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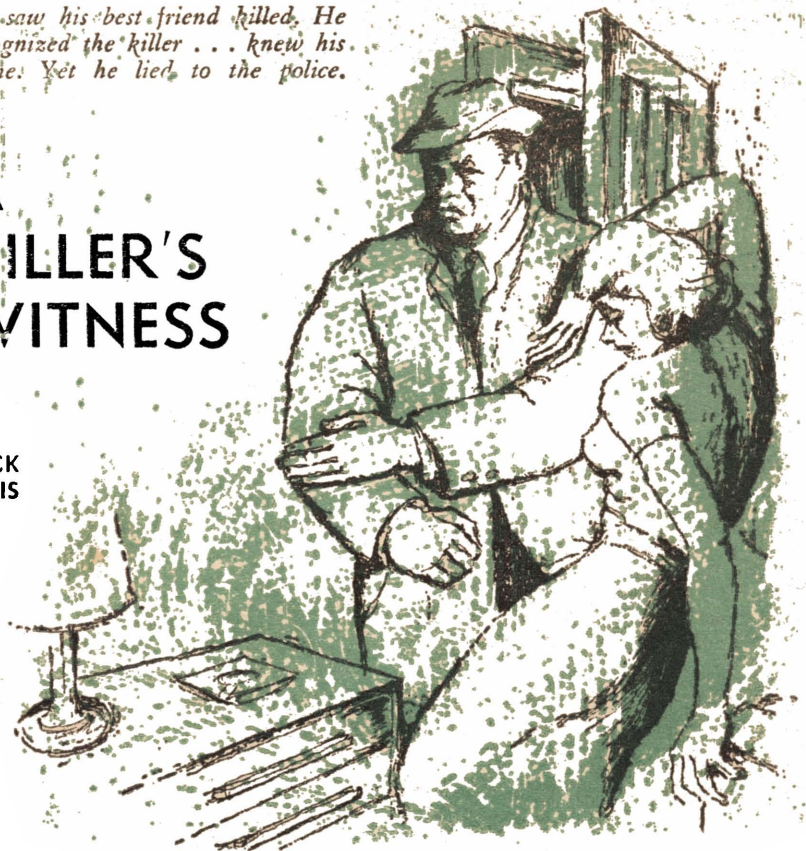
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He saw his best friend killed. He recognized the killer . . . knew his name. Yet he lied to the police.

A KILLER'S WITNESS

BY
DICK
ELLIS



THE POLICE LIEUTENANT said bluntly, "You're lying."

I sat in a chair facing the lieutenant's desk. Several cops crowded into the office, leaning against the walls, watching me squirm. But the chatter of a teletype in a corner of the dingy cubbyhole was the only sound.

"It's the truth," I said. "I was back in the can when it happened.

Washing up. I heard the shot, but I didn't see a thing."

One of the cops made a disgusted sound. I felt big beads of sweat sliding down my face.

The lieutenant shook his head at me. "You know something, Mr. Brandeis? You make me want to puke. You really do."

"I told you how it was," I snapped. I tried to sound mad.

"Sure. Next thing, you'll tell us you're a taxpayer, and you got your rights," a uniformed cop muttered.

"Go home, Mr. Brandeis," the lieutenant said.

I got up warily. No one tried to stop me as I walked to the corridor door. Then: "Just a minute."

I gripped the door-knob till my fingers ached. I stared at the words painted on the door: *Homicide. Lt. Snyder.*

"One thing," the lieutenant said. "Your boss gets killed, your company gets robbed, but you're too busy washing your hands to notice. Okay. But maybe you can tell me how you go about washing without getting the lavatory wet? It was dry, Mr. Brandeis. So was the bar of soap. So was the towel there."

I hadn't thought about that. There had been so many things. I stammered, "Well, I—I don't know."

None of them said a word. They just looked at me. After a hundred years Lt. Snyder flicked his hand in dismissal. "Get out." I got out.

I drove home through the late October twilight. Away from the congested downtown streets. I drove faster and faster. Like something was chasing me. Something was. Fear.

When I got home I went into the house, locked the door behind me. But I couldn't lock out the fear. My wife jumped up from the livingroom sofa, her golden hair swirling.

"Bob, I heard on the radio—are you alright?"

"Sure," I told her. I held her in my arms. Both of us were shaking. "Sure. It's nothing to do with us, Joan"

She pulled away, blue eyes widening. Her relief changed to quick anger. "What do you mean? Tom Jackson—murdered. Your friend. You worked for him four years." Her voice rose. "Nothing to do with us? My god!"

"Tom's dead," I said roughly. "Not a thing I can do about it. It's over and done with."

