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THE GROUSE MOOR MURDER

JOHN FERGUSON

On the lonely Keppoch moor a dense fog was settling while four young sportsmen doggedly continued their "shoot." There was a sudden report and a few minutes later one of the party was discovered seriously wounded. Several days after, when the victim of that unfortunate "accident" was well on the road to recovery in his host's house, he was found shot through the temple.

The local police investigated with unusual thoroughness and ingenuity, and had it not been for one minor fact, the first shooting would have passed as accident, the second as suicide. But that single detail was enough to arouse the suspicions of Francis MacNab whose detective genius is well known to readers of other Ferguson mysteries.

The criminal had made none of the mistakes so helpful to the detective, and MacNab was unaided by any of those intuitions which are convenient in fiction but seldom occur in real life.

The result is a study in detection that will meet the approval of the most exacting reader, while a sinister premonition and tense excitement throughout will hold him to the last page. As for attempting to outguess MacNab—Mr. Ferguson's old readers will warn you that it's useless.

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JOHN FERGUSON

THE GROUSE MOOR MURDER

DODD, MEAD & COMPANY
NEW YORK 1934

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CHAPTER I

MIST ON THE MOOR

CONSTABLE MUNRO lifted his eyes to the clock. He had cast many surreptitious glances at the clock in the last half-hour. The clock hung on the whitewashed wall, high above the sergeant's head. The sergeant's attention was concentrated on some report he was laboriously writing. For a time no sound broke the silence save the scratching of his pen and the ticking of the clock. Munro yawned so heartily that he seemed to be making a derisive face at the sergeant's back.

Time appeared to stand still on that hot summer evening. Even the ticking of the clock sounded sluggish and tired. Munro thought how good it would be when he heard it gather itself together to strike the six snappy strokes which would release him from duty. He had been out all day on his motor-cycle, and a mobile officer of the Inverness County Constabulary covers much ground in his day's duty. But Munro, who three months back at the end of his probation period had been reported by the inspector as a zealous and promising young officer, hated to look other than spick and span. And now the mirror-like gloss was off his leather leggings, and much white road dust clung to the smartly cut, dragoon-like breeches. Young Munro was proud of his breeches. Those breeches were the distinctive touch which differentiated him from the other constables of his division. He loved walking about in them. He loved the beautiful outward curve they made above the slim, black leather leggings. He was conscious that he attracted the feminine eye as he walked about in his smart uniform. As for sitting with tunic unbuttoned at the neck, like the sergeant, he

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couldn't see himself doing it, even on a hot summer afternoon in the semi-privacy of the small divisional office. For all that there was one costume detail on that unbuttoned tunic of the sergeant's which moved the young officer to a hopeless envy: just three little strips of particoloured silk ribbon across the left breast. Munro had been at school when Sergeant Cameron was fighting in France; and those three glorious bits of coloured ribbon on his superior's chest made the smart young constable feel himself to be like a flower that has never blossomed.

Sergeant Cameron wrote on, the pen occasionally scratching. Munro knew he was entering up the conviction, and previous criminal history, of one Samuel Haggerty, who had that day received a sentence of six months for poaching on the lands of Arrochmore. A curious case that had been. Haggerty was alleged by the prosecution to have shot at the Arrochmore tenant, Mr. Willoughby, who, with the gamekeeper, had chased the poacher over the moor, till they lost sight of him when he dived into Keppoch Wood.

But Haggerty's gun had never been found, and the charge of shooting with intent could not be substantiated. That a shot had been fired, apparently from the wood, was proved by the evidence of Mr. Willoughby and the gamekeeper, Peter Murdoch, as well as by Haggerty himself. But while the keeper asserted the shot had been fired by Haggerty at Mr. Willoughby, the poacher asserted the shot had been aimed at himself by the keeper. And Mr. Willoughby was unable to offer any decisive evidence either way, for though he heard the shot, he being very blown, with his heart thumping and a drumming noise in his ears from the pursuit, could not say whether the shot had come from the wood ahead or from the moor behind.

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What, however, stood beyond dispute, was that when a few minutes later they captured Haggerty in the wood, he, unlike the gamekeeper, had no gun. Nor did the most careful search by the police afterwards discover any gun. As a result, some people, who knew the trouble Murdoch had with poachers, were convinced that Murdoch—whose violent temper was well known—had fired the shot in order to get Haggerty brought up on a much more serious charge than poaching. This view of the affair was also that privately held by Sergeant Cameron and Munro, who had an hour or so after the arrest vainly searched Keppoch Wood for Haggerty's gun. It had told in the accused man's favour also that he admitted hearing a shot fired. But it was almost decisive evidence against the graver charge that when Haggerty was taken the game in the bag under his coat was found to be ground game which certainly had been snared, not shot. So the sentence of six months Haggerty received on account of being found in possession of the game appeared to satisfy every one, except Murdoch and the prisoner's friends.

Sergeant Cameron laid down his pen and applied the blotting paper to his ledger.

"Well," he remarked, "the road will be near finished before he's out again."

Munro knew to what he referred. Haggerty had been one of the hundreds of navvies employed on the construction of the new road between Kinlochleven and Inverness. That great road ran from sea to sea, skirting four lochs, running through pine forests and doubling the shoulders of mighty hills for nearly a hundred miles. It was not in human nature to keep from poaching in such a sporting country. And many of the men gathered from the cities who found work on that road learned how to poach when they came to those wilds. Herded together by fifties in

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wooden huts set at intervals along the road, there was little else to do when work ceased for the day except get drunk, and fight, or poach. And there had been enough of all three recreations to keep the law fully employed for the last two years.

"Ay," Munro agreed, "they'll all be out of our division, anyway."

He spoke half in regret at the prospect; for, as has been said, he was a very zealous young officer, and unlike his sergeant, who was all for peace and quietness, he had not yet had his fill of fighting.

