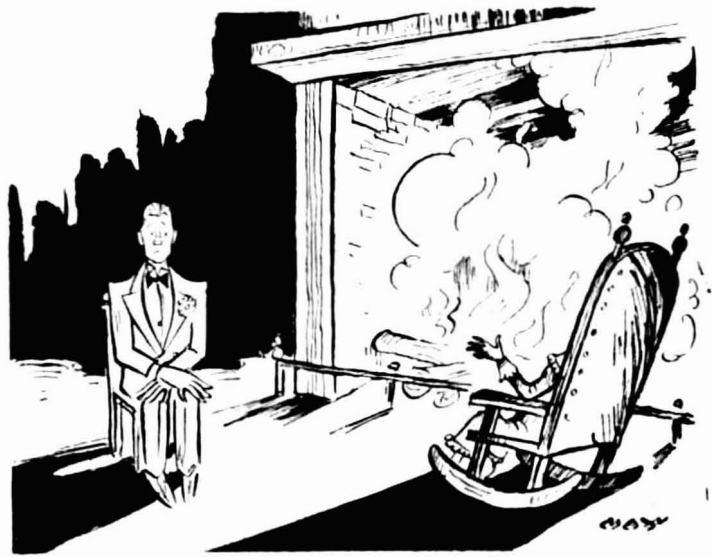


## TWELVE O'CLOCK

By FREDERICK WIEHL



*In our series of short stories of the world, we now publish an American one. It deals with a topic that is a standard theme of American literature and movies—the world, or rather the underworld, of the gangster, which is vividly and humorously depicted by the author.*

*Frederick Wiehl is known to our readers by previous contributions on American topics.—K.M.*

“IS there anything else for today, Miss Holman?”

“Yes, Mr. Sessel of the *New York Enquirer* is waiting in the reception room.”

“Tell him to come in . . . Hello, Andy. What’s on your mind, you look worried.”

“Duke Nelson’s in trouble.”

“What’s the matter with your pal ‘Baby Face’?”

“Didn’t you read the papers?”

“I don’t read newspapers.”

“He wants you right away.”

“I’m not handling any more of ‘Baby Face’s’ cases.”

“But the newspapers say you’re handling the case.”

“Never mind the newspapers, I’m not working for the newspapers.”

“Well, all the same, the Duke wants you down in The Tombs right away. He says he wants your health to stay in good shape.”

“What else?”

“He says that if you’ll rush down he can guarantee that you won’t have any trouble.”

“Did you see him, Andy?”

“Yes, I just came from him in The Tombs. He told me the whole story.”

“What’s it all about?”

“It’s the old trouble over Brooklyn.”

“With Abe?”

“Yes, Abe, Brown, and Sam. They’re dead.”

“Listen, Andy, you better give me the low-down. What happened?”

“Well, yesterday at about 10 p.m. a party of residents of Brooklyn started across Manhattan Bridge to make a call on Duke Nelson. In their car was Abe the Ox, who was mad as hell because the Duke was muscling in again on his territory in Brooklyn. With him was Big Bill Brown and Slippery Sam. They don’t want the Duke to sell any more liquor in Brooklyn. Slippery Sam, you know, is supposed to be a wonderful

hand with a burlap bag when anybody wishes to put somebody in the bag. In fact, Slippery Sam had a burlap bag with him that night because the automobile party was figuring to put Duke Nelson in the bag when they called on him."

"And so?"

"Well, they had Duke Nelson pretty well timed. They knew that on that particular evening, along toward 10 p.m., the Duke was scheduled to stroll along East 57th Street on his way to a certain spot on East 53rd Street called the Stork Club, where he likes to show off his shape in a tuxedo to the swell dolls.

"As the automobile carrying the residents of Brooklyn rolled past Duke Nelson, Abe and Big Bill shot off a round from a couple of sawed-off shot-guns, while Slippery Sam held the burlap bag, figuring that Nelson would hop into the bag like a rabbit. But Nelson was no sucker, and when the first blast of slugs from the sawed-offs breezed past him without hitting him, he hopped over a brick wall alongside him and dropped into a yard on the other side.

"So Abe, Big Bill Brown, and Slippery Sam got out of their car and ran close to the wall because they figured that, if Duke Nelson started popping at them from behind this wall, they would be taking plenty the worst of it. They felt sure that Nelson would not be strolling about without being fortified somewhat. But Nelson was by no means fortified, because a gun would be apt to create a bump in his shape when he wore his tuxedo.

