who are the others?" I asked.

"Oh, them? They're some more patients who were here in the office when he was supposed to be. We'll let them identify him, too, if they can."

"What I don't understand is," said I, "supposing Pomeroy did get in there with the purpose of stealing the ruby, why he should have poisoned the doctor, or how he could have got him to take it."

"Poisoned nothing," said the sergeant easily. "He suffocated him, that's what he did, and he didn't mean to do that, most likely. Just

THE THEORY OF THE POLICE

gagged him to keep him quiet, and pushed the gag too far back into his pipe."

Before I could question him further on this totally new theory of the case, the sound of the buzzer recalled the sergeant's attention to the telephone. After listening to the unintelligible half of a brief conversation, we were told we could go in now to the inner office.

I crossed the room at once and opened the door, under the impression that Jack was at my heels. When I looked back I saw him still standing beside the desk.

"Come in, if you want to, and shut the door," said the lieutenant.

"My name is Drew," said I. "I am not the man who can identify the ruby. He's out there."

"Come in anyway," said the lieutenant, "and shut the door. We aren't ready for him yet."

I seated myself in the nearest chair and looked about me, but the first sensation I experienced came not through my eyes, but through my nos-

THE WHISPERING MAN

trils—the strong acrid smell of stale tobacco. What made me notice it was the knowledge of the late physician's fastidious aversion to this very odor. The detective force had been making free with the place for hours. There were enough of them here. There were five or six men in the room, including the one who must be the prisoner, and the man at the desk, whom I took to be the lieutenant.

They were all in plain clothes, and with due deference to the personnel of the detective force, I am obliged to admit that it took me a minute or two to satisfy myself as to which of the other men sitting about the room was the prisoner, and which were the guardians of the law.

Evidently, this device was a deliberately produced effect, for the lieutenant now spoke through the 'phone to the sergeant at the desk outside. "Send in the girl," he said, "the telephone girl."

Evidently they meant to identify the prisoner before proceeding to the identification of the ruby.

THE THEORY OF THE POLICE

The girl answered the summons. She was a young woman of no particular characteristics, unless, perhaps, her hair had the look of being somewhat more blond than nature had made it. She came in with a good deal of confidence, which visibly and rapidly ebbed, however, as her gaze traveled from one face to another of those about the room.

After looking more and more vaguely at the faces of the men who were paraded for her inspection, she turned, as if in despair, looked long and earnestly at me, and finally focused her gaze on the lieutenant himself. "I think," she said at last, "it must be one of those two." She had not included me, as I half expected she would, for evidently her powers of identification had failed her completely.

"'Think?'" said the lieutenant. "This isn't a case of thinking. Do you know?"

In spite of his efforts, he could not galvanize her into even a reasonably firm conviction. She was an indisputable failure, that was all there was about it. So she was dismissed into the cor-

THE WHISPERING MAN

ridor, and "the one with the black eyes"—this was the lieutenant's mode of designation—summoned from the outer office to replace her.

Her eyes weren't black at all, those of the girl whom the opening door now admitted. They were the greenish-gray, curiously brilliant, and never twice exactly the same, that are so often seen, half veiled behind long, down-drooping black lashes. Her hair was black, too, and so was the small toque she wore, and the severely tailored coat and skirt, which set off so beautifully the perfections of a small, slender, well-poised body. She was well shod, something which cannot be said of all women more expensively and elaborately dressed than she; and I got the impression, though she had not removed her gloves, that her hands must be beautiful. At any rate, there was a distinction about the way she carried them, and about the slight, almost imperceptible gestures she made with them which gloves could not disguise.

It was hardly five seconds before she spoke. "The second man from the right end was in

THE THEORY OF THE POLICE

the office this morning," she said. "He was wearing a small mustache then, and different clothes."

He was the one I had already guessed to be Pomeroy, though of course I had never seen him before. I had founded my guess on the fact I had noticed, that just before either of the two attempts at identification, while the other three men had not changed at all the attitude in which they had happened to be at the moment, this man had drawn himself a little straighter, as if he meant to give himself an authoritative, quasi-military air.

Evidently the identification was correct, for the lieutenant was trying to conceal his pleasure in it. "You are sure of that, are you?" he said. "It's not a guess?"

"Yes, I'm sure," she replied. "If you will look at the little finger of the right hand, the hand that is in his pocket now, you will see that it is bent out at the last joint as if it had been broken."

"That's all right," said the lieutenant, "and

THE WHISPERING MAN

you're all right. I wish there was more like you."

For a moment my attention had wandered from the criminal and the effect of the identification upon him. I was thinking about the girl's voice. How thoroughly it pleased and satisfied the ear, even in the utterances of the few words I heard her say; and I was trying to recollect what I had heard about a nice voice earlier in the evening. Then it came to me. This was the girl who had telephoned to Madeline—Gwendolen something—the last person known to have seen Dr. Marshall alive. She, too, had been dismissed into the corridor before I had completely identified her.