Like hell it was. The phone rang while we were eating dinner. I was glad for the excuse to leave the table. The sight of food made me sick. At the phone in the hall, a muffled voice came over the wire.

"What'd you tell John Law?"
Sagging against the wall, I said, "Nothing."

"Keep it that way," the voice chuckled.

Little red flames danced behind my closed eyelids.

The voice went on, smooth and soft as melted butter. "Our mutual friend wanted me to call. Let you know he does have friends to look after his interests. Even if he's not around."

"Listen, I don't know anything," I whispered. "Let me alone."

"Sure thing. Just remember—one yap to the cops and you're done. And your wife—Joan, isn't it? Hot looking girl. I go for blondes."

I banged down the phone. My hands came up, thumbs interlocked. How I'd like to—

"Who was that?"

After I had control of myself, I turned to see Joan in the kitchen door. "Some guy had the wrong number."

And of course, in a way, that was the truth.

Later, I lay in bed trying to sleep. Finally I got up, left the bedroom. Joan didn't stir. Maybe she was asleep, maybe not. The way she'd acted all evening—but damn it, she didn't understand. And I couldn't explain. Not even to her.

I went through the house to the kitchen. Fumbling in the darkness I found a bottle in the cabinet over the sink, and took a long drink of rye. I moved to the window and looked out. Shedding trees stood silhouetted against pale moonlight. The yard was covered with fallen leaves that rustled in the wind. We'd planned to rake up the dead leaves that afternoon.

Joan and I together—we both liked working in the yard. I'd looked forward to it all day. Until five o'clock came, and death came, and the world I'd built the last few years threatened to come apart at the seams.

Five o'clock. The last of the loan-company office staff had gone home. As usual, I had stayed to help the manager, Tom Jackson, close up. While he totaled the cash, I went into his private office to get

out the bottle. Every afternoon we had a shot and a smoke before we went home.

During my four years with the company, Tom and I got to be pretty good friends. He was the only person in Springfield that knew about me. Where I came from—and why.

"Hey," Tom yelled. "Got the booze poured, Sarge?"

"Any time, Cap'n," I answered, grinning. Tom was one of those guys who never quite got out of the Army, after the war. He was a big man at the local American Legion post.

He called, "Pretty fair day. Got two-grand in the till."

He started whistling. A minute later he suddenly broke off. I glanced around. Looking at an angle through the open door, I saw Tom's back, saw his hands lift above his head.

And I heard a voice: "Put the cash in this. Quick like a bunny."

"You're nuts, Mitchell. You won't get a block."

"Want to bet, Captain?"

I eased toward the door until I could see them clearly. Tom mad as hell while he stuffed bills into a paper bag. Across the counter from him a man with a leveled gun.

I recognized the pasty face and the shaggy black hair. Frank Mitchell. He'd worked at the office awhile, about a year ago. Tom had fired him.

Before I could do anything,

Mitchell reached for the bag of money. As he did, Tom made a dive for him over the counter. Mitchell jerked away and the gun in his hand spat fire.

Tom spun around, crumpled to the floor. He didn't move.

I must have yelled. Because the smoking muzzle of the gun swung my way. And Mitchell's eyes—wild and scared as they focused on me. He pulled the trigger again and the heavy slug splatted into the wall near my head. I fell back into Tom's office. Slammed the door, locking it.

His shadow loomed on the other side of the frosted glass. Cursing shrilly he rattled the door-knob. If he started blasting, I was through. There was no way out. We had a gun—but it was in the cash-drawer out front.

Then his shadow froze, and I dimly heard voices calling back and forth somewhere in the building corridor, outside the company offices. Mitchell whispered: "I know you, Brandeis. Keep your mouth shut or you die. You and your wife both."

He was gone. I waited a few seconds with the sweat pouring down my face. Then I unlocked the door, hurried into the main-office. Tom lay on his side his knees drawn up, in a pool of blood. I stood looking down at him while people crowded in, shouting questions, going abruptly silent when they saw Tom's body.

By the time the cops arrived, I knew what I had to do. When they took me to the station, and Lt. Snyder asked me, I said. "I can't tell you a thing. I was in the toilet washing up, when it happened."

Because nothing was going to tear down my comfortable little world. Not again. Mitchell would get his, sooner or later, with no help from me.

Now I stood in the dark kitchen of my dark house, starting out at bleak midnight. I took another drink of rye. It didn't help. That phone call. Mitchell was scared—maybe too scared. What if he and his "friend" tried to make sure? What then?

I upended the bottle and drank till I almost choked.

Yes, Brandeis—what then?

