

THE STANDING ALIBI OF H. STANLEIGH STORME

(By Wm Hamilton Osborne)

He assumed. "He begged me to attend the dinner—stated that he would make a full breast of the matter, and that he would leave town and never bother anybody again. Begged me, whom he had befriended—befriended, gentlemen—not to give him up. That all he wanted was twelve hours to arrange matters in—gave me his word that all was not as bad as it looked.

"When H. Stanleigh Storme talks, gentlemen, there is no answer. I went reluctantly, but I went, nevertheless. I would have hesitated to give him up. I hoped there would be some way out of it.

"Gentlemen, you know what happened. I was the man who sat in the poker game on the night of the Morand robbery, and the man who was guest of honor at the Derdington dinner on the night when the First National was robbed.

"The man that sits there, gentlemen," he continued dramatically, "the man H. Stanleigh Storme, was the man who committed each crime and all the others that have been so much deplored, and who upon each occasion, without my knowledge, was able to prove an alibi.

"I have come here," added the witness, "to make what reparation I can for my innocent share in those two crimes by revealing to you the exact state of affairs as it exists. That is my story, gentlemen," he concluded, pointing to the prisoner, "and that is also his."

"The prisoner sat spellbound, looking at the witness with a fascinated gaze in which desperation, wonder and admiration struggled for supremacy.

CHAPTER XVII The Biggest Surprise of All. The witness waited for the cross-examination. But there was none. He then stood up and addressed the judge.

"Your honor has my address," he said quietly, "and I can be found there at any time if I am wanted. Is there any reason why I should not now go?"

The judge looked at both lawyers, then shook his head. "You may go," he said.

The witness stepped down from the stand, and the crowd slowly way for him as he walked slowly down the center aisle. He had almost reached the door when the prisoner roused himself.

"For heaven's sake!" he exclaimed wildly, "you are not going to let that man go! Your honor, I will be heard—I must be heard," he cried insistently. "I am not—"

"Silence!" roared the judge again. "Sir, if you interrupt the course of this proceeding in this manner again," he continued severely, "I'll have you bound and gagged. You have counsel. You will have an opportunity to be heard when your time comes. But you must not interrupt the court."

The man who had passed down the center aisle smiled slightly to himself, and then stepped out through the doors. The prisoner took his seat with a resigned air.

"Let it be upon your own head then, your honor," he said quietly, "it matters but little to me."

"Proceed," went on the judge, ignoring him.

"That's our case," said the district attorney with a note of triumph in his voice. "We rest."

"Proceed with the defense," exclaimed the judge.

Now the counsel for the prisoner had been doing some tall thinking during the testimony of the last witness, and in spite of the startling nature of the evidence he was pretty well prepared.

He knew one thing—than the resemblance between the two men, having deceived many people before, would constitute a strong argument with the jury in the defendant's favor. For it was just as likely that the witness Warburton had robbed the bank as it was that the prisoner himself had done so.

He touched the prisoner on the arm. "You take the stand," he said. The prisoner looked at him, but did not move.

"You heard your counsel," said the judge with some severity. "Take the witness stand."

The man obeyed and was hastily sworn. "Mr. Storme," said the judge, "can you tell the jury—"

"Wait a minute," said the witness, standing before the witness stand, "my name is not Storme—my name is not Storme."

"What!" exclaimed the judge, "prepared for this."

"What!" repeated the judge, "do you mean to say, sir, that the name Storme is an alias?"

The judge, from his manner, was unquestionably convinced of the man's guilt.

"I mean," replied the man in a loud, firm voice, looking the judge squarely in the face, "that my name is not Storme—that I am not H. Stanleigh Storme—that I am not the prisoner."

"What's that? What's that?" cried the prosecutor. "Not the prisoner? What in God's name do you mean, sir?"

"I mean," replied the other, "just what I say. H. Stanleigh Storme, the prisoner, is the man who has just left the witness stand, and who has left the court. I tried to tell you time and time again that the man who took the stand was the prisoner himself, but you wouldn't listen to me."

"He was the prisoner, the criminal, the bank robber himself, and you never knew it. He knew that I was coming here to take the stand against him—though I had told no one but him—and he took the stand in my place and told my story—the story that I meant to tell—that I would have told. He knew it just as well as I did, and he could tell it better."

"I don't believe it!" exclaimed the prosecutor. "Your honor, it is a mere ruse—"

The other man again interrupted. "You haven't even the commonest observation," he said to the prosecutor. "You know the voice of H. Stanleigh Storme. Is it like mine? You are familiar with his face. Look at mine. The one thing that Storme did not tell you was that the very points of difference between us were in the voice and in the color of the skin. His face is florid, more or less, mine is always pale—"

"By George," exclaimed the sheriff in an audible voice to the crowd about him, "that accounts for it."

