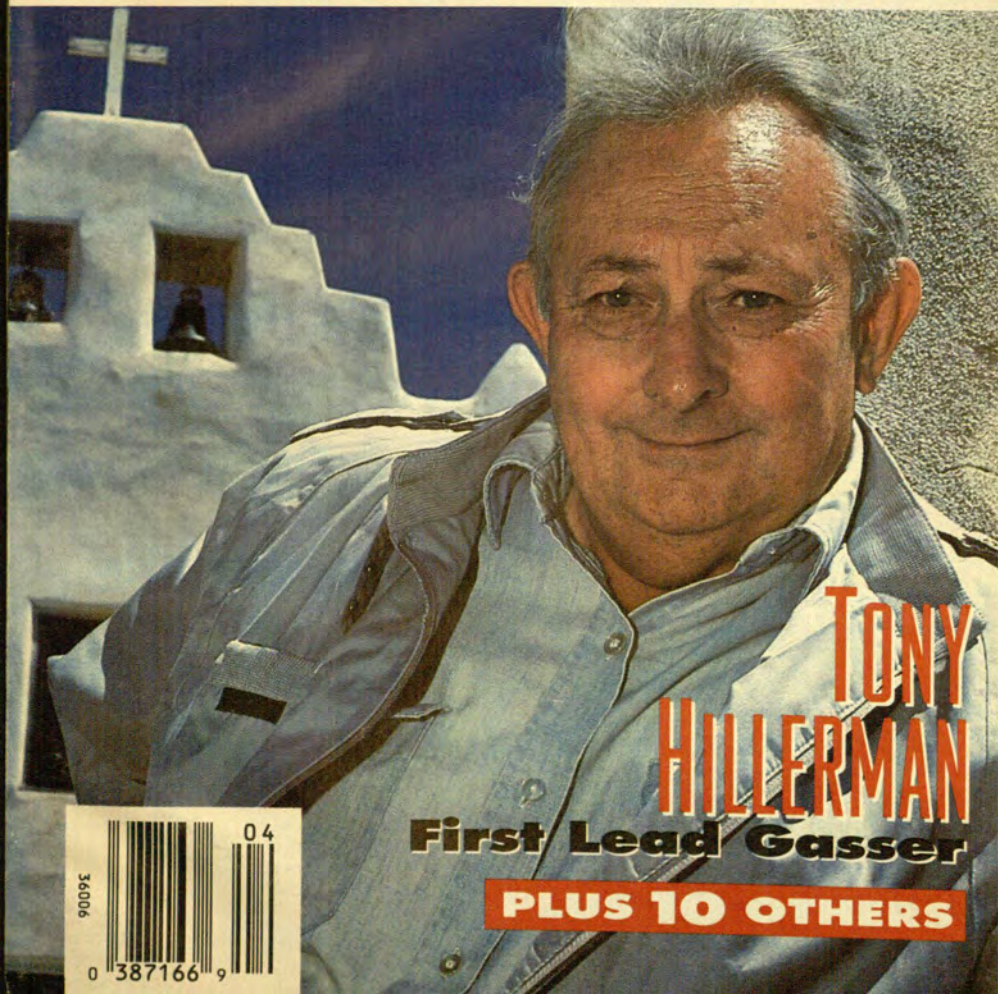


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ELLERY QUEEN[®]

THE WORLD'S LEADING
MYSTERY MAGAZINE



**TONY
HILLERMAN**

First Lead Gasser

PLUS 10 OTHERS

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ELLERY QUEEN

THE WORLD'S LEADING
MYSTERY MAGAZINE

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On our cover is
TONY HILLERMAN
(see page 135)

