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# They can only Hang you Once

By Dashiell Hammett

*Detective Spade seeks an  
interview and finds a mystery*

SAMUEL SPADE said: "My name is Ronald Ames. I want to see Mr. Binnett—Mr. Timothy Binnett."

"Mr. Binnett is resting now, sir," the butler replied hesitantly.

"Will you find out when I can see him? It's important." Spade cleared his throat. "I'm—uh—just back from Australia, and it's about some of his properties there."

The butler turned on his heel while saying "I'll see, sir," and was going up the front stairs before he had finished speaking.

Spade made and lit a cigarette.

The butler came downstairs again. "I'm sorry; he can't be disturbed now, but Mr. Wallace Binnett—Mr. Timothy's nephew—will see you."

Spade said, "Thanks," and followed the butler upstairs.

Wallace Binnett was a slender, handsome, dark man of about Spade's age—thirty-eight—who rose smiling from a brocaded chair, said, "How do you do, Mr. Ames?" waved his hand at another chair, and sat down again. "You're from Australia?"

"Got in this morning."

"You're a business associate of Uncle Tim's?"

Spade smiled and shook his head. "Hardly that, but I've some information I think he ought to have—quick."

Wallace Binnett looked thoughtfully at the floor, then up at Spade. "I'll do my best to persuade him to see you, Mr. Ames, but, frankly, I don't know."

Spade seemed mildly surprised. "Why?"

Binnett shrugged. "He's peculiar sometimes. Understand, his mind seems perfectly all right, but he has the testiness and eccentricity of an old man in ill health and—well—at times he can be difficult."

Spade asked slowly: "He's already refused to see me?"

"Yes."

Spade rose from his chair. His blond face was expressionless.

Binnett raised a hand quickly. "Wait, wait," he said. "I'll do what I can to make him change his mind. Perhaps if—" His dark eyes suddenly became wary. "You're not simply trying to sell him something, are you?"

"No."

THE wary gleam went out of Binnett's eyes. "Well, then, I think I can—"

A young woman came in crying angrily, "Wally, that old fool has—" She broke off with a hand to her breast when she saw Spade.

Spade and Binnett had risen together. Binnett said suavely. "Joyce, this is Mr. Ames. My sister-in-law, Joyce Court."

Spade bowed.

Joyce Court uttered a short, embarrassed laugh and said: "Please excuse my whirlwind entrance." She was a tall, blue-eyed, dark woman of twenty-four or -five with good shoulders and a strong, slim body. Her features made up in warmth what they lacked in regularity. She wore wide-legged blue satin pajamas.

Binnett smiled good-naturedly at her and asked: "Now what's all the excitement?"

Anger darkened her eyes again and she started to speak. Then she looked at Spade and said: "But we shouldn't bore Mr. Ames with our stupid domestic affairs. If—" She hesitated.

Spade bowed again. "Sure," he said, "certainly."

"I won't be a minute," Binnett promised, and left the room with her.

Spade went to the open doorway through which they had vanished and, standing just inside, listened. Their footsteps became inaudible. Nothing else could be heard. Spade was standing there—his yellow-gray eyes dreamy—when he heard the scream. It was a woman's scream, high and shrill with terror. Spade was through the doorway when he heard the shot. It was a pistol shot, magnified, reverberated by walls and ceilings.

Twenty feet from the doorway Spade found a staircase, and went up it three steps at a time. He turned to the left. Halfway down the hallway a woman lay on her back on the floor.

Wallace Binnett knelt beside her, fondling one of her hands desperately, crying in a low, beseeching voice: "Darling, Molly, darling!"

JOYCE COURT stood behind him and wrung her hands while tears streaked her cheeks.

The woman on the floor resembled Joyce Court but was older, and her face had a hardness the younger one's had not.

"She's dead, she's been killed," Wallace Binnett said incredulously, raising his white face towards Spade. When Binnett moved his head Spade could see the round hole in the woman's tan dress over her heart and the dark stain which was rapidly spreading below it.

