

# Killer's Lullaby



By John H. Knox

*His own song was aiding the long arm of the law, that eternal nemesis, to track down Ernie Hamp. And then the music he created and loved offered him a new world, but only in the ever-imminent shadow of the electric chair.*

ERNIE HAMP whistled a tune as he walked down the shadowy street toward his home in the hills above Santa Monica. Ernie had a hunch about that song; it was going to mark the turning point in his life. Stohler at Bigart had predicted that it would be the hit of the new musical revue when Ernie had played the finished score for him an hour ago.

The name of the song was: "You're Killing Me." Success. A name of his own. No longer to be called "Mr. Della Dalhart," because of a wife who was famous. No longer to be scorned and betrayed by the woman herself. She'd see him now as a different man, confident, no longer a failure. She'd be glad she'd broken off the

affair with the director, Purdy, and she would love Ernie again as she had once done, years ago when they were both obscure.

Must put Purdy out of his mind. In the pocket of his coat his right hand touched the cold steel of a revolver. Ernie shuddered. How close he had come to murder, carrying that gun around for months, swearing he'd kill the man, yet never getting up the nerve. Well, he was glad now that he hadn't. Now it was all changed. She'd repented and he'd forgiven her, and they would start life anew.

There was no breeze in the dark umbrage above him, and leaf patterns stood out sharply on the moon-white pavement.

Across the street a taxi had stopped, its engine idling. He'd slip in through the garden gate and whistle his song under her balcony.

He stopped. In the drive beyond the house he heard the soft whirr of a starting motor, the crunch of tires on gravel. Then the long, sleek car swung out into the street. Its lights were off, but Ernie got a clear glimpse of it as it slunk round a corner and vanished. He saw, but he couldn't believe. For by its color and eccentric design he could swear the car was Basil Purdy's.

All his life Ernie had cringed before a conviction of his own ill luck. Now his crushed self-esteem shrieked to give his eyes the lie. He stood numbed, his brain clutching at straws. Maybe it was her brother's car — that brother from the East who had written that he was coming to visit them. He was due. Maybe by some freak of chance he had a car exactly like Purdy's, maybe. . . .

But suddenly, with a sick heave in his stomach, Ernie saw himself as he was—a weakling, cringing from every hurt, hiding his head like an ostrich, refusing to take his medicine like a man. The car was Purdy's, and he knew it. Della had cheated him again; her lover was sneaking away to avoid the very thing that had happened — Ernie's inopportune arrival.

There was a hot burning around Ernie's eyeballs, and the muscles of his face had gone stiff like old leather. He opened the gate.

The balcony jutted from the French doors of Della's bedroom on the second floor. Directly under it was a pool and a fat iron Cupid poised inanelly on a pedestal. Light broke through the dark tangle of ivy vines and he could see her on the balcony, her loose hair shining in an opal cloud, her curving shoulders half hidden by the gossamer film of a loose negligee.

The rest was confused. He saw the gun come out, a gleaming simulacrum of murder in a knotted fist that shook. Then he raised it, closed his eyes and clenched his teeth while the index finger of his right hand jerked spasmodically and swift staccato barks rapped at his brain. How many shots? He didn't know; they seemed to echo and rebound till the world was drowned in their thunder. And once a scream, "Ernie!" broke through the din.

Then feet were pounding behind him and he whirled, opened his eyes to see the figure charging toward him from the taxi. Next he was stumbling toward the garden wall, flinging himself over, running blindly through the shadows of the alley, running as he had never run before.

AN hour or so later, in a cheap hotel room on lower Main Street, Ernie Hamp stood before a cracked and flyspecked mirror that gave back the image of a short and somewhat pudgy man, with thin sandy hair and pale, washed-out, defeated eyes that now held the feverish lights of terror. He didn't look like a murderer. Yet he must have done it. There was a quart bottle of cheap whisky on the dresser and a good fourth of it was gone. Yes, he had done it, and he had escaped.

It was hard to believe that after the wild, impulsive deed, he hadn't simply collapsed. But no. Instincts, taking up where his dazed brain had deserted, had saved him. He had dropped the gun, yes, but he had wiped the fingerprints from it before it fell from his shaking fingers. And somehow in the darkness he had outrun his pursuer. Then he had skirted the town and caught an interurban car with a crowd from the beach.