But Cameron's nose was down again at his writing, and once more that somnolent silence pervaded the sleepy little office. Then just at the moment when Munro began to think with disgust of the reign of perfect peace and utter dulness which would follow the exit of the navvies, the telephone bell burst suddenly that silence like an explosion. Cameron moved to the instrument and put the receiver to his ear.

"Hullo!" he said. *"Yes, this is the divisional office. Who's speaking? . . . Oh! . . ."*

While Cameron was listening the clock began to strike the hour. But Munro scarcely heard. The concern now visible on the sergeant's face arrested his attention. While he waited, Grant, the constable who was to relieve him, entered the office. At a sign from the sergeant's back-swept hand Grant pulled up, waited a moment and then tiptoed over beside Munro.

"Shot, did you say, sir? Where, exactly?" they heard Cameron ask. He appeared to be getting rather detailed information, and Munro judged it must be about the geographical locality rather than the position of the wound. After listening for a breath or two longer Cameron slewed his head round in their direction, his ear

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still at the receiver. "Out with your bike, Munro, and fix on the combination. You, Grant, get the stretcher. Quick now."

Munro and Grant hurried out and in the shed behind the office quickly got to work on the job of fixing the side-car to the police motor-cycle. While Munro had his spanner on the last nut Grant was belting the stretcher in between the side-car and the cycle. In another two minutes Munro, mounted in position with his engine kicking like a machine-gun, halted in front of the office just as Cameron, buttoning the neck of his tunic, hurried out to step into his seat.

"Keppoch," he said. "As far as the hill foot. I'll tell you when to stop."

Munro slewed his machine round in a curve and entering the main street of the little town they set off in the direction of Keppoch at a speed which appeared to satisfy the sergeant. Once the last of the villas on the outskirts had been left behind, Cameron explained.

"One of the Arrochmore folk has been shot," he said. "That call was from Dr. Macfarlane."

"Accident, is it?" Munro hazarded, as he opened out on the straight after negotiating the right-angle turn at the bridge.

"So it would appear. Macfarlane rang us up for the ambulance. Hadn't yet seen the man. One of the shooting party had just run from the moor to call him. Macfarlane says he would leave this man to lead us to the place. He's waiting on the roadside somewhere between the forester's cottage and the lodge."

Then their speed was too fast for further talk. Munro, familiar with all the roads, knew where their guide would be waiting. The distance was not more than five miles along the great new highway, and then about two miles

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up the narrow winding side road towards Keppoch. It was a long pull up once they left the Inverness road behind; but, after topping the rise beyond Rigg Lodge, they saw a man obviously on the look-out for them. He stood by a car driven up close to the roadside, and came forward as Munro brought his overheated engine to a halt behind the stationary car. The young man was rather short, had a chubby, fresh-coloured face, and his mop of red hair was uncovered.

"Thank you," he said. "You've been pretty quick."

"Doctor's gone up?" the sergeant asked, getting busy unfastening the stretcher.

"Not ten minutes ahead of you. I've just been fixing up his car to make it easier for poor Brent." He nodded at the doctor's car, his hands busy with the straps at the other end of the stretcher.

"What happened?" Cameron asked.

"Put his foot in a rabbit hole, or tripped in the heather. Anyway, he lost hold on his gun, which discharged and hit him as it fell." He paused for a moment as if envisaging the sequence of events. "No one noticed at first. We were spread out, you know, in line, and there's a good deal of mist up there to-day."

Munro and the sergeant shouldered the stretcher. At first the going was easy enough to allow the young man to walk at Cameron's side.

"Rather a nasty business for all of us," he said a trifle nervously. "You see, before Mr. Willoughby went away this morning to give evidence against some poacher he'd caught, he remarked that, anyway, it wouldn't be a lost day since the mist up on the moor would be too thick to make shooting possible."

Cameron, after a minute, said: "Mr. Willoughby's been tenant here for years. He would know the conditions."

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"Oh, yes, but of course we thought we knew better," the young man said in a tone of dejected self-disgust.

Munro looked up beyond the sergeant's peaked cap to the hills. The mountain top was still blotted out, but here and there a black section of its jutting shoulders pierced the white shroud. Lower down it seemed clearer. Around them as they climbed little wisps and puffs of mist floated across the green face of the ascent like thin blown smoke. It took them over half an hour to reach the moor level. There the mist was continuous, but diffused and more transparent, making bushes of gorse and broom seem ghostly and unreal.

"You never went shooting in this, surely," Cameron said, as he paused to shift the stretcher on to his left shoulder.

"Oh, it was nothing like this. Not when we came out," the young man said. "I assure you. Not really bad at all. What mist there was clung over the heights up there like a blanket. Could see nothing through it; but outside its lower edge everything was quite clear. Then, somehow, it seemed to break up and come down on us. About five that was." He spoke jerkily, as if blown by the rapid climb.

"The wind veered to the west about five," Cameron said. Munro knew this to be true. He had been on his cycle coming home just then.

"God! I wish we had stopped in time," the other burst out.

"Och, sir," Cameron said consolingly, "an accident like that might happen in any kind of weather."

Cameron forbore from any question as to the nature of the injuries. Perhaps he had no need to ask. Even Munro himself knew how deadly a wound almost invariably resulted from the discharge of a shot-gun at

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close quarters.

But Munro's interest quickened when he began to observe the direction in which their guide was now leading them. He headed straight across the moor towards Keppoch Wood. Munro knew that as soon as they touched the slope which slid the grouse moor down into the gully dividing it from the steep side of the mountain. At the bottom of this little valley a burn ran with Keppoch Wood on its further side. That burn, in fact, formed the south boundary of the moor, and the slope down to it was dotted with whin and juniper bushes and clumps of small birch-trees.

