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# MURDER THROWS A RINGER

By CARL G. HODGES

## CHAPTER I

### IF AT FIRST

**D**WIGHT BERKE'S long legs took the stairs three at a time. He reached the third floor and rounded the corner of the corridor of the Berkshire apartments. He heard the noise of a door closing violently behind him. Then he threw up his arms instinctively to ward off a blow he knew was coming. Something steely flashed in the dim light and a metal bulk crashed against his head. Blackness seemed to cloud his brain. He felt a raking pain flash along the line of his jaw, working down from above his ear.

Subconsciously he knew that a clubbed revolver had smacked against his skull. He struggled to draw his own gun from his armpit holster. But his fingers fumbled and it dropped from his hand and he heard it rattle

on the metal banister as it tumbled down the steps.

His senses blacked out. His brain was cotton. His body seemed to be floating in space. His tan topcoat ripped from his shoulders as it caught on the stairway, and he bumped down the carpeted steps. A gun blasted. A burning sensation stung his temple. He heard a brittle voice saying, "That's what you get for butting in, Joe!"

Oblivion closed in on him, but he felt someone bend over him and pick up a gun. His brain blacked out completely.

When he came to, pain caressed his head and his eyes were fuzzy as he tried to orient himself. He reached out his hands to gather his body under him. His fingers brushed something cold and hard and he knew it was a gun. He put it in his armpit holster and struggled to his feet, weakness staggering him. His temple felt warm and sticky and his feeling fingers came away reddened.

“Creased me,” he thought, “probably thinks he made me a gone goose.”

He got his hat off the floor and put it on. His brain was clearing somewhat but he was still confused. He remembered his wife waiting in the *Journal's* press coupe and his impulse was to get to her. If anyone wanted to kill him, that desire might also include Gail. He wrote for the *Journal*; Gail took pictures; a killer's enmity might embrace them both.

HE MOVED toward the front of the corridor, then remembered the courtyard at the rear of the apartments. He turned and moved down the back stairs, his hand nervously trembling on the banister. He opened the back door and stepped out on to the concrete that led along the tall hedge. He heard a car engine start as he walked along the hedge and he noted that the light from the electroliers along the path behind the hedge, struck high on the wall above his head.

He gained the sidewalk and he peered quickly up the street and across to the other curb where he had left Gail parked in the coupe. He stepped off the curb and started to hurry diagonally across. He was conscious dimly of a *whirr* of sound behind him and the lights of an approaching automobile bathed the asphalt as he broke into an unsteady and staggering run toward her. He saw her open the car door and step out on the sidewalk. And then he heard her high-pitched scream.

He twisted backward as he ran. Car lights blazed into his eyes and blinded him. He felt unyielding power strike his knees, then thighs and hurl him out of its path. He smashed into the curb and his head struck. For the second time in ten minutes he blacked out. . . .

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Something jarred his brain awake and a blurred awareness seeped into his tortured body. His opened eyes hurt with the shock of glaring light. He forced his eyes to focus and he saw the white walls of the room; the white sheet that covered him in the hospital bed; the sun streaming in between the white slats of the venetian blinds. He saw his wife, Gail, sitting quietly in a chair beside the bed, her eyes blinking sleepily.

He tried to be flippant but it was a sorry attempt. His voice cracked with weakness. “Hi, baby.”

She bent over him and buried her dark head on his chest. He felt her trembling against him. “Bazooka!” he said, “Take it easy, sweetheart. I'm still in one piece, I hope, I hope.”

Her fingers touched the white patch of adhesive tape on his temple. “Any pain, honey?”

“I guess I ought to feel like I've been slugged by Mr. A. Tom Bomb but I'm just hungry. I could eat a cow.” He smiled at her with a twinkle brightening in his eyes. “I play tag with the Nips for three years and get some shrapnel for a souvenir and then I start working for the *Journal* and wind up in a hospital bed. What is this, the maternity ward?”

She glanced at the wrist watch he had picked up on Saipan and given to her when she met him at the separation center. “You're in the prison ward. It's three o'clock in the afternoon, now. You've been sleeping like a baby for fifteen hours. Only babies don't snore like you do.”

“Prison ward?” His tone was incredulous. “What happened?”

She sobbed; she couldn't mask her emotions any longer. “It's awful. Inspector Morf says—”

The door opened and a nurse came in and she was followed by round-headed, apple-faced Inspector Fleming Morf of the Homicide Squad. His eyes were frigid and

there was a mean glint of triumph in them. "Well, Berke," he gloated, "murder's been your hobby for a long time. Now let's see if you can talk yourself out of this one."

Di's head cleared with the shock of Morf's words. "Somebody banged me over the head. What's this murder talk?"

Morf grinned sourly. "You figured you were pretty slick, bumping off Anton Spivak. You didn't have me fooled for a minute."

Di had to fence for time to get his bearings on this new puzzle. "Knocking off Anton Spivak? Why? What would I have against the guy? He's a square shooter. Just stubborn, that's all."

"I ain't dumb Berke. Everybody that reads the *Journal* sport pages knows how you been riding Spivak, how you been raising Cain with the race track he runs because they keep all the breakage instead of giving it back to the fans or putting it into a fund for disabled vets. You and him tangled about it last night in his apartment. You plugged him."

