



Powder Smoke

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**Peach Murgatroyd — the Deputy
Who Wasn't Built To Be a Killer.**

PEACH MURGATROYD was back from a trip down into the lagoon country, a little more burnt of skin, a little thinner, but with the same quiet cheerfulness about him. He had his long legs propped on Sheriff Schirmer's desk and his brown hands were tapering off a cigarette in the semi-darkness of the office. Outside was the white glare of a hot afternoon and the drone of casual conversation. But inside there had been no talk for several minutes. Peach didn't believe in idle comment and Sheriff

Schirmer was old enough to find comfort in silence. The last remark made by the sheriff some time before was to the effect that Nick Roble was in town again and systematically liquidating a long spell of dryness. Peach had accepted the news with a casual nod.

But there was something else on Schirmer's mind. The young deputy understood the signals. Schirmer's hands were laced across a rounding stomach and his eyes flickered intermittently beneath the grizzled, bushing brows. This was one

of the sheriff's deceptive intervals. Peach established combustion in the cigarette and waited.

"Ben Lipp's in town also," murmured the sheriff at last. "Sold a bunch of sheep, paid off six-eight of his herders. Ben don't trust banks so he's totin' considerable money in his pants pocket."

"I'll keep an eye out to see he don't get too drunk," drawled Peach, "if that's what you want."

"Him?" grunted the sheriff. "He's too tight to buy more than a glass of beer and eat a free lunch on it. Wears his whiskers long to save soap and wraps gunnysacks around his feet nine months in the year to keep from buyin' shoes. Don't worry none about Lipp's squanderin' away his dollars. But he's a born fool for carryin' a small fortune on his person. He don't trust banks, he don't trust nobody but Ben Lipp. Some day he'll meet a bullet out in the rimrock."

Peach studied the situation. Nick Roble was in town, drinking; Ben Lipp was carrying a quantity of money around in his pocket. Two and two might later make four. The sheriff hadn't said anything like that, but then the sheriff expected every deputy to do his own thinking. Peach grinned, whereupon the sheriff asked a strange question.

"Peach, you got constitutional objections to killin' a man—in line of duty?"

The young deputy's smile was absorbed by a thoughtful creasing of his brow. "Well, Sheriff, the day may come when I'll have to go for iron in a hurry. But I ain't anticipatin' it with any pleasure. I don't like the idea of killin' a man. I don't even like the idea of throwin' down on him. It takes about twenty years to make a man and only two-three seconds to extinguish him permanent. That don't sound right to me. I'd a heap rather catch these hard eggs off balance and snag a loop on 'em. Or else get them so worried and puzzled they'll reach for the ceilin' instead of for their belt. It's a considerable more fun thataway, for me anyhow. The fact is, Sheriff, there's nothin' to do about it. I just ain't a killer."

"Yeah," drawled Schirmer, eyelids drooping. "You have done some good work, Peach. Takin' Lonny Figgero out of Saddle-Up was a neat job. Not a shot fired. Gettin' Joe Bolliger's gang without gunplay was slick. The county has been laughin' at Joe ever since. And a man can't stay hard when folks laugh at him. But did it ever occur to you, Peach, that when you play around with eggs like that, tryin' to take 'em easy, yore exposin' yore skin to a lot of extra chances?"

"Keep 'em guessin'—that's my motto," replied Peach. "And I don't like to sling lead. Somebody might get hurt. Why kill a man just because he's foolish enough to be stubborn?"

Schirmer held his peace for a few moments and took another tack. "I'm gettin' old. This is my last term as sheriff. Two years from now I'll be out. And somebody else will be in. I had a piece of luck when I was early on the job. I had to knock a man over. Ever since that things have been easy. Folks knew I could shoot and would shoot in a showdown and they ain't been curious about it since. It's a funny world, Peach, but one little slug of lead will go farther to make a sheriff's job comfortable than a whole passel of brain work. Mebbe it ain't right, but it's true. I bet I have saved a dozen killin's because of that first piece of gunplay years ago. The county likes to know its sheriff is a fighter. The tough nuts ain't so tough when they know it. But if the sheriff, or the deputy, ain't proved that point, they'll try to jump him every time."

THAT was all. The sheriff reached for his hat and rose, saying he meant to go down to the house for a little siesta before supper. Peach waited a short while, staring through the cigarette smoke. He knew what the sheriff meant. Schirmer was a kindly man and hoped for Peach to succeed him to the star. He had given Peach some hard jobs to make a reputation on. But Peach also knew the sheriff, in that roundabout fashion, was telling him the county didn't quite approve of bloodless deputies. There were still a great many gentlemen roaming the hills with plenty of bark on and out of long experience as well as frail human desire, the county wanted its peace officers also to have plenty of bark on them.

Peach went into the street, squinting at the hot sun. He knew that somehow in the last month he had lost a little ground. Public opinion was a thing you couldn't put a finger on, but still the feeling of slight disapproval was present. Men spoke cordially enough to him but not with quite the same amount of heartiness as usual. And they appraised him more sharply from the corners of their eyes. He felt that. It left him a little grim and discouraged.

