

Chapter I

Arriving at the outskirts of Marblestone, Joe Bain swung into the driveway of the service station operated by his old school chum Walt Hobius. Walt, relaxing in his office with a newspaper, jerked erect, clearly startled at the sight of the black and white patrol car. He put down his newspaper, stepped outside, peered into the car with a quick intent glance which instantly noted all there was to note. "Hey, Joe. I thought Cucchinello had got awful skinny."

"Cooch has had it," said Joe. "Died night before last. I'm acting-sheriff. For a while anyway."

"I'll be damned," said Walt in a soft marveling voice. "Joe Bain, Sheriff. Well, well, well." And he gave his head the slow skeptical shake of one who marvels at the incomprehensible vagaries of fate. "I guess I should say congratulations."

Joe alighted from the car, looking down at the gilt emblem which read, SHERIFF, SAN RODRIGO COUNTY, STATE OF CALIFORNIA. "Thanks. Not that I wanted the job, or anything else, at old Cooch's expense."

"That's the way it goes," said Walt with intense conviction. "One man's gain is another man's loss. You can't get around it, that's the law of life."

"Yeah, maybe so," said Joe. "What's new around town?"

Walt turned Joe his characteristic sharp quick look, as if for every overt act he suspected a deeper more important meaning which in the name of sanity and self-interest must be

elucidated. "Nothing much of interest. Ausley Wyett's back. The girls are wearing iron pants."

"You seen anything of him?"

Walt gave a short resentful nod. "He's got himself an old Jeep station wagon and comes in for gas. That's all I see of him, that's all I want to see of him." Walt's eyes glittered as he warmed to the subject. "He's got real gall coming back here in the first place!"

"I guess he got lonesome for home," said Joe. "Sixteen years is a long time."

"Not long enough! Not for what Ausley did!"

Joe refused to argue Walt's perfervid opinions. "The main thing is, he's out, legal and otherwise, and there's no use raking up old scores."

Walt tilted his head to the side. "I suppose Ausley feels the same way?"

Joe shrugged. "As to that, I can't say."

"Which is maybe why he watered Bus Hacker's gas tank?"

"Eh?" demanded Joe. "What's this?"

Walt pointed to an old brown Plymouth sedan. "There she sits. About a gallon of water in the tank. Now I got to drain it off, blow the line, clean the carburetor." Walt's small tender mouth quivered with rage.

"If you're real busy, I better get along," said Joe. "Now that I think of it, you looked pretty peaceful when I drove in."

Walt gave a sour grunt. "Cranky old barstid, let him wait. He's always wanting something or other."

"There's ingratitude," said Joe ingenuously. "Seems to me you broke into the garage business working on the old No. 2 bus. Bus Hacker has been the making of you!"

Walt once more inspected him sharply, then turned away as

if the conversation no longer were interesting. He grumbled, "I've got better things to do than clean up after Ausley."

"Somebody catch Ausley in the act?"

Walt held out his hands. "Who else would pull a trick like that?"

"Why should Ausley?"

"Revenge." Walt seemed surprised that Joe should ask. "What else?"

Joe looked off up the road. Ausley was acting strangely, no doubt about that. . . Peculiar. Very peculiar.

"A lot of people around here don't feel too Christian about Ausley Wyatt," said Walt. "I'll give you a hint. You'd be doing Ausley a big favor if you got him to sell up and leave."

"You know better than to say a thing like that, Walt," replied Joe in a mild voice. "Ausley is a free man. There's nothing I can do."

"Give him the word! You're sheriff, aren't you?"

"Acting-sheriff."

"Same difference. I'm telling you facts. Ausley just isn't liked around these parts. If he goes mooching around like nothing happened, he might just run into an accident. At least, that's the talk I've heard."

Joe turned back to the patrol car. "You tell these talkers they better keep things on a conversational level; otherwise there'll be big trouble for all concerned."

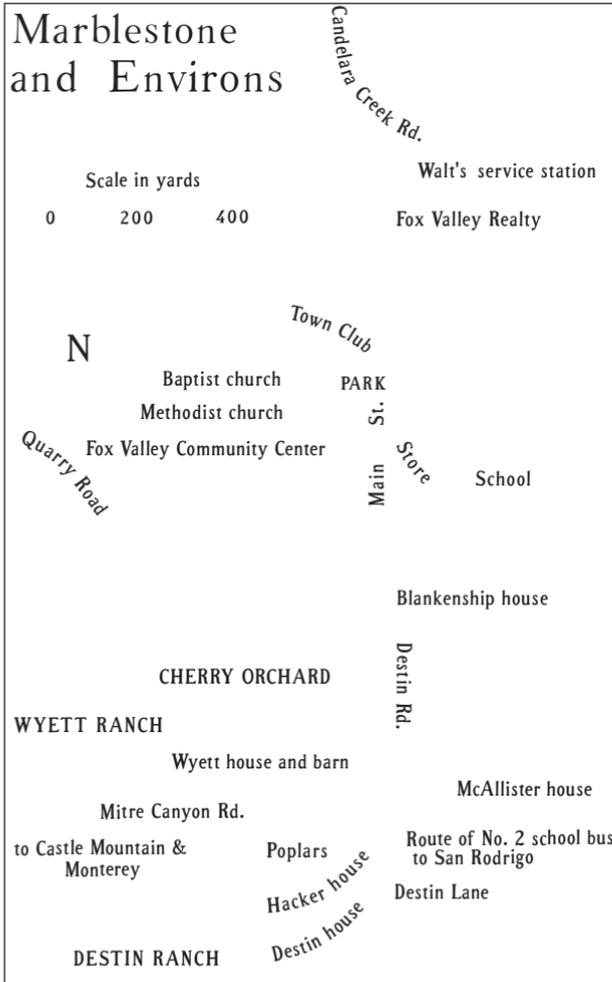
Walt turned away, marched to the lube rack. Joe got into the car. Walt called across the graveled driveway: "You'd be doing him a favor!"

