

THE DEAD DON'T TALK

Robert C. Blackmon

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Lanky, slicker-clad body hunched over the wheel of his slowly moving old roadster, Detective Lee Benton watched the rain crawling down his windshield and the lights of Morris Weir's big coupe reflecting in his rear-view mirror. He kept the roadster moving just fast enough to hold his block-and-a-half lead on Weir's heavier car.

Unknown to Weir, he had been shadowing the tall, cold-eyed East City restaurant owner practically every minute of his off-duty time for two weeks, ever since the Dean bonds were stolen. Weir, he believed, could know the answer to the Dean bond theft, for which Dick Benton, Lee's younger brother, faced trial and almost certain conviction in court next week.

Dick, a Dean & Co. clerk, was carrying seventy thousand dollars in negotiable securities to another office a few blocks away. His story was that two men had suddenly started fighting, with himself caught between them, about a block from the Dean office. That they were planning to steal the Dean bonds didn't enter Dick's mind. He thought it was just a fight, and thought only of getting out of the way.

Both men had knocked him about a bit, apparently in trying to get at each other. The fight lasted but a few minutes, and a crowd gathered to watch it. Then Morris Weir appeared and tried to part the struggling men. In the following confusion, the two men had disappeared in the crowd. The East City police arrived about that time, and Dick Benton discovered that the Dean bonds were missing.

The two men who had been fighting could not be found.

Dick and Morris Weir, who apparently did all he could to help, could describe the pair only as "a small, thin man and a short, fat man." No one in the crowd would admit seeing the fight.

The surety company covering the loss made a quick investigation, called it an inside job and were prosecuting Dick. Bail was set too high for Lee Benton to handle.

Benton's dark eyes, red-rimmed from loss of sleep, glinted beneath the brim of his hat. His fists tightened on the wheel, and his square jaw hardened.

Dick was innocent, of course, a victim of a smartly planned robbery. He would stake his life on that. But the surety company's lawyers had dug up enough damaging evidence to convince an indifferent jury. Dick had always gambled and drunk too much for his own good; he'd always needed money and had borrowed frequently from many people. All of that was going to help convict him next week.

Benton swore through clenched teeth.

The bonds hadn't been found, of course. The East City police and the surety company had given Morris Weir a clean slate, and the case was all but closed for everyone except Lee Benton and his brother. Grimly determined to do what he could for Dick, Lee had found himself wondering why Morris Weir should have appeared at the right

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moment in the obviously staged fight.

Weir owned one of the most popular restaurants in East City and apparently always had plenty of money. There were rumors that he didn't get all of his money from the restaurant business that he gambled a great deal and had his long fingers into many things about East City. But Weir's record was clean, as far as the East City police were concerned.

Still wondering about the tall restaurant owner's appearance at the crucial moment in the staged fight that covered the theft of the bonds, Lee Benton had shadowed the man, making himself believe that he would discover something before Dick reached trial next week. Weir was his only possible lead; and if he didn't discover anything before the trial, it would mean young Dick's conviction.

Benton's eyes went bleak as he watched Weir's lights in his mirror.

The roadster rolled another block along the street. Then Weir's coupe reached the next corner and turned to the right, into a side street.

Promptly, Benton trod the gas pedal, raced the roadster to the next corner ahead and turned to the right. He raced a block at high speed, made another turn, cut his lights off, then swung into the side street after Weir.

Still in the turn, he spotted the coupe's taillights a little over two blocks away. Almost at the same moment, stoplights flared as Weir braked the coupe to a halt. The dark figure of a small, thin man hurried out of a doorway to the right. He ran through the rain to the coupe, got in. The car started moving again, much faster.

Sandy hair stirred on Benton's scalp. An involuntary grunt escaped him. Fourteen days of dreary, routine shadowing now this!

His first impulse was to jam the gas pedal to the floor, overtake the coupe, and force a showdown. But reason ruled that out. Weir could have just picked up a friend, Yet

A small, thin man!

Both Dick and Weir had described one of the men who'd staged the fake fight as a small, thin man!