"Lord knows I want to run for sheriff," he said to himself, angling across to the shady side of the street. "But if I've got to shoot my way to the job I'm damned if I want it. I'm not built to be a killer and it's too late to change styles."

A half dozen Mexicans—Ben Lipp's paid-off herders—slouched in the mouth of the stable and murmured their own soft tongue. They were ragged looking fellows with sharp eyes and a slightly sullen manner. Peach flipped a casual hand at them and went on, almost colliding with Ben Lipp as the latter emerged from the general store. Lipp was a frail old skeleton with a bushy head and a stride that buckled at the knees. He had on a pair of new boots.

"Hello, Ben," said Peach. "Buyin' out the town?"

"New boots," squeaked Ben. "I pay ten dollars for them infernal things and they cripple me turrible. Why a man sh'd wear shoes, I dunno. Work all summer fer a mite o' money and spend it on sech fool things!" He stared at the herders and grunted unfavorably. The herders returned that stare without friendliness, liquid Spanish syllables floating around the group. There was nothing new in this. Lipp always nagged his men and none of them ever left his employ with a good word for him. "Trash," grumbled Lipp. "Ain't no sech thing as decent help no more. Was I you, Murgatroyd, I'd keep an eye on these peons till they reached the railroad. Steal the rattles often a snake, they would."

Peach thought for a moment that there was to be trouble. One of the Mexicans, more robust than the others, stepped forward until his bronzed face was within a foot of Ben Lipp. The old man bristled like a terrier and snapped, "trash!" in a querulous voice. Then Peach walked between them. "Careful, boys. It's too hot for that sort of business. Somebody might bust an artery."

The Mexican raised his shoulders and turned. Lipp crossed the street and disappeared inside the hotel. Peach strolled on, murmuring to himself. "Now if I was one of these hard baked deputies I suppose I'd knocked that Mex clear off the sidewalk and told old Lipp to get the hell out of town. What would that buy me?"

Still engrossed in his reflections he started to swing into the restaurant when he heard a rolling, half-insolent command overtake him. "Hey, Murgatroyd—hey you—wait a minute. I want to talk to yuh."

That was Nick Roble's brazen voice; he turned to see the man coming out of the saloon with a high and wide pace—a short and bulky individual with



an immense spread of shoulder and a dark face flushed with drinking. One jet cowlick fell beneath the Stetson's brim to a broad forehead glistening with sweat. Nick Roble always seemed to be oppressed by the heat and always impatient with others. He came of a wild family and the name he bore was a byword of recklessness and brute force. Peach waited with a show of patience he was far from feeling. Schirmer's words had gotten under his skin and it didn't help any to know that loitering townsmen were watching from the sweltering shade.

"Well, Nick?"

"Well?" boomed Roble. "If yuh knows of any well, go jump in it. What the hell kind of talk is that?"

"Just a question, Nick," drawled Peach.

"Yore allus a hand to ask questions, ain't yuh?" grumbled Roble, halting a yard from Peach and placing his arms akimbo. "Yore supposed to be a slick gent, ain't yuh? Run circles around fellas and git 'em wound up till they don't know whether they's afoot or horseback. Hypnotize 'em with big words, make 'em jump into barbwire, play tag and run sheep run till yuh got 'em too tired to lift a gun. Yeah, a slick gent."

ALL this heavy sarcasm Peach Murgatroyd accepted gravely, well knowing that the onlookers were listening and marking him still farther down the scale of ability. "Seem to have me all doped out, Nick," was his quiet answer. "Now that you've got it out of your system, what about it?"

"More fool questions," sneered Roble. "That stuff don't cut no butter. I don't believe yuh can fight. Blamed if I do."

"You're drunk, Nick."

"Shore. And I aim to get a heap drunker before I'm through. But I never get so drunk I can't tell a four-flusher. Yore a four-flusher, Murgatroyd. What I wanted to say to you, mister, was like this—don't never come along my trail with those fool stunts o' your'n. Don't come along my trail a-tall. I don't like yuh. Stay clear o' me. Don't talk to me."

"We'll try to oblige," replied Peach, still unmoved. His voice softened and struck a deeper pitch. "But if the time should ever come when I've got to go on your trail, Nick, I'll travel in a hurry. And don't be too sure I won't fight. Folks have made mistakes. You might make one."

"Mebbe," cried Nick Roble, "yuh'd like to try it now! Come on, try to put me in the jug. I'm creatin' a disturbance, ain't I? Try to put me in the jug."

"We're some particular about our city boarders drawled Peach and went into the restaurant. The rays of the sun dimmed his vision and for a little while the dark interior of the place was nothing but a blur, across which moved a sturdy, compact figure.