Munro wondered what the sergeant was thinking; for both had spent hours together among those same bushes in their fruitless search for Sam Haggerty's gun. And he well remembered the spot on the slope where, presently, he discerned some men standing around another figure kneeling beside a man extended full length on the ground.

Nobody spoke as they came up. They laid down the stretcher and the sergeant went over to kneel beside the doctor. Munro saw the victim, a young man who, from his closed eyes and white, sharply cut features might be judged beyond help, but for the fact that the doctor was very busy with his implements and bandages. He gave an odd grunt of satisfaction when the sergeant went on his knees beside him. The jacket and shirt had been cut away from the man's left shoulder, and Dr. Macfarlane was engaged in some operation under his arm. Cameron, who appeared to know what was wanted, lifted the arm at the doctor's nod.

Munro, watching his sergeant's dexterity and envying him the knowledge his war experiences had brought him, was yet presently puzzled by the odd look that came over Cameron's face. Anxiously attentive, like the others who

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stood watching, he perhaps alone saw his superior officer's eyes dilate as if in surprise as he turned with what looked like a frown to stare at the doctor. But Macfarlane paid no attention to the unspoken question, unless indeed the momentary pursing of his lips conveyed something. Anyway, it seemed all the answer Sergeant Cameron required, for he gave no further sign, and, it appeared, needed no verbal directions as to what the doctor wanted him to do.

Munro, standing back, turned his inquiring eyes on the wounded man's companions. They were all young, every one of the five dressed in tweeds of the best sporting cut, though variation in taste was indicated by the differences in check and pattern. A common anxiety, however, was written on all their faces. The red-headed youth, whose brown Harris clothes seemed chosen to blend in with his hair, whispered a question as to whether the doctor had said anything in his absence. Munro noticed that the question passed unanswered. All eyes were on the prostrate man.

Macfarlane had now cut away both jacket and shirt, exposing the neck and chest, but without revealing further wounds. The sergeant seemed to know what Macfarlane wanted done. Standing astride the body, with one arm around the waist and the other behind the head, he gently lifted the man clear of the ground while Macfarlane dexterously wound bandages across the body and over the right shoulder to bind the left arm close to the side.

At a nod from the doctor Munro brought up his stretcher on which the wounded man was laid. Only then did Macfarlane break silence.

"Which was his coat?" he asked.

Some one picked up a white Burberry macintosh. But at the doctor's nod Sergeant Cameron put out his hand

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for it. After a quick look he turned to Macfarlane.

"Something warmer would be better, doctor," he suggested.

From those offered he selected a light raincoat, and with this covered all but the face of the man on the stretcher. While Macfarlane was packing his bag they began to question him.

"Is it—serious, doctor?" one asked, bending down to whisper.

Macfarlane, still busy, did not look round.

"You can never be sure with gun-shot wounds," he replied.

"I mean—will he—recover?" another breathed.

"Oh, yes, I think so—if no complications follow."

Macfarlane's encouraging tone brought an audible sigh of relief. Instantly they passed to the next step to be taken. The tallest of the five took control.

"Some one ought to go down to the house and prepare them—you, Toplis."

The red-headed young man almost recoiled.

"No, no! You'd do it better, Harwood."

"But you can tell them it's not serious—the doctor says so. Come on, now, buck up. We others will carry Brent by turns."

"Jolly sight harder that will be," another said with affected conviction.

Apparently they all shirked carrying back news of the accident, and as if to force the duty on Toplis, they stepped towards the stretcher. But Sergeant Cameron, notebook in hand, intervened.

"One moment, gentlemen," he said. "As I have to report this accident I must get fuller particulars about it from you."

"Now?" one of them asked, lifting his eyebrows and

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looking pointedly over at the stretcher.

Macfarlane, standing by the sergeant, replied:

"He's badly shocked. A little rest with his feet elevated, will do him good, if you move out of earshot," he added.

"Maybe you could show me the exact place where he fell," Cameron suggested. "It wasn't here, I think."

Munro saw that if they had been in line, and in sight of each other at the time of the accident, it could not have been there, since a clump of gorse and birch-trees would have hidden the wounded man from all of them. The spot on which they were standing was a small level place like a cut in the side of the ridge, three or four yards in extent with the shrubs and gorse growing on its upper edge. It looked the sort of spot where sheep and cattle might seek for shelter on a stormy night.

Cameron stood waiting for a reply from one or other of them. Munro noted that they exchanged a look as if each waited for some one else to speak. Dr. Macfarlane, standing over the injured man, eyed them with interest. It was the tall fellow in check tweed, whom the red-headed youth had called Harwood, who eventually replied:

"No, we carried him here. But I think I can show you the spot."

They were all about to follow him when Cameron stopped them.

"Take your game-bags and these guns with you, please," he said. "I want to know exactly your different positions."

The bags and guns had been placed on a coat, and there were five bags, but only two guns. When each had picked up his own property, one gun and one game-bag remained unclaimed. The sergeant himself took the re-

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maining gun with him. Some twenty yards out on the ridge Harwood stopped.

"It was just here, wasn't it, Toplis?" he said.

The red-haired young man looked about him and agreed.

"As I told you, sergeant, we were shooting home and Brent was the last man on the extreme left."

Cameron handed Brent's gun to Munro and reproduced his notebook.

"Now, gentlemen, I'd like, if you don't mind, to set down your different positions in the line. Who was next to Mr. Brent?"

"I was," said Toplis.

"Full name?"

"Charles James Toplis."

"Thank you, sir. Sorry to bother you all like this, but you'll understand I have to send in a full report," the sergeant said. "Now, Mr. Toplis, just go and take up as nearly as possible the position you occupied when it first occurred to you that something had happened to Mr. Brent."

Toplis nodded assent.

"I can easily do that, for I dropped my gun at the spot," he said.

"You saw him lying here, then?" Cameron asked.