The loan company stayed closed the next day. Out of respect for Tom, and also to give the owners time to choose a new office manager. There was a chance I'd get the job.

When I mentioned it to Joan that afternoon, she said, "That's great. I'm sure Tom Jackson would be very happy for you."

Of course she knew I wasn't telling the truth about the murder. We were too close to be able to lie to each other. But she didn't know why I was holding back. Thank god for that, at least. Let her think I was yellow—it was better than the truth.

But she couldn't leave it alone.

We were in the livingroom, watching television. Suddenly Joan reached out and switched off the set. In a tight voice she said, "I've got to know."

"Know what?"

She stared at her hands, knotted together in her lap. "Did you—did you have anything to do with Tom's murder?"

"For God's sake, Joan."

She didn't look up. She talked on, faster and faster. "You never told me much about yourself. And I never asked. You came out of nowhere, and I didn't care who you were or where you came from—it didn't matter. And after we got married, sometimes you'd say—things—in your sleep. That didn't matter, either. But it does now."

I jumped up, my chair crashing backward to the floor. "What the hell are you saying?" Leaning over her, I grabbed her arms, shook her. She fought back until I slapped her, hard.

Then she crumpled down on the sofa and started crying. I watched her while the rage drained out of me, leaving me cold and dead. "I'm sorry. Sorry for everything. I had nothing to do with Tom's death, or the robbery. But—to hell with it."

She was still lying there face down, sobbing, when I left. I walked a block to a neighborhood bar. I tried to get drunk. I was still trying when Lt. Snyder came in, followed by a plainclothes cop.

"Well, well," Snyder said. "Your wife told me I'd probably find you here."

I looked at him in the long mirror behind the bar. He looked like a middle-aged accountant. "Why don't you get off my back?" I said softly.

"Why don't you tell me what really happened yesterday?"

I glanced around. Besides the three of us, there were only a couple of afternoon beer-drinkers and the bartender. Frank Mitchell wasn't there. Yes, but how about his "friend?"

I finished my drink and ordered another. Snyder waited. The plainclothes cop waited. He reminded me of pictures I've seen of the Sphinx—he had the same kind of mashed-in nose. They could wait till they died of old age.

Finally Snyder said, "We've done a little checking on you, Brandeis. Yes. Very interesting."

He waited some more. I didn't move or speak.

"Fine Korean War record. We also found where you were—and what you were doing—between your Army discharge in '52, and the time you showed up here in Springfield, in 1955."

A vise clamped down on my chest. I thought of the teletype in Snyder's office. There was no place a man could go to get away from police teletypes, and what they represented. I said, "Leave it, Snyder."

He went on like he hadn't heard

me. "That's it, isn't it? You don't want to get involved, because you're afraid the newspapers will dig into your past."

I wondered if the bastard was a mind-reader. "I told you and told you—I don't know a thing." My voice sounded like a rusty hinge.

Watching in the mirror, I saw him shake his head. "Brandeis, you've got a face like an overgrown Boy Scout. You should never try to lie—you're not equipped for it."

A muscle in my jaw was twitching uncontrollably. I lifted a hand to hide it. As I did, the plainclothes man tensed. I told Snyder, "Why don't you keep that on a leash? It looks like it might bite."

The cop snarled, "Why, you—"

Snyder impatiently thumbed him toward the far end of the bar. He went, glaring at me over a beefy shoulder. Snyder turned back to me.

"Let's quit horsing around, Brandeis. You're scared spitless of publicity. But you're going to get it, one way or the other. Either: 'Loan company employee identifies murderer,' or: 'Ex-con refuses to aid police.' Which is it?"

I sagged against the bar. So the whole thing would be raked out in the open again. I said hoarsely, "Snyder, you don't know what they did to me—"

"Alright, alright. You got a raw deal. That's pretty obvious from the information that came over the wire. You took a two-year fall for

manslaughter, because of political conditions. Tough. So what? I'm supposed to hold a handkerchief for you to blow your little nose?"

I called him a few short, ugly names. But he had me, and I knew it. I started to tell him the works. But before I could, the phone rang, the bartender answered it, then said, "Hey, Bob, somebody for you. She sounds mad or hurt, or something."

I grabbed the phone. Joan cried hysterically, "Thank God I found you—come home—a man—"

Then a crash. "Joan?" I said. "Joan?" But there was only silence. I ran outside, Snyder right behind me. His car was at the curb. "Your place?" he asked.

He didn't speak again during the short, fast ride. At my house we ran up the walk to the open front door. The cop with Snyder pulled his gun as we charged inside.

