

EDWARD THE CONFESSOR

Judge Steele Story

by Lon Williams

The deputies grinningly picked Fishbone up and deposited him in the proper place.



The case against Edward Slocum looked as airtight as Judge Steele could hope for – but somehow, he was worried. Slocum’s lawyer was a real tricky-looking gent, and didn’t seem at all disturbed by the fact that the prosecution had a signed confession from the accused.

JUDGE WARDLOW STEELE eyed a courtroom jammed with Flat Creek’s hard-crusted citizens, and uneasiness disturbed him. Not because a murder had been committed. Events of that sort filled him with troubled anger, confronted him with vexatious problems, but seldom presented insurmountable difficulties.

This time Steele was less confident. Unofficially, he had learned that a new lawyer had arrived in town—one reputed

to possess a sackful of tricks designed to defeat justice. It had been Steele’s determined policy that no consarned lawyer should save a murderer’s neck. Of course there had been acquittals—either from lack of convincing evidence, or because of legal technicalities—but never as a result of downright fraud and flummery. Well, by thunder, there had to be a first time for everything.

He growled toward his right, “Bucky,

call this herd of animals to order.”

Big Jerd Buckalew rose and pounded with his forty-five. “Court’s now in session; any off-brand ox as thinks it ain’t will get his tail twisted.”

Steele nodded briskly at Clerk James Skiffington. “Skiffy, let’s have it.”

Skiffington got up and screeched loudly, “People *versus* Edward Slocum. Charge, first-degree murder.”

Below, on a bench reserved for doomed apes, sat a baboon of about twenty-seven years, long-chinned, black-haired, with an expression between arrogant confidence and innocent stupidity. Steele glared at him with repressed fury. “Murder, eh? Be-consarned if your looks don’t make that easy enough to believe. Whar’s your lawyer?”

A tall character got up nearby. In looks he rated well; he was dark, well-dressed, and dean-shaved. Thick hair rose from a straight left-side part, and lay in a thick mass over his head. In facial expression and mannerism, however, he did not impress so favorably. No smile was evident, nor was there the hint of one. Instead, one side of his mouth rose in a surly twitch.

“I am this man’s lawyer sir,” he said frigidly. “Moreover, as a beginning, I should say that your honor’s insinuation as to my client’s murderous looks is objected to as both improper and totally unbecoming to a judge. This man, though charged with murder, is entitled to courteous treatment and every presumption of innocence. I demand that he be protected from insult, and that his constitutional right to a fair trial be respected.”

In Steele’s opinion, this character would be hard to get along with. “What’s your name?” he snapped angrily.

“Osius W. Bonefish,” came in sharp

reply.

Steele’s anger merged suddenly with his crude sense of humor. “All right, Fishbone, we’ll see that your client gets a fair trial. But after it’s over we’ll hang him just as high, by thunder, as if he’d had no trial at all.” He swung left. “Anybody over hyar got anything to say?”

A dignified, disapproving redhead got up. “Wade Claybrook, your honor. Prosecuting attorney. I have only this to say, sir. A murder trial should proceed in an orderly fashion, without bias of any nature. I, therefore, suggest that this defendant be required to plead, and that a jury be empaneled to try him.”

STEELE turned away in disappointment. Claybrook had learning and ability, but he lacked a fighting man’s spirit. Except on rare occasions, he was too much a gentleman to deal with scoundrels. The judge scowled down at Slocum. “All right, you two-legged stinker, what’s your plea?”

Osius W. Bonefish snarled contemptuously, “If a plea is anything in this court except mockery, defendant’s plea is not guilty. Treatment this man has just now received illustrates what kind of indignities he has been subjected to since his arrest, as will be proved in due time.”

In short order, a jury was empaneled, witnesses sworn and herded to their back room.

Claybrook nodded at a deputy. “Call Cotter Going.”

Going was brought in and seated as a witness. He was a homely, sad-eyed gold-digger of about thirty, with an upper lip left white by removal of a mustache of long standing. His thick brown hair showed no sign of having ever been combed.

“Your name, sir?” asked Claybrook.

“My name’s Cotter Going,” replied the

witness. "There's two Cotter Goings in Flat Creek country, though. One has a claim in Dead Crow Gulch, one in Lower Sarlay."

"Which Cotter are you?"