"No. But losing sight of him I came down to look and found him just here."

"After giving the others a shout to stop?"

"No. I didn't think of doing that till I found him."

"Well, sir," said Cameron encouragingly, "just go to the spot where you stopped when you thought something might have happened to Mr. Brent."

Munro was surprised to see the young man take a forward diagonal course which led him to a position

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above the clump of birches marking the nook to which the wounded man had afterwards been carried. But the sergeant showed no surprise; and Munro perceived that of course the party must have advanced some distance before Brent had been missed.

Presently Toplis, after several pauses to look around and about him, stopped at a point some forty yards off and put up his gun as a signal. Munro had to draw the sergeant's attention to the fact, for while Toplis had been scouting for his position the sergeant, as if to fill in time, had requested the others to show him exactly how they had found Mr. Brent lying when they arrived on the scene.

There was some slight disagreement over minor details, but when it was agreed that Brent had been lying with his head in the direction in which they were moving, Cameron himself extended his length on the ground and asked them to arrange him exactly as they had found Brent. Their first act was to turn the sergeant on his back. He seemed surprised. He let out a little *"Oh!"* as if he had been hurt. Harwood next placed the left hand against his side: it was about this the disagreement arose. But Harwood pointed out that Brent's wound was on the left side of his body and it was to this that his hand would naturally go as he fell.

"And the gun?" the sergeant suggested.

"I picked it up," Harwood said, "so I know just where it lay."

Munro surrendered the weapon and Harwood put it on the turf about two yards beyond the sergeant's feet with the muzzle pointing directly at him and the butt in a clump of heather. It was at this point that Munro drew attention to the fact that Toplis had found his spot. At first Sergeant Cameron did not seem to hear.

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"*Creag Dhu,*" he said, staring up at Munro. "See where that gun is; he must have been looking *behind* him when he fell."

"Quite," Harwood agreed, "and that would explain why he tripped up."

"Stumbled, let's say," Cameron, still on his back, suggested, "there being nothing about his feet to trip on."

"The gentleman has found the spot, sergeant," Munro repeated.

Cameron rolled over on his side and looked towards the gesticulating Toplis.

"So he has," he said after a moment, "so he has."

As he lay staring, his slow deliberation appeared to annoy Harwood.

"Aren't we keeping the doctor waiting?" he inquired with obvious sarcasm.

Cameron got to his feet.

"If you knew him, sir," he said, "you would know he's not the one to be kept waiting longer than is necessary."

Harwood lifted his eyebrows.

"Necessary?" he echoed incredulously.

The sergeant, who had been sketching out a rough plan in his notebook, seemed not to hear.

"Who walked next to Mr. Toplis?" he asked, looking up.

"I did," said Harwood.

"Full name, please?"

The tone had something of a sergeant on the drill ground in it now.

"Gerald James Everard Harwood."

"Thank you, sir. Now, if you will go and take up as nearly as possible—" He waved his pencil, and Harwood set off at once. Cameron turned to the two who remained.

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"Next?" he demanded crisply.

The slight, fair-headed man who had the second gun under his arm, stepped forward.

"Philip Herbert Cresswell," he said. "Must I really go up there again? It won't be so easy for me. You see, I'm the only one who didn't drop my gun. You won't see *me* from here, you know."

But the sergeant waved him away.

"Oh, I'll come on till I do," he said reassuringly, before turning to the last man. This was a stocky youth, plump in body and rather short in the legs.

"Ronald Henry Joliffe," he said. "But I was right at the top of the slope and didn't get down till they'd carried him to where he is now. So—"

"What brought you down, sir?" the sergeant asked.

"Well, I just missed Phil—Mr. Cresswell—you know, and, as it were, rolled down to see where he'd gone."

"You had been seeing him?"

"Oh, yes; it wasn't so thick as all that near the top. I could see Jerry, too, occasionally."

"Not continuously?"

"No, the mist lay thicker lower down the slope, and it had been growing more dense till he was blotted out."

"And Mr. Toplis?"

"Oh, him I hadn't seen for—well—the previous twenty minutes at least. Ever since the mist began to creep up the slope, that is. So you see when I lost sight of even Cresswell I began to feel it was time we chucked it. That's what I came down to suggest. We'd been shooting home, you know. And we'd have given it up sooner only we'd such a short distance to go till we reached the end of the moor."

While speaking, his eyes had been following the progress of Cresswell's climb, and hopefully he drew the

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sergeant's attention to him. "Look," he said. "You can't see Jerry now, much less Cresswell. Is it really essential for me to hoof it up there again?"

But the sergeant did not yield.

"Sorry, sir," he said, tapping his notebook with the pencil, "but it is essential for me to give an idea of the distances on the sketch plan my superiors expect from me in all such accidents."

Mr. Joliffe, with a deep sigh of resignation, but no further protest, set his short legs in motion for the climb. The young constable watched him go with contempt in his eyes.

"Lazy young beggars," he remarked.

But before Joliffe had gone more than ten yards the sergeant called to him and the young man turned hopefully.

"Just one thing more," Cameron said. "Could you give me an idea how long you went on after you lost sight of Mr. Cresswell on your left?"

Joliffe removed one hand from a pocket to scratch his head thoughtfully. He seemed to welcome even a respite from his climb.

"Let me see," he drawled. "I didn't notice that particularly—not at first, I mean. Perhaps ten minutes. Maybe not so much. It would seem longer, wouldn't it, once I missed him and kept on trying to—er—pick him up again? Gave me rather a creepy feeling, you know, to find myself—well—alone on a wide, wide sea, as it were."

"There had been no shooting for some time, then?"

"No. Not, that is, till I heard one bang down below. That, of course, was when poor Brent tripped up and his gun went off. That's what put the feeling of being alone on the sea into my head perhaps. It sounded just

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like a rocket sent up in a fog."

