

# You Can't Mince Homicide

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*Baseball and murder are strange bedfellows. Detective Jim Toller knew that they didn't mix well. And that made him one up on the killer. For the killer had yet to learn that... YOU CAN'T MINCE HOMICIDE!*

## **Chapter 1**

### **Last Inning.**

Detective Jim Toller was half asleep. Out of the radio cabinet on the table near his elbow boomed the voice of an excited mike ragger, but his words barely registered on the headquarters man's soporific brain.

„—Last of the eighth. It's the Blues at bat, fans. They've got the only run of the game and this one run looks bigger every minute. This game means the pennant for whoever finishes out in front. Big Joe Waltham is up there swinging his big bat and the crowd is still making a lot of noise. Beginning to rain a little harder now—“

Jim Toller had wanted to see that game between the Centralia Blues and the Midville Mudhens. He guessed that about everybody in Centralia had gone to that night baseball game over in Midville. The town had been baseball crazy for a week. But Jim Toller had had a tough day of it trying to get the goods on a pair of hot-car dealers. He yawned, stretched and reached out to turn the radio on louder.

„—Raining pretty hard now. There are no covered stands here in Midville, but the crowd doesn't seem to mind about getting wet.”

Jim Toller idly reached out for a paper. Headlines barked at him:

*FATHER'S MONEY SAVES PLAYBOY FROM JAIL  
Manslaughter Charge Against Young Manther Dismissed  
Case Settled Out of Court*

The detective smirked. Like most of the people in Centralia he had been hoping that Ted Manther would get the limit. The story had inflamed the citizens of the small metropolis for weeks. Young Manther had been in plenty of trouble long before running over and killing a child in the street.

Jim Toller had been at police headquarters when Manther had been brought in. The millionaire manufacturer's son had had no recollection of having hit anybody—he had been that drunk. A burly policeman had beaten a lot of the liquor fumes out of the playboy's brain that night, and Jim Toller had itched for a chance to get in a few punches of his own. Outside the jail a crowd had gathered yelling for young Manther's blood.

Jim Toller threw the paper aside and mumbled: “That kind of guy would get off. Been somebody like me—“

He stretched, fell back in his chair and the voice issuing from the radio gradually grew fainter in his ears.

*„—Raining pitchforks here now. Last of the ninth. The Mudhens have two more men coming up. Lefty Hoyt's got one out. Only two more and the Blues win the pennant, fans.”*

Jim Toller was asleep. The insistent ringing of the telephone woke him up almost an hour later. He glanced at the clock, forcibly banishing the sleep from his eyes, and reached for the jangling phone; the hands of the clock said eleven-fifteen as he barked: „Hello?“ into the transmitter.

„Headquarters calling, Jim? We've been ringin' for five minutes. Car's on the way there now to pick you up,“ a gruff voice ran on. „Nobody but T.J. Manther's been bumped off. Yeah—Roy Manther found him when he got back from the ball game. Looks like that no good rat of a brother of his got himself into a real jam this time.“

Detective Toller banged the phone onto its cradle, snatched up his topcoat and hat from where he had thrown them hours before, and went out of his little flat on the double. A police car was crowding toward the curb when he got out into the street. While it was still rolling the detective climbed in and fell into the back seat between two burly cops.

„Big stuff!“ he cracked.

„You won't need to do much snoopin',“ one of the cops said. „Y'know that Manther kicked the kid outta the house after he got him out of that last mess. Cost him close to fifty grand, I heard. Young Manther's been next to broke an' he got kicked out of his club. Been living in that little caretaker's cottage right near the main road.“

„Yeah,“ Jim clipped, „I guess I won't never get a chance to show the chief anything. The only big bump-off since I turned in my night stick, an' it's all cut an' dried. Nuts!“

## **Chapter 2**

### **The Manthers Gabled Mansion.**

The Manthers had a show place three miles outside of Centralia. It was a huge, gabled mansion half hidden by tall pine trees, and from the eminence on which it was built it seemed to look down with disdain upon the rest of the habitations sprawled around it. When the police car climbed the winding road and rolled into the big front yard, Jim Toller saw a long sleek coupe standing in front of the house, its lights still on. The detective eyed the ornamental car with a bit of envy as he followed the cops up to the door.

A tall man in his late thirties opened the door suddenly as they approached. His hat was off and a camel's hair polo coat dangled loosely from his broad shoulders. Roy Manther's face was pale, the whiteness accentuated by the hall light. Jim Toller had seen him around town a lot. The elder of the two Manther sons was like his father, as different from his brother, Ted, as milk is from wine. He was the son who had been content to go into his father's business and make a go of it.