"Now the brick wall which Duke Nelson hopped over was a wall around a pretty fair-sized yard behind an old two-family house well known to all as a house of great mystery and pointed out as such by the drivers of sight-seeing busses. You know, the one that belongs to an old maid by the name of Miss Sophie Stetson, who has so much money that it is really painful to think of the amount. It was once rumored that Miss Sophie Stetson had all the money in the

world except for maybe such an amount as may be necessary for general circulation. This fortune was left to her by her papa, old Colonel Stephen Stetson, who accumulated it in the early days of New York by cornering real estate very cheap before people realized that corner real estate would be quite valuable later for selling hot dogs and for fruit-juice stands.

"Colonel Stephen Stetson was a most eccentric old bloke and was very strict with his daughter. He would never let her marry. Finally she got so old she didn't see any use in getting married, or anything else, and became very eccentric herself. She lives in that house all alone except for a couple of old servants and it's very seldom that anybody sees her around, and many strange stories are told of her.

"No sooner was Duke Nelson in the yard than he began looking for a way to get out. One way he did not wish to get out was over the wall again because he figured that Abe the Ox and his sawed-offs were bound to be waiting for him in 57th Street. So Nelson looked around to see if there was some way out of the yard in another direction. It appeared that there was no such way, and pretty soon Nelson spotted the snozzle of a sawed-off poking its beak over the wall with Abe's ugly features behind it. There was Duke Nelson all cornered up in the yard and not feeling so good at that. So Nelson jumped over to the side of the house to try the door and the door opened at once. He hastened in to find himself in the living room of the house.

"According to what Duke Nelson tells me, it was a very large living room with very nice furniture standing around and about, and statuary here and there. On the walls were oil paintings, family portraits, set in heavy gold frames. On one side was a huge open fire-place big enough for a cow to walk in and warm up her milk. On the opposite side was a big old grandfather clock as high as the ceiling with an inlaid design of mother-of-pearl pieces which looked al-

most as well preserved as the teeth of Mahatma Gandhi. It was such a nice comfortable-looking room that Nelson was greatly surprised and pleased, as he was expecting to find a regular mystery-house room with cobwebs here and there, and everything all rotted up, and maybe a ghost wandering about making strange noises to frighten away unwelcome vermin and other visitors.

"Sitting in this room, unnoticed, was none other than Miss Sophie Stetson, all dressed in soft white. She was comfortable in a low rocking-chair facing the open fireplace where a bright fire was burning, and she was engaged in a continuous chatter, answering in her own way the spattering noises coming from the crackling of the wood fire.

"Naturally Duke Nelson was somewhat startled by this scene. All of a sudden she looked up at him, turning her head and showing a gentle smile. She spoke to him in a soft quiet voice saying: 'Good evening.' Nelson couldn't think of any reply to make. Certainly it was not a good evening for him. He stood there somewhat dazed. She smiled again and told him to sit down.

"So Nelson sat in a chair in front of the fireplace. She didn't seem at all alarmed, or even much surprised, at seeing Duke Nelson in her home. He was not such a bad-looking guy as would be apt to scare an old doll, or young dolls either, especially when he was all slicked up in his tuxedo. He was very courteous to her because, after all, he was a guest in her home and he didn't want her to scream for the coppers.

"'You are young,' the old lady said to Duke Nelson looking him straight in the face like a young maiden who falls in love at first sight. 'It has been many years since a young man came through yonder door,' she continued. 'Ah, yes,' she sighed, 'so many, many years.' And with that she let out a big sigh and looked very sad and Nelson's heart seemed to have been touched. 'Forty-five years ago now,' she continued in a low voice as if she were talking to herself,

'a young man, so young, so handsome, and so good.'

"Although Duke Nelson was in no mood to listen to reminiscences at that moment, the next thing he realized was that he was hearing a very pathetic love story. From what Duke Nelson told me, it appears that Miss Sophie Stetson was once all hot and bothered over a certain young man about forty-five years ago who was nothing but a clerk in her papa's office. There was nothing wrong with that young man that a million dollars couldn't fix, but her papa wouldn't listen to her marrying such a poor man and so they never let him know how much they loved each other.

"But, it further appears, her ever-loving young man had plenty of oomph, and every night he came to see her after her papa had gone to bed. She used to let him in through the same side door through which Duke Nelson came in. They used to sit by the fireplace and hold hands for long hours and talk in low tones and plan what they would do when the certain young man would make the necessary pile of scratch.

"One night, papa Stetson had a stomach-ache, or some such, and couldn't sleep a wink. So, unexpectedly, he came wandering downstairs looking for the stomach bitters and caught Sophie and her ever-loving young man in a clutch. This scene was so repulsive to papa Stetson that he was speechless for a moment. Then he ordered the young man out of his life and told him to never again darken his door, especially not the side door. At this time there was a great storm raging outside, and Sophie begged and pleaded with her papa to let the young man remain at least until the storm subsided. But, being all sored up at the clutching scene and his gripping stomach-ache, papa Stetson was very hard-hearted indeed and made the young man take to the wind.