Cover Photograph by Barney Hillerman

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Note: indicia on page 156

a **NEW** short story by

TONY HILLERMAN

*In 1965 Truman Capote broke new ground with the publication of *In Cold Blood*, a book he described as a nonfiction novel—a “novel” because he allowed himself some of the fiction writer’s license in getting inside the mind of his subject, and in sometimes giving an account of things a reporter could not possibly know; “nonfiction” because it was based on real events and aimed to bring these events to the reader in a spirit faithful to the facts. Tony Hillerman has done essentially the same thing here with this profoundly moving nonfiction short story, at the conclusion of which he offers some comments of his own . . .*

FIRST LEAD GASSER

by **TONY HILLERMAN**

John Hardin walked into the bureau, glanced at the wall clock (which told him it was 12:22 A.M.), laid his overcoat over a chair, flicked the switch on the teletype to “ON,” tapped on the button marked “BELL,” and then punched on the keys with a stiff forefinger . . .

ALBUQUERQUE . . .

YOU TURNED ON? . . .

SANTA FE

He leaned heavily on the casing of the machine, waiting, feeling the coolness under his palms, noticing the glass panel was dusty and hearing the words again and that high, soft voice. Then the teletype bumped tentatively and said:

SANTA FE . . .

AYE AYE GO WITH IT . . .

ALBUQUERQUE

© 1993 by Tony Hillerman.

And John Hardin punched:

A L B U Q U E R Q U E . . . WILL FILE LEAD SUBBING OUT
GASSER ITEM IN MINUTE. PLEASE SEND SCHEDULE FOR
300 WORDS TO DENVER . . . S A N T A F E . . .

The teletype was silent as Hardin removed the cover from the typewriter (dropping it to the floor). Then the teletype carriage bumped twice and said:

S A N T A F E . . . NO RUSH DENVER UNTHINKS GASSER
WORTH FILING ON NATIONAL TRUNK DIXIE TORNADOES
JAMMING WIRE AND HAVE DANDY HOTEL FIRE AT
CHICAGO FOLKS OUTJUMPING WINDOWS ETC HOWEVER
STATE OVERNIGHT FILE LUKS LIKE HOTBED OF
TRANQUILITY CAN USE LOTS OF GORY DETAILS THERE. . . .
A L B U Q U E R Q U E

Their footsteps had echoed down the long concrete tube, passed the dark barred mouths of cell blocks, and Thompson had said, "Is it always this goddam quiet?" and the warden said, "The cons are always quiet on one of these nights."

Hardin sighed and said something under his breath and punched . . .

A L B U Q U E R Q U E . . . REMIND DENVER NITESIDE THAT
DENVER DAYSIDE HAS REQUEST FOR 300 WORDS TO BE
FILED FOR OHIO PM POINTS . . . S F

He turned his back on the machine, put a carbon book in the typewriter, hit the carriage return twice, and stared at the clock, which now reported the time to be 12:26. While he stared, the second hand made the laborious climb toward 12 and something clicked and the clock said it was 12:27.

Hardin started typing, rapidly . . .

First Lead Gasser

Santa Fe, N.M., March 28—(UPI)—George Tobias Small, 38, slayer of a young Ohio couple who sought to befriend him, died a minute after midnight today in the gas chamber at the New Mexico State Penitentiary.

He examined the paragraph, pulled the paper from the typewriter and dropped it. It slid from the top of the desk and planed to the floor,

spilling its carbon insert. On a fresh carbon book Hardin typed . . .

First Lead Gasser

Santa Fe, N.M., March 28—(UPI)—George Tobias Small, 38, who clubbed to death two young Ohio newlyweds last July 4, paid for his crime with his life early today in the New Mexico State Penitentiary gas chamber.

The hulking killer smiled nervously at execution witnesses as three guards pushed three unmarked buttons, one of which dropped cyanide pills into a container of acid under the chair in which he was strapped.