Jim Toller followed the nod of Roy Manther who said in a tight voice: „In there.“

All the men went into a large room that was lined with shelves on three sides, all completely filled with books.

A bulky man with iron-gray hair was slumped sidewise in his chair, one arm hanging over the arm, fingers just short of touching the rug. There was an ugly hole between his eyes and an unwholesome blue-white pallor to his face. In one corner of the room stood a thin, gaunt man, a soiled terrycloth robe wrapped around him, wide eyes staring at the dead body of the man known to the world as the great „T. Jay.”

Detective Toller said to the dead man’s son: „You—you’ve got a pretty good idea who did it, I guess. Sorry to have to speak so bluntly but—“

Young Manther nodded.

„He’s down there in that cottage near the road. Hasn’t hardly drawn a sober breath since we got him out of jail. I went in there. He’s lyin’ on the bed with the pistol in his hand. He must—have—shot dad from the open window because he was not allowed in the house. He hasn’t a key and dad would have seen him if he had tried to get in through that window.”

Manther plunged his hands into the pockets of his loosely worn coat, idly took one out and looked at a folded square of pasteboard that it held. Jim Toller took swift notice, saw that it was a score card.

He suddenly said:

„Where’s the coroner, Mike? He ought to be here.“

Roy Manther swore softly, and Toller thought that a little sob came out of his throat.

„To think we have to go all through this after what has already happened. He must have sobered up—a little, then came up here to—He was a crack shot with any kind of a gun. He belonged to the gun club in town. He—“

Brakes squealed outside and tires bit into gravel. A few moments later a small, fat man bustled in breathing fussily. The cops stepped aside and let him have room to open his ominous black bag and go to work. Jim Toller knelt down and picked up an unlighted cigar from the floor. It bore mute evidence of the murdered man’s mood at the time of his death, for fully two inches of the rich weed had been chewed to shreds.

„He always did that when he was angry or worried about anything,” Roy Manther volunteered, speaking of his father.

Before Jim Toller could respond, the coroner made a blunt statement.

„Been dead a couple of hours—not more. Looks like a bullet—about a thirty-eight—went into his brain.”

The fat little man thrust a pudgy hand into his black bag and pulled out a long, thin, shiny instrument. Toller and two of the cops turned away.

## **Chapter 3**

### **Shot from beyond the Window.**

The coroner finally snapped his black bag shut, called to Toller. The detective stepped up close. Roy Manther was just behind him.

„The bullet did not go very far into his head. I’d say he wasn’t shot from very close up,” the medical man said. „A good shot could have stood out beyond the

window and nailed him, Toller. That slug would have gone right through his head if a man had stood—say, right here.”

Jim Toller looked at Manther, said: „Looks like this won't be much of a case. Your brother could have made a shot like that.“

Manther tightened his lips, said: „Yes. You'd better go down to the cottage and pick him up.“

Jim Toller said: „If he is as drunk as you say, he'll wait. After he killed his father, he must have gone down there to pack a bag. His nerves were ragged and he took a stiff drink. He took a couple more and then forgot what he had intended to do.“

He stabbed a finger at the gaunt man who still stood as if mesmerized by the sight of the dead man.

„You find the body?“

The servant said: „Beg pardon. I did not catch—“

Roy Manther cut in: „No. I came in, Toller, and saw him like that.“

„You mean,” the headquarters man shot at the servant, „that you didn't hear a shot?“

The frightened retainer shook his head.

„N-no, I did not. I sleep on the third floor and I sleep very heavy, too, sir. Mr. Manther let me retire about nine o'clock. I'm getting quite hard of hearing, sir.“

„Any other servants in the house?“

„None,” Roy Manther answered. „We discharged the housekeeper a couple of days ago. Incompetent,” he added crisply. „I left for Midville just after dinner. I stopped in to see Ted—my brother down at the cottage—and asked him if he felt in shape to go with me. He growled something about getting thrown out—said he might make it tougher than the old man thought. Anyway he said something that sounded like that. He had a terrible hangover, looked pretty bad.“

„Hmm,” commented the detective. „He had been tossed out. He needed money, eh? You think that was what he wanted? That because your father wouldn't give it to him, he—“

Roy Manther did not respond. His eyes were on the wall near the front of the house.

„Behind those books there,” he said, „is a safe. Somebody's been moving the books!“

Jim Toller followed him across the room. Manther yanked some loose books out of the case and dumped them into a chair. In the space thus revealed, the detective saw a small safe door standing open about an inch. The dead man's son swung it wide and plunged a hand into the black depths of the built-in safe. He pulled out a lot of papers and hurriedly examined them.