"I'm little Cotter. Not that I'm so little, mind you; I'm five feet eleven and weigh a hundred and seventy pounds on Scrugg Amory's hay scales."

Claybrook's mouth twisted in sarcasm. "You are being most informative, sir; you are sometimes called Going Gone, are you not?"

"I am, except when I'm called just plain gone."

"Well, Mr. Gone, are you acquainted with Edward Slocum?"

Going glanced at defendant. "You mean him?"

"Yes."

"Sure, I know him. Hired him to work for me now and then—though he was such a lazy no-good bum, I couldn't trust him as far as I could throw a sack of potatoes."

Osius Bonefish got up. "That slanderous remark is objected to. Aspersions on this man's character are not admissible, unless he himself puts his character and reputation in issue. I suggest that Mr. Claybrook hold a tighter line on his witnesses if he knows how."

"And I," retorted Claybrook, "Suggest that Mr. Bonefish hold his tongue, unless he can think of something intelligent to say." He stared hard at Going. "Sir, when were you last in defendant's company?"

Going again glanced at Slocum. "You mean when was I last with him?"

"You heard my question."

Steele was losing patience. "Wade, ask him what he knows about this murder."

Claybrook nodded at Going. "All right. Mr. Gone, what do you know about Rufe Budnick's murder?"

Bonefish was up again. "Now, sir, defendant objects. This witness knows

nothing about rules of evidence, hence should confine his statements to answering proper questions."

"Bonefish," said Steele, "when I tell a lawyer to do anything in this court, he most generally does it."

"From what I've heard of justice in this court," retorted Bonefish, "I can well believe your honor's remark. Trials are not conducted by lawyers versed in law and procedure, but by a tyrannical and overbearing judge who knows little beyond how to hang men accused of crime—guilty or innocent."

This, in Steele's opinion, was outrageous contempt of court. Yet, because contempt and truth were so nearly identical as applied to him, he withheld his vengeful hand. "Set down, Bony," he ordered softly.

Bonefish saw ruin about to descend upon him from Buckalew's rough deputies. Hastily he sat down.

CLAYBROOK nodded at Going. "Were you with Edward Slocum last Wednesday evening, about sundown?"

"I was," Going answered.

"Where?"

"In Lower Sarlay Gulch."

"Where were you headed?"

"I was coming in to town. Ed Slow-go was coming down Lower Sarlay with me and about to pass Rufe Budnick's shack. It was kind of chilly. Budnick was outside with his big woolly overcoat on, by hisself. As we was about to pass, Ed says to me—"

"Object," shouted Bonefish. "That's hearsay evidence."

"Go ahead, Going," said Claybrook.

Bonefish sprang up. "Object, sir; hearsay evidence is not admissible. I recognize that Mr. Claybrook's legal endowments are rather skimpy, but even a jackleg lawyer knows he can't introduce

hearsay evidence.”

Steele jerked his head at Claybrook. “Wade if you want to bash his nose for that remark, you’ve got my permission.”

“Your honor’s thoughtfulness is appreciated,” responded Claybrook, “but I think that Mr. Bonefish, given time, will fall into his own pit.” Claybrook faced his witness. “Mr. Going, what did Ed Slow-go say to you?”

“Well, sir, he said to me, ‘Cot, I think I’ll stop and gab with Budnick for a spell.’ He turned aside then, and I come on by myself.”

“That’s all.” Claybrook sat down.

Steele glared at defendant’s lawyer. “Cross-examine?”

Bonefish got up with a sneer on his lips. “Sir, what this witness has said is so near nothing that I do not consider cross-examination worth while.”

Steele held his temper. Claybrook, he figured, had been at least half right. But instead of falling into a pit, Bonefish was in danger of being thrown into one. “Next witness, Wade.”

“Collie Six,” said Claybrook.

Six was brought in. He was a snooty looking young dude, about five-feet-seven, slim, with sandy, middle-parted hair and a thin waxed mustache. “Your name is Collie Six?”

“It is not, sir,” replied the witness, with a glance along his nose at Claybrook. “My name is Collingworth Six.”

“Your name,” Claybrook commented dryly, “might have been more fitting, had it been Worth Six. You are employed at Pfleuger’s General Store, are you not?”

“To be more exact, sir, I am leading salesman at Pfleuger’s.”