Spade touched Joyce Court's arm. "Police, emergency hospital—phone," he said. As she ran towards the stairs he addressed Wallace Binnett: "Who did—"

A voice groaned feebly behind Spade.

He turned swiftly. Through an open doorway he could see an old man in white pajamas lying sprawled across a

rumpled bed. His head, a shoulder, an arm dangled over the edge of the bed. His other hand held his throat tightly. He groaned again and his eyelids twitched, but did not open.

Spade lifted the old man's head and shoulders and put them up on the pillows. The old man groaned again and took his hand from his throat. His throat was red with half a dozen bruises. He was a gaunt man with a seamed face that probably exaggerated his age.

A glass of water was on a table beside the bed. Spade put water on the old man's face and, when the old man's eyes twitched again, leaned down and growled softly: "Who did it?"

The twitching eyelids went up far enough to show a narrow strip of bloodshot gray eyes. The old man spoke painfully, putting a hand to his throat again: "A man—he—" He coughed.

Spade made an impatient grimace. His lips almost touched the old man's ear. "Where'd he go?" His voice was urgent.

A gaunt hand moved weakly to indicate the rear of the house and fell back on the bed.

The butler and two frightened female servants had joined Wallace Binnett beside the dead woman in the hallway.

"Who did it?" Spade asked them.

They stared at him blankly.

"Somebody look after the old man," he growled, and went down the hallway.

At the end of the hallway was a rear staircase. He descended two flights and went through a pantry into the kitchen. He saw nobody. The kitchen door was shut but, when he tried it, not locked. He crossed a narrow back yard to a gate that was shut, not locked. He opened the gate. There was nobody in the narrow alley behind it.

He sighed, shut the gate, and returned to the house.

SPADE sat comfortably slack in a deep leather chair in a room that ran across the front second story of Wallace Binnett's house. There were shelves of books and the lights were on. The window showed outer darkness weakly diluted by a distant street lamp. Facing Spade, Detective Sergeant Polhaus—a big, carelessly shaven, florid man in dark clothes that needed pressing—was sprawled in another leather chair; Lieutenant Dundy—smaller, compactly built, square-faced—stood with legs apart, head thrust a little forward, in the center of the room.

Spade was saying: "... and the doctor would only let me talk to the old man a couple of minutes. We can try it again when he's rested a little, but it doesn't look like he knows much. He was catching a nap and he woke up with somebody's hands on his throat dragging him around the bed. The best he got was a one-eyed look at the fellow choking him. A big fellow, he says, with a soft hat pulled down over his eyes, dark, needing a shave. Sounds like Tom." Spade nodded at Polhaus.

The detective sergeant chuckled, but Dundy said, "Go on," curtly.

SPADE grinned and went on: "He's pretty far gone when he hears Mrs. Binnett scream at the door. The hands go away from his throat and he hears the shot and just before passing out he gets a flash of the big fellow heading for the rear of the house and Mrs. Binnett tumbling down on the hall floor. He says he never saw the big fellow before."

"What size gun was it?" Dundy asked.

"Thirty-eight. Well, nobody in the house is much more help. Nobody saw anything. Wallace and his sister-in-law, Joyce, were in her room, so they say, and didn't see anything but the dead woman when they ran out, though they think they heard something that could've been somebody running downstairs—the back stairs.

"The butler—his name's Jarboe—was in here when he heard the scream and shot, so he says. Irene Kelly, the maid, was down on the ground floor, so she says. The cook, Margaret Finn, was in her room—third floor back—and didn't even hear anything, so she says. She's deaf as a post, so everybody else says. The back door and gate were unlocked, but are supposed to be kept locked, so everybody says. Nobody says they were in or around the kitchen or yard at the time." Spade spread his hands in a gesture of finality. "That's the crop."

Dundy shook his head. "Not exactly," he said. "How come you were here?"

Spade's face brightened. "Maybe my client killed her," he said. "He's Wallace's cousin, Ira Binnett. Know him?"

Dundy shook his head. His blue eyes were hard and suspicious.

