

Early's Fall
By Jerry Peterson

Chapter 3

AUGUST 16 – TUESDAY NOON
THE KILLING

“How much?” Early asked the girl at The Brass Nickel’s cash register.

She, a gum-chewer brunette, soon to be a freshman at the college, squinted as she glanced up toward the tin ceiling.

Early glanced up too, wondering what might be of interest there. “That where Nels keeps the answers?”

“No, running the numbers. He doesn’t let us use order pads like they do over at The Chef. That’ll be seventy-five cents.”

The sheriff pulled out a handful of change. From it, he pushed a fifty-cent piece onto the counter, then three dimes.

The waitress pointed to another coin. “Give me that one, the quarter. You keep the dimes.”

“Your mother raise you to be bossy? Did it ever occur to you I might want a nickel change?”

“Why?”

“Maybe to leave for a tip if I were in a good mood.”

A silent *Oh* formed on the girl’s lips. She rang up the lunch sale and gave Early his nickel. He placed it on the counter, then slid it to her.

She slid it back.

He slid the coin to her again.

She slid it back, this time giggling.

Early raised an eyebrow as he pushed the coin one more time.

Beefy Nels Arneson, the owner and short-order cook, leaned in. He hitched his grease-stained apron up under his armpits. “If you two can’t decide whose money that is, it’s mine.”

He slapped a hand over the nickel, and two hands slapped down on his.

“All right, all right,” Arneson said, pulling his paw away.

Early took his hand away too, only to see the waitress again push the coin back to him.

This time he picked it up. Early nodded military-smart and turned on his heel. At the screen door, he turned back. “Sue!”

The waitress looked up. Early tossed the coin to her and ran out.

On the street, he shambled back toward Poyntz Avenue and the courthouse. As Early came along the front of the Manhattan Mercury, Chronicle & Commercial Printing Building, a voice from above called down, “Hey, Cactus.”

He glanced up to see Red Vullmer, KMAN Radio’s newsman, playing out a line with a microphone at the end. “How about a little chin time, a little man-on-the-street?”

“What do you want to talk about?” Early asked.

“We’ll find something. I’m desperate to fill air.”

“Heck, then spin another one of those big records you got.”

“No, come on, talk to me.” Vullmer, his face flushed and almost as red as his hair, parked his butt on the window sill. He threw a hand signal to some unseen soul inside the station’s second-floor studio, then gazed down at Early. Vullmer held a microphone. “Ladies and gentlemen in the audience of K-MAN’s Noontime Merry-Go-Round, I have for you live on the street, Sheriff James ‘Cactus’ Early. . . . So, sheriff, what’s going on around the county?”

Early moved to the microphone dangling in front of him. “It’s summer, Red, kinda hot. I could give you a garden report. I got tomatas comin’ on that are the size of—”

“No no no no,” Vullmer said, “my audience is interested in *crime*, and you’re the sheriff.”

Early glanced up at his interviewer. “Crime, huh?”

“Yes.”

“Well, it’s summer. It’s hot, almost so hot a dog won’t drag himself across the street to get to better shade. I’d say a whole lot of nothing.”

“That’s not what I hear from up Randolph way.”

“What, you mean that bank thing?”

“Indeed. . . . Ladies and gentlemen, yesterday afternoon, our super sheriff was up in the Jayhawk Bank when this robber walks in and sticks up the joint. What’d you do, Cactus?”

“Kinda kept my head down. He had a gun, I didn’t.”

“How much he get away with?”

“Nothing but a little change. Banker locked himself in the vault with the real money.”

“So, you catch him?”

“The banker?”

“No, the bandit.”

“Uhm, no, he got away.”

“But you got that souped-up Jeep. He must have had one of those big old Packards to outrun you.”

“He was on horseback.”

“Horseback?” Vullmer roared with laughter, grabbing at the window frame to keep from falling out. After he steadied himself, he made a cut signal to whoever was inside. “Oh Lordy, Cactus, you are an entertainment.”

“Yeah, well, I seem to be, don’t I?”

“We got to do this again,” Vullmer said, snickering and snorting as he reeled his street microphone back up.

“I’m thinking of taking lunch at The Chef so I don’t have to walk by here anymore.”

“Aww, Cactus, you’ll never quit The Nickel. Best food in town and you know it.”

A Jeep rounded the corner from Poytz and barreled in the direction of Early, Hutch Tolliver at the wheel. He skidded the Jeep up to the curb. “Chief, we got us a bad one.”

“A bad one?” Vullmer called out, reversing directions and reeling the street mic back down.

Early ignored it. He jumped in the shotgun seat, and, as he and Tolliver sped away, he turned back. Early grinned at Vullmer and waved his cattleman’s hat.