"Peach," said a woman's half-angry voice, "I would have met Nick Roble's bluff if it was the last thing I did in this world! Imagine him bullying you like that! Why don't you show him—why don't you show this town you're not so easy going?"

The original red-head stood behind the counter, a flush of impatient color on her rounding cheeks and a distinct fire in her hazel eyes. Rita Callison had fought her own way through the world since

childhood and there was nothing on two feet she feared. The gentlemen of Paloma assumed an unusual humbleness when they entered her place and they talked discreetly; and she couldn't understand Peach Murgatroyd's casual manner of avoiding a plain challenge.

Peach smiled at her, whereat Rita Callison's anger went away and left her somehow flustered. "I see," said Peach, "you're acceptin' the town's point of view regardin' me. What difference does it make, Rita?"

"I hate to see you lose ground like that, Peach," protested the girl.

"Am I losin' ground?"

She shook her head. "I hear all the gossip there is, Peach. Men talk a lot when they get to their pie and coffee. I'd hurt your feelings if I told you what I've heard them say. Darn it, Peach, you've got to step out and hit somebody hard enough to stop a lot of loose tongues."

"What difference does it make?" requested Peach.

"It make a difference to me," snapped the girl and turned suddenly away. What you taking—same thing, Peach?"

"Same thing."

THE sun dipped over the ranges while Peach ate his steak and stewed tomatoes. Twilight arrived in Paloma and a grateful breeze scoured the street. Men moved out of the afternoon's lethargy, lights glimmered through dust-caked panes. Peach lingered over his pie, absorbing the cool leisure of the evening. "That was a fine meal, Rita."

There was nothing indirect about Rita Callison. "I've made it a point to know what you like, Peach."

"Well, that helps."

"How much?" retorted the girl. Her hazel eyes leveled on his lean features and studied the slowly creasing smile.

"I'll have to see my lawyer before I answer direct questions," he drawled.

"Oh, Peach, don't be so darn cautious! I'd give anything to see you blaze up and shake this town until every old shack in it rattled! Don't you suppose I know you've got the temper to do it? Why must you always be holding back, going easy all the time? Sheriff Schirmer's retiring pretty soon and you ought to have his place."

"Why?"

"I'll have to see my lawyer," she mimicked. "But you've got to show some of these bullies where to crawl in! You've just got to, Peach!"

He cruised idly back to the sheriff's office and sat a while in the darkness, a time of the day he loved best. He understood what Rita meant. Same

thing that the sheriff meant. In this land of harsh contrasts folks had to have courage to keep from buckling under. No matter how bad a man might be, how brutal or lawless, he was given a certain respect for his courage; and the most sincere citizen, without courage, commanded little sympathy. It was a universal test the one quality men bowed to. Considering Rita Callison's almost angry plea, Peach Murgatroyd's thoughts went slanting across the desert to Watertank where another girl with gray eyes and a slow deep voice lived in isolation. He found himself comparing the two women, turning slightly uncomfortable as he did so.

Ben Lipp went by, bound for the hills on an underfed pony. Peach, remembering all the money Lipp was carrying, inspected the street with a more intent glance. The paid-off herders were not in sight and so, rising, he went to the stable and inquired.

"They waited till it got cool," explained the roustabout, "and hit off for the railroad afoot. Goin' home below the border."

Peach lifted his attention along the stalls and saw Nick Roble's horse feeding. Going out he loitered in the black recesses around the hotel. Presently Roble came from the saloon with an unsteady stride and went up to his room. Peach stepped back until he saw a light flash through a second-story window of the hotel. In a little while it snapped out. Roble had gone to bed. Meeting the night marshal, Peach passed a few words and went to his own bunk above the jail.

IT WAS hardly gray dawn when Peach woke to find Sheriff Schirmer's furrowed cheeks over him and an almost melancholy expression in the sheriff's tired eyes. "Rider just come along the trail from the hills. Found Ben Lipp dead at that bunch of lava rock five miles out. Didn't I say that's what would happen to the man if he didn't quit totin' money in his jeans? A bullet in his head, two more in his body. His boots was pulled offen his feet and his coat turned inside out."

Peach struggled into his clothes. "Boots pulled off, Sheriff? Now what—So that's why he bought a ten-dollar pair of boots."

"Why?" grunted the sheriff.

"To hide his greenbacks in 'em. Guess it was Lipp's idea of a safe place. How long's he been dead?"

"The rider said it looked like Lipp had ben layin' there since last night. Get a cup of coffee in yuh and go see."

The China boy cook in the restaurant—Rita Callison hadn't come down yet—gave Peach his coffee. Five minutes afterward he was outbound with the thin mornin's fog swirling around him and

cutting through his clothes. Eastward, the faint Aurora of another hot day broke above the peaks. Following the trail closely, he reached the lava rock area in a half hour. Lipp's small and frail body lay askew on the trail, his horse stood fifty yards on, cropping at a hummock of grass. And there was a man standing guard over the scene, somebody Peach didn't know.

