

SERIAL STORY 5 WOULD KILL

BY TOM HORNER

COPYRIGHT, 1939, NEA SERVICE, INC.

CHAPTER VI

"Hello, Joey." There was no greeting in Dawson's greeting. "Listen, Dawson—what's the deal with sending me in the middle of the night—just when my party is in full swing?"

"I don't know he was dead until Flynn told me. Why pick on me?"

"Weren't you and Benthorne associated?" Dawson paused at the word—"in business together once?"

"Yes," Joey's answer came slowly. "But that was back in prohibition days. You can't dig back that far to pin a charge on me."

"What was this business, Joey?"

"Benthorne backed my first speakeasy. You used to get free drinks there yourself. Benthorne bought a yacht cheap, ran the stuff in from the Bahamas and I unloaded it. Benthorne was smart, too. He always stayed outside the limit—made me take all the risks."

"You haven't had much to do with him since then?" Dawson queried.

"Only as a customer. When liquor went legal, Benthorne decided there was no quick money in it, and we dissolved our partnership." Di Torio pursed his mouth, devoted his attention to smoke rings.

"You're lying, Joey," Dawson said calmly. "You and Benthorne never dissolved your partnership. You and Benthorne have been mixed up in half the racket in this town."

"You and Benthorne have been running the numbers game here for three years. Last year you branched out into narcotics. You've got agents in Chicago, Kansas City, Denver and San Francisco. Within the last six months you've arranged to smuggle 200 aliens over the Canadian border at \$500 a head. You've—"

Di Torio's face was white, his calm, self assurance shattered. "How did you know?"

"Benthorne had the habit of keeping records—private records, Joey. He had a little book in his desk here. You thought it was in the safe, didn't you, Joey? Benthorne guessed that, and kept it almost out in the open—an innocent looking little diary, but I couldn't miss it."

"You'll never make it stick in court," Joey said, confidence returning. "It's the word of a dead man against mine. That book doesn't prove a thing."

"It may prove a murder charge, Joey."

"Listen, Dawson," di Torio said

condescendingly, "I told you I was in my club all night. I was with a party of friends. They'll tell you—"

"Are you sure you didn't leave the club last night?"

"I'll take that back," Joey said. "I did leave but only for a few minutes. Dave Watson was having a party. I thought I'd drop by and pick up Marilyn—but her apartment was dark so I drove on back to the club without stopping. Dave'll remember and so will Pete. Pete's my manager."

"So you just went out for a ride, Joey—all by yourself," Dawson shook his head. "No, Joey, I thought you could think faster than that."

"Listen. You left the Club Chateau, you drove up here to Benthorne's—you could make it in a few minutes—you came in that side entrance you always used and you found Benthorne in the study."

"You've been holding out on Benthorne, blackmailing him, and you knew Benthorne wouldn't let you get away with it. That's why he made out this record. With that book he figured he could keep your mouth closed until he found a way of closing it permanently."

"But you beat him to it, Joey. You shot Arnold Benthorne as he sat in his chair. Then you jammed that straight chair there against the door, rifled the safe, and finally, when you heard Flynn and Krone taking the door off the hinges, you went out the window. It's closed case, Joey—and it will send you to the chair."

Di Torio was silent, studying the glowing end of his cigar. At last he spoke. "You've missed one thing in your murder case, Dawson. What time was Benthorne killed?"

"The coroner's deputy said it was right around midnight. It took Flynn and Krone a while to get the door down."

"That proves it," Di Torio smiled. "I can prove by half a dozen witnesses that I didn't leave the Club Chateau until after midnight. It was almost 12:15 before I could get away. And you had already found Benthorne's body by that time."

"How does it happen you remember the time so well," Dawson asked.

"In my business, Captain, just as in yours, it's a good idea to keep your eye on the clock. You can never tell when some dumb cop is going to try to hang a murder charge on you."

"I'll let that one pass, Joey," Dawson said, "until I've checked on this alibi of yours. Are you sure your friends will remember the time with equal facility?"

"I hope so," Joey laughed. "They should. Dave was complaining that he wasn't getting any kick out of his drinks, so I bought some champagne for him. Pete'll remember the time, too."

"And there's one thing you've forgotten. I never thought of you, Dawson. I'm saving your job by telling you this in advance. There's the little item of a gun."

"Your cop, Flynn, lifted my automatic out of this shoulder scabbard on the way out here. Have you found the gun that killed Benthorne yet?"

"No," Dawson replied, "but Flynn probably has it in his pocket now."

"Don't be too sure about that, my friend," Joey went on confidently. "I carry a .38 automatic and it hasn't been fired in six months. And when you get that bullet out of Benthorne's head, there's one thing more to remember—ballistic tests. Surely you've heard of them."

(To Be Continued)

LITTLE ORPHAN ANNIE



Wanta Bet?

By HAROLD GRAY



POPEYE

Now Showing—"A LITTLE BIRD TOLD HIM!"

Tomorrow—"THE SECRET IS OUT!"

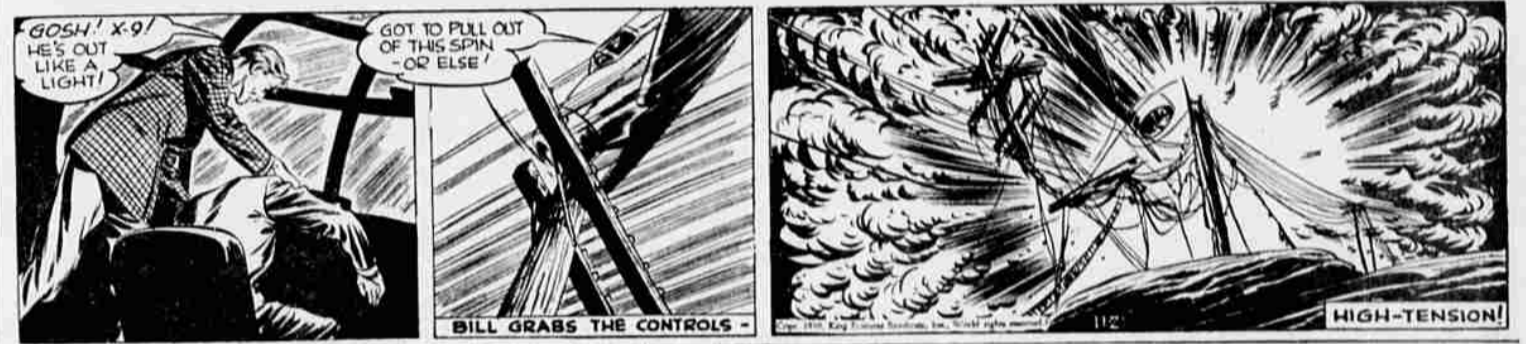
By E. C. SEGAR



SECRET AGENT X-9

Lights Out for the G-Man

ROBERT STORM



BOOTS AND HER BUDDIES

Tsk, Tsk!

By MARTIN



FLAPPER FANNY

By Sylvia



WASH TUBBS

Something to Worry About

By CRANE



ALLEY OOP

That's Telling Him, Doc!

By V. T. HAMLIN



OUR BOARDING HOUSE .. with .. MAJOR HOOPLE

OUT OUR WAY

By WILLIAMS



SIDE GLANCES