Ernie's brain began to tick things off slowly. The gun could be traced to the prop department at Bigart where he had stolen it. But then, plenty of people who worked at

Bigart were Della's acquaintances—Purdy himself, for instance. And his pursuer hadn't seen him closely. Maybe he could establish an alibi, come clear . . .

Then his heart sank. He remembered her cry, "Ernie!" Brute terror jelled his blood. He took a huge drink of whisky and sank down on the bed shivering.

He awoke in the sickly light of dawn and realized clearly for the first time that he had done a murder. Gone were his dreams of escape which the whisky had engendered on the night before. He was ready now to give up, pay for the crime. Unsteadily he stumbled to the window. Newsboys were scurrying in the gray gloom of the street. He sneaked out and down the empty hall and returned with a paper. The black headlines swam before his eyes:

#### ACTRESS KILLED BY FIEND

He sank to the bed, nauseated. Fiend? He had shot her, yes, but *fiend*?

With an effort he focused his eyes on the crawling print and got enough of it to understand. They had found Della's body, not on the balcony where the shot had struck her, but horribly impaled on the arrows in the quiver of the iron Cupid below the balcony. The assumption was that the killer had shot her on the balcony, thrown her body deliberately on the arrows, and then jumped to the ground.

But that wasn't all. By one of those queer tricks of circumstance which a man of Ernie's temperament can see only as the hand of Fate stacking the cards against him, the man who had chased him from the garden was Della's own brother, Ross Dallam. Coming to pay them a visit, he had given the cab driver the wrong address and had stopped first across the street. He had heard the shots and the cry, "Ernie!"

That in itself, ordinarily, would have

sent Ernie scurrying to give himself up. For Dallam, though Ernie had never seen him, had figured frequently in Della's talk. He was an accountant who had formerly been a member of the F. B. I., and in his statement to the press he had said: "We can't say definitely yet that Hamp is the killer. But whoever the killer is, I'll get him if I have to follow him to the ends of the earth."

Ernie knew the reputation of the G-men. But it was the word "fiend" that balked his natural impulse now. He could confess to having shot her. But that other—that horrible sadistic thing they accused him of was too much. He knew that she had simply fallen there, but they would never believe it. Again Fate had made his medicine too bitter; he couldn't take it.

**E**RNIE knew that he lacked nerve; that, if he escaped, he must make cunning his forte. He stayed in the Jap hotel two days while he slowly changed his identity and re-mapped his life. Late on the third night he sneaked out, his appearance considerably changed by having starved himself, dyed his hair and darkened his beard stubble with eyebrow pencil. He wore a shabby suit of secondhand clothes, and he had developed a stooped shuffle and a slight cough. He knew where he was going, too. He had picked up a road map and studied the names of towns in the less settled mountain sections of New Mexico.

In the dry river bed near Elysian Park he burned his own clothes which he had carried there in a bundle and buried his watch and chain and cuff links. Then he caught a freight train headed east.

It was in a cheap eating joint in Yuma the following night that Ernie first encountered the intangible Nemesis which was to add the final touch of horror to his hounded life—the song. For the fact that he had finished a song called, "You're Killing

Me” on the very day of the murder, had made it impossible to deny an avid public the macabre thrill of hearing what had come to be called, “The Fiend Song.” It had been released.

Huddling over his chili, trembling at every glance, Ernie tried to eat while he listened to the loafers discuss the murder which had become the topic of the hour. A waiter in a greasy apron fidgeted with the dial of a radio behind the counter. A blast of static volleyed out; the fragment of a song jerked nasally to silence. Then:

“ . . . . our next number, the song sensation of the hour, the theme song of the Della Dalhart murder. Folks, Tony Robo singing, ‘You’re Killing Me.’ ”

In the brief hush, Ernie felt the dingy room swaying before his eyes. Then the orchestra was sobbing out the first strains:

“I can’t eat, I can’t sleep;  
Tears are cheap, but I can’t weep;  
Baby, you’re killing me!”

Blared by the adenoidal tenor, it rolled over Ernie like an icy tide, and suddenly, above the dismal moan, he seemed to hear, sharp and distinct, the woman’s cry, “Ernie!”