"But surely you have an idea how long you went on after you lost touch with Mr. Cresswell?"

Joliffe shook his head.

"No. As I've said, it might be ten minutes, more or even less." He looked up suddenly. "But I do remember just where I lost sight of Mr. Cresswell. Is that any help?"

Cameron's forehead puckered.

"Might be," he admitted.

"Well, what I do recall, now, is that just after I couldn't see Mr. Cresswell any longer I came on the bare stem of a dead tree. White and barkless, you know, so that at first it looked rather like a ship's mast. I believe it was that that made the shot feel so like a rocket, when it did go off a little later."

Munro observed that this information brought satisfaction to his sergeant, and the feeling of bewilderment, which had been growing on him for some time, deepened. But when Mr. Joliffe, extracting a cigarette case, produced a mechanical lighter, he was stopped by Cameron.

"Now, sir, if you please. You're keeping them all waiting."

This was precisely what Munro considered the sergeant himself had been doing, and rather needlessly, for the last half-hour. All the same, the young fellow took it with resignation, departing almost meekly with no more than a shrug of protest. Munro put it all down to those bits of ribbon on the sergeant's breast.

When they were alone, Cameron turned to him.

"I wonder which of the four did it?" he said quietly.

Munro failed to grasp his meaning. He was bored too by having to remain so long inactive, accustomed as he was to high speed work on the road.

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"Did what?" he asked casually.

Then the young officer, not having been to the war, received the shock of his life.

"Shot him, of course," said Cameron.

Munro jumped as if he had himself been shot. He nearly dropped Brent's gun.

"My God," he whispered, "what makes you suspect that?"

"I don't suspect, I know," said Cameron. He pointed to the gun in Munro's nerve-shaken hands. "You maybe have the proof of it there. Look here, no officer should be taken by surprise like that." Sergeant Cameron spoke sharply. Munro pulled himself together.

"Sergeant, I had no notion you were suspecting that."

"No? It never occurred to you to wonder why I am taking so much trouble, did it? Man, it's not because I suspect; it's because I *know*."

He pointed to the wounded man's gun which was in Munro's charge.

"Throw open the breech and see what you find inside."

Munro had a grip of himself now. There was a click of the breech bolt. Cameron came close and their two heads bent together as they peered into the breech at the two round brass ends of the cartridges. Munro did not need to use the ejector to know that neither was empty. He knew that neither cartridge had been fired, for there was no trace of a hammer-mark on the copper nipples.

"Well?" the sergeant said, "what's your notion of it?"

"It was another gun that knocked him over," Munro declared.

"Clever lad!" Cameron patted him on the back. "And now we've got to find out whose gun it was."

Munro flushed at the sergeant's ironical praise while

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the sergeant was looking around, apparently puzzled and uncertain. It seemed as if Cameron had despatched the men to their former positions in the shooting line in order to find out something on the spot at which Brent had fallen.

"Andy," Cameron said at last, "you and me must not make a botch o' this affair."

"No," Munro replied, pleased to hear again the friendly form of address. "We'll have to get the man that did it."

Cameron stroked his chin thoughtfully.

"But did he know he did it?" he said, half to himself.

"Know he did it?"

"Ay. In this weather it might have been an accident. We can't be sure yet. There's just the one thing I'm sure of. One of them at least has been lying to me. Him that's nearest to us now, and was nearest when it happened."

"Toplis!" Munro's eyes went to where Mr. Toplis stood, a dim figure seen as through a blue veil.

"That's the man. He knows more than he's willing to tell, anyway. What I'm not sure of is whether the others know anything or not."

"Well, sergeant—" Munro hesitated.

"Well, what?"

"Well, I was just thinking they'll suspect something's wrong from the way you're keeping them up there now."

"Not them! If they know nothing they'll suspect nothing, or at least only what you were yourself suspecting just now."

Munro opened his eyes.

"What's that?" he asked.

"That I am only an over-offeecious country police sergeant mighty anxious to show his authority." Then cut-

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ting short Munro's stammering protest, he added, "You go back now to Macfarlane. You'll likely find the man's got over his shock well enough to be safely carried home. When I've paced out the distances I'll send the men down to you. You're to go with them, keeping your eyes open. When you get to Arrochmore you're to stay with the man till he recovers, if he does recover, to take a statement from him. Macfarlane will understand. Then when you're all gone I'll have a look round here."

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CHAPTER II

SERGEANT CAMERON REPORTS

SUPERINTENDENT RINTOUL put out his hand, and, pushing the lamp on the table to one side, stared across at his sergeant. Rintoul had got back from Inverness half an hour ago. In fact he still wore the overcoat which he had forgotten to remove after the sergeant had stepped up to his car with his urgent news.

Rintoul, tall, but rather spare in body, looked his age of forty-five, his close-cut black hair being slightly shot with silver, though his equally close-cropped moustache retained its jet original hue. Out of his deep sunk eyes he stared across at the sergeant who was busy fingering over the pages of his notebook.

"You got no statement from the man?" he asked.

"No, sir. Dr. Macfarlane, when I called in at Arrochmore on my way back, said he was unfit to make one. But Munro is there to take a statement from him if he pulls round to-night."

"Dr. Macfarlane still there?" Rintoul asked.

"Yes. At least I take it he must be, for he undertook to call in here on his way home on the chance of seeing you."

Rintoul nodded.

"All right, sergeant. Go ahead with your story."

Cameron stated his case, Rintoul listening with but the briefest questions at rare intervals. And, as the sergeant was quick to observe, there was nothing in any of those questions to show how his story was being taken. That, of course, was all in keeping with Rintoul's character. Persons under examination by the divisional superintendent soon came to know those black

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inscrutable eyes set in the rather sallow, mask-like face from which no sign or hint could be picked up as to whether they were being believed or not.