"Podner and me saw this," said the stranger. "We was a-comin' down from the hills. Said I'd wait while he notified yuh. Reckon I'll sashay along now."

"Have you done any lookin' around?" queried Peach.

"Nary," was the man's indifferent answer. Already he had turned his horse and was moving away. "I got no p'tic'lar interest in dead men. Ner I didn't want to scuff over any tracks yuh might want to foller."

Ben Lipp staring sightlessly up to the sky was not a pleasant object. One skinny arm seemed to be protecting his chest, the other lay underneath his



body. Peach explored the man's pockets and found nothing but a few stray papers and two or three dollars in loose change. Lipp's gun had never been drawn, for the flap was still pegged down. Taking up the boots, which the murderer had so ruthlessly stripped off Lipp's feet, he tipped them against the graying morning. "No wonder they hurt his bunions," observed Peach. "He prob'ly had 'em stuffed with greenbacks. Which the unknown ambusher now has got possession of. Let's see can we find tracks."

The lava area gave up none of its secrets; but going beyond to the powdered desert ground he finally struck a set of hoofprints. They made a complete circle of the lava and lined out toward Paloma. Backtracking several hundred yards he lost them in a strip of land baked as hard as concrete. So he made wider and wider circles until he saw a flatbed wagon and a pair of riders dusting along from town. Schirmer and some helpers came up and Schirmer went over the story with his deputy. "Well," decided Schirmer, "we better take Lipp to town and then do our huntin'. Got any ideas, Peach?"

"Some," assented Peach. "But I think I'd better get breakfast before I do any heavy thinkin'."

Schirmer studied his deputy thoughtfully. "I reckon you might think better in town at that. It's your case, Peach. I'll back you up in any play, but it's your case."

Peach swung into the saddle and cantered townward with the sheriff alongside, leaving the wagon to come at a slower pace with its sorry burden. Schirmer was giving him another chance to better his reputation; and Schirmer was probably hoping he would do it up brown. But the old man said nothing more all the way to Paloma and Peach was too wrapped up to break the silence. Directly upon reaching town he went to the stable. Nick Roble's horse was still in its stall and had, according to the roustabout, been there all night. Peach put his own mount up to a rack and sauntered into the hotel.

"Bill," said he to the clerk, "where's Nick Roble?"

"Still sleepin' off his drunk," replied the clerk. "He howled like a poisoned pup around the middle of the night and woke ev'body up. Ain't heard a cheep out of him since."

Peach nodded and took a direct course for the restaurant, talking to himself. "That seems to let Nick out of it. He might of used some other horse, but he couldn't have gotten out of the hotel without Bill knowin'. Not very well. I better talk to the night marshal about that point."

THE night marshal was just off duty, eating breakfast at the restaurant and exchanging gossip with Rita Callison. Rita, fresh and cheerful, smiled at Peach. "Chin Luck says you beat me down this morning."

"Had to go riding on a cup of coffee," said Peach. "I'm pretty hungry."

Rita went back to the kitchen. The marshal lowered his voice. "What'd you find?"

"Some tracks that petered out," murmured Peach. "Old Lipp is as dead as a doorknob and stripped down to chicken feed. Say—did you see anybody come out of the hotel last night?"

"Are yuh askin' about some person in particular?" was the night marshal's shrewd answer.

"At present we're only askin' about persons unknown," said Peach.

"Nobody budged from that joint durin' my turn o' duty, Peach, But one gent made an awful lot of noise around midnight. That all?"

Peach nodded. The marshal slapped down a half-dollar and strolled out. Presently Rita came back with a man-sized breakfast, the smile gone from her oval cheeks. "There's something up, Peach. What did you ride so early for?"

"Ben Lipp shot and killed five miles north. Person or persons unknown. Pass me the ketchup, Rita."

Rita's fine eyes turned troubled; she cupped her chin in the palm of one hand and studied Peach. "The poor man! He was always fighting to make

money, half starving himself and his horses. It may sound like hindsight to you, Peach, but it seemed like there was trouble in the air last night. I slept very little. First it was Nick Roble groaning in the room at the end of the hall; then the rats scratched and gnawed beyond my wall. I never heard them make so much noise. The place was haunted. Sometimes I think the animals sense violence and bloodshed even before it happens.”

“Wish I was that kind of an animal then,” said Peach. “I’ve got this mess to work out. Better put me up a sandwich I can slip in my pocket. Think I might have to start trailin’.”

“Peach, you be careful.”

“Folks,” was the young deputy’s not too cheerful response, “think I am pretty careful. Said so yourself last night.”

She went for his sandwiches. When she brought them a little later she took refuge in the well known privilege of a woman. “I guess I can change my mind once in a while, can’t I? You be careful.”