Claybrook’s expression was sour and sarcastic. “In your distinguished capacity as Pfleuger’s leading salesman, did you see defendant Edward Slocum last Wednesday evening shortly after

sundown?”

“Well, suppose we come to cases,” Six replied loftily. “It appears to me, from past observation and reports, that judge and lawyers of this court are too much engaged in what Shakespeare would have called much ado about nothing. What is needed here, I should say, is slightly more adeptness in crime detection.

“Let me illustrate what I mean. Last Wednesday evening Edward Slocum, otherwise known as Ed Slow-go, came into our store to buy a new suit of clothes. On that occasion he was wearing a woolly overcoat somewhat too large for him. To me that immediately seemed cause for suspicion. When he bought this new suit, he paid for it from a bag of gold money. Clue number two. See what I mean? I should say that bag contained at least five hundred dollars—too much money for a common bum, eh? Would it be of interest to you to know, also, that said money bag was stained with blood?”

STEELE GLARED at Claybrook. “Wade, can’t you prove murder without bringing such conceited jackasses as this in hyar?”

Six sat erect and stared indignantly at Steele. “Sir, are you referring to me?”

Steele’s anger boiled over. “Bucky, throw this stuffed monkey out of hyar; if thar’s a horse trough handy, dunk him in it for contempt of court.”

Four deputies seized Six and carried him out. Seconds later they came back in, wiping their wet hands.

“Claybrook, call your next witness,” growled Steele.

“Deputy Daniel Trewhitt,” Claybrook directed.

A man almost seven feet tall and weighing two hundred fifty pounds came in and sat down.

Claybrook eyed him with satisfaction.

“Your name is Dan Trehwitt?”

“Yes, sir, Mr. Claybrook, it shore is.”

Claybrook handed him an iron rod three feet long and about as thick as a man’s thumb. “Do you recognize that?”

“Yes, sir, shore do. I found that in Rufe Budnick’s shack, beside his dead body.”

“Was it bloody when you found it?”

“Shore was.”

“Any evidence of its having been used on Budnick’s head?”

Osius Bonefish was up. “Object, your honor. A witness is not permitted to draw conclusions.”

Before Steele could tear into Bonefish, Claybrook changed his question. “Mr. Trehwitt, did you examine Budnick’s head?”

“Shore did. That corpse’s head had about ten gashes, top, sides and back—it had been hit with an iron rod.”

“Another conclusion,” stormed Bonefish. “Defendant excepts and assigns error. This witness should not be permitted to speculate on what old Budnick’s head had been hit with.”

Claybrook said hurriedly, “Mr. Trehwitt, was Budnick’s skull bashed in at any point?”

“Shore was. It was just about all bashed in.”

“Did you arrest defendant Edward Slocum?”

“Shore did. Also took him to jail and locked him up.”

Claybrook handed Trehwitt a piece of paper. “Do you recognize that?”

“Shore do, Mr. Claybrook. That’s Slow-go’s confession.”

“Who wrote it for him?”

“Deputy Gueley wrote it. He wrote what Slow-go told him to write.”

“Did Slocum sign it?”

“Shore did. Made his mark. Me and Gueley and Sheriff Buckalew witnessed it.

Here’s where we signed our names.”

“Will you read it, please?”

Trehwitt lifted his eyebrows, then drew a huge hand down his face. “I’ll shore make a pass at it, Mr. Claybrook, though I ain’t much good at readin’ writin’.”

Defendant’s lawyer was up, waiting. “Now, sir, defendant objects.”

“Naturally,” said Steele. “If you didn’t, we’d think you was loco.”

“I’m far from being facetious, sir,” Bonefish retorted haughtily. “Mr. Claybrook, being a lawyer of sorts, should know that a confession cannot be put in evidence until it has been qualified as competent.”

“All right, Wade,” said Steele. “If that’s law, qualify it. We don’t want Bonefish excepting and assigning errors.”

“IF YOUR HONOR please,” Claybrook commented graciously, “inasmuch as defendant has objected, it might be well to do some qualifying.” He faced Trehwitt. “Sir, did you use threats against defendant in order to obtain this confession?”

“No, sir, shore didn’t.”

“Did you promise him anything, such as recommending that he be let off easy? Did you persuade him that it might be good for his soul?”

“No, sir, Mr. Claybrook, neither one. Never used no threats, and never promised him nothing.”