"Well, Cameron," he said, when the story was over, "it seems beyond dispute that the man did not shoot himself."

"That's a sure thing, sir," the sergeant nodded. "The gun was discharged at a distance of fifteen feet at least."

Rintoul shifted slightly in his chair.

"But that does not imply there was any deliberate attempt at murder. You see that, of course?"

Cameron put his notebook face down on the table.

"Certainly I do, sir. It's just within the bounds of what's possible that one of them may have lost his direction in that mist and shot the other by accident."

"And without knowing what he had done."

The sergeant rubbed his chin in slow deliberation. There were several comments he could make as to that.

"Come," Rintoul insisted. "They, unlike you, would never think of looking into the breech of his gun. They took it for granted, quite naturally, when they found him lying there, that he had tripped up and got hit by his own gun."

"But a gun discharged as close as that doesn't put a pellet or two into a man's biceps or collar bone; it either misses him altogether or blows his arm away."

Rintoul bent forward and rapped the table sharply with his knuckles.

"Yes, I know that. So do you. But how do you know that any of these young fools know anything about the extent and exact angle and range at which small shot begins to scatter?"

Cameron for a time regarded the polished surface of his chief's table through half-closed lids.

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"I certainly cannot prove they did know that," he said. "When they let off a gun they may be such fools as to think the shot scatters from the muzzle like pepper from a pot."

"Well, don't you see that men who were fool enough not to know better than to go shooting on such a day might be fool enough not to know anything about such things?"

It was part of Rintoul's method to play devil's advocate in any serious case brought before him. His subordinates were quite familiar with this habit. They knew that he would act exactly as he anticipated any counsel for the defence would subsequently act if proceedings were instituted. It was probably owing to this cautious practise of visualizing and exhibiting all the weak points in a case that Rintoul hardly ever reported a case for the Chief Constable's consideration which did not bring from that authority an order to prosecute. In other words, Rintoul never sent up a case which was not safe to secure a conviction; and, of course, Sergeant Cameron, familiar with his methods, knew what he himself had to face in the present instance. He faced up to it now.

"Well, sir," he said boldly, "if *I* wanted to get rid of a man by shooting, I can't imagine a better day nor place for the job."

Rintoul's eyes flickered a moment.

"If—if—if," he said mockingly. "What evidence have you got of any murderous intent?"

The sergeant could not meet this challenge.

"Oh, I was only suggesting, sir, that to go shooting on such a day does not prove they were *all* of them fools about guns."

"No," Rintoul conceded, "not necessarily. But in this case what evidence of any intent to kill can you have?

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I may take it, I suppose, that you saw nothing but the deepest concern reflected on every face?"

Cameron flinched rather at this. It sounded so exactly like what he had heard in the witness box when under cross-examination. But he replied to the question differently this time.

"The more guilty a man is the more concern I'd expect to see on his face, sir."

"Oh, you would, would you?"

"Certainly," the sergeant declared. "As a blind he'd put it on as thick as he could."

"Thicker than the one among them who—let's say—was his dearest friend?"

Cameron, taken aback, almost gasped.

"Well—" he said, and was silent.

"Ah!" Rintoul nodded. "You see where this sort of stuff leads you. Let's get back to facts and stick to them, if you please." Then, as if to indicate that real business was about to begin, Rintoul, getting up, removed his coat and hung it on the peg behind the door. When he sat down again Cameron took up his notebook. He felt a little shaken. Although not unfamiliar with his chief's Socratic method, he had never before been himself led into absurd conclusions by such apparently innocent questions.

"Well, sir," he began, "there's one hard fact in this case I can't get over, and that is the lie one of them told me. A needless lie, sir, if everything had been what it seemed."

Rintoul, chin in cupped hands and elbows on the table, nodded.

"Go ahead, sergeant."

"I'd like you to follow it by the plan I drew out in my notebook," he said, reaching across the table and laying

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the book under the other's eyes. Rintoul narrowed his eyes over it and then looked up.

"Yes; you've made it all as plain as a pikestaff. There are the relative positions of the five men at the moment the shot was fired, I suppose. Now show me where the lie you speak of comes in."

"Not at the moment the shot was fired. If you remember, they went on for a while after that. The man on the right of the advance—Joliffe that was—said he heard the shot just before he came in sight of a dead tree that looked like a ship's mast, and the sound of that shot in the mist made him think of a rocket from a ship in distress.

"So his position on the plan represents the distance Joliffe advanced after hearing that shot?"

"Exactly. You'll notice he got farther than any of the others. Quite likely he did, since he was at the top of the slope, almost on the moor level, where the mist lay much less thick."

The superintendent, shutting his eyes, laid his cheek upon one supporting hand.

"That is to say, the farther down the slope you got the denser the mist became?"

"That's right, sir. When we reached the scene I noticed the burn at the bottom of the gully was quite invisible. In fact the mist lay down there like a snowdrift with just the tops of the pines on the other side of the burn rising about it. And it's there the lie comes into the story," he added.

"I'm listening," Rintoul said, as the sergeant paused.

"You'll maybe remember, sir, that according to Joliffe's tale it was not hearing the shot that brought him down to look for the others, but the fact that he had lost contact with the man Cresswell who was next him?

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Well," Cameron resumed after waiting for Rintoul's nod of assent, "that was exactly what Toplis said brought himself down to look for Brent. He too had lost sight of the man who should have been moving along on his left. In other words, both men told the same story."

"Why not—if both were true?"

But Cameron sat forward to tap the table.

"One at least was lying," he declared.

"Any idea which of them?"

"Yes. Toplis for a certainty."

"A certainty, eh?" Rintoul's eyes reappeared.

But the sergeant did not flinch.