Tight-lipped, Lee Benton stared through the rain-streaked windshield and followed Weir's rapidly moving coupe. He kept his roadster moving just fast enough to hold the two-block interval between the two cars. His roadster lights were still off.

Driving faster and faster, Weir stayed on the side street until it reached the secondary highway leading south from East City. Turning into the highway, the restaurant owner stepped the speed up to sixty miles an hour. The red taillights winked scarlet in the rainy night as the coupe raced along the dark, wet pavement.

Lights still off, Benton followed, keeping enough distance between the cars so Weir wouldn't notice his roadster. The two cars had the highway to themselves.

About five miles out—from East City, the coupe's stoplights flared again, and Benton's foot sought the brake. His eyes were glowing as he stared through the wet windshield. He stopped the roadster.

Weir's coupe came to a complete stop to the right of the pavement and some distance ahead. Minutes passed, but the car did not move. Benton saw vague movement against the glow of the headlights, through the rear glass. Then the coupe's right door opened and something almost without shape tumbled out of the car. It rolled down

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into the shallow ditch to the right of the highway. The door slammed immediately, and Weir was moving again, racing on along the pavement.

Hard eyes glued on the spot where Weir had stopped, Benton got the roadster into motion. The coupe's taillights were entirely out of sight as he reached the place where Weir had halted. He stopped.

A puzzled frown pulled at his sandy brows, as he left the roadster and went down into the ditch.

A small flashlight in his left hand spread a rough circle of light on the rain-soaked earth, and he found the thing which had tumbled from Weir's coupe. Cold moisture that wasn't all rain beaded his forehead as he found it.

It was the small, thin man who had climbed into Weir's coupe, back in East City, hardly fifteen minutes ago!

The little man was lying on his back in about an inch of muddy water on the bottom of the ditch. His thin arms were bent awkwardly. Sharp and white, his face was upturned in the flashlight glow. His eyes, small and staring fixedly, were wide open to the slanting rain. Small, stained teeth showed in his sagging mouth.

The wooden handle of a cheap butcher knife jutted up straight from the left center of his narrow chest, and Benton didn't have to look twice to know that the little man was dead. The blade of the knife had undoubtedly split his heart. There was surprisingly little blood.

Benton swore softly and squatted beside the body.

The wet gray coat was open, the inside breast pocket all but pulled inside out, as if someone had hurriedly jerked something from the pocket. There was nothing at all in the pocket, nor in any of the other pockets of the little man's gray suit.

Benton straightened. He was swearing softly.

He had never seen the little man before. The man had been dead but a very few minutes, and he had died in Morris Weir's coupe!

Benton swore again; then, moving fast in the slanting rain, he scrambled back up the ditch bank to his roadster. Snapping on the lights, he sent the light car speeding along the highway after Weir's coupe. The fingers of his right hand touched the butt of the heavy service revolver holstered under his left arm, and he watched for, the first red gleam of taillights in the rainy darkness ahead.

It was murder, now! The little man in the ditch had been living less than thirty minutes ago. Morris Weir had killed him, in the coupe, and had taken something from the man's pockets. The dead man could have been one of the pair who'd staged the fake fight. His murder could be pinned on Weir.

Benton's teeth made an audible click as they met.

But proving that Morris Weir had committed murder wouldn't help Dick. It wouldn't and couldn't change anything in the trial next week, unless the dead man could be connected with the fake fight. But the little man was dead now. The dead don't talk.

Benton's lean shoulders drooped an inch, raised again.

There was a chance that the dead man had been one of the fake-fight pair. If he had been, his being with Morris Weir tied the restaurant owner in with the bond snatch. Knowing one man in the fake fight, Weir would know the

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other the short, fat man. Confronted by a murder charge, Weir might be frightened into talking.

Benton's knuckles whitened as he gripped the wheel. His right foot went down on the gas pedal. He started swearing steadily.

He'd catch Weir and beat the truth out of him.

Lights flared in the darkness ahead, as a car came around a curve in the highway, meeting Benton's roadster. The car was moving very fast, and its lights grew rapidly as it rocketed closer. It met the roadster, shot past, and Benton's swearing went into a loud, involuntary yell.