"Send in the old guy," the lieutenant was saying into the telephone. "That was a good identification, but we may as well have another."

CHAPTER IV

CARLTON STANCLIFFE

THE man who had entered the room in response to this last summons proved agreeably disappointing to my expectations. My interest in the proceedings, which had somehow flagged after the disappearance of the girl in black, was revived again instantly by the sight of the newcomer. As he is destined to play a large and most romantic part in the solution of our mystery, and as his queer, brilliant, eccentric personality is to appear very often in these ensuing pages, I think I may be pardoned a description of him.

He was the sort of man who never would be spoken of as old, if it were not for his attempts to look young. He was actually, I should judge, somewhere in the middle forties, a tall, graceful, and commanding figure, with a strikingly hand-

THE WHISPERING MAN

some face. There was nothing weak about it. The features were big and boldly, though finely, modeled, and the deep-set eyes singularly expressive. The only fault one could find with him was that he carried everything just a little too far. He was too aggressively well dressed; too painfully clean shaven; his manner a little too dignified; his voice and features a little too expressive. It came upon me all at once what he must be—an actor. That was it. Everything about him was heightened just enough to carry itself over the footlights. He was in evening dress, wore an overcoat and gloves, and carried a walking stick, as well as an irreproachable silk hat, in his hand.

Like his predecessor, he identified Pomeroy instantly. "That's the man," said he, pointing at him with his stick. "He was the third patient to come in after me this morning. He was sitting in the reception room waiting his turn when I went into the doctor's office."

Up to the middle of that last sentence his

CARLTON STANCLIFFE

voice had been just what I should have expected an actor's to be—rich, suavely inflected, perfectly under control. But just at the end of the word "reception," it suddenly abandoned him, and he completed the sentence in a queer, harsh, voiceless whisper. The suddenness of it startled all of us, but it did not seem to surprise the man himself.

He turned to me with a faintly apologetic smile. "It's a curious vocal affection," he said, still in that harsh whisper. "I am never able to be sure of finishing a sentence audibly. I am one of a good many who have reason to regret Dr. Marshall's death. He held out hopes that the difficulty was not incurable.

Curiously enough on the word "incurable," his voice came back again.'

My attention was diverted then by the entrance into the room of my young friend Marshall. Why Jack had not come in sooner, I did not know. He had heard, evidently from the sergeant outside, of the successful identification of Pomeroy. The effect of this had been to

THE WHISPERING MAN

brighten his eyes and bring a good clear color into his cheeks again.

The whispering man had seated himself beside me, evidently with the intention of seeing the little play out to the end.

Young Marshall walked over to where the lieutenant sat. "You have something for me to identify?" he asked.

"I understand," said the lieutenant, "that your father owned a rather well-known ruby. Do you know where he kept it?"

"Here in the office, most of the time," answered the young man.

"And you saw it often, did you?"

"Yes."

"So that you might expect to know it when you saw it?"

"Yes, without a doubt."

"Isn't this it?" The lieutenant's hand opened as he spoke, revealing in the palm of it an enormous, blazing red stone.

We had all automatically drawn nearer. The other detectives, the whispering man, and I were

CARLTON STANCLIFFE

now gazing alternately at the great stone itself and the thoughtful young face that was bending over it.

"That's it," said Jack.

"You'd identify it on oath?"

"Yes," said Jack, "I'd do that."

"That's all, then," said the lieutenant. He turned to the sergeant, who had by now come into the inner office. "Call the wagon," he said, "and take him back." And then he uttered a word of valedictory to Pomeroy. "You see we've got it on you," he said. "You might better have owned up yourself."

I guessed from that, that his efforts to extract a confession from Pomeroy had not been successful. This surmise was correct, for from the moment of his arrest he had scarcely spoken a single word, had declined to offer any explanation whatever of his visit to the doctor's office, or of his possession of the ruby.

There seemed to be no further need of my going back to the Marshalls' house that night, so I sent Jack home alone, with instructions to

THE WHISPERING MAN

tell Madeline that the murderer was certainly caught, and with the promise from myself to be on hand the first thing in the morning. He seemed glad enough at the prospect of a little solitude, at which I did not wonder.

It is strange to think of, but it is true, that our attitude toward each other at that moment was almost one of congratulation; yet we were standing in the very room where, not twelve hours before, a great and famous man had met a sudden and appalling death, and that man was the father of the one who had just so cheerfully extended his hand to me in parting.

I doubt if he had ever proved himself a very affectionate parent. You could hardly imagine the word Affection used in connection with him. Yet that was not the reason for the quick rebound our spirits had made. It was the unutterable horror of the explanation of the crime which had forced itself into both of our unwilling minds—his, I was sure, as well as mine. After contemplating that possibility for a while, the fact of the murder itself seemed of secondary

CARLTON STANCLIFFE

importance. Having found the motive for it to be simple robbery, and the murderer himself to have been a hardened criminal, seemed almost to make all right again.