"He's a San Francisco lawyer," Spade said, "respectable and all that. A couple of days ago he came to me with a story about his uncle Timothy, a miserly old skinflint, lousy with money and pretty well broken up by hard living. He was the black sheep of the family. None of them had heard of him for years. But six or eight months ago he showed up in pretty bad shape every way except financially—he seems to have taken a lot of money out of Australia—wanting to spend his last days with his only living relatives, his nephews Wallace and Ira.

"That was all right with them. 'Only living relatives' meant 'only heirs' in their language. But by and by the nephews began to think it was better to be an heir than to be one of a couple of heirs—twice as good, in fact—and started fiddling for the inside track with the old man. At least, that's what Ira told me about Wallace, and I wouldn't be surprised if Wallace would say the same thing about Ira, though Wallace seems to be the harder up of the two. Anyhow, the nephews fell out, and then Uncle Tim, who had been staying at Ira's, came over here. That was a couple of months ago, and Ira hasn't seen Uncle Tim since, and hasn't been able to get in touch with him by phone or mail.

"That's what he wanted a private detective about. He didn't think Uncle Tim would come to any harm here—oh, no, he went to a lot of trouble to make that clear—but he thought maybe undue pressure was being brought to bear on the old boy, or he was being hornswoggled somehow, and at least being told lies about his loving nephew Ira. He wanted to know what was what. I waited until today, when a boat from Australia docked, and came up here as a Mr. Ames with some important information for Uncle Tim about his properties down there. All I wanted was fifteen minutes alone with him." Spade frowned thoughtfully. "Well, I didn't get them. Wallace told me the old man refused to see me. I don't know."

SUSPICION had deepened in Dundy's cold blue eyes. "And where is this Ira Binnett now?" he asked.

Spade's yellow-gray eyes were as guileless as his voice. "I wish I knew. I phoned his house and office and left word for him to come right over, but I'm afraid—"

Knuckles knocked sharply twice on the other side of the room's one door. The three men in the room turned to face the door.

Dundy called, "Come in."

The door was opened by a sunburned blond policeman whose left hand held the right wrist of a plump man of forty or forty-five in well-fitting gray clothes. The policeman pushed the plump man into the room. "Found him monkeying with the kitchen door," he said.

Spade looked up and said: "Ah!" His tone expressed satisfaction. "Mr. Ira Wallace, Lieutenant Dundy, Sergeant

Polhaus."

Ira Binnett said rapidly: "Mr. Spade, will you tell this man that—"

Dundy addressed the policeman: "All right. Good work. You can leave him."

The policeman moved a hand vaguely towards his cap and went away, shutting the door.

Dundy glowered at Ira Binnett and demanded, "Well?"

Binnett looked from Dundy to Spade. "Has something—"

Spade said: "Better tell him why you were at the back door instead of the front."

Ira Binnett suddenly blushed. He cleared his throat in embarrassment. He said: "I—uh—I should explain. It wasn't my fault, of course, but when Jarboe—he's the butler—phoned me that Uncle Tim wanted to see me he told me he'd leave the kitchen door unlocked, so Wallace wouldn't have to know I'd—"

"What'd he want to see you about?" Dundy asked.

"I don't know. He didn't say. He said it was very important."

"Didn't you get my message?" Spade asked.

Ira Binnett's eyes widened. "No. What was it? Has anything happened? What is—"

Spade was moving towards the door. "Go ahead," he said to Dundy. "I'll be right back."

He shut the door carefully behind him and went up to the third floor.

The butler Jarboe was on his knees at Timothy Binnett's door with an eye to the keyhole. On the floor beside him was a tray holding an egg in an egg-cup, toast, a pot of coffee, china, silver, and a napkin.

Spade said: "Your toast's going to get cold."