“Do you mean then to say that he gave this confession freely, voluntarily, and with understanding that it might be used against him?”

“Yes, sir, that’s what I mean—they very words. Might say, too, that when he told all that’s in this confession, he was feeling as free as a bird in a bush. In fact, seemed right happy about it.”

Claybrook arched his eyebrows at

Steele. "May it please your honor, it would be proper procedure to allow Mr. Bonefish to cross-examine Mr. Trehwitt as to this confession."

"All right, Bony. Cross-examine." Bonefish rose but stayed at his table. "Mr. Claybrook does deserve commendation for this one instance of fairness. Naturally I should like to cross-examine this big lummoX who speaks so glibly."

"Now, see hyar, Bonefish," Steele snarled dangerously, "you be careful what you say about Dan Trehwitt or, by thunder, you'll find yourself soaking up horse slobbers."

Bonefish's eyes widened. "Yes, your honor," he replied. He then faced Trehwitt. "So you used no threats against defendant?"

"No, sir, shore didn't."

"Nor any violent language?"

"Yes, sir, shore did. Used violent language. Called him about every name I could think of."

"Indeed? You also gave him whiskey, didn't you?"

"Shore did."

"And it was after he had drunk whiskey that he confessed?"

"Shore was."

"Yet you say that his confession was as free as a bird in a bush?"

"Shore was, yes sir. You ought to heard him brag about how he beat up pore old Budnick's head. Would've made you sick."

"He was pretty drunk, wasn't he?"

"Shore was. Happy as you please."

Bonefish looked up at Steele. "Sir, I'm shocked at Mr. Claybrook's outrageous conduct in offering in evidence a confession obtained in such illegal and infamous fashion."

"Now, see hyar, Bony; according to my lights, some men are more likely to tell the truth when drunk than when sober."

He swung round. "Dan, read that confession."

Trehwitt furrowed his forehead and read laboriously:

"To who it may concern. I killed old Rufe Budnick. I done it partly to get his money, but mostly because I hated him. We was both from Old Crab, Missouri. He was a old tightwad. Always had money, but wouldn't never give nobody none. Except kids. Sometimes he'd give a kid a nickel. But he never give me none. Not even a penny. Said I was no good. When I beat his head into smush I kept telling him, Well, old tightwad, this pays you back for treating me like you did back in Old Crab. This is what you get for how you talked to me back there too. It's good enough for you. I'm glad I killed him. Signed, Ed Slocum, his mark. Witnessed, Jerd Buckalew, Hugh Gueley, Dan Trehwitt."

Claybrook raised his eyebrows and sat down. "That is our case, your honor."

Steele tugged at his mustache. "That's case enough, by thunder." He scowled at Bonefish. "Want to cross-examine further?"

Bonefish got up. "I do not, sir. But I would like for defendant to have a chance to speak for himself."

"It'll take a lot of speaking," Steele told him frigidly, "but put him on. Swear him, Skiffy."

Slocum rose and held up his right hand. Skiffington raced through his rigmarole and sat down.

WITH SWAGGERING strides, Slocum took his seat as a witness in his own behalf.

Bonefish came round and stood directly between Claybrook and Slocum. This, Steele suspected, was deliberately done to shut off Claybrook's view of Slocum.

Steele pointed angrily down to his

right. "Bonefish, stand over thar."

A moment of suspense followed. Bonefish had not moved; now he lifted his chin and declared haughtily, "Sir, an attorney is privileged to stand wherever he pleases."

Sheriff Buckalew nodded at a cluster of deputies. They descended upon Bonefish, lifted him by his pants and coat collar and placed him where he had been ordered to stand.

"Now," Steele added, "you are fined ten dollars for contempt of court. Bucky, you will put him in jail until it's paid."

For seconds Bonefish stood in angry silence, after which he apparently decided that courtesy would pay off better. "I apologize, your honor."

"You are still fined ten dollars, by thunder."

A flash of hostility suggested that Bonefish had mentally withdrawn his apology. He faced his client. "Your name is Edward Slocum?"

"Right," Slocum replied.

"Were you acquainted with Rufe Budnick?"

"Knewed him when I seen him, that's all."

"Did you sign a confession?"

"Signed something."

"Did you know what it was?"

"No."

"Was it read to you before you signed it?"

"No."

