DOWN & OUT

THE MAGAZINE

Vol 2
Iss 2

Featuring "The Lie Detector"
a new story by James O. Born

With stories by
John M. Floyd
Josh Pachter
Steven Nester
John Shepphird
Walter Satterthwait
and more!

Edited by Rick Ollerman

Ken's story is a noirish take on the old "A guy walks into a bar" routine. The thing is, the punchline isn't very funny, especially to the bartender Dean whose only mistake had been to believe Margot's story...

Whiskey and Rain

Ken Luer

The front door to the Ocean's View swung open and a husky man in a beige raincoat and matching canvas hat surged into the room, fierce wind and rain howling behind him. The door slammed shut and he looked around, got his bearings and crossed the room, shrugging off his coat along the way. He threw the coat over a bar stool, some lump inside clunked ugly against the stool's wooden back. He sat down, looked across the bar at me and said, "I've come to drink whiskey and watch the rain. So I'm just fine, thanks for asking."

This, before I could get out my standard "Hi, how're you doing?" Which was probably just as well because, if I'm being honest here, my delivery was getting stale. So I tried to put a bit of human warmth into asking, "What's your brand?"

"Michter's, if you've got it. The rye, not the bourbon."

I prefer their bourbon myself, but the rye's a nice swallow too. More important, it's a premium label, going for three bucks a pour more than the bar brand. So let's hope he's thirsty, I thought, business being slow that evening. The deluge outside, unusual here in Avila Beach, had kept all but the hardiest at home on a Wednesday night.

In fact, now going on nine o'clock, the place was empty, but for one couple in a booth near the back corner off the bar. I put them in their early thirties, attractive and nicely dressed, him in a neat blue blazer, her in a sleek red dress. They were sitting close, murmuring, lots of eyes and hands, looking like illicit lovers riding out the storm. Which they probably were, the bar being that kind of place and this being that kind of night. I thought of Margot, the woman I'd been seeing, and smiled to myself. I was already looking forward to next Monday night, Margot's lean body, her warm lips. Five days seemed a

long time to wait.

I turned toward the three tiers of bottles waiting patiently against the wall of glass behind me. The glass was double-paned, stretched to the ceiling and faced out toward the Pacific. The Ocean's View sat precipitously at the top of a jagged rock cliff which rose straight up, a few hundred feet or so, from the water. On a nice day, the view was gorgeous, hypnotic really, with sunlight shimmering off the waves and white caps dancing suggestively beyond, bouncing and rolling out to the horizon. A lonely, or sad, or troubled, or just plain bored soul could sit with a succession of fresh glasses, stare out across the water, and let whatever had brought him here melt away.

But tonight the rain pounded down like the hounds of hell, gusts of wind crashing sheets of water against the outer pane. It was a good time to be inside.

I reached to the top shelf, pulled down the Michter's, turned back and asked, "Rocks or straight up?"

"Straight up, no water. Remember W.C. Fields."

Who reputedly said: "I never drink water. Fish fuck in it."

"You got it." I gave him a generous pour, this being his first. Never hurts to get the customer off to a good start, loosen the purse strings.

He lifted the glass, looked through the soft brown liquid, with its promise of better things to come, and nodded appreciatively. He put the glass to his lips and tilted it back as the whiskey slid out and down his throat. He was a man on an errand, no pause for breath. He held the empty glass for a moment, then placed it softly down on the bar, said, "Nice. I'll have another."

Now, for a bartender, this sort of opening is usually a good news/bad news proposition. On the one hand, it should mean a plump bar bill, with a heavy tip. On the other, it could mean trouble. But this was only his second, too early to tell. I poured him another, this time a standard pour, getting things back on the proper commercial path. It wasn't my bar, but Ray, the owner, was a retired CPA who matched liquor output against revenues with the ferocity of an IRS team going after an international tax scam.

This time, the guy took a modest pull. He leaned back and grinned wide, a salesman's smile—full of teeth and insincerity, signifying nothing. He looked at me and said, "My name's Bob. What's yours?"

"Dean."

In response, he reached his hand over the bar and said, "Nice to

meet you, Dean." A little odd, but some customers want you to be their friend. I reached out and we shook. His mitt was a bit fleshy, but the grip was strong, deliberately so, it felt, and he held it a beat too long. Like a guy trying to make a point, maybe show he's the real deal.