And yet after Jack had gone out I stayed there in that inner office. Saw them take the prisoner away; saw everyone go, including the lieutenant himself, leaving the premises in charge of the young policeman who was to keep watch during the night.

And standing there alone, the actual tragedy, savage and horrible enough, though it was not so unspeakably inhuman as the one my own imagination had constructed, began, for the first time, to assume a reality for me.

I saw the doctor sitting there, calm, unsuspecting, in the full tide of life and work, allowing himself, perhaps, a moment's leisure to enjoy the pleasant memory which that last patient of his, the girl with the darkly shaded eyes, must have left behind. And I saw him suddenly becoming aware of another presence in the room; looking up, possibly, with that faint smile still

THE WHISPERING MAN

on his lips, to confront the brutish face and glowering eyes of his murderer.

And what had happened then? The man had suffocated him, so the police said. How had he ever got his hands on his throat before the utterance of the one outcry that would have brought help? There had been no such outcry. The thing had been done as silently as if it had been the work of evil spirits.

Try as I might, I could not construct a working hypothesis for those next few minutes. How had Pomeroy got in? How had he crossed the room and got into a position behind that swivel chair? For even if his victim had not had his eye on the door, that great mirror over there would have revealed him. Perhaps when the gallows had fairly overshadowed him, and the last hope of some technical means of escape had in fact gone, he might tell. Otherwise we should never know. We should know nothing more than that, at the end of those few horrible minutes they had opened the doctor's door and looked in, and, seeing his head and shoulders in

CARLTON STANCLIFFE

silhouette against the window as he bent there over his desk, they thought him to be asleep or to have fainted.

And then, coming closer, close enough to see the terrible face and wild, glaring eyes, they knew he was dead by violence.

I shuddered uncontrollably, and wondered at my good spirits of so short a time before. I was glad Jack had gone. I could hardly have found the heart to give him so cheerfully confident a message to Madeline now.

Well, there was nothing to be gained by staying here, just to work up a wholly unnecessary attack of the horrors over the grewsome business.

I turned to go. Just as I did so, my eye caught a glint from the carpet, of what I took to be a bent pin. Quite automatically—for by nature I am an orderly and methodical person—I stooped and picked it up. It was not a pin after all, but the broken end of a curved needle. It made no particular impression on my mind, and I was on the point of dropping it into the

THE WHISPERING MAN

waste-paper basket, when something stopped me. It was no very definite idea, probably just a reminiscence from detective stories I had read, of the immense importance of the most trivial things.

I smiled a little over my own action, but for all that, I put the needle back upon the exact spot on the carpet where I had found it, instead of tossing it among the crumpled papers in the basket.

My very last impression in that room was identical with my first one—how thoroughly it reeked of tobacco; what filthy brutes detectives were anyway.

I meant to walk down to my apartment off Madison Square, and, rather relishing the prospect of a quiet stroll under the warm spring night air, I took my time about starting, pulled on my gloves quite deliberately, and lighted a cigar in the sheltered entrance to the Grosvenor Building.

As I stood there, shielding my match with my hands, my walking stick tucked under my arm, I

CARLTON STANCLIFFE

was somewhat startled by a touch on the elbow. Turning quickly, I saw the whispering man standing there.

"I wonder if I may trouble you for the rest of that match?" he asked. "I am in my chronic condition, amply provided with things to smoke and destitute of the means for setting them alight."

I offered him matches and waited until his cigar was drawing well, and then we went out in the street together.

"A thing like a murder seems strangely incongruous among all these commonplace, respectable surroundings," I observed.

"I don't know," said he. "I doubt if any time or any place is intrinsically better adapted to the crime of murder than the middle of the day, a crowded city street, and a modern office building. I was just wondering, as a matter of fact, why doctors and other professional men, who shut themselves up in private offices, aren't murdered oftener."

He was going south, too, it seemed, so we fell

THE WHISPERING MAN

in step together, both rather glad, I think, to be able to talk to somebody without the need of making preliminary explanations. I was especially so, because there was something familiar about him, which baffled me because it was so vague. I was sure I had heard him talk before—in his natural voice, I mean, not in the horrible, croaking whisper which sometimes replaced it.

“You may be right in theory,” said I. “I have a friend who would agree with you, but, as a practical matter of fact, this murderer has been overtaken and caught very promptly.”

“Do you think so?” he asked. “If the police go on exhibiting the same plentiful lack of wit during the rest of the case which they have shown to-night in the Pomeroy affair, I should say the murderer had a good chance to die of old age.”

I stopped dead-still in the middle of the sidewalk, and looked at him. “What do you mean?” I cried. “Do you mean to express a doubt that Pomeroy is the man who killed Dr. Marshall?”

CARLTON STANCLIFFE

"No doubt," said he quietly; "a certainty."