“What was that all about?” Tolliver asked as he shot the Jeep through the Bluemont intersection and onto U.S. Twenty-Four going north.

Early held tight to his hat. “Ease up, man. We’re in town.”

“Well, people can get out of the way.” At that, Tolliver laid on the horn button and swung around a grocery truck. “Killing up at Leonardville. Judith Smitts. Constable called it in.”

“You call the State Police?”

“Figured I better find you first.” Tolliver slowed for the curve that took Twenty-Four up a hill and out of the Big Blue River Valley.

Early grabbed up the radio microphone. He squeezed the transmit button. “Alice, you there?”

Go ahead, Jim.

“Hutch and I are headed for Leonardville. Call the coroner. Get him moving.”

Done. Doc’s finishing surgery. Be ten minutes behind you.

“State Police?”

I called.

“You tell ’em I want Trooper Dan?”

They can’t raise him.

“Shoot, most of the time Dan’s too far from their transmitter. If we had his frequency, we could raise him.”

Jim, we can buy the crystals for our radios.

“We can?”

It’s right in the Motorola manual. It’s just that state law won’t let us have any other frequency than our own.

“Hell with the law. You call Motorola and tell them I want those crystals, and I want them installed no later than Monday.”

You’re gonna get in trooouble . . .

“Won’t be the fiiiiirst time.”

To say Leonardville wasn’t much of a town would be about on the dime. When horses were the only transport, it thrived. But with the coming of cars and trucks, those who lived there and on the surrounding ranches and farms traveled to Manhattan for most of their needs. Leonardville still had a small grocery, hardware store, clothing store, a gas station, a café, a three-room school, and a dozen or so houses, including one on the edge of town built after the war when lumber and cement again became available for civilian use.

Early pointed off to the side, to the lane that led to that house. It stood on a slight rise and gave the Smittses a view of the surrounding prairie that was ambrosia to Westerners. There parked across the drive, twenty yards short of the house, was a ’Thirty-Two Chevy coupe, its black paint sun bleached. A man sat on the running board, cradling a shotgun.

He rose and came over, moving with a limp, when Tolliver stopped the Jeep. “Hi-dee, Hutch, Jimmy.”

“Hi-dee, Mose,” Early said. Tolliver touched the dip in the brim of his Big-brim Alpine, a modified ten-gallon.

“Yer not going to believe how bad this is.”

The county lawmen stepped out of their vehicle, and the trio moved on toward the house, Early massaging his rump.

“You hurt yerself?” Mose Dickerson asked.

“Hutchy took us through some chuckholes as deep as canyons at a terrible speed. I’m lucky to be alive. . . . So how did you find out about this?”

“You know I run a little mail route.”

“Uh-huh.”

“This is my last stop. I’m puttin’ letters in the box down there by the road, and I hear their dog howling something pitiful. I figured maybe they were away, you know, with school bein’ out, and they hadn’t fed the dog, so I come up here to check on him, and the screen door was open.”

“That would get your attention.”

“Sure got mine.”

The trio stepped up on the porch.

“Well, I knock and I call out,” Dickerson said, pushing on through. “No answer. So just like now, I go on in.”

Early and Tolliver gazed around. Furniture in what would be the front room upset, the glass in a hutch in the corner smashed. They went on into the next room, in the plan of houses recently built, the dining room, the heels of their boots clicking on the oak floor.

Early swore. “You’d think a tornada passed through here.”

In the kitchen, blood well dried on the counter and cabinet doors. More in a side hallway leading to what Early assumed was one or more bedrooms, the door to the first open.

“Oh Jesus . . .”

“You gonna throw up?” Dickerson asked. “I did.”

“No. Four years at war, you’ve seen bodies taken apart in about every way possible.”

The constable pushed his sweat-stained Stetson onto the back of his head. “Damage like this, Jimmy, he had to use an axe.”

“Damn shame,” Early said. He shook his head as he gazed around at the mess of the room, then back at body, grotesque in the way it laid, arms twisted, one almost hacked off. “She didn’t deserve this.”

“No one does.”

“Find the axe?”

“Didn’t look. Went to call you,” Dickerson said.

“Use their phone?”

“Jimmy, I know better than to touch stuff.”

Gravel crunched under tires outside. A car door slammed, that followed by footsteps coming across the porch.

“Cactus?” a voice called out.

“Back in the bedroom, Doc. Watch where you step.”

A moment later, a man who, by his girth gave testimony to eating well, came around the corner from the kitchen. “Who we got, Cactus?”

Early stepped back out in the hallway. “Judith Smitts. She taught with my wife over at the Leonardville school.”

“Know her, did you?”

“Not real well.”

Doc Grafton elbowed by and into the bedroom. He went down on his knee next to the body. “My Lord, and I thought I had blood in the operating room.”

