SHEARED EARS

A Thrilling Tale Which Will Hold Your Attention to the Last Word. Written by a New Writer in The Sunday Star's List of Famous Authors.

By Maxwell Smith.

KIELY nailed Joe's ears to the front of the bar as a warning exhibit. He used three-inch nails because these were the only kind handy. He was glad that they were big—the nails. They fastened Joe's ears so securely! He was proud of his workmanship, too—found joy in each blow of the hammer, a grin on his lean face.

Joe's ears had been too long!

Kiely would have liked to add Joe's tongue. He might have done so had it not been difficult to catch. If Joe's tongue hadn't been as long as his ears, his ears wouldn't have been nailed up. The clamor of his tongue, in wailing yaps of pain, however, saved his tongue—that and its slipperiness.

Grasping Joe's ears in his hand—while Joe rolled on the floor, pawing at the places where his ears had been, and yelping—Kiely went straight to the bar and borrowed the hammer and the nails.

The bartender expostulated mildly when he saw what was coming off—rather, going on! Kiely looked at him in that expressive way. The objection ceased.

Kiely wanted others to see Joe's ears there and take heed. Particularly he desired Nick Burton to observe.

Standing back to admire his work, Kiely ignored the loungers. They kept at resptful distance, those who were not looking after Joe; they made no comment aloud. Some of them were for Kiely; some were not. Neither made any difference to him. He was Kiely! He nooded approval of his job, but asked for none. * * *

Joe had his snooping for Nick Burton to thank for the trimming. The quarrel really was between Burton and Kiely. Joe was one of the pawns called upon to bear the external brunt of the conflict.

For months it had been blazing under cover—in the gambling stratum of the underworld, where Kiely and Burton were tilting in a test of strength. Generally the police were willing to let them fight it out. Gamblers' wars were in a way beneficial. Through them were eliminated certain citizens and others who had been citizens prior to doing time—still others who never had been citizens and should not be. A gunman was bound to drop here and there when the gamblers fell out.

Up to the shearing of Joe's ears, the Kiely-Burton feud had been satisfactory in its service to the community. There were five dead—one on Kiely's side, four on Burton's. But they were only hirelings. Their passing could not affect the outcome except in so far as it inflamed their principals to a speedier decision.

Had there not been such a racket by the anti-administration newspapers, and those but lukewarm toward it, over these street killings, Kiely would have had Joe put out for keeps. The word had been given, however, that on the next killing some one would be pinched.

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ANY way you look at it, from the viewpoint of the collectors, dissension among the gamblers was bad—bad. It attracted public notice, and that, as it gained volume, notified the police of the state of affairs. Then there had to be a clean-up; too many street shootings compelled the squads to go out again with fire axes and delve into the right places, there to smash things. Thus must the people be assured that the town never would be allowed to become loose. Necessarily the lid had to go on for a while. With the lid closed down protection was worth about as much as German marks. The graft ring was robbed of its revenue—an intolerable condition!

So from both the inside and the outside it was ground into the Kielys and the Burtons that somebody positively would go away if there was any more rough stuff.

It was a truce to remain in effect until the tumult died, when the battle for supremacy could be resumed, with its inevitable killings. . .

This battle started as purely a matter of business. Kiely's rights were being infringed upon by Burton. For years this territory had been Kiely's. He had obtained his mandate by self-determination—his own. On occasion ere this he had fought to uphold it. Likewise had he paid in solid cash.

Everybody knew that Conny Kiely controlled the gambling in this district. Where did Nick Burton get license to bulge in?

When first Kiely learned of the advent of Burton he did not take it too seriously. He sent word indirectly that Burton should close up the crap game he had opened in an apartment on one of the good streets.

Nick Burton had just been frozen but across the river. He had to locate somewhere. He picked on Kiely's territory because once Kiely had put him out of business. They had been small fry then, he and Kiely, not yet getting any of the silk-stocking money. The years had seen each of them grow, but Kiely always had moved a step or two in the lead. Witness his strangle-hold on a neighborhood which reached over all the levels from tenements and pushcarts to duplex apartments and limousines! From top to bottom, from pennies to no-limit tables, he was organized to take all comers.

Burton had been operating about twenty minutes, figuratively, when Kiely heard of his arrival. He promptly dispatched the hint to Burton to get out.

But it happened that Nick Burton felt tough. He was sore over having been forced to migrate. He had been prospering when the town across the river had decided it could get along without him, and his soreness over this made him tougher than usual. When a henchman asked where he was going he said, out of his grouch, that his new location would be Kiely's back yard. The old grudge prompted the boast. To save his face, he made good by biting into the silk-stocking end of Kiely's country.

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THE message from Kiely to vacate did not improve Burton's feelings. He had issued the challenge; Kiely had replied by telling him, as he would tell a bum, to beat it. Burton's answer came in the opening of a poolroom. He had to do something to show that he was there to stay.