Joe started the motor and continued into town.

Marblestone, to the south of San Rodrigo County, in the shadow of the Coast Range, centered on a eucalyptus-shaded square known as 'the Park', in deference to a half-dozen

benches, a few clumps of oleander, a decaying band-stand. Opposite, across Main Street, was the business district: Olin's Drug Store, the Town Club, the post office, the Ace Barber Shop, the general store. West of the park were Marblestone's two churches: the Methodist, patronized by the gentility of Marblestone; and the Baptist, preferred by the mountain folk. Down School Street was the Fox Valley Elementary School; along Quarry Road, just south of the park, was the Fox Valley Community Center.

Joe Bain parked in front of the general store and sat for a moment. The town was quiet: a warm summer silence disturbed by not even a voice nor the hum of another car. Joe alighted and stood on the cracked concrete sidewalk under the massive old oak tree, which was something of a town landmark. Nothing had changed, not even the blue EDGEWORTH CUT PLUG advertisement nailed to the trunk; the years which had passed were dreams. Joe looked along Main Street which upon leaving town became Destin Road. A quarter-mile south began the white-washed fence enclosing Charley Blankenship's cherry orchard. A line of poplars in the distance indicated the intersection of Destin Road and Mitre Canyon Road, whereupon Destin Road became Destin Lane, terminating at the old Destin mansion. Behind the poplars glinted Bus Hacker's white cottage. In Joe's memory the distances were longer, the air more limpid, the leaves a brighter green, the sunlight a richer gold—but essentially nothing had changed. Sixteen years ago Tissie McAllister, age thirteen and a half, had walked that road, on just such a day as this. She was later than usual, having stayed after school to rehearse a scene from the commencement play; and there were no other children on the road.



On that bright afternoon Tissie McAllister had not a care in the world. She loved her parents and was loved in return. Her hair was a glossy golden brown; she had long-lashed gray-green eyes, a cute pug nose, a mouth that seemed always on the verge of twitching into a grin. She was the prettiest girl in the eighth grade, and daily was becoming more aware of her attractions. Today she wore a pleated green skirt with a white blouse, white shoes and white bobby-socks. On her left wrist swung a charm bracelet, the latest ornament being a miniature hourglass, with real sand, a present from her boy-friend Tommy Hobius. At a party last Saturday Tommy had kissed her five times and somewhat more after the party. Tommy's older brother Walter had tried to kiss her too, but he'd been drinking beer, and Tissie had avoided him, though rather thrilled that she had attracted his attention. Walter's reputation was not good. He was a friend of the even more notorious Joe Bain, the tall hell-raising lad from Castle Mountain, who had run away from home and now lived in San Rodrigo where he consorted with Mexicans and fruit tramps. Tissie secretly admired Joe Bain, who was romantically wild and gallant. She also had a crush on Cole Destin, who was engaged to her sister May. Cole was blond and proud, and drove a blue convertible. He and May went everywhere together, arriving home at all hours, and Tissie sometimes wondered what they had been up to. Tissie felt that her parents were over-tolerant; but then Cole Destin was a great catch for May, as everyone, including Cole Destin, was well aware.

Another week of school—then commencement, and the whole glorious summer ahead. Lazy mornings, swinging in the hammock, swimming in the quarry, long twilights. And

boys. Tommy mostly. He was a sophomore at San Rodrigo High, which Tissie would attend next year, riding the No. 2 school bus, driven by Bus Hacker. She'd have preferred to go by the No. 1, which Tommy and Walt and the Marblestone kids rode, but that was out of the question, since the No. 2 bus passed directly in front of her house.

Tissie passed the cherry orchard, and Mr. Blankenship peered owlishly at her from the verandah of his house. Tissie disliked Mr. Blankenship; he reminded her of a big white worm. She had nonetheless eaten many of his cherries. It was a dangerous sport, as Mr. Blankenship kept handy a shotgun loaded with rock salt and had been known to use it, notably on his nephew Walt, causing an enormous family row.