„There was five thousand dollars in here last night,” he said excitedly. „Dad put it there. I brought it home with me.“ He looked out into the night, his face hard, eyes stormy. „The rat—the no-good rat! I ought to kill him!“

Jim Toller thought awhile. Then he said: „He shot his father first so that there would be no angry outcry to reach up to where the butler slept. He knew there would be a fuss once his father saw him coming in. When the job was done, he came in through the window and robbed the safe.“

Toller turned to Manther and a couple of men from headquarters.

„Let's go down and take him.“

Toller and Roy Manther and the cops went down to the little cottage at the end of the winding driveway in a headquarters car. They found Ted Manther,

fully clothed, lying on a bed. There was a whiskey bottle on the floor. Jim Toller found five thousand dollars in his pockets. The gun that had killed the man up at the gabled house was clutched in his hand. Roy Manther lifted him up, cracked the palm of his hand against his brother's face a half dozen times. The drunken man's eyes opened suddenly and he babbled something.

„The dirty louse,” a cop said, „too bad they can't give him the chair.”

„Why can't they?” Roy Manther ground out. „He—“

Jim Toller nodded, said: „He was drunk. A jury—“

He dragged the drunken man off the bed, shook him savagely. „Come on, kid. We're goin' up to the house and show you somethin' nice. Maybe you'll save the state a lot of trouble by telling us everything.“

## Chapter 4

### Ted Manther, Arrested for Murder.

The car went up to the mansion again, and Toller and the cops half dragged Ted Manther inside.

The dead-wagon crew stood waiting for permission to remove the body, but Toller said as he shoved his prisoner toward the corpse: „In just a minute, boys.”

Ted Manther gazed at the corpse dully for several moments. Then his brain was shocked free of the numbing fumes of liquor, and he cried out: „He—No! No, he can't be—Where's Roy? Roy!”

„Here I am, you rat!” his brother snarled at him. „Look at what you've done now. This time nothing can save you. He's dead—and you killed him! You hear?”

„N-no!” Ted Manther shuddered and pawed at his pasty face with his free left hand. His red-rimmed eyes were glassy, but he had been shocked sober.

„I—I didn't—I c-couldn't. Oh-h-h, my—“

„Get him out of here!” Jim Toller said tersely. „Book him for murder. I'll be downtown later. Maybe Mr. Manther”—he turned to Roy—„maybe you will drive me back?”

„Of course,” Roy Manther said, visibly shaken. „Excuse me for awhile, will you? I—I need a drink myself—right now.“

„I should think you would,” Jim said. He strode to the window and called out: „Mike, before you go, snap out the lights on that coupe out there, will you?”

He turned back into the room then and watched while the body of T.J. Manther was being placed in the undertaker's basket and carried out. The engine of the dead wagon raced and soon it went out of the grounds, tires crunching gravel.

Jim Toller grinned icily, took a pack of smokes out of his pocket. He selected a cigarette, touched a match to it and sucked sweet smoke into his lungs. It stimulated his brain, a brain that had been working with well-attuned mechanism for the past ten minutes. He crossed the library and picked up the score card that Roy Manther had tossed to the table. He opened it and saw that the Blues had won the game.

„Ha,” he chuckled, „I win five bucks!” and he slipped the card into his pocket.

Jim Toller crossed the room again to where the body had been found. He stood looking at the blood-stained chair for several moments, then stooped over and picked up something that had been wedged between the big cushion and the arm of the easy chair. Apparently it had fallen from the dead man's clothes. It was a small chunk of partially charred stuff that the detective pulled at with his fingers. It was wadding, and Toller knew it had come out of a cartridge. But why?

The detective suddenly snapped his teeth together with an audible click and swung around to look at the window. He smiled thinly, crossed the room slowly as Roy Manther came out of the hall.

„If you're ready, Toller," Manther said, „I'll drive you into town."

He picked up his hat and went out again.

Jim Toller said, almost unaware of it; „Okay, I'll be right out."

It was five minutes before he left the room. During that time, a lot of loose ends had been gathered in, and Jim Toller nodded grimly as he walked out of the house.

Roy Manther had the engine of his coupe running. He seemed to be a little impatient when Toller got in, and the detective apologized.

„Sorry to put you out like this," he said. „Especially at a time like this."

„Oh, that's all right," the bereaved man replied. „I couldn't stay in that house tonight, anyway. Maybe I won't—ever again. I'd keep seeing him there—like he was—I'll stay at a hotel."

„Pretty terrible when you think of it," Jim Toller remarked as the big coupé went down the winding road to the main highway. „A son killing his own father. Know how you must feel, Manther."