I took a closer look, placed him somewhere in his early forties. A fringe of hair turning grey up from the temples and fading into bald on top. A little stocky but not fat by any means. Broad shoulders held back, with a barrel chest pushing against his pale blue shirt, some high-end cotton cut. By outward appearances, a successful man. But sitting alone at a bar, working his second drink, on an ugly night best spent at home. I'd seen all kinds across the bars I'd kept and something about this guy seemed a bit off.

I heard stirring from the table where the couple sat and saw the man coming up to order another round. The woman stayed where she was, alone, looking hungry for his return.

I thought again of Margot and smiled, remembering when she'd come in a few months back with some friends, four casually attractive women, a little past their thirties, still looking alert to life's possibilities. They took a table in the corner. When Margot came up to order their second round, I was at the other end of the bar chatting up some regulars. She must've been waiting a bit before I came over because she looked at me with just a hint of grin and said, "What does it take for a girl to get noticed around here?"

I liked that, returned the volley. "Just whistle. You know how to do that, right?"

She laughed, spontaneous and full. "I've seen the movie. More than once." And she silently pursed her lips, just to show she knew how.

Right then, she had me hooked. She liked the classics and was playing Bacall to my Bogie. She came in alone the next Monday, wearing a tight blue dress cut just enough in front to fire my imagination, sashayed down to a stool at the far end of the bar, and whistled. That had led to our succession of Mondays, her husband's poker night with his buddies.

I'd finished making fresh drinks for the man standing in front of me. He thanked me, picked them up and headed back to the table where better company eagerly awaited him.

I returned to my spot in front of Bob. He sat there, quiet, looking like he was expecting conversation. Now, in the bar trade, you gotta be careful, especially with customers you don't know. Politics and religion

are strictly off limits. In a closed space filled with alcohol, they can quickly lead to trouble. Even subjects like movies or music can stir up violent opinions after a few drinks.

I opted for a safe topic, said, "Some nasty weather out there. Any problem getting up Widow's Pass?" That being the name, with its romantic allure of seafaring peril, that Ray the owner had gotten our City Council to slap on the steep, narrow road winding up from the beach below to Ocean's View. Before that, it had been Stern's Lane, which Ray found too prosaic for his taste. Underneath his accountant's green eyeshade beat the heart of a wannabe poet.

Bob looked surprised, as though the danger of driving through a furious storm hadn't occurred to him. My having brought this to his attention, he said, "Well, it was pretty hard to see. But I knew where I was going, and I didn't pass any cars coming the other way. All I had to do was follow the white line."

That line of conversation snuffed out, an odd moment of heavy silence passed between us. He was polite enough but gave off some strange energy I couldn't put my finger on.

He took a drink, set his glass down, looked around the room. My eyes tracked along with his. The Ocean's View was a traditional tavern, neat and solid: hardwood floors, black and white photos of Miles and Coltrane and other legends on the walls. A few booths separated the lounge area from a small dining room on the other side, which sat dark and quiet, deserted early on a Wednesday night battered by an angry storm. In the background, the sound system was playing Dexter Gordon's lovely and wistful version of "A Nightingale Sang in Berkeley Square," the notes from his tenor sax sounding like lyrics, sweet and haunting.

He turned back to me and said, "Nice place. How long you been working here?"

I thought about that: How long *had* I been here? "A little over a year."

"Where were you before that?"

"Los Angeles. I was there four or five years. Came out from Michigan one February to see a friend, got a taste of California weather and never went back."

"What made you leave Los Angeles for here? Avila's a place people come to retire and die. You're too young to die in Avila."

That seemed a strange thing to say. But, more to the point, his

question was one I wasn't about to answer. Suffice it to say, I had to leave Los Angeles. A woman was involved. And her man, a guy whose hard reputation should have made me steer clear from the beginning. I lit out one step ahead of some ugliness. I'd been horny and careless, a forgivable combination to my thinking for a single guy pushing thirty. Of course, I was now repeating with Margot a mistake I'd sworn to leave behind. But it wasn't entirely my fault—she'd whistled, after all.

I looked again at Bob and wondered if he'd been in before. I decided not, then said, "I grew up in a small town. LA got too much for me. I wanted some place quiet, maybe set down roots." The first sentence was true, the rest standard issue bullshit. I wanted some place quiet alright, a place to lay low until the guy back in LA stopped looking for me. Avila was a small beach town, a couple hundred miles north. A place for families and couples looking for a quiet seaside vacation a little off the grid. It fit the bill.

We settled into an innocuous patter of safe topics like baseball and cars. Things guys talk about to avoid talking about anything that matters. He finished his second whiskey; I poured a third.