Joan lay on the floor by the telephone stand. I dropped to my knees. Her face was bruised, a large red lump on her jaw. Blood trickled from her split lips. The blouse she had on was torn down the front. Numbly I pulled it together. But she was a long way from dead—her pulse was strong and fast.

I carried her to the livingroom sofa, and as I put her down her eyes opened. She moaned, "Bob."

I didn't say anything.

She threw her arms around my neck. "Bob, I hurt something awful. He kept hitting."

"You're alright now. I'll get a doctor."

"I've called," Snyder said, behind me.

I'd forgotten he was even there. I blazed at him, "Is the bastard who did this here? Did you get him?"

"The house is empty," Snyder said.

His flunkie blundered in. "Nobody outside. I checked all around."

I turned to Joan. Under the bruises, her face was getting back its normal color. She managed a shaky smile. "I'll live."

"Who did this to you?" Snyder asked gently.

"I—I don't know. He looked so friendly. I thought he was a salesman." She gulped. "But when I opened the door, he pushed me back and—and hit me."

I tried to swallow the bitter taste surging in my throat. I'd done this to her. Just as sure as hell. I'd been so wrapped up in my own fears, I hadn't had time to worry about my wife. "What did he look like?"

"Big and baldheaded—oh, I don't know."

Mitchell was a thin guy with lots of greasy black hair.

"He didn't say anything at all?" Snyder put in.

"Just before he left, he said, 'Tell Bob our mutual friend said hello.' I don't know what he meant."

I heard the wail of an ambulance siren. Seconds later it stopped in front of the house. The doctor bustled in and took over.

"She's alright, she's fine," he told me a few minutes later. "No need to haul her to the hospital. Keep her in bed till tomorrow and she'll be good as new." He examined my face with bright, shrewd eyes. "Lord, she's a fine healthy girl. Haven't seen such a build since the last time I went to the burlesque."

"Listen, you—"

I cursed him all the way out to the ambulance. But when I finished, I felt better—maybe that's what he had in mind.

Back in the house, Snyder said, "Alright. Let's have the story. This little—episode—was obviously meant as a warning to you. Which in turn means you actually know the man who killed your boss. Maybe even know his name, ah?"

I hesitated, staring at the closed bedroom door. Joan was in there, already asleep from the shot the doctor had given her. She was safe. But for how long? Mitchell had two-thousand dollars. That'd buy a lot of "friends" down on skid row.

Snyder misunderstood my silence. He said wearily, "I'll be damned. What kind of spineless bastard are you? Is keeping your name out of the papers that important? Or maybe you're just plain scared now."

"Lieutenant, I don't give a god-damn about my name in the papers, not any more," I said slowly. "But I've got to—look after my wife. I'll call you at your office in an hour. I promise."

The plainclothes man came out of his chair. "You'll spill your guts right now, or—"

I told him what he could go do for himself.

Snyder said, "Mac, for crissake, get out to the car. Move." And when we were alone: "What are you going to do?"

"I told you. Get my wife fixed up comfortable." I made an effort to keep my voice calm, even. "I'll call you in an hour. That's it. So long."

He saw I meant it. He shrugged and left. At the door he said, "One hour. Then you open up, or I'll fall on you—heavy."

I waited till his car pulled away down the street. Then I started moving—I had a lot to do. I got a neighbor to stay with Joan. Then I left. I took my old Army .45 with me.

Forty-seven minutes later I called the police station. "The killer is named Frank Mitchell," I told Snyder. "He worked at the loan company about a year ago." I gave him a description and hung up fast, before he could ask questions.

I hurried from the drugstore where I'd made the call, and got in my car. I'd kept my promise. It would take Snyder awhile to catch up. But all I wanted was a few minutes alone with Mitchell and his baldheaded friend.

I drove four blocks, found the shabby building I wanted, and turned into the next side-street and

stopped. I checked the .45 and tucked it under my belt. Leaving the car, I went back along the street to the dark, broken-down tenement in the middle of the block. It hadn't been too hard to find Mitchell.

I'd stopped by the office and dug out his old address. Then it was just a matter of tracing him—actually, it was like tracing Mitchell's life during the last year. From a pretty good apartment to one not so good. On to a boarding house.

Finally to this sleazy flop-house on the wrong side of the tracks. Two-grand must have looked real good to Mitchell. Glancing at my watch I saw it was a little after five. Tom Jackson had been dead twenty-four hours. A couple hours ago, a hired goon had roughed up my wife.

I went into the building, up three flights of stairs. I had to light a match to read the numbers chalked on the dirt-cruste'd doors. When I found the right one, I didn't bother to knock. I planted my foot in the flimsy lock and the door bounced open. I followed the .45 into sour darkness.