The car was Morris Weir's coupe, heading back toward East City!

The roadster all but jumped off the rain-slick pavement as Benton jammed on the brakes. Fighting the wheel, he kept the light car on the road, made a skidding U-turn, and raced back along the highway. The coupe was already a mile away as Benton completed the turn. Gas pedal to the floor, he raced toward the red taillights, and his mind was moving much faster than either car.

The body in the ditch beside the highway should be reported at once. Morris Weir should be arrested, taken in and charged with the murder. But neither of those things would guarantee immediate help for Dick. Lee had to have more. He had to have definite proof that Weir and the dead man had been connected with the bond theft.

Bleakly, he watched the taillights ahead.

If the little man in the ditch had been one of the fake-fight men, there was a chance that Weir would contact the other tonight! Having killed the first man, he would have to try for the second before the death of the first became publicly known! If Benton could catch Weir and the second man together

They rolled into East City, Benton's roadster about three blocks behind the coupe. Weir moved slower along the city streets, and Benton cut his lead down to a block. Weir pulled in to the curb before an old, dark brick apartment building, well out of the business district. He left his coupe, crossed the sidewalk with long, purposeful strides and went into the building.

Quickly, Benton parked his roadster behind the coupe and went after Weir, every nerve in his lanky body tingling.

A narrow, thinly carpeted stairway thrust up from the building entrance to the second floor. Benton went up the flight, moving as fast and as quietly as he could. Far above, he could hear Weir mounting the next flight.

Reaching the second floor, he heard Weir on the stairway above, going to the third floor. Then Weir was walking along a hallway. He made about twenty steps, a door opened and closed, and Weir's footsteps were gone.

Benton's lips were flattened against his teeth as he went on to the third floor. The hallway extended but a few feet to the left, so Weir had walked to the right along the dimly lighted passage. Four doors opened into the hallway on that side.

Benton left the stairhead. Carefully, he eased to the first door, held his wet hat in his right hand, and pressed his ear to the scarred panels. He held his breath for a few moments, listening.

No sound came from the room beyond the door.

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Benton tried the next door, grinned tightly as he again heard nothing, and moved on to the third door. Wet hat in his right hand, he pressed an ear against the door panels, and his lanky body stiffened as he heard the restaurant owner's harsh, nasal voice. Weir was saying:

" already settled with Frank Anders for his share, Joe. We should clean this thing up before the kid gets his in court next week. I'm ready to "

Another, shrill voice cut in.

"We ought to wait until the heat's off, Morris. That was smart figuring, that fight; but you're figuring too smart, now. Maybe you're figuring Frank and I will sell out cheap while we're still nervous about the cops hunting us. Maybe you figure to give us less, that way. Me maybe I ought to hang onto the stuff I have until the market goes up, eh, Morris? I ought to get more for it later, eh?"

There was a short, shrill laugh.

Benton pushed his ear tighter against the door, trying to catch every word. He was crouched, his eyes closed as he concentrated every faculty into listening. His soaked hat was in his right hand.

"Don't try to hold out on me, Joe Pelk!" Fury made Weir's voice harsher. "I planned the whole thing from start to finish. You and Frank Anders just helped, for the cut we all agreed on. You get just what we said, and no more." Weir's voice grew louder, so loud that it seemed much closer. "Frank Anders took what I gave him and was satisfied. He didn't argue. If you try any "

The door of the room was suddenly jerked wide open. Benton, practically leaning against it, stumbled and almost fell. Lights were on in the room beyond the door, and he saw Morris Weir's tall, dark blue-clad figure, less than an arm's length away. Weir had an automatic in his right fist, its muzzle trained on Benton's middle. Above the weapon, Weir's eyes, so pale as to appear almost colorless, were incredibly cold as he stared at the detective.

"Well, as I live and breathe, it's the kid's copper brother." The nasal harshness had gone out of Weir's voice, leaving it almost a soft, smooth purr. "Come right in, Mr. Benton. I've wondered about you several times during the past week or two. I've seen you around me a lot. Maybe you won't be around from now on. Come in!"