He was silent for quite a while after that. Then: „Some game last night. I didn't figure the Blues would cop."

„It was a great game all right," Roy Manther said. „Lefty Hoyt sure mowed down those Mudhen sluggers. But—listen, Toller, would you mind if I don't—talk about it. If I had only stayed home!"

## Chapter 5

### The Acrid Smell of Cordite.

Toller nodded amiably, his brain still trying to tell him something. He turned the handle on the side of the door and opened a small window to let in some air. Sparks flew from his cigarette and bit into the driver's face.

„Sorry," said the man from headquarters, taking the cigarette from between his lips. He leaned forward to put it into the ash receiver, but it slipped out of his hands. A sudden, brief hissing sound came from the rubber matting on the floor of the coupe, and Jim Toller looked down, eyes a little wide.

The coupe swung toward the ditch and Toller yelled: „Look out, Manther!"

The driver bore down on the brake pedal. Tires squealed as he swung the wheel sharply and brought the car back onto the macadam. Jim Toller swung his face toward Manther, startled out of his usual calm by the narrow squeak. Roy Manther swore and ripped out: „My nerves are shot. Guess there was a little water there on the floor."

Jim Toller said nothing. His nostrils flared, and he sat there with an acrid odor biting up into his brain.

„Sorry to give you that scare, Toller,“ Manther apologized. „I’ve been through a lot tonight, y’know.“

His passenger nodded, eyeing the floor at his feet.

„Some boiler,“ he commented. „They say these cars can do a hundred, Manther.“

He gazed ahead at the road unwinding before the wheels of the smoothly running car.

„Yes, it can. Never had it wide open, though.“ Manther said no more after that until the coupe slid into the cheap section on the outskirts of Centralia.

„I suppose I’ll have to go to the trial,“ he said then. „Stand all that nasty mess. I’m glad Mother never lived to see all this hell.“

„Money sure ruins a man if he gets too much of it,“ Jim Toller said abstractedly. „Anythin’ can happen to a guy who drinks like your brother. Does things he doesn’t know he’s doin’. People sure must have taken advantage of him—gamblers, dames—“

„Let’s not talk about him,“ Roy Manther said sharply. „Haven’t I been through enough without that?“

„Turn here,“ the detective said suddenly. „It’s a short cut to the station, Manther.“

Obediently Roy Manther turned the car through a dark side street. It purred along over four blocks of a wide thoroughfare. Then Jim Toller indicated another turn. Up ahead was a big, white, illuminated globe, and on it was printed in black letters the word POLICE. Roy Manther braked the coupe, swung toward the curb and drew to a stop. The plainclothes man went into the station house with Manther at his side. All of the newspaper men in town seemed to be gathered around the sergeant’s desk.

„Hello, Jim,“ said the officer on duty behind the desk. He nodded to Roy Manther, waited for Toller to explain the man’s presence.

„This is Roy Manther, Pat,“ said Jim. The sergeant’s eyes swung toward the prisoner’s brother. „Want to see your brother, eh?“

„No,“ Detective Toller answered for Manther. His next statement electrified his hearers. „He’s come to confess to the murder of his father, Pat!“

Roy Manther stiffened as though he had stepped on a live wire, swung startled eyes toward Jim Toller. Newspaper men gaped foolishly at the detective, then surged forward. A cop ripped out: „What did you say, Jim?“ as though he could not credit his own hearing.

„He’s crazy!“ Roy Manther ground out. „The man’s out of his mind!“

„Oh, yeah?“ the plainclothes man drawled. He pulled the score card out of his pocket and tossed it to the sergeant’s desk. „Take a look at that, Pat. It’s been filled out with an indelible pencil. And it’s not blurred at all.“

„I don’t get you, Jim,“ responded Pat. „No? Well, I was listening to that game over the radio,“ the detective declared. „It was raining pretty hard from the seventh inning on, over in Midville, and those stands ain’t covered. So why didn’t this score card get wet, unless a man was sitting in a car when he filled it out? A guy who listened in on the radio like I did. Catch on, Manther? That was a bad slip. You wet indelible lead and it smears.“

„I still say you’re crazy, Toller,“ Manther roared. „I can prove I was at that game. I’ve got a stub to prove it—a rain check. The man at the ticket office



spoke to me when I went in. I know him, see? Get him here tomorrow and he'll tell you! What're you trying to pull, Toller?"