"Toplis," he declared, "was certainly lying when he said he went down to look for Brent *because* he had lost sight of him. I know that, sir, because when I sent Toplis back to stand at the spot from which he had come down to look for Brent, I had no difficulty in seeing Toplis from the spot where he had found Brent. And the mist was thicker by that time, had, in fact, been getting thicker as the evening wore on. And Brent was actually wearing a white macintosh when he was shot."

Rintoul, with his eyes on the sketch plan, said nothing for quite a time.

"But if all that is true, this man Joliffe must also have agreed to lie about it. Since if you saw a distance of thirty yards down there where it was thicker, he must have seen Cresswell at a distance of only twenty yards up above where it was clearer."

"I don't think he was lying, sir," Cameron said. He spoke quietly, in a significant tone that made Rintoul throw up his head.

"Why not?" he demanded, reiterating the question sharply when the sergeant hesitated.

"Well, sir, to tell you the truth, I don't think Cress-

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well was there for him to see."

"You don't think—?"

"No, I don't think he was there simply because Joliffe *must* have seen him if he had been there."

Rintoul for the first time was really taken aback. He could have asked why Joliffe might not be lying as well as Toplis. It was indeed on the tip of his tongue to put the question. But he saw there must be more in it than that. It was, for one thing, a safer lie for Toplis to utter since Brent, unlike Cresswell, was in no condition to contradict him. Rintoul turned, impatient.

"Come," he commanded, "out with it, and all of it, at once. Are you bringing a charge of attempted murder against this man Toplis?"

"Oh, not against Toplis," the sergeant said quickly.

"Against whom, then?" Rintoul demanded.

Cameron for a breath or two fingered one of the bright buttons on his tunic.

"Well, sir, I was just wondering if it wouldn't be better for me to lay the facts before you, step by step that is, as I came on them, and let you form your own conclusions." Then, as Rintoul stared in perplexity, he added, looking over at his notebook, "it would be easier to follow what happened if we went over it step by step on my plan."

Thrusting out a hand, Rintoul pulled a chair close up to his own. Cameron came round the table to occupy it. Rintoul pushed the notebook forward, and then drew the lamp over to illuminate the drawing.

"First, sir," the sergeant began, "I'd like you to observe how straggling the advance became as soon as they got into the thicker belt of mist."

"Yes, it's evident enough from your plan. The young idiots, another fifty yards farther and they'll be firing at

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the backs of each other's necks."

Cameron's finger went to his drawing.

"I understand they could see each other until they crossed this burn that comes down the slope. You will remember that Joliffe lost sight of Cresswell just before he came on the dead tree."

Rintoul had his nose to the plan.

"That circle marks the tree's position?"

"Yes—a dead poplar."

Rintoul grunted scorn.

"A fool tree, too, to think it could live up there."

"Notice how they get separated after the burn is crossed. Joliffe tends to get closer to the top edge of the slope away from the others," Cameron went on.

Rintoul nodded.

"With some idea of getting out of range, no doubt. Seems to have hurried too, since he got so far ahead of the others."

"Yes, sir. His direction and speed should be remembered when we come to consider what happened to Brent at the other end of the line."

Rintoul's eyes travelled down the plan to the cross which marked the spot where Brent fell. Cameron continued:

"This plan shows the exact position of each man at the moment when Toplis found the body and shouted the alarm."

Rintoul looked up.

"The exact position? I can't imagine how you can be so sure of that," he said.

"It was very easy. When they heard Toplis shout for help—a scream is what Harwood called it—the first thing they did was to drop their guns so as to run better. With one exception these guns later on established the spot.

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each had reached when Toplis shouted. The men simply went back and found their guns lying where they had dropped them."

"Which was the exception?"

"Cresswell. He had not left either gun or bag behind."

"So his position, at least, is more or less guesswork?"

"It is—from the time Joliffe lost sight of him after he himself crossed the burn. But my plan shows where he *said* he was."

Rintoul sat awhile staring hard before him. Sergeant Cameron sat silent too, as if afraid to intrude upon his superior officer's thoughts. After a time Rintoul laid his hand on the sergeant's arm.

"Get on with your process of elimination, sergeant. I begin to guess what you're driving at."

Cameron regarded the opposite wall with a set face.

"I look at it like this, sir," he said. "It's not to be denied that Brent was shot by a gun not his own. As Munro will testify, we found his gun still loaded. And it is certain the gun was fired from some position far enough off to allow the shot to scatter. These are facts there's no getting over. To tell the truth, as soon as I saw the way the man was hit I hadn't any doubt. And I saw Dr. Macfarlane knew it too. That's why I knew what Munro would find in Brent's gun when I told him to throw open the breech."

Rintoul here showed impatience.

"But look at your own plan, sergeant," he cried, jabbing a forefinger on the notbook; "it flatly contradicts you. How could Brent be shot on his *left* side by a man on his right?" Here the superintendent in his irritation again took on the part of a counsel cross-examining for the defence. "Are you suggesting that one of his

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friends had a gun which could shoot round a corner?" he asked.

Rintoul no doubt intended to give his sergeant a foretaste of what he might have to face in the witness-box. And put like that, the question did make the sergeant momentarily squirm on his seat. All the same, he refused to be treated as a hostile witness at that moment.

"Wait a wee, sir," he pleaded. "I allow he was hit on his left side, and I allow it seems impossible that while he was advancing with men on his right he could have been hit by one of them. But it's not so miraculous as it appears. Suppose something made Brent turn and look behind him. The moment he did that his left side would be exposed to any one on his right, would it not?" Before Rintoul could reply he went on, "Further, sir, mark this: unless Brent merely turned his head for a moment's glance over his shoulder, he would have to *stand still* to turn round and look behind him. Then suppose one of them, for some reason yet unknown to us, wanted to get him, isn't that just the moment he would be watching for—when he was standing still, and when from the very fact that his left side was exposed, a wound there would suggest the shot had come from quite the opposite direction?"