"And have you any objection to telling me on what you base that certainty?"

"None at all," said he. "It is very simple. You have no special knowledge of precious stones, I presume?"

"None whatever," I replied.

"Neither has that fool of a police lieutenant," was his rejoinder, "but I have; and I was able to see at a glance that the thing they found in Pomeroy's pocket was no more a ruby than that big red vase in the drug-store window over there is. It was a clever imitation, I grant, but nothing more than that."

Mechanically I set my legs in motion again, and he walked on beside me in silence. It was impossible to doubt what he said; evidently he knew exactly what he was talking about.

"Still," said I, after a few minutes of quiet thought, "I don't see that the fact of its being an imitation clears Pomeroy as completely as you seem to think it does. It is not merely an imitation ruby, it is an imitation of Dr. Mar-

THE WHISPERING MAN

shall's ruby, which makes it clear enough that the man intended to get the real one. We know he didn't succeed, but how do we know he didn't murder the doctor?"

"It's not very difficult, is it?" asked my companion politely. "If Pomeroy had contemplated the use of violence, he would hardly have gone to the trouble and run the risk of securing an imitation of the doctor's stone. What he meant to do is perfectly plain. He undoubtedly knew that Dr. Marshall frequently showed the ruby to his patients. If he, going in the guise of a patient, could persuade the doctor to show it to him, the robbery was as good as accomplished. It would only need a little clever sleight of hand, of which a man like Pomeroy is past master, to exchange the real one for the imitation. It might be weeks or months before the doctor would discover that any crime whatever had been committed, and when he did make that discovery he would have no way of knowing which of the patients to whom he had shown the stone was the criminal.

CARLTON STANCLIFFE

“ It was a well-planned crime, and like every well-planned crime had this great merit: it did not commit the intending criminal to any criminal act until success was actually in his grasp. If the plan failed, if Pomeroy did not succeed in inducing the doctor to show him his stone, he lost no more than the cost of the imitation stone. Indeed, there would be nothing to prevent his going back for another trial whenever he pleased.

“ Now I think you can see that no man in his senses—and a high-class crook like Pomeroy is certainly in full possession of his—with a safe, clever plan like that in his head, and the means for carrying it out in his skillful fingers, would wantonly have murdered the doctor and come away without his ruby.”

I could see clearly enough that he was right. No man will do by violence what he is prepared to do, with better promise of success, by fraud.

“ Why, then,” I asked, “ didn’t Pomeroy wait his turn and go into the inner office in the character of a patient? ”

THE WHISPERING MAN

"He was frightened away, I imagine," said my companion, "and I have a notion that I myself am the person who frightened him. I had mistaken him at first glance for some one I knew, and, catching his eye, I bowed to him, rather uncertainly, to be sure. But for all that, I think he believed I had recognized him. So he waited till I had gone into the doctor's office, and then slipped quietly away."

By that time we had got down to Twenty-sixth Street, and I must turn off across the square. But my vague, half recognition of the man troubled me, and I determined not to let him go without finding out who he was.

"I am wondering," said I, "if I have been similarly mistaken about you. It is your voice that sounds so familiar to me. I have no recollection of your face."

"That's natural enough," said he; "I am Carlton Stancliffe."

Carlton Stancliffe, of course. It was stupid of me not to have guessed, since I had put him down for an actor at my first glance at him. But

CARLTON STANCLIFFE

it was no wonder that his face puzzled me, for his specialty was character parts, and, in the dozen times or more I must have seen him on the stage, he had never looked twice alike.

I told him my name, and expressed my pleasure at having met him. Then, rather thoughtlessly, I asked: "What are you playing in now, Mr. Stancliffe?"

He smiled rather sadly. "I should have spoken of myself in the past tense, I am afraid. With this nervous affection of the throat, I am as good as dead, though under Dr. Marshall's treatment I had hopes of a resurrection." Then, his mind going back to the grim topic we had for a moment forgotten, he murmured: "A peculiarly atrocious murder it must have been, but a very interesting one."

"Have you any theory regarding it," I asked, "now that Pomeroy is eliminated?"

He hesitated, "Why, yes," he said, "I have, but it's hardly one that I should care to talk about until it had turned out to be a good deal more than a theory."

THE WHISPERING MAN

I understood him well enough. I felt, as he spoke, the horrible black filaments of that sinister web of circumstances settling upon my spirits again.

"He's a singularly nice, clean-looking young chap, too," he added thoughtfully. Then, gravely, he bade me good night, and went on down the Avenue.

I was unlocking the door of my own apartment before it occurred to me to wonder a little over Mr. Stancliffe's last words. I had never seen Dr. Armstrong, but those words, somehow, did not seem like a description of him. They sounded more like a description of Jack. And where, anyway, had the actor seen the doctor's assistant?