"The next morning the poor young man was found at the side door, frozen as stiff as a board. The storm which was raging happened to be the great

blizzard of 1888, the most famous event in the history of New York outside of last year's victory of the New York Yankees over the Boston Red Socks. According to Miss Sophie Stetson, the young man must have returned to the side door seeking shelter after wandering about in the storm for a while, but when he returned her papa had the doors already bolted up and nobody heard the young man.

"'And,' continued Miss Sophie Stetson, 'I never spoke to my papa again as long as he lived. No other man ever came in or out of yonder door, or any other door of this house, until your appearance tonight. This side door was never again locked in case such a young man came seeking shelter,' continued Miss Stetson.

"Then she looked at Duke Nelson in such a way that he wondered if Miss Stetson had heard the sawed-offs popping when Abe the Ox and Big Bill Brown were tossing their slugs at him. But he was too polite to ask.

"All these old-time memories seemed to make her feel very sad and she began to weep. Now, if there is anything which Nelson can't stand that thing is a weeping doll. So he tried to cheer her up by saying: "Why, I am greatly surprised to hear your statement about the doors around here being so little used. If I knew there was a house in this neighborhood with unlocked doors, I would have been in there a long time ago. By the way, do you happen to have a drink in the joint?"

"With this, Miss Stetson dried her eyes and smiled again and pulled on a sort of rope near her. And who came in but a butler who seemed about ninety years old. He was so surprised to see Duke Nelson there that he was practically tottering when he left the room after hearing Miss Stetson tell him to bring in some wine and sandwiches. Finally Duke figured that there was no chance of Abe the Ox and his sawed-offs being outside waiting for him, so he guessed he would be going. Miss Stetson personally saw him to the door, and this time it was the front door.

"Just as he figured, there was no one in sight when he got to the street, so he continued on over to the Stork Club. There he learned that many citizens were greatly disturbed by his absence and were wondering if he was in Slippery Sam's burlap bag, for by this time it was pretty well known to all along Broadway that Abe the Ox and his fellow citizens from Brooklyn were in town and around and about. Somebody told Duke Nelson that Abe was, at that moment over in Happy John's Chop House in East 61st Street buying drinks for one and all and telling how he made Nelson hop a brick wall.

"While Abe the Ox was still buying these drinks and still speaking of making Nelson a brick-wall hopper, all of a sudden the door of Happy John's Chop House opened and in came a guy with a Betsy in his hand and this guy threw four slugs into Abe before anybody could say hello. Then the guy threw one slug into Big Bill Brown and one slug into Slippery Sam who were still with Abe.

"So the next thing anybody knew, there was Abe as dead as a doornail, and there was Big Bill Brown even deader than Abe, and there was Slippery Sam deader than both of them. And nobody could remember who the guy was who did the plugging or what he looked like except a couple of stool pigeons who stated that he looked very much like Duke Nelson.

"So what happened but early this morning Johnny Harrigan, the plain-clothes copper, put his hand down on the arm of Duke Nelson for the plugging of Abe the Ox, Big Bill Brown, and Slippery Sam.

"Well, that's the story, and I don't mind telling you it's the first time I ever saw Duke Nelson worry about a first-degree murder charge."

Sessel paused. Then he added:

"What's your professional opinion, how does it look?"

"I don't know yet, Andy. What do the bookies say?"

"At Uptown Joe's betting office they are taking odds of 2 to 1 that Duke Nelson will burn in the electric chair. That's a bad sign!"

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By the time Nelson's trial came up, you could get 3 to 1 at Uptown Joe's that he would be convicted.

And later, when the trial was in progress and the prosecution got through with its part of the case and proved by the stool pigeons that at exactly twelve o'clock on the night of January 5 Duke Nelson stepped into Happy John's Chop House and plugged Abe the Ox, Big Bill Brown, and Slippery Sam, the price went up to 5 to 1. Several other witnesses who claimed they knew Duke Nelson by sight testified that they saw him in the neighborhood of Happy John's Chop House around twelve o'clock.

So by the time my turn came to put on the defense, and I had subpoenaed everybody whom I thought might make some kind of an alibi witness, many people were saying that if I could do no more than beat the chair for Duke Nelson I would be doing a wonderful job.

It was late in the afternoon when, after a number of recesses, I was forced to drag myself onto my feet and defend another hopeless case. It was raining outside and my spirit was like the weather. Nelson was acting as if the trial was his funeral celebration.