"From some one farther down the slope, you mean, of course?" Rintoul said. "But why should not the shot actually have come from below? If that is a possibility you have no right to exclude it. It's the most natural explanation. Accept it and you needn't go on supposing one thing after another."

"Beyond supposing somebody was down there with a gun in his hands, sir," Cameron said mildly. "And we have no reason to believe there was."

The superintendent waved a hand half impatiently,

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"All right, let's leave that for the present and look at the men with the guns. You rule Joliffe out, I understand?"

"Yes, sir. The direction he took and his distance ahead of the others seem to me to clear him."

"And Toplis?"

"He told me a lie, of course. But I don't think he did more. Toplis and Harwood did not lose sight of each other. As I saw later each set down his gun within fifteen yards of one another."

"Then why the lie?"

Cameron's reply was prompt. He had evidently thought it all out.

"Probably because he thought one of his friends had shot Brent by accident. He may not have seen who did it, though he could have seen Brent fall. Something made him stop, whatever it was. Notice that the other man, Harwood, then got a few yards ahead—just about the distance a slow walk would take him—compared with the dash down Toplis made when he saw Brent fall."

Rintoul studied the plan once more.

"Yes, I see what you mean," he said, looking round. "So you rule them all out except Cresswell."

"Cresswell *could* have done it," the sergeant asserted, his eyes on his own plan. And Rintoul, seeing Cameron eyeing his plan with obvious pride and satisfaction, took the assertion as a challenge to himself. Cameron, he felt, was implying that with the facts now in his knowledge and with that plan of the ground under his eyes, he ought to be able to see for himself just how Cresswell shot Brent.

Rintoul, his elbows on the table, laid his cheek against his uplifted hands and thought hard. His eyes were shut; the sketch plan was by now engraved on his brain.

"When Toplis found Brent," Rintoul said, without

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opening his eyes, "he shouted to Harwood, expecting Harwood to call Cresswell. Did he call?"

"He said he did, but it was Joliffe who answered. You remember he said he heard a far-away sort of calling."

"What did Cresswell say?"

"Said he heard both Toplis and Harwood's shout and came down at once without waiting to throw off either gun or bag."

"Or even shout to Joliffe?"

"Says he was in too great a hurry and didn't think of anything except getting to the spot."

"A shout to Joliffe need not have delayed him," Rintoul mused. "Is it that he was possibly in some other position than that marked on your plan and dare not shout either a response to Harwood or a warning to Joliffe?"

"That's if he did not want them to know where he was," Cameron remarked.

"We're assuming that," Rintoul nodded. "Merely to see where it leads, of course. So, if he remained silent because he did not wish to show his position, he must have been at a considerable distance from where the others supposed him to be. I mean," Rintoul added, "in such a straggling line twenty or thirty yards one way or the other wouldn't matter."

Cameron agreed with alacrity: this point had not occurred to him.

"That's right, sir. See how far Joliffe had diverged. If the man kept quiet through not wanting the others to know where he was, he must have been—well—where they would not expect him to be."

"This is all theory, of course," Rintoul remarked.

"Of course, sir," Cameron agreed, expectantly.

"But it's fact, not theory, that Joliffe last saw Cresswell before he reached the dead poplar tree?"

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"Just before they crossed the burn beside it."

"Yes, as you say, sergeant, just before they crossed the burn." Rintoul appeared to be contemplating the burn as it was imprinted in his memory, for though the plan lay before him he still kept his eyes closed.

"In your plan, sergeant, that burn has one defect. It shows the course it takes down the slope very clearly, but fails to show the depths of its channel."

Cameron's face lit up.

"Ah, sir, you're getting at it, I see," he said, adding with a mocking sort of sigh, "It's been running there a long while, that burn. Say a matter of two thousand years."

"But there's not much water in it now?"

"That's right, sir. It's only the winter floods that could have dug so deep a channel." Cameron nodded approvingly.

Rintoul laid his hand on the sleeve of Sergeant Cameron's tunic.

"Sergeant, was Brent by any chance found lying on his *back* when they reached him?"

Cameron bent forward and hit the table with his clenched fist.

"He was, sir, his head lying the way he'd been going, and with his gun at his feet, too, where it had dropped out of his hands when he turned right round as if to see something he'd heard behind him."

Rintoul looked up.

"I wonder if he saw what it was?"

"Maybe there's somebody else who's wondering that too, at this very moment."

Rintoul rose to take a turn about the room. Then he faced about.

"Mind you, Cameron," he said, "all this does no more

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than prove to us how Cresswell *could* have done the deed. When Joliffe lost sight of him it may have been that he dropped out of sight in the burn, and then stole down hidden by the banks till he got within range of Brent, where the burn takes that curve near the spot at which Brent was shot. Then he had time to creep back a hundred yards or so and come down openly after Toplis and Harwood had reached Brent. It could be done, but to fasten it on to him we shall need something very much stronger than a possibility."

While Rintoul stood, hands behind his back, lost in thought, Sergeant Cameron began to gather up his papers from the table. But when the sergeant picked up his notebook Rintoul came forward and took it from him to study the plan once more.

"To stage a murder as a shooting accident there are only two difficulties to be overcome," he said. "The first is that you must get close enough to your victim and then get away without being seen by others, and the second is the difficulty of shooting him with his own gun. Overcome these and you have the perfect murder."

"The burn and the misty weather gave him the chance to get close up," Cameron agreed.

"But not quite close enough. I must have a look at the place to-morrow. Perhaps the two sweeping curves that burn makes took him longer than he reckoned on, so that when he got there Brent had passed on just a shade too far. And—supposing this is murder, of course—I can't see how he meant to surmount the difficulty about the gun."

Cameron hesitated.

"Surely, sir, that would look the easiest part of it. He'd count on getting hold of Brent's gun while the others were busy with him, and slipping a spent cartridge

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