I pulled the key out of the lock again, without turning it, and decided to knock on Jeffrey's door instead. I was wondering, in half-whimsical acquiescence in the claim he had put forth over the dinner table, what would have happened had he been able to spend the evening in my company. Would he have told the police to

CARLTON STANCLIFFE

set Pomeroy free, and would his accusing finger have pointed at anyone else—at anyone I had seen and talked with since we had read the news together in the evening paper?

CHAPTER V

A QUESTION OF MINUTES

HERE and there in the memories of all of us are days which stand out of the dim past, bathed in a flood of light that spares us not a detail of them. Days like that may be called perpetual yesterdays. Such a day as that to me was the one that followed the murder of Dr. Marshall. It was the day of the coroner's inquest, and, from the moment I entered the big room in the Criminal Court building until the moment I left it, there was no relief from the strain of the most intense concentration to which I could key my mind, nor was there any respite from the rapid alternations between belief and incredulity, constantly recurring horror and intermittent relief.

And the worst shock of all, the most utterly and stupendously unexpected thing came as I

A QUESTION OF MINUTES

was leaving the building, wearily telling myself that it was all over now at any rate. It was the sort of day I should not care to go through again.

I had warned Madeline, when she and Jack and I were riding downtown together to attend the inquest, that she would have to make up her mind to endure all the various discomforts of publicity which the ingenious minds of yellow city editors could subject her to. The Marshall affair was the biggest news of the day, and its participants must suffer the consequences. There would be lots of people waiting to stare at her, batteries of cameras to be faced, sketch artists and wiry young reporters of both sexes demanding interviews. These last she could, in a measure, be shielded from, but not from the others.

Of course, the arrest of Pomeroy and the events which had led up to it, and which had appeared in all the morning papers, would have, for a while at least, the effect of keeping the widow and her stepson out of the immediate center of the focus of attention.

THE WHISPERING MAN

They did not know yet how frail that barrier was and how soon it must give way. I had been in two minds whether to tell them of the astonishing fact which Mr. Stancliffe had so casually communicated to me the night before. My real reason, I suppose, was a cowardly and forlorn hope, which, since my conversation with Jeffrey, I had clung to, that perhaps Mr. Stancliffe did not know as much about precious stones as he thought he did. Jack had identified the ruby quite positively. Might he not be right in his identification after all? So long as there was a chance of it, I shrank from making them unnecessarily miserable.

As they were both wanted as witnesses, they did not go with me into the court room, but were ushered into a little anteroom adjoining, to wait until they should be called for.

The coroner took his seat. The jury filed in and took their places in the box. The oath was administered to them, and proceedings began.

If I had needed any further evidence that we

A QUESTION OF MINUTES

were a celebrated case than was afforded by the presence of the crowd and the numerous reporters, I should have got it when I saw the district attorney himself elbowing his way brusquely down the aisle, and dropping into a seat just inside the railing. I knew Cromwell pretty well, and I was sure that unless he expected a larger share of notoriety than could be extracted from the conviction of an ordinary professional criminal in an ordinary case of robbery and murder, he would have manifested no such interest at this early stage of the proceedings.

The first witness called to the stand was the very blond young woman who had made the unsuccessful attempt to identify Pomeroy the night before. After she had given her name and address, and stated that she had been for several years in the employ of Dr. Marshall, the coroner framed his first important question.

"Please tell the jury, Miss Jerome, what the ordinary routine was in Dr. Marshall's office, and what your own particular duties were."

"The doctor," she said, "always received his

THE WHISPERING MAN

patients in his own private office, which was in a corner of the building. They waited their turn to see him, out in the reception room where my desk was. I had to keep track of the order in which they came in, and to make a note of the ones who had special appointments with him. When he got through with a patient, he generally let them out, directly into the corridor without their coming back through the reception room."

"Could you hear, as a rule," the coroner asked, "when he opened the door and let a patient out?"

"No, sir, not unless the door was shut with a slam. The walls are specially deadened in that building, I think because it was intended for doctors and people like that, and the door was thick and fitted very closely."

"Tell the jury, then," continued the coroner, "how you knew when the doctor was through with one patient and ready to see another."

"Sometimes," she answered, "he used to open the door into the reception room and speak

A QUESTION OF MINUTES

to me, but he only did that when he wanted to see how many patients were waiting for him. Generally he just gave two rings on his desk buzzer."

"Was there anything else you had to do?" the coroner asked.

"I had to answer the 'phone," said the girl. "When they were people the doctor wanted to talk to, I put them on his wire. When they weren't, I put them on Dr. Armstrong's. I had two plugs in the desk."

"Now," said the coroner, "to get down to the events of yesterday morning, was there anything which happened before twelve o'clock which struck you at all at the time, or which occurs to you now as you think back upon it, as out of the ordinary?"

For the first time in the course of her testimony, she hesitated a little. "I don't know that I would call it unusual," she said. "He got down a little late—ten minutes perhaps—and he seemed rather short-tempered, but he had been that for the last day or two."