Kiely could have exerted pressure upon folks who would have seen to it that Burton's establishments were raided with monotonous and discouraging regularity. That was not his way. He could handle his own affairs. Police action was not desirable, though directed against an antagonist.

"Tell Burton I'm usually 'round Mike's in the afternoon," said Kiely to a lieutenant.

Burton swore when that was communicated. He could not refuse to drop into Mike's. They'd say he hadn't the nerve.

Kiely was at the end of the bar, his gaze negligently on both doors, when Burton entered. He nodded casually and went on listening to Fritz, the bartender. Fritz was expounding blasphemously on the favorite topic in today's denatured saloons; the awakening of the people to the horrors of prohibition; an' the guy 'at wants a drink's gonna get a drink, an' Anderson n' his gang can go to damned! Kiely harked to Fritz's fervency while he studied Burton.

Burton returned the nod of greeting, but did not join Kiely. He stopped along the bar and had what there was to be had. He did not look frankly at Kiely. He watched the other man's image in the mirror covertly. And while he acknowledged none, he noted the strategic presence of three of his henchmen. He hadn't known but what Kiely might try to pull something. Nick Burton had the habit of traveling with a bodyguard. He was that sort.

After a few minutes he gave Kiely a defiant glance. He had come to give evidence that Kiely couldn't faze him; but he was going no farther. It was up to Kiely to open the conversation. He looked at his watch, then at the clock, to suggest that he hadn't any time to waste. He squared his shoulders, pulled down the points of his vest, straightened his tie. Kiely couldn't lead him by the nose. Going to the phone, he called a number and remarked that he'd be over shortly, that he would leave Mike's within ten minutes.

Returning to the bar, he got a fresh drink and turned his shoulder on Kiely. Another mirror allowed him to continue his surveillance.

Conny Kiely smiled—as much as he ever smiled, away from his wife and baby, which was almost imperceptibly. He left Fritz in the midst of the monologue and moved on light feet along the bar.

Burton stiffened. His hand slid into his coat pocket. He observed the distribution of his gunmen. As Kiely spoke at his side, he affected surprise.

"Hello, Nick!"

Burton turned his head leisurely to prove that he was at ease. First of all he noticed that Kiely's hands were at his sides. His swarthy face broke into recognition:

"Why, hello, Conny!" He drew back a step to look Kiely over as a long-lost friend. He preferred to have a little space between them. That gave him freer vision of Kiely's movements. "Thought it looked like you up there, but I wasn't sure. It's a long time——"

"I'd an idea that you didn't remember me, Nick.' Kiely's colorless eyes were a shade narrower. "You—living up this way now?"

Burton caught his meaning. Here was another broad intimation to travel. He scowled. His quick roving eye told him that others had heard—and comprehended. He had to declare himself.

"In business here," he said pointedly. Then he gave back in kind: "You belong hereabouts?"

Kiely's cold gaze, tempered by his shadow of a smile, shifted from Burton's face down over the shoulder and arm to the pocket in which Burton's hand rested. Unlike Burton, he did not raise his voice:

"Been here quite a while, Nick." His eyes jumped back to Burton's. His tone became silkier: "You're on the wrong lot, Nick."

Burton's lower lip slimed over the upper. His dark countenance grew mean.

"'Yeh?" he said arrogantly.

"You didn't know, of course, Nick," said Kiely softly. "Been out of town, havent you?" He tapped a cigarette on the bar and lighted it.

Nick Burton knew that every one in the place was watching him. He had begun as the aggressor. It was his move.

"Not so far," he said, "—not so far out of town."

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KIELY flicked the cigarette ash. "Of course, you don't know, Nick," he repeated. His head inclined quizzically; his tone was patient—but there was a glint in his eye that warned. He paused while he let the smoke trickle lazily from the corners of his mouth. "Trouble's a bad thing to go hunting, Nick. Don't you find it thataway?"

Burton clucked, and smacked his lips. He drew his hand down over his nose in an insolent gesture.

"I never run away from trouble," he averred. His eyes wavered, glimpsed his three gunmen and steadied. He smiled offensively. "You?" he queried.

Kiely's face was wintry. He had followed Burton's glance and knew that the invader was not unaccompanied. Nick wanted him to start something.

"No; I don't run. But——" He leaned his elbows on the bar, put his chin on his hands and squinted at Burton. "I always have sense enough to see it coming. I meet it before it gets a chance to come too far. And"—he straightened, droppted his cigarette and crushed it under his heel—"usually, Nick, I step on it—quick."

Burton sucked his upper lip again. "Yeh?" he sneered. The bravo in him cropped out: "I got a little place up street, Conny," he grinned confidentially. "Breeze in some time and I'll give you a run for your money."

The skin shone white over Kiely's cheek-bones. His pupils contracted to pricks of diamond-fire. He yawned. There was no use prolonging the meeting.

"You're on the wrong lot, Nick," he said dispassionately. "Think it over. Take two days to think it over—just two days. So long."

He moved away while Burton's mouth opened on a retort.