Then the couple from across the room rose and came up to the other end of the bar, ready to settle their bill. I nodded to Bob, headed down their way. The man and the woman were clinging to one another with what seemed, to my trained barkeep's eye, passionate desperation. In that moment, I saw they were going home, but not to the same home. I rang them up, he signed the tab. He put his arm around her waist, she leaned into him, and they turned to go. I said, "Be careful. It's pretty nasty out there."

They both looked up at me, as if startled that anyone else was in the room, or maybe taking my meaning as something larger than the local driving conditions. But the guy recovered, said, "Thanks. We will."

Again I thought of Margot. One night, lying together naked on top of the sheets after making love, she asked, "What do you most want from life, Dean?"

Caught by surprise, I admitted that I didn't really know. To avoid her asking more, I turned it around, said, "What do you most want?"

She didn't hesitate, simply said, "Escape." In the moment, that seemed like a damn good answer.

The couple was headed out the door, into harsh elements of rain and wind and trouble, some of which swept in, sharp and cold, as they left.

Bob and I were alone now, and I headed back to his place at the

bar. In the quiet of the room, I heard Bill Evans play the opening keys of "My Foolish Heart," each note rising clear and pure, hanging in the air, carrying its hint of the one to follow.

Bob pushed his glass forward, looked at me expectantly. This would be his fourth, crossing the line of some concern. You didn't want some customer—almost always a man—to rise from his seat, wobble across the room like an oversized toddler, go out the door and fall ass-first behind the wheel of a couple tons of moving metal.

He must've been on my wavelength. Said, "Don't worry. Not time to put me away. Takes more than three or four for that. Long as I'm talking so you can make out the words, keep hitting me."

Of course, that's the sort of thing you hear from a lot of drunks. But this guy Bob seemed in control, voice steady, eyes clear and focused. So I tipped the bottle into his glass again.

Myself, I wasn't much of a drinker anymore. I'd taken to it hard in my late teens and into my twenties. Gone out with the guys looking for fun, and for girls who were looking for guys, knocking drinks back like we'd found the elixir of all good things to come. Those days were well behind me. Not from any great revelation, no twelve-step or any such thing. Just got tired of it all, the gauzy fantasies of evening not worth the grim price paid in the morning.

Bob took an appreciative sip, put the glass down. "So tell me, Dean: What do you think about the institution of marriage?"

Uh-oh. I'd heard too many bitter guys griping about an ex and hoped he wasn't headed in that direction. I said, with my bartender's practiced casualness, "Can't really say. I've never been."

He leaned back and grinned, a cold one, no mirth. "Good for you, man. It's a deathtrap. Great starting off, lots of sex and good meals. Once that wears off, you realize you gave up too early and now you're stuck."

This didn't sound good. Had glass number four been his bridge too far?

Again, he must've read me. "Don't worry. That's all I got on the subject. I've left that trouble in the rearview. Clear sailing now."

"Congratulations then. You seeing anyone new?"

"No. Not yet. My wife just died."

That, ladies and gentlemen, was a showstopper.

I said, "I'm sorry for your loss."

He looked back, his mouth twisted in what might've been a smile.

"I appreciate the sentiment, but I'm trying not to dwell on it. Life goes on."

"Understood." We both fell silent, the bar between us, another awkward silence growing. I broke it by asking, "How long were you married?" and regretted the words before they were fully out. I'd doubled down when I should've folded.

"Twenty years. Met her in college. We never had kids. She couldn't. So it was just the two of us. Other than fucking around, of course."

Shit. I'd stepped in it now and tried to pull out to safer ground. "How long since she passed away?"

"A couple of hours. But I'm not sure I'd say she 'passed away.' That sounds kind of leisurely. I shot her. Five times. She was probably dead by the third."

I stood there, stunned. Looked for any hint of a grin. Saw none and said, "You're joking, right?"

He looked offended. "Of course not. Who would joke about a thing like that?"

And then, as I was trying to take this in, a terrible thought cut a fierce line down from my brains to my balls. I realized why this guy had looked familiar when he walked in. I'd seen a younger, thinner version of him with a full head of hair and wide-open smile, in a photo frame in the front hallway of the house where Margot lived with her husband. A hallway that led to a staircase of dark wood with a plush burgundy carpet running up its middle. The stairs by which I'd been following Margot up to her marital bed every Monday for the past few weeks. She called him Robert, not Bob.

He smiled again, broadly now. He was clearly enjoying this moment. "I see you've put it together."