"As to why you signed, it we shall put to one side momentarily. Putting Rufe Budnick aside for now, also, did you ever kill anybody?"

"Yes, sir," Slocum declared proudly. "Killed a lot of men."

"Name at least one."

Claybrook eased up. "Now, your honor, this defendant is not on trial for having killed anybody except Budnick.

What sharp practice Mr. Bonefish may be up to is not yet fully apparent, but Slocum's record as a manslayer has got nothing to do with whether he murdered Budnick."

"Wade," Steele responded dryly, "you're a learned lawyer; and in all respects an honorable one; but your objection would deny this court one of its most needed lessons—namely, a lesson in what you call sharp practice. Go right ahead, Fishbone."

Bonefish regarded Steele resentfully. "Sir, may I remind you that my name is not Fishbone."

"It seems to me," Claybrook interposed, "that his name should be Bone. That's especially true with respect to his head."

Before Bonefish could reply to Claybrook's insult, Steele stormed at him, "Question your witness, Bonefish."

BONEFISH took time to reestablish his composure, then asked, "Mr. Slocum, you say you have killed a lot of men?"

"Right."

"Name one of them."

"Well, sir, when I was fifteen years old, I killed a man in Old Crab, Missouri. Killed him and hid his body in a cave."

"What was his name?"

"Name was Trenkle—Fadway Trenkle."

"Were you ever prosecuted for that killing?"

"Never was. Nobody found out who done it."

"Name another man you've killed."

"Well, there was Horace Waddy."

"You mean you killed Horace Waddy?"

"Yep."

"What did you kill him for?"

"Nothing much. Mostly because I didn't like him."

"Where did that occur?"

"You mean where did I kill him?"

"Yes."

"That was back in Missouri, too. I was eighteen when I killed old Waddy."

"See hyar," Steele interrupted. "Fishbone, don't you know you're putting a rope around this baboon's neck?"

"Sir," replied Bonefish, "I know that you cannot touch him for any crime he may have committed in Missouri."

"What do you mean, we can't touch him?"

Claybrook got up. "If your honor please, he means that for a crime committed in Missouri this defendant can be legally tried only in Missouri."

"Wade, that may be law in your book and in Fishbone's, but be-consarned if you ain't about to learn some law that ain't in books at all. It's a long way from hyar to Missouri. According to my figuring, we'd be doing Missouri a favor by saving people back thar a heap of bother. Go ahead, Fishbone. Hang him, if you've got your head set on it."

Bonefish proceeded with confidence unshaken. "Ever kill anybody else?"

"Right."

"Who?"

"Killed old Roe Shovlin."

"Who was he?"

"Storekeeper."

"Where did that killing occur?"

"Missouri."

"Why did you kill him?"

"Because he had me arrested for stealing corn."

"Did you steal any corn?"

"No, but he swore I done it. Had me jailed for thirty days. Every day in jail, I swore to myself I'd get even. So I did. Waylaid him one night when he was going home from his store. Blasted him open with a double-barrel shotgun."

"Were you indicted?"

"Never was. It happened in dark woods. Nobody could track me but bloodhounds, and I threwed them off my scent by wading in a creek about two miles. Hid my gun in a holler log. For all I know, it's there yet."

Claybrook rose indignantly. "If your honor please, what Mr. Bonefish is leading up to is beginning to reveal itself. May I say—"

"Mr. Claybrook may very appropriately wait until this leading process is finished," declared Bonefish warmly. "When I have finished, he will have his chance to cross-examine. Until then I suggest he refrain from interrupting."

STEELE considered briefly. Be-consarned if he could figure what Bony was up to. He'd heard of shifty lawyers; in fact, he'd had some smooth ones in his court. But if there was a trick he hadn't yet seen, he'd welcome a chance to see it, so long as it didn't interfere with justice.

"Fishbone," he said, "I reckon you know what you're doing?"

"Sir," Bonefish replied "if I didn't, I wouldn't be doing it."

Steele's anger flared suddenly. "Well, sir, if it's some concerned trick you're working on, it'd better be mighty good. It's our aim hyar to hang murderers, no matter whar they done their murdering."