Burton swore audibly as Kiley's slim figure passed through the door. A minute later he too stumped out, but in comparison his exit was uncouth. He lacked the lithe freedom of limb that characterized Kiely. He had not the dignity of coolness which Kiely had. Nick Burton was sizzling. In the hearing of others Kiely had granted him two days to quit. But for the audience, he might have taken the advice. If he did, he was a dead one. Quit! Like hell he would!

Ten hours after the expiration of Kiely's ultimatum things began to happen.

At 2 o'clock in the morning a stranger rang the bell at Nick Burton's flat. It was on the first floor of an apartment house.

The door was opened on a chain. The stranger handed in a card on which Nick Burton had scribbled his initials. He had not given it to the man who presented it.

The chain was released. The stranger stepped inside and shoved a gun close to the doorman's face. Three others followed him in and shut the door.

Behind folding doors across the narrow hall, in what was intended for the dining-room, the game was running. There were a dozen players, but this was a gentleman's game, and silent. The dining table was being used, with a covering of orthodox green baize, and taking in most of its area, a box arrangement three or four inches high to hold the dice. At the middle on one side was the cutter, who dealt, and facing him was the bank. A thick rug deadened the shuffling of feet. The windows were heavily draped. But there were none of the ornate embellishment of the old-time gambling house. Whip the box sides off the table, and the green covering, and there was nothing to show that gambling had been going on.

Nick Burton was standing back smiling on the scene. These were moneyed players, and the bank was faring well. He was off to a fast start, all right, in Kiely's back yard. Soon he would be in Kiely's front yard! And if Kiely insisted upon making a fuss, he'd be digging his own grave, too. For Burton was bound that should war take place, it would raise riot enoupgh to close the whole town. Meanwhile he smiled on his game and told himself that Kiely was probably bluffing. Kiely must see that he himself would be put out of business if——

"Up! Everybody! And shut up!"

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THE customers obeyed very much to the letter. Nothing more than a few gurgles and gasps broke from them. Burton cursed forcefully but quietly. All eyed the eight guns in the hands of the four men who had pushed the doorman into the room and stood on the threshold.

The bandits were well dressed. Only their eyes showed between their hat brims and the handkerchiefs knotted at the back of their heads.

The one who had spoken ranged over and tapped Burton for his gun.

"Come here!" He motioned the banker over and disarmed him.

"Next!" The cutter approached and received similar attention.

"Now we'll all line up ag'in' the wall over there," commanded the bandit, "'cept you, Nick." He chuckled. "You loop off in that corner where we can plug you if any of you boobs make a break. Tell 'em, Nick, to be good for your sake!

"And say, gents," he amplified as the scared company fluttered to do his bidding, "pass round the table as you go and dump your rolls and jewelry on it! And don't hold out a thing,"—his guns juggled menacingly—"'cause we might have a friskin'-bee—and God help the guy that don't come clean! Step lively, gents, one at a time—don't crowd!"

They stepped lively! Throughout the performance, which didn't take five minutes all told, Nick Burton cursed in flowing, inelegant, inartistic style, but always with discreet modulation. He had his suspicions about the stick-up. He figured Conny Kiely's hand was in it, and he was right. The spokesman for the bandits virtually admitted that, as he gathered up some twenty-eight thousand dollars and sorted out the rings and pins with stones from the heap of jewelry.

"Taint so much of a game you've got, Nick," he jeered. "We'll have to come again to make it pay. And we aim to come again, Nick, so long as you've got customers! It's a tough life, gents," he said to the gaping line-up, though his eyes spiked Burton, "for them as plays at Nick Burton's. Think it over and pass the word."

He motioned to his three fellows, and they backed to the door. They faded out, but he remained to make another speech.

"It's the same old bunk I'm handing you," he added jocundly, "about mebbe we're gone and mebbe we ain't. We might be right back of the door waitin' for some fish to stick his head out and holler! Tell 'em how it is, Nick. We ain't in a hurry—so don't be too brash about trailin'!"

There was a concentrated breath of relief as he slipped backward through the doors.

"Who's got a gun?" rasped Burton.

No one answered. They wanted no gunplay.

"You have, Rothmann," barked Burton. He jumped over to the man, a diamond broker, who was sweating and cackling gleefully over having held out the chamois package of loose stones in his vest pocket.

"They ain't gone!" chattered Rothmann.

"Gimme!" shouted Burton, and Rothmann gave.

Revolver in hand, Burton ran to a window. The cutter scurried from another room with a gun. Together he and Burton threw up windows. An automobile stood at the entrance to the house, thirty feet away. A man was sprinting for it. They fired.

From the machine came the rat-a-tat of an automatic. The cutter dropped his gun, flopped on the sill with head and arms hanging, then pitched out altogether.

The sprinter was in the car. Its engine accelerated with no more than a purr. The window beside Burton shattered, and he drew back. When he looked again the machine had turned the corner.

Nick Burton returned to his patrons, who were excitedly retrieving the watches and other articles which the bandits had rejected as not worth taking. He damned himself for his futile effort. All he had succeeded in doing was to make matters worse. Look at Fred, out there on the walk!