Hulking? Maybe tall, stooped killer; maybe gangling. Not really nervously. Better timidly; smiled timidly. But actually it was an embarrassed smile. Shy. Stepping from the elevator into that too-bright basement room, Small had blinked against the glare and squinted at them lined by the railing—the press corp and the official creeps in the role of “official witnesses.” He looked surprised and then embarrassed and looked away, then down at his feet, and the warden had one hand on his arm. The two of them walking fast toward the front of the chamber, hurrying, while a guard held the steel door open. Above their heads cell block eight was utterly silent.

Hardin hit the carriage return.

The end came quickly for Small. He appeared to hold his breath for a moment and then breathed deeply of the deadly fumes. His head fell forward and his body slumped in death.

The room had been hot. Stuffy. Smelling of cleaning fluid. But under his hand, the steel railing was cold. “Looks like a big incinerator,” Thompson said. “Or like one of those old wood stoves with the chimney out the top.” And the man from the *Albuquerque Journal* said, “The cons call it the space capsule. Wonder why they put windows in it. There’s not much to see.” And Thompson said, with a sort of laugh, that it was the world’s longest view. Then it was quiet. Father McKibbon had looked at them a long time when they came in, unsmiling, studying them. Then he had stood stiffly by the open hatch, looking at the floor.

Small, who said he had come to New Mexico from Colorado in search of work, was sentenced to death last November after a district court jury at Raton found him guilty of murder in

the deaths of Mr. and Mrs. Robert M. Martin of Cleveland. The couple had been married only two days earlier and was en route to California on a honeymoon trip.

You could see Father McKibbon saying something to Small—talking rapidly—and Small nodded and then nodded again, and then the warden said something and Small looked up and licked his lips. Then he stepped through the hatch. He tripped on the sill, but McKibbon caught his arm and helped him sit in the little chair, and Small looked up at the priest. And smiled. How would you describe it? Shy, maybe, or grateful. Or maybe sick. Then the guard was reaching in, doing something out of sight. Buckling the straps probably, buckling leather around a warm ankle and a warm forearm which had MOTHER tattooed on it, inside a heart.

Small has served two previous prison terms. He had compiled a police record beginning with a Utah car theft when he was fifteen. Arresting officers testified that he confessed killing the two with a jack handle after Martin resisted Small's attempt at robbery. They said Small admitted flagging down the couple's car after raising the hood on his old-model truck to give the impression he was having trouble.

Should it be flagging down or just flagging? The wall clock inhaled electricity above Hardin's head with a brief buzzing sigh and said 12:32. How long had Small been dead now? Thirty minutes, probably, if cyanide worked as fast as they said. And how long had it been since yesterday, when he had stood outside Small's cell in death row? It was late afternoon, then. You could see the sunlight far down the corridor, slanting in and striped by the bars. Small had said, "How much time have I got left?" and Thompson looked at his watch and said, "Four-fifteen from midnight leaves seven hours and forty-five minutes," and Small's bony hands clenched and unclenched on the bars. Then he said, "Seven hours and forty-five minutes now," and Thompson said, "Well, my watch might be off a little."

Behind Hardin the teletype said ding, ding, ding dingding.

S A N T A F E . . . DENVER NOW SEZ WILL CALL IN 300 FOR OHIO PM WIRE SHORTLY. HOW BOUT LEADING SAD SLAYER

SAMMY SMALL TODAY GRIMLY GULPED GAS. OR SOME SUCH???? . . . A L B U Q U E R Q U E

The teletype lapsed into expectant silence, its electric motor purring. Outside a car drove by with a rush of sound.

Hardin typed:

Small refuted the confession at his trial. He claimed that after Martin stopped to assist him the two men argued and that Martin struck him. He said he then "blacked out" and could remember nothing more of the incident. Small was arrested when two state policemen who happened by stopped to investigate the parked vehicles.

"The warden told me you was the two that work for the outfits that put things in the papers all over and I thought maybe you could put something in about finding . . . about maybe . . . something about needing to know where my mother is. You know, so they can get the word to her." He walked back to his bunk, back into the darkness, and sat down and then got up again and walked back to the barred door, three steps. "It's about getting buried. I need someplace for that." And Thompson said, "What's her name?" and Small looked down at the floor. "That's part of the trouble. You see, this man she was living with when we were there in Salt Lake, well, she and him . . ."