The mug of coffee slipped from his jittery fingers into the chili. He jerked back, dabbing mechanically at his coat. Moisture boiled in his eyes. The men turned. “ ‘S’matter, buddy? Can’t you take it?’ ”

Ernie mumbled something and dropped a quarter on the counter. He stumbled out. Lurching into the street he heard the words of the song floating after him, following him:

“Take me back or I can’t live;  
I’ll forget, I’ll forgive.  
Baby, you’re killing me!”

And in his brain a voice was screaming,

“Ernie, Ernie!”

Behind a pile of ties in the railroad yards, he crouched, shivering, covered with cold sweat. Somewhere feet crunched with slow even steps on the cinder track bed. He held his breath until they passed. No, apparently he hadn’t been followed. Finally exhaustion overcame him; he stretched out and slept. . . .

He was awakened by a rough hand shaking his shoulder. Frightened out of his wits, he looked up, mouth agape. A big, grizzled man in greasy dungarees and a torn leather jacket was bending over him.

“Which way you going, Mack?”

“East,” Ernie stammered.

“Well, shake a leg. There’s a rattler pulling in.”

Ernie heard it now, the thin, lonely whistle. There was a stir in the shadows, tramps falling out, crouching out of the headlight’s glare. Ernie staggered up and shuffled behind the big man to a waiting group.

The two of them squatted in an empty gondola, listening to the thunder of the wheels. The big man had lighted a brown paper cigarette, and Ernie watched him covertly. He was a natural, fitting into the picture of hobo jungles and the smoky dusk of freight yards in a way that Ernie was afraid he could never achieve. He knew that if he escaped detection, he must take on that natural coloration, too. Cringing off to himself, terrified and alone, he would always be a marked figure. But he was suspicious of every encounter.

The tramp, however, paid him scarcely any attention at all. He wandered off down the train, talked with other tramps, finally came back. After miles and hours had passed, Ernie timidly started a conversation.

The big man was an itinerant sawmill worker, he said. His name was Joe Smith, pronounced with a laugh that implied it

was as good as any other. Ernie told him his name was Ed Black. He was an assistant camera man out of a job. Lung trouble. He was heading for Arizona or New Mexico, or somewhere.

Joe Smith had worked in lumber camps in both states. Ernie, who had two hundred dollars in his shoes, cautiously confided that he had a little insurance money coming in each week. He'd like to find a place where a man could rent a small shack and live cheaply while his lungs healed. Joe knew of plenty of places.

ONE morning they shuffled into Spanner's Gap and Ernie took the first free, painless breath of air since the nightmare had claimed him. What air it was! Cool and golden and spiced with the smell of pines.

They stopped at a little store on the outskirts, where slabbed cabins were for rent, and Ernie found one for five dollars a month, the tourist season being about over. It was barn-like and bare, with bunks of unfinished pine and a rickety stove and crumbling fireplace. But there was an air of isolation and peace about it, and the resinous air was still and balmy and a mountain stream ran past the door. It looked like heaven to Ernie Hamp.

"Well, if it suits you, buddy," Joe Smith said, "I'll be barging on. Good luck."

"What you going to do, Joe?"

"I'll hit 'em up for a job at the mill here. If I don't get it, there's other towns."

"You could stay here a while and welcome," Ernie offered timidly. "Maybe if you waited a bit, things would open up."

Joe thanked him and said he'd see. Ernie found it lonely after the tramp had gone and was glad when he reappeared later in the day. The mill might take on some men in a week or so. He'd stick for a few days.

Ernie was frankly glad. He found a comfort in the big man's presence, and the other was able to do him many services—helping with the cooking, and going to the store for food and news, which was always an ordeal for Ernie. As the days passed Ernie began to mend in mind and body.

He had lost twenty pounds or more, and the growth of stubble, which he didn't shave, filled the now gaunt hollows of his cheeks, built up his rather weak chin. Also, he managed while Smith was out to keep his hair and beard dyed. All that had changed his appearance completely.

After awhile he began to go and sit in Sam Wade's store and listen to the gossip. There was only one thing that still bothered him about that—the radio. You could never tell when they'd start playing "You're Killing Me," and when they did Ernie would go pale and stumble out with a coughing fit to cover his terror . . . .