PEACH sauntered out and took to his horse. This time he turned due south. Fifteen miles down country the transcontinental ran its burnished rails die straight across Paloma; and toward the railroad the paid-off Mexican herders had started last night. At least that was their announced destination, but nobody knew just what was in the mind of a Mexican and these fellows had swallowed a lot of Ben Lipp’s sarcasm. Mexicans had a strange pride. These ex-herders were perfectly capable of going back to kill Lipp for what he had said to them.

“Only, a bullet ain’t their style and they’ve got no horses. I better go find out. If it ain’t them, then I’ve got to do some tall trailin’ on a bunch of pretty dim tracks. Nick Roble—I think maybe he’s out of this altogether.”

He caught sight of the Mexicans when he was a half mile away and on a slight rise of ground. They had camped by a grove of cottonwoods and the wisp of their morning fire spiraled up to the fresh sky. The sun was full above the eastern rim and the last of the fog dissipated. Mile upon mile the desert rolled onward in the crystal clear air. Cantering onward with his attention focussed against the cottonwoods, he felt the full and heady freedom of the land buoying up his spirits; there was some wine-like quality in the air to make him feel the surge of his own youth, to make him wish to ride on and into the remote strip of blue where earth and sky touched. Then he was at the cottonwoods and sitting in judgment of the half dozen swart, silent Mexicans standing around.

“You come straight along the road and camp here last night? Didn’t turn off anywhere?”

“Si, señor. Camp here. Plenty time to make the railroad. Why hurry? No go anyplace but on the road.” The huskiest of the group acted as spokesman, the same fellow who had faced Lipp the day before. They were quite impassive, without apparent nervousness and standing the inspection with that resignation so characteristic of their race.



But then nobody knew what went on inside a Mexican’s head. Peach studied the horizons with a calculating glance. They were afoot and couldn’t possibly have walked the round trip from Lipp’s location to the cottonwoods in the space of the night. Well, it was just slightly possible but Peach didn’t think a Mexican would do it. Anyhow there were no boot tracks around the lava rock. Maybe the Mexicans might have stolen a horse for the occasion and later returned it. But where would they get the horse? There wasn’t a ranch within fifteen or twenty miles. He slid out of the saddle.

“Line up, boys. I want to see what you’ve got in your pockets. Lipp was killed last night and I’m just a little curious.”

“Señor,” exclaimed the burly herder, “we are innocent! We are not sorry—not for that dog, Leep! But you a-look. We are innocent!”

Peach explored the garments of each ragged herder and found nothing. Their pay, a few trinkets, a knife on each—but that was all. Climbing into the saddle he cut a series of widening circles around the cottonwoods, looking for hoofmarks or bootprints, and finding neither. Their story was straight. So he rode back, leaving a final warning behind.

“If I was you boys I’d keep right on movin’ until you’re well out of Paloma. Somebody might want to stage a little lynchin’ just for fun.”

LATER, when he had nearly reached town he lectured himself. “I suppose if I was one of these hard eggs I’d of kicked them on down the road like a bunch of mutts or thrown ‘em in jail to make a display. No sir, it just ain’t my style. Paloma County can go jump in the lake if it figures me to be that kind of an officer.”

He meant to keep right on going, reach the lava rock and try to worry out the lost trail along the desert hardpan. But as he drew abreast the street-end he saw Nick Roble step into the restaurant and almost immediately he was out of the saddle and headed for the hotel, struck by a vagrant idea. The clerk watched him take the stairs two at a time and started to follow. Peach waved him back. “Just stay put for a little while, Bill. And don’t say anything.”

He reached Roble's room at the end of the hall, slid inside and closed the door behind him.

He stood in the center of the small cubicle, raking it with a swift and revolving glance, and not knowing why he should be here at all. Peach Murgatroyd often worked on that kind of impulse, sometimes failing, sometimes breaking the neck of a problem at one blow. It was just one of those things about himself he didn't quite understand—it was his style. So he scanned the place hopefully but puzzled. The bed bore the marks of Roble's sleeping, a bottle stood on the table and a plug of tobacco.

"So far, not so good," muttered Peach and crossed to the window. Along the sill was a layer of dust that hadn't been disturbed for weeks; the sash was lowered and when he tried to raise it he discovered that nothing less than a steam engine could pull it free from the sun-warped channels. "Well," grunted Punch, "he certainly didn't climb out that window last night. And he didn't go out the front door. Maybe I'll get it in my bonnet pretty soon that he's clear of this mess."