“What’d you have?”

Grafton examined a gashing wound. “Old cowboy from up by Stockdale. Gored by a bull. I tell those guys they ought to whack those horns off their bulls.”

He took a penlight from his pocket and played it over the back of the head. Fragments of bone reflected back the light.

“How you gonna call it, Doc?”

“I’d say death by an unnatural cause. How’s that grab you?” Grafton took a tongue depressor from his shirt pocket. He probed into the head wound. “Damn, it’s deep. Axe, you think?”

“Mose thinks so. I have to agree.”

“Well, it’s certain she couldn’t do this to herself, so if you want, I’ll call it murder. Now you just got to find out the who and the why.” Grafton rolled up on his haunches. “She doesn’t smell too ripe, so can’t have been dead long. You want an autopsy?”

“Not much point. She’s got a little boy about three years old. Do a partial. Find out if she was pregnant.”

“Right. Can I use your radio, have Alice call Brownie and get his hearse out here?”

“Have at it.”

Grafton pushed up. He shook his head as he gazed at the corpse, then left the room.

Early turned to his deputy. “Why don’t you get the fingerprint kit? Dust everything you think might tell us whether anybody untoward has been in the house. Mess like this, could be robbery gone bad.”

Tolliver hop-stepped to catch up with Grafton.

“Mose,” Early said, “let’s you and me poke around outside.”

The two went back to the kitchen, then out the front door rather than touch the handle on the back door. “You see any tire marks out of place?” Early asked.

Dickerson rubbed at the stubble on his cheek. “Like what?”

“Like maybe somebody drove across the yard.”

“Not in front, but I haven’t been around back.”

Grafton, at the Jeep, called to Early. “You want me to fingerprint the body to help Hutch with his work?”

“Do that,” the sheriff said, and he and Dickerson continued around to the side of the house. “The husband is William, is that right? Know where he is?”

“Travels for his work. Something to do with the Union-Pacific. Gone sometimes three, four, five days at a time.”

“Well, we’ll have to make some calls to find him. This is going to destroy the man. . . . I didn’t see signs of the child. Did you?”

“No. Then some days Etta Gibbs takes the boy, you know, to give Missus Smitts a break. You want me to go check?”

“Yes, and if Etta’s got him, see if she’ll keep him until we find the husband.”

“I take it you don’t know him,” Dickerson said.

“Met him only once.”

“Neither are local. Judith was from over Kansas City way. Mission, I think. Bill out by Wakeeney in Trego County.”

Beyond the kitchen, the men found a black mongrel chained to a shelter beneath a hackberry tree, the dog whipping his tail from side to side as they came up. Early stroked the mutt’s head. “Lonely out here, huh? Wish you could tell us what happened.”

“Would be nice,” Dickerson said. “Jimmy, we can’t leave him here alone. Why don’t I take him home? He and my dog are good buddies.”

“Yup, you do that, and you see Etta. I’ll do the walk-around by myself.”

“You don’t mind?”

“No, go ahead.”

Dickerson unsnapped the dog from the chain, then scooped him up and carried him around front to where he had left his car.

Early scratched at his head as he looked around. A garden off to one side – sunflowers taller than a man’s head, in rich bloom, a rank of delphiniums in front of them. A lawn mower stood idle in a patch of grass grown shaggy. A sandbox near the kitchen door, a blue pail and a small shovel in it. Back a ways a building that may have been a ranch shop in a previous life, a rolling door at the end of the front side, a brick chimney poking above the roof, a couple bricks missing from the top. Two windows looked out toward the garden and the lawn mower. A double track, wide enough for the tires of a car, came around the far side of the house, through the backyard and up to the rolling door.

Gotta be checked out.

Early sucked at his teeth as he went over to the building. He rolled open the door. Nothing. No vehicle. Early wasn’t quite sure what the Smittses drove. Might have been a Mercury, maybe. Dickerson would know.

Four bald tires lay in a corner. Above them, on nails, hung a fan belt and several water hoses. Someone had tacked a license plate from a previous year to the wall near an inside door.

The sheriff opened this door. He stepped through and into a workshop, a wood shop from the shavings on the floor and the tools on the wall. *This man’s organized.*

Above a bench that spanned the back wall was a tool storage board where handsaws of different kinds and sizes hung. Someone had painted a red silhouette behind each tool so, just by looking at the shapes, a person knew where to hang what – carpenter’s square, a one-foot level and a three-foot level, hammers, mallets, planes, pry bars, wood clamps, a hatchet, a single-bit axe, and a double-bitted axe, this one gone. Nothing covered its silhouette.

Early let out a long lungful of air, then went to rummaging in tool drawers and cabinets. He even poked through a trash barrel half filled with wood scraps and sawdust, sneezing when the dust rose. If that was where the axe was . . . well, it had to be somewhere else. Early brushed the sawdust from his hands.