The gun in Weir's right hand lifted a little.

Benton, his wet hat in his right hand, was in no position to resist. Mentally, he weighed his chances of dropping the hat and reaching the shoulder gun before Weir coing, that fight; but you're figuring too smart, now. Maybe you're figuring Frank and I will sell out cheap while we're still nervous about the cops hunting us. Maybe you figure to give us less, that way. Me—maybe I ought to hang onto the stuff I have until the market goes up, eh, Morris? I ought to get more for it later, eh?"

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Benton, his wet hat in his right hand, was in no position to resist. Mentally, he weighed his chances of dropping the hat and reaching the shoulder gun before Weir could fire. He discarded the idea instantly. His chances of beating Weir's shot were exactly nothing.

The shot would probably be heard, and Weir might eventually pay for shooting him. But that wouldn't help Dick in court next week.

Benton put his hands out in front of his lanky body, well in sight, and went into the apartment. Weir moved to one side, well out of the way, to let him pass, then closed the door. He came up behind Benton before the detective could turn, and his gun muzzle nudged Benton's spine.

The other man in the room was standing over by the single window. He was short and fat. His face was round and pink, and his eyes were little black buttons. His brown suit was spotted and worn.

"Get his gun, Joe." Some of the nasal harshness was back in Weir's voice. "Put your hands on your ears, Benton, and drop that hat."

Benton dropped the hat, touched his ears with both hands and stood very still. Joe stepped in front of him, lifted the service gun from its holster, and went back to stand near the window. Benton's eyes were glistening.

Joe was the short, fat man of the pair who staged the fake fight near the Dean office. Frank Anders, the small, thin man in the ditch, had been the other. Weir, Joe and Anders had planned and carried out the theft of the Dean bonds!

Holding Benton's gun in his pudgy right fist, Joe watched the detective with bright buttony eyes. His round nose and small red mouth were twitching. He was about eight feet away, facing Benton.

Weir stepped around to Benton's right and stood, watching him unsmilingly. He was about six feet away.

Benton stood very still, his hands just touching his shoulders, now. A narrow, dingy bed was to his left, in a corner of the room. A wavy-mirrored bureau was against the wall near the foot of the bed. A badly worn straight-back chair was between him and the bed. To his right and beyond Weir, a large, cheap wardrobe was pushed against the opposite wall. The door was behind him. Joe, straight ahead, was standing beside a small table that held a cheap plastic-cased radio. The rug on the floor was very cheap and worn.

"Now, Benton," Weir said harshly, "you, Joe and I are going to have a little talk. After that—" Weir's thin shoulders lifted. His pale eyes were very cold.

Benton stood stiddy, every muscle and nerve in his lanky body taut to the point of quivering. He could almost see the tall restaurant owner thinking.

He was to die, of course! Weir couldn't let him live, knowing the things he knew.

"I heard you moving in the hallway," Weir said abruptly. "I heard you brush against the door. I wondered if it was you, then. You've been following me around a good bit lately." Weir's lips made a thin smile. "But I'm too smart for you."

"You are a smart rat!"

Benton said that mildly. His eyes were burning and his lips were drawn. He turned just a trifle, to face the tall restaurant owner.

Weir's long, sharp face flushed. Benton saw his fingers tighten on the butt of the gun in his right hand. Weir wetted his lips, started to speak.

Benton spoke first, talking slowly, deliberately.

"You were smart enough to get Frank Anders and Joe, here, to fake a fight—with my brother, carrying seventy thousand dollars in negotiable bonds, in the middle. You let the fight last just so long, then stepped in to break it up. Anders and Joe got away in the crowd with the Dean securities stolen from my brother. You were plenty smart to take chances on the fact that very few people can give a good description of anyone, even a very few minutes after they've seen him for the first time.

"You met Dick on a gambling spree somewhere and got him to talk about his work; to tell you that he sometimes carried large amounts of money and bonds for Dean & Co."

Suddenly rising fury all but choked Benton. His fists knotted.