Arresting officers and other witnesses testified there was nothing mechanically wrong with Small's truck, that there was no mark on Small to indicate he had been struck by Martin, and that Martin had been slain by repeated blows on the back of his head.

Small was standing by the bars now, gripping them so that the stub showed where the end of his ring finger had been cut off. Flexing his hands, talking fast. "The warden, well, he told me they'd send me wherever I said after it's over, back home, he said. They'd pay for it. But I won't know where to tell them unless somebody can find Mama. There was a place we stayed for a long time before we went to San Diego, and I went to school there some but I don't remember the name of it, and then we moved someplace up the coast where they grow figs and like that, and then I think it was Oregon

next, and then I believe it was we moved on out to Salt Lake." Small stopped talking then, and let his hands rest while he looked at them, at Thompson and him, and said, "But I bet Mama would remember where I'm supposed to go."

Mrs. Martin's body was found in a field about forty yards from the highway. Officers said the pretty bride had apparently attempted to flee, had tripped and injured an ankle, and had then been beaten to death by Small.

Subject: George Tobias Small, alias Toby Small, alias G. T. Small. White male, about 38 (birth date, place unknown); weight, 188, height, 6'4"; eyes, brown; complexion, ruddy; distinguishing characteristics: noticeable stoop, carries right shoulder higher than left. Last two joints missing from left ring finger, deep scar on left upper lip, tattoo of heart with word MOTHER on inner right forearm.

Charge—Violation Section 12-2 (3) Criminal Code.

Disposition—Guilty of Murder, Colfax County District Court.

Sentence—Death.

Previous Record: July 28, 1941, sentenced Utah State Reformatory, car theft. April 7, 1943, returned Utah State Reformatory, B&E and parole violation. February 14, 1945, B&E, Resisting Arrest. Classified juvenile incorrigible. August 3, 1949, armed robbery, 5-7 years at . . .

Small had been in trouble with the law since boyhood, starting his career with a car theft at twelve, and then violating reformatory parole with a burglary. Before his twenty-first birthday he was serving the first of three prison terms.

Small had rested his hands on the brace between the bars but they wouldn't rest. The fingers twisted tirelessly among themselves. Blind snakes, even the stub of the missing finger moving restlessly. "Rock fell on it when I was little. Think it was that. The warden said he sent the word around about Mama but I guess nobody found her yet. Put it down that she might be living in Los Angeles. That man with us there in Salt Lake, he wanted to go out to the coast and maybe that's where they went."

It was then Thompson stopped him. "Wait a minute," Thompson said. "Where was she from, your mother? Why not . . ."

"I don't remember that," Small said. He was looking down at the floor.

And Thompson asked, "Didn't she tell you?" and Small said, still not looking at us, "Sure, but I was little."

"You don't remember the town, or anything? How little were you?" And Small sort of laughed and said, "Just exactly twelve," and laughed again, and said, "That's why I thought maybe I could come home, it was my birthday. We was living in a house trailer then, and Mama's man had been drinking. Her too. When he did that, he'd whip me and run me off. So I'd been staying with a boy I knew there at school, in the garage, but his folks said I couldn't stay anymore and it was my birthday, so I thought I'd go by, maybe it would be all right."

Small had taken his hands off the bars then. He walked back to the bunk and sat down. And when he started talking again it was almost too low to hear it all.

"They was gone. The trailer was gone. The man at the office said they'd just took off in the night. Owed him rent, I guess," Small said. He was quiet again.

Thompson said, "Well," and then he cleared his throat, said, "Leave you a note or anything?"

And Small said, "No, sir. No note."

"That's when you stole the car, I guess," Thompson said. "The car theft you went to the reformatory for."