I was reeling, breath coming in short bursts, heart racing. My knees buckled, I felt about to vomit and looked behind me for a chair that wasn't there. I reached ahead to the top of the bar and leaned forward trying to control my breathing. "Margot's dead?"

"Oh yeah. As a doornail." He saw my expression which, if I had to guess, would be best described as ashen. "Sorry, that probably sounded a little flip. She's quite dead though, no question about it."

"Why? It was just a fling. Nothing serious. She said you had affairs. You were screwing your secretary and she didn't mind. Said the two of you had an understanding."

"My understanding was that she didn't know, so no harm, no foul.

Turns out hers was different. That's the danger with marriage. Little misunderstandings can lead to big trouble."

I had no words. I wasn't sure if this was real. I looked at Bob, sitting there across from me like any other customer on a slow night. I kept staring at him, trying to show no movement as my thumb slid down to where Ray had installed a panic button just under the top of the bar. I pushed it hard, hoping it would send the 911 straight to the Avila police like it was supposed to.

He looked back steady, flashed a bitter smile. "Hard to take in, huh?" He picked up his glass and took another swallow. "Well, it was pretty hard for me too, when I began to think maybe she was screwing someone else."

He waited for a long beat. Hearing nothing, he half sang in a low, croaky voice, "'Bet you're wondering how I knew, 'bout your plans to make me blue. Great song, huh? Well here's how it was. I started noticing things. Like how Margot was now always dead asleep when I came in late on Monday nights, instead of waiting up for me like she used to. Things slightly out of place, like the clock radio on my bedside table moved a little further away from the edge. And she seemed awfully happy and sweet on Tuesday mornings."

Bob's voice was full of electricity, words crackling in the air. At the same time, his expression was strangely calm, like he was discussing something he'd seen on the news.

He'd paused, and now continued. "I didn't want to believe anything was really going on, but I couldn't get it out of my head. So I hired a private investigator. Turned out she'd been banging the local bartender on my poker nights. After all I'd done for her, the freedom I'd given up, she's spreading her legs for some lowlife pouring drinks. Now that was a tough pill for me to swallow."

I couldn't tell whether it was the betrayal that tore him up, or that she'd fucked down the ladder, not up. Maybe it was both. I looked at him, waiting to see what came next.

He saw that of course, smiled and said, "Now you're wondering what I'm going to do. After all, I killed my wife. What could I have in mind for her boyfriend? Well, Dean, you're about to find out. I'm glad we got this chance to talk. Chance for me to think maybe you're not really a bad guy, and for you to know what I did and why. Put aside your screwing my wife and me shooting her. Come to an understanding. It's good to air these things out. Margot should've tried it. Doubt

it would have done any good but, in retrospect, maybe worth a try."

As I was about to answer, a flash of bright light shot across the bar illuminating its walnut grain and making the whiskey in the bottom of Bob's glass glow like rich nectar. I stared for a moment, transfixed. Then a loud crack of trailing thunder rattled the wall of glass behind me. I thought of Miss Wilson for the first time in years. My pretty sixth grade science teacher who all the boys had a crush on, telling us that's how we could tell that light travels faster than sound. Funny the things you remember.

Outside, from somewhere down below, came the rising sound of a police siren. Shit, how could they not know to drive up the hill without giving themselves away until they got here, bursting through the door and saving the day? And the bartender...

Bob laughed. "You pushed a panic button, didn't you, you rascal? And here I thought I could trust you to keep this just between us." His voice was starting to climb into a manic range. "It's not going to help you, though. It'll take them a couple of minutes to get up that hill, especially in this weather."

He reached over to the next barstool and pulled a snubnose pistol from the pocket of the raincoat he'd shed on the way in. He pointed it at me, said, "I brought along a friend to help me sort this out."

I said, my voice coming out pleading and strangled, "Please don't do this. I thought you decided I wasn't a bad guy."

He smiled at me strangely, like I was a buddy he hadn't seen in a while. "Doesn't matter. You crossed a line. And speaking of understandings, I bet you can guess why I left one bullet in the gun. I see symmetry in the same load taking care of both ends of this reckoning."

And, with that, he pulled the trigger. The noise came as a hard thump against my ear drum, at the same moment that a massive punch slammed into my chest, driving me back into the wall of booze behind. I slid to the floor as bottles fell around me, some breaking, some bouncing hard. I could smell the spilled liquor, strong and sharp, feel the warm blood oozing from my chest. Then it all went dark.