Jarboe, scrambling to his feet, almost upsetting the coffeepot in his haste, his face red and sheepish, stammered: "I—er—beg your pardon, sir. I wanted to make sure Mr. Timothy was awake before I took this in." He picked up the tray. "I didn't want to disturb his rest if—"

Spade, who had reached the door, said, "Sure, sure," and bent over to put his eye to the keyhole. When he straightened up he said in a mildly complaining tone: "You can't see the bed—only a chair and part of the window."

The butler replied quickly: "Yes, sir, I found that out."

Spade laughed.

THE butler coughed, seemed about to say something, but did not. He hesitated, then knocked lightly on the door.

A tired voice said, "Come in."

Spade asked quickly in a low voice: "Where's Miss Court?"

"In her room, I think, sir, the second door on the left," the butler said.

The tired voice inside the room said petulantly: "Well, come on in."

The butler opened the door and went in. Through the door, before the butler shut it, Spade caught a glimpse of Timothy Binnett propped up on pillows in his bed.

Spade went to the second door on the left and knocked. The door was opened almost immediately by Joyce Court. She stood in the doorway, not smiling, not speaking.

He said: "Miss Court, when you came into the room where I was with your brother-in-law you said, 'Wally, that old fool has—' Meaning Timothy?"

She stared at Spade for a moment. Then: "Yes."

"Mind telling me what the rest of the sentence would have been?"

She said slowly: "I don't know who you really are or why you ask, but I don't mind telling you. It would have been 'sent for Ira.' Jarboe had just told me."

"Thanks."

She shut the door before he had turned away.

He returned to Timothy Binnett's door and knocked on it.

"Who is it now?" the old man's voice demanded.

Spade opened the door. The old man was sitting up in bed.

Spade said: "This Jarboe was peeping through your keyhole a few minutes ago," and returned to the library.

IRA BINNETT, seated in the chair Spade had occupied, was saying to Dundy and Polhaus: "And Wallace got caught in the crash, like most of us, but he seems to have juggled accounts trying to save himself. He was expelled from the Stock Exchange."

Dundy waved a hand to indicate the room and its furnishings. "Pretty classy layout for a man that's busted."

"His wife has some money," Ira Binnett said, "and he always lived beyond his means."

Dundy scowled at Binnett. "And you really think he and his missus weren't on good terms?"

"I don't think it," Binnett replied evenly. "I know it."

Dundy nodded. "And you know he's got a yen for the sister-in-law, this Court?"

"I don't know that. But I've heard plenty of gossip to the same effect."

Dundy made a growling noise in his throat, then asked sharply: "How does the old man's will read?"

"I don't know. I don't know whether he's made one." He addressed Spade now, earnestly: "I've told everything I know, every single thing."

Dundy said, "It's not enough." He jerked a thumb at the door. "Show him where to wait, Tom, and let's have the widower in again."

Big Polhaus said, "Right," went out with Ira Binnett, and returned with Wallace Binnett, whose face was hard and pale.

Dundy asked: "Has your uncle made a will?"

"I don't know," Binnett replied.

Spade put the next question, softly: "Did your wife?"

Binnett's mouth tightened in a mirthless smile. He spoke deliberately: "I'm going to say some things I'd rather not have to say. My wife, properly, had no money. When I got into financial trouble some time ago I made some property over to her, to save it. She turned it into money without my knowing about it till afterwards. She paid our bills—our living expenses—out of it, but she refused to return it to me and she assured me that in no event—whether she lived or died or we stayed together or were divorced—would I ever be able to get hold of a penny of it. I believed her, and still do."

"You wanted a divorce?" Dundy asked.

"Yes."

"Why?"

"It wasn't a happy marriage."

"Joyce Court?"

Binnett's face flushed. He said stiffly: "I admire Joyce Court tremendously, but I'd've wanted a divorce anyway."

Spade said: "And you're sure—still absolutely sure—you don't know anybody who fits your uncle's description of the man who choked him?"

"Absolutely sure."

THE sound of the doorbell ringing came faintly into the room.

Dundy said sourly, "That'll do."

Binnett went out.

Polhaus said: "That guy's as wrong as they make them. And—"

From below came the heavy report of a pistol fired indoors.