Beyond the Blankenship orchard was the Wyett property—the pig farm, as it was known locally. Poor silly Ausley. He always had been tall and awkward, with lank brown hair, knobby knees and wrists, a good-natured, if somewhat moony, face. Tissie's sister May couldn't stand the sight of Ausley. One time at a Community Center dance, May had been trapped into dancing with Ausley, who—according to May—had done something unspeakable out on the dance floor. May refused to particularize, and referred to the event only through the medium of grimaces and shivers. Tissie had never quite understood the nature of Ausley's offense. She herself found Ausley rather amusing. Whenever he came upon her in the store he bought her candy or an ice cream bar, which Tissie was forced to accept, rather than seem rude.

The Wyett place was vast, extending a mile up Mitre Canyon Road and far back into the hills. The old marble quarry with the pond where young folk sometimes swam was on the Wyett property.

The Wyett house was fifty yards back from the road: hardly more than a large cabin built of unpainted boards, with a roof of tar-paper. Here Ausley lived with his half-crippled father who occasionally could be glimpsed hobbling between house and barn and pigstyes. Tissie often thought that if she owned the Wyett property she'd burn the house, barn, and styes to the ground, plant trees on the site, and then build a beautiful home up by the quarry. Whoever married Ausley would own lots of land, and perhaps be rich as well, for popular rumor imputed a miser's wealth to Jake Wyett. . . . To be married to Ausley would be utterly weird, thought Tissie. She toyed with the idea, laughing to herself at her own nonsense. If she were Mrs. Ausley Wyett, she wouldn't let Ausley in the house. He'd have to eat outside under the trees, except on his birthday and Christmas and Thanksgiving, when he could come in. Married people usually slept in the same bed, and, Tissie supposed, did that. Sleep in the same bed with Ausley? Tissie gave a little amused shudder. No, thank you. He was nice, though.

As she passed the driveway Ausley looked out the barn, and seeing her, loped down to the road. "Hey, Tissie!"

Tissie paused. She really didn't want to talk to Ausley, but her parents had trained her to be polite. And also, she was a kind-hearted girl who didn't want to hurt anyone's feelings. "Hey, Tissie," panted Ausley. "Six kittens. Mother cat bust loose last week, and now everywhere you look—kittens."

Tissie was stirred. She loved kittens, and was appalled by the probable fate in store for the newcomers. "Are you going to keep them?"

"Nope. I'll drown 'em in the horse-trough. Pa said to give 'em to the pigs."

"Oh, *Ausley!* How terrible!" Tissie's heart contracted. "The

poor little things.”

Ausley grinned. “They’re no good for nothing. Just yell and fight. The old man had to go to the hospital at Pleasant Grove, otherwise they’d be gone already.”

Tissie was far less concerned for Jake Wyatt than for the kittens. “Why don’t you try to find homes for them?”

“You can have ’em. Take the lot.”

Tissie deliberated, the tip of her pink tongue between her teeth. Ausley cocked his head, looked at her with an intent appraisal. Tissie moved a little away.

“Well?” asked Ausley. “You want the little varmints?”

“I don’t know. I couldn’t keep all of them. My mother wouldn’t let me.”

“Why don’t you pick out two or three you like?”

Tissie hesitated. “Where are they?”

“In the barn.”

“Well—I’ll look at them.” She turned in through the gate, walked with prim determined steps toward the barn. The doors were open, sagging on rusted hinges. Tissie heard the sound of an engine; standing in the dark aperture, she turned to see Cole Destin drive by. “Cole!” She called and waved, but Cole apparently did not see her. She looked after him a moment. The school bus from San Rodrigo High was coming up Mitre Canyon Road, still a long way off.

Ausley went into the barn. Tissie followed him in. “Where are they?”

“Over here in the manger, with mama cat.”

Tissie looked down at the kittens, who were nursing, nuzzling, toddling back and forth, eyes still glued shut.

Tissie sighed, bent forward. “Oh . . . They’re so cute.”

Ausley stood behind her. “You want ’em?”

"I'd love them. But they're too young. I couldn't take them now. They'd die. Won't you take care of them, just for a while?" She looked pleadingly up into Ausley's face.

"All right. If I can keep the old man away from them. I guess I can. He won't be back for a few days."

"Thank you, Ausley." Tissie turned to leave the barn.

Medical testimony at the trial was to the effect that Teresa McAllister had been savagely raped, with resulting hemorrhage. The hemorrhage was not the cause of death, though it might well have been. Teresa McAllister had been garroted with a length of baling-wire.

Charles Blankenship testified that he had seen Teresa McAllister walk past his house at approximately four o'clock. She had been alone; she had not returned along the road. Sometime later—twenty minutes? half an hour? he could not be sure—he had heard a scream from the direction of the Wyett barn. At first he had been alarmed, then decided that he had heard one of the Wyett pigs squealing.

During cross-examination the defense attorney asked: "You heard this sound, which you decided was a squeal?"

BLANKENSHIP: A scream, I decided it was.

DEFENSE ATTORNEY: At the time you heard it, you thought it was a scream?

BLANKENSHIP: That is correct.

DEFENSE ATTORNEY: When did you change your mind and decide it was a squeal?

BLANKENSHIP: Right away. That is, I thought that it must be a squeal.

DEFENSE ATTORNEY: Then the cry actually might have been the

squealing of a pig?