Di grinned and his head ached like he had a migraine. "Okay. Just because Spivak pays a guy that cashes a win ticket on Susie Q, nine dollars and ninety cents instead of nine dollars and ninety-four cents, I shoot Spivak. That don't make sense, Inspector."

**M**ORF'S eyes closed to mere slits. "Smart guy, you've been in my hair ever since you got out of the Marines and took over the sport desk on the *Journal*. You stumbled into half a dozen murder cases, and your luck held out and you think that you solved 'em.

"This one's different, bub. You're right smack underneath a rap for murder. You tumbled into murder, all right, but here's one you won't talk yourself out of. I'm taking you in. The prison ward doc says you're O.K. The bullet only creased your temple."

Di shifted his weight in the bed as the

impact of Morf's words snagged his brain. "You're nuts! A few pennies of breakage one way or another is no motive for murder."

Morf's face relaxed into a chilly grimace. "We got evidence you can't alibi, scribbler. Jock Harrison saw you running out of the courtyard at the Berkshire with a gun in your hand. He followed you in his car trying to keep you in sight. But you ran into the street and right into his car and you got banged up a little. Then the cops picked you up and brought you here."

"Evidence? Bah! One man's word against mine. Heck, this Harrison guy could have killed Spivak himself."

"This'll kill you, Berke." Morf was pleased at his obvious play on words. "The bullet that killed Anton Spivak was fired from your gun. I had the slug checked by ballistics down at headquarters. We've got you where the hair's short, Berke."

The inspector turned churlishly to the nurse. "When can we lug him out of here?"

The nurse spoke primly. "As soon as he can get dressed. He may be sore and stiff, but the doctor says he's all right."

Morf moved toward the door. "Have him ready for us in an hour. We want to get him behind bars!" He closed the door quietly.

## CHAPTER II

### HE WENT THAT WAY



**B**ERKE moved his pillow high against the white metal of the hospital bed and looked forlornly at Gail as he recounted the happenings of the previous night after the nurse left the room on Morf's heels. "I went in to the Berkshire.

I went up the stairs to the third floor. Somebody hit me over the head. I must have fallen over the stair banister and landed on

the second floor near the rear stairway. My gun went off and creased me, I guess. At least that's where I was when I came to."

Gail watched him with an unspoken fear in her eyes. "Could you have shot Spivak while you were dazed? Could you tell who it was that slugged you?"

"I'm not sure. I was dazed. My jaw was bleeding and my head was buzzing. But I do remember going down the back stairway and out through the courtyard to the sidewalk. Then I started up the sidewalk toward you sitting in the coupe. That's all I remember." He passed his trembling hand worriedly over his eyes.

Gail finished for him. "I saw you running—staggering almost—toward the coupe and you cut across the street like you were headed for the driver's side. Then Harrison's car hit you and knocked you down. He stopped as quick as he could and then a cop came running up and we brought you here in Harrison's car."

"Who's Harrison?"

"Philip Henry Harrison. He's the owner of the Happy Hour Stables. He owns Pirate Boy; the three year old that won the Bulwark Stakes at the track day before yesterday. Harrison won about fifty thousand dollars." Her eyes warmed. "It couldn't have happened to a nicer guy. He was worried sick about hitting you with his car until the doctors assured him you'd be all right."

"How'd Morf find out Spivak had been shot with my gun?"

"This morning the maid at the Berkshire found Spivak's body and they sweated the information out of Harrison that he'd seen you running out of the courtyard at the Berkshire with a gun in your hand. They just put two and two together and checked your gun. There was only one cartridge fired and it was in Spivak's body."

Di shook his head woefully, and a crinkle of worry creased across the bridge of his nose. "That's tough evidence to fight,

Toots. I'm positive I didn't kill Spivak. I don't even remember going to his room—but if he was killed with a bullet from my gun—"

"Would you know who it was that slugged you?"

"No. I rounded the corner of the corridor when he slugged me from behind. I heard his voice, that's all. I didn't really ever see him."

Gail's eyes brooded in her quiet face. "We've got to prove that you didn't do it, Di."

"How? I can't do it in a jail cell." Di looked sharply at his wife. "If I ever let Morf turn a key on me in a jail cell, I'll fry." His jaw jutted out sternly. "I've got to find the real killer. I've got to get out of here!" He threw back the sheet and swung his legs weakly to the floor.

Gail got up, alarmed. "You're not strong enough."

Di laughed, but there was no humor in him. "The electric chair fries just the same, medium or rare." He looked at her, with sudden hope in his eyes. "Take a look around out in the hallway. Locate the fire escapes—the stairways—the elevators. We'll have to figure some way to get out of here. I'll have my clothes on by the time you get back."

Several minutes later Gail ran into the room and there was a raw excitement in her voice. "Morf and Chuck Ryan got back ahead of time. Morf's using the phone downstairs. They'll be up here in a moment."

Di jumped to his feet. He was weak, but he forced himself to stand erect until the dizziness passed. "Where's the fire escape on this floor?"