The lights went out.

In darkness the three detectives collided with one another going through the doorway into the dark hall. Spade reached the stairs first. There was a clatter of footsteps below him, but nothing could be seen until he reached a bend in the stairs. Then enough light came from the street through the open front door to show the dark figure of a man standing with his back to the open door.

A flashlight clicked in Dundy's hand—he was at Spade's heels—and threw a glaring white beam of light on the man's face. He was Ira Binnett. He blinked in the light and pointed at something on the floor in front of him.

Dundy turned the beam of his light down on the floor. Jarboe lay there on his face, bleeding from a bullet hole in the

back of his head.

Spade grunted softly.

Tom Polhaus came blundering down the stairs, Wallace Binnett close behind him. Joyce Court's frightened voice came from farther up: "Oh, what's happened? Wally, what's happened?"

"Where's the light switch?" Dundy barked.

"Inside the cellar door, under these stairs," Wallace Binnett said. "What is it?"

Polhaus pushed past Binnett towards the cellar door.

Spade made an inarticulate sound in his throat and, pushing Wallace Binnett aside, sprang up the stairs. He brushed past Joyce Court and went on, heedless of her startled scream. He was halfway up the stairs to the third floor when the pistol went off up there.

He ran to Timothy Binnett's door. The door was open. He went in.

Something hard and angular struck him above his right ear, knocking him across the room, bringing him down on one knee. Something thumped and clattered on the floor just outside the door.

The lights came on.

On the floor, in the center of the room, Timothy Binnett lay on his back bleeding from a bullet wound in his left forearm. His pajama jacket was torn. His eyes were shut.

Spade stood up and put a hand to his head. He scowled at the old man on the floor, at the room, at the black automatic pistol lying on the hallway floor. He said: "Come on, you old cutthroat. Get up and sit on a chair and I'll see if I can stop that bleeding till the doctor gets here."

The man on the floor did not move.

There were footsteps in the hallway and Dundy came in, followed by the two younger Binnetts. Dundy's face was dark and furious. "Kitchen door wide open," he said in a choked voice. "They run in and out like—"

"Forget it," Spade said. "Uncle Tim is our meat." He paid no attention to Wallace Binnett's gasp, to the incredulous looks on Dundy's and Ira Binnett's faces. "Come on, get up," he said to the old man on the floor, "and tell us what it was the butler saw when he peeped through the keyhole."

The old man did not stir.

"He killed the butler because I told him the butler had peeped," Spade explained to Dundy. "I peeped, too, but didn't see anything except that chair and the window, though we'd made enough racket by then to scare him back to bed. Suppose you take the chair apart while I go over the window." He went to the window and began to examine it carefully. He shook his head, put a hand out behind him, and said: "Give me the flashlight."

Dundy put the flashlight in his hand.

Spade raised the window and leaned out, turning the light on the outside of the building. Presently he grunted and put his other hand out, tugging at a brick a little below the sill. Presently the brick came loose. He put it on the window sill and stuck his hand into the hole its removal had made. Out of the opening, one at a time, he brought an empty black pistol holster, a partially filled box of cartridges, and an unsealed manila envelope.

HOLDING these things in his hands, he turned to face the others. Joyce Court came in with a basin of water and a roll of gauze and knelt beside Timothy Binnett. Spade put the holster and cartridges on a table and opened the manila envelope. Inside were two sheets of paper, covered on both sides with boldly penciled writing. Spade read a paragraph to himself, suddenly laughed, and began at the beginning again, reading aloud:

"I, Timothy Kieran Binnett, being sound of mind and body, do declare this to be my last will and testament. To my dear nephews, Ira Binnett and Wallace Bourke Binnett, in recognition of the loving kindness with which they have received me into their homes and attended my declining years, I give and bequeath, share and share alike, all my worldly possessions of whatever kind, to wit, my carcass and the clothes I stand in.