Still, he wasn't satisfied. There was in him a feeling of dissatisfaction, something like an inner warning trying to reach his attention. He bent beyond the window and opened the closet door; all he saw there was a small cell half boarded up and the other half exposing the skeletal structure of dormer and attic. "Nothin' there but a bunch of rats," he grumbled. The next moment his nerves were drumming with excitement and he was on his hands and knees in the closet, groping for a match. The fugitive idea finally had come home to roost. "What was that Rita said about rats makin' so much noise it sounded like they had boots on? By Joe, I wonder—"

The flare of the match showed him a short alley through the upright two-by-fours. Then the light died and he was going painfully across the joists, knees and arms striking every sharp edge. Cobwebs trailed into his face and he was hung up for a moment by an up-thrust nail. Clearing this he discovered the joists had given way to space. So he tried another match and found himself teetering over a well-like opening not a great deal larger than his body and of indeterminate depth. Feet first, he dropped into this, supporting himself by means of the two-by-four bridging. A cautious progress brought him to a soft dirt underfooting and freedom from the shaft. He heard talk nearby and a draft of air came from his right. Turning, he saw a pencil of light and with one sweep of his hand he scooped along the bottom of a board. Daylight gushed through. Following this discovery, Peach Murgatroyd went to work and five minutes later

crawled cautiously from beneath the back porch of the hotel.

There was nobody to see him shake the dirt from his clothes and partially tamp the dirt back into place. Nor anybody to question his reasons for pushing himself through the rank grass and weeds of the alley on all fours. A distinct trail of beaten grass led him between rubbish heaps and on out to the rear of town. A footprint made a clear outline in the sand, pointing northward. Raising his attention from the earth and following that direction visually he saw that the boot toe was in direct line with a deserted barn about a hundred yards from town.

"Mister Roble," drawled Peach, "you are too doggoned clever to be roamin' loose. Ten dollars to a plugged dime I'll find a horse in that barn. Said horse used by the gentleman last night and left there until he can get it away when dark comes again. That's neat. He had a perfect alibi. What did he howl at midnight for and wake everybody? Because he wanted 'em to know he was in his room. But you bet he wasn't there before midnight. He skimmed down the hole, got aboard that horse, which he had planted in the shed prob'ly night before last, and went out to ambush Lipp. Bein' dark it took him three shots at close range to do same. Then he brought the horse back to the shed, shinnied back through that hole to his room and this mornin' walks out the front door as if he hadn't stirred for ten hours. I'll bet he's got Lipp's money in his coat pocket right now." That would be Nick Roble's style.

OBSERVING that the back end of town was quite deserted Peach risked the hundred yard walk to the shed and glanced through the door, verifying his suspicion. A piebald pony without saddle or gear, was there. Peach didn't recognize it as one of Roble's string; probably Roble had stolen it for the occasion, making his position so much the safer. If somebody did stumble on the horse before he, Roble, got it away from the shed, it was just nobody's horse.

Peach returned to the alley and circled to the front side of the hotel with a sudden grin on his face. When the clerk saw him lounging in the doorway he almost turned pale. "What the hell—I thought yuh went upstairs a minute ago."

"Who, me? You been drinkin' again, Bill. Better lay off that brand."

Still bland and cheerful, Peach started toward the sheriff's office; but the cheerfulness soon vanished. Nick Roble emerged from the restaurant and swung for the hotel. And it dawned on Peach then and there he had forgotten to close the closet

door in Roble's room. A dead giveaway if the man went up and found it swinging open.

"Damfool piece of carelessness," muttered Peach. "I wanted to keep this under my vest a few days an trail him. Now I've got to nail him before I'm sure where the money is. If he's carryin' it on his person that's all right. If he ain't, what have I got on him? A couple boot tracks behind the hotel—which he could claim belonged to somebody else, a horse that don't implicate him even if he did use it, and a hole in the hotel which six or ten other fellows in the hotel might have gone through. That's what he'd tell a jury, even though I know he's guilty as Judas. And juries can be awful high-minded sometimes. Or simple-minded."



Roble was fifty feet away and closing up the interval with his loose and rolling stride; Roble was looking at him with a surly, half-contemptuous recognition while a dozen bystanders idly watched the scene. There was no alternative left Peach Murgatroyd. He had to take Nick Roble, he had to gamble on that money being in the big man's pocket; and as he seemed to relax against the hotel porch, one hand diving for cigarette papers, the deputy's mind went racing forward with curious crisscross impulses. It was a fine time for grandstand play. Roble had challenged him last night and told him to keep out of sight. That was excuse enough to beat Roble to the draw and fan a little fresh air around the latter's swart cheeks. Sure, grandstand stuff for Paloma County. If Roble wanted to argue about it and hit for artillery that would be a fine morning's entertainment. Peach imperceptibly shook his head. It just wasn't his style.

Roble came on with a theatrical disregard for the slim figure of the deputy in his path. But Peach, deftly transferring the half constructed cigarette to his left hand, grinned amiably and put out his right fist in the time honored signal for a shake. It was curious that at this exact moment he should see Rita Callison's auburn head appear from the restaurant and bob violently at him. Drawing words fell one after another. "Well, Nick, it's a fine mornin'. Feel some better after the last night's bender?"

Roble's gun arm hung limp. He raked the deputy with a bold, restless glance, never intending to shake. But Peach Murgatroyd's palm kept going, got a good grip on the latter's hand and raised it with a sudden pressure. The embryo cigarette fell to the ground and in one side-slipping motion his left fist seized the butt of Roble's forty-five and slid it free of the holster. The big man's frame swelled and

played with the instant reaction. His great, wrathful bellow went slamming down the street. "Leggo my hand, yuh—!"