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"But you won't get away with it, Weir! I—"

"Give me the copper's gun, Joe," Weir cut in coldly. "We'd better get this over with right away. He knows too much about too many things. Get your batch of the Dean bonds and—"

"Now, wait a minute, Morris." Joe Pelk's short, fat body was very erect. His buttony eyes were bright. His nose and mouth no longer twitched. "You can't plug him here, in my place. I don't want any dead copper in—"

"Give me that gun and get those bonds!" Weir snapped harshly. "I'll handle this the right way." His lips were thin and white. "There won't be any come-back."

"You'll handle this like you handled Frank Anders tonight. That's it, isn't it, Weir?" Benton asked steadily, speaking slowly enough for Joe Pelk to catch and understand every word.

"What's that? What's that about handling Frank Anders?" Joe Pelk's buttony eyes became much brighter. His fat fingers gripped the butt of Benton's service revolver.

"Give me the copper's gun!" Weir's harsh voice rose higher. He edged sideways across the floor toward Joe Pelk, but moved slowly, because he had to keep his eyes on Lee Benton.

"Frank Anders is lying in a muddy ditch beside the highway south from East City, with a butcher knife in his heart," Benton said quickly, sharply. He tried to watch Joe Pelk and Morris Weir at the same time. "Anders was killed in Weir's coupe, then tossed into the ditch. Weir took him for a ride!"

"He's lying, Joe." Morris Weir stopped moving toward Joe Pelk. He cut his pale eyes toward Joe for a split second, jerked them back to Benton. "It's just a bright idea to make us leary of each other. It's a copper's bright gag, Joe. You know I wouldn't—"

"The Dean bonds that Frank Anders had in his pocket are now in Weir's pocket. Weir took them off Anders' dead body before he threw it in the ditch. I saw all of that happen."

Benton's mouth felt very dry. His muscles were twitching and his eyes ached as he kept trying to watch Weir and Joe Pelk at the same time. Joe Pelk was straight ahead, about eight feet away, near the window. His round pink face was losing some of its color and his buttony eyes seemed blacker and brighter with every passing moment. He stared fixedly at Morris Weir, to Benton's right, and his fat right fist held Benton's service gun steady, its muzzle turned toward Weir.

"Let's see the stuff in your pockets, Morris," Joe Pelk's voice was very high and shrill. There was a note of terror in it. "Maybe the copper's lying—but let's see the stuff in your pocket. Right away!"

"Don't be a fool, Joe." Weir's thin lips were fixed in a smile that showed even white teeth. His pale eyes were expressionless. He was watching Joe Pelk now, though his gun was still trained on Lee Benton. "I told you the stuff about Frank Anders being dead is a copper's gag to cause trouble. Give me Benton's gun. We'll clean this thing up right now. Then we'll go and talk to Frank Anders. He'll—"

"The dead don't talk, Weir!" Benton broke in quickly.

"You—"

Weir's pale eyes started burning. He lifted the gun in his right hand, but did not shoot. He kept watching Joe Pelk, flashing an occasional glance at Benton.

"The dead don't talk."

Joe Pelk repeated the words slowly, shrilly. His short, fat body was rigid. Benton's service revolver, in his pudgy right fist, was now aimed at Weir's tall figure.

"The dead don't spend money, either, Morris." Joe's voice went higher. "You killed Frank to get his share of the Dean stuff, Morris. You want Benton's gun to kill me with. Then you'll kill Benton with the same gun, and let the cops figure what they want when they find us here together—dead. We're dead! We don't talk. Frank's dead! He don't talk. You're in the clear— with all of the Dean stuff, Morris. That's some more of your smart figuring,"

"I tell you, Joe—" Weir started, but Joe Pelk cut him off.

"If the copper's lying, you won't mind showing the stuff in your pockets, Morris. If you've got Frank's share in your pockets—"

Morris Weir's tall figure seemed to crouch. His pale eyes burned brighter. Abruptly, he swung the muzzle of his gun from Benton, jerked it toward Joe Pelk and fired! It was a snapped shot and the slug clipped through Joe's left coat sleeve and smashed out through the window behind him.