Without wasting too much time on an opening statement to the jury, who refused to look at me except to throw an occasional side glance, I turned to the Court Attendant and said:

"Call Miss Sophie Stetson to the stand."

At first nobody quite realized just who I was calling as the first witness, although the name sounded familiar to one and all present. Then in came a little old lady in a black silk dress that almost reached the floor, and a black bonnet which made a sort of frame for her white hair and face.

She came into the courtroom surrounded by so many old men that you would think it was a recess at the Old Men's Home, except that these men were all dressed up in coat tails and high collars. I concluded that they were the Stetson Estate lawyers and that they all represented her in one way or another, and that they were all present to see to it that her interests were protected, especially from each other. I knew that they were estate lawyers because they passed me by without a nod.

Nowhere have I ever seen so much bowing before in a criminal courtroom. Even the judge bowed, and his Honour Judge Levinsky was never seen to bow before except to the financial backers of the Levinsky Democratic Club. I found myself bowing too because, the way it looked, anybody like Miss Sophie Stetson was entitled to a general bowing.

When she took the witness stand, all her lawyers took hold of their chairs and moved up as close to her as possible. In the street outside, there was practically a riot as word went around that Miss Sophie Stetson was in the court. The town's citizens came running from every which way hoping to get a peek at the richest old lady in the world.

When all hands finally got settled down a little, I moved closer to her and said:

"Miss Stetson, I am going to ask you just two or three questions. Kindly look at this defendant." And with that I gave Nelson the sign to stand up. "Do you recognize him?"

Before she could answer, the judge got into a huddle with the D. A. and signalled to me to come over to the judge's bench. The D. A. spoke very excitedly: "This whole thing looks ridiculous. What is this, a circus to stage a break for Nelson? I want you to know, my friend, we have all the exits covered by machine guns." Then spoke his Honor Judge Levinsky: "I agree with that opinion. If this witness is supposed to be an alibi witness, I object. I don't mind your calling your usual

staff of alibi witnesses, but please leave your hands off the respectable democratic citizens of this city. We must protect them from men like Duke Nelson." So the judge took over the questioning of the witness himself.

"Miss Stetson, do you by any possible chance happen to know this defendant, Duke Nelson?" asked Judge Levinsky, at the same time giving her a broad re-election smile.

The little old lady looked at Nelson and then nodded her head yes, and Nelson gave her a large smile to complete the trade.

"Was he a caller in your home on the night of January the 5th?" continued Judge Levinsky.

"He was," answered Miss Stetson, "in the living room."

"Is there a clock in the living room in which you received this defendant?" continued Judge Levinsky.

"There is," said Miss Stetson, "a large clock, a grandfather clock."

"Did you happen to notice," Judge Levinsky continued, "and do you now recall the hour indicated by this clock when the defendant left your home?"

"Yes," Miss Sophie Stetson said, "I did happen to notice. It was just twelve o'clock by my clock, exactly twelve o'clock."

This testimony created a sensation in the courtroom, because if it was twelve o'clock when Duke Nelson left Miss Sophie Stetson's house in East 57th Street, it was obvious that Nelson could not have been over in Happy John's Chop House, which is more than five blocks away, at the same minute. The judge began to peek over his specs at the coppers in the courtroom,

and the cops began to scowl at the stool pigeons, and I was willing to bet 6 to 5, in cash, that the stools would soon be wishing they had never been born.

The D. A. was looking very embarrassed for he must now either cross-examine Miss Sophie Stetson, which meant the same as insulting a million dollars, which would also hurt his re-election; or he must quit. The jurors began muttering to each other. I moved that the case against my client be dismissed. The D. A. consented. And so the judge granted the motion and dismissed the case.

So there was Duke Nelson, as free as anybody. As he started to leave the courtroom, he stopped at Miss Sophie Stetson and shook her hand and thanked her. And that is the end of the case as far as the public is concerned.

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A week or so later while I was in the neighborhood of East 57th Street, I decided to drop in and see Miss Sophie Stetson, figuring to ask her a certain question which had been keeping me awake at night.

When I finished conversing with her in the reception room, I asked her if she had any objection to my taking just one look at her grandfather clock in the living room. She readily consented. I went over and looked at it and, although my watch showed the time to be 9 o'clock, the grandfather clock pointed to exactly twelve o'clock. I was startled and turned to Miss Sophie Stetson. She explained to me, very confidentially, that, when she recovered from the shock of finding her ever-loving young man frozen to death, she stopped all the clocks in her house at the hour she saw him last, so that for forty-five years it has always been twelve o'clock in her house.