Weeks passed. Joe Smith got a few days' work and bought a fresh supply of groceries. And Ernie fell in love.

He wouldn't have called it that. He was too filled with his own shame, too covered in the shadow of his degradation, for his love to be more than the humble and unseeking affection of a dog. But it filled a deep hollow in his heart, and in some strange way the girl felt that need and responded to it.

Her name was Carrie Ward and she was the daughter of the store owner, a supple, shapely girl with honest blue eyes, a laugh as clear and cool as a spring's ripple, and hair the color of a wheat field under the sun. Maybe it was something in Ernie's manner which was different from the rough mill workers she came in contact with, maybe it was the pathos about him which she had noticed at first when he came straggling into the place and took a deep breath and looked at the quiet sky and the trees and smiled like a man who hasn't

smiled in a long time. Anyhow, Carrie became his pal.

She used to come and sit with him in front of his cabin in the evenings while Joe Smith was downtown or loafing at the store. And those were the happiest moments of Ernie's life. But it was this very happiness and peace and relaxation from his fears that brought the shadow of a new peril over Ernie's haunted days.

IT was nothing more than a new song which got lodged in his head. But from the first, he knew that he was playing with fire. He knew that a man's habits can trap and betray him, and for a while he struggled against it. But the song wouldn't leave his head. He whistled it and drummed it with his fingers when he was alone, and finally he got up enough nerve to ask Carrie for the old violin hanging on the wall of the store.

"Sure you can borrow it, Ed," she told him. "But I didn't know you could play. You always seem to hate the radio."

He couldn't play, he told her—not really. He'd just had a few lessons when he was a kid, and he thought now that picking out a few tunes might ease the lonely hours when she wasn't with him. But later Carrie wondered why he had lied. He wouldn't play while she was around, but there were times when she'd sneak up and listen to low, muted strains which she knew were not the "rigamaroles of an amateur," as he called them.

Joe Smith said he supposed it was just Ed's shyness. Carrie thought that was a shame. Something ought to be done about it. Why the man was a musician—a genius.

Ernie called his new song, "Sleepy Stars," and into it he poured all his loneliness, his feeling for Carrie, his melancholy love for the mountains, the trees, the night stars. Sometimes he was a little careless with his playing, and he knew

that more than once people had sneaked out from the store to listen . . . .

But one night he got a real scare. He had been playing soft and low, and in a pause, a burst of laughter and music reached his ears. He got up and went out. A group of shiny cars were parked about the store, and as he crept nearer, quaking with a fearful premonition, he saw the Bigart symbol painted on one of the car doors.

It knocked him dizzy for an instant. Then he remembered something he had not thought of before — that Western picture that had been on Bigart's schedule. Was it possible that Fate could so dog a man's heels? Was it possible they had chosen for a location this isolated spot where sheer chance had dropped him?

He slunk back into his cabin too terrified to even think of running away. It was a fear now of something imponderable, something nameless and malicious that operated behind the screen of chance. You couldn't beat that, you simply couldn't beat it . . . .

He sat in the grip of a cold rigor, staring out the window until he saw Joe Smith coming from town. Then he jumped in bed and pretended to be asleep. After Joe had put the light out, he found the courage to ask:

"What was that racket at the store, Joe?"

"Oh, just a bunch of movie people," Smith said. "I didn't go in. They say they're on location at Palmer's ranch."

Ernie opened his mouth to ask another question, but suddenly realized that he couldn't. He was afraid his voice would dwindle to a whimper or rise to a scream. So he lay still in his agony.

He didn't sleep a wink. Next morning he lay in bed until Joe had gone out to work. Later he got up and tried to eat. There were no cars around the store now, but he didn't go out of the shack all day,

just sat and watched and waited. But the cars didn't come back. He was still cowering alone in his shack when Carrie came in at twilight.

"What's wrong, Ed? Haven't seen you all day."

"I'm a little sick," he said.

He had lighted a fire in the grate, and as she came toward him with the red glow flickering on her yellow hair, he saw the smile fade from her lips. She came up to him and her soft hand touched his forehead.