Gun roar shook the room, and the reek of cordite stung Benton's flaring nostrils. He was moving almost at the moment that Weir fired. One long arm shot out and he caught the back of the straight chair nearby. Swinging the

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heavy chair clear of the floor, he flung it as hard as he could across the worn rug toward Weir's legs. Carrying on in the same movement, he dived toward Joe Pelk's short, fat figure directly ahead, depending on the chair to keep Weir busy until he could get his hands on the service gun in Joe's fist.

Even as he moved, Joe Pelk fired wildly, rattled by the sudden action. His slug missed Weir and gouged plaster from the wall behind the tall restaurant owner.

Simultaneously with Joe's shot, the flung chair hit Weir across the shins. Weir bawled in sudden pain, tripped over the clattering chair and fell face forward toward the floor. His long arms snapped out to break his fall. The gun in his right fist made a loud thud as it hit the floor.

Confused by two targets, Joe Pelk hesitated a split moment before turning the gun toward Benton. And the detective hit him, ramming him back against the window. Joe's round head hit the sash and the lower pane went out with a jangling crash. He started squealing shrilly. He pumped two wild shots into the ceiling, and powder flare stung Benton's eyeballs. Before Joe could fire again, Benton got his hands on the service gun and wrenched it free.

Morris' Weir, his long legs still tangled with the chair, kicked frantically to get clear. Stark fear and pain gave expression to his pale eyes and his thin lips were jerking as he stared at Benton and Joe Pelk.

Joe Pelk's round head and face were streaming with blood from cuts made by the shattered window. He was still squealing shrilly and pawing blindly at Benton.

Benton, his bleak eyes on Morris Weir, was frantically juggling the service gun around in his hand for a shot at Weir. The tall restaurant owner kicked clear of the chair and scrambled to his feet, at the same time pumping two fast shots at Benton.

The first slug missed entirely and smashed the plastic-cased radio near the window. The second slug ripped a hot furrow along Benton's left forearm; then Joe Pelk screamed and huddled on the floor beneath the window. His head and face were red with blood. He was still squealing.

Grimly, Benton settled the familiar revolver in his right fist and shot carefully, as if on the target range. He had aimed at Weir's right wrist, knowing he had to have Weir alive to clear Dick.

Weir's gun went flying from his hand in a crazy arc, hit the floor and slid under the big wardrobe across the room. Bawling with pain, Weir broke into a long-legged run toward the door. His shattered right wrist made a stream of blood across the rug. As he neared the door, Benton aimed, to put a slug in his right leg. But before Benton could fire, the door was flung open and a uniformed patrolman showed in the opening. He had a nightstick in his left fist, a service gun in his right.

Weir, still bawling, started to run out through the open door, and the patrolman hit him with the night stick. The tall restaurant owner hit the floor on his back inside the room and didn't move a muscle after he struck.

The patrolman, wary-eyed, gun spiking from his fist, stepped over Weir and came into the room. He recognized Benton and started grinning.

"What," he demanded, "is the war about? I heard it up at the next corner and came running."

Benton explained swiftly, feeling gently of his slug-furrowed arm. As he finished, Joe Pelk, on the floor beneath the window, started babbling shrilly. Benton and the patrolman went to him. Morris Weir was unconscious. Joe Pelk's left shoulder had been smashed by the slug which had ripped Benton's arm. Joe wiped blood from his eyes with his left hand and stared up at Benton and the patrolman. He was almost weeping.

"I didn't have nothing to do with killing Frank Anders!" he babbled shrilly. "Morris Weir did that. Benton saw him. I didn't do nothing but help work the fake fight when Frank and me swiped the Dean bonds from the copper's brother. Weir planned that job. Frank and me just helped. Look. Get me a doctor. Please! I'm bleeding to death! I'm shot! I'll talk! Only get me a doctor!"

The patrolman grunted. He grinned at Benton.

"That means," he said gruffly, "your kid brother—"

"It means," Detective Lee Benton cut in quickly, "that the dead don't talk. But the living do. Let's get this thing cleaned up, fast. I want to tell Dick!"

THE END.