## Chapter 6

### Smeared Lead.

Jim Toller to the cops:

„Watch him close, men," he said, „while I explain to the gentleman what I mean. That score card put the skids under him—pointed out other slips. Sure—he went to the game. It's only twenty miles to Midville, and the road is good. He could get there in that car of his in twenty-five minutes the way he drives. He could buy a ticket, go inside and get a score card, then leave. They open the gates an hour before the game time up there. He could get back to some spot near his father's house in time to tune in on the game. He figured that out. Sat in his coupe listening and keeping score—with that pencil. Maybe his nerves were on edge and he forgot to take into account what water does to indelible lead. He didn't know some of the cordite he took out of a shell fell on the floorboards of his car."

„That's right, Jim," a burly cop said. „That lead would've smeared if he was writin' out in the rain. It sure was raining pitchforks."

„You can't frame me, Toller!" Roy Manther snarled. „You and your guessin' game. You'll sweat for this. You'll be walking a beat again before the week's out. Of all the wild, crazy—"

Despite his blustering, Roy Manther's upper lip was beaded with sweat and there was a drawn, blue look about the corners of his mouth.

„Oh, I'll tell you more, Manther," Jim Toller hammered the man relentlessly. „You said that your brother came up from the gate-house and killed your father. Maybe. But there was dust on the window sill he was supposed to have climbed through, and it wasn't disturbed! No wonder your father fired the housekeeper. But that wasn't the payoff, Manther. It was the cartridge you fired in that thirty-eight. Yeah—the shell you fired! You had it figured out a long way ahead. You knew an expert pistol shot would be blamed for it—your brother!

„You emptied a lot of cordite out of that shell while you were in that coupé of yours and put wadding in to compensate for it. Then you put the bullet back in it again. That's why the bullet only went inside your father's head a little more than an inch. But you forgot that that wadding came out, too. It proves to me and everybody else that your father was killed by a man who stood close to him! If that pistol had been fired from where you tried to make me believe it had been, the wadding would not have gone right in your father's lap."

Roy Manther seemed to be shrinking inside his clothes. His demeanor had changed from defiance to panic. Fear was in his eyes now, and the color had receded from his face. In desperation he forced a jerky laugh.

„After you killed your father," Jim Toller said, „you wiped the prints off Ted Manther's gun and carried it down to the cottage to plant it in his hand. You most likely brought him that bottle of whiskey he almost finished, too. You planted some of that money you stole from the safe on him. How much did you keep, Manther? You worked fast. You hurried to where you left your car and

drove toward Midville because you knew that traffic would be heavy with all the fans coming home from the game and nobody would think anything about another car coming out of a filling station and heading right back from the direction it had come. You drove right back home, and it took you a little more than an hour. It all figures up by the clock!

„You left your lights burning in that roadster when you got to the house because you knew what you were going to find. Ordinarily you would have put it in the garage for the night. Anyway, under normal circumstances, you would have turned out the lights. It meant that you had jittery nerves even before you found your father’s body. You wanted money, Manther. Some of it quick. The rest when your father’s affairs were settled. Come clean, Manther. You think a man with a terrible hangover could have figured all that out? You think that even a crack pistol shot wouldn’t have pretty shaky hands after being on a bender for a couple of days? You think he would bother about fixing a shell so that—“

„Dead to rights,“ a newspaper man clipped suddenly.

Roy Manther broke. He dropped his head in his hands and reeled against the wall.

Jim Toller went on: „I’m guessing he spent a lot of money, too. Not with cheap bookies and gamblers like his brother, but with big-shot clubmen and society card sharks. He was a rat, too, but he had his fur polished. Did I figure right, Manther? And here’s another angle in case you haven’t enough already. I looked at the dial of your radio set in that coupe, and the arrow is turned to that little one-horse Centralia station, WXYB. Now why would you have it turned there with all those big stations putting out nice music? Figured it would be pretty easy hanging it onto your brother—with the rep he’s made for himself, huh? Put him in the cooler, Pat. He looks too sick to stand up.“

„Damn you! You snooping louse! You—“ Roy Manther choked on the epithets he called the detective.

„I bet the commissioner won’t call me them names,“ Jim Toller grinned. „Well, you see you can’t always judge a book by its cover, boys!“

The newshawks were already scrambling for possession of two telephone booths. Jim Toller grinned as he leaned against the desk and watched the cops take a fear-ridden man into the cell room and saw them bring a bewildered one out.

„Sometimes things are too obvious even to a dumb dick like me,“ Jim Toller said to the desk sergeant. „Manther puts that score card right where I can look at it when we get up to the house, Pat. Hands me an alibi and I ain’t even asked for it. And how many guys keep score cards? You know, this detective business is a soft racket sometimes, don’t you think?“