BLANKENSHIP: No sir. As I think about it now, no pig ever squealed like that.

Cole Destin testified that he had driven past the Wyett house a few minutes after four and had noticed Ausley Wyett and Teresa McAllister walking toward the barn. She was going of her own volition, without any evidence of duress, otherwise he naturally would have stopped his car and intervened. He was sorry he hadn't done so; he'd regret his negligence till the day he died. The judge ordered the last comment stricken from the record.

Bus Hacker came to the stand and was sworn. He stated his name: Clarence J. Hacker; his residence: a house at the corner of Destin Lane and Mitre Canyon Road, leased from Philip Destin; his occupation: retired.

DISTRICT ATTORNEY (puzzled): Isn't it true that you own a bus, that you are employed by the San Rodrigo High School District to transport students between Marblestone and San Rodrigo?

HACKER (truculently): Half-true. It's just a side-line with me, not an employment.

DISTRICT ATTORNEY: How do you mean 'half-true'?

HACKER: There's two buses for Marblestone. Bill Giacometti drives the No. 1 route, by Magnus Way. I drive the No. 2 route, down Mitre Canyon Road and into San Rodrigo by Bosco Road.

DISTRICT ATTORNEY: I see. Do you recall the afternoon of May 22nd?

HACKER: Very well indeed.

DISTRICT ATTORNEY: You drove your route as usual?

HACKER: I did.

DISTRICT ATTORNEY: Where is the end of your route?

HACKER: The corner of Mitre Canyon Road and Destin Lane.

That's as far as I'm paid to drive, and that's how far I drive.

DISTRICT ATTORNEY: There are students who live farther up Mitre Canyon Road?

HACKER: Three. Two Bazely kids and Henrietta Micklebarth. If there was five, the county would have to furnish transportation.

DISTRICT ATTORNEY: What happened on the afternoon of May 22nd?

HACKER: Well, I drove the route as usual, let off the kids, and backed the bus into my driveway. I was having trouble with the engine—sticky valves; in fact I am getting an overhaul right now. I lifted the hood to check the distributor points, standing where I could look out on the road—

DISTRICT ATTORNEY: Excuse me, Mr. Hacker, to make matters clear, could you see the Wyett house?

HACKER: No. The poplar trees at the corner cut off my view. But I could see the crossroads. Tissie McAllister definitely did not walk past.

DISTRICT ATTORNEY: Did you see anyone at all?

HACKER: Cole Destin drove past in his car.

DISTRICT ATTORNEY: Did he continue south along Destin Lane to his home?

HACKER: No. He turned up Mitre Canyon Road, to the west.

DISTRICT ATTORNEY: He was alone?

HACKER: So far as I could see.

DISTRICT ATTORNEY: I see. Did anyone else pass?

HACKER (hesitating): Not while I was standing there.

DISTRICT ATTORNEY: Specifically, did Teresa McAllister pass across your line of vision?

Here Bus Hacker turned a malevolent glance toward the

somber Ausley Wyett, who leaned forward and back, cracking his knuckles. "She did not walk past. If Charley saw her and —"

The defense attorney sprang to his feet, but the judge's gavel forestalled him. "We don't want any speculations, Mr. Hacker."

Later, in his closing statement, the District Attorney emphasized that

A. Cole Destin had seen Tissie walking toward the barn in the company of Ausley Wyett.

B. Charles Blankenship had seen Tissie walk past and sometime later Cole Destin drive by in his car, and no one else.

C. Clarence Hacker had seen Cole Destin pass, but no one else.

Hence, declared the District Attorney, no person other than the defendant had had opportunity to commit the crime.

After an ineffectual cross-examination of Bus Hacker, the next witness for the prosecution was called: Oliver Viera, a stocky pugnacious young man of twenty, with a swarthy skin and a vigorous growth of sleek oiled hair. He sat stiffly on the witness stand, and answered questions with an air of reluctance.

DISTRICT ATTORNEY: You are—I should say, were—a school-mate of the defendant?

VIERA: Yes sir. We were in the same class.

DISTRICT ATTORNEY: So then you know the defendant well?

VIERA: All my life.

DISTRICT ATTORNEY: He would be likely to consider you an intimate friend?

DEFENSE ATTORNEY: Objection!

DISTRICT ATTORNEY: Let me put it this way. . . Well, on the morn-

ing of May 22nd, did you see Ausley Wyett?

VIERA: Yes.

DISTRICT ATTORNEY: What did he tell you?

VIERA (in embarrassment, not looking toward Ausley Wyett): He told me that it was his birthday, that he was twenty-one years old. I said congratulations. He said he'd decided he'd been missing out on a lot of fun: girls, cars, parties, and he was going to turn over a new leaf, starting today. In fact since his father was away, he was going to give himself a birthday present.

DISTRICT ATTORNEY: Did he say what?

VIERA: No.

DISTRICT ATTORNEY: Now then, Mr. Viera, did you see the defendant later the same day?

VIERA: Yes, I did.

DISTRICT ATTORNEY: Please describe what you saw.