He went back outside, closing first the shop door, then the garage door, taking care not to touch the handles. Could it have been thrown out in the grass? He walked the backyard in three-foot sweeps, scanning, scanning. Early stepped across a gopher hole.

Grafton came around the side of the house. “What you looking for, dog piles?”

The sheriff glanced up. “Found a couple. Pretty well dried out. . . . A double-bitted axe is missing from Smitts’s shop.”

“Think that’s the weapon?”

“Could be. Doc, when you get working on that autopsy, buy a double-bitted axe at Water’s Hardware. See if the length of the blade matches the wounds.”

“Charge it to your department?”

“Don’t you always?”

A Highway Patrol black-and-white, a Ford still with its new-car shine, rolled in, around the house and stopped in the backyard. The trooper flicked off his bubble light. He stepped out and reached back inside for his campaign hat.

“Cactus,” Daniel Plemmons said as he planted his hat regulation square on his head, “understand you got a murder.”

Early continued his walk over the grass, his head down. “Yeah. Body’s inside – Judith Smitts. You want to take a look? Hutch is in there.”

“Right.”

“Go in the front door, if you would.”

“Right.”

Plemmons, a shade taller than Early, moved with the ease of an Old West gunfighter as he ambled off. The long-barreled Colt Forty-Four revolver he carried in an open holster low on his hip added to the effect.

Early, intent on his search, stopped at the side of the garden, near a raggy stand of weeds. He moved the toe of his boot through pigweed and lambs quarter until it struck something. Early bent down.

A weed hook, a hand scythe. He picked it up and examined it.

Bits of rust on a blade otherwise sharp enough to cleave a one-by-two.

Bad place to leave this when you got a child around.

Early carried the weed hook with him as he moved out into the garden, to a melon patch rich with vines and leaves the size of serving trays, the melons giving off a musky, ripe aroma. He used the hook to lift leaves back. *Someone can sure can grow these big boys.*

He rapped on one, and a black snake near it slithered away.

The movement startled Early. He jumped back.

“Melons biting?” Plemmons called out as he came back around the house.

Early grabbed at his chest, as if his heart pained him. “Snake, and I didn’t see him.”

“Cool place for him out there under all those leaves, I expect. You wouldn’t be thinking of stealing a melon from the dear deceased?”

“Hardly. I was hoping to find an axe.” Early held up the weed hook. “So far only this. . . . Got any thoughts based on what you saw?”

Plemmons waited on the sheriff high-stepping across the rows of rutabagas and parsnips. “Probably about the same thoughts as you. Helluva lot of damage, in the house and to the woman, someone with a sorry lot of mean in him. You thinking the husband?”

“Most people murdered are killed by family, but Mose says the husband’s off traveling for the U-P.”

“So you think that takes him out?”

“I didn’t say that. Until we find out where he was this morning, he’s in.”

“Still, I can’t see a husband doing all that,” Plemmons said. He grubbed a pouch of Red Man from his pocket and held it open to Early. The sheriff waved it away. Plemmons took a wad and shoved it in his mouth. “You consider that one of the soldiers may have slipped off the reservation? They got some real hell-raisers there.”

“Fort Riley? It’s possible.”

“Well, as many drunks as I’ve had to arrest, driving back to the post from Junction City – some of them real nasty – I got a pipe into the post. You want me to shake the bushes? If one of those mutts did it, he’s gonna brag to his buddies.”

“Mutts? You talk like a drill sergeant.”

“I was.”

A smile spread across Early’s face. He noodled the turf with his boot toe. “Knew there was a reason I didn’t like you.”

“Buck private?”

“Two-striper.”

“Then why’d you ever pick up a badge?”

The sheriff glanced up sideways. “Same reason you did. It pays the bills.”

Plemmons spit a stream of amber juice at a potato vine. The splat sent a potato bug tumbling. “They say the stuff in tobacco makes a terrific insect killer,” he said, and turned again to Early. “Supposing it was just a stranger passing through, some ghoul with an itch to kill. We had one of those down in Lyons County, down by Bushong.”

“Heard about that. Killed three before you got him.”

“Then it was by damn luck.”

“I got my deputies and we got the town constables. Hardly a stranger comes through we don’t hear about. I’ll have Hutch call around.”

“One other possibility you’ve got to check out,” Plemmons said, settling in for a contemplative chew.

“What’s that?”

“She was seeing someone on the sly.” Plemmons handed over an object the size of a dime. “Found it in the toe area, under one of the kitchen cabinets. A uniform button.”

“Army,” Early said as he turned it over.

“Maybe the woman decided not to leave her husband and the whole thing went bad.”