"Yes, sir," Small said. "I thought I'd go to California and find her. I thought she was going to Los Angeles, but I never knowed no place to write. You could write all the letters you wanted there at the reformatory, but I never knowed the place to send it to."

Thompson said, "Oh," and Small got up and came up to the bars and grabbed them.

"How much time have I got now?"

Small stepped through the oval hatch in the front of the gas chamber at two minutes before midnight and the steel door was sealed behind him to prevent seepage of the deadly gas. The prison doctor said the first whiff of the cyanide fumes would render a human unconscious almost instantly.

"We believe Mr. Small's death will be almost painless," he said.

"The warden said they can keep my body a couple days but then they'll just have to go on ahead and bury me here at the pen unless

somebody claims it. They don't have no place cold to keep it from spoiling on 'em. Anyway, I think a man oughta be put down around his kin if he has any. That's the way I feel about it."

And Thompson started to say something and cleared his throat and said, "How does it feel to, I mean, about tonight?" and Small's hands tightened on the bars. "Oh, I won't say I'm not scared. I never said that but they say it don't hurt but I been hurt before, cut and all, and I never been scared of that so much."

Small's words stopped coming and then they came loud, and the guard reading at the door in the corridor looked around and then back at his book. "It's the not knowing," he said, and his hands disappeared from the bars and he walked back to the dark end of the cell and sat on the bunk and got up again and walked and said, "Oh God, it's not knowing."

Small cooperated with his executioners. While the eight witnesses required by law watched, the slayer appeared to be helping a guard attach the straps which held his legs in place in the gas chamber. He leaned back while his forearms were strapped to the chair.

The clock clicked and sighed and the minute hand pointed at the eight partly hidden behind a tear-shaped dribble of paint on the glass, and the teletype, stirred by this, said ding, ding, ding.

S A N T A F E . . . DENVER WILL INCALL GASSER AFTER
SPORTS ROUNDUP NOW MOVING. YOU BOUT GOT SMALL
WRAPPED UP? . . . A L B U Q U E R Q U E

Hardin pulled the carbon book from the typewriter and marked out "down" after the verb "flagging." He penciled a line through "give the impression he was" and wrote in "simulate." He clipped the copy to the holder above the teletype keyboard, folding it to prevent obscuring the glass panel, and switched the key from "KEYBOARD" to "TAPE" and began punching. The thin yellow strip, lacy with perforations, looped downward toward the floor and built rapidly there into a loopy pile.

He had seen Small wiping the back of his hand across his face. When he came back to the bars he had looked away.

"The padre's been talking to me about it every morning," Small had said. "That's Father McKibbon. He told me a lot I never knew

before, mostly about Jesus, and I'd heard about that of course. It was back when I was in that place at Logan, that chaplain there, he talked about Jesus some, and I remembered some of it. But that one there at Logan, he talked mostly about sin and about hell and things like that and this McKibbon, the padre here, well, he talked different." And Small's hands had been busy on the bars again and then Small had looked directly at him, directly into his face, and then at Thompson. He remembered the tense heavy face, sweaty, and the words and the voice too soft and high for the size of the man.

"I wanted to ask you to do what you could about finding my mama. I looked for her all the time. When they'd turn me loose, I'd hunt for her. But maybe you could find her. With the newspapers and all. And I want to hear what you think about it all," Small said. "About what happens to me after they take me out of that gas chamber. I wanted to see what you say about that." And then Small said into the long silence: "Well, whatever it's going to be, it won't be any worse than it's been." And he paused again, and looked back into the cell as if he expected to see someone there, and then back at us.

"But when I walk around in here and my foot hits the floor I feel it, you know, and I think that's Toby Small I'm feeling there with his foot on the cement. It's Me. And I guess that don't sound like much, but after tonight I guess there won't be that for one thing. And I hope there's somebody there waiting for me. I hope there's not just me." And he sat down on the bunk.