Police sticks were rapping and whistles blowing. Windows were going up—the whole street was stirring.

"Come on," he snarled. "Let's see how bad Fred is. Let's get him inside."

The doorman and the banker went with him. The others were in a rush to get away before the police came. They were respectable citizens, they were, and wanted nothing to do with murder.

A policeman was bending over the heap on the sidewalk as Burton and his men appeared.

"What you know?' he queried, rising.

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"HOW is he?" asked Burton. Why hadn't he had brain enough to let things be? He had played clear into Kiley's hand. The stick-up had been engineered by Kiley to make it appear that a player wasn't safe in Burton's place. The bandit leader had said as much. That would have worked sufficient injury; but Burton himself had made the situation infinitely worse. Had he not commenced shooting, he might have persuaded his customers to pocket their losses to escape notoriety. Now—he had drawn police attention not only to the hold-up, but—there was Fred.

"He's dead," said the cop. "Neck broken, I guess. How'd—Hey, you!" The gamblers were stampeding in a body from the building. "Grab em, Bill!"—to a teammate who was coming up. "They in on this?"—to Burton.

The gambler controlled himself. Fred's death made a bad complication. There couldn't be too many witnesses.

"Yes; they were there. We had a little game on upstairs. We were held up—four with guns. Shot at them from the windows. He'"—Burton poked a finger at the dead man—"got hit when they shot back, and fell out."

"Whyn't you say it quicker?" snapped the cop. He instructed an onlooker: "Keep an eye on him," he said, meaning the body. "Come on, you," he ordered Burton and his aides, "till I phone. You get the car number? Aw! How much'd they get?"

Burton's dark face was vengeful. His nether lip overlapped. He'd show Kiely!

"It was just a friendly session," he answered. There was no sense in telling too much.

"With that mob?" grunted the cop incredulously. They were passing through the gamesters his partner had corralled in the entrance to the building. "The hell it was! How much'd you say?"

"Oh," Burton deprecated, "ten thousand—perhaps a little more."

The policeman stopped to scrutinize him in the illumination of the foyer, now crowded with half-dressed people. In his suppressed rage Burton was less prepossessing than usual.

"What' your name?"

"Burton."

"I got you—Nick Burton." The cop laughed. "Friendly session in Nick Burton's! You're lucky you can't convict yourself! Say—who pulled the job?"

Burton shrugged his shoulders, but his beady eyes glittered. "I don't know."

"You don't!" hooted the officer. "Of course, you don't. But Ill lay a bet you've got a good idear! Think it over before the inquest. That car's a thousand miles away by now."

And it was—if not a thousand miles, at least far enough away to insure the escape of its occupants.

The other killings came in a bunch a month or so later. They were incidental. The collectors rallied to Kiely. There had been few complaints while he had been in sole control of the territory. The horning in of Burton promised to ruin business. They put pressure on him, but though unable to operate, he persisted in prosecuting the feud.

In an attempt to even the score by holding up Kiely's pet game, Burton lost two men. A pair of Kiely's gorillas argued extemporaneously with one of the Burton crew; one Kiely alone survived. There were minor clashes in which several were wounded, or in which ineffectual shots were fired to the danger of passers-by.

Then the growing recklessness of the conflict brought such public denunciation of the police that the word went out which led to the shearing of Joe's ears.

Joe was not a fighting man. He was a snooper. That was what brought about the wrath of Kiely directly upon him.

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IF there was a dark page in the life of Mary Kiely, that was her concern and her husband's. In these circles it isn't good form to worry about the past of some one else. To dig it up for use is a form of suicide. Eternally moseying around with his long ears cocked, Joe somewhere picked up an earful about Mary. Nobody knew much about the girl Kiely had married a few years before—till Joe came through with the dope. Grinning, Joe took it to Nick. "What yuh know about Kiely's dame?"

Burton was browsing over the meager consolation that he was carrying Kiely down with himself. He didn't see what Mary Kiely had to do with the affair. At the moment he was absorbed in trying to find a man to go bump off Kiely; but the gunmen were gunshy because of the standing promise that some one, any one, surely would be railroaded for the next shooting. The gangster knows when to take a straight tip and lie low.

"What about her?" growled Burton. He was close to being whipped. The bank roll was getting low; there had been heavy drains on it for professional services in the art of murder. And all for nothing, now that his rats were afraid to go on with the battle. Burton glossed the fact that he himself was cold on the proposition of provoking a personal and final encounter with Kiely.

Joe looked carefully about the corner of the hotel lobby where he had come upon Burton glooming. He didn't want any one else to hear—not yet.

"She's wanted in Denver," he whispered hoarsely.

Nick Burton's head came up. He got Joe's thought. This was a weapon against Kiely.

"For what?"

"Assault," related Joe. "Cut a guy bad. It'd be a pipe. She's indicted."

Nick Burton curled up in the corner of the lounge. His face became more swarthily cruel. If only he could strike at Kiely, he didn't care what means he used. A woman always provided a good leverage.