The judge adjusted his spectacles and looked long and earnestly at the man. Then he leaned back with an air of conviction.

"This man is not the prisoner," he said finally; "he is not H. Stanleigh Storme."

The prosecutor thought for a moment. Then he spoke.

"Why, then, did you not take the stand when I called your name?" he asked severely.

"You did not call my name," returned the other.

"I did," retorted the prosecutor. "I did call your name—the name of Wesley Warburton."

The man smiled and shook his head. "My name is Henry F. Townsend," he responded quietly.

And they never did. For H. Stanleigh Storme was only half right in his last statement to the court.

The judge had his address all right. In that he was correct. But he was laboring under some grievous misapprehension when he told the judge that he could be found there any time, if wanted.

For they tried it many, many times, and with great persistence—later. And they found he'd proved an alibi.

"Now who was stringing us, Durke?" said O'Connell after it was all over. "Was it the devil or H. Stanleigh Storme?"

"Well," responded Durke, scratching his head, "it's about the same either way. There's no difference, so far as I can see, between the two."

And O'Connell was in much the same frame of mind.

CHAPTER XVIII Storme Proves Another Alibi.

The facts set forth in the foregoing narrative were all within the personal knowledge of the writer; for what happened later he is dependent wholly on evidence at second hand but which nevertheless is in all respects reliable.

The writer sat within the courtroom at each trial, and in the report for a local sheet such of the facts as were afterwards made public but immediately after the second trial associated himself with a leading paper in an Eastern city.

It was with feelings of considerable pleasure that he found himself congratulated on the street not long since by a bearded denizen of the old place.

From this man he was able to glean such further facts relative to H. Stanleigh Storme as were of interest to him.

"Well, sir," said the visitor, "I'm glad to see you. I haven't seen you for a couple of years at the outside—"

"He was in the fact since I saw you at the Storme trial. Do you remember it? You were on the Blade about that time."

"The Star," corrected I. "Did they ever hear of Storme?" I asked.

"Hear of him?" replied the old man. "Why, ain't you heard? Didn't you know about it?"

"Tell me," I requested.

"Why, no," responded he, "they never got him out there; but somebody did on here East. Why, man alive, he's been sent up—he's jailed though on another charge, and," he added, "under another name."

"Another name?" I said. "What name?"

The old man slowly smiled. "It's a name that's well known by this time, I guess, pretty much all over. Did you ever hear of Stephen Duckworth?"

"What!" I exclaimed. "Stephen Duckworth! The man that tried to float that million dollar bond scheme—the forger. Why, he's in state's prison in this state; been there a month, at least."

"Exactly," returned my old friend, "that's where he is, and that man," he continued, "is H. Stanleigh Storme. I thought you knew it all the time. They've got him under lock and key this time for fair. He won't get out too soon."

"Do you remember that Dumont robbery—the thing Storme turned before he went for the First National? Well, sir, Townsend married that girl—the Dumont girl. I believe she's known Storme, or something of that kind, and I suppose Townsend met her in some way after the trial, but, any way, she married him, and they're both all right."

"It was a funny thing, though. They say she saw the burglar in her house that night and recognized him; and it must seem queer to her when she looks at Townsend, for if ever a man looked like Storme, he's the man, though he's changed his looks some now, too."

"That Dumont girl is rich, too; rich as mud, they say. So Townsend, what with the railroad and other things, is pretty well fixed, and happy, too, I guess; as happy as they make 'em. Well, sir," concluded the old man, reaching for a bunch of toothpicks, "I'm due uptown about this time and I guess I'll be moving."

"I'll go with you," I responded.

As we passed a newspaper bulletin on the way up the street, we saw a crowd around it.

"Well, by George," exclaimed my companion, "will wonders never cease? Look at that. That's about the man we were talkin' of just now."

I looked. Upon the bulletin, in fresh black paint, appeared the following words:

Duckworth's Desperate Escape  
Stephen Duckworth, the Notorious  
Bond Forger, Breaks His Prison  
Bonds  
Cannot Be Found. Possess Scouring  
The Country In Search.

The old man squeezed my arm. "What do you think of that?" he asked. "You take my word for it, they'll never get him—no, sir, they can't do it. I'm bettin' on any man the first letter of whose last name begins with H. Stanley Storme. If he's out, he's out for good."

And he was. Officially, Stephen Duckworth was supposed to be confined in cell No. 143. Actually, he was far away.

They find his bars sawed, the cage broken, and the bird flown.

Officially, the record in the warden's office set forth that Stephen Duckworth, the famous forger, bank robber, and swindler, was safe within the clutches of the law. But it was not true.

As he had often done before, H. Stanleigh Storme had once more proved an alibi.

"Some fellow ought to write a book about him," exclaimed the old man again as we started on once more.

I assented.

"I will," I said.

And, accordingly, I have.

The End.

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