

SERIAL STORY 5 WOULD KILL BY TOM HORNER

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CAST OF CHARACTERS Arnold Benthorpe—Five persons wished him dead. Helen Benthorpe—His charming young wife. William Alston—Benthorpe's father-in-law and business associate. Joey di Torio—Night club owner and gangster. Ann Johnson—The mystery girl. John Douglas—A young mining engineer, in love with Ann. Captain Dawson—A detective who likes to listen.

Yesterday Jameson, the butler, shows Captain Dawson a side entrance, which was unlocked at the time of the murder. Later, questioning Alston, Dawson accuses the motor truck magnate of not liking his son-in-law. Alston regains control of Alston Motors through Benthorpe's death. Flynn brings in Joey di Torio.

CHAPTER VI "Hello, Joey? There was no cordiality in Dawson's greeting. "Listen, Dawson—what's the idea of sending that dummy Flynn down to my place in the middle of the night—just when my party was— "I doubt if you've met Mr. Alston, Joey," Dawson interrupted. "Mr. Alston, this is Joey di Torio, owner of the Club Chateau. You've probably been there."

Alston rose to acknowledge Joey's nod. Neither man made any more to shake hands. "If you don't mind, Captain Dawson, I'd like to get some sleep," Alston said. "If I can—"

"Go right ahead, Mr. Alston," Dawson agreed. "You probably need it." "Would you mind if I ordered some sleeping tablets? I left home hurriedly and forgot to take one." "Tell Flynn to get you some, Mr. Alston." He waited as Alston moved slowly across the room, out of the door, then called after him, "Good night!" but Alston apparently did not hear. Dawson turned back to di Torio.

"Cigar, Joey?" He offered Benthorpe's bag of perfectos. Di Torio took one, lit it, and puffed vigorously. For a moment both men sat, smoking, saying nothing, waiting.

Di Torio belied the popular conception of a gangster. He was small, and his Italian ancestry evidenced itself in his black, darting eyes, and dark complexion. His clothes were well tailored and he wore them like a model. He looked more like a musician or a gigolo than a killer.

"Listen, Dawson, I've got work to do," Joey began at last. "I was just getting ready to close when Flynn comes in and says you wanted to see me. He said Arnold Benthorpe had been killed. I tried to tell him that I haven't been outside of the Chateau all evening but he wouldn't listen. Said you wanted to talk to me and that was that. What do you want, Dawson?"

"You knew Arnold Benthorpe pretty well, Joey?" Dawson asked slowly. "Sure, I knew him. Half the night clubs in town knew Benthorpe by his first name. He used to come to the Chateau a lot. But I didn't know he was dead until Flynn told me. Why pick on me?"

"Weren't you and Benthorpe associated?" Dawson paused at the word "associated" 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?" Benthorpe backed my first speaker. You used to get free drinks there yourself. Benthorpe bought a yacht cheap, ran the stuff in from the Bahamas and I unloaded it. Benthorpe 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, Benthorpe decided there was no quick money in it, and we dissolved our partnership. Di Torio pursued his mouth, devoted his attention to smoke rings.

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

"You and Benthorpe 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?" "Benthorpe 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? Benthorpe guessed that, and kept it almost out in the open—on 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—you know, Marilyn White—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 Benthorpe's—you could make it in a few minutes—you came in that side entrance you always used and you found Benthorpe in the study."

"You've been holding out on Benthorpe, blackmailing him, and you knew Benthorpe 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 Benthorpe as he sat in this 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 a 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 Benthorpe killed?"

"The coroner's deputy said it was right after 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. And you had already found Benthorpe'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 Benthorpe 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 Benthorpe's head, there's one thing more to remember—ballistics tests. Surely you've heard of them!"

(To Be Continued)



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