VIERA: Well, I came down Mitre Canyon Road, heading east. It was about sundown, maybe a little after. A car passed me going lickety-split, back toward Castle Mountain. I recognized Ausley's Chevy pickup, and it looked like Ausley driving. I continued the way I was going. At the corner of Destin Lane I saw Mr. McAllister standing in the road beside his car looking up and down. I stopped, and Mr. McAllister asked me if I'd seen Tissie. I said no. He told me that she hadn't come home and the family was getting worried. He told me that she'd been seen talking to Ausley Wyett.

DEFENSE ATTORNEY: I'm finally forced to object, Your Honor, this conversation is all—

JUDGE: Sustained. Mr. McAllister can testify to his own conversation, Mr. Viera. You just report what you told him.

VIERA: Can't I testify to what I heard? I heard Mr. McAllister—

DISTRICT ATTORNEY: Just what you yourself said and did. You see, there might have been a misunderstanding. Mr. McAllister can supply his own testimony.

VIERA (laughs): I told Mr. McAllister that I had seen Ausley Wyatt driving up Mitre Canyon Road, and Mr. McAllister took off up Mitre Canyon Road himself. I was late for night school so I went home. . .

The fifth witness was Willis Neff, a hard-faced man of thirty, stocky, with long arms and burly shoulders which stretched the seams of his blue suit. His hair was thick and yellow, his eyes china-blue. During the whole of his testimony he stared at Ausley Wyatt, who grimaced uneasily, shuffled his feet, and, finally, hunching his shoulders, sat looking down at his hands.

Neff testified to the effect that at approximately seven o'clock on the evening of May 22 he had noticed a gray Chevrolet pickup proceeding west up Mitre Canyon Road. Shortly afterwards, a car driven by Paul McAllister had pulled up. In response to McAllister's question, he stated that he had noticed a gray Chevrolet pickup proceeding west. McAllister explained his interest in the pickup, and Neff, whose oldest daughter Gertrude was a classmate of Tissie's, immediately jumped into the car with McAllister and they continued westward, up into the twilight, the ridges now dark against the sky. Two or three miles farther along they noticed a car approaching, which they stopped. The driver of this car had passed no such gray Chevrolet pickup; McAllister and Neff went back the way they had come. At the bridge across Candelara Creek, a dirt road, hardly more than a set of tracks, led up into the primitive area; examining the road with a flashlight they saw fresh tracks, and parking the car proceeded on foot,

McAllister now frantic with worry.

The creek wandered into a little meadow overgrown with cattails; here the pickup was parked. They stopped to listen and heard noises through the gloom: "puffin' and gruntin'," so Neff described them. Advancing, they came upon Ausley Wyatt digging a hole, with close at hand the body of Tissie McAllister.

McAllister, screaming in agony, ran forward, Ausley Wyatt looked up with a sick grin. He backed around the grave and McAllister in his frenzy fell headlong into the hole. "Just a minute, fellas," said Ausley. "Just a minute. Be reasonable, give me a minute to—"

But Neff was on him. Ausley stumbled and fell and Neff, to use his own words, "kicked hell out of him".

They tied the unconscious Ausley hand and foot, tossed him into the back of his pickup. McAllister carried the body of his daughter back to his car. They drove to Marblestone, where they telephoned Sheriff Ernest Cucchinello.

Sheriff Cucchinello was called to the witness stand. He testified that he had searched the Wyatt barn and there had found torn underpants (subsequently identified as those worn by Tissie), as well as a number of rags soaked with blood.

The prosecution rested and the defense attorney, rather despondently, so it seemed, presented the case of Ausley Wyatt, which consisted almost entirely of Ausley Wyatt's protestations of innocence.

"What did you mean when you told Oliver Viera that you were going to give yourself a birthday present?"

"I just went into Fritz's and got me a big steak and a box of candy, then I went into the Town Club and bought a pint of whiskey. That's all I meant."

Fritz Hunsacker, proprietor of the Marblestone General

Store, and Shorty Olson, bartender at the Town Club, verified the purchases.

Ausley fervently denied lascivious intent when he took Tissie McAllister to the barn. "All I wanted was to show her these kittens; otherwise they was about to be drowned."

"And what happened after Tissie looked at the kittens?"

"I told her I had some candy in the house, would she like some? She said no and went out, and I went off up the hill for the cows. That's the last I saw of her until I went back into the barn to bring milk to the mama cat and found her lying there."

"And when was this?"

"Just before sundown."

"About two hours after you had last seen her?"

"Close to that."

"Now, another question. Did you see anyone as you departed the barn?"

"I didn't look real close. But I kinda noticed somebody walking, coming down from Hacker's corner toward town. Beyond this I can't say. I've tried to figure out who it was, but it was just a glimpse. Somebody. I can't be sure."

"Did you see a car along the road?"

"Not after Cole Destin went by. But I couldn't see much of the road. The house and tank-house cut off the view."

"Whereupon you became frightened and panicky?"

"I sure did; I lost my head and did the foolishhest thing I could have done."

During cross-examination the District Attorney said, "You've heard the testimony of the witnesses for the prosecution. If you are as innocent as you claim, who ravished and murdered Teresa McAllister?"