Peach stepped aside, commanding Roble with the captured gun. "This lead-slingin' business I never did cotton to, Nick. Just ain't my style. But I told you once if I ever got on your trail you could sure expect me to travel right along. Elevate those big hams celerious." Roble's muscles seemed to have turned granitic; the drawl left Peach, and he whipped out a brittle second command. "Heave up! I'm tired of you a-cloppin' around Paloma like you was an elephant out of the circus. Boost 'em!"

Roble was too well reared in gun etiquette to disobey the command. Yet as his shoulder muscles splayed out to the rise of his arms he sent a scorching challenge down on Peach Murgatroyd's head. "Drop that piece, yuh little runt! Don't come no kid stuff on me. Didn't I tell yuh to stay clear o' me? Well, I meant it! You ain't got gizzard enough to put me in the jug. And if yore foolish enough to do same I'll make life so dam' miserable for yuh that you'll wish you was dead! Drop the gun and get to hell outen here. It's a fine pass when a man can't get drunk in Paloma County without some little tinhorn snipe comes a-buttin' in! I'll make you eat that star, Murgatroyd!"

Murgatroyd's left hand passed upward and ripped back Nick Roble's coat; passed inside for the briefest of moments and fell away. But it left Roble a different man. The thunderous rage stopped short and a queer cast came to his rolling eyes, as if he saw some grim specter just beyond the deputy's shoulders. Peach had dropped his voice to a monotone. "That cooks you complete, Nick. You was so doggone sure that alibi of yore's was perfect that you kept Lipp's money in your pocket. Turn around and start walkin'. I'd hate to have a judge tell me what he'll be tellin' you pretty soon."

All this occurred within two packed minutes. Yet somehow every able-bodied man in Paloma lined the walks as Roble stumbled toward the jail. Schirmer came out from his office in his shirt sleeves, gray face settled and tired. And he only asked one question.

"You plumb certain, Peach?"

"Money's in his pocket, Sheriff," was the young deputy's quiet answer. "And they's still a little dust on his pants where he crawled out of the hole beneath the back hotel porch."

INSIDE the office, Schirmer closed the door against the curious townsmen and stripped Roble clean of every trinket. The packet of bills came out almost last and Schirmer threw them on his desk as if it meant nothing to him, as if he had long known

there could be no other answer. "Nick," he murmured, "I been a man-catcher a plumb long time. They's plenty I'm morally certain about which I don't have proof. I smelled blood on you a long spell back, before you had any intentions of killin' Lipp. Yore that kind of a man. And I had a feelin' you killed that poor old duffer. Upstairs, Nick."

"I ain't dead yet," muttered Roble. "You'll live long enough to feel my bullet a-grindin' out yore vitals, Murgatroyd."

Schirmer slammed the cell door and turned the lock. Going below, he settled in his chair and sorted the odds and ends taken from Roble with a sober absentmindedness. Peach recognized the signals. As for himself, the deputy felt tired and the fine edge of the morning was gone. He knew he had accomplished a good piece of work, but the county would be wondering why he hadn't let Roble make a fight for it.

"A good job, a neat job, Peach," murmured the sheriff. "I never knew a man I'd ruther have get my star. You got brains, yore quick, and you got a heart. The county wouldn't find a better man in a hundred years."

"Say all of it, Sheriff," was the deputy's grim retort. "Say the other half of what you're thinkin'."

Schirmer sighed. "What is goin' to be is goin' to be. The man is as same as dead now. But it is too bad you didn't get the other kind of a break. I ain't a hand to like bloodshed. I'm only tellin' you Peach, that they's renegades out in the hills who'll figger you can't stand up and shoot. And they'll come down to try you out. Mark my word they will. Maybe it ain't as Christian a world as it had ought to be. I hain't the man to judge. All I am sayin' is that you are a fine boy—and doomed to draw fire. A thousand prisoners took quietlike don't mean as much to the hard gents as one single killer you've stood up to and shot dead in his tracks."

Peach shrugged his shoulders. "I guess I'll never do it that way, Sheriff. It just ain't my style."

"Remember," said the sheriff, dwelling on the word, "that I ain't pinin' for gunplay. I am just statin' that the cards are fallin' poor for you. These so-called badmen are mostly bluff. They like to polish up their reputations on gents they figger can't match 'em. They'll be tryin' out on you. Watch your back all the time, Peach. Never go to sleep on the job."

PEACH walked back to the restaurant for his nine o'clock cup of coffee. And there was something on his lean cheeks that caused Rita Callison to hold her peace while he drank. But one small, capable hand fell on his coatsleeve and loitered a moment.

The somber concentration died out of his face; he began to smile.

"It's a short life, Rita. And a little comfort goes a long way."

"Peach, it took nerve to pull that gun from his holster. He might have slipped away and shot you."