"At the end of the hall." Her eyes were clouded. "But you can't take a chance that way. It's in full sight of the street. And Morf could shoot you from any window."

"He'd do it, too." Di's eyes had a furtive look. "I'll sit on my fanny in a cell till they put me in the big chair."

SHE grinned, unsure of herself. "I think I've found a way to get you free, darling. If you'll do as I say."

"Okay, Toots."

"When Morf and Ryan get here, go with them quietly. I'll tag along with you. When we pass the freight elevator on this side of the hall, we'll come to another door. It's marked 'Linen Supply'. It will have a key in the lock. Get away from Morf somehow and get through that door. I'll take care of everything else."

"Are you nuts? What good will it do me to lock myself in a linen closet?"

Before she could answer, the door opened and the nurse came in. Fleming Morf and his oafish aide, Chuck Ryan, barged into the room behind her. Morf brushed the nurse aside and glowered at Di. "All right, Berke. Let's get going. We got a nice comfortable cell fixed up for you."

Di moved toward the door and Ryan walked out into the hall ahead of him. Morf walked behind Di. Gail tagged along. She said, brightly, "Inspector, can't he have supper before he goes to jail? He hasn't eaten for almost twenty-four hours."

"Yeah," grunted the huge Ryan, looking back, "how about some lobster a la Newburg?"

"He's hungry for barbecued ribs," Gail said.

"It won't be long till his ribs'll be barbecued in the hot seat." Morf smiled coldly at his own humor. He moved on doggedly, and they passed the heavy doors of the freight elevator. "He'll eat beef stew and like it."

"I'll eat it but I won't like it."

They had reached the door marked 'Linen Supply'. Di whirled and drove his right hand smack into Morf's stomach. The inspector howled in misery and doubled up in pain. Breath whistled out of him. In that one brief second, Di dove for the door, his

fingers clutching for the knob. He jerked it open viciously. Leaped through, and slammed it after him.

Gail leaped around the inspector and twisted the key in the lock. Chuck Ryan had whirled and leaped back. He reached out a ham-like paw and barked, "Gimme the key, sister, or I'll blast through that door with my rod!"

Gail swung her hand and tossed the key down the hall. The metal flashed as it skidded over the asphalt tile and stopped against the baseboard at the end of the hall.

Morf was holding his stomach with both hands, and his round face was mottled with pain and rage. "Beat it downstairs, Ryan! This may be a trick. I'll get the key."

Ryan ran for the door across the hall, marked 'Stairway'. He jerked the door open and leaped through. He staggered back in howling pain as he ran into a tier of shelves. He bounced backward into the hall, with bed sheets, pillow cases, and blankets cascading down around him.

Morf cursed, and glared at Gail. "You're a slick chick, sister, changing the name plates on them doors. Your hubby's outside by now, but we'll catch up with him. It'll be pretty hard for him to hide that bandaged dome and that taped jaw. We'll drag him in within an hour."

Di felt like a fool with the woolen scarf draped over his bandaged head and tied under his stubbled chin. He hadn't shaved for many hours and the reddish beard had sprouted well. The long black woman's coat that covered his lean frame was a little tight for him and unbearably warm. But it was the best he could find in a hurry at Jim Watson's second-hand store.

No one paid any attention to him, however, as he walked into Joe's Diner, which was made from an old streetcar. He moved down the line of wobbly stools in front of the counter and slipped onto the stool next to Gail, propping his umbrella

against his leg.

She looked aside—and almost choked on a doughnut. She had to struggle to hold back her humor. “Lady,” she said, “you’ve got an awful red beard.”

**H**E SQUEEZED her leg under cover of the umbrella. “You’re tops, Toots. I’d never gotten from under Morf’s clutches without your help. And you arranged this meeting place right under Morf’s nose by mentioning barbecued ribs. Joe’s was the only place I could remember where we’d ever eaten them.”

Gail smiled brightly. “You missed the best part, when Ryan ran into the ‘Stairway’ and smacked into the shelves of the linen closet. He bounced out of there like a rubber ball, with bedclothes draped all over him.”

“How’d you work that? Switch the name plates?”

“Yes.”

Di squeezed her leg. She said; “Grandma, what cold hands you’ve got.”

Di got serious. “I’m going over to the Berkshire Arms. In this get-up I ought to be able to fool anybody that Morf might have left there to watch the place. I can slip in the back way or else go up the fire escape.”

“You’d better shave first, darling. No scrubwoman would have a two-day beard like yours.”

“I can’t go home. Morf’s got that place picketed, I’ll bet.”

“What can I do?” Gail said.

“Plenty. Go back to the *Journal* and dig everything out of the morgue about Anton Spivak that you can find. Meet me back here at eight o’clock tonight. And bring all the newspapers with you. For a guy that’s supposed to have bumped off Spivak I don’t know much about it.”

She got up. Peered closely at her husband. “I’m worried, Di. After the man slugged you in the Berkshire you fell down the stairs, your gun went off and creased

your head—isn’t it queer that nobody heard you? That there was no alarm?”

“Broadloom carpeting all over the joint, Toots. And the rooms are all soundproof.” He patted her hands. “Don’t worry, baby. It’ll work out all right.”