"I was wondering what you thought about this Jesus and what McKibbon has been telling me." He had his head between his hands now, looking at the floor, and it made his voice muffled. "You reckon he was lying about it? I don't see any cause for it, but how can a man know all that and be sure about it?"

The clatter of the transmission box joined the chatter of the perforator. Hardin marked his place in the copy and leaned over to fish a cigarette out of his overcoat. He lit it, took it out of his mouth, and turned back to the keyboard. Above him, above the duet chatter of tape and keyboard, he heard the clock strike again, and click, and when he looked up it was 12:46.

McKibbon had his hand on Small's elbow, crushing the pressed prison jacket, talking to him, his face fierce and intent. And Small was listening, intent. Then he nodded and nodded again and when he stepped through the hatch he bumped his head on the steel hard

enough so you could hear it back at the railing, and then Hardin could see his face through the round glass and it looked numb and pained.

McKibbon had stepped back, and while the guard was working with the straps, he began reading from a book. Loud, wanting Small to hear. Maybe wanting all of them to hear.

"Have mercy on me, O Lord; for unto Thee have I cried all the day, for Thou, O Lord, art sweet and mild: and plenteous in mercy unto all that call upon Thee. Incline thine ear, O Lord, and hear me: for I am needy and poor. Preserve my soul, for I am holy: O my God, save Thy servant that trusteth in Thee."

The pile of tape on the floor diminished and the final single loop climbed toward the stop bar and the machine was silent. Hardin looked through the dusty glass, reading the last paragraph for errors.

There was his face, there through the round window, and his brown eyes unnaturally wide, looking at something or looking for something. And then the pump made a sucking noise and the warden came over and said, "Well, I guess we can all go home now."

He switched the machine back from "TAPE" to "KEYBOARD" and punched . . .

SMALL'S BODY WILL BE HELD UNTIL THURSDAY, THE WARDEN SAID, IN THE EVENT THE SLAYER'S MOTHER CAN BE LOCATED TO CLAIM IT. IF NOT, IT WILL BE BURIED IN THE PRISON LOT. . . .

He switched off the machine. And in the room the only sound was the clock, which was buzzing again, and saying it was 12:49.



AUTHOR'S NOTE: Whatever the merits of "First Lead Gasser" as a short story, it is important to me. The incident it concerns happened (with "only the names changed to protect the innocent") and it caused me to think seriously for the first time about writing fiction. The Thompson of the short story was the late John Curtis

of the Associated Press. I was Hardin, then New Mexico manager of the now defunct United Press. Toby Small, under another name but guilty of the same crime, did in fact inhale cyanide fumes at midnight in the basement gas chamber of the New Mexico State Prison. Thus "First Lead Gasser" is more or less autobiographical. That alone is scant reason to present it to a magazine whose readers have come to expect mystery short stories.

What makes it important to me, and perhaps of some interest to you, are two facts. First, my inability to deal with the "truth" of the Toby Small tragedy in the three hundred words allotted me by journalism stuck in my mind. How could one report the true meaning of that execution while sticking to objective facts? I played with it, and a sort of nonfiction short story evolved. Second, Toby Small's hands on the bars, Toby Small's shy smile through the gas chamber window, and the story Toby Small told Curtis and me became part of those memories a reporter can't shake.

Those of you who have read *People of Darkness* met Toby Small under the name of Colton Wolf, reincarnated as he might have evolved if fate had allowed him to live a few murders longer. The plot required a professional hit man. Since it seems incredible to me that anyone would kill for hire, I was finding it hard to conceive the character. Then the old memory of Small's yearning for his mother came to my rescue. I think I did a better job of communicating the tragedy of Small in the book than in the short story. A quarter century of additional practice should teach one something. But I'm still not skilled enough to do justice to that sad afternoon listening to a damaged man wondering what he would find when he came out of the gas chamber.