"I can't figure it," said Ausley, frowning and shaking his

head. "Unless someone was on the road. One thing for sure, somebody isn't letting on all they know. When I get out of this mess, I'm gonna find out a few things."

The jury, ten men and two women, was out three hours, the only point at issue being the state of Ausley's sanity. One of the women said, "It's well known that Ausley Wyett is crazy and has always been crazy. My nephew knows a boy who went to school with him, and the things he's heard about Ausley Wyett!"

One of the men grunted. "Crazy. Maybe so. But a mad dog is crazy and you shoot a mad dog. A man like that isn't any more use than a mad dog."

The other woman said, "I certainly believe society must protect itself, but insanity is a sickness, and you don't kill people just because they're sick. We're not barbarians yet."

The verdict was "Guilty", with the foreman of the jury reading a statement. "We feel that there is an element of doubt as to the sanity of Ausley Wyett, and therefore recommend that he should not be sentenced to death."

The judge took cognizance of the recommendation and sentenced Ausley Wyett to life imprisonment. Ausley grimaced sadly and was conducted away to jail.

Joe Bain, with troubles of his own, had been only remotely aware of the circumstances of the trial. Immediately upon graduation from high school he had married Lucy Martinez, the daughter of a packing-shed worker, already several months pregnant. Lucy, who was vivacious and nervously active but far from tractable, refused to live at the remote Bain ranch. Joe moved to Verdalia, and for two years worked in lettuce fields and packing sheds. One evening he took Lucy to a dance at

the IOOF Hall in Verdalia, with music by Lefty Harkins and his Oklahoma Ranch Boys. Lucy was entranced by the glamour of the evening, to such an extent that two days later she eloped with Gil Sears, the long-legged guitarist of the band. Joe came home from work to find his nineteen-month-old daughter Miranda standing in the play-pen, diapers dripping, milk-bottle empty, quietly philosophic about the whole sad situation.

Joe took Miranda to his mother and joined the army. He saw action in Korea, transferred to the Military Police and wound up as sergeant.

After his discharge he used his GI benefits to attend the Chapman Institute of Criminology in North Hollywood. Then, visiting his mother and Miranda in Pleasant Grove, where they had moved upon the death of Joe's father, he spoke with Sheriff Cucchinello and accepted a job as deputy-sheriff, which job he had held until Sheriff Cucchinello's death.

About a week before Sheriff Cucchinello fell into the swimming pool, Joe came into his office to protest regarding Mrs. Rostvolt, the matron and office manager. In Joe's opinion Mrs. Rostvolt's tendency to throw her weight around had passed the tolerance level and he wanted a line laid down. Sheriff Cucchinello made soothing noises, puffed out his cheeks, became interested in the morning mail. Joe turned to leave. If by some chance he and Mrs. Rostvolt got into a big dust-up, old Cooch could never say he hadn't been warned. . . . Sheriff Cucchinello looked up from an official form letter. "You're a Marblestone man, Joe. Remember Ausley Wyett?"

Joe nodded. "Ausley's a hard man to forget."

Sheriff Cucchinello frowned at the letter. "Sixteen years

he's been in. Damn lucky he didn't get the chair. The jury thought he was crazy."

"He never did have good sense. I wouldn't say he was crazy. I never thought he was vicious either."

Sheriff Cucchinello leaned back in his big black leather chair. "He's going back to Marblestone to live. To me that sounds like lunacy."

"One thing for sure," said Joe, "they won't meet him with any brass bands."

A week later Sheriff Ernest Cucchinello attended a Saturday night smoker and through circumstances never quite clarified fell into a swimming pool. After being hauled out he drank whiskey to ward off the chill, but the ministrations were futile. Sheriff Cucchinello contracted pneumonia and four days later was dead.

The County Board of Supervisors met at Pleasant Grove, and without any particular ceremony appointed Sergeant Joe Bain Acting-Sheriff for the duration of Ernest Cucchinello's term—something under three months.

Joe at this time was thirty-six years old, just under six feet tall, lean, leathery, durable. His hair was straight, thick and black; he had narrow eyes and a broken nose which gave him an expression of saturnine craft. He assured the supervisors that the department would function with undiminished efficiency, returned to headquarters, changed from his uniform into street clothes, moved into the office where for twenty years Ernest Cucchinello had lounged, napped, smoked cigars, drunk whiskey, watched ball games on TV, entertained his cronies and occasionally signed his name to the documents placed before him by Mrs. Rostvolt, clerk, matron, office manager and power behind the throne.

As Joe started to clean out Ernest Cucchinello's desk, Mrs.

Rostvolt appeared in the doorway. She was a blank-faced woman of forty, plump and well-corseted, with a careful coiffure of tight auburn curls, a mouth like a cocktail cherry. Here it came, thought Joe — the first test of mettle. Mrs. Rostvolt said brightly, "I suppose you still want to take your regular patrol?"

"Heavens no," said Joe. "You know better than that, Mrs. Rostvolt."