"Stickin' up for me again," drawled Peach. "Lord bless the women."

"All of them—or one in particular, Peach? asked Rita Callison, wistfully. Then she quickly covered the statement. "Now run and see your lawyer."

"Well," said Peach. "I guess I'm a pretty slow sort of duck. Just creepin' along where I had ought to run. I think I'll go to homesteadin'—"

Boots ripped at the street boards and the stable roustabout, struggling with his breath, half fell through the restaurant door, his face pulled apart from excitement. "Peach—Roble's got outen the jug! He's a-comin' this way with a gun! By Gawd, man, don't stand there. He'll get yuh!"

Rita's hand got a firmer grip on Peach Murgatroyd's sleeve. "Go back through the kitchen!" The roustabout ran behind the counter and dropped to all fours. Peach shook himself clear of the girl and turned for the door, murmuring, "This lead slingin' I never did like. Hate to die myself and hate to see others kick the beam. But I guess it's come to that. Now how did he get away—"

He was in the clear, hot sunlight. He was in the center of an empty, dead-still street. Empty, that is, of all spectators. But Nick Roble was charging through the dust with a gun swinging in his fist and a great, reverberating, raging challenge in his throat; running amuck, gone mad with the knowledge that death hovered around him. Then he saw Peach Murgatroyd's supple frame standing motionless directly in his path and the gun rose and blasted the sultry air. A jet of dust ran beside Murgatroyd's feet.

"Put up," called Peach. "Put up!"

"I'll send yuh down!" yelled Nick Roble.

Peach swayed. Thunder rocked the street and flat, ear stabbing echoes smashed up and out. And silence again, falling heavier across Paloma town. Peach Murgatroyd's gun swung at the end of his arm. Roble was down in the dust with both hands stretched ahead of him, black hair gleaming under the sun. Roble was dead.

MEN sprang out of the sheltered places and clustered around the fallen outlaw. Schirmer appeared, not from the jail office, but from an alley on this side, almost flanking Peach Murgatroyd's position; walking casually, too old to be hurried even by death. His tired, wise eyes fixed themselves on the deputy's face and seemed to be reading a

story. "It's all right, Peach," he murmured. "I know how you feel. Felt same myself when I killed the first fella, years ago. Hard to take human life—but you will be a thousand times better able to force order and respect around here because of it. The tough gents will leave you alone."

"How did he get out?" muttered Peach.

Schirmer had a queer way of disregarding seemingly important things. He was old and jaded with experience that kept repeating itself. Nothing startled him, nothing disturbed the fatalistic calm. "That's funny, ain't it," he drawled. "I just stepped out a minute to get a rifle over at the hardware store. We better go look."

Someone raised from the dead man, calling back. "He had yore forty-five in one hand, Sheriff, and a key in t'other."

"Plumb strange," was Schirmer's casual reply. "He must've had a key to the jail door concealed



about his person. Prob'ly had it made a long time ago for some such possibility. Roble was allus wise in crooked ways. So he unlocks the door when I steps out, goes down to pick my gum off the desk, which it wasn't exactly wise of me to leave it there, and start for trouble."

Peach shook his head. "Sheriff, it seems funny."

"Mebbe. Great many funny things in the world. But don't let it worry you none. You have cut yore eye teeth. You stand shoulder high to anybody in the county and you can tell 'em all to sing a small tune. A peace officer's got to be able to do that. I'm old, Peach. The responsibility is all yores from now on." He hesitated, and let his voice sink. "He couldn't of surprised you anyhow. I was just comin'

out of the hardware store with the rifle when the shootin' started. If he had tried to of ambushed you I think I could of dropped him."

"Listen," began Peach. But Schirmer studied him with a straight glance. "Let it ride, Peach. Better take a ride and shake yoreself together." He walked away.

Peach swung and found Rita Callison watching him from the restaurant door. Rita was white and strained and her small fists were tight-clenched.

"Don't take it that way," was Peach Murgatroyd's brusque admonition. "It's done. It's all over."

"Peach—I wish you never had this job! When are you going homesteading?"

But Peach shook his head. "I've gone too far to turn back now. I have shot a man down and I've got to make use of the poor devil's death to keep Paloma peaceful."

She touched his arm, looked at him with an unfathomable glance and turned into the restaurant. It puzzled him, that look. But he was being puzzled by many other things at the moment. Schirmer's shrewd and tired face, the pervading air of respect that came out from the crowd and fell about him like a cloak, Roble's wild eyes whirling onward and then down to the dust. Rita Callison's reassuring touch had been grateful solace but when he got to his horse and rose to the saddle he unconsciously reined off toward the southwest. Watertank lay over there and a girl with very gray eyes lived alone in the isolation. He figured a day of rest would do no harm while the pressure of new-gained authority adjusted itself to his shoulders. Schirmer was old; and he was young.

Another Ernest Haycox Story

"CONTENTION— TWO MILES AHEAD"

NEXT ISSUE