THE WHISPERING MAN

"There was nothing else that caught your attention?"

"No, sir; nothing at all. There were a number of patients waiting to see him; just about the usual number I should say."

"Were you acquainted with most of them? Were they people who came frequently to see the doctor?"

"They were mostly strangers," she answered. "They usually were. People didn't come to see Dr. Marshall regularly. They got sent to him by other doctors. There were two or three who came in during the early part of the morning who were old patients. After 11 o'clock they were all strangers."

"So far as you know, they were strangers, that is."

"No; I am sure they were," the girl persisted.

"Do you mean to say," questioned the corner, "that you were able to recognize at a glance everyone who has ever been a patient of Dr. Marshall's?"

A QUESTION OF MINUTES

"No, sir," said the girl. "But when a person comes in in a lost sort of way, not knowing which way to look, and then comes up to me and asks me if this is Dr. Marshall's office, I know that that person's a stranger."

"Very well," said the coroner, "who was the last person whom you admitted to Dr. Marshall's office?"

"She gave me her name," said the girl, "as Miss Gwendolen Carr, and said her address was the St. Anthony Hotel."

"Had she ever come to consult Dr. Marshall before?"

"No, sir. That was the first time I had ever seen her."

"Do you know what time it was when you admitted her to Dr. Marshall's office?"

"No, sir, I don't," she said. "I didn't happen to look at my watch until quite a long time afterwards."

"What time was it when you looked at your watch?"

"Ten minutes past twelve."

THE WHISPERING MAN

"And how long should you say it was then since Miss Carr had gone into the inner office?"

"I couldn't tell you."

"Give us your best judgment," persisted the coroner. "Was it an hour?"

"It may have been an hour, perhaps a little less."

"And what did you do then when you had looked at your watch?"

"I knew the doctor had an appointment at twelve o'clock, and that he considered it important, so I gave a short ring on his desk telephone."

"Did he answer the ring?"

"No, sir; he didn't unhook the receiver."

"Wasn't that rather extraordinary?"

"Oh, no, not at all. When he was very busy he never would answer the 'phone, unless I gave three rings. That meant it was important."

"You hadn't given three rings in this instance?"

"No, sir; one short one. And then I waited until half past twelve o'clock."

A QUESTION OF MINUTES

"Go on," said the coroner; "tell the jury, as plainly as you can, all that happened after that."

"Well," said the witness, "at half past twelve I thought I had better give three rings, because I knew his twelve o'clock appointment was important. I did, and listened at the 'phone to see if he wasn't going to answer. When he didn't, I rang again, and then all at once I began to wonder whether something wasn't the matter. So I got up from my desk and walked over to the door and opened it, and looked in. There was no one else there in the room. The doctor was sitting in his swivel chair at the farther side of his desk. I couldn't see his face very well, because the window was behind it, but he looked kind of funny somehow—not exactly natural, I mean. He was leaning forward in a queer way.

"For a minute I thought he had dropped asleep, and then I saw he hadn't. I don't know how I saw; I hadn't got very close. I turned round quick and went out into Dr. Armstrong's office."

THE WHISPERING MAN

"Did you go out into the corridor or go back through the reception room to get into Dr. Armstrong's office."

"I didn't have to do either. I went straight in. There's a door opening between."

"Was it locked?"

"No, sir. That door was never locked that I know of."

I believe every person in the room felt a little electrical thrill of premonition at that; certainly I did. I was reminded of what Madeline had said of the way everything fell into a pattern. Certainly that unlocked door was potentially suggestive.

"Well," said the coroner, "what did you tell Dr. Armstrong?"

"I didn't tell him anything. He wasn't there. By that time I was beginning to get a little frightened, and I went straight from his office out into the corridor, meaning to tell an elevator man to call some other doctor down from upstairs. I signaled the next car that was coming up, to stop, but when it stopped, I saw Dr. Arm-

A QUESTION OF MINUTES

strong getting out. He had a little package in his hand. I told him I was afraid something was wrong with the doctor, and I wanted him to go in and see.

"We went through the reception room. I made him go ahead, and I followed him back into Dr. Marshall's office."

"Tell, as fully as you can," said the coroner, "what conversation passed between you and Dr. Armstrong after you had gone through into the inner office."

"There wasn't much that you could call conversation," said the girl. "He was ahead of me, but when he got just about as far into the room as I had gotten the first time, he stopped and looked at—at what was sitting there humped over the desk, and he said 'My God!' in a kind of whisper, and then drew a long breath. Then he handed me the package he had with him and told me to go put it on his desk, and then come back. I did; it only took me about a quarter of a minute. When I got into the room again, he was leaning over the—the body and seemed to

THE WHISPERING MAN

be feeling of the pulse. He said to me, 'Dr. Marshall is dead. I think he has had an attack of heart failure. You'd better go upstairs and call down Dr. Adams. As soon as you have done that, telephone for the police.'