The waiter came along the counter then, and peered suspiciously at Di. Gail hastily said, “Goodbye, grandma,” to Di, and walked out of the diner. Di waited a long moment and left, and moved slowly along the sidewalk, trying to mimic the walk of an elderly woman in her old-fashioned clothes, supporting her faltering steps with an umbrella. In less than fifteen minutes he was nearing the Berkshire Arms.

**D**I CIRCLED the front of the building cautiously, his eyes peering under the scarf, searching for evidence of plainclothes men that might have been planted nearby by Inspector Morf. After a long survey, he moved into the courtyard at the rear of the apartment building, keeping close to the tall hedge along the walk so that the rays of the ornamental electroliers did not reach him.

He used the crooked handle of the umbrella to leap up and hook the end of the weighted fire escape and pull it down. He clambered upward silently to the level platform at the third floor, his black coat and scarf happily blending into the darkness of the building’s surface.

He raised a window gently and felt the movement of warm air against his face. He stepped quickly inside into Anton Spivak’s darkened living room, and hastily lowered the window shade behind him. He moved quietly to the other window and jerked the shade down silently. He walked across the polished floor and the soft throw rugs to the door and pressed the light switch.

He looked around the sumptuously furnished living room and his eyes crinkled in the bright light that gleamed off polished antique furniture and sleek. Oriental rugs. It

did not look like a place in which a man had met violent death. The room was in perfect order; everything was in its place. Over the fireplace was a tremendous life-size painting of Seabiscuit. The plastered walls were dotted with tasteful etchings and line drawings of famous horse races of the past. The wall between the window and the bedroom door was lined with shelf after shelf of brightly-jacketed and evidently seldom-read books.

A table held an empty vase, a tobacco humidor, and a copy of Racing Form. He picked it up and noted suddenly that the date was November 1941. He wondered why Anton Spivak would have a copy of a six-year-old Racing Form on his living room table. He turned the pages carelessly and then stopped, as he noted that a page had been torn out. Page 22. He spread the paper open on the table, and his eyes caught the faint indentation on Page 20—a faint circle, as if someone had previously circled an item on Page 22 with a pencil.

He folded the paper thoughtfully and began to tuck it in the capacious folds of his old woman's coat and then threw his body violently sideways as he caught a faint movement by the bedroom door.

### CHAPTER III

#### WIN, PLACE AND SHOW



HERE was a flash of flame. Flying lead smacked into the table and he felt the wood tremble under the tearing impact. Then he was running toward the bedroom door. He leaped through the opening into the dark, his flesh cringing with dread expectation of another bullet. Instead, he saw a brief flash of light from the hall door and the click of a

spring lock.

He raced to the door. Paused crazily while he dragged his handkerchief from his pocket to cover the shining knob as he fumbled with the spring lock. He jerked the door open and leaped into the hall. The hall was empty and silent but the curtain at the end of the hall was waving gently in the breeze from the open window on the fire escape.

He hurried to the window and peered down. Far below him he saw a dim figure scampering down the fire escape. He could hear the muffled scrape of shoes on the iron rungs. And then he saw his would-be assassin drop from the end of the fire escape and vanish in the shadows of the hedge along the courtyard walk.

Di lowered the window gently, careful not to touch the glass. He moved to the rear stairway. He was silent on the thick broadloom and he went like a shadow down the stairs. He reached the second floor and stopped. He tried to remember the events of the preceding night.

He remembered the sickening blow on the head, the raking pain along his jaw; the brittle voice saying 'Joe', and the queer rattle his gun had made as it tumbled from his hand and rattled on the metal spokes of the banister. He remembered the explosion of the gun—and far up in the plastered wall his searching eyes caught the tiny round circle where the bullet from his gun had plowed in. He stood on his toes and tried to reach the hole but it was just beyond his fingertips.

He tucked the copy of Racing Form more firmly under his coat and descended the stairway to the ground floor and moved out past the courtyard hedge to the street. He walked as rapidly as possible to reach Joe's diner and his rendezvous with Gail.

He circled the block across from Joe's diner twice and watched the place with his keen eyes. He remembered the odd way in which the waiter had glared at him and he

didn't want to walk into a trap.

He suddenly faded back into the shadows of the building across the street from Joe's as he saw the bulky, oafish Chuck Ryan step out of the dark at the end of the diner and walk to the door and sit on a stool.

Di muttered under his breath. "Joe isn't as dumb as I thought. He must have wondered about grandma and her two-day whiskers and phoned the cops."

His eyes caught the headlights of a coupe moving slowly down the street. He sensed that it was Gail in the *Journal's* press car. He prayed that she wouldn't park in front of the diner and walk into Ryan's trap.

He held his breath as she turned into the curb. And then, suddenly the engine raced, and she pulled away, and came down the street toward him. He pulled up the skirt of his long coat and sprinted across the street in front of the moving car.

She braked the car so quickly that the tires squealed. He jerked open the door and leaped inside and sat down on the thick pile of newspapers on the seat. "Beat it, Toots! Ryan's keeping watch in Joe's diner!"

She put her foot on the gas and whirled the coupe around a corner. "I know. I saw him." She devoted the next few minutes to putting as much distance as possible between them and the diner. Then she said, "Find anything helpful?"