"You do seem a little feverish. I'll fix something for you to take." She straightened, paused uncertainly. "And of all times for you to get sick," she added.

He looked up. "What do you mean?"

She smiled, her eyes narrowing quizzically. "Why, Ed, you look positively scared. It's just that I arranged a surprise for you—something that may mean a lot. Money, fame . . ."

"My God!" he blurted. "What do you mean, Carrie?"

"But, Ed—" she frowned, startled. "What's wrong? Why—why, you look like I'd done something to you, something awful."

He said in a voice that didn't sound like his own at all: "Go on. What have you done?"

**S**HE seemed frightened, too, now. "Why, Ed, I made arrangements for you to play for a man that can make a success of you overnight. You don't appreciate yourself, never have. But I've heard that song you made up, and Joe and I have talked about you. It's wonderful the way you make up those songs. So when those people came in last night, I told them about you. And the director said he could use a fiddler in his picture, and that if you had some original songs . . ."

Ernie looked squarely at her. "Who is

this director, Carrie?"

"One of the biggest," Carrie said defensively. "Basil Purdy."

Ernie stood up. He was shaking now, and when he spoke there was a quaver in his voice that was like an ugly sort of laughter. "I knew it," he choked out, "I knew it. You can't beat it. It's all over now. Well, sit down, Carrie. I'm going to tell you everything. I'm a murderer, Carrie. I'm Ernie Hamp."

"You?" she gasped, the color fading from her face. "You, Ernie Hamp, you that couldn't hurt a fly?" Tears had welled into her eyes and her lips were quavering, but she forced them into a straight line, sat down. "Well, Ed, tell me . . ."

He looked at her a moment and then sat down, too. A strange calm had come over him. He realized that even despair has its bottom, he realized what he must do now.

In a cold and emotionless tone he told her everything, about his life with Della, about the rage that had finally overwhelmed him, about his suffering since. But he didn't whine or make excuses. He was past that.

After he had finished, it seemed a long time before she spoke. Then she said simply: "He'll be here in an hour—Purdy."

"An hour?" he repeated tonelessly. "Well, I'm too tired to do any more running away . . ."

At first she didn't notice the hand that was fumbling in his pocket. It came out slowly. There was something in a little round box which he had bought weeks ago in a moment of panic, and had kept. Suddenly he emptied the contents of the box into his right palm, and she saw them—three little bluish, coffin shaped pellets.

Carrie sprang. The hand was already half way to his mouth when her swinging palm sent the pellets flying.

"Ed! You fool!"

He had slumped down, and now she stood over him, her small fists clenched, her blue eyes blazing. "Quitter!" she breathed. "It's your own lack of nerve you can't beat. Haven't you suffered enough, haven't you paid—"

"I'm a murderer," he said.

"A murderer can wipe out his guilt," she answered, "and maybe make a new life for himself. But a quitter is a failure to the last."

"I've got to pay," he said weakly. "Everybody has to pay."

"Pay then," she answered, "if you feel that way. Not that I care, not that I'd ever give you away. But pay like a man, Ed, stand up to the last and face the music."

She was magnificent there, he thought, full of fire and strength. He'd have done anything for her—anything possible.

"It's too late, Carrie. What can I do?"

"You can't run away now," she said, "of course. Somebody'd be sure to suspect. But at least don't let that man—that beast of a Purdy—force you to do what you started to do." She paused. "Look here. You're changed. You used to be fat, you say, clean shaven, sandy-haired. He wouldn't know you, if you had the nerve to carry it through."

"You mean," he asked incredulously, "play for him, sing for him?"

"Why not?" she asked. "Maybe that very fact would put it over. He'd never believe you'd dare."

"Could I?"

"You can," she answered, "for me—if you want me."

"And then?"

"Then do what your conscience tells you. I'll be with you, one way or another."

"I'll do it," he said, and smiled.

It was strange. A queer new joy filled him now, the strangeness and novelty of which was a delight. As for the outcome, he didn't care, he didn't care a damn any

longer.

THEY came—Purdy, a sleek, dark man with heavy lips and fishy eyes, and with him a blond man named Jessen, whom he introduced as his assistant director, and who Ernie remembered as his former chauffeur. And Ernie received them without a quiver, and Carrie smiled at him as he stood and sang and played into the very teeth of death.