But the room was empty. I lit another match, located a table-lamp, switched it on. One stinking room. Rickety furniture, a pile of soiled clothing in one corner. Not even a closet. I kicked the door shut, swearing.

I'd figured Mitchell would be here. Too scared to risk going out yet. He and his errand-boy. Damn

it, I had to see them first, before Snyder caught up. Had to convince Mitchell of a few things.

There was nothing to do but wait. I turned off the lamp, sat down on the rumpled bed facing the door. The .45 nestled snugly in my hand. I put it down on the bed beside me.

I lit a cigarette. I needed it.

No, it hadn't been hard to find Mitchell. But then I'd had practice. Almost a year of it, in a small town near New York—a long way from Springfield. But not far enough.

Footsteps in the hall.

I forgot my bitter, futile thoughts as I jumped up and found the lamp. The footsteps stopped outside the door. A key rattled in the broken lock. Then a muffled curse, and the door slowly swung open. I flicked on the lamp.

"Come in," I said. "I've been waiting."

It was Mitchell. "What the hell!"

"Inside," I said, wagging my gun. And as his hand went for his coat pocket: "Don't."

He sent a glance over his shoulder and walked to the center of the room. Trying to turn me away from the door.

"What's up, Brandeis?" His lips twisted in a sick grin. "Hell, you got nothing against me."

I showed him my own teeth. "You're a stupid sonuvabitch."

"Man, I don't follow you."

"You've seen too many bad movies, Mitchell. About how the big

tough killer shuts up witnesses. It don't work that way, though. Not very often. I wanted you to know that."

A floor-board creaked in the hall.

Mitchell started talking in a loud voice. "Listen, man, you got it all wrong here. I don't know what you're talking about."

The floor-board creaked again and I stepped back until I could cover both Mitchell and the door. A gun-muzzle poked through the door. But it was pointed the wrong way. When the fat man holding it charged into the room I snapped, "Drop it."

"Take him, Roy" Mitchell yelled.

But Roy wasn't having any. Not when he saw where I was, the .45 aimed at his belly. He let his gun fall to the floor. His fat little mouth puckered like he might cry. His baldhead glistened in the lamp-light. Joan was right—he did look like a salesman.

"My wife asked me to say hello, Roy."

"Hey now," he yelled. "I didn't hurt her none. It was just a job—nothing personal."

"Joan'll be glad to hear."

Mitchell had a last card to play. He tried to play it hard. "I know what your game is, Brandeis. Play the big man. Do the cops' job for them and get your name in the papers, ah? Your name will be there alright—in the obituary column."

I laughed. "That's real funny."

He licked dry, colorless lips. "Listen now, I'm warning you. You want to live, you'll get out of here. Understand?"

He couldn't scare anything bigger than a Cub Scout.

I said, "You mean two-grand will buy a lot of friends like Roy here? Mean bastards, who'll see I don't live to testify."

"That's right," Mitchell screeched, the last of his brittle nerve shattering. "You ain't got the guts to use that gun—but I have—"

Frantically he plunged his hand into his pocket. I waited until he came out with a snub-nose Colt. Then I snapped down my gun and fired.

He flew back, bounced off the wall and hit the floor.

Roy whispered, "No, no—don't."

I leaped forward and smashed his fat face to a bloody mess with the barrel of my gun. He didn't even try to fight back. He sank to his knees, blubbering. I swung at his jaw. Bone snapped under the steel barrel. He toppled over and didn't move again.

"Like I said, Roy," I panted, "my wife says hello."

I stepped across his unconscious bulk and looked down at Mitchell. He lay on his back, his broken arm

twisted under him in a growing pool of blood.

"I told you you were a stupid sonuvabitch, Mitchell."

He glared at me. Little moaning whimpers bubbled in his throat. I bent, got his collar in my fist and jerked his head up. I shoved the .45 muzzle in his mouth as far as it would go. He tried to scream but nothing came out.

"Listen, Frank boy," I said quietly, gently. "If anyone, anyone at all, even looks sideways at me or my wife—tomorrow or next month, or the day you die in the chair at State prison—I'll come for you. Wherever you are. And I'll kill you one inch at a time. One small inch at a time."

I ground the gun barrel against his teeth. "You get that?"

He understood. The naked terror in his eyes told me, just before he fainted. I got his gun and Roy's and tossed them on the pile of dirty clothes in the corner. I looked at my own blood-smeared .45. And tossed it after the others.

I went out to the pay-phone in the hall. And as I dialed the police station I suddenly realized something. No matter what happened, I wasn't running. Let the papers do their damnedest. Joan and I could take it.