Di looked up from the papers he had been scanning hurriedly under the dim light from the instrument panel. "Enough. The cops say that there was one bullet fired from my gun, and it matched the slug they took out of Spivak. But during the fight last night at the Berkshire my gun went off and creased my temple—and the bullet buried itself in the wall. It's still there."

**G**AIL'S eyes warmed. "Then, if only one shot was fired from your gun—and that bullet's still in the wall—then you couldn't have shot Spivak."

"Right." He folded a copy of the *Journal* savagely. "They don't say a word about the caliber of the bullet they took out of Spivak's body. I wish I knew." He peered at her. "What did you find out about Spivak in the morgue?"

"He came originally from New York State. Son of an architect who was chased out of Europe years ago. He had dough to start with and everything he touched turned into gold. He's worth a million or two and has investments ranging from a half interest in a carnival to a controlling interest in the race track here. His hobby was serving as chairman of campaigns to raise money for anyone in need. He was a general all-around good guy."

She saw the Racing Form as Di pulled it out from under his coat. "This is no time to try to pick a long shot, darling. You're in trouble."

Di grinned. "I'd have a tough time picking a winner out of this rag. It's six years old." He told her briefly about his adventure in Spivak's apartment. "This Racing Form was on Spivak's table. I had just found out that page twenty-two had been ripped out when somebody took a pot shot at me from the bedroom."

"Maybe Morf had a man hiding there?"

"A cop wouldn't run away. This guy did. He beat it down the fire escape. I didn't see his face. I can't say whether he was short or tall. About all I can say is that he wasn't fat."

"What do we do now?"

"Hunt up a copy of the Racing Form for November 1941. Drive out to the track. Maybe we can find the night watchman. But you do the talking. I can't risk being seen yet."

They drove out to the track and Di sat in the car, reading all of the accounts of Spivak's murder in the papers. He tried to make sense out of the puzzle but the crazy pieces wouldn't fit together. And then Gail came back.



“The watchman was impressed with my press card. He showed me into the library in the clubhouse. They’ve got bound copies of the Racing Form from way back. And every copy is there—except this issue from November, Nineteen Forty-one.”

Di’s breath eased out of him. “Then the copy I found in Spivak’s room was taken from the track library. Why? What interest could he have in a six-year-old Racing Form?”

“Where to now?” asked Gail.

“A telephone. I’ll call the boss. He’ll have to contact every bookie in town till we find a copy of that Racing Form. We’ve got to find out what there was on page twenty-two that Spivak was so interested in that he circled it with a pencil.”

Gail smiled. “We could try Mr. Harrison. He owns race horses. And he’s a nice guy. Maybe he could help us out.”

“Okay, Toots. I’ll call the boss. You see what you can get out of Harrison.”

Back in town, Gail parked in front of a drug store and Di shut himself in a telephone booth. He dialed the *Journal* and asked for the city desk. Tuffli’s voice came to him, brittle and hard.

Di said, “Tuff, this is Berke.”

Tuffli roared. “Where in the blazes are you? Come on out of hiding. I know damn well you didn’t plug Spivak and if you did you had a good reason. I’ll fight that bone-headed Morf till his teeth rattle. They’ll bust him back to a beat in the sticks.”

“Keep your shirt on, Tuff,” Di said. “I’m okay. I can do a better job of hunting the killer from outside of a cell. You can help, though. Try to dig up a copy of the Racing Form from November 8, 1941. Give it to Gail. She’ll see that I get it.”

Tuffli said, “Give up this detective stuff. Let Morf do the dirty work. After all, if they find you, they might shoot first and ask questions afterward. You’re the only suspect they’ve got. You’re flirting with the

cemetery!”

“I know, Tuff, but I’ve got to do it my way. What was the caliber of the slug they took out of Spivak? None of the stories in any of the newspapers mentioned it.”

“That’s what happens when cubs write up a killing. I’ll find out and let Gail know.”

“Thanks, Tuff.”

“For Pete’s sake, Di, take care of yourself.”

THE next morning, about nine, Gail picked Di up in a cab at the corner of Eighth and Grand. In the cab, Di shed the heavy dark, women’s clothes and took the bandages off his head and ripped the strip of adhesive tape off his jaw. He then put on a pair of dark glasses he had purchased in a drug store.

“Remind me never to sleep in the park again,” Di said. Then he asked, “What caliber was the slug they took out of Spivak?”

“Tuffli said it was a .45,” Gail said.

Di grinned, as the heavy burden of doubt was lifted off his shoulders for the first time. “That puts me in the clear. My gun was a snub-nosed .38 on a .45 frame. It was a Jap gun I picked up on the beach at Saipan. If Morf had any brains he’d have checked my permit to carry a gun. He’d have found out that Spivak wasn’t killed with the gun I had a permit for.” He queried Gail, “How about the Racing Form? Did Harrison have one?”

“No. He looked all over his apartment but he couldn’t find any from that far back. He was most cooperative. He’s a nice guy.”

“I’ve heard that before.” Then he smiled as Gail pulled a Racing Form out of her long purse. “Tuffli must have located one at some bookie joint. Let’s take a look at page twenty-two.”