"I did what he told me to. That was all. I didn't go back into the inner room where—it was."

It seemed to me that she had told her whole story, and I was a little surprised when the district attorney got up and asked permission to question her further. "You said, I believe," he began, "that the doctor's signal that he was ready to see another patient was two rings on his desk buzzer. Why was it two? What did one ring mean? Something else?"

"Yes, sir. It meant that I was to go into the office myself."

"Had he any other push buttons in his office besides the one which rang at your desk?"

"Yes, sir. There was one he used to call Dr. Armstrong."

"Both those buttons were on his desk?"

A QUESTION OF MINUTES

"Yes, sir."

"So that when he sat where he was when you found him, they would have been within easy reach of his hand?"

"Yes, sir."

"That's all," said the district attorney.

I felt a momentary surprise, not that these questions should be asked, but that they should be asked by the district attorney, for the import of them was plain enough. The answers they elicited weakened the case against Pomeroy tremendously; made it seem almost inconceivable that the doctor could have been slain by anyone toward whom he had entertained the slightest feeling of suspicion.

What troubled me about it was not the collapse of the case against Pomeroy; that I had foreseen, but I was sure Cromwell would not have set about demolishing it, unless he already had another and better one to put in its place. The evidence that told for Pomeroy must tell equally forcibly against some one else.

The very blond young woman left the stand,

THE WHISPERING MAN

and her place was taken by the one I had heard designated by the police lieutenant last night as "the black-eyed one." I found myself experiencing a regret, which I fancy was shared by many of the other spectators, that we were likely to see her delicious face and hear her agreeable voice for so short a time. Her testimony, however important, would not take long to present.

She gave her name and the same address which she had confided to the telephone girl the day before, and then testified that on the day in question, from about ten o'clock in the morning, she had been waiting in Dr. Marshall's reception room for a chance to consult him.

"Were you personally acquainted with Dr. Marshall?" asked the coroner.

"No, sir. I had seen him. He had been pointed out to me from a distance, but I had never spoken to him."

"Your call upon him, then, was a professional one?"

A QUESTION OF MINUTES

"You mean, did I go to him as a patient? Yes, sir."

"Can you tell us, Miss Carr," the coroner asked, "what time it was when you were admitted to Dr. Marshall's inner office?"

"No, sir," she said, "I didn't happen to notice. I might be able to guess at it from the time it was when I went out."

"You know, then," asked the coroner eagerly, "what time it was when you did go out?"

"Yes, sir. I happened to glance up at the clock as I was walking toward the door—the door into the corridor, I mean. It was just twenty minutes to twelve."

"Where was the doctor when you left the office?"

"He was sitting in his chair behind his desk."

"He didn't walk over to the door with you?"

"No, sir."

"Was there anything," the coroner asked slowly—"anything that you may have observed at that time, or previously, to cause you to suspect anything unusual?" Then, as she did not

THE WHISPERING MAN

answer at once, he framed the question again. "Did you notice any circumstance during your visit to Dr. Marshall's offices that struck you as suspicious, or strikes you so now, in the light of what is known to have happened afterwards?"

"No, sir," she said.

"You will realize, I think," said the coroner, "the extreme importance of the hour that you have testified to as that at which you left the office? That fixes the last moment when Dr. Marshall is known to have been alive. Have you any doubt whatever as to the accuracy of your memory?"

"I appreciate the importance of it," she said gravely, "but I am absolutely certain of the hour. It was twenty minutes before twelve when I happened to look up at the clock, just as I was opening the door from Dr. Marshall's office into the corridor."

CHAPTER VI

DR. ARMSTRONG TESTIFIES

THE coroner dismissed Gwendolen Carr from the stand, with the request that she remain at hand subject to call, as it might prove necessary to question her further at some later stage in the proceedings.

When the name of the next witness was called aloud, the perceptible stir it caused among the spectators testified to the rapidly rising interest. Dr. Walter Armstrong was the man who, according to the telephone girl's testimony, had had only an unlocked door between himself and his murdered employer.

I myself had never seen him before, and since my talk with Madeline of the night previous, was curious to do so. He made, I must confess, no very favorable impression upon me. His manner was didactic and self-satisfied, his ges-

THE WHISPERING MAN

tures prim and angular. He was young—under thirty, I should say, but there was no suggestion of youthfulness, and nothing that seemed to mark the presence of the saving sense of humor. It occurred to me that if it were true that he had fallen a little in love with Madeline Marshall, he would take himself very seriously. She had not said, to be sure, that he was, but she had pretty clearly suggested it.

The coroner began, almost immediately, to develop a highly suggestive line of inquiry. The moment the formal questions were out of the way, he said: "You're a specialist yourself, aren't you, Dr. Armstrong?"

"Yes, sir."

"As a matter of fact, aren't you a toxicologist—a student of poisons, in other words?"