"You sure, Joe?" He puffed through his nose and clasped his hands as though Kiely already were between them.

"Yeh!" Joe was positive of his information, as usual. "Met a guy 'at knows her. He made her sure. She skipped her bail. . . . Got a hundred, Nick?" His hand opened suggestively, palm upward, on his knee. It was worth a hundred as a starter. Burton gave it to him while he calculated the possibilities. Joe did not explain that Mary Kiely had an even chance of acquittal on the charge of felonious assault—that her victim had attacked her. Joe was accomplished in peddling his stuff effectively.

"Row in a roadhouse it was, Nick," he explained. "She cut him up wit' a steak carver. Yuh could swing it on Conny 'at there's a guy round here what's onto her—pal of the gook she cut. But yuh can hold him down. Y'know."

Burton's lips sucked inward. He knew, but—but he didn't crave to be the person who conducted negotiations with Kiely on this basis. Conny Kiely seemed to have some foolish sentiment toward his wife. He might act before he thought the second time. Aside from the involvement of his wife, the fact that he was dealing with a potential squealer was sufficient to infuriate Kiely. He would be under no misapprehension about who was going to squeal. Nick Burton preferred to have some guaranty that Kiely would listen to reason. He elected Joe to obtain that.

"Go see Kiely—wait a minute!" He stilled Joe's protest and offered two hundred dollars. "Just tell him that I've met a guy from Denver. That's all you know—see? I've got something on this bird and can keep him shut—tell Kiely that. And I want to talk it over with Kiely if he's ready to do right. See?"

"Yeh—but——" Joe's fingers itched for the cash, but he wasn't crazy about the mission.

"You'll be O. K., Joe," said Burton. "You don't know anything. You don't even have to look wise. All you got to do is get Kiely's word that he'll be reasonable when he hears what I've got to say. If he don't want to do that, tell him I said I'd let this bird run loose."

In the end he prevailed upon Joe by adding to the two hundred dollars a reminder that the district attorney could easily be interested in Joe.

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JOE believed he could get away with it. Should Kiely become rough, he would go after the threatener, Burton, not his agent. Joe convinced himself of that. He never dreamed that he was to emerge from the brief conference with Kiely minus his ears and with his tongue still in place only because it was so slippery and wagged so fast.

As one in Kiely's position must have every one within his province distinctly classified, with as many others as his memory will retain, he had Joe properly catalogued. Consequently when Joe asked for a private interview Kiely was aware that he was talking as Burton's mouthpiece. Overtures by Burton he regarded as a sign of weakening. But the police had entertained the public with demonstrations on two of Kiely's gaming places and had ripped his poolroom all to bits; the lid was disastrously on. Therefore he was ready to treat with the enemy, provided the enemy conceded defeat.

As his chief had done, Joe went to Mike's to see Kiely. He was not wholly at ease as he entered the presence of the chill-faced gambler, but he still thought that he could get by with his errand. His cue was to be "cagey" in his approach—sort of drip the burden of his message, the part about the man from Denver—break it gently.

Kiely was at the end of the bar harking again to Fritz's dissertation on how the nation was tottering under the agony of prohibition. Joe sidled up to him. He never had spoken with Kiely before. His respectful tone reflected his mental discomfort. He regretted having come. Kiely's gaze was disconcerting.

"Let's go in to the back, Mr. Kiely," Joe smiled apologetically, ingratiatingly. Instinctively he was anxious to make an impression on this iceberg.

Kiely voiced the outstanding question: "Does Burton quit?"

Joe fidgeted. He wasn't used to straightforward speech; in this instance especially he'd rather avoid it. He leaned close.

"'Tween us, Mr. Kiley, I guess he's through. He——" Breaking off, he jerked his head at a man a few feet away. "Let's talk in the back or somewhere," he invited again. "Burton'll be sore on me if it gets round—what I got to say."

With an emissary before him apparently ready to offer capitulation, Kiely was disposed to grant the request for secrecy. He determined to make his terms unconditional surrender—Burton had to move. The victory would be evident to every one when Burton left the field.

"Why didnt he come himself?" Kiely smiled.

"Yuh know! He's playin' safe!" Joe winked meaningly. He was pleased with the situation so far. The turn in events tickled Kiely. He would feel Kiely's mood.

Kiely led the way to the cubby-hole that was the saloonman's office. Giving Joe the only chair, he seated himself on the safe.

"Now what!"

The sharpness of the query rattled Joe as he was arranging his method of presentation so as to preserve Kiely's good humor. He looked up into the gambler's eyes—and quickly looked down. Had he held the gaze a moment more, he would have hesitated about going on. He would have abandoned his mission could he have seen the glimmering expression his shifty eyes evoked.

"Now what?" Kiely's tone was more tawny. He was recalling what he knew about Joe the Snooper.

Joe wriggled in his chair. He wished that they had stayed out in the bar. Kiely's frigid, penetrating personality was disturbing. It made Joe clammy. It overturned his ordered thoughts.