"It could matter a great deal, sir," returned Bonefish. "A court has jurisdiction to try persons accused of crimes within that court's geographical limits, and not elsewhere. Your court, sir, if I am informed correctly, is a mere usurper of judicial authority, with no legislative sanction whatever. As an interim of makeshift institution, you may be a connecting link between Vigilante lawlessness and duly constituted

government; but by no stretch of imagination can you assert judicial functions over more than Flat Creek and its immediate environs."

Claybrook was waiting. "If your honor please, this learned dissertation on judicial authority may have sounded fine to its utterer, but it has no meaning to a murderer when he's swinging from a limb. When this court hangs a criminal, he's just as dead as if he'd been hung in Missouri."

Steele was delighted with Claybrook. It was his opinion that someday Claybrook would develop into a humdinger. Maybe he as judge had not been giving Wade enough rein.

"Wade," he said stoutly, "you're talking my kind of talk. When we hang a two-legged stinker, what difference does it make whether we've got jurisdiction or not?" He scowled at Bonefish. "Go ahead, Bony. You're helping us out just fine."

His face hard and confident, Bonefish said frigidly, "Sir, this trial is not over yet. Furthermore, it is to be remembered as one element of respectability that no man can be hanged, even by this outlandish court, until a jury has pronounced him guilty. Fortunately, our jury is yet to be heard from." Bonefish faced defendant again. "Mr. Slocum, you have been relating various killings of which you have been guilty. Have you ever killed anybody in Flat Creek, or anywhere close around?"

"You bet I have."

Gasps swept over spectators like a gust of wind. Men looked at one another and grinned. Steele himself leaned forward in astonishment. .

Bonefish smiled wryly. "So you have killed somebody in Flat Creek or its immediate neighborhood?"

"Yep, that's what I said."

"Who was it?"

"Feller named Alvis Newkirk."

"Where did you kill him?"

"Back of his saddle shop. Called him out from his workbench and bashed his head with a wagon spoke."

"When was that?"

"Couple weeks ago."

Murmurs rose from spectators.

A MAN GOT up, a few rows back. "Judge, that ain't so. I'm Alvis Newkirk, and I ain't no more dead than he is. What's more, that big windy ain't never hit me with nothing."

Steele felt tight and hot. "What in tarnation's going on hyar?"

"Just this, sir," replied Bonefish. "This defendant is said to have confessed that he murdered Rufe Budnick. It has just been demonstrated that he would confess anything."

"Be-consarned if I don't feel whupped for certain," Steele admitted, angrily and grudgingly. "But don't count your chickens yet, Mr. Fishbone. Thar's a consarned puzzle hyar, but it's got an answer. We're going to keep our hooks in this baboon till we figure it out."

Claybrook rose with a sour expression. "Your honor, this has worked out too precisely to have been accidental; indeed, it has every earmark of a conspiracy. I suggest that Alvis Newkirk be taken into custody for questioning as soon as this trial is over. If he allowed himself to be drawn into a conspiracy to obstruct justice, I think there will be some way he can be punished.

"Now look here, Claybrook," Newkirk shouted nervously, "I never got into no conspiracy with nobody. I didn't know he was going to tell that lie. He just picked me out because he looked back here and saw me."

"Bucky, have Newkirk locked up. By thunder, we'll let him talk hisself out of jail, if he thinks he can."

While a deputy was obeying a nod

from Buckalew, Osius Bonefish walked slowly back and forth in troubled thought. When quiet had returned, he faced his witness. "Mr. Slocum, you have admitted that you signed a confession. You have denied, however, that you knew what that confession contained. Why did you sign it?"

Slocum had broken out in a sweat. "Signed it because I had to."

"What do you mean?"

"I reckon you'd signed it, too, if them deputies done to you what they done to me."

"What did they do to you?"

"Threatened to burn me with a red-hot poker."

"What else?"

"Kept me awake two nights and two days."

"What else?"

"Put soap in my food."

"What else?"

Slocum held up his left thumb, which was enclosed in a dirty stall. "Them deputies done this to me."

"And what was that?"

"Put my thumb in a vise."

"Then what?"

"They screwed down on it till they busted its bones. Said they'd bust my other thumb and my fingers and toes, if I didn't confess and sign that paper."

Bonefish lowered his voice to a sad pitch. "So, in order to save yourself from further torture, you confessed to a crime you had not committed?"

"Yep, that's exactly what I done. I'd of confessed to anything to keep any more of my bones from being busted."