Mrs. Rostvolt pursed her lips. "We're going to be awfully tight. I've got the schedule all worked out, and I can easily look after the office. I don't imagine the board wants to hire another man just for two or three months." Mrs. Rostvolt here referred to the coming election, and to the general conviction that Lee Gervase, a vigorous and progressive young lawyer, formerly of San Francisco, would sweep unopposed into office.

"There's nothing sacred about the schedule," said Joe. "Bring it in here and I'll change it around."

"It just makes work and confusion," declared Mrs. Rostvolt. "It seems to me that just for the two months —"

"We'll do it my way," said Joe. It was important to take a firm line with Mrs. Rostvolt, who had had matters pretty much her own way during Ernest Cucchinello's regime.

Mrs. Rostvolt sniffed. "I'll have to rearrange everything. I suppose I can take Bill Phipps off mornings, but on Tuesday mornings there won't be anyone in at all, because Wardell is off and the relief man is off too."

"I'll fix up a new schedule," said Joe. "For now, just let the old one ride. I want to get this office cleaned out first thing, so I can have a place to sit down."

Mrs. Rostvolt's mouth took on a sour droop. "After the election it'll have to be done all over again anyway. Seems like you'd just want to let things be." She marched back across the

hall into the front office. Mrs. Rostvolt was really put out, thought Joe. Well, she'd have to get used to change, because if Lee Gervase were elected, and there was nothing in his way, changes would come in all directions. Lee Gervase, an ambitious man, would wield a new broom. It was not at all certain that Joe's own job was safe. He leaned back in Cucchinello's leather chair. Sheriff's salary was twelve thousand a year, which he'd be drawing from now till election. What he could do with twelve thousand a year steady! . . . A startling new idea entered Joe's mind. He reflected for ten minutes, alternately excited and dubious. Finally he jumped to his feet, left the office, walked around to the county clerk's office on the mezzanine of the courthouse.

Henry Rose, the county clerk, was a wizened little man with a furious puff of yellow-white hair. Joe put his question; Henry Rose responded incisively. "It will cost you two percent of twelve thousand. That's the filing fee: two hundred and forty dollars."

"I get it back if I win the election?"

"No-sir-ee. That's money spent. You just kiss that money goodby."

Joe made an impulsive decision. "I'm game." He started to write a check, but Henry Rose stopped him and fumbling in a cabinet brought forth a printed form. "Fill out the blanks. Have at least twenty-five but not more than thirty people sign in these spaces. They're your sponsors."

"Right." Joe folded the form, tucked it into his pocket, while Henry Rose inspected him with candid curiosity. "You figure you can beat out Lee Gervase?"

"I won't know unless I try."

"He's a good candidate. He'll draw votes. I don't think old

Cooch could have beaten him. Not this time.”

“Maybe not.” Joe was momentarily depressed. Lee Gervase would be a strong opponent. He was articulate, forceful, handsome, dedicated to progress. Two hundred and forty dollars might well be money pushed down a rat-hole. Still, nothing ventured, nothing gained.

Joe took the filing application and returned to headquarters, where he resumed his job with new thoughtfulness. Out went Cucchinello’s massive leather-padded chair, printed with his weight, stained with the juices of his body, breathing the odor of his cigars; in came a swivel-chair. Out went the massive walnut desk with its assorted implements, calendars, mottoes, tokens, trinkets, and ornaments; in came a simple gray metal desk. Out went Cucchinello’s prized photographs: Sheriff Cucchinello embracing the Lettuce Queen, Sheriff Cucchinello riding a white horse in a July 4th parade, Sheriff Cucchinello and a prize fish on the wharf at Monterey, Sheriff Cucchinello at banquet after banquet. All these and other trophies, souvenirs and keepsakes Joe Bain sent out to Cucchinello’s widow.

The office looked bare. Joe Bain had nothing to put in the place of twenty years’ accumulation except his diploma from the Chapman Institute of Criminology. He unrolled it, pinned it to the wall, but it looked ridiculous. He took it down and brought in a large-scale map of the county from the hall. This looked better—in fact, looked very well indeed.

He fell to examining the map. San Rodrigo County was rectangular, with the long axis tilted from southwest to northeast. The watershed of the Coast Range delineated the western boundary, which at one point approached to within twenty miles of the Pacific. To the northeast were sloughs

and tule swamps, to the southeast, dry hills rolled off down the great central valley. The nearest city of any size was San Jose to the north, with San Francisco another fifty miles beyond. Pleasant Grove, the county seat, had a population of 13,000 and was second in size to Aurora with 15,000; San Rodrigo was third, with 8,000. Tourists occasionally visited mouldering old Mission San Rodrigo de Luz, attended Aurora's Lettuce Festival, stopped at Hicks' Hot Springs Resort, fished for catfish in Genesee Slough, but the great north and south arteries between San Francisco and Los Angeles, Highways 99 and 101, passed to either side. Joe located Castle Mountain at the southwest of the county. He ran his finger up Mitre Canyon Road, traced the little track which led twenty devious miles over the mountain to Fell Valley. Halfway along this track, in the very shadow of Castle Mountain, Joe Bain had been born and spent his childhood . . .