When I opened my eyes, the pain came first, burning outward across my body. My vision came into focus. I saw a young guy, with brown hair and a neatly clipped moustache above a white shirt with some sort of plastic card pinned to the left side. He was leaning over me

with a pad of bright cotton. It took a moment to understand he was a paramedic trying to bandage my chest. He saw me looking at him, grinned and said, "You are one lucky dude. A couple of inches over and you'd be gone for good."

Some people'll tell you liquor causes nothing but trouble. But I'm here to say that Michter's saved my life. The bullet had hit the right side of my breastbone, which deflected it off one of my ribs and into the wall behind. Bob had been no more than five feet from me when he pulled the trigger, but four whiskeys at the bar, on top of whatever he'd had earlier at home, were enough to throw his aim just a little high and to the right. The pain was real enough, but I was alive.

They'd moved me out from the narrow space behind the bar, giving the paramedics room to work. I lifted my head to look around the room. Several cops in uniform. Two women in white coveralls, their hands in surgical gloves, examining the floor and stools where Bob had been. A balding man going fat around the middle and a younger woman wearing glasses and a scowl, each in a jacket and slacks, probably detectives.

And over in the corner, hands cuffed behind his back, slumped down in a chair, was Bob. He was facing across the room, but his eyes gave no sense of seeing me, or anything else for that matter. All the pain and rage had drained from his body; he was a spent force, waiting to be led away.

I'd had flings before with women unhappy with their men. I'd always skated free, no real price paid for my actions, at least not by me. This time hadn't been harmless, and it certainly wasn't free. The bill had come due, and the people whose lives I'd messed with had paid it.

What remains of that time for me is this: Margot's dead and her husband's life is over. Sometimes a day or two go by that I don't think of that.

And then there's this: I'm on my third town since Avila. First place, I'm there three months, I get a postcard. On the front there's an ocean sunset with the words *GREETINGS FROM AVILA BEACH* in bright red; on the back, in crude block hand-printing, "SOME DAY." Second town, five months, same card, this time with "SOON" across the back.

How'd he find me? He's got money and friends. Will he find me

again? I've been very careful this time. Just like I was the second time.

He's in prison, Corcoran State, likely for the rest of his days. But if he can reach me with a card, why not a man with a gun? So I watch for strangers in the day, avoid the shadows at night, hear the creak of floorboards in my sleep. Avila is always there, just over my shoulder. When I close my eyes, I see a gun. *The* gun. But I can't see Margot.

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THE MAGAZINE

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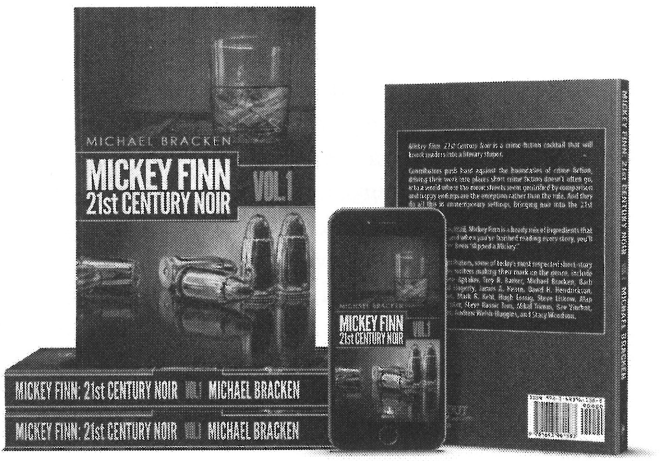

DOWN & OUT: THE MAGAZINE

There are a number of noteworthy articles in this issue of The Magazine.

We are fortunate to feature some of the correspondence between two legends of crime fiction, Walter Satterthwait and Bill Crider, both of whom recently passed away. For those who knew Walter and Bill, or were just fans of their work, there is a touch of their personalities that comes through in these exchanges and, at least for a moment, gives us an opportunity to experience their unique voices just a little bit, just one more time.

Jeff Vorzimmer, editor of last year's *The Best of Manhunt* collection, tells us about Stephen Marlowe's career in the piece leading into his story *The Blonde at the Wheel*. Jeff also contributed a story of his own and we're happy to have this opportunity to showcase his many skills.

We also have a couple of repeat appearances by writers who have appeared in previous issues. Arthur Klepchukov is back, as is John M. Floyd and John Shepphird. And with original stories by veterans like Josh Pachter and James O. Born, and newer offerings by Michael Cahlin, Steven Nester and Ken Luer, we're showing the art of the crime fiction short story is still going strong. May it ever be so.

DOWN & OUT BOOKS

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