"Burton wants to meet yuh," he began, "to talk about fixin' things up."

Kiely waited for the rest. His manner caused Joe to reach the meat without preliminary. 'Kiely had his goat.

"The's a guy he knows—he says—a guy from Denver——"

The messenger's head lifted, and he stared nervously at Kiely's hardening face. Kiely drew a long breath.

"Yes?" he said softly.

"'At's all," said Joe. He hastened to cover himself. "'At's all. I dunno what's doin', but Burton says this guy wants to shoot off his mouth, an' "—he became involved and slurred in his hurry—"an' 'at he can keep his trap shut. He say's it's up to yuh if this guy squeals——"

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SO rapidly did Kiely move, yet with so little effort, that Joe was being strangled before he realized that he had been taken by the throat. And so frightened was he by the tense face that glared within an inch of his that his limbs refused to function in resistance.

Kiely shook him viciously but calmly.

"Listen, you runt," he said, "you'll tell me all about—this guy from Denver, or you'll go out of here in a box! You get me?"

His face purpling, Joe's hands tugged feebly to release the deadly clutch. He couldn't speak, but he contrived to nod his head. The grip relaxed slightly, sufficient to permit him to refill his lungs. He did not attempt an outcry. No one would help him—not in there. This was Kiely's hangout. And if he shouted, Kiely's hands surely would close on his windpipe—to stay closed.

"You're a dirty liar," said Kiely, "and don't forget that I know it. But if you lie to me now, so help me God——" He rattled his captive's teeth and made his head swim.

Abruptly as he had seized Burton's messenger he let him go. For an instant Joe had a wild thought to essay escape. But Kiely was between him and the door; and even though he got out of the office, he would be recaptured in the bar. Fearfully he sat figuring his bruised neck and gasping.

"Is there a guy from Denver?" demanded Kiely.

Joe nodded sullenly.

"Who talked to him?"

Squirming before the dull malevolence of his questioner, Joe was silent, afraid to lie. "Burton," he said at length.

"Dud Burton tell you what this man said?"

"N-no!" That was unconvincing.

"You're a liar! Where is the man?"

"I dunno. I never seen him." Joe erred by being over vociferous. "I never seen him. Burton jus' says—"

Kiely's mouth was a drawn line. His hand's opened and shut. Joe's eyes glued on them.

"Where did you run across him?" asked Kiely gently.

The other's fear-laden brain yielded to the superior will.

"I was wit' him last night—in a cabaret—when yuh an' her came in," he confessed falteringly. "I jus' met him——"

He stopped again as Kiely bent over him.

"And you ran along and told Burton?' said Kiely with amiable menace.

"I didn' mean nothin'," whined Joe. He pleaded to substantiate that: "The guy says she can beat the case. I didn' mean——"

"Sure not—yon didnt." Kiely grinned freely. He was wondering how he could handle appropriately this pryer who had made it possible for Burton to jeopardize Mary's liberty. He could kill Joe, of course, but killing was unpopular for the time being.

Contemplating the quavering Joe, he stuffed his hands into his pockets. There he was given an idea as his fingers touched his pocket knife.

Again he acted with dazzling unexpectedness and speed. In a flash he yanked his visitor off the chair and threw him face downward on the floor. He did not reckon that he was laying himself open to fifteen years for mayhem. If Joe was stupid enough to make a charge, Kiely figured it would be assault. But he didn't purpose letting Joe cause his arrest.

Squatting on the prostrate tattler's back, he opened his knife. Joe's howls for help were punctured by two terrifying shrieks as Kiely took his ears!

"You can tell Burton that I'll cut out his heart," said Kiely as he got up. "If your guy from Denver becomes talkative—or anyone else. I ought to tage your tongue—Oh, hell!" He realized that Joe could not hear him because his hands were clasped over the late location of his ears.

Kiely smiled at the bartender and the others clustered there as he opened the door.

"Go in and stop that fool's bawling," he ordered. "Get Doc Morton for him—and stow him away in a quiet place till he decides to forget it."

Then he borrowed the hammer and nails and used them. The exhibit was ready for Nick Burton.

"And Fritz," he added, "send out after Burton and ask him to come here. Say I got his message. He'll understand. And when he comes, show him these—and tell him that he won't live long if he ever so much as thinks of Denver!"

From the office issued a whimpering. An ungentle hand was over Joe's mouth, but it was hardly necessary. He was too near fainting to yell.

Kiely listened as he returned from washing his hands.

"That's better," he nodded. "See he keeps quiet. Have the Doc do the best he can for him. If Burton hurries to get his eyeful, maybe the Doc can sew Joe's ears on again!"

Conny Kiely went to see his wife. It was advisable to get her out of the way. Burton might squeal on her and run.