"Sleepy Stars" was the song he sang, and as his thin fingers fluttered on the violin strings, you could hear the wind moaning soft in the pine tops, and smell the balmy air, and see the moon sparkling on the aspen leaves, and the cloud drifts fogging the ledges. Even Purdy seemed spellbound.

Then it was over. Ernie lowered the bow, smiling. Purdy grabbed his hand. It was wonderful, grand. They could certainly use both him and the song in the picture, they'd pay. . . .

Ernie scarcely heard it. While Purdy pumped his hand and Jessen slapped his back, he was looking at Carrie. He had done it, and she was smiling her pride, and that was all that he cared for.

Then the blow fell. Still holding Ernie's hand, Purdy abruptly said: "There's one other favor I'd like to ask, Mr. Black. If it's not too much of an imposition, will you play, 'You're Killing Me'?"

Ernie sprang back like a man struck, and Purdy yelled:

"Grab him, Jessen! I knew it was Ernie Hamp!"

The man called Jessen made a lunge at him as Ernie stepped back and raised the violin like a club. But Carrie sprang between them. Then suddenly there was a noise at the door—heavy feet thudding on the pine floor, a harsh voice rasping: "Hold it, Purdy. It's my show."

Ernie stared. It was Joe Smith, and he

was lumbering toward them, a snub-nosed automatic in one hairy fist. Purdy whirled. "Well, I'll be damned!" he swore. "Dallam! Dallam, this man is Ernie Hamp."

"I know who he is," the man addressed as Dallam said. "I steered him here because I knew Bigart was sending you out here on location. And I put the girl up to getting you to come here. I wanted you two men to meet face to face. So keep your shirt on and I'll do the talking."

Ernie was still staring at the man he had called his friend.

"So you're Dallam?" he said, the trace of a sneer in his voice. "Dallam, how did you find me?"

Dallam shrugged. "No trick," he said, "after we found your hideout in the cheap hotel on Main and identified you by the Jap's description. You made a mistake there, Hamp; you left the New Mexico road map. So I had all border towns watched, and I flew to Yuma myself. It was there that I heard the rumor of the little fellow who ran out when 'You're Killing Me' was played. I located you in the yards and you know the rest."

"And why," Ernie asked, "didn't you arrest me then?"

"Because," Dallam replied, "my case wasn't complete. It isn't yet—quite."

Purdy frowned. "You mean," he asked, "that you haven't got a case against this man yet?"

Dallam looked at him, smiling thinly. "Oh, I've got a case all right," he said slowly, "but I'm not certain who it's against. That's what I'm here to find out tonight. You see, Purdy, the killer was either Hamp—or you!"

"Me!" Purdy gasped. "Man, are you drunk or crazy?"

"Neither," Dallam answered. "Oh, I knew you were there all right, Purdy. The question is: were you simply a witness, or were you the killer. It's like this: When I

heard the shots and Della's scream, I ran into the garden. A man was running toward the wall, and he went over and I chased him. But he got away and I never got a clear glimpse of him. But as I was snooping through another alley, coming back, I saw a man leap into a parked car, and I heard him hiss to the driver: 'Drive like hell, Jessen. She's been shot.'

"Well, the car got away too fast for me, Purdy, but I got the license number. The car was yours and the man who jumped in was you. And Mr. Jessen here, who was then your chauffeur, was the driver."

PURDY had gone white, but he kept his voice steady. "There was nothing about that in the police reports," he said.

"Oh, no." Dallam replied, "I didn't tell them. After all, the murdered woman was my sister, and I had my reasons. But you were there, Purdy. You had sent your car off to wait for you in a dark alley, but you were still there. After I saw you drive off, my first thought was that you were the same man I had chased, the man who did the shooting in the garden. But later doubt entered. Later I knew that there were two men—one in the garden and one in Della's room. Which was you, Purdy?"

Purdy's eyes narrowed, weighing the question shrewdly. Then he shrugged.

"Well, why deny it?" he asked. "Yes, I was there—in the room. When the shooting started in the garden, I guessed it was Hamp. I started forward to try to save Della who was standing just out on the balcony. But I was too late; a shot struck, she toppled over the rail. I couldn't help her then, so I ran through the house and escaped. I escaped through a side door; I was never in the garden at all. My only thought then was to save Della's name from scandal."