He turned the pages hastily and glanced at the inside column on page 22. He compared it with the page he had taken from the Racing Form found in Spivak’s

apartment—the page marked with the faint indented circle of a pencil mark. “Hmm,” he said, “Spivak circled the eighth race at Oaklawn way back in November, Nineteen hundred forty-one. A horse called Shame; a six-year old mare by Shameless out of Careless. Owner Frederick Sloan. Trainer Joseph Patola. Bazooka!”

“What’s up?”

“The trainer’s name was Joe. That’s the name the guy called me before he slugged me at the Berkshire apartments.” Impulsively, his voice rose in its excitement. He called to the cab driver. “Pull into the service station on the corner. I want to use the phone.”

He dropped the nickel in the slot of the service station telephone and called the race track. “I’m trying to locate a trainer or exercise boy that I knew several years ago at Oaklawn. His first name was ‘Joe’ but I don’t remember his last name. A friend told me he’s been there at the track for about ten days.”

A voice said, “I think I know who you mean, pal. Joe Francisco. He’s been working for the Allendale stables. Been here just about a week, and he’s leaving for Gulfstream. They open down there next week.”

“Where’s he live here in town? What hotel?” Di tried to keep the excitement out of his voice.

“No hotel. He’s staying at a rooming house at three-twelve Mason.”

Di hung up the phone and his voice held a note of triumph as he grinned at Gail. “Toots, I think we’re getting warm. I think this Joe Francisco who’s getting ready to fly the coop is the same Joe Patola that we learned about in the Racing Form. He’s been operating here. If we nab him, we’ll find Spivak’s killer.”

“How can we nab him when we don’t know what he looks like?”

“That’ll be easy. *He looks like me.* A guy

that probably wears a tan topcoat like mine.”

Gail caught on quickly. “Then you think that whoever slugged you the other night thought you were Joe Patola?”

“You got it, Toots.” Di’s actions were quick and his voice was eager. “From here we go to three-twelve Mason to call on Joe Patola. But first I’m going to phone Morf.”

“Are you crazy? He’ll trace the call. Radio cars’ll be thicker than fleas around here before you hang up.”

“I hope he does trace it.” Di dialed police headquarters and asked for Homicide. When Morf’s rasping voice reached his ears, Di said, “Don’t have a stroke, Inspector. This is Berke.”

**M**ORF waited a minute at the other end of the wire. Di laughed, “Either you fainted dead away, or you’re having one of your stooges try to trace this call. Don’t bother. I’m calling from a service station at the corner of West and Central. After I leave here I’m going to three-twelve Mason Street.”

Morf’s voice blustered. “You asinine fool! I’ll have you behind bars in ten minutes. You can’t make a fool out of the police department.”

“I won’t even try. You’re taking care of that.”

Morf spluttered. Di broke in. “Watch your high blood pressure or you’ll bust. Listen, jug-head, if you’ll check the permit the police department gave me to carry a gun you’ll find it was a snub-nosed .38 on a .45 frame. It was a Jap gun I picked up on Saipan. The slug you took out of Spivak was a .45.”

The inspector’s voice was raw. “Why in the devil didn’t you say so in the first place?”

“You didn’t let me talk—and I didn’t find out till a few minutes ago that it was a .45 slug that killed Spivak. You’ve been chasing the wrong rabbit, Inspector. If you

cool down, I'll give you a hot tip that might let you save your face."

Morf paused. "Listen, Berke, anybody can make a mistake. What's the tip?"

Di grinned to himself. "Go to the Berkshire Arms. By the rear stairway on the second floor you'll find a bullet buried in the wall. You'll find one just like it buried in the table in Spivak's apartment. I fired the one in the hall. Spivak's killer fired the other one—at me. Both bullets came from my gun."

Morf gasped. "Then Spivak's killer was using your gun?"

"Not when he killed Spivak. Since then, yes."

Di laughed. "And be careful of the fingerprints on the inside doorknob of Spivak's bedroom. You'll find other fingerprints on the window opening on the fire escape at the rear of the third floor hall. Spivak's killer made them."

Morf's voice choked. "Berke—"

## CHAPTER IV

### PHOTO FINISH



**B**UT Di had hung up. He rejoined Gail and they climbed back in the cab. "Let's go to three-twelve Mason. We've got work to do."

"They'll trace that call," Gail said. "They'll be on our necks in two minutes."

Di whistled softly. "They might come in handy." He peered at her. "Got any film in that camera of yours?"

Gail lifted her four by five off the seat by its shiny strap. "All loaded for bear." She patted the pocket of her trench coat. "Pocketful of flash bulbs, too."

They found 312 Mason and its three-storied brownstone shabbiness. The frowsy

landlady wiped her hands on her filthy apron and her cracked voice followed them up the worn stairway. "Francisco's in the third floor back."

Gail followed Di up the steps and the thin haze of dust from the carpet lifted under their feet. "This Francisco must be a blockhead—living in a dump like this."

"Lack of money might not be his reason, Toots."