"Of only a very limited group of poisons, sir," the doctor answered in his primly superior manner. "I have confined my studies to those vegetable alkaloids which act most directly upon the brain and the nerve centers."

He went on, under further questioning from

DR. ARMSTRONG TESTIFIES

the coroner, to outline the nature of his duties as Dr. Marshall's assistant. It appeared that they did not take all of his time, and that he had a considerable independent practice. He always kept the same office hours as Dr. Marshall, however, and was subject to call from him at any time. Many of the doctor's patients he simply turned over, after a single consultation, to his assistant.

"You say you were subject to call," observed the coroner. "Is it true that the doctor had a push button on his desk which served to summon you into his office?"

"Yes, sir."

"Did he call you at any time during yesterday morning?"

"Once or twice—yes, sir, but not after eleven o'clock, I think."

"He had every reason to believe that you were in the adjoining room, subject to call, as long as he remained in his office?"

"Yes, sir."

"How did it happen, Dr. Armstrong, that

THE WHISPERING MAN

you were not in your office at half past twelve when Miss Jerome went in there to find you?"

"Dr. Marshall had an appointment at twelve o'clock," said the witness. "I knew it was important, and supposed he had gone to keep it. I did not hear him go out, but concluded that he must have done so, and went out on an errand myself."

"Do you know what time it was when you left your office?"

"Not exactly, no, sir."

"Did this errand of yours take you very far away?"

"Only to the instrument maker's on the first floor of our own building. I spent a good deal more time, however, than was necessary for the purpose of securing the article that I bought. The proprietor of the shop is a friend of mine."

The ensuing testimony merely corroborated that of Miss Jerome, the attendant in the reception room. She had met him at the elevator door, as she said, and they had gone together into the inner office. He had seen immediately

DR. ARMSTRONG TESTIFIES

that Dr. Marshall was dead, and had dispatched the girl in quest of Dr. Adams, whose office was on the floor above.

"Is it true," asked the coroner, "that you said to Miss Jerome, 'I think Dr. Marshall has had an attack of heart failure'?"

"I may have said something like that. I don't recall the words clearly now; don't remember speaking them at all, but the thought occurred to me."

"Had you any reason to anticipate a death of that sort for Dr. Marshall?"

"No, sir. He had been suffering from indigestion. An acute attack of that sort sometimes produces a mechanical effect on the heart which causes death."

"After mature reflection, do you still believe that that was the actual cause of death in this instance?"

"Mature reflection has nothing to do with the case," said the witness, with a touch of asperity. "It's a question of fact and can only be determined by examination. I was not pres-

THE WHISPERING MAN

ent at the autopsy. I did not even make a careful examination of the body of the deceased. I did nothing beyond ascertaining that he was dead. Then I sent at once for a physician whose interest in the case was wholly professional."

"Do you think it possible," asked the coroner, unruffled by this outburst, "that the cause of death might have been suffocation, produced, say, by a hand held tightly over the mouth and nostrils of the deceased?"

"I should be unwilling," retorted the witness, "to state, as my professional opinion, that that was *not* the cause, for the reason that I am unwilling to state any professional opinion whatever."

Dr. Armstrong was temporarily excused from the stand at this point to make way for another witness, who had just arrived, and who was obviously in a hurry to get away again. I did not know who he was, until his first answers to the coroner's questions showed him to be the owner of the instrument shop on the first floor of the Grosvenor.

DR. ARMSTRONG TESTIFIES

Yes, he knew Dr. Armstrong very well. The doctor had come into the shop a little after noon yesterday and made a little purchase, talked a while, and gone out again.

"Can you fix the time, with any degree of accuracy, when Dr. Armstrong came into your shop?"

"Yes, sir; it was sixteen minutes past twelve."

"You are quite sure of this?"

"Yes, sir. I had just looked at my watch and decided that it was time for me to go out to lunch, when I saw Dr. Armstrong coming in. I sold him what he wanted, and we talked for perhaps fifteen minutes."

"You say you had just looked at your watch. What assurance have you that your watch was right?"

"It runs right," said the instrument maker, with a certain amount of annoyance in his tone.

"Undoubtedly to your satisfaction," said the coroner. "It happens in this case, however, that the matter of time may well prove to be of

THE WHISPERING MAN

the most vital importance. Can you corroborate the evidence offered by your watch in any way?"

"I had compared it at noon with the office clock," said the instrument maker.

"And is the office clock generally right?"

"It has to be right," said the witness.

"Please explain what you mean."

"It's an electric clock. It is connected on the same circuit with all the clocks in the building, and they are set every hour by telegraph from the observatory at Washington. All the clocks in that building are always right."

"Could one of them get out of order and stop?" asked the coroner.

"No, because they are all on one circuit. If one of them went wrong it would stop every clock in the whole building."

"That's all," said the coroner. But the district attorney wanted to ask a question.

"Dr. Armstrong talked to you in a perfectly natural, spontaneous way, did he?"

"Yes, sir."