* * * *

KIELY'S wife was the one tenderness in his life—his wife and their boy. When she fled from the charge in Denver and found haven with friends of Kiely's, he met her. The haunted fright in her eyes attracted him at first. Her seclusion aroused his curiosity—a curiosity that was not inquisitiveness, but created only by a growing interest in the girl herself. Her story, confided one day when he was jollying her to go out, impelled his sympathy. She told of the incident frankly, without reservation. She did not give him a hard-luck story. She was not seeking sympathy. It was because Kiely had voluntarily given her his own story that she confided in him, because it eased her mind to tell him. She wanted him to know about her before—before that light which she could inspire in his steady eyes became too brilliant. She asked him to decide whether she should go back to face the charge.

The man she had stabbed had become ugly because she had withheld herself from him. His grip had crushed the flesh of her arm while he called her—names. In a second of panic and rage it had been done. There had been a scene as she rose from the table, and he had followed, still holding her and mouthing vileness. She had no clear recollection of snatching up the knife. Her vision had cleared to behold him bleeding from a jagged wound on the face, another on the side of the neck. Two companions had testified in her favor. Other witnesses who had not seen it all, had not heard the man, had testified against her, or half and half. The indictment had been returned. Afraid, she had jumped her bail.

If Kiely had told her to go back she would have gone. Not trusting the law, as is the habit of his kind, because he had known justice to be bought—and injustice—he had advised her not to surrender.

In return he recounted to her the story of his own life. Shortly they were married.

Conny Kiely did not regard himself as a dangerous citizen. On the contrary, he was peaceable unless provoked to conflict. He preferred peace. He was living in the environment to which he had been bred. He did not count it against himself that when need had arisen he had sent his guns against rival forces, that he himself had fought and brought down his man. Never had he fought wantonly—only for what he believed to be his rights. And according to his teachings, they were his rights. His business might be unlawful, but so were others. That did not alter the fact that he had built it up. Recognizing the rights of others as well founded—or as badly—as his own, he never had encroached. Wasn't it fair to expect others not to infringe upon him?

Sometimes his agents might have shot from ambush. He would say that they were justified. They were engaged in guerrilla warfare against men as deadly as themselves, who never would hesitate to take an advantage. Guerilla fighting knew no rules. He did not consider that murder had been done when a gunman fell. Therefore, by his code, he never had been party to a murder. It all was fair fighting—as these men engaged in it viewed fairness. Himself, he took his chances. Twice in this contest with Burton he had been fired upon in the darkness. Yet he had not carried a weapon for years. He stood on his strength, on the fear of him that kept the hired gunman from coming close enough to make sure of his aim. He knew the rats and the extent of their courage.

Mary Kiely was sitting on the lawn in front of the broad, cozy bungalow, a garden spot out by the city line, with Conny Junior toddling round her. She looked up with surprise as the fast-driven machine halted at the gate. Catching up the baby, she went to meet her husband. Something of the fear that had drawn him to her was in her eyes. It was an unusual hour for Conny to come home. The speed of the car bespoke an emergency.

Kiely, however, smiled at her query—the smile that could be awakened only by his wife and his boy. He was long practiced in masking his thoughts.

"There's nothing wrong, dearest," he assured her; and there was a tonal quality in his ordinarily flat voice. "I just developed a notion that it's time we had a vacation. So"—his gayety was perfect as he boosted the chortling Junior to his shoulder and ran an arm about his wife—"I came charging out to get started before I change my mind."

She glanced at him doubtfully as they walked across the lawn, but she did not express her doubt. Only—

"You could have phoned," she laughed uncertainly, "and saved yourself the hurry-up. You dear foolish, you can't expect me to start in five minutes——"

His seriousness confirmed her misgiving as he interrupted: "But I do! Not exactly five minutes, but within an hour."

"But," Conny," she protested, "we have to pack and—and all that."

"We'll grab a couple of grips and get what we need along the way. We'll travel light."

* * * *

SHE pressed his arm and looked soberly into his face. "Where are we going. And—and why, Conny?"

Kiely was thankful as the boy caused a diversion—by trying to twist an ear off his father—an ear! Kiely laughed as he pictured Joe's ears. He was glad of the excuse to turn away from his wife while he admonished his son. She would have read trouble in that flinty glow in his eyes. When he turned back to her he was serene.

"That'll be much of the fun, wife," he grinned. "We're going gypsying—wherever the road takes us. On and on until we're—tired."

Inside the house she halted and faced him. The inflection he had given that closing word augmented her perplexity and alarm.

"You are tired, Conny." Her eyes were haunted again. Her fear was for him. "Something has happened, dear. Have they—are you—why must we go?"

"It isn't must," he denied. "There's nothing doing in town. That's why. We're shut down tight—practically. I can let things take care of themselves for a few weeks." He swung the baby to the floor and took her face between his hands to kiss her. "And while the situation is clearing, you and I and the boy are going on a holiday. Quick, now! Step along!" He shooed her toward the stairs. "We're off in an hour."

Within the hour they started. They went only as far as downtown in their own machine. While Kiely issued instructions to his lieutenants, he procured another car. He could be traced should Burton set the authorities after Mary. The owner of the borrowed car would forget that Kiely had it. No one at the garage where Kiely's car was laid away would remember that it was there.