Deputy Frank Hubbard stuck his head through the door. "Hey, Joe, one of the prisoners wants to talk to you: old Scanlon."

Joe went down the concrete block passage to the cell block. He looked in at Scanlon, a short fat gray-haired man of fifty-five, serving ten months on a bad check conviction.

"What's the trouble, Scanlon?"

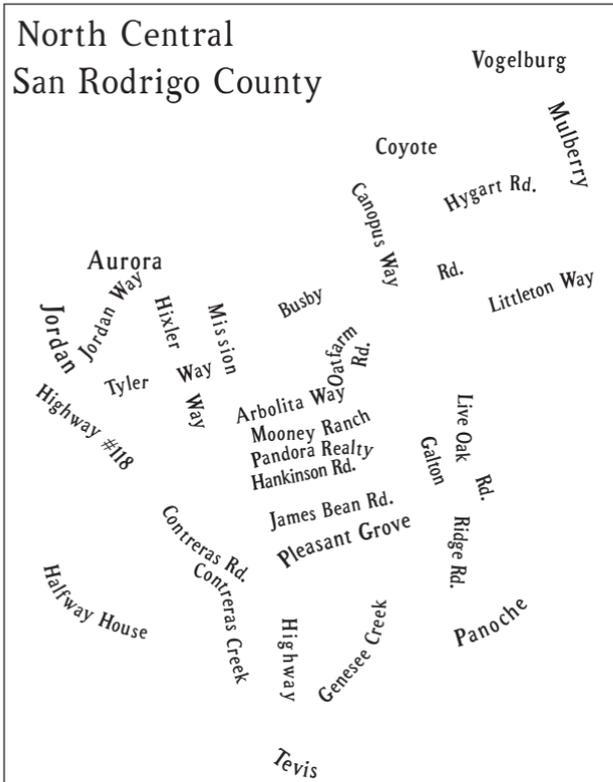
"I hear you're running things now."

"That's right."

Scanlon held up the lunch tray provided by the Bluebird Café at a cost of seventy-five cents. "Look at this slop, Sheriff. Smell that meat."

Joe Bain inspected the unsavory mess. "Looks like dog-vomit."

Scanlon held the tray even closer. "Well, then, I ask you



now, do you consider that fit to eat?"

"I don't know. I never ate much dog-vomit."

"Even a prisoner has rights," declared Scanlon. "I kicked to Cooch and he told me I wasn't here on a rest cure. Well, I don't expect no big steak for lunch, but I ain't done nothing to deserve starving to death."

"I can't be worrying about special diets for all you chow-hounds," said Joe Bain. "I'll send in Mrs. Rostvolt; you can

talk it over with her.”

“Forget it,” said Scanlon. “I’ll starve in peace and quiet.”

Joe returned to his office. He stood a moment thinking, then crossed the hall to the outer office. He might as well perform the dirty work as he came to it.

Behind the front counter sat Mrs. Rostvolt. Eighteen years ago she had come to the office: a soft-spoken young woman with an ample bosom and an arch trick of widening her eyes when spoken to. Time had not treated her kindly. The voluptuous curves had become ordinary fat; instead of coyly widening her eyes to get her way, she now popped them in a furious glare. Joe said politely, “Mrs. Rostvolt, the first change I want made is the Bluebird Café. I wouldn’t feed a hyena the slop those belly-robbers have been sending in.”

Mrs. Rostvolt looked out the window. “Food prices are way up. For seventy-five cents they can’t put out a very good meal.”

“Why don’t they just send over their merchant’s lunch? That’s only seventy-five cents.”

“I’m sure I don’t know.”

“Well, after this, order the meals from Rupe’s.”

Mrs. Rostvolt wordlessly reached for the telephone. Joe returned to his office. Mrs. Rostvolt’s cut was probably five bucks a week, thought Joe. Even the prisoners knew it. Mrs. Renee Adams owned the Bluebird; Rupert and Mary Rampold ran Rupe’s. He’d lose Mrs. Adams’ vote for sure, so he’d better make certain that Rupert and Mary knew how the land lay.

He left the office, crossed Montalvo Square, went into Rupe’s Café, seated himself in a booth. Rupe himself came from the kitchen. “Congratulations, Joe, on the new job. Hope it works out for you.”

"News sure travels fast," said Joe. "I only got the word myself two hours ago. By the way, did Mrs. Rostvolt call you yet?"

"No," Rupe said cautiously. "What's the problem?"

"I'm making a change in catering. The Bluebird's been getting real sloppy. I want you and Mary to take over."

"Well, well," said Rupe, even more cautiously. "That sure is nice. Naturally we'll do our best to give satisfaction."

"It's simple. Fifty cents for breakfast, seventy-five cents for lunch, seventy-five cents for dinner. I want you to make your profit and put everything else into the grub. Understand? No little presents, no favors. Just fair value for a fair price."

"That's what I like to hear, Sheriff. I'm sure we can do you a good job."

"Fine. If anybody hits you up, let me know. I'm running for office in November and I want to start off right."

"I'll sure spread the word, Joe."

When Joe returned to his office he found Charley Blankenship waiting to see him.