"I bequeath them, furthermore, the expense of my funeral and these memories: First, the memory of their credulity in believing that the fifteen years I spent in Sing Sing were spent in Australia; second, the memory of their optimism in supposing that those fifteen years had brought me great wealth, and that if I lived on them, borrowed from them, and never spent any of my own money, it was because I was a miser whose hoard they would inherit; and not because I had no money except what I shook them down for; third, for their hopefulness in thinking that I would leave either of them anything if I had it; and, lastly, because their painful lack of any decent sense of humor will keep them from ever seeing how funny this has all been. Signed and sealed this—"

Spade looked up to say: "There is no date, but it's signed Timothy Kieran Binnett with flourishes."

Ira Binnett was purple with anger, Wallace's face was ghastly in its pallor and his whole body was trembling. Joyce Court had stopped working on Timothy Binnett's arm.

The old man sat up and opened his eyes. He looked at his nephews and began to laugh. There was in his laughter neither hysteria nor madness: it was sane, hearty laughter, and subsided slowly.

Spade said: "All right, now you've had your fun. Let's talk about the killings."

"I know nothing more about the first one than I've told you," the old man said, "and this one's not a killing, since I'm only—"

Wallace Binnett, still trembling violently, said painfully through his teeth: "That's a lie. You killed Molly. Joyce and I came out of her room when we heard Molly scream, and heard the shot and saw her fall out of your room, and nobody came out afterwards."

The old man said calmly: "Well, I'll tell you: it was an accident. They told me there was a fellow from Australia here to see me about some of my properties there. I knew there was something funny about that somewhere"—he grinned—"not ever having been there. I didn't know whether one of my dear nephews was getting suspicious and putting up a game on me or what, but I knew that if Wally wasn't in on it he'd certainly try to pump the gentleman from Australia about me and maybe I'd lose one of my free boarding-houses." He chuckled.

"So I figured I'd get in touch with Ira so I could go back to his house if things worked out bad here, and I'd try to get rid of this Australian. Wally's always thought I'm half-cracked"—he leered at his nephew—"and's afraid they'll lug me off to a madhouse before I could make a will in his favor, or they'll break it if I do. You see, he's got a pretty bad reputation, what with that Stock Exchange trouble and all, and he knows no court would appoint him to handle my affairs if I went screwy—not as long as I've got another nephew"—he turned his leer on Ira—"who's a respectable lawyer. So now I know that rather than have me kick up a row that might wind me up in the madhouse, he'll chase this visitor, and I put on a show for Molly, who happened to be the nearest one to hand. She took it too seriously, though.

"I had a gun and I did a lot of raving about being spied on by my enemies in Australia and that I was going down and shoot this fellow. But she got too excited and tried to take the gun away from me, and the first thing I knew it had gone off, and I had to make these marks on my neck and think up that story about the big dark man." He looked contemptuously at Wallace. "I didn't know he was covering me up. Little as I thought of him, I never thought he'd be low enough to cover up his wife's murderer—even if he didn't like her—just for the sake of money."

SPADE said: "Never mind that. Now about the butler?"

"I don't know anything about the butler," the old man replied, looking at Spade with steady eyes.

Spade said: "You had to kill him quick, before he had time to do or say anything. So you slip down the back stairs, open the kitchen door to fool people, go to the front door, ring the bell, shut the door, and hide in the shadow of the cellar door under the front steps. When Jarboe answered the doorbell you shot him—the hole was in the back of his head—pulled the light switch, just inside the cellar door, and ducked up the back stairs in the dark and shot yourself carefully in the arm. I got up there too soon for you; so you smacked me with the gun, chucked it through the door, and spread yourself on the floor while I was shaking pinwheels out of my noodle."

The old man sniffed again. "You're just—"

"Stop it," Spade said patiently. "Don't let's argue. The first killing was an accident—all right. The second couldn't be. And it ought to be easy to show that both bullets, and the one in your arm, were fired from the same gun. What difference does it make which killing we can prove first-degree murder on? They can only hang you once." He smiled pleasantly. "And they will."

[End of *They Can Only Hang You Once*, by Dashiell Hammett]