There was one important result of the flight that Kiely did not anticipate. It stimulated Burton when he was drinking to the full the object lesson that Kiely had left for him on the bar.

Nick Burton did not tarry before that grisly exhibit. There was a cold sweat upon him as he retired to hunt out Joe. Kiely's promise, communicated by Fritz the bartender, jangled and re-echoed in his brain.

When he could get no trace of Joe his funk redoubled. Joe, he concluded, had been killed. And Kiely had vowed to cut his, Burton's, heart out if the man from Denver talked. He cursed himself for his impetuosity. Why hadn't he got hold of the man who recognized Mary Kiely before going at Kiely? How could he keep that man's mouth shut when he did not know him? Nick Burton did not want to risk having his heart removed! He preceived serious danger of that being done, however, since Kiely had given his word. Burton prepared to evacuate.

Slinking round that night, making a last effort to learn definitely the fate of Joe—who was a prisoner in the hands of the Kiely clan until his wounds healed and he agreed to stay away from the police—Burton heard of Kiely's departure. The news gave him a brace. He laughed soneakily and recovered his swagger. He got himself a couple of drinks and laughed again, louder. He had scared Conny Kiely off the lot!

As the days of Kiely's absence lengthened Burton's courage mounted. Soon he began to talk of having driven Kiely out of town. When there was no come back to that, he added that if Kiely ever showed his face again, he'd go over the road. Yes, and his wife would go over the road, too. Burton did not make any bones about saying that the "murder" of Joe was what he had on Kiely. But he was not so outspoken in regard to Mary Kiely. He was mysterious about what she'd be sent away for. He couldn't refrain from thinking of his heart! Kiely might get to him for the necessary few minutes.

Kiely's lieutenants grinned behind Burton's back and let him strut. Every so often their chief talked with them by phone from the mountains not a hundred miles away, where he and his wife and boy were loafing. From sources that were reliable they ascertained that Burton had not yet supplied any information to the police. That was what worried Kiely most. He had about concluded that Burton was harmless, when the word came that Burton was hinting what would happen to Mary if Kiely ever returned.

Conny Kiely told his wife that he had to go to town for a day—on business, he said. He was going to see Burton, and, going back to the old days, he slipped a gun into his pocket.

* * * *

MARY clung to him. Throughout the fortnight they had been away it had become more and more evident that they were hiding. But she never had questioned him. She supposed that the recent police activity against gambling had made it advisable for Conny to depart until the storm blew over. He would not run away from personal danger. So well had he helped her to blot out her own ancient trouble that she never imagined that could have aught to do with their exile. And so idyllic had been their sojourn in the quiet of the hills—just Conny and the boy and herself—that she was making ready to propose that they go on like that for the rest of their lives—that he never return to reopen his gambling places. He had money enough to drop these affiliations and retire.

"Don't go, Conny." She voiced these thoughts as he was leaving. "Let's not go back."

His colorless eyes burned lovingly on her and on the boy, who held to his mother with one hand and to his father with the other. Then he glanced away, blinking with a transforming wistfulness.

"Perhaps we won't, wife," he said. "It—depends." He was thinking of the gun that he carried for the first time in years. Had she known that he had it, she would not have let him go.

Her face brightened with joy. "You mean that, Conny?" She was eager to have him repeat it.

"Yes." He drew her to him, and together they looked down at the toddler, who laughed merrily in return. Kiely's features grew strained and harsh. He fondled the boy's curls, pressed his cheek closer to his wife's. He might not come back.

Suddenly he let them go and stepped back. He was smiling—Mary must not suspect.

"Yes," he said, "when I come back, wife, I'll be through down there. That's what I'm going to town for—to wind everything up."

The tinge of grimness in his tone dimmed her happiness. Her gaze searched in to him.

"Let me go with you, Conny. Let us all go."

"No." He shook his head. "It would only be a useless, tiresome trip for you and the baby. I'll be back—right away—not more than two days."

He dropped to his knees beside the boy. The curly head nestled contentedly on his shoulder. His wife knelt beside him. Their arms intertwined about the child. And they both prayed—though Conny Kiely was not conscious that he did so.

Unobtrusively and unannounced, Kiely reached town. He ordered Joe turned loose.

The irruption of his vanished messenger, now less lovely than ever with the patches of sticking plaster on the sides of his head, was a noticeable shock to Burton. Joe went to him without delay and snarled out his story. He blistered Burton with language for having sent him to Kiely. He swore to kill Kiely—was tempted to kill Burton, he declared.

"Now wait, Joe, wait. That won't get you nothing." Burton strove to pacify him. He breathed noisily. What did the return of Joe portend? Was Kiely up to a trick? Burton wasn't nearly so sure of himself as he had been shortly before.

"Agh!" Joe broke in on his uneasy thoughts. "What you sayin', yuh big stiff. How in hell can I hear yuh through these!" He pointed to the dressings