They reached the third floor and moved down its shadowy length in silence. They reached the end of the hall, where a dim bulb burned in the ceiling in front of a bedroom recessed in a corner alcove. In front of the door, surprised by their coming, stood a slender, distinguished-looking man in a dark blue topcoat with a velvet collar.

Gail showed her shock, "Why, Mr. Harrison! Imagine meeting you here." She smiled at Di. "This is Mr. Harrison, Di. He was awfully nice the night you were hurt. Mr. Harrison, this is my husband."

Harrison took off his Homburg hat and his crisp gray hair glinted in the light of the dim bulb. His lips parted in a merry smile. "Sorry, Berke, that I didn't recognize you. You look so different standing up. Last time I saw you you were draped over my car bumper."

Di wasted no time with pleasantness. "Harrison, how long have you known Joe Francisco?"

Harrison didn't answer immediately and Di got the impression that he was hunting for the right words. "Only a short time. Francisco has been working briefly for the Allendale stables out at the track. I heard he was leaving for Gulfstream. My own trainer is ill and I thought I might persuade Francisco to pinch hit for him for a few weeks."

Di put his knuckles up and rapped sharply on the scarred panel of Francisco's door. Almost instantly a thin, cracked voice answered and the door opened. Di peered in

at the slender, rangy, hatchet-faced man with a bald spot as big as a dollar on top of his black head. His eyes were shifty blue and they moved quickly over Di and Gail and Harrison. His voice was anxious, hurried. He pointed to a scuffed suitcase, its top open, resting on the table.

"My bag is packed. I'm ready to leave. Whaddya want?"

Di shouldered his way into the meagerly furnished room. He saw the cheap table, the rumpled bed. "Maybe you'll change your mind. Harrison wants to give you a job."

Francisco's eyes flickered. "That ain't what Harri—" He suddenly swallowed his words and his eyes filmed. "Whaddya want?"

Di grinned, and watched the man's eyes, as he used the name. "Joe Patola, I'm interested in 'ringers'."

The man retreated behind his shifty eyes but he couldn't disguise the fact that Di had hit his real name. "You're talking in riddles, mister."

Di walked up to the table and peered into the suitcase. He grinned as he picked up a book out of the half dozen lying on top of Patola's packed clothing. "You're a book-lover, too, Patola?" He read two or three titles. "Camouflage", by Henri Pierce; "Color Harmonies, Pigment Blends", by John Williamson.

He turned a book upside down and fanned the pages. Five one thousand dollar bills fluttered out and drifted to the floor.

"Five grand is a lot of dough for one week's work, Joe," Di said. "For a guy who lives in a dive like this."

**D**I GLANCED sharply at Patola. "Patola, did you ever hear of a nag called Shame, by Shameless out of Careless?"

"That's my business, wise guy. I've heard of every nag that ever ate oats. I'm a trainer, ain't I?"

"Funny thing about this Shame horse,

Patola. He was a rank selling plater. But back in Nineteen hundred forty-one they entered him in a feature race at Oaklawn and he came home in front at seventy-five to one."

"That ain't unusual. Favorites seldom win the Kentucky Derby, even."

"Shame didn't win that race at Oaklawn, either. It was a nag that you fixed up to look like Shame. A stake horse called Redoubtable. Shame had a white spot on his forehead. With your dyes and your color crookedness, you put a white spot on Redoubtable's forehead. Shame was an eight-year old nag. So you fixed up Redoubtable's three-year-old teeth with acids. So it wasn't Shame that won that race at seventy-five to one, but Redoubtable." Di's voice was edged with raw humor. "That's what a 'ringer' is, Patola. And you're a guy that 'rings' in a good horse for a glue factory nag."

Patola's haggard face burned red at the cheek bones. His shifty eyes moved around the faces that edged him in. And Di's stern eyes stared back at him. "You came here to pull another 'ringer'. Now your job is done, and you're ready to move on to another track. But Anton Spivak got suspicious. He remembered you from Oaklawn and he looked back through all the old Racing Forms at the track library until he found the dope he wanted about the 'Shame' race back in Nineteen hundred forty-one. Then he discovered you were working at the track here at the Allendale stables. So he sent for you."

Patola's eyes were glazed with a gnawing fear. "I didn't kill Spivak. So help me God, I didn't kill him." Damp sweat dewed his forehead. "I went to his apartment that night, but nobody answered. I didn't know Spivak was dead till I seen the newspapers. I never killed nobody."

Di smiled, but there was no humor in his voice. "I know you didn't."

Harrison was standing still, nonplused at the sudden turn of events. "If Patola didn't kill Spivak, who did?"

"You did, Harrison!" Di said.

Harrison's mouth sagged open under the utter shock of Di's calm accusation. Then his lips parted stiffly and his voice was little above a tense whisper. "Why should I kill Spivak? He was my friend."

"Yeah, I know. But Spivak found out that Patola had worked in a 'ringer' for Pirate Boy the other day and won you fifty grand."

Harrison blurted out, "Patola worked for Allendale, not for me."

"Sure. That was just a slick trick on your part. Patola worked for Allendale during the day as a cover up for working in your stable at night doctoring up a 'ringer' to look like Pirate Boy."

"This is pure poppycock," stormed Harrison. "I refuse to listen to any more of it."