With sorrow in his voice, Bonefish said, "I'm reluctant to ask you, Mr. Slocum, to exhibit this evidence of your torture, but would you mind removing that bandage or stall from your thumb and allow our jurors to see what atrocity has

been committed upon your person? "

"Sure thing," said Slocum, "only it's mighty sore." Slowly, carefully, he exhibited his tortured member. His thumb was black and swollen to more than twice its natural size. "There it is, fellers," he said.

Two or three jurors gasped. Groans were audible from various quarters.

"There," said Bonefish, "is your evidence of this so-called free and voluntary confession. I've seen many cases of torture, inflicted as a means of extracting false confessions, but never before have I seen one as atrocious as this. Everything that's civilized and decent cries out against it."

Bonefish wiped his eyes with a handkerchief and returned to his seat. Slocum put his stall back on and likewise returned to his place.

STEELE was tense with that wrath he always experienced in defeat.

He turned in desperation to Claybrook. "Wade, what in tarnation have you got to say?"

Claybrook got up hesitantly. "Your honor, I'm confident that this harrowing story of torture can be fully and completely rebutted by Sheriff Buckalew and his deputies."

"Sir," said Bonefish, rising indignantly, "Sheriff Buckalew and his deputies are disqualified by reason of their having been present throughout this trial."

While Claybrook and Bonefish argued and fumed back and forth, Steele's mind was busy with his own hard thinking. Beconsarned, that yarn about torture was a pure lie.

"Your honor," said Claybrook at last. "I doubt if your honor has heard what was said in this argument. Would you have it repeated?"

Steele replied with an angry growl,

“No, by thunder. You lawyers set down; we don’t need no rebuttal testimony.” Something smudgy he had seen on Slocum’s thumb-stall, to which he at first attached no significance, now began to reveal its meaning.

He scowled at Sheriff Buckalew. “Bucky, what did this murderin’ baboon have for breakfast?”

Buckalew looked puzzled. “Why, Judge, I’d have to think a minute.”

“Well, think, consarn it.”

Buckalew began to think out loud. “It’s like this, so it is. When a murderer comes to his day of trial, we always figure that it’s likely to be his hanging day, also. Accordingly, we give him anything he wants for breakfast, if we’ve got it, or can get it. Now, let’s see. For breakfast Slow-go wanted fried chicken, which we give him. Honey and butter which we give him. Hot butter, which we give him. Hot biscuits, which we give him.”

“That’s enough,” said Steele.

Buckalew glanced up. “Huh?”

“I said that’s enough.”

“But I ain’t told you nothing yet.”

“You’ve told enough. From now on it’s something you can do.”

“What is it, Judge?”

“Have water and lye soap fetched.”

“Water? Soap?”

“Consarn it, Bucky, are you deaf?”

Buckalew nodded at a deputy. Shortly afterwards a basin of water and a cup of lye soap appeared.

“Here it is, Judge.”

Steele jerked his head at Slocum. “You deputies wash that lying polecat’s thumb.”

Lawyer Bonefish sprang up. “Sir, hasn’t this man been subjected to

indignities enough? Torture in jail is heinous, but when brought into a court room it descends to low bestiality.”

A deputy stood by Slocum’s shoulder. “Slow-go, do you want to take off that stall, or do you want us to take it off?”

Slocum removed it and stared dumbly while his hand was lifted and his thumb smeared with soap. In short order his thumb was washed dean. It was pink, but no longer showed any black.

A deputy stepped aside so Steele could see. “There it is, Judge. Clean as a whistle.”

Steele scowled down at Buckalew. “Bucky, can honey bees get into your jail cells?”

“Sure can, Judge. Swarm around in there a right smart when somebody’s eating honey.”

“You deputies take a look at that thumb,” said Steele. “See if it’s been stung.”

Slocum’s thumb was promptly examined by deputies. One of them stepped aside again. “Sure has been stung, Judge. Got three red specks, like where’d been pin jabs.”

Steele was mad enough to bust. He glared at Bonefish. “Be-consarned if anybody but a stinker like you could’ve thought up that. A bee-stung thumb, blacked with boot blacking looked mighty suspicious, but it’s like Claybrook says. Your trick was too perfect.” He jerked his head to his left. “You jurors fetch in a verdict.”

They were out and back within two minutes.

“Guilty, Judge.”