"Gallant of you," Dallam said. "Then you couldn't have been the man who ran

from the garden and dropped the pistol while I was chasing him?"

"Couldn't have been!" Purdy asserted emphatically.

"Still, I need proof," Dallam said. "Now listen: I was in the taxi across the street when the man walked up to the garden gate. He was whistling. The tune meant nothing to me then, but later it did. He was whistling : 'You're Killing Me.' He was the man I chased, the man who dropped the gun—"

Purdy's face had brightened with relief. "Then it couldn't have been me," he said. "I'd never heard of the tune at that time any more than you had. And they tell me it had only been turned in to Stohler that evening."

"Well, you work for Bigart, too, you might have—"

"But I hadn't!" Purdy half yelled. "I'd never heard it. Why, you can ask Stohler—" He looked at Ernie. "Why, Hamp himself can't deny that."

Ernie swallowed. They were all staring at him now. What if he swore that Purdy had heard it? But Purdy could prove he'd never heard the tune. That damned tune . . . if it was to be the final jinx, well let it be! He said:

"He's right. I was the only man who knew the tune at that time besides Stohler. I was the man who was whistling it."

He looked down at the floor. Carrie's fingers were tight on his arm. Well, he could take his medicine now.

There was a moment's silence. Then Dallam sighed. "That settles it then, Purdy," he said. "You killed her."

Ernie jerked his head up. Were his ears playing tricks? Purdy had gone rigid. His mouth opened, then closed with a snap and he grated:

"What sort of joke is this?"

Dallam was facing him, the gun in his hand level. "No joke," he said coldly. "I've

known all along that the man in the garden didn't kill her. Listen: the man I chased over the garden wall dropped a gun in the alley. It was a thirty-eight revolver. There were no fingerprints on it, but I traced it to the prop department at Bigart, where either of you might have stolen it. That came later. What I noticed at the moment was that there were only three cartridges exploded. Yet I was certain I had heard four shots. That's why I didn't give the gun to the police and didn't tell them about seeing you. Here was a puzzle I wanted to unravel myself.

"Well, when the slug was dug from Della's head it proved to be a thirty-two bullet. I knew then that the man in the garden didn't kill her, knew that the man in her room fired that fourth, fatal shot."

"But why should I—" Purdy stammered.

Dallam shrugged. "You said yourself you thought it was Ernie shooting. Your nerves were on edge. Maybe you thought they had framed you. Maybe you didn't know until now it was your shot that killed her."

"It's a lie!" Purdy shrieked. He took a step back, and his right hand went into the pocket of his coat. "That stuff won't hold in court."

DALLAM moved toward him, shoved the automatic against his stomach. His big teeth were bared in an ugly grin. "You're in court now, you damned fool!" he growled. "Why do you think I got you two into the wilds to settle this thing? Della was my sister, Purdy, and by heaven, you've already been tried and sentenced . . ."

Purdy's face was twitching. "You wouldn't—" he began.

"Oh, yes I would!" Dallam growled, "and you'd just as well leave that pistol in your pocket. It's probably the thirty-two

you killed her with. Since no suspicion ever attached to you, you'd probably see no reason to throw it away. It's all I'll need for a jury, but I think I'll just drill you myself. Unless you want to confess—"

He didn't finish. The gun had leaped from Purdy's pocket.

Dallam slammed down with his left hand and the shot buried itself in the floor. The next instant the gun in his right fist had crashed against Purdy's jaw and the director sailed back against the wall to sag down in a limp heap . . . .

Purdy's plea of self-defense at the trial saved his life. He claimed he thought that

Della and Ernie had framed him. But the ballistic experts proved that his gun had killed her, and he got twenty years. The ex-chauffeur, Jessen, got five.

When it was all over, Carrie and Ernie got married and came back to the mountains. Hamp does his best work there. "Sleepy Stars" was a big hit, and Ernie's later lyrics are well known. They make occasional trips to Hollywood, but always return to the big rock home they built on the site of Ernie's shack. It's modern in every way except for one thing—there's no radio. You never can tell when an old song hit will be revived.