"Poppycock, nothing, it's murder," Di murmured. "Anton Spivak got in touch with both of you the minute he found out about Pirate Boy. He had the dope on Patola out of the old Racing Form. You reached his apartment first—he showed you the Racing Form and told you you'd be exposed as a crook. To save the fifty grand you'd won on Pirate Boy's 'ringer', you killed Spivak."

"You left Spivak's apartment and slammed the door. That's what I heard coming up the stairway. You saw me—and my tan topcoat—and you thought it was Joe Patola going to see Spivak. You said something about 'Joe' and banged me over the head with your gun. I dropped my gun and it rattled down the steps. I was almost unconscious—I fell down the steps—you shot at me but the shot only creased my temple."

"You saw blood on my head and thought I was dead so you picked up your gun and scrambled. But you picked up my gun in

your hurry instead of your own."

HARRISON'S lips curled and his hand dropped to his pocket. "Interesting," he said.

"Yeah," said Di. "It was interesting when you told the cops you saw me running out of the courtyard with a gun in my hand. Nobody could recognize a man running in the shadow of that hedge. Then you told them you followed me in your car just to keep me in sight." His voice trembled. "You only tried to run me down and kill me but Gail and the cop showed up too quickly."

"But you weren't worried. The cops had me—and the bullet in Spivak's body matched the bullets in the gun I carried. All you had to do was to reclaim the evidence out of Spivak's Racing Form. You did that last night—but I interrupted—and you buried a bullet in Spivak's table. You escaped . . . but you left your fingerprints on Spivak's doorknob and on the window by the fire escape. So you see, Harrison, we've got you sure as Sunday."

Harrison's lips twitched and his eyes rolled wildly. "Why did I come here to hire Patola, then? Explain that."

"You decided to come here after Gail asked you about the Racing Form. You knew that if we found that, we'd eventually get around to Patola. You came here to kill Patola, Harrison!"

Patola sprang across the room, his haggard face drawn in hate. His hands clutched at Harrison. "You dirty dog! I fix a ringer for you to clean up on and then you plan to bump me off!"

Harrison slammed the little man backward. Harrison sprang aside and a gun swept out of his pocket. A snub-nosed .38 on a .45 frame. "Keep your voices down, friends! This is your gun, Berke. I'll kill you all and leave the gun in your hand. The cops think you bumped off Spivak. They'll think something went wrong and you took the easy

way out.”

Patola whispered whiningly. “That’s cold-blooded murder!”

Harrison snorted. “The first murder is hard—the rest come easy.” His hand raised and the gun blazed.

Di leaped aside. A faint breeze stirred his sleeve as the slug whistled by and buried itself in the wall. He jumped across the room and his hands gripped the table edge and heaved upward. Another bullet crashed into the table and the soft wood spewed on the floor. The suitcase and its contents tumbled at Harrison’s feet. Patola was trying desperately to dodge the bullets, offering Di no assistance in the battle.

Di dropped to the floor. His hands clutched frantically at Harrison. Flame blasted downward from Harrison’s hand. But Di had rolled aside and the bullet tore into the floor. Di leaped to his feet. Harrison cursed. Di laughed between his clenched teeth. “We’re even now, Harrison! The gun’s empty!”

Harrison pulled the trigger. A sharp click echoed. Harrison threw the gun savagely at Di’s head as the latter bored in, both hands swinging for Harrison’s jaw. A roundhouse connected with Harrison’s chin and Gail screamed at the sound of breaking bone. The killer staggered back against the door, blood oozing from his pulverized mouth.

Suddenly the door blasted open behind Harrison and flung him across the room. He stumbled over the table and Di was in on him in an instant. He smashed Harrison across the back of his neck with the edge of his hand. Harrison subsided in a heap. Gail’s

flash bulbs were popping and then the room was suddenly crowded, as Inspector Morf and Chuck Ryan barged in.

Morf said grudgingly to Di, “Nice going, Berke. We heard the whole thing from the hall outside the door. We got enough to put Harrison in the hot seat.” He snapped cuffs on Harrison and jerked him roughly to his feet. “Maybe you can fix up a ringer to take your place in the chair, Harrison.”

“The State Racing Commission will take care of Patola,” Di said. “His five grand won’t do him much good. But you hold up your report for an hour till I phone the story into the *Journal* or I’ll tell the *whole story*.”

Chuck Ryan had picked up the gun Harrison had discarded. He looked at Di with wonder in his eyes. “You sure took a chance when you said that gun was empty.”

“No, I didn’t. It’s my gun. One shot was fired at the Berkshire. Harrison fired one shot at me in Spivak’s apartment. He fired three here. That makes five.”

“Yeah, but this is a six-shooter,” Ryan argued.

Di laughed, and took the gun from him. “I never carried a cartridge in the first cylinder.”

“What if Harrison had reloaded the gun?” Ryan demanded.

“He couldn’t. He didn’t have any of the special cartridges it requires. That’s a Jap gun that I picked up on Saipan. There’s a difference between a Jap .38 shell and the .38 slugs you get here.”

“Whadda yuh know!” said Ryan scratching his head. “See, I